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SUMMARY

Before taking office key members of the Geisel government assured various publishers in Rio that prior censorship of newspapers would be ended shortly after the new administration took office. In its place a "gentleman's agreement" between the newspapers and the government was to be instituted that would provide for a more liberal form of discretionary self-censorship. During the month since the Geisel inauguration, the three Rio papers subject to prior censorship have experienced a somewhat more relaxed application of censor's blue pencil. Recent conversations between the publishers of the sanctioned papers and government officials indicate that a genuine effort is being made to reach agreements with all the publishers. While most local journalists are hopeful about the government's moves, they also have some misgivings over the operational aspects of maintaining the terms of the gentleman's agreement to the government's satisfaction. END SUMMARY.

I. The Promise

In the six months period between Geisel's formal selection as Presidential candidate by the ARENA Party and his assumption of office, a number of assurances were made privately to leading intellectuals, journalists, churchmen, and others in the area. These assurances, articulated primarily by the current Chief of the Civilian Household, Gen. (ret.) Golbery do Couto e Silva, dealt

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with several subject areas in which it was said the new government would attempt to take liberalizing steps. Prior censorship of newspapers, intensified during the last twenty months of the Medici administration, was to receive priority attention by the new government.

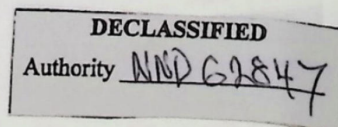
The essence of the promise given to several top editors in the city was that prior censorship would be ended soon after the new administration took office. In its place the editors would have to exercise self-censorship. They would be advised to avoid coverage of subjects which the government believed too sensitive or damaging to Brazil's political or economic security. A sort of gentleman's agreement between newspaper publishers and the government would be struck, the terms of which would have the newspapers abiding by the restraints of self-censorship, in return for the government ministries' becoming more forthcoming in explaining new policies, or providing more background information on why certain coverage would be undesirable. The Jornal do Brasil published the substance of this new approach in an editorial on January 25, 1974, entitled "Gentleman's Agreement." Written by the JB's chief editorialist, Luiz Alberto Bahia, the editorial had been approved by Gen. Golbery before its publication.

Bahia, Golbery's close friend, told us privately that implicit in the terms of the agreement is a ban on articles or commentary dealing with internal insurgency as well as torture or elimination of subversives in the past by the military or police authorities. Celio Borja, Federal Deputy from Guanabara and ARENA party leader in the Chamber of Deputies, confirmed the existence of this latter ban in a conversation with the Congen's political officer. He commented that the military would never permit its reputation to be tainted by revelations that some of its members had condoned or conducted torture and killing of suspected subversives. He estimated that another ten or twenty years would have to transpire before the fact of these activities could be referred to in the press.

II. Censors Working with a Lighter Touch

During the month that the new administration has been in office, the government censors, who read and approve the copy for the local newspapers, were and still are performing their duties. The Rio papers that have censors--Opinião,

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Tribuna da Imprensa, and O Pasquim * --are subject to an intensive review before publication.

Since Geisel's inauguration on March 15, however, some of the editors have noticed a slight change for the better in the application of the informal censorship rules. Although a general listing of banned topics issued by the previous government still pertains, there have been fewer topics added since Geisel's assumption of office, and the censors seem to be adopting a more liberal attitude in some areas. (The attachment provides a comparison of two lists of forbidden topics, both in effect at the present time, one issued shortly before the Medici government left office and the other given out a short time after Geisel took over.)

Fernando Gasparian, director of Opinião, has told us that the censors who review his copy have become more flexible since March 15. Previously extreme sensitivity had been in evidence concerning activities in the national congress. This has been relaxed considerably since Geisel's take-over. Also the strict deadlines which the censors demanded Opinião meet each week have been loosened substantially.

III. Possible Agreements in the Offing

In recent days the owners of the censored papers have been approached by government emissaries to reach an understanding. Helio Fernandez, owner of the Tribuna da Imprensa, is reported to be on the verge of accepting the government's offer to end prior censorship of his paper in return for adopting terms of the "gentleman's agreement." Blocking the final agreement is his insistence that he must publish a full expose of the paper's experience with the censors headlined: "Four Years of Censorship." The government is not willing to accept this demand. The talks are continuing, however, between the two interested parties.

* Note: Previously the weekly Politika also was subject to prior censorship. This changed in March, 1974, when the paper's owner and editor, Sebastião Nery, was forced for financial reasons to sell out. The paper's new management has changed the editorial point of view to coincide with a pro-government line. The censors have been removed.

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Opinião's Gasparian met with Minister of Justice Falcão last week and received assurances that his paper's case would be studied carefully with a view toward removing its prior censorship restrictions. The Chief of the National Police, Moacyr Coelho, informed Gasparian the same day that he wanted to discuss "his problem" with him in detail, indicating that an acceptable solution could be found.

The smaller Rio newspapers that are experiencing prior censorship naturally look toward what is happening between the giant Estado de São Paulo and the government on this issue. Luiz Antonio Vilas Boas Correa, director of the Estado's bureau in Rio, told us on April 16 that the Mesquita brothers (the Estado's owners) had met with Justice Minister Falcão a few days earlier and that after a frank exchange of views, an agreement appeared likely. Vilas Boas said that it was his impression that the censors would be removed from the paper's premises in the very near future.

Commentary: Some Local Views

Although the first signs of relaxing the censorship constraints were met by a degree of skepticism on the part of local publishers, the more recent contacts with government officials, including Falcão, have brought an attitude of hope and expectation. There are still some misgivings on the part of some local journalists who wonder what measures the government will adopt when a newspaper editor publishes an article or editorial unacceptable to the regime. Some believe that regression to the same direct controls seems almost inevitable. They point out that as long as restrictions are demanded--whether imposed on the papers internally or externally--measures to enforce them must be held in readiness to be applied when a transgression occurs. Others anticipate that Geisel is genuinely trying to return to the norms in existence under former President Castello Branco (1964-67). Then the press was allowed more freedom to debate and to express criticism on public issues. All agree that the problem of how to permit a more outspoken press is a difficult one to solve, and that it will require considerable skill on the new government's part to bring it off.

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Below is a free translation of two lists of topics to be avoided, issued by the government to newspaper publishers and other media heads.

"February 12, 1974, from General A. Bandeira, Director-General of the Department of Federal Police, Brasilia. News coverage of the following items are prohibited:

1. Activities by security organizations aimed at preventing and repressing activities against the national security.
2. Imprisonment, death, attempt against life, declarations, manifestos, trips or any information related to subversive, cassated, and banished individuals or individuals who have sought political asylum.
3. Information and movements of support regarding the activities of Bishop Helder Câmara, fathers Jose Comblin, Casaldaliga, and Francisco Jentel, as well as any type of manifestos made by the bishops of the National Conference of Bishops of Brazil whenever they mean to attack the government.
4. Movements effected abroad against Brazil, such as that which occurred in Belgium.
5. News items about torture of prisoners, hunger strikes, and activities against prison installations (related to political prisoners).
6. Activities related to terrorism and subversion mainly when there is mention of actions against security agents.
7. Any type of news item regarding kidnapping (including children) unless there is express authorization by the Department of the Federal Police.
8. Discovery of apartments where subversive elements are located; as well as armed resistance by the subversives.
9. Development of legal suits against subversive and terrorist elements during any phase of the suit, particularly publication of names of civilian or military authorities in charge of the investigation, or of the police-military inquiry (IMP), or of the councils of justice.

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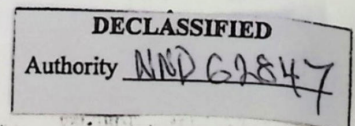
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10. Direct or indirect criticisms against the censorship system and the performance of censors in any sector of activity.
11. Transactions by the government of the Federal District related to the exchange of land of SHIS for apartments ENCOR. (Congen note: This apparently refers to a shady real estate deal which the governor of the Federal District is said to have been involved.)
12. Alarming news items regarding the circulation of counterfeit money.
13. Decision by the censors to prohibit the play, CALABAR, the record and the film of the same title, either through paid ads or criticisms, comments or any type of publication. (Congen note: Calabar is a play, which includes some ballads, written by the famous folk singer, Chico Buarque de Hollanda. It is based on a Brazilian historical figure, a mulatto named Calabar, who led a rebellion against the Portuguese in colonial times. Brazilian history has generally labelled him a villain, whereas Buarque's play describes him as a hero.)
14. Alarming speculation regarding the living and working conditions in the northern and north-eastern regions, as well as negative news regarding the situation of Brazilian Indians and FUNAI activities.
15. Sensational articles concerning abandoned children.
16. Alarming and provocative news items regarding the performance of civil and military police to the discredit of the police organization.
17. Criticisms contesting the regime, government and security organizations.
18. Jocular, offensive, or disrespectful treatment of public authorities and the symbols of the nation.
19. Sensational news items using vulgar words, or (description of) explicit crimes, scabrous scenes, accidents, tragedies, which may display photographs of mutilations and tragic scenes.
20. News items about confiscation of magazines and books and the prior censorship of newspapers and magazines.

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21. Alarming news items which report the presence of bombs.
22. News items, comments, etc. related to honorary citizenship titles proposed at State Assemblies or Municipal Councils to high authorities of the country. (Congen note: Apparently state deputies and municipal representatives in some parts of Brazil began accepting money in return for the pro forma presentation of honorary citizenship titles; stopping publicity of the presentations, it was reasoned, would end the practice.)
23. Divulgence of matters related to incitement of classes to strikes or rebellions, as well as (references to) racial and social discrimination.
24. References, articles, news items, etc. of an alarming nature regarding anonymous telephone calls, bombs, or explosives, alarms and fire in large buildings."

* * * * *

"March 21, 1974, from the Chief of the Department of Federal Police, Brasilia: Comments, articles, etc., related to any of the following topics are still prohibited:

1. Streaking.
2. Manifestos, declarations or comments on the situation created by the medical students in São Paulo (Hospital das Clínicas).
3. Devils, angels, or any other paper space which is occupied and which may evidence inadequate replacement of news and may represent censorship. (Congen note: This primarily refers to a Veja magazine practice.)
4. Arrests of subversive individuals in Buenos Aires with the possible involvement of Brazilian citizens."

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