

AIRGRAM

POL 15-3 BRAZ

FOR RM USE ONLY

RM/R	REP	AF
1	1	
ARA	EUR	FE
NEA	CU	INR
E	P	IO
L	FBO	AID
2		12
AGR	COM	FRB
10		
INT	LAB	TAR
TR	XMB	AIR
ARMY	CIA	NAVY
5	10	5
OSD	USIA	NSA
15	8	3

A-182

CONFIDENTIAL

AIR POUCH

HANDLING INDICATOR

TO : Department of State

1963 AUG 13 AM 9 14

 DEPARTMENT OF STATE
 BUREAU OF
 INTER-AMERICAN AFFAIRS
 AUG 13 1963

 RM/AN
 ANALYSIS & DISTRIBUTION
 BRANCH AUG 10 1963

FROM : Amembassy BRASILIA Office

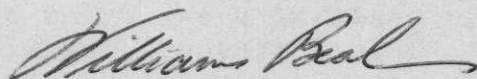
DATE: August 5, 1963

SUBJECT: Leftists on the Supreme Court

REF :

Enclosed is a memorandum of conversation between an Embassy officer and a lawyer who frequently argues cases before the Supreme Court. The lawyer believes that the only leftists on the Court are Hermes Lima and Victor Nunes Leal. He describes the other 2 votes against the granting of habeas corpus in the Helio Fernandes case as being "anti-Lacerda" votes.

For the Ambassador:



Williams Beal

First Secretary of Embassy

FILE

No Action

ARA:LA/BR

R. Burten

AUG 4 1963

Enclosure as stated.

GROUP 3

Downgraded at 12-year intervals,
not automatically declassified.

CONFIDENTIAL

FORM DS-323
4-62

FOR DEPT. USE ONLY

☒ In ☐ Out

Drafted by:

POL:HW:inar:avh

Contents and Classification Approved by:

POL:JK:ppel

Clearances:

DECLASSIFIED

Authority MND 939529

CONFIDENTIAL

Enclosure 1
Page 1
Airgram A-182
Brasilia Office

MEMORANDUM OF CONVERSATION

August 4, 1963

PARTICIPANTS: Luiz Teixeira de Magalhaes (Lawyer)
Harry Weiner, Political Officer

PLACE: Mr. Magalhaes' Apartment

SUBJECT: Leftists on the Supreme Court

I arranged the meeting to ask Mr. Magalhaes whether the recent Supreme Court vote in the Helio Fernandes case could be interpreted in ideological terms, i.e., whether the 4 votes against the granting of the habeas corpus indicate that there are 4 leftists on the Court. Mr. Magalhaes is a Sao Paulo lawyer, representing in Brasilia several large Sao Paulo business enterprises. His practice in large part consists of arguing cases before federal courts, including the Supreme Court. He is politically conservative.

Mr. Magalhaes replied to my question by saying that regrettably the Brazilian Supreme Court is not nearly as removed from every-day politics as is the American Supreme Court. He said that Goncalves de Oliveira, Antonio Villas Boas and Victor Nunes Leal are "Kubitschek men" and that they voted against Helio Fernandes because Fernandes is an ally of Carlos Lacerda, whom Kubitschek considers his most dangerous rival for the Presidency. He said Hermes Lima's vote was a pro-Jango vote. Mr. Magalhaes went on to say that the only person he considers a leftist on the Court is Hermes Lima. Victor Nunes Leal, he said, is moving in that direction, although, unlike Lima, he is not a Marxist. He said Goncalves de

GROUP 3

Downgraded at 12-year intervals,
not automatically declassified.

CONFIDENTIAL

DECLASSIFIED

Authority MND 939529

CONFIDENTIAL

Enclosure 1
Page 2
Airgram A-182
Brasilia Office

Oliveira and Villas Boas are both conservatives. I asked him about Candido Motta Filho (since I had seen a recent classified analysis describing him as a leftist). Magalhaes said he is a conservative, in fact, he had talked with him the previous day and Motta Filho had expressed his opposition to even a mild agrarian reform. He said that Pedro Chaves, although appointed to the Court by Janio Quadros, is a conservative.

I asked him what he thought of Evandro Lins e Silva's ideological position. He said Evandro is probably a Communist.

POL:HWeiner:avh

CONFIDENTIAL

DECLASSIFIED
Authority MND 939529