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Action

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Info RULPAL

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SS ZNR UUUUU

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G FM AMEMBASSY RIODEJANEIRO

SP TO RUEHC/SECSTATE WASHDC PRIORITY 924

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DOD RULPAL/CINCSO UNN

RUCKHC/CINCLANT UNN

STATE GRNC

BT

RSR UNCLAS OCTOBER 27

REF: EMBTEL 914

SUBJ: SECOND INSTITUTIONAL ACT

FOLLOWING IS FREE TRANSLATION OF VERBATIM TEXT OF PRESIDENT'S
SPEECH INTRODUCING INSTITUTIONAL ACT:

"TO THE NATIONAL THE BRASILIAN REVOLUTION, LIKE ANY NATIONAL
MOVEMENT, IS SUBJECT THE GOVERNMENT, WHICH ALSO EMANATED FROM
IT, TO GUARANTEE THE ACHIEVEMENT OF ITS OBJECTIVES, ESPECIALLY
WHEN THEY COINCIDE WITH THOSE OF THE NATION.

A REVOLUTIONARY ACT, WHOSE OBJECTIVE IS SUCH A GUARANTEE,

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SINCE IT IS INTRINSIC (TO REVOLUTION), IS LEGITIMATE.

THE CONTINGENCIES AND THE CIRCUMSTANCE HAVE BEEN WEIGHED, AND
ONE AND ANOTHER WHICH HAVE THE QUALITY OF REVANCHISM, REACTION
AND COUNTER-REVOLUTION MUST BE REMOVED.

UPPERMOST IN OUR ACTION IS THE PURPOSE OF BRINGING TO A
CONCLUSION THE MOVEMENT OF MARCH 31 AND THE CONSOLIDATION OF
POLITICAL, ECONOMIC, AND FISCAL ORDER.

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-2- 924, OCTOBER 27, FROM: -RIO DE JANEIRO

I READ TO THE BRAZILIAN NATION THE FUNDAMENTALS OF THE REVOLUTIONARY DECISION THAT WE ARE TAKING TODAY.

THE REVOLUTION IS A MOVEMENT THAT CAME FROM THE INSPIRATION OF THE BRAZILIAN PEOPLE IN ORDER TO SATISFY THEIR MOST LEGITIMATE ASPIRATIONS; ERADICATE A SITUATION AND A GOVERNMENT THAT HAD PLUNGED THE COUNTRY INTO CORRUPTION AND SUBVERSION.

IN PREAMBLE OF ACT THAT INITIATED INSTITUTIONALIZATION OF THE MARCH 31, 1964 MOVEMENT IT WAS SAID THAT WHAT HAD HAPPENED AND WOULD CONTINUE TO HAPPEN, NOT ONLY IN THE SPIRIT AND BEHAVIOR OF THE ARMED FORCES, BUT ALSO IN NATIONAL PUBLIC OPINION, IS AN AUTHENTIC REVOLUTION. AND IT WAS EMPHASIZED THAT:

A) IT WAS DISTINGUISHED FROM OTHER ARMED MOVEMENTS BY THE FACT THAT IT ENCOMPASSED, NOT THE UNRESTS AND WILL OF ONE GROUP,

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BUT THE INTERESTS AND THE WILL OF THE NATION;

B) THE REVOLUTION WAS INVESTED, THEREFORE WITH THE EXERCISE OF CONSTITUENT POWER, LEGITIMIZING ITSELF.

C) IT PUBLISHED JURIDICAL NORMS WITHOUT BEING LIMITED BY THE STANDARDS EXISTING PRIOR TO ITS VICTORY, BECAUSE THANKS TO THE ACTION OF THE ARMED FORCES AND THE UNEQUIVOCAL SUPPORT OF THE NATION, IT REPRESENTED THE PEOPLE AND IN THEIR NAME EXERCISED THE CONSTITUENT POWER OF WHICH THE PEOPLE ARE THE ONLY POSSESSOR.

IT WAS NOT SAID THAT THE REVOLUTION WAS, BUT THAT IT IS AND WILL CONTINUE. ITS CONSTITUENT POWER IS NOT EXHAUSTED AS IT ITSELF VS THE REVOLUTIONARY PROCESS, WHICH MUST BE DYNAMIC TO REACH ITS OBJECTIVES. ON THE CONTRARY, IT WAS FORMED IN THE SCHEME OF THESE CONCEPTS, INTERPRETING AN INCONTESTABLE REALITY OF PUBLIC RIGHT, IN THE INSTITUTIONALIZING POWER WITH WHICH THE REVOLUTION WAS ENDOWED IN ORDER TO GIVE LIFE TO THE PRINCIPLES IN THE NAME OF WHICH THE NATION ROSE UP AGAINST THE PREVIOUS SITUATION.

THE LIMITATION THE REVOLUTION IMPOSED UPON ITSELF IN THE INSTITUTIONAL ACT OF APRIL 9, 1964 DOES NOT SIGNIFY, HOWEVER, THAT HAVING POWERS TO LIMIT ITSELF IT HAS DENIED ITSELF BY THIS LIMITATION, OR THAT IT HAS STRIPPED ITSELF OF THE BURDEN OF

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-3- 924, OCTOBER 27, FROM: RIO DE JANEIRO

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POWER WHICH IS INHERENT TO IT AS A MOVEMENT. FOR THIS REASON THERE WAS A TEXTUAL CHANGE; "THE CONSTITUTIONAL PROCESSES DID NOT FUNCTION TO DEPOSE A GOVERNMENT WHICH DELIBERATELY WAS DISPOSED TO BOLSHEVISE THE COUNTRY" WAS ENLARGED TO READ "REMOVED BY THE REVOLUTION, THE REVOLUTION ALONE HAS THE RIGHT TO DICTATE THE NORMS AND THE PROCESSES OF THE CONSTITUTION OF THE NEW GOVERNMENT AND TO ATTRIBUTE TO IT THE POWERS OR JURIDICAL INSTRUMENTS WHICH ASSURE IT THE EXERCISE OF POWER IN THE EXCLUSIVE INTEREST OF THE COUNTRY."

THE REVOLUTION LIVES AND DOES NOT RECEDE. IT HAS PROMOTED REFORMS AND WILL CONTINUE TO UNDERTAKE THEM, INSISTING PATRIOTICALLY ON ITS PURPOSES OF ECONOMIC, FINANCIAL, POLITICAL AND MORAL RECUPERATION OF BRAZIL. FOR THIS, TRANQUILITY IS NEEDED. HOWEVER, AGITATORS OF VARIOUS SHADES AND ELEMENTS OF THE PREVIOUS SITUATION PERSIST IN AVAILING THEMSELVES OF CERTAIN CONSTITUTIONAL GUARANTEES AND OF FACT THAT REVOLUTION HAS REDUCED SHORT TIME PERIOD OF INDISPENSABLE RESTRICTIONS, AND THEY ALREADY THREATEN THE VERY REVOLUTIONARY ORDER, PRECISELY AT MOMENT IN WHICH LATER, MINDFUL OF ADMINISTRATIVE PROBLEMS, IS ATTEMPTING TO SET PEOPLE IN THE PRACTICE AND DISCIPLINE OF DEMOCRATIC EXERCISE. DEMOCRACY SUPPOSES LIBERTY BUT DOES NOT EXCLUDE RESPONSIBILITY NOR IMPLY LICENSE TO CONTRACEND THE VERY POLITICAL VOCATION OF THE NATION, ONE CANNOT DECONSTITUTE THE REVOLUTION WHICH WAS IMPLANTED TO REESTABLISH PEACE, PROMOTE THE WELFARE OF THE PEOPLE AND PRESERVE THE HONOR OF THE NATION.

THEREFORE, THE PRESIDENT OF THE REPUBLIC, IN HIS CAPACITY AS CHIEF OF THE REVOLUTIONARY GOVERNMENT AND COMMANDER-IN-CHIEF OF THE ARMED FORCES, WHICH ARE UNITED IN THE MAINTENANCE OF THE IDEALS OF THE REVOLUTION;

CONSIDERING THAT THE NATION REQUIRES TRANQUILITY IN ORDER TO WORK TOWARDS ITS ECONOMIC DEVELOPMENT AND THE WELFARE OF THE PEOPLE, AND THAT THERE CAN BE NO PEACE WITHOUT AUTHORITY, WHICH IS ALSO AN ESSENTIAL CONDITION FOR ORDER;

CONSIDERING THAT THE CONSTITUENT POWER OF THE REVOLUTION IS INTRINSIC TO THE SAME, NOT ONLY IN ORDER TO INSTITUTIONALIZE THE REVOLUTION, BUT TO INSURE THE CONTINUITY OF THE WORK WHICH IT PROPOSED FOR ITSELF, RESOLVES TO PUBLISH THE FOLLOWING (READING OF ENTIRE TEXT OF INSTITUTIONAL ACT NO. TWO FOLLOWED). GORDON
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