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POL 13 LACERDA/FRENTE Ampla

AIR TOUCH

SUBJECT

Department of State

INFO : BELIM, MONTEVIDEO, PORTO ALEGRE, RECIFE,
RIO DE JANEIRO, SAO PAULO

AmEmbassy Office BRASILIA

April 19, 1968

Lacerda and the Ban on the Frente Ampla

(A) Brasilia 2044, 2106, 2131; Sao Paulo 1360;
(B) Rio 6850; (C) Brasilia 2206; (D) Brasilia 2215,
2217, 2226; (E) Brasilia 2268

SUMMARY

Carlos LACERDA's attacks on the administration became more violent and more frequent in the month of March. In the tense political situation resulting from student-police clashes, the administration, which was already considering action against Lacerda, issued an Edict which banned Lacerda's Frente Ampla opposition movement. The Edict has thrown Lacerda and his supporters into a state of disarray, and Lacerda is currently mulling over possible courses of action open to him. Among his most likely options are the founding of a new movement, a temporary retreat from the political scene, challenging the Edict in the courts, or some combination of these. The Embassy has reliable reports that Lacerda is planning a long European trip. The administration has made it clear that its attitude toward Lacerda and his Frente supporters has hardened considerably, and any attempt at defying the Edict's provisions will probably be put down. If the Edict is somehow bypassed by Lacerda or found unconstitutional in the courts, the administration will be faced with the decision of whether to take further repressive, and possibly extra-legal, steps against Lacerda and those associated with him.

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- Enclosures: 1. Portuguese Text of Edict Banning Frente Ampla
2. Portuguese Text of Lacerda's Statement of
3. Memorandum from Belo Horizonte * /April 6, 1968

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Group 4

P/E: MLevitsky:drw:4/16/68

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1. Background: Lacerda's Escalation and Pressure on Administration.

Since late last year, Carlos Lacerda's attacks on the administration and his general agitation on the political scene have followed a pattern of ups and downs, but also one of escalation. Not only did Lacerda increase the vehemence of his political pronouncements, but he also increased their frequency, particularly during the month of March. After about a three week layoff following his January 27 address in São Paulo, which helped touch off a series of military alerts, Lacerda spoke in Minas Gerais and later began a speaking tour of São Paulo State and Paraná (Ref A). The high point of this activity was his participation in a public, open-air, meeting in São Castano do Sul, São Paulo, which was later billed as the prelude to the union of his Frente Ampla movement with the opposition MDB party, and as the first step toward "taking the Frente into the streets." His supporters also announced that he would soon tour the volatile Northeast. At the height of the tension resulting from student-police clashes throughout Brazil, Lacerda issued an inflammatory manifesto (Ref B) which absolved the students of all blame for the incidents, and spoke of "officialized violence," "bloody reprisals" and brutality on the administration's part.

2. Within roughly the same period of time, there were several reports that President COSTA E SILVA was under heavy pressure, mainly, but not solely from the Armed Forces, to take some repressive action against Lacerda. The outbreak of student demonstrations throughout Brazil in late March, although by no stretch of the imagination could they be blamed directly on Lacerda, probably convinced the administration that it had to act in some way to remove a major source of agitation, which contributed to growing political tensions. It is significant, however, that the administration, when it acted--through the Edict banning all Frente activities and warning proscribed politicians that they would no longer be allowed to engage in politics--did so by administrative order rather than by executive decree or extra-legal measures, and at least nominally upheld the oft-repeated promise of the President that he would not step outside the limits of the new Constitution.

3. The Edict. Edict Nº 177 (Ref C for English text; Official Portuguese text attached) has at least four basic aims--to reiterate and consolidate existing law prohibiting the political activities of those deprived of their political rights under the Institutional Acts; to equate participation in the Frente with such "political activities;" to ban all activities of the Frente whether taken by proscribed politicians or those still in possession of their political rights; and to prohibit all media disclosure of Frente Ampla activities.

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4. With respect to the proscribed politicians, the Edict can be considered as a warning that the administration will no longer tolerate their disregard of the restrictions placed on their activities by the Institutional Acts. The administration was in effect giving notice that, contrary to its past behavior, it would now enforce the laws on the books and use the repressive devices already at hand. This hardening of attitude toward the proscribed politicians was most likely the result of a generalized feeling in the upper ranks of the administration, both military and civilian, that politics had "loosened up" too much; that those opposed to the system instituted in Brazil after March 1964 were beginning to doubt the administration's determination to pursue the "aims of the Revolution," particularly in the political sector; and that the limits of the administration's tolerance had to be made clear once and for all.

5. The effect of the Edict's provisions relating directly to the Frente Ampla are less clear. First, the Edict bans an organization which it said did not legally exist. Since the Frente has never published a membership list, it would seem that the Edict merely abolishes the name "Frente Ampla," and, except for the proscribed politicians, those identified with the movement apparently can continue their anti-administration activities, either independently, within the opposition MDB, or under a new name. It appeared to some that Lacerda was suggesting a change in name when he spoke of "Popular Union" in his April 5 statement (Portuguese text attached), but he has not yet elaborated on this. A second point of confusion centers on the Edict's prohibition of publicizing Frente activities (Article 2, section b). It is not clear if this prohibition relates strictly to the proscribed politicians or also to those having their full political rights. Thirdly, the Edict appears to have judged and sentenced the Frente under the National Security Law (i.e. the phrase "thus practicing acts classified as crimes by the National Security Law."), without the benefit of the legal processes contained in Chapter III of that law.

6. Lacerda's and the Opposition's Reactions. (See Ref D for general reaction.) Nevertheless, the Edict seems to have brought about the results it aimed for, at least initially. Its issuance has thrown Lacerda and his Frente supporters into a state of disarray and wonderment over what to do next. Lacerda's April 5 statement as much as accepted the demise of the Frente. He has also reportedly cancelled his much publicized trip to the North-east originally scheduled to begin in Recife during the week of April 22-26 and has told his supporters he intends to submerge

for a while. Two leading Frente advocates, MDB Deputy MARTINS RODRIGUES and ARENA Deputy Jose Carlos GUERRA, told the reporting officer on April 17 that the Edict was a great blow to the movement and confirmed reports that Lacerda planned a long European trip in order to allow the political climate to cool down (Ref E).

7. Many of Lacerda's supporters in the MDB are quite disturbed by these indications that he does not plan to combat the Edict vigorously, however, and this may cause a loss of support for Lacerda among disaffected and radical MDB members. As of now, most opposition congressmen seem to be concerned more about the Edict's implicit threat to Congressional immunities than about the ban on the Frente itself. While MDB congressmen have attacked the Edict in speeches on the floor of Congress, their confusion as to what the Edict really means and how to combat it has thus far hindered combined action against it.

8. Lacerda's Options. The issuance of the Edict has put the ball in Lacerda's court, and he is currently mulling over the possible plays available to him. Among his possible future options are (a) entering the MDB; (b) ignoring the Edict and continuing his opposition as before; (c) continuing his anti-administration activities on an independent, personal basis; (d) founding a new movement; (e) departing from the political scene until a more opportune time; (f) challenging the Edict in the courts. The first three possibilities are less likely. First of all, he has consistently condemned the MDB, as well as ARENA, as artificial creations, and in any case he would not want to be bound to a party in which he would not be the leader. Secondly, a direct challenge to the administration through ignoring the Edict would be to court political martyrdom, and there is no indication that Lacerda is ready as yet to make this extreme gesture. An independent stance is also unlikely because Lacerda clearly needs some sort of movement to create the image of broad popular support for his positions.

9. Some combination of the last three options will probably be selected by Lacerda. Thus, he may decide to take the Edict to the courts and either remain silent or leave the country until a legal decision is made. Lacerda's son told an Embassy Officer on April 15, that his father would "fight the Edict in the courts if he could" and that Lacerda might submerge for a while. Should a court decision be favorable to him, Lacerda would then be able to return to politics in a much strengthened position. If an adverse decision were rendered, he might decide to found a new movement, or more exactly, a similar movement with a different name. It is clear, however, that in the future Lacerda will not be able to openly associate the Frente

or such a new organization with the proscribed politicians, in view of the administration's clear warning to them. The next week or so should give a better reading on Lacerda's immediate plans, particularly if, as it appears, he does not go to Recife and does travel to Europe.

10. The Administration's Position. The issuance of the Edict has quieted down Lacerda and his Frente supporters for the time being, but few political observers believe it has solved the Lacerda problem. The administration currently seems content to allow the Edict to work its effect in dampening down the opposition camp. Further action by the administration depends on what moves Lacerda decides to take. Any attempt by Lacerda at defying the Edict's provisions--by open association with the proscribed politicians, calling of Frente meetings, etc.--would probably be put down forcefully. On the other hand, should Lacerda resort to, and win in, the courts, or should he be able to bypass the Edict somehow, the administration will be faced with a major decision. If the Edict proves worthless in stemming Lacerda's attacks on the administration, the military, and the "revolutionary regime," the pressures to take further repressive action will undoubtedly increase.

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* Enclosed memorandum from Belo Horizonte was received after the preparation of this airgram.