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HANDLING INDICATOR

DEPARTMENT OF STATE
BUREAU OF
INTER-AMERICAN AFFAIRS
JUL 30 1963
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FROM : AmEmbassy RIO DE JANEIRO

DATE: July 24, 1963

SUBJECT: August: A Critical Month for Goulart?

REF :

Summary and Introduction

Over the past two months there have been repeated press rumors concerning various attempts to remove President Goulart from office through impeachment, voluntary retirement, coup, etc. The talk of such moves reached a high point with the July 7 publication of a "Letter to the People" written by Guanabara Governor Carlos Lacerda in which he warned that "August is coming." The significance of the references being made to August is that after the first of the month, the Goulart Administration will enter the second half of its mandate. Should a presidential vacancy occur for any reason, a successor (under the terms of the constitution) would be chosen by the basically conservative congress (rather than through popular election.)

At present the Embassy discounts rumors of removal attempts. It is more likely that opposition elements will continue to use the threat of such removal as a political weapon against Goulart (EmbTel 66 of July 9, 1963).

There have been repeated references in the press and elsewhere referring to the month of August as being a critical one politically for President Goulart. The significance of such GROUP 3 - Downgraded at 12-yr intervals, not automatically declassified.

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references is that on August 1, the Goulart Administration will enter the second half of its mandate. Should a presidential vacancy occur after that time for any reason, the congress, acting under paragraph 2, Article 79, would select a successor to complete the term of office. Such a selection would be made within thirty days after the vacancy occurred. (During the first half of the presidential mandate under conditions in which there is no Vice President, a national election would be held within a period of seventy days to choose a successor.)

The talk of August in this relation reached a high point with the July 7 publication of a "Letter to the People" written by Guanabara Governor Carlos Lacerda (Embassy's A-52 of July 9, 1963). The storm which was stirred up over this document pointed out the various possibilities which could hypothetically occur in relation to a presidential vacancy. The Embassy's exploration of each possibility is outlined below.

1. The President could be legally removed from office.

a. A part of the oppositionist rumors concerning August refers to the possibility of an attempt to impeach Goulart. In this regard, Articles 59 and 88 of the constitution are pertinent. These articles provide that an absolute majority of the members of the Chamber of Deputies can decide on the justification of charges brought against the President either on grounds of committing common crimes (in which case the President is tried by the Supreme Court) or on grounds of "crimes of accountability" (in which case the President is tried by the Senate.)

Upon examination, the Embassy believes that there is no real threat of impeachment action being taken against President Goulart. Ruling out the "common crime" theme, the only motive for impeachment would have to come on the grounds of "crime of accountability". By definition of Article 89 of the Constitution, such "crimes" are defined as "acts which threaten the Federal Constitution", more particularly moves against: 1) the existence of the Union; 2) the free exercise of legislative, judicial, and state constitutional powers; 3) exercise of individual and societal political rights; 4) internal security of the country, etc. President Goulart, in spite of what faults and weaknesses he may have, has thus far been very astute in his political maneuverings in this regard. It is not foreseen at the present time that he would take any action which could be openly identified as a "crime of accountability."

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Even should the President be charged with such a "crime", other factors militate against impeachment action. First and foremost is the fact that any Deputy who would vote for impeachment would be placing his own political fortune at stake on the issue. The extraordinary courage required for such an act would seem to assume a predetermined reasonable degree of success for the move. It should also be noted that these political factors would be at work both in the Chamber of Deputies on the initial action and later on in the Senate (should the President be presented for trial).

A last point which should be taken into consideration in relation to any talk about impeachment is the factor of sheer arithmetic. To start impeachment proceedings a majority vote of 205 Chamber votes is required. The present PSD-PTB-PDC coalition commands a blocking majority of some 257 votes in the Chamber. Breakdown of party discipline is considered to be more likely among opposition parties on such an issue (e.g. the UDN bossa nova) than among government supporters.

b. There have also been some rumors concerning the possibility that Goulart might voluntarily remove himself from office through resignation or extended absence. Countering such rumors are statements that the President would "go down fighting" and a history of the man that would not indicate such action: to date his most vigorous actions have been in successful attempts to concentrate more power in his hands (e.g. the January plebiscite). The Embassy gives greater credence to speculation that Goulart might like to perpetuate himself in power than to rumors that he might remove himself from the scene voluntarily.

c. A third consideration in discussing the legal removal from power is that of the death of the President. Although Goulart has had some health problems, there is little indication that his condition is either very serious (he has managed to keep up a brisk schedule of activities) or that it is worsening.

2. The President could be illegally removed from office

A. The greatest outcry against Lacerda's talk about "August is coming" (Agosto vem aí) has been that it smacks of "gorilla" action -- the threat of a rightist coup. CAS Rio reports and other sources continue to produce a plethora of information concerning rightist plots

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against the administration. Successive target dates for such action have come and gone quietly. The Embassy evaluates the efforts of the rightist groups engaged in such activity as being poorly organized and coordinated. Both through tradition and apparent inclination the Brazilian Army (the principal actor in any such attempt) is basically legalistic in its attitude. War Minister Jair Dantas Ribeiro has a reputation for being such a legalist, and his actions to date would seem to justify it. Plotters thus risk being labeled as being disloyal to the Brazilian state. Goulart recognizes this factor and exploits it to his advantage. As a result of Goulart's maneuvers and perhaps as an unintended by-product of plotting within the armed forces, there has been a partial splintering of the officer corps and a widening of the already existing ideological gap between the politically active sergeants (with Deputy Sergeant Garcia Filho as their spokesman) and the traditionally conservative officer corp, especially those involved in plotting. This "splintering" phenomenon acts as a further brake on elements which might be tempted to move if they could count on unified support.

b. There has also been some speculation concerning the possibility that communo/nationalist elements might see in the situation a chance to stage a form of "preventive coup" (against 'golpistas' of the right) and install their own form of an autocratic regime. In the Embassy's evaluation such an occurrence appears less likely to happen than the relatively remote possibility of a rightist coup. For one thing, the more rational elements of the left (i.e. those who clearly recognize the dangers of making an all-out attempt to seize power at this time) are clearly ascendent over more radical elements. In light of CAS Rio reports and other sources of information, the Embassy concludes that these more realistic leftist leaders clearly realize that they are too weak at this time to make any all-out attempt to seize power. The continuing expression of leftist dissatisfaction with the Goulart Administration is seen as being primarily a political weapon designed to keep pressure on the President and to project the leftist image of identification with "popular" causes. In the final analysis, leftist groups who have traditionally worked hand-in-glove with President Goulart probably prefer working with a malleable administration to the risk of staging a coup which could misfire and seriously damage their chances.

Reaction throughout the country to talk of "August is coming."

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In an attempt to determine sentiment throughout the country concerning the talk about "August is coming", the Embassy has circularized all consulates to obtain local reaction. Although not all consulates have reported to date, the salient points which are developing are as follows:

1. The consulates' reports indicate that the issue is thus far confined chiefly to press and other news media speculation. There is some continuing dissatisfaction with the Goulart Administration and its activity, but this has been tempered by facts such as the appointment of highly respected Carvalho Pinto to be Finance Minister. (This is especially true in Sao Paulo which has been an area of discontent - See Sao Paulo weekly reports).

2. Talk about impeachment proceedings against the President is universally discounted. Slightly more credence is given to talk about a possible rightist coup; however, it appears that the majority of military (and civilian) elements are predisposed to back 'legalist' forces who would oppose such an attempt. (This seems to be very much the case in Goulart's home territory of Rio Grande do Sul, where III Army elements appear to be solid in support of their ex-commander -- and now War Minister -- General Jair Dantas Ribeiro.)

3. Although rightist-inspired moves against the President seem most credible, Porto Alegre feels that the latent threat from leftist-nationalist elements of the army, unions, and landless peasants is more real.

Prospects after August

The Embassy feels that the most likely prospect following the First of August is that President Goulart will not be removed from office. This does not mean that the threats of action and the rumors concerning attempts to remove Goulart are politically of no importance. It is more likely that oppositionist groups will continue to use such threats as a weapon against Goulart to restrain him from taking action which such groups deem undesirable.

The use of such threats points out one very real potential danger-- that of some form of political escalation whereby the President could

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react to such pressures with some sort of move which could provoke the counter-reaction of some form of removal attempt by oppositionist elements.

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