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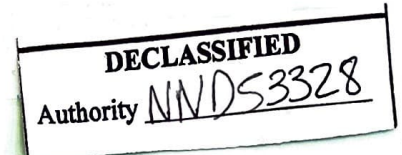
Control: POA 415

Date: May 15, 1967

TO: Amembassy RIO DE JANEIRO

" BRASILIA

SecState WASHINGTON



Subject: ARENA boycotts new constitution.

1. New state constitution passed by MDB majority in Assembly Saturday over strong opposition ARENA and state government. Both ARENA and government boycotted promulgation ceremony yesterday.

In open letter to MDB president Assembly Santos declining invitation to ceremony Governor Perrachi said MDB had led

Assembly to exceed its mandate which only to adapt state constitution to national constitution and not produce entirely new document. Said many provisions new constitution null because in conflict with national constitution.

2. Sec Interior and Justice today told me plans made submit new constitution to Supreme Court. Once case submitted to Procurador General in Rio portions of document in dispute will be automatically suspended until court hands down decision. This may be six months or more. Court will ~~likely~~ almost certainly nullify objectionable portions Sec said.

3. These portions are MDB amendments that would (A) eliminate projected vice Governor position; (B) eliminate provision calling for assumption Governorship by President of Assembly only rpt only

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if Governor's absence exceeded fifteen days; ~~XE~~ (C) reduce vote required to override executive veto from two thirds to simple majority; and (D) introduce what amounts to detailed legislation on operations various state agencies thus hamstringing government efforts at reform.

4. Comment: ARENA-MDB confrontation over constitution ends semblance bi-partisan coalition that has prevailed until now. Coalition doomed in any case since it depended on MDB not using its one vote majority advantage in Assembly, but open break will mean tougher sledding for Perrachi because MDB will now feel free to oppose government even on petty matters. Though both parties taking high moral tone noticeable most points in dispute turn on political advantage not principle.

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