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Political Attitudes of Medici Administration

RIO DE JANEIRO A-709, December 9, 1969

CONSULATE OF THE UNITED STATES OF AMERICA

AUG 28 1970

BELEM, PARA, BRAZIL

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As the Embassy highlighted in its assessment of the Medici Administration last December (A-709, December 9, 1969), President Medici was chosen by and has his power base in the same military establishment as his Revolutionary predecessors. He inherited from them the economic and social problems with which they had long been grappling with varying degrees of success, a political situation which was abnormal in many respects as a result of mounting Revolutionary restrictions, and some well established Revolutionary devices and techniques for governing, e. g., the institutional acts.

This airgram describes the positions which the Medici Administration has assumed on major political problems as these positions have emerged in Medici's first nine months. It assesses these positions particularly in terms of changes -- positive and negative -- since Medici took over. The first section describes some of Medici's own characteristics; the second considers the extent of the revitalization of the political institutions which were moribund when Medici assumed office; the third assesses the extent to which Medici has moved to restore individual rights and freedoms infringed by his Revolutionary predecessors, and his attitude on the overall question of a "democratic opening". The airgram concludes with a brief look at the near future.

The Embassy plans to submit an analysis of Medici's foreign policy in a subsequent airgram.

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PCL:RE:has:ael 8/7/70

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SUMMARY

The first months of Medici's Administration have brought few surprises. As anticipated in the Embassy's appraisal last December, Medici has proven an efficient, decisive administrator. He has also avoided sharp confrontations, i. e., with military groupings, with civilian politicians, or with the Church, maintaining his position as a source of unity within the military and in the nation as a whole.

President Medici has maintained the sensible economic policies of his Revolutionary predecessors, with continuing good results in terms of growth as well as stability. In the economic and social fields his principal innovations have been reforms in the educational system and the Transamazonica project. A new, more independent foreign policy is evolving which emphasizes the stubborn defense of Brazil's own interests as the country matures and develops. The latter two moves seem to have broad popular appeal. Other features of this Administration such as the President's pursuit of balanced economic policies, his concentration on avoiding conflict and polarization, and his own rather austere personality are not such as to capture the imagination of the majority of the Brazilians. However, a campaign to increase Medici's exposure is encountering some modest successes, and with his solid integrity he has increased the prestige, if not the popularity, which the Presidency holds.

Medici has demonstrated strength and consistency in holding to the schedule for the political opening to which he alluded on taking office, modest as this opening is, and at times this course has involved decisions unpopular with at least some of his military colleagues. The formal resumption of legislative activity throughout the country does not mean that the military is preparing to abdicate its ultimate control. The Federal Congress performs a useful role as a sounding board for opposition criticism, but the restrictions of the new Constitution as well as past cassations and the power realities of the present situation render it powerless to challenge the authority of the Executive. The fall legislative and gubernatorial elections remain firmly on schedule; in selecting nominees for gubernatorial offices Medici is trying to bring gradually to the fore a new type of politician: competent administrators, loyal to him and to the Revolution and without roots in the old political power groups.

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While Medici has taken concrete steps to return some of the country's political institutions to at least formal action, he has not seen fit to reestablish on any significant scale the individual rights and liberties on which the Revolution has gradually infringed. Press censorship remains sporadic, at about the same level as under his predecessor, but the Government has come under attack from the press and intellectual circles for the new and highly unpopular decree on prior censorship; student political activity remains completely suppressed; and the continuing suspension of habeas corpus in cases involving national security as well as torture and other police excesses have, for numerous concerned Brazilians, tended to tarnish what would otherwise have been a good Medici image. Medici himself must take responsibility for three restrictive and unpopular measures announced this year: the decree law establishing prior censorship, the unexplained cassation of ten health scientists, and the complementary edict providing that public servants deprived of their political rights (or cassated) also lose their jobs.

As partial explanation of the foregoing, Medici makes no bones about the fact that the establishment of liberal democracy in Brazil is not an immediate goal of his Administration. He holds to the view that the population must be educated to the point where they can handle democracy. Hence while still receiving attention, the building of democratic political institutions in Brazil today is assigned a priority lower than that of economic and social development and the elimination of subversion and corruption.

Looking to the future, the principal uncertainty in the situation is Medici's health; the kidnapping and trouble-making potential of the terrorists is another unsettling factor. The unity of the military establishment was maintained through the crisis brought on by Costa e Silva's stroke, and it could survive another crisis, but there remains the possibility that this unity would coalesce around an individual different in stripe from Medici and his predecessors. Medici has been emphasizing the independent pursuit of the interests of a greater Brazil as a hallmark of his policy, in part perhaps to take the wind out of the sails of strong nationalists like Albuquerque Lima. The focus on grand national projects like Transamazonica is one way of meeting this problem. A successor to Medici would at least have to pick up where he left off, and a continuation of this emphasis on the Revolution's championing of broad national interests and objectives seems likely in any case.

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PART I - THE PROFILE OF MEDICI'S GOVERNMENT

There can be no doubt that the ultimate decision-making power in the government rests with the President. While he could not afford to alienate his military support and would not wish to, he is no pushover for any power element in Brazil today. He has borne out earlier forecasts by proving to be a decisive administrator, ready to make his own personal authority felt in any sector of Brazilian life to maintain the impetus of his policies and to preserve the Executive's control of the Revolution's course. There are grounds for concluding that on occasion he has resisted pressures from within the military establishment and stood his ground on some decisions which were broadly unpopular with his military colleagues -- e. g., in the selection of only a handful of political figures for cassation, in the Government's unruffled reaction to the Bishops' call for an investigation of police methods, and in certain gubernatorial choices. Medici's unwavering policy of acceding to kidnappers' demands in order to secure the release of foreign diplomats has been viewed with concern in some sectors of the military establishment. The Embassy has received reports, partially confirmed by actual experience in various parts of the country, that the President has told regional military commanders to refrain as much as possible from interfering in the governing process in the states. The selection of candidates for election to municipal, state, and Federal office in the fall election is proceeding without reports of interference by these commanders. To date there is no sign that any of these stands have cost him the unified military support which he enjoyed when he took office.

This persistence in the pursuit of stated goals has evidenced Medici's increasing confidence. So far, kidnappings and subsequent boasts for the terrorist cause have not panicked the President into blind, wholesale crack-downs, nor has he been deflected from the pre-announced course for the "political opening".

Medici has not injected himself openly into economic policy making but has left this field to his experts. Under the hold-over Delfino Neto there has been a continuation of impressive economic growth combined with stability. This success has obviated the necessity for major Medici Administration shifts in domestic economic policy.

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In the social sphere there have been no dramatic Medici moves, with the possible exception of the reorganization of certain aspects of the educational system. Thus fast, broad national development (Transamazonica project) is emerging as the hallmark of the Medici regime, and the source of whatever hope it may have for capturing the public's interest. This theme dovetails neatly with the "Brazil first" concept stressed nowadays in Medici foreign policy.

A greater abundance of ideas for tackling Brazil's economic and social problems may yet come forward, as the Medici Administration develops experience in office. When he was suddenly drafted for the Presidency, Medici had had little training in these sectors, had not been called on to reflect deeply on the issues, and apparently had no new programs or directions in mind to test out. There has thus probably been an absence of inspiration from above for innovative work; rather, Medici seems to be relying on his trusted cabinet officers to find common sense solutions and send them up to him.

The President's closest friends and frequent informal consultants are military men. The Chief of the Military Household is always on hand and participates in many of the decisions of the Presidency, while General Carlos Alberto da Fontoura, as head of MNL, is called on often for advice and also to review proposed Presidential appointments. The influential role played by these ever-present and trusted military colleagues cannot be overestimated. Brazil has a military government in the sense that the ultimate authority today is entirely in the military's hands, just as it was during last fall's crisis. Having said this, it should be added that Medici's Government is not by its own nature "military", i. e., military in the sense that either the decision-making or the operational roles are monopolized by military men. Moving down from the President's staff, all the cabinet jobs are handled by civilians. The cabinet includes some retired military men, but by and large they are men who had already developed experience and prominence in civilian capacities at the time they were named for office. Generally, they seem to have been delegated a large measure of responsibility and authority in their respective fields, and some of them (e. g., Delfim Neto and Passarinho) have prominent public profiles and considerable stature in Brazil.

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today. With only a few minor exceptions, Medici's team is composed of men of intelligence and capacity.

Medici as a man of integrity has built up the respect with which the Presidency is regarded by the public, after its lustre was dimmed somewhat by his free-wheeling predecessor. An inherently austere, modest, and withdrawn man, he lacks the flair which would keep him in the public eye and his image is not a dominant one. However, there have been increasing signs that he is losing some of his inhibitions about courting public favor, e. g., his prominent appearances in such key cities as Recife, Salvador, São Paulo, and Porto Alegre in the space of a few months, and the public manner in which he injected himself into the nation-wide jubilation over Brazil's world football championship. Reportedly close advisors like Col. Cctavio Costa are slowly succeeding in convincing him that popularity should be sought because of its importance in achieving the Revolution's goals, not simply awaited as a reward for good administration. This job of convincing has become gradually easier because of the growing confidence and strength which the Medici Administration has felt. While the crowds on hand to greet him during his travels have not been at all impressive by objective standards, we understand Medici has been gratified over the response (as a military man he has not been accustomed to any public acclaim). His visit to drought-stricken areas of the Northeast projected him as a concerned father. It was judged an important political success at the time. For many of the Northeast's economic and political leaders, Medici lost some points when he announced plans to divert some of the development resources projected for the Northeast to the North. But Medici undoubtedly feels, with considerable justification, that his ambitious Amazonica plan has captivated the imagination of many Brazilians and given his Administration its own stamp. While the release of 61 terrorist prisoners as ransom for diplomats went a long way to undo progress in the anti-terrorist campaigns, Medici undoubtedly considers this setback offset in part in its domestic impact by the stature Brazil has gained by scrupulously adhering to its international obligations. He may attribute a similar positive effect to recent public relations moves in the anti-terrorist campaign, i. e., public denunciations of terrorism by surrendering ex-terrorists (although to outside observers these statements have not appeared wholly

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convincing). The upcoming elections and the reopening of legislatures closed under Costa e Silva are other developments from which Medici probably feels he draws a measure of support.

Medici is liked in private business circles, which appreciate the political and economic stability and continuing economic growth which his Administration has provided. The temper of the Brazilian peasant is hard to gauge and the fruits of economic growth in his sector are minimal; but there are indications that Medici has earned support in some rural areas as a result of agricultural credit and other farm programs as well as infrastructure projects. Medici's primary opposition comes from liberal elements of the Church, students and intellectuals, alienated by continuing restrictions on freedom of expression as well as by police excesses. Spokesmen for organized labor complain that the inflation fight is pinching the incomes of industrial workers. Some of the civilian politicians, especially MDB, resent what they see as a lack of progress in real re-democratization, although other politicians appreciate Medici for restoring their legislative jobs.

All in all, the numerical majority of the country's population probably remains either uninformed or fatalistic and indifferent concerning the Presidency. Medici has a long way to go if he hopes to inspire broad public interest in his Administration, but he is making a start.

PART II - MEDICI AND THE POLITICAL OPENING

General Observations

The first half year of Medici's Administration has brought some progress in reactivating Brazilian democratic political institutions closed down under Medici's predecessor. The Federal Congress was called back into operation and is functioning at present, without real governing power but with considerable freedom to criticize. Long-postponed elections for municipal offices finally came off in many areas last fall. All of the seven state legislatures recessed under Costa e Silva have resumed operation. Indirect elections for state governors, with nominees tapped by Medici, as well as direct elections for municipal, state, and federal legislative bodies are scheduled for October and November. In important Guanabara State

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the opposition (MDB)-controlled Assembly will be allowed to elect the Governor, Medici having rejected proposals that he intervene.

While these are positive steps in and of themselves, it should not be inferred that under Medici a broad "democratic opening" has established representative government in Brazil. No real legislative authority has been parcelled out to civilian politicians. Each of the aforementioned steps has been accompanied by controls to safeguard the power pre-eminence of the regime. The Government has said several times that it has no intention of allowing the situation to return to the "chance of the pre-Revolutionary days." This slogan is tantamount to a statement that none of the controlling authority presently enjoyed by the military establishment will be handed over to civilian politicians unless and until they develop a full measure of discipline in the implementation of the Revolution.

Medici's actions since taking office last fall, and indeed his own words, demonstrate that he is not in favor of establishing a liberal brand of democracy in Brazil at this time. In his public statements he emphasizes the need that any steps in Brazil's democratic political development accord with the main Revolutionary goals of: (1) rapid economic development -- development of a sort which benefits the poorest Brazilians --, (2) the elimination of self-interest and corruption in Brazilian political life, and (3) the uprooting of subversion in Brazilian society.

Nevertheless, the modest steps in the political opening mentioned in paragraph one are positive measures in and of themselves. If Medici has shown realism in gauging the "revolutionary consensus", i. e., the limits of the political opening acceptable to his military colleagues under present circumstances, he has also demonstrated a determination to keep his promises to the civilian politicians. He is maintaining his own cautious policy in guiding the country's political evolution, resisting pressures from both radical authoritarians and liberal democrats.

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The Federal Congress and the Parties

The Federal Congress, already tamed by cassations, resumed functioning under a new constitution which increased the power of the executive at the legislature's expense. The constitution included, for example, provisions which restricted the right of publication of members' remarks and required voting along party lines. The knowledge that Medici, if exasperated, could repeat Costa e Silva's earlier action and recess the Congress serves as an important factor inhibiting the opposition. The Government leadership in Congress is wont to remind colleagues of this fact.

Both ARENA and the opposition party have serious built-in problems. Neither of them attracts any real interest among the population at large (although in many areas veteran legislators still rely on their ties with the old parties, now submerged in the new conglomerates, to deliver votes). ARENA has existed as an avenue to advancement in national, state, and local politics, but the frequent lack of Presidential approval of state ARENA gubernatorial choices has served to undermine this raison d'etre. With patronage cut down as well, ARENA membership has become a thankless chore. As members of the governing party, ARENA politicians are obliged to explain and defend Government actions, including the exercise of special institutional act prerogatives. MDB party members, on the other hand, are free to criticize the Administration's steps within tacit and fairly broad limits, and do so publicly. But a majority of them prefer to avoid driving the Administration to the wall and risking Congress' dismissal. MDB is thus an opposition party which is unable to unleash any broad anti-Government campaign, for fear of virtual extinction if it becomes too successful. The essence of the MDB's dilemma is that although it is an "opposition" party and ARENA is the party of the Government, both are assumed to be supporters of the Revolution -- the course of which the Government defines. Thus the MDB position involves an inherent contradiction in terms.

Under the prevailing circumstances the MDB is not an effective opposition, and Congress is not an effective instrument of government. It is not within the capacity of the opposition minority to block the Government on any issue, and the provisions of the new

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Constitution require party loyalty in voting. Incapable of blocking Government measures in the Federal Congress, the MDB is now appealing to the Supreme Federal Tribunal to rule unconstitutional two important Medici regime measures: the decree laws on pre-censorship and on ineligibilities.

Yet it would be a mistake to dismiss the Federal Congress as a cipher. It is serving under Medici as a sounding board for some quite direct and at times painful criticism of Government policies. Occasionally the Administration has let the limits of such criticism be known, as for example the enforced blackout for months on discussion of police torture. Most attacks on Government policies follow certain Marquis of Queensbury rules. But criticism there is, within fairly broad limits, and it is picked up and reflected in detail in the press. Even the torture issue did not remain blacked out indefinitely. To illustrate some of the topics of recent opposition criticism, one MDB Deputy, speaking in mid-July, attacked the Presidency for having taken over the selection of gubernatorial nominees. He claimed Brazil is now an "autocracy" under an all-powerful President, a "classical South American type of dictatorship". A São Paulo MDB Deputy called on the President to restore habeas corpus and the independence of the judiciary. Another Deputy accused President Medici of "disrespect of the Constitution" and of abuse of his power to issue decree laws without consulting Congress (similar complaints have been answered before with the claim that any use of institutional act powers is in accord with the Constitution since IA-5 is now a part of the Constitution). During July and August MDB leaders have taken the floor to present specifics concerning alleged police torture, and to demand official investigation. Still other deputies have criticized Medici's failure to revoke Institutional Act 5. All of the most controversial of the Medici Government's measures have been argued in the Federal Congress at one time or another: censorship, the law on ineligibility, cassations, etc. The Congress thus serves as a forum where the existence of alternative courses of action can be publicized, and where any particularly repressive actions by Government entities risk being exposed.

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"Democratic Opening" Elsewhere

Some of the same strictures which keep the Federal Congress from operating in a democratic context apply to the operation of state legislatures. The reactivation of the seven state legislatures is being accompanied by fresh cassations in some states: while the MDB-dominated Guanabara legislature reopened with no new cassations, ten state deputies of São Paulo and Pernambuco were cassated in May, and three more from the Rio de Janeiro and Goiás assemblies in July. Most of the legislators thus summarily dismissed seem to have been charged with corruption or some other form of malfeasance in office, rather than political "crimes". There is firm evidence that the Administration has resisted "hard-line" pressures for more sweeping cassations.

Medici has affirmed that, as the Constitution provides, the next gubernatorial elections (1974) will be direct. The indirect gubernatorial "races" this year are of course not elections in any true sense of the word; all but one of the state legislatures are ARENA-controlled, and President Medici, as the boss of ARENA, has personally intervened to tap the ARENA candidates. He has acted after consulting local political leaders as well as the SNL, but has not felt constrained to follow the recommendations of these local politicians. Even in the case of the one opposition-controlled state, Guanabara, Medici has played an active role in the discussion of candidates. It is nonetheless of some significance that he has stuck by his promise to let the opposition remain in control of this state, in the eyes of many the most important in the country. Early in May he indicated his approval of the Guanabara MDB's selection of Chagas Freitas as Governor; Federal ARENA leaders have discouraged their Guanabara associates from even naming a candidate.

Thus the governors are not being popularly elected. Nor, however, are active-duty military men being selected in the states. Medici's choices have not always coincided with the preferences of the military establishment. They seem to bear out the supposition that he is trying to develop a new class of civilian "politician", administrators with good reputations, men of conservative bent loyal to the Revolution, lacking in any political base and hence

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entirely loyal to the Administration. It could, of course, be argued that this attack on the ancient bases of political power is a necessary step in preparing the ground for any eventual "democratic opening".

As for the other elections, for Federal senators and Federal and state deputies, it still remains to be seen to what extent the selection of candidates will be left up to the local political party organization relative to the role of the President. Indications are that the President is letting ARENA choose its candidates, but with SNI having a veto. It also remains to be seen whether the MDB will have grounds to complain in this election, as it has in the past, that local police and other officials placed obstacles in the way of effective opposition party campaigning.

In sum, progress in the "democratic opening" to date has been principally form. The main question at this point is how much substance will be pumped in during the Medici Administration's coming months. When these legislative mechanisms were suspended by the Government a year and half ago the United States viewed the move as retrogressive and reacted strongly; we cannot but view with some favor the reactivation of these same institutions. At the same time, we cannot characterize these moves as in themselves substantially broadening the participation of the Brazilian people in the governing process. If this remains a US hope and an objective of US policy, we must regard the job as only begun.

### PART III - SUPPRESSION OF INDIVIDUAL FREEDOM

While the amount of progress in the "democratic opening" is of interest to us, the main concern of the US Government and public with the Medici Administration's domestic policies in the political sphere has involved the continuation of violations of what we regard as basic individual rights and freedoms. In this latter field there has been little discernable forward movement. Medici made it clear in his inaugural speech that he would follow the line of his Revolutionary predecessor in viewing the law on two planes: Constitutional and "Institutional", i. e., based on Institutional

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Acts under which, in effect, the Executive Branch can take whatever steps it deems necessary to further the Revolution. Thus in addition to receiving, in the fall of 1969, a tougher Constitution which circumscribed legislative powers in Brazil in a number of respects, Brazil has experienced under the new Administration a firm reaffirmation of the Government's right to take extra-constitutional steps in the interests of the Revolution's goals. In February of this year Medici stated flatly that he felt that Institutional Act 5 should have been promulgated earlier, and that it will remain necessary until a revolutionary transformation has taken place throughout the nation.

Cassations

In January 1970, using the extraordinary powers granted him under IA-5, Medici issued a Complementary Edict which provided that public servants who suffer suspension of political rights or cassation (i. e., the annulment of the mandate of an elected official) will be removed from their jobs. This edict regularized what had earlier been left rather vague. Medici used IA-5 authority in April to deprive ten scientists in the health field of their political rights and jobs. The only large-scale cassations of political figures under Medici were the aforementioned cassations of thirteen state deputies, and additional cassations of one mayor and fourteen municipal councilmen on July 8.

In part, this low number is due to the fact that most of the Revolution's logical victims had already been cassated under Medici's two predecessors. Although the criticism of the political opposition is sometimes sharp and aggravating, the Executive Branch is probably relaxed in the belief that this civilian opposition is in no position now to frustrate its measures or challenge its leadership. In addition to these cassations, an undetermined number of low-level officials, police, teachers, government lawyers, and military men have been forcibly retired by the Government under the Institutional Acts (fifteen victims were listed in the press during one week late in July). These forced retirements are not necessarily for political reasons; inquiries have revealed that many were punished for various kinds of malfeasance in office.

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Suspension of Habeas Corpus for Political Crimes; Suppression of Dissent

Pressures have remained strong on students and intellectuals. The suspension of habeas corpus in crimes involving the national security has led to "detentions based on mere suspicion, investigations tardily begun and pursued after several months' delay, incommunicability, and not uncommonly a lack of the fundamental right of defense." (As expressed recently by the Council of Brazilian Bishops). The Brazilian Lawyers' Association has sent a communication to the president protesting concerning the difficulties which Brazilian lawyers encounter in exercising their profession. The document asked the authorities to observe the human rights of their clients, permitting lawyers access to them and to the results of military police inquiries on their respective cases.

The continuing distrust and hostility with which much of Brazil's now-silent university youth views the Government constitutes one of the regime's most serious problems. In the short run, it helps refill the ranks of terrorists; in the long run, it calls into question the permanence of the Revolution's major achievements.

The Government is apparently well aware of the importance of this problem with the youth. The Foreign Minister told the Ambassador that Medici assigns a high priority to the establishment of communication with Brazil's student youth and that Jarbas Passarinho, a man of intelligence, drive, and imagination, was selected as Education Minister for this very reason. Passarinho has indeed sought to move in this direction, but his idea for a representative national university students advisory group was soundly rejected by the students themselves during May. The gap is so broad that the students had no confidence that Passarinho's proposed board would be able to function in a manner truly representative of their interests. However, Passarinho announced that he would not abandon his efforts to establish liaison with the students. He is understood to be privately opposed to the law which provides stiff penalties for student political activity, and to have sought (unsuccessfully) to reduce the presence of police on the Rio University premises. In June the press reported that the President

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was concerned over the question of unjustified arrests of students, as part of his mounting preoccupation with student outlooks. The report by Army Chief of Staff Muricy on young subversives published in the latter part of July reflected some of the same concern over student attitudes, although without indication as to what the Government's role in this situation might be. Earlier, an unconfirmed report stated that the (illegal) National Students Union was holding large but informal gatherings near São Paulo with the knowledge of the police but without interference. If true, this might reflect a Government effort to avoid unnecessarily exacerbating its problems with university youth.

Torture

Torture and police brutality are not new in Brazil, but their use increased considerably as the anti-terrorist campaign gained momentum after Ambassador Filbrick's kidnapping. Torture has been used primarily on those suspected of terrorist links who might have useful information, and its use has paid off in the campaign in Guanabara, in São Paulo State, and in Porto Alegre. The extent of the practice is extremely difficult to establish. We have no information which would indicate that the Federal authorities have issued directives systematically promoting its regular use, although they have probably condoned it in places. In any case the practice of torture in Brazil could obviously expand, on the basis of its usefulness, without special directives from the central authorities.

While torture stories in the foreign press undoubtedly exaggerate its scope, it is apparent that torture has not been confined solely and entirely to individuals with known terrorist connections. Stories have reached the Embassy concerning students and others, neither terrorists nor even extremists, who were picked up by the police for questioning on political grounds and emerged from temporary detention with evidence of beatings. The Coroner's report indicates that labor activist Clavo Hansen died as a result of his treatment at the hands of the police. It is accounts of certain incidents such as this which lead foreign journalists and others to conclude that torture is broadly used by the Government as a weapon of political suppression and intimidation, rather than (as the Embassy is inclined to view it) mainly as a tactic in the anti-terrorist campaign.

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The picture has improved somewhat in recent months with regard to the torture question. Late in April the ban on all public discussion of torture was lifted (or broken) when a fairly sharp exchange developed in the Federal Congress relative to the torture accusations of Senator Edward Kennedy. A Government spokesman sought to deny Kennedy's allegations, eliciting some fairly sharp questions by MDB deputies concerning torture of political prisoners. As a result of these domestic pressures as well as, probably, the rising clamor about torture in the foreign press, the Federal Government on May 8 took public recognition of the question at last, issuing a statement in which it denied the existence of either torture or political prisoners in Brazil. The statement suggested that genuinely objective foreign media representatives could verify these denials. The Justice Minister diminished the importance of the announcement considerably when he announced five days later that no visits by foreign journalists were envisaged; no specific action was promised by the authorities. However, public pressures have been building up which may be producing some results. These pressures include: (1) the São Paulo labor unions' publicized request to Medici during May for an investigation of São Paulo police for their role in the death of imprisoned labor activist Clavo Hansen, a demand which has been echoed in Congress on two occasions by a São Paulo Federal Deputy; (2) the call for an investigation of police methods which was included in the Bishops' widely-publicized "Pastoral Doctrines" mentioned above; (3) reports in the São Paulo press that two policemen are to be tried for the death of a (non-political) prisoner; (4) publicized complaints of suspected terrorists that testimony was obtained from them by means of torture; (5) continuing outspoken remarks concerning torture generally on the part of Federal Congressmen and demands for investigation. The fact that the Government is now permitting these questions and exhortations to be aired publicly is in itself a somewhat favorable sign.

The incidence of torture seems to have decreased in recent months, parallel with a reduction in the number of political arrests. The Embassy has heard that security forces operatives are more cautious and more selective in their arrests than heretofore, aware of the President's denial that "political prisoners" or tortures exist and

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anxious not to be tabbed as the one who proved the boss a liar. In short, the security forces appear to be knowledgeable concerning the sensitive political aspects involved in such arrests, in addition to pure security considerations.

Censorship

Under Medici political censorship has continued mostly informal and spotty. From time to time local police and military authorities take it upon themselves to instruct newspapers and other organs in the area within which they have responsibility to avoid writing on certain topics. No formal proclamations are issued. For example, our Consul in Salvador reports that the Federal Police Delegado (by informal notes which were receipted and returned to the police) has instructed the press to avoid discussing the following topics: the possibility of kidnappings of consular officers, Senator Kennedy's speeches on torture, Lenin's birthday celebrations, bank robberies, and the question of censorship itself. The list in Belem includes reports of airplane hijackings and foreign coups as well. At times instructions of this sort seem to be coordinated on a nation-wide basis so that a subject becomes taboo in all Brazilian newspapers. Such was the case until recently, for example, on the subject of torture; apparently there remain certain <sup>nation-wide</sup> restrictions with regard to accounts of bank robberies and other suspected terrorist activities. But for the most part censorship is spotty, resulting in a blackout of information on certain defined subjects in certain geographic areas. Editors are urged to clear questionable stories in advance; violations result in the summoning of editors to military or police headquarters to explain. This intimidation doubtless has the effect of dissuading journalists from running stories on a variety of topics which they feel might possibly aggravate the authorities.

Some of the cases which have been brought into court have not resulted in convictions. The owner of Correio da Manhã and a Jornal do Brasil writer, accused separately of writing editorials in violation of the National Security Law, were both acquitted by military courts during recent weeks. Intellectual circles were

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discouraged over the sentencing in March of São Paulo Professor Caio Prado for remarks on political questions made years ago to student journalists. Within the past few days, on the other hand, a military court has absolved 29 ex-University students of charges under the National Security Law as a result of supposed Communist ties going back to pre-Revolutionary days.

President Medici has recently come under strong attack in the press here and abroad for Decree Law 1077, promulgated in January, which establishes prior censorship of publications as well as radio and television, films, etc. to eliminate material offensive from the standpoint of public morals and "good taste". This measure puts the Federal Police in a position to pass on literary material and has been widely criticized as a nonsensical and unnecessary violation of press freedom. There were predictions that this measure would be used to eliminate from the news-stands avant-garde publications (e. g., PASQUIM) which contain not only some fairly racy humor but also often the most caustic criticism of Government policies. These forecasts have not been borne out to date. Pre-publication censorship has not been enforced in the case of daily newspapers, and the actual effect of the law has probably been fairly limited. The Administration's reasons for promulgating this highly unpopular measure remains somewhat of a mystery.

Even with these various kinds of controls there remains a fairly large volume of outspoken criticism of Government policies and actions in the country's periodicals. Newspapers such as Jornal do Brasil and O Estado de São Paulo, pursuing their independent editorial policies, run editorials criticizing the Government for violations of human freedoms, for governing by revolutionary "institutional act" rather than in accordance with the Constitution's terms, for censorship, for failing to restore more power to civilian politicians, and more generally for dragging its feet on the question of a "democratic opening". Censorship has by no means reached the point where criticism of governmental policies is prohibited and where publications which strive to maintain independent positions are closed down. To date, Medici deserves credit for demonstrating tolerance where Congressional and press criticism of his regime are concerned.

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Conclusion: Medici's Thoughts on "Democracy"

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Unless some means are found to alleviate some of the / pressures and injustices, in particular as they bear upon the country's student youth, it is hard to envisage the regime achieving the support which it needs if the Revolution is to become genuinely representative of Brazilian aspirations. President Medici is probably aware of the desirability of achieving improvement in this direction but he sees it in the context of other priority objectives for Brazil. His views on restoration of popular freedoms are somewhat similar to those described in the preceding section with regard to a "political opening". In his initial speech as a Presidential nominee last October, President Medici expressed awareness of popular sentiments concerning the fact that Brazil is "under a regime which we cannot consider as fully democratic"; and went on to express the hope that at the end of his term he would "leave democracy in our country definitely established." However, he continued with the statement that democracy in Brazil (like development) does not consist of governmental initiatives only, but requires acts of collective will. He has reaffirmed this position on a number of occasions since then, underlining his belief that the establishment of democracy in Brazil requires the adoption by the electorate as a whole of responsible, selfless, and patriotic attitudes. He has thus made the transformation of Brazilian popular attitudes virtually a pre-condition for the establishment of democracy here. Furthermore, he has indicated that he does not consider a policy of full democracy consistent with the desired all-out effort to develop the country, and national economic and social development, as well as the battle against terrorist subversion and against corruption in politics, is a matter to which he apparently assigns a higher priority.

PART IV - THE FUTURE

The military are likely to remain in ultimate control in Brazil for at least the next several years. There is little reason to anticipate that civilians will emerge who are capable of toppling the military, nor is it reasonable to anticipate that the military will be prepared

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There is no solid evidence to support General Afonso de Albuquerque Lima's claim that his brand of nationalism has won over a great majority of the young officers in the Brazilian military establishment. Elections last May for President of the Clube Militar afforded a rare opportunity to gauge the extent of Albuquerque Lima's popularity (albeit informally and imperfectly), since one of the two contesting slates was generally identified as pro-Albuquerque Lima. A large number of the Clube's active duty and retired members stayed away from the polls; those who did vote gave the conventional candidate a sound majority. Out of favor with the present military leadership after his opposition to Medici's selection last fall, Albuquerque Lima had been maintaining a very low profile until mid-July, when he gave a non-controversial and non-political speech before a group of Masons in Rio. Embassy civilian sources close to the General claim that his supporters continue to meet to discuss a platform, but there is no sign that they have thoughts of raising the General's banner in the near future.

It seems likely, however, that newer generations within the Brazilian military will be less wedded to the traditional special relationship with the US than the country's present leaders. The diminishing interest in this relationship would be partly a logical result of its diminishing advantages for the Brazilians. The last program loan Delfim Neto requested was refused (in any case Brazil's need for US financial aid is diminished); we have shown reluctance to approve what appear to Brazilian military men to be reasonable requests for materiel. It is also likely that some elements within the Armed Forces have picked up the spirit of nationalism and the enthusiasm for national economic development which is strong in so many other countries of Latin America. As Brazil develops, and her ambitions increase, some nationalist muscle-flexing seems likely. The Medici Administration has itself been seeking to preempt some of the slogans which a nationalist opposition element could exploit, speaking publicly about Brazil's need to pursue policies at home and abroad which suit Brazil's own national interests. In any future political crisis, the top military leadership representing Medici's viewpoint could well find itself forced to compromise with rising nationalist forces within the military, resulting in either a further shift in the attitudes of the present Administration in the direction of radical nationalism or in the elevation to the Presidency of a strong nationalist leader. In any case, a successor to Medici would

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at least have to pick up where Medici left off, and - continuation of this emphasis on the championing of broad national interests would be likely.

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