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THE EXPANDED NATIONAL SECURITY DOCTRINE OF THE BRAZILIAN
MILITARY: ITS IMPLICATIONS FOR THE RESTORATION
OF DEMOCRACY IN BRAZIL, 1964-1970

By

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B.A., University of Montana, 1971

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the requirements for the degree of

Master of Arts

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1974

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Finally, I would like to dedicate this personal achievement to my late mother, whose teachings inspired me to undertake this task, and to my wife, Linda, whose patience and encouragement helped me to complete it.

For those in the future who might feel mine was a generation of wasteful consumers, let it be known that the entire rough draft of this work was written on the reverse side of old examinations, namely on recycled paper.

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CHAPTER I

INTRODUCTION

Introductory Comment

"Covenants, without the sword, are but words . . . ," wrote Thomas Hobbes.¹ Indeed, at the root of all but the most primitive of social organizations there must lie the sanction of force: force to assure order, to prevent rebellion at home, and to subdue enemies abroad. The manner in which that force is organized and controlled will significantly influence the interaction of political actors, both at home and abroad.

In Latin America the armed forces have always held a monopoly over the control of force, the ultimate argument in their nation's politics.² It is not so strange, then, that militarism, or "the domination of the military man over the civilian, the undue emphasis on military demands, or any transcendence of 'true military purposes',"³ is extremely

¹Thomas Hobbes, The Leviathan, ed. by Michael Oakeshott (London: H. R. Mowbray and Co., 1946), p. 109.

²Robert J. Alexander, Latin American Politics and Government (New York: Harper and Ross, 1965), p. 85.

³John J. Johnson, "The Latin American Military as a Politically Competing Group in Transitional Society," in The Role of the Military in Underdeveloped Countries, ed. by John J. Johnson (Princeton: Princeton University Press,

common in Latin America. Imparting some perspective to the political relationship between the armed forces and the civilian groups in Latin America, Elizabeth H. Hyman has commented:

Realistically, the military has to be seen as a force within the Latin American political universe which is highly interrelated with civilian political forces. While the Latin American military is clearly "outside" the political party structure as such, still political parties are not by any means the exclusive centers of activity in Latin American politics, and many disparate nonparty forces belong within the political world. Among a miscellaneous collection of nonparty "irregular" forces--including unions, student organizations, radical churchmen, economic pressure groups and foreign governments--which contend in political contests and confrontations, the military is merely one, albeit often the most effective, non-party force in the political process.⁴

The effectiveness of the armed forces, as a nonparty force, is related to the unique potential it possesses in competing with other nonparty forces in attempting to influence the political process. The military is more than a pressure group for it periodically assumes governing authority, and, therefore, "the center of power upon which it is supposedly exerting pressure

1962), p. 91. For a corresponding definition and an indispensable discussion of militarism, see Alfred Vagts, A History of Militarism (New York: W. W. Norton and Company, 1937), pp. 12-15. For a discussion of the various levels of militarism, see Martin Needler, Latin American Politics in Perspective (Princeton: D. Van Nostrand and Company, Inc., 1963), pp. 65-69.

⁴Elizabeth H. Hyman, "Soldiers in Politics: New Insights on Latin American Armed Forces," Political Science Quarterly, LXXXVII (September, 1972), 409.

becomes occupied by the pressure group itself."⁵

Charles D. Corbett has suggested some causes and characteristics of extramilitary activity in Latin America in recent years:

Once the officer's professional or military-oriented education is rounded out by graduation from the general staff course, and he finds himself involved in larger issues, he becomes concerned about the anomalies of his profession in a region that has had a minimum of international conflict. In the absence of a serious short-range external threat, he frequently universalizes the communist threat to the "Western, Christian" world and posits a role for his country in countering it. Military interpretations of the local manifestations of that threat, and considerations of the nature of the military response, have led in recent years to a redefinition and great expansion of the concept of national security. The salient characteristic is a nexus of security and economic development that transcends the definitions of national security policy generally ascribed to other Western countries.⁶

As a result of their "low conflict environment,"⁷ the Latin American armed forces may be interpreted as having expanded their concepts of national security or, more accurately, as having

⁵ Ibid., 410.

⁶ Charles D. Corbett, "Politics and Professionalism: The South American Military," Orbis, XVII (Winter, 1973), 936.

⁷ Alfred G. Stepan and Luigi R. Einaudi, Latin American Institutional Development: Changing Military Perspectives in Peru and Brazil. Report prepared for the Department of External Research, Department of State, R-586-DOS (Santa Monica, California: The RAND Corporation, 1971), p. 3. For a discussion of the relative absence of conflict between Latin American nations and the lack of participation by those nations in international conflicts on a larger scale, see Robert J. Alexander, "The Army in Politics," in Government and Politics in Latin America, ed. by Harold Eugene Davis (New York: The Ronald Press Company, 1958), pp. 151-52.

placed a greater emphasis on one component of national security policy, that of internal security policy,⁸ concerned primarily with the threat of subversion.

Historically, the chief source of friction between the republics of Latin America has been their ill-defined borders.⁹ However, since 1864, the year hostilities with Argentina were ended, Brazil, the subject of this study, has been at relative peace with her neighbors. Despite bordering on every nation in South America except Chile and Ecuador, Brazil has been able to define her long borders without recourse to arms.¹⁰ Like her neighbors, Brazil is only marginally threatened militarily by the outside world. The absence of a direct external threat has, in part, caused the Brazilian military to modify its concept of national security and to emphasize the importance of eradicating communist subversion and "corruption" in public office at home.

⁸Samuel P. Huntington conceives of national security policy as existing in three forms: military security policy, internal security policy, and situational security policy. The Soldier and the State: The Theory and Politics of Civil-Military Relations (Cambridge, Mass.: Harvard University Press, 1957), p. 1.

⁹William L. Schurz, Latin America: A Descriptive Survey (New York: E. P. Dutton and Company, Inc., 1963), p. 235.

¹⁰Brazil's history of peaceful foreign relations is due in large part to the efforts of her legendary Foreign Minister, The Baron of the Rio Branco. For a descriptive summary of his contributions, see E. Bradford Burns, "Tradition and Variation in Brazilian Foreign Policy," in Latin American International Politics: Ambitions, Capabilities, and the National Interests of Mexico, Brazil and Argentina, ed. by Carlos A. Astiz (Notre Dame: University of Notre Dame Press, 1969), pp. 176-80.

Scope and Objectives of the Study

The present study undertakes to analyze the major internal security policies, or those national security policies designed to insure domestic political and social order, of the three military governments of Brazil between 1964 and 1970 and to demonstrate why, by the end of 1970, the various military governments had either been unable or unwilling to restore "democracy."¹¹ This procedure will include an attempt to account for the apparent discrepancies between major speeches, proclaiming intentions to return Brazil to a political system open to civilian participation, and the actual policies the governments adopted, which made a rapid return to "democratic" forms and procedures of government impossible.

The major research question is:

What effect did the steadily expanding internal security policies of the Brazilian military governments between 1964 and 1970 have on the prospects for an eventual return to civilian leadership and to democratic forms and procedures of government?

The argument of Vicente Barreto is adopted. His thesis is that the "amplification of the concepts of national security has given the Brazilian military "carte blanche" to intervene against internal enemies or

¹¹Democracy in Brazil carries a much different meaning and connotation in Brazil than it does in the Anglo-American experience, and, therefore, when referring to democracy in Brazil, the word democracy will be placed in quotation marks. For a brief description and explanation of the Brazilian "democratic experience," see pages 15 through 34 of this work.

anything that contributes or could contribute to the weakening of the nation National security comprehends not only the military protection of the nation, but principally all manifestations of national life, whether in political economic, social or cultural areas.¹²

In seeking to extend the Barreto argument, I attempt to show that internal security policies, initially designed to restore order, permitted the armed forces sufficient penetration into the political system to enable them to become exploitative of that system. For example, active non-support for the regime came to be equated with subversion. Here my efforts will be confined principally to the area of internal security policy formulation, that is, it will focus on some of the forces influencing the policy formulation of each regime, such as the military officers' perceptions of internal communist subversion and their attitudes concerning civilian fitness to govern (as expressed in speeches); the role of Escola Superior de Guerra (the Superior War College); and the composition of the hierarchy of each regime. The latter consideration involves the relative balance of the linha dura (hard line) elements and the more moderate, Sorbonne Wing of the armed forces.

I will attempt to indicate how each of the foregoing factors, or combination thereof, may have caused the military to pursue policies that either (1) alienated significant portions

¹²Vicente Barreto, Cadernos Brasileiros (Rio de Janeiro: November-December, 1966), 35-39, quoted in Charles D. Corbett, op. cit., 937.

of the civilian populace and the armed forces as well, thereby rendering a return to "democratic" processes more difficult or (2) resulted in institutional modifications of both civilian and military structures and the creation of new roles, each of which, having acquired momentum and a domain of responsibility, assumed a self-sustaining nature and became more difficult to dissolve.

William Stokes has written, "Violence seems to be institutionalized in the organization, maintenance, and changing of governments in Latin America."¹³ Until 1930 Brazil did not meet the criteria of political violence developed by Stokes, however, it will be demonstrated that in the past two decades, violence has become more institutionalized in the Brazilian political process.

Aspects of Civil-Military Relations in Brazil

Between 1889 and 1964 the Brazilian armed forces occupied an influential, stabilizing position in the Brazilian political system. Compared with the experiences of most of the other Latin American nations, military intervention in Brazilian politics prior to 1964 was marked with temperance. Commenting on the Brazilian military during that era, John J. Johnson has remarked:

¹³William S. Stokes, "Violence as a Power Factor in Latin American Politics," Western Political Quarterly, V (September, 1952), 445.

. . . although the Brazilian military has repeatedly encroached on the civilian preserve and played a decisive role in the political life of the nation, it has done so without creating turmoil or arousing public wrath.¹⁴

Because she was able to win her independence without indebteding herself to a generation of military heroes¹⁵ and because of unique internal political developments, Brazil was able to escape the normal South American experience of military interference in public affairs before 1870.

The key to the political organization of Brazil during the nineteenth century was the moderating power of the Emperor, called poder moderador. Embodied in Article 101 of the Constitution of 1824, the poder moderador enabled the Emperor "to play the role of the balancer to maintain or restore the political forces of the country."¹⁶ The article provided that he might (1) name the members of the Senate from lists selected by indirect election, (2) sanction decrees and resolutions of the general assembly, (3) approve and suspend resolutions of provincial councils, postpone meetings of the general

¹⁴John J. Johnson, The Military and Society in Latin America (Stanford, California: Stanford University Press, 1964), p. 177.

¹⁵Ibid., p. 179. The author states that Brazil did not develop a "military spirit," as well, in winning her independence. Alan K. Manchester contends that Brazil's independence "not won on the field of battle but by diplomacy." See, "The Recognition of Brazilian Independence," The Hispanic American Historical Review, XXXI (February, 1951), 80.

¹⁶Vladimir Reisky de Dubnic, Political Trends in Brazil (Washington, D.C.: Public Affairs Press, 1968), p. 9.

assembly, as well as dissolve the Chamber of Deputies as required for the "salvation of the state," (4) freely name and dismiss the ministers of the state and (5) suspend judges under circumstances.¹⁷ Combined with the directives of Article 99, stating that the Emperor should be inviolable and sacred, the poder moderador, became so ample in its exercise, that the remaining three functions (legislative, executive and judicial) could not be effectuated without imperial approval.¹⁸

From 1824 to 1889 the poder moderador, as a "mediating but ultimately authoritarian device," was occasionally subject to abuse but was generally applied with restraint and sensibility by Pedro II (1840-1889).¹⁹

Problems soon beset Dom Pedro and, following a decade of irresponsibility by the military,²⁰ the decade was overturned

¹⁷T. B. Cavalcanti, Las Constituciones del Brazil, xxix, cited in James L. Busey, "The Old and the New in the Politics of Modern Brazil," in The Shaping of Modern Brazil, ed. by Eric N. Baklanoff (Baton Rouge: Louisiana State University Press, 1969), p. 69.

¹⁸Busey, op. cit., p. 69. João Pondia Cologeras states that the Emperor "deserves to be called a redresseur de torts, a sort of Roman censor." See A History of Brazil, trans. and ed. by Percy Alvin Martin (Chapel Hill: University of North Carolina Press, 1939), p. 221.

¹⁹Busey, op. cit., pp. 71, 82-83.

²⁰Johnson, Military and Society, pp. 187-88. The author argues that during the 1880's the military grew increasingly insubordinate of Pedro II because of its opposition to slavery and because it felt the civilians were not appreciative of its presence in Brazilian society. The overthrow of Pedro II was peaceful and was supported by an overwhelming proportion of the population, he concludes.

in 1889 by the military, which then assumed the function of poder moderador. Gilberto Freyre has correctly observed that since then it has been the armed forces, not the civilian politicians, who have acted as the ultimate constitutional authority:

. . . from the end of the nineteenth century to the present day the army in Brazil--in the last decades, the entire armed forces, army, navy, and air force--has acted as a substitute for the crown during the monarchical days [sic]--that is, as a corrective influence acting, especially during critical days, to prevent abuse or power by any single individual or by any particular . . . group within the national organization of Brazil.²¹

The Constitutions of 1891, 1934, 1937 and 1946 all acknowledged the moderating power of the Brazilian armed forces and "nowhere does one find evidence that more than a few elected officials of the Brazilian government have ever sought to deprive the armed forces of the political prerogatives that they assumed upon the overthrow of Pedro II."²² In addition to providing for the national defense, the armed forces were specifically charged by Article XIV of the 1891 Constitution with

²¹Gilberto Freyre, New World in the Tropics: The Culture of Modern Brazil (New York: Alfred A. Knopf, 1959), p. 207.

²²Johnson, Military and Society, p. 233. Alfred C. Stepan writes: "My analysis indicates that the military was often felt to be the only available structure that could perform certain functions the participant elite felt had to be performed. Military performance of these functions--whether checking the executive or maintaining internal order--was thus granted some degree of legitimacy, even by many groups who were deeply anti-militarist." The Military in Politics: Changing Patterns in Brazil (Princeton: Princeton University Press, 1971), p. 66.

maintaining Brazil's domestic laws; this assigned domestic function was not affected by either the Constitutions of 1934 or 1937, except that the military's domestic responsibilities were more fully delineated.²³ After the military reasserted its poder moderador in disposing of the Vargas dictatorship, it was once again assigned a moderating function in the 1946 Constitution.²⁴

The poder moderador of the armed forces was described in Articles 176 and 177 of the 1946 Constitution. Like all of the constitutions of the Republic, the 1946 Constitution contained the requirement that the armed forces were subject to the authority of the President "within the limits of the law."²⁵ Article 176 states:

The armed forces, constituted essentially by the army, navy, and air force, are permanent national institutions, organized on a basis of hierarchy and discipline, under the supreme authority of the President of the Republic, and within the limits of the law.²⁶

The last phrase, in effect, conferred upon the War Ministers the

²³Johnson, Military and Society, p. 233.

²⁴Busey, op. cit., p. 73. On the question of who exercised the poder moderador during the Estado Novo, Busey contends that Vargas filled that traditional role with the military never far in the background. For a different interpretation of civil-military relation during the Estado Novo, see John D. Wirth, The Politics of Brazilian Development: 1930-1954 (Stanford: Stanford University Press, 1970), p. 8.

²⁵Stepan and Einaudi, op. cit., p. 73.

²⁶E. Bradford Burns, "The Constitution of 1946," in A Documentary History of Brazil, ed. by E. Bradford Burns (New York: Alfred A. Knopf, 1966), p. 366.

privilege of "discretionary obedience," depending on their judgment as to the legality of specific presidential orders.²⁷ If they concluded such an order threatened the normal functioning of the three constituted powers (the legislative, executive, and judicial branches), for which they were responsible under Article 177 ("The armed forces are intended to defend the Fatherland and to guarantee the constituted powers and law and order."²⁸), they could simply deny final authority to the President and consequently disobey his order.

In 1930, 1945, 1954, and 1964 the armed forces were called upon by civilians to exercise its poder moderador. For example, in 1945, a newspaper editorial stated:

The Brazilian armed forces are deeply conscious of their responsibilities in the present political situation It is incumbent on them to maintain the constitutional powers and laws of the Republic. Nothing is more right and legitimate than that the political parties should ask the army, navy, and air force to intervene in the sense of guaranteeing the election laws already designated, and to impede them from being modified.²⁹

On this occasion, as well as in others, it appears the poder moderador was interpreted and applied as a power to defend the prerogatives of the Congress by removing or restraining the

²⁷ Stepan and Einaudi, op. cit., p. 73.

²⁸ See Burns, "The Constitution of 1946," p. 366.

²⁹ O Journal, August 10, 1945 cited in Stepan, op. cit., p. 102. Stepan uses the editorials of Brazil's major daily newspapers to demonstrate one manner in which the military was called upon to exercise its poder moderador in 1945, 1954, 1955, 1961, and 1964. See pp. 99-115.

President whenever he clashed with the legislative branch. Viewed from this perspective, it seems evident the poder moderador inadvertently became a mechanism by which to control Brazil's predilection for paternalism, a condition the military itself helped to create.³⁰ The poder moderador of the military became so ample that the functions of the executive office could not be performed without some recognition of the potential application of that power or without tacit military approval.³¹

The practical application of the poder moderador between 1945 and 1964 created a framework of expectations in the civilian populace at large about military activity in the political arena, principally that the right to overthrow the President did not imply the right to assume power. Few, if any, of those who appealed to the armed forces to exercise its moderating function during that time, asked that body to assume power nor did they expect it to assume power.³² Hence, while a

³⁰For a discussion of the military's part in creating Brazil's tradition of presidential paternalism during the twentieth century, see de Dubnic, op. cit., p. 28.

³¹Thomas E. Skidmore stresses that the continued existence of any government between 1945 and 1964 was dependent to a large extent on the ability of the President to develop cobertura militar (military support) and dispositivo militar (active military backing). Politics in Brazil, 1930-1964: An Experiment in Democracy (London: Oxford University Press, 1967), p. 235.

³²After conducting an editorial analysis on the editorials of the leading Brazilian newspapers that appeared prior to the coups of 1945, 1954, and 1964 and the attempted coups of 1955

relatively high degree of legitimacy was ascribed to military intervention, military rule remained illegitimate.³³

In summary, several components of civil-military relations in Brazil warrant attention because of their impact on Brazil's "democratic experience." Briefly they are:

1. All major political actors attempt to co-opt the military. A politicized military is the norm.
2. The relevant political actors grant legitimacy to the military under certain circumstances to act as moderators of the political process and to check or overthrow the executive or to avoid the breakdown of the system.
3. Approval given by civilian elites to the politically heterogeneous military to overthrow the executive greatly facilitates the construction of a winning coup combination.
4. There is a strong belief among civilian elites and some military officers that while it is legitimate for the military to intervene and exercise temporary political power, it is illegitimate for the military to assume the direction of the political system for long periods of time.³⁴

Until 1964 the manner in which the armed forces could wield its force in the application of the poder moderador was shaped and influenced by any one of several elite, civilian groups: the government, the anti-regime civilians, and the proregime civil-

and 1961, Stepan concludes that no editorial "ever explicitly asked the military to assume power, although dozens of the editorials demanded that the military intervene to remove or check the executive." Military in Politics, p. 115.

³³ Stepan and Einaudi, op. cit., p. 74.

³⁴ Stepan, op. cit., p. 64.

ians.³⁵ The government consisted of the President and his advisors; the anti-regime civilians included those who opposed not only the government but the regime itself and who want to change the basic rules and authority structures; the proregime civilians embraced those individuals who generally supported the regime but who periodically disagreed with the government and wanted to check the executive by other than legislative or electoral methods. Depending on the success of any of these groups in co-opting the military, the course of Brazil's "democratic experience" was to be shaped differently by the application of the military's force.

Brazil's "Democratic Experience"

R. A. Humphreys has described Latin America's affinity for democratic forms of government in this manner:

Constitutional government and political practices almost invariably differ. But it can not be denied that in Latin America, or at least in large parts of that area, the discrepancies between them have been peculiarly marked. The theory in their hearts, believing, indeed, that it is quite unsuited for Latin American conditions, few among their statesmen venture to repudiate it with their lips.³⁶

The political experience of Brazil between 1945 and 1964 supports the validity of this observation.

Jordan M. Young has argued that Brazil practiced real

³⁵ Ibid., p. 67.

³⁶ R. A. Humphreys, Tradition and Revolt in Latin America (New York: Columbia University Press, 1969), p. 216.

democracy only between 1945 and 1964.³⁷ While this may be true when the political activities of that era are compared with those in earlier periods of Brazilian history, Brazil's real political practices between 1945 and 1964 were at variance with classical and Anglo-American concepts of a democratic society,³⁸ as well as with the provisions of her "democratic" constitution. In this regard, the Brazilian experience under a "democratic" constitution was quite typical of Latin American nations and their constitutions:

. . . these [Latin American] constitutions tend to be normative and anticipatory. That is, their texts often provide for what the constitution-writers hope will come to pass rather than what the structure is or can be in reality.³⁹

In most cases, when conflicts develop between the "written" constitution and the "real" constitution, or the existing power relationships in a political community, the latter has

³⁷Jordan M. Young, "Some Permanent Political Characteristics of Contemporary Brazil," Journal of Inter-American Studies, VI (July, 1964), 290.

³⁸Henry Mayo has listed the following features as being characteristic of a classical democratic state: decision-making by majority rule, political equality of all citizens, freedom to oppose, and observation of the principle of constitutionalism, or a "higher law" to impose limitations on political power. See An Introduction to Democratic Theory (New York: Oxford University Press, 1960), p. 39. Peter H. Odegard has remarked that in the Anglo-American tradition representative assemblies and the idea of human perfectability have remained central tenets of most democracies. See The American Republic: Its Government and Politics (New York: Harper and Row, 1969), pp. 34-45.

³⁹George I. Blanksten, "Revolutions," in Government and Politics in Latin America, ed. by Harold Eugene Davis (New York: The Ronald Press Company, 1958), p. 142.

prevailed.⁴⁰

The Brazilian constitution, promulgated September 18, 1946, theoretically established a presidential, federal political system with all the mechanisms of a democratic government: free and fair elections; representative legislative bodies; freedom of dissent and organization; and numerous political parties. Primarily the work of the Senate and Chamber of Deputies, the Constitution of 1946 superseded the Constitution of 1937, "an authoritarian, corporatist document" decreed by Getulio Vargas.⁴¹

The formation of the new constitution was facilitated by the armed forces' removal of the Vargas dictatorship from power on October 25, 1945. If one accepts the Young thesis that Brazil practiced real democracy between 1945 and 1964, it is significant to note that the very document on which that experience was supposedly based, the Constitution of 1946, actually "re-established the institutions of the republic more or less as they prevailed before Vargas."⁴² which was hardly an era of democracy.⁴³

⁴⁰George I. Blanksten, "Constitutions and the Structures of Power," in Government and Politics in Latin America, ibid., p. 227.

⁴¹James L. Busey, "Brazil's Reputation for Political Stability," Western Political Quarterly, XVIII (December, 1965), 868.

⁴²Ibid., 869.

⁴³On the creation of the Estado Novo in 1937, de Dubnic writes that it did not represent the end of democracy, "since

The majority of those elected to Congress in December, 1945 were either politicians who had actively supported Vargas' Estado Novo or politicians from the old, republican era who had been stifled by the former dictator's regime. Neither group could accurately be labelled as having been particularly dedicated to democratic principles. In fact, the two political parties created or controlled by the ex-dictator, the Partido Social Democratico (PSD) and the Partido Trabalhista Brasileiro (PTB), controlled a majority of the seats in Congress at the time the new constitution was formed and adopted.⁴⁴ Vargas himself was elected to Congress, less than two months after his ouster.

In light of the preceding facts, it seems that the Constitution of 1946 was more the statement of a nation's rejection of one-man dictatorial rule in the anti-fascist atmosphere of the post-World War II days than it was a statement of a commit-

there could not be an end to something that had not really begun." de Dubnic, op. cit., p. 12. For a brief discussion of the undemocratic style of the old republican era (1889-1930), see John W. F. Dulles, "The Contributions of Getulio Vargas to the Modernization of Brazil," in Eric N. Baklanoff, op. cit., p. 40.

⁴⁴For a breakdown of the party membership in the 1946 Brazilian Congress, see Theodore Wyckoff, "Brazilian Political Parties," The South Atlantic Quarterly, LVI (Summer, 1957), 292. With regard to the participation of the PSD in the 1945 elections Thomas Skidmore has written: "Final direction came from on high, as Vargas personally supervised the organization of the PSD in order to support the official candidacy of Dutra." Politics in Brazil, 1930-1964, p. 56. For a brief discussion of Vargas' role in the creation and control of the PTB, see John W. F. Dulles, "Post-Dictatorship Brazil, 1945-1964," in New Perspectives of Brazil, ed. by Eric N. Baklanoff (Nashville: Vanderbilt University Press, 1966), pp. 9-10; Young, op. cit., 297; and Busey, "Brazil's Reputation," 873.

ment to democratic institutions and processes. It is even questionable that the constitution-writers hoped Brazil would evolve eventually into a democratic state. Although a dictator was deposed and a new constitution adopted, the same elites continued to control the nation and democracy remained nothing but a formal concept.⁴⁵

The Constitution of 1946 "obliged" all citizens over the age of eighteen to vote. Exceptions were those who could not speak Portuguese, criminals, or those who did not enjoy "full political rights," and those who served as enlisted seamen or soldiers. The reason for the inclusion of the latter was that they could have conceivably been intimidated to vote for the candidate endorsed by the military.⁴⁶ These restrictions effectively excluded substantial portions of the population from voting.⁴⁷ In the 1950 presidential elections, the first

⁴⁵de Dubnic, op. cit. The author contends the establishment of Dutra's democratic regime represented an evolutionary, rather than revolutionary, development because the elites remained the same (p. 13). On the political system that followed Vargas, de Dubnic writes: "Although the regime changed to a formal democracy, the men in power were the men of the Estado Novo" (p. 14).

⁴⁶Wyckoff, op. cit., p. 284.

⁴⁷While Jordan Young admits that the electorate constantly increased between 1945 and 1964, he also points out that of Brazil's 75 million inhabitants in 1964, her "political population" (that is, over the age of 15) was comprised of some 38 million. Of this 38 million only 19 million were actually eligible to vote due to a high rate of illiteracy and sickness. See "Some Permanent Political Characteristics of Contemporary Brazil," op. cit., 296.

held under the new constitution, only 15.9 percent of the population actually voted, but this was a dramatic increase over the 3.1 percent who voted in the 1930 elections.⁴⁸ Those who did vote were easily influenced by demagogic appeal, and coronelismo, "a kind of latter day adaptation of feudalism to the conditions of republican Brazil," flourished in the rural areas.⁴⁹ Consequently, vote buying was a widespread practice.

Just over five years after his ouster as dictator, Getulio Vargas, was elected President of Brazil in 1950, thereby succeeding Gaspar Dutra, whose lackluster administration had served as a "caretaker regime for the Vargas forces."⁵⁰ Vargas used the organization of his party, the PTB, as his personal vehicle to power during the democratic phase of his political career. While only the third largest party during the fifties, its ability to deliver the poor rural vote and to form a series of complicated alliances with the PSD and the PSP (Partido Social Progressista) enabled its candidates to hold either the Presidency or the Vice-Presidency until 1964.⁵¹ The

⁴⁸For electoral statistics on the Brazilian elections from 1945-1963, see Brazil: Election Factbook, No. 2, September, 1965 (Washington, D.C.: Institute for the Comparative Study of Political Systems), p. 19. Percentage of population voting in 1930 election cited in de Dubnic, op. cit., p. 13.

⁴⁹For a discussion of electoral fraud and corruption in Brazil during the 1950's, see James W. Rowe, "The 'Revolution' and the 'System': Notes on Brazilian Politics, Part I: Seeds of the 'System'," American Universities Field Staff, East Coast South America Series, Vol. XII (Washington, D.C.: American Universities Reports Service, May, 1966), pp. 13-14.

⁵⁰de Dubnic, op. cit., p. 14.

⁵¹The PSD-PTB domination over the Presidency was interrupted only by Jânio Quadros' seven month tenure in 1961.

frustrated members of the opposition party, the UDN (União Democrático Nacional), the second largest political party, continued to envision democracy in a negative manner: primarily as means by which to control Vargas and his forces.⁵² From their inception, all major political parties tended to be personalista and, as a result, political contests continued to be related more to personalities than to any sort of meaningful political ideas or programs; the chief tendency of political parties was to identify themselves as either pro- or anti-Vargas, even after his death in 1954.

The Vargas regime was troubled from the start by inflation and communist activity. Because wages were substantially increased (as Vargas promised they would be during his campaign), the cost of living rose 23 percent in 1952. World demand for coffee, Brazil's largest industry and major export during the fifties, sharply declined. Communist activities increased steadily until 1954, when João Goulart, Vargas' Labor Minister, was forced to resign by the armed forces for allegedly promoting communist infiltration into labor unions.⁵³ This swirling vortex of political tensions and economic distress was culminated by the unsuccessful assassination attempt

⁵² de Dubnic, op. cit., p. 14.

⁵³ Johnson states that this move by the armed forces was the first in a series of moves that drew the military back into active participation in politics. Military and Society, p. 208.

on Carlos Lacerda, the most violent critic of the Vargas Administration.⁵⁴ Investigations soon disclosed that the head of the presidential guard had ordered the shooting; further disclosures of graft and influence peddling totally discredited Vargas.⁵⁵ Under intense military and civilian pressure to resign, Vargas committed suicide on August 24, 1954. Proregime civilian forces had first co-opted the armed forces to secure the removal of Goulart and then, later and more importantly, to check the executive in the person of Vargas. In both instances the basic rules and authority structures remained intact while the usual legislative and electoral procedures were temporarily suspended.

On learning of Vargas' death, the hostile crowds that had been demonstrating against him only moments before did an about-face and became full of devotion for the dead President and openly expressed wrath against his enemies.⁵⁶ Immediately thereafter, Vargas' now famous suicide note in which he severely rebuked unnamed foreign and domestic foes,⁵⁷ was

⁵⁴For a discussion of the events surrounding the attempt on Lacerda's life, the so-called "Tonoleros Case," and the influence it exerted in determining Vargas' political fate, see J. V. D. Saunders, "A Revolution of Agreement Among Friends," The Hispanic American Historical Review, XLIV (May, 1964), 197-213.

⁵⁵See John W. F. Dulles, Unrest in Brazil, Political-Military Crises: 1955-1964 (Austin: University of Texas Press, 1970), p. 27 and Skidmore, op. cit., p. 139.

⁵⁶See Samuel Pope Brewer, "Vargas Commits Suicide After Ouster by Military," The New York Times, August 25, 1954, p. 1.

⁵⁷Soon after the disclosure of Vargas' suicide note,

released to the press and a wave of sympathy for Vargas engulfed the country. It became politically impossible for the anti-Vargas forces, who had centered their criticisms on the person of the former President, to fill the power vacuum.

By his final act of self-sacrifice Vargas neutralized the political and psychological advantages his opponents had accumulated. In death, as in life, Vargas' action was well designed to yield maximum political effect.⁵⁸

Vice-President Cafe Filho acceded to the presidency and the first test of presidential succession under the 1946 Constitution was passed.

In 1955 amidst charges of possible electoral fraud and demands for a coup d'etat to prevent the pro-Vargas forces from re-assuming office, the Liga pela Legalidade (League for Legality) was formed by civilians dedicated to preserving Brazil's "democratic" institutions of free speech and free elections. In addition, it was to guard against the threat of military interference in the 1955 elections, "a clear indication" according to de Dubnic

. . . that the holding of free elections was still a struggle rather than the routine constitutional procedure it should have been after ten years of democratic government.⁵⁹

another version of the note was found and a controversy, as to which of the two, if either, was written by Vargas, ensued. The two versions are printed in The Quest for Change in Latin America, ed. by W. Raymond Duncan and James Nelson Goodsell (Toronto: Oxford University Press, 1970), pp. 151-53.

⁵⁸Skidmore, op. cit., p. 142.

⁵⁹de Dubnic, op. cit., p. 15.

As soon as it became evident that the coalition candidates of the PSD (Juscelino Kubitschek for President) and the PTB (João Goulart for Vice President) would win the 1955 presidential election, the anti-Vargas forces began to demand that they be prevented from assuming office. Filho, although not an ardent admirer of the now martyred former President, stressed that the election would be held as constitutionally authorized and the victors permitted to assume office. On October 13, 1955 Juscelino Kubitschek was elected President with only 36 percent of the vote; Goulart, who actually received more votes than Kubitschek, was elected Vice President.⁶⁰ Before they were inaugurated in January, 1956 events were to disclose that the election and constitutional processes ceased to be an adequate assurance of succession.

Cafe Filho, the lame duck, caretaker President, suffered a heart attack on November 3, 1955 and Carlos Luz, the President of the Chamber of Deputies, temporarily took over as President. When the military became convinced that Luz was collaborating in an attempt to obstruct Kubitschek's inauguration, he was forced from office by members of the Movimento Militar Constitucionalista, a legalist military faction devoted

⁶⁰For a breakdown of the votes cast in the 1955 elections, see Skidmore, op. cit., pp. 148-49. Under the 1946 Constitution party alliances and coalitions were legal. Therefore, it was possible for a President of one party to be elected with a Vice-President of another party.

to constitutional processes,⁶¹ and replaced by the President of the Senate, Nereu Ramos. In late November, Cafe Filho, fully recuperated from his illness, prepared to reassume the presidency; although this intention was acceptable to Ramos, newly appointed War Minister, Texeira Lott, the leader of the "legalist movement" earlier that month, objected on the grounds Filho might retain his former ministers whom the military regarded with suspicion. Faced with overwhelming opposition from an informal alliance of the armed forces and the PSD-PTB controlled Congress, Filho was prevented from re-entering the office to which he was legally entitled. On January 31, 1956 Kubitschek "took office not only through the normal processes, i.e., the will of the people, but also the grace of the army."⁶²

In the final analysis, the presidential musical chairs of November, 1955, orchestrated by the armed forces, represented a short-term victory for the proregime forces and a long-term victory for the anti-regime forces. The immediate challenge by the anti-Vargas forces to the right to conduct

⁶¹John W. Dulles discusses this "legalist" move in "Post-Dictatorship Brazil," pp. 32-33. Skidmore suggests that part of the reason for Luz's removal from office was that he was a member of the PSD faction that opposed Kubitschek's presidential nomination and was still suspected of being in sympathy with moves designed to obstruct Kubitschek when he succeeded the stricken Filho. Politics in Brazil, 1930-1964, p. 152.

⁶²de Dubnic, op. cit., p. 16.

elections was subdued and, on this level of interpretation, the basic rules of the political system were upheld. But the "legalist" move actually modified the manner in which those rules were enforced. The "legalist" deposition of Luz, based on such obscure considerations, and obstruction of Filho's return is a clear indication the military was evolving toward a position where it might exercise wider discretion in applying its poder moderador. The military moves in 1955 established the framework for the precedent set in August, 1961: in order to permit succession of the President's office, the military supervised the drastic amendment of the basic rules of political interaction among the three constitutional powers.

The Kubitschek Administration was marked by several significant features. The new President's political toleration strengthened democracy and freedom⁶³ and his apparent aversion for the paternalistic style of Vargas led him to share his powers, at times with unscrupulous elites. In his quest for economic development he launched Brazil on an economic journey on which he promised "Fifty Years of Progress in Five Years."⁶⁴ Money for his programs of national development was obtained by printing new currency--the volume of currency in circulation nearly tripled between 1955 and 1961.⁶⁵ During the same period,

⁶³Ibid., p. 17.

⁶⁴For a general outline of Kubitschek's ambitious goals and strategies, see Skidmore, op. cit., pp. 164-70.

⁶⁵Dulles, "Post-Dictatorship Brazil, p. 38.

however, the cost of living more than tripled, a noticeable rise even in light of Brazil's history of chronic inflation. (Some observers of the Kubitschek era say he gave Brazil "Fifty Years of Inflation in Five Years."⁶⁶)

As in the Dutra presidency, the armed forces tended to withdraw from public view during Kubitschek's term but they remained a potential threat to his administration, primarily because of the widespread distrust of Goulart harbored by the anti-communist and anti-Vargas officers. Kubitschek deftly deterred possible military intervention by increasing military expenditures to new highs⁶⁷ and by repeatedly denouncing communism. Though hampered during the first part of his term by those who refused to accept the legitimacy of his election and despite his administration's miserable economic performance, Kubitschek emerged as a widely popular leader by the end of his term.

The presidential elections of 1960 were conducted in an atmosphere of freedom and peace; no Liga pela Legalidade was necessary.⁶⁸ Jânio Quadros, a political outsider free of

⁶⁶See Young, op. cit., 299.

⁶⁷Although most of the attention is given to Kubitschek's expenditures on programs of national development, more money was spent on military demands than on any single development program. See Johnson, Military and Society, p. 208.

⁶⁸There is some disagreement as to whom, the armed forces or Kubitschek, "guaranteed" the elections. de Dubnic states Kubitschek provided this function, op. cit., p. 18. Busey states that the armed forces guaranteed the 1960 elections. "The Old and the New," p. 65.

entangling alliances who promised to sweep away the corruption and inefficiency of the Kubitschek era, was elected President with 44.8 percent of the 11.7 million votes cast.⁶⁹ Never a party man, Quadros had used the organization of the UDN to achieve his political ends; although his election represented the first time in Brazilian history an opposition candidate was elected, his convincing victory over Texeira Lott was more a personal victory than a triumph for the UDN.⁷⁰ Through a strange series of developments, João Goulart of the PTB was once again elected Vice President.⁷¹

Confronted with a paralyzing PTB-PSD opposition in Congress and not accustomed to working within the apparatus of the UDN, Quadros attempted to appeal directly to the masses that elected him; finally, frustrated by his inability to implement his policies over the obstruction of Congress and governmental bureaucrats,⁷² he suddenly resigned on August 25,

⁶⁹For a breakdown of the votes cast for President, see de Dubnic, op. cit., p. 123.

⁷⁰Ibid., p. 18. One indication of Quadros' political independence was his temporary resignation as the presidential nominee of the UDN during the midst of the campaign. He reportedly resigned in a maneuver to secure his independence from political bosses. See Dulles, "Post-Dictatorship Brazil," p. 41.

⁷¹For a brief description of the circumstances leading to Goulart's election, see de Dubnic, op. cit., pp. 122-24.

⁷²Young states that Quadros did not understand the art of log rolling or "pork barreling," which frequently resulted in deadlocks with Congress. "Some Permanent Political Features," 291.

1961, less than seven months after his election. In a move reminiscent of Vargas' last acts, Quadros issued a written statement charging that forçus occultas (occult, or hidden, forces) had brought about his resignation. Regardless of the motives behind his resignation,⁷³ it was accepted by Congress; there was no spontaneous uprising in his behalf. The legal heir to the presidency was João Goulart, a politician who symbolized the trust of no important political sectors, including the armed forces.

Although Goulart was legally entitled to succeed Quadros, a fragmentation of opinion developed in the military hierarchy over the question of his succession. The moralists, led by the War Ministers, feared Goulart's tendencies to condone communist activity and wanted him set aside in favor of a more suitable successor; the legalists, or legitimists, on the other hand, favored constitutional succession, despite the fact that many in this group did not care for Goulart personally.⁷⁴ Neither group held a clear advantage and each remained

⁷³Although the reasons for Quadros' resignation are not clearly understood, it is generally believed that he resigned because he felt by doing so he would present the people with three alternatives: chaos, military rule or his return to power on his own terms. He was confident the people would choose the third alternative. This interpretation is expressed in Skidmore, op. cit., pp. 202-204 and Young, op. cit., 291-92. Some research definitely indicates the military did not pressure Quadros into resigning. See Stepan, op. cit., p. 68fn.

⁷⁴It is conceivable that members of this group may have been so dedicated to principles that they could not block the ascension of Goulart merely on the grounds of what he might do.

passionately dedicated to its "principles." Finally, the deadlock was resolved when both factions of the hierarchy of the armed forces agreed to accept a Congressional compromise proposal, under which Brazil's presidential system was scuttled in favor of a parliamentary system. The solution of the succession problem effected by the divided military leadership (moralists vs. legitimists) was nothing short of a major restructuring of the political system. On September 7, 1961 Goulart assumed an office stripped of many of its traditional powers.⁷⁵

In assessing the consequences of the military's intervention, it seems apparent that no real political solution was reached, at least as far as the military was concerned. The legalist opinion that the Vice President, as constitutional successor, should be allowed to fill the vacancy in the presidency was upheld, but it was tainted in the process. The compromise necessary to assure Goulart's accession, a constitutional amendment, only set a precedent that future legalists would soon exploit. The legitimists had not prevented Goulart's rise to power and, obviously, the mere limitation of Goulart's power could not have dispelled their fears of this man.

The terms "moralists" and "legitimists" are borrowed from Robert Dervel Evans, "The Brazilian Revolution of 1964: Surgery Without Anaesthetics," International Affairs, XLIV (April, 1968), 271.

⁷⁵For a list of the powers that the presidency lost, see de Dubnic, op. cit., p. 32.

After nearly fourteen months of deliberately promoting inefficiency and confusion,⁷⁶ Goulart convinced the Brazilian electorate that the parliamentary system was unworkable; as a result, on January 6, 1963 a national referendum returned Brazil to a presidential system. The much disturbed Goulart was now able to wield the full extent of the traditional powers of his office, but, in the words of one author, "In trying to please all, he pleased none"⁷⁷ He did succeed in uniting his opposition. The armed forces, already fearful of Goulart's reacquisition of the presidential powers, soon began to close ranks in united opposition to the demagogic president, especially when he attempted to bypass Congress to secure passage of his "basic reforms" and attempted to divide and control the armed forces.⁷⁸ With the rate of inflation exceeding 8 percent per month⁷⁹ and the political process in complete disarray, the armed forces, acting with the strong support of proregime forces, forced Goulart from the presidential

⁷⁶Skidmore, op. cit., p. 221.

⁷⁷Phyllis Peterson, "Brazil: Institutionalized Confusion," in Political Systems of Latin America, ed. by Martin C. Needler (Princeton: D. Van Nostrand and Company, Inc., 1964), p. 476.

⁷⁸Robert Dervel Evans discusses Goulart's attempts to undermine the officer's ability to command their forces in his work, "The Brazilian Revolution of 1964: Surgery Without Anaesthetics," 273.

⁷⁹Cost of living figures were generally derived by observing economic developments in the target city of Guanabara. In 1962, the cost of living rose 55 percent and in 1963 it rose 81 percent. See Skidmore, op. cit., p. 257.

palace and into exile in the "Revolution of 1964." "The arbitrator army had once again exercised its moderating power to restore order to the political processes."⁸⁰ The events that followed this "revolution" were anything but democratic.

The 1964 "revolution" and subsequent political developments were culmination of forces that had been converging since 1889 and 1945. Having assumed the poder moderador in 1889, the armed forces set about to create a strong presidential regime that could exert better control over the political system than could a parliamentary regime. A strong presidency was institutionalized in the early days of the republic and withstood the constitutional changes of 1934, 1937, and 1946, though the latter curtailed powers granted by the first two. As civilians persisted in the exploitation of the office of the President, the armed forces assumed greater responsibilities in an attempt to prevent the excessive abuse of those powers. Military interpretations of the extent of intervention necessary for the preservation of "legality," or of law and order, grew increasingly more liberal.

After receding from public view after 1945 the armed forces appeared once again during the next decade to resolve political problems in and around the office of the President.

⁸⁰Riordan Roett, "A Praetorian Army in Politics: The Changing Role of the Brazilian Military," in Brazil in the Sixties, ed. by Riordan Roett (Nashville: Vanderbilt University Press, 1972), p. 23.

Vargas was removed from office in 1954 in the interest of "legality" and Filho was denied a return to his office in the name of "legality." Each time the military responded to civilian demands for action. In 1961 the concept of legality was expanded and it became necessary for the civilians to modify the basic rules of the political system in order that the armed forces might defend the legality of that system. The armed forces had become more selective in their defense of "legality;" the rules which they chose not to defend were either ignored or abolished and replaced with rules that were more acceptable. The 1955 intervention established the psychological framework for the constitutional modification of August, 1961; this amendment set the precedent for the drastic constitutional renovation after April, 1964.

The political developments between 1946 and 1964 seem to substantiate Busey's observation that while democracy is extolled in Brazil, dictatorship is not rejected.⁸¹ The memory of Vargas' dictatorial regime did not hinder his election in 1950; the strength of the PTB increased progressively until 1964 by exploiting Vargas' reputation and casting candidates in his image.

Brazil has adhered to democracy only in a formal sense; democracy, it appears, is accepted more as a convenience to be maintained only if useful. Between 1945 and 1964 there was

⁸¹Busey, "Brazil's Reputation," 871.

a balance of five to four between the number of times presidents were forced from office and the number of presidential elections held by popular elections.⁸² In the instances of direct military action against the President, they generally had broad civilian support. Because "democracy" was treated as an expedient and not as a principle, it was easily superseded by another system when conditions required political experimentation. Unlike in the past, the military acted independently of civilian demands and used its forces to effect "legalist" solutions. The changes in the basic rules of the political system did not reflect the changes originally envisioned by either the proregime or anti-regime forces.

The "Revolution of 1964"

Revolution, as the term is employed in Latin America, does not necessarily imply some violent convulsion of society or of the state. If revolution is defined as

fundamental change in the nature of the state, the function of government, the principles of economic production and distribution, the relationship of the social classes, particularly as regards the control of the government,⁸³

⁸²de Dubnic, *op. cit.*, p. 18. There were presidential elections in 1945, 1950, 1955, and 1960. Vargas was forced from office on two occasions (1945 and 1954). Carlos Luz was forced from office in 1955, Cafe Filho denied re-installation as President, and João Goulart was forced from office in 1964.

⁸³William S. Stokes, "The 'Cuban Revolution' and the Presidential Elections of 1948," The Hispanic American Historical Report, XXI (February, 1951), 37.

then "revolutions" in Latin America are rare. Rather a "typical revolution" in Latin America is a change in the executive leadership brought about "in a manner or on a date not stipulated by the constitution."⁸⁴ It is an extra-legal method of replacing one government by another which is not accompanied by a fundamental change in the social order. Although all the military governments have since referred to the military action of March 31-April 1, 1964 as a "revolution," it was nonetheless a "typical revolution" and not a true revolution.

The political intervention of the Brazilian military in 1964 was a direct, personal assault on President Goulart and could be accurately called a golpe de estado, or a coup d'etat.⁸⁵ It represented the seizure of power from within the political system, but the manner in which the leadership was installed did not represent an unconstitutional change in governmental leadership, so much as it did represent a break with tradition.

Article 177 of the 1946 Constitution had long been the legal basis on which the military based its withdrawal of support for the President once it determined he was functioning outside "the limits of the law." After previous coups the Brazilian armed forces had traditionally been content to endorse the succession of a new or acting civilian President elected or

⁸⁴Blanksten, "Revolutions," p. 119.

⁸⁵Stokes, "Violence as a Power Factor," 456.

appointed by Congress.

In 1964 such niceties were brushed aside and the military demanded the "election" of one of its own. This demand came only after Ranieri Mazzilli, the President of the Chamber of Deputies, was sworn in as Provisional President and ordered the election of a new President within thirty days,⁸⁶ as specified by the 1946 Constitution.

One result of the 1964 intervention was "revolutionary" or "represented a significant breaking with the past,"⁸⁷ in that a former military officer was elected interim President after the coup. Castello Branco, the former Army Chief of Staff who drafted the famous memorandum reminding the armed forces of their traditional responsibilities during the crises of Goulart's final days,⁸⁸ was elected by an intimidated Congress to fill the unexpired terms of Quadros and Goulart.⁸⁹ Only the Institutional Act decreed by the military to assure the election of a military President made the move of force in 1964 a "revolution" in a very general sense.⁹⁰

⁸⁶"Washington Sends Warmest Wishes to Brazil's Leader," New York Times, April 3, 1964, p. 1.

⁸⁷Stokes, "The 'Cuban Revolution'," 37.

⁸⁸For a complete reproduction of this memorandum, see Octavio Ianni, Crisis in Brazil, trans. by Phyllis B. Eleveth (New York: Columbia University Press, 1970), pp. 136-38.

⁸⁹The specifics of the intimidation to which Congress was subjected will be developed in Chapter II.

⁹⁰Ronald M. Schneider contends the military move could not be accurately called a revolution or counterrevolution.

In the period between April, 1964 and December, 1972 only an incremental development of structural changes and revisions of socio-economic and political philosophies, that have resulted in a shift of the distribution of power, have transformed the move of force in 1964 into a revolution of sorts. Since the label "revolutionary" has been used in public pronouncements and official documents, as well as by students of Brazilian politics, it will be used in the following chapters to refer to the groups and individuals that supported the 1964 coup and the subsequent military governments, rather than in its more precise definition.⁹¹

Definitions and Methods

Since 1945 Brazil has experienced rapid modernization, a "multi-faceted process" involving, on one level, a fundamental shift in values, attitudes and expectations and the diffusion of man's increased knowledge throughout society by means of increased literacy, mass communications, and education, on another level.⁹² One of the consequences of increased communications and urbanization has been social

The Political System of Brazil: Emergence of a "Modernizing" Authoritarian Regime, 1964-1970 (New York: Columbia University Press, 1971), p. 109. Skidmore argues that only the subsequent developments of the military governments have transformed the 1964 into a revolution. Politics in Brazil, pp. 308-309.

⁹¹Schneider, op. cit., p. 109.

⁹²Samuel P. Huntington, Political Order in Developing Societies (New Haven: Yale University Press, 1968), pp. 32-33.

mobilization, or "the process by which major clusters of old social, economic and psychological commitments are eroded or broken and people become available for new patterns of socialization and behavior."⁹³

Since non-traditional, advanced practices in political and economic life were introduced and accepted on a considerable scale, political participation, a form of social mobilization, increased dramatically in Brazil between 1945 and 1964. The framework of the 1946 Constitution enhanced the emergence of a multi-party system and, lacking any experience with any kind of open, competitive party system, Brazil was soon plagued by an imbalanced spectrum of political parties and a maze of irresponsible political alliances. The problem of inexperience with a multi-party system was compounded by the emergence for the first time of a mass electorate, which placed a variety of demands on the newly institutionalized government.⁹⁴

Samuel Huntington's analysis of institutionalization is

⁹³Karl E. Deutsch, "Social Mobilization and Political Development," American Political Science Review, LV (September, 1961), 494.

⁹⁴Roett, op. cit., pp. 7-8. Robert M. Levine argues that Getulio Vargas was largely responsible for beginning the process of politicizing the masses during the Estado Novo. See The Vargas Regime: The Critical Years, 1934-1938 (New York: Columbia University Press, 1970), pp. 172, 182-83. Also see Miguel Jorrín and John D. Martz, Latin American Political Thought and Ideology (Chapel Hill: University of North Carolina Press, 1970), pp. 239-49.

helpful for understanding the political stability of Brazil, as a result of the emergence of a mass multi-party system and the questionable capacity of the government's new institutions' ability to adapt and to process complex demands. Huntington's proposition is that the stability of a given polity depends on the relationship between the level of political participation and the level of political institutionalization.⁹⁵ Due to an accelerating rate of political participation and a corresponding low level of institutionalization after 1946, the Brazilian political system became characteristic of a praetorian polity, one in which groups become mobilized into politics without becoming socialized by politics.⁹⁶

Because participation in politics continued to outstrip the institutionalization of politics between 1946 and 1964, Brazil remained an unstable political system. Since the political institutions seemed incapable of refining or mediating group political interaction, the armed forces consequently enlarged the functions of its poder moderador to fill the institutional void: the War Ministers decided "to retain power and to resist the expansion of political participation" after the 1964 coup.⁹⁷

⁹⁵Huntington, Political Order, p. 79.

⁹⁶Ibid., p. 83.

⁹⁷Ibid., p. 235. The author labels the option of "retaining power and resisting the expansion of political participation" as the "Castello Branco Option."

Historically, the Brazilian military has been what David Easton would term a "politically relevant member" of the Brazilian political system, or a member that shared in the effective power of that system.⁹⁸ Like other politically relevant members the military placed certain demands on the authorities, extended or withheld support for the regime and responded to the outputs of the political system, but it remained a special member of that system; because of its poder moderador, the President was deterred somewhat from pursuing goals that were unacceptable to the military.

Driven by a variety of forces, the military transcended the boundaries of political intervention and assumed power in 1964. This action resulted in a transformation of the political role of Brazilian military from one of a politically relevant member to one of an authority, in which it was to have the day-to-day responsibility for governing.⁹⁹

Easton develops three criteria for occupants of an authority role: they must engage in the daily affairs of the system; they must be recognized by most of the members of the system as having responsibility for these matters; and their

⁹⁸David Easton, A Systems Analysis of Political Life (New York: John Wiley and Sons, Inc., 1965), p. 222.

⁹⁹Ibid., p. 39fn. Note: when referring to a political role, one is usually referring to an individual and not an institution. However, like many other writers I will refer periodically to a "political role" of the military. The Brazilian military has been described as occupying a political role by Johnson, Military and Society, pp. 177-223.

actions must be accepted as binding most of the time by most of the members, "as long as they act within the limits of their roles."¹⁰⁰ Having exceeded the traditional limits of its poder moderador, the military embarked on a new role that lacked precise limits; in a sense, the military then became an authority without limits, principally because after 1964 it occupied a new role whose functions were in need of definition.

While seeking to determine the limits of its new role in resisting the expansion of political participation, the military governments consciously altered the structures of authority and "the procedures that are expected and accepted in the processing and implementation of demands."¹⁰¹ Initially justified as temporary and as necessary to restore order, these alterations persisted as permanent features of the political system. As a result, the high level of support and legitimacy extended to the military leaders at the time they assumed power in 1964¹⁰² slowly dissipated. As civilian support for the military governments subsided, so too, it seems, did the military's commitment

¹⁰⁰Easton, op. cit., p. 212.

¹⁰¹Ibid., p. 193.

¹⁰²At the time the military assumed power with the issuance of the Institution Acts it enjoyed a high level of support. The major contenders for the presidential election, scheduled for October, 1965, supported the "regime of exception" of Castello Branco because they felt it was the only institution that could guarantee those elections. See Schneider, op. cit., p. 121. In this regard the primary task of the military was seen to be one of systems maintenance. See Stepan, op. cit., p. 63.

to democratic norms of government.

In order to demonstrate how the military governments' policies of resisting political participation evolved over a period of time, I have adopted the concept of political recruitment for Almond and Powell. As the nature of the military regime grew increasingly repressive, the function of political recruitment, "which must be performed in all political systems if its roles are to be manned and its structures are to function," became more selective and restrictive.¹⁰³

The six and one-half years of the "revolution" under study are divided into three distinct phases.¹⁰⁴ Chapter II concentrates on the presidency of Castello Branco, which lasted from April, 1964 to March, 1967. Chapter III focuses on the presidency of Artur da Costa e Silva from his inauguration (March, 1967) to December 15, 1968, when Institutional Acts #5, granting the President near dictatorial powers, was decreed. Chapter IV reviews the remainder of the Costa e Silva government and the presidency of General Gerrastazú Médici through the end of 1970. Chapter V serves as a con-

¹⁰³Gabriel Almond and Gingham Powell, Comparative Politics: A Developmental Approach (Boston: Little, Brown and Company, 1966), p. 22. Huntington argues praetorian armies that select the "Castello Branco Option" inevitably become increasingly repressive. This repression carries over into political recruitment.

¹⁰⁴That the Brazilian "Revolution" may be divided into distinct phases has been suggested by Schneider, op. cit., p. 109; H. Jon Rosenbaum, "Brazil's Military Government," Current History, LVIII (February, 1970), 74; Robert M. Levine, "Brazil at the Crossroads," Current History, LXIII (February, 1973), 53.

cluding chapter in which I summarize the major trends of the first six and one-half years of the "revolution" and assess the implications of these trends for the possible return to civilian leadership and civilian participation in government in Brazil in the near future.

CHAPTER II

PHASE ONE OF THE "REVOLUTION":

THE ARMED FORCES ASSUME GOVERNMENTAL POWER

This chapter focuses on some of the operative forces which may have led the armed forces to abandon in 1964 its function of political moderator and to engage in one of political director. The time frame under study extends from March, 1964 to January, 1967, the approximate duration of the presidential term of Castello Branco. During his term the first of the "revolution's" many institutional acts were decreed and the political system was extensively renovated.

Factors Leading to the Assumption of Power

After assuming the poder moderador in 1889 the Brazilian military generally applied it only when it had the support of a significant portion of the civilian population. Popularly-sanctioned military action against a President acquired an aura of legitimacy. Many argued that such actions could be trusted "exactly because the military knew and respected the traditional limitations on military intervention that prevented them from assuming the powers of government."¹ Prior

¹Stepan and Einaudi, op. cit., p. 75.

to 1964 the majority of the military officers expressed little interest in assuming the governing functions of Brazil; in 1964, however, the military, encouraged by several developments, exceeded the "traditional limitations" on military intervention and assumed the powers of government. The traditional concept of civil-military relations had lost its viability.

Throughout the twentieth century the officer corps held a relatively high degree of confidence in the ability of civilians to govern and a correspondingly low appraisal of its own political aptitude.² Periods of economic boom and low levels of domestic conflict reinforced the notion that the occasional necessity of military intervention to correct political distress did not mean civilians were unable to rule competently. Few civilians or military personnel felt such brief political encounters by the military qualified its officers for political rule. Command and General Staff courses, after all, emphasized the improvement of military strategies and military combat skills, not the techniques of public administration. Except for a small group, most officers probably envisioned military intervention as an infrequent necessity to restore order in an otherwise stable political system.

With the creation of Escola Superior de Guerra (Superior War College), commonly abbreviated as ESG, in 1949 and the subsequent development of its positivistic curriculum, the

²Ibid., p. 76.

balance of officer corps opinion swung in the direction of sustained military intervention whenever the political system experienced upheaval or dysfunction. To the linha dura (hard line) wing of the military, historically the minority opinion within the armed forces which professed the bankruptcy of civilian rule and the sanctity of military rule, was added the so-called "Sorbonne" wing of the military, comprised primarily of the faculty and graduates of the ESG. Because of their training, members of the Sorbonne wing³ appreciated the complexity of the problems of national development and understood the shortcomings of the solutions proposed by the civilian governments. For this group, military intervention, of necessity, would have to include the temporary imposition of military rule in order to solve the nation's problems. While the condition "temporary" implied the assumption and retention of power for a shorter period of time than that proposed by the linha dura, it nonetheless exceeded the limit of time prescribed by the poder moderador.

Where before the creation of the ESG, the officer corps had had little but force to offer as an alternative to a weak civilian government, recipients of ESG training developed

³ Throughout the remainder of this study, graduates of the Escola Superior de Guerra will be referred to as members of the Sorbonne wing, Sorbonnists, or soft liners. While my study concerns itself only with the military graduates of that school, it is important to note that many of its graduates are civilians. See Stepan, op. cit., p. 177 for a classification of the graduates between 1949 and 1966.

practical and operational alternatives to the strategies of national development formulated by civilians. The ESG expanded the political, social, and economic content of military education. As Stepan remarks:

The core of the courses consisted of lectures and seminars that attempted to determine basic goals for Brazil, the obstacles to these goals, and specific policies to achieve them. The final task of the students at the school was to participate in a civil-military team of five or six students in the preparation of a policy paper.⁴

It was in this context that the Sorbonne wing, or "soft liners," judged the performances of civilian government.

When civilian plans of action proved incapable of successfully promoting economic development and ensuring domestic peace, those with ESG training began to question the ability of civilians to govern and grew increasingly confident of their own political capabilities. Their reliance on a strong central government and efficient planning resulted in an orientation to military intervention that was corrective in nature. According to the soft line assessment, the weak central government and the confused, unproductive patterns of decision-making would have to be modified and strengthened, if Brazil was to reach its full potential.⁵ The ESG faculty and graduates felt that,

⁴Ibid., p. 178.

⁵The ESG shared the widely held opinion among Brazilians that Brazil would inevitably become a world power, but it seems they were convinced that this "inevitable" development needed guidance and direction.

given sufficient time, they could initiate these changes and then restore civilian leadership.

The political and economic chaos of Goulart's final weeks strengthened the determination, if not the confidence, of both the hard line and Sorbonne wings. Those in favor of permanent political intervention justified their claims of civilian bankruptcy in terms of civil disorder and Goulart's attempts to divide and control the military, while the adherents of the ESG doctrine recognized the need for corrective measures, most of which went far beyond the traditional functions of the poder moderador. The problem for the continuation of the traditional patterns of civil-military relations was that, in addition to exceeding the time limits imposed by the poder moderador on military intervention, the character of military intervention itself would be altered if either group was able to assert its authority over the remainder of the armed forces.⁶ Rather than intervening in order to uphold the rules of the political game by acting as a corrective influence between conflicting forces,

⁶Besides the linha dura and the Sorbonne wings of the Brazilian military, there was a large, third group known as the "oscillating opinion" which fluctuated between the first two groups on the question of military intervention in politics. In certain circumstances its members favored prolonged military involvement and in others they supported only the kind of military activity authorized by the poder moderador. Whichever group, the hard line or the Sorbonnists, gained control over this group would obviously control the military and Brazil. For a slight variation of this approach, see Jordan M. Young, "Brazil," in Political Forces in Latin America, ed. by Ben G. Burnett and Kenneth F. Johnson (Belmont, California: Wadsworth Publishing Company, Inc., 1970), pp. 577-78.

the military, acting under the guidance of either the linha dura or Sorbonne wing, would be acting as an agent that would seek to change those rules.

The military had become increasingly convinced that the prolonged economic and political upheavals of the early nineteen sixties were contributing to a security crisis. Like many of their Latin American counterparts, the Brazilian military had come to envision national security "as entailing more than conventional military operations. Security came to be seen as a part of a large economic, social, psychological, military package."⁷ By 1964 it appears the linha dura approached security strictly in terms of restoring order by superimposing military discipline on a chaotic, "hyperpoliticized" society.⁸ Their simplistic argument was that the traditional social and political structures could continue to function so long as the newly mobilized political forces were brought under control.⁹ Order was extended the highest priority by the linha dura.

The Sorbonne wing, while stressing the need for order, emphasized the necessity of viewing national security as a

⁷ Stepan and Einaudi, op. cit., p. 80.

⁸ Roett, op. cit., p. 21.

⁹ Most of the goals desired by members of the linha dura stressed order and the elimination of opposing forces. For example, they felt if Congress impeded progress in restoring order then Congress itself could be dissolved. For a summary of the goals of the linha dura, or authoritarian nationalists as Stepan refers to them, see de Dubnic, op. cit., p. 165 and Stepan and Einaudi, op. cit., p. 113.

matter of both maximizing the nation's economic production and minimizing all sources of cleavage and disunity within society.¹⁰ To the Sorbonne, development and security were inseparable. As a result, its members felt the old social and political institutions had to be updated in order to deal with the threats that underdevelopment and communism posed to the security of Brazil. Their rationale appears to have been that once the political institutions had been wrested from the control of the landed aristocracy and made responsive to the conditions of underdevelopment, the military could then oversee a kind of national development that would benefit most Brazilians, thereby making communism a less attractive alternative.¹¹

So, by 1964 the majority of officers, whether of the hard line or Sorbonne wing, who had been proud of their institution's ability to serve as a unifying force,¹² felt confident that their

¹⁰ It appears one may argue that the linha dura and the Sorbonnists held contrasting interpretations of Brazil's national motto: Order and Progress. For the linha dura, order received priority over progress--progress was to take place only to the extent order was assured. The Sorbonnists, on the other hand, viewed order and progress as having a symbiotic relationship.

¹¹ The Sorbonnists were concerned with communism. Stepan writes that during the height of the Cold War the ESG became the center of counterrevolutionary strategies to meet the challenges posed by the international ideological conflict. Initially, the Sorbonnists were not influential within the military but as Brazil's crisis deepened under Goulart, its doctrines of total national planning and combatting internal warfare became more relevant. See Stepan and Einaudi, op. cit., pp. 82, 84.

¹² Johnson explains that with the fall of Pedro II there were only two institutions that could serve to hold the nation together: the church and the military. Because more factors

institution could serve as a governing force.

This invigorated, although diversely based, confidence on the part of the officers in their ability to govern was supplemented by popular sentiment for the creation of a "regime of exception" after the overthrow of Goulart. Unlike at any time in history before 1964, many significant political sectors doubted the civilian regime enough to desire the installation of a military leader and a military regime.¹³ Although such sentiments represented a radical departure from traditional civil-military relations, it will be shown that they were justified as "necessary to preserve the civilian regime," a rather paradoxical bit of reasoning.

With the overthrow of Goulart the civilian consensus was that only a prestigious military figure could carry out the unpopular programs necessary to restore political and economic stability and to guarantee the 1965 presidential elections. Yet, in the final analysis public support for an interim military figure, who was to correct the political and economic imbalances and then return the government to an elected civilian successor in 1965, was of limited significance. Brazil

avored the military and it participated in Brazil's national development, most officers felt the military was the only institution that could hold Brazil together. See Johnson, Military and Society, p. 197. This confidence is clearly apparent in the statement of one officer, who in speaking about the military's ability to stave off civil war by confronting Goulart said, "What we tried to do could only be done by the church or the military-- and the church had no guns." "The Soldier as Reformer," Newsweek, August 25, 1965, p. 45.

¹³Richard Rose's definition and discussion of the concepts of regime and authority are useful here. See "Dynamic Tendencies in the Authority of Regimes," World Politics, XXI (July, 1969), p. 602.

would most likely have had a military leader regardless of public opinion. First, neither the linha dura nor the Sorbonne wing any longer trusted the ability of civilians to solve the problems confronting the nation.¹⁴ Second, sufficient time remained in the unexpired term of former President Quadros that the Constitution required Congress to elect an individual to fulfill the unexpired portion. In April, 1964 no presidential aspirant held a decisive edge on his competitors and the military, already suspicious of the political allegiances of some Congressmen, was uneasy over the prospect of a Congressional deadlock in trying to select a legal successor; such a delay would have only tended to prolong Brazil's national crisis. Fortunately, public support for a military figure made the forceful installation of such an individual unnecessary; public support only rendered the military's inevitable assumption of power less illegitimate.

One of the most significant political sectors supporting the election of a military man as interim President was a group of seven state governors, including Magalhães Pinto, Adhemar de Barros, and Carlos Lacerda, all strong contenders for the upcoming presidential elections.¹⁵ Following Lacerda's

¹⁴Stepan, op. cit., p. 210.

¹⁵These three men were described by Edward C. Burks as the "prime candidates" for the presidential elections scheduled for October 3, 1965. "Brazil's Red Hunt Aims at Congress," New York Times, April 7, 1964, p. 12.

call for the election of a military man, these governors agreed that a military man could be expected to govern with relative impartiality while cleansing the political system of communists and while presiding over the 1965 elections. The governors finally concurred that former Army Chief of Staff Marshall Castello Branco, an admired member of the Sorbonne Wing, could best finish out the unexpired term of Quadros.

The governors' selection of Castello Branco was not founded solely on selfless considerations. In fact, one of their primary considerations was that they felt that Castello's apolitical character, which was repeatedly stressed by his proponents, would be an adequate guarantee that the 1965 presidential elections would be conducted as the constitution specified. While there is evidence to suggest the governors did not reach their decision voluntarily or in isolation,¹⁶ other factors indicate that at least two of these governors acted only to enhance their political fortunes. Both Pinto and de Barros had supported Goulart, despite his policies which served to threaten civil war, recognizing they had a vested interest in his remaining in office as the best assurance that the elections would be held as scheduled. Only when it appeared that Goulart's actions might preclude their running for the presidency did

¹⁶ Edward C. Burks wrote that the governors' meeting was held under the threat that the military might clamp on a state of seige if its anti-communist reforms were not enacted. This threat had to have influenced the governors' decision to support a military figure, even if only slightly. "Leaders of Coup Press for Purge of Brazil's Reds," New York Times, April 5, 1964, p. 1.

they abandon him.¹⁷ It is possible that the other governors as well, with political ambitions of their own, may have concluded that further difficulties around a civilian president might cause the military to intervene and cancel elections; a disastrous development of this kind was probably viewed as sufficient cause to support an "apolitical" military figure.

The O Estado de São Paulo, a leading Brazilian newspaper, supported the inauguration of a military man because it claimed Brazil needed a man with "no political connections."¹⁸ The União Carioca Femina (Union of Rio Women), instrumental in organizing anti-Goulart rallies, specifically endorsed Castello for the presidency, because he was a general "without political ties."¹⁹ In addition, each of the foregoing endorsements included demands that the political system be cleansed of communism and corruption. After receiving assurances that the October, 1965 elections would be held as scheduled, former President Kubitschek supported the election of Castello Branco.²⁰

With this broad basis of political support, Castello's election by Congress became a firm possibility. Only a constitutional provision that prohibited a former military officer

¹⁷Stepan, op. cit., p. 200.

¹⁸Editorial, O Estado de São Paulo, April 5, 1964 cited in Stepan, op. cit., p. 211.

¹⁹O Estado de São Paulo, April 4, 1964 cited in Stepan, op. cit., p. 212.

²⁰See Schneider, Political System, p. 124 and Stepan, op. cit., p. 220 for a supplementary description of Kubitschek's part in supporting Castello Branco.

from becoming eligible for a political office for ninety days following his retirement, had to be deleted or changed to make Castello "constitutionally" eligible for the presidency. The apparent spirit of cooperation between the military and civilian sectors seemed to indicate that resistance to the removal of such an obstacle would be minimal.

An Interim Military Regime is Assured

Just when it appeared that civilian support for a military leader had heightened, the Revolutionary Supreme Command, created by Marshall Costa e Silva in the early hours after Goulart's departure, took steps which demonstrated that the military intended to cleanse the political system of all corrupt and subversive elements linked to the overthrown regime. On April 7, 1964 the Ministers of War, Navy, and Air Force, who comprised the Revolutionary Supreme Command, disclosed to congressional leaders the broad outlines of an institutional act (ato institucional), which detailed how elected or appointed public officials, suspected of corruption or subversion, might have their political rights suspended for ten years by a process called cassation (cassação). When leaders of the PTB, PSD, and UDN demurred and responded with a mild, tentative congressional proposal,²¹ the Revolutionary Command simply decreed the

²¹Schneider argues that Congress favored a selective purging given the mood and objectives of the revolution but it did not favor the massive purge envisioned by the revolution. Schneider, op. cit., p. 125.

First Institutional Act of April 9, 1964, leaving little doubt that the Revolutionary Command, not Ranieri Mazzilli and Congress, was the body governing Brazil. Largely the work of Francisco Campos, the author of the 1937 Constitution, this Act was to serve as the first sign that the military intended to retain governmental power, with or without public support.

Institutional Act #1, by no means a new extra-constitutional feature on the Brazilian legal landscape by which to wield political power, boldly stated

. . . the Revolution does not seek to be legitimized by Congress. It is the latter which receives its legitimacy from this Institutional Act, itself a result of the exercise of the Popular Sovereignty inherent in all Revolutions.²²

Its authority derived from the moral force of the "revolution" the Act contained nine major Articles:

- I. The Constitution of 1946 and its amendments except as modified by the Act, were "sustained."
- II. The President and Vice-President, whose mandates were to terminate on January 31, 1966, were to be elected by an absolute majority of a roll call vote of the members of the National Congress within two days of the promulgation of the Act. To that end, this Article removed the provision that military chiefs were ineligible for the Presidency.
- III. The President was given the power to initiate Constitutional amendments; Congress was required

²²For a complete reprint of the First Institutional Act, see E. Bradford Burns, A History of Brazil (New York: Columbia University Press, 1970), pp. 390-93. William Busey explains how "exceptional measures" quite like the Institutional Act have been a part of Brazilian politics since the Regency (1831-1840). "The Old and the New," pp. 61-63.

to act on such proposals within thirty days and to pass them by an absolute majority rather than a two-thirds vote.

- IV. Congress was required to act within thirty days on all legislation submitted by the President. "If not so considered, such legislation shall be deemed approved."
- V. The President was given exclusive authority to initiate bills of finance, which the Congress was not allowed to amend.
- VI. The President was authorized by broadly expanded powers to declare a state of seige.
- VII. Constitutional guarantees relating to job security were suspended for six months; the President and the State governors were extended the power to dismiss public employees who threatened the "security of the Nation, the democratic way of life, and honesty in public administration."
- IX. The next regularly scheduled election was set for October 3, 1965.
- X. The Supreme Command was empowered to suspend the political rights of any citizen for ten years and to cancel the mandates of elected officials "in the interest of peace and national honor." Upon assuming office, the President was to inherit these powers which he could then exercise for sixty days.²³

This unilateral proclamation represented the first substantive evidence that the military was more disposed to become a director of politics, instead of continuing to act as a moderator of politics.²⁴ Article X was an obvious departure from the traditional poder moderador because with it the military assumed a political prerogative formerly exercised only by civilians.²⁵

²³These are paraphrases of nine of the Act's eleven articles.

²⁴Stepan, op. cit., p. 124.

²⁵The cancellation of mandates was common practice throughout

Article II cleared the way for Castello to become the "constitutionally" elected President of Brazil; once this formality was passed he could assert a great deal of control over the decision-making process and the political activities of the political system.

Institutional Act #1 had the effect of vastly strengthening the powers of the chief executive, although Provisional President Mazzilli did not exercise any of these powers. Instead, for several days the Supreme Command vigorously applied Article X while most other governmental activities were held in abeyance. The first list of cassations was issued on April 10; it contained the names of sixty persons, including former Presidents Quadros and Goulart and more than forty members of Congress.²⁶ All of those whose political rights were "cassated" were denied the right to vote (a provision of the 1946 Constitution that was retained) or to hold an elective or appointive office for ten years; they were required, however, to pay taxes.

The primary objectives of the Supreme Command seemed to be to "de-communize" and to "de-corruptize" the political system.²⁷

the Empire and more infrequently during the Republican era. Only the selective nature of the Institutional Act was a departure from tradition. See Busey, op. cit., pp. 77-78.

²⁶While it is generally agreed that 40 Congressmen were cassated, there is some disagreement as to the total number of individuals whose rights were cancelled. Edward C. Burks wrote that a total of 60 persons were cassated. "Forty Congressmen Ousted in Brazil," New York Times, April 11, 1964, p. 1. Dulles writes there were one hundred names on the first list of cassations. See Unrest in Brazil, p. 358.

²⁷These same words were used by the New York Times in assess-

In applying the power of cassação the Supreme Command acted as both judge and jury. The members of the Supreme Command established their own criteria in determining whose rights were to be cassated and then ruled on the guilt or innocence of any individual, but the exercise of these powers was not subject to judicial review.²⁸ Under the guise of national security many opponents or questionable supporters were either intimidated or removed from national political life.

On April 11, the day after the first round of cassations, an intimidated Congress gave Castello Branco 361 of the 366 votes cast for the presidency; there were 72 abstentions.²⁹ The fact that he was elected by a roll call vote was significant because the vote of each Congressman was placed in the public record, thus enabling the Supreme Command to determine which Deputies and Senators had abstained or had voted against Castello. These members could then be placed under close scrutiny and perhaps later cassated for sufficient cause. It

ing the intent of the Institutional Act. April 12, 1964, p. 4. Later, the Castello Branco government announced that its aims were to cleanse the nation of corruption and communism. See Ronald M. Schneider, James Daugherty, and James Rowe, eds., Brazil: Election Factbook, Number 2, op. cit., p. 15.

²⁸One part of Article X reads: "The exercise of these powers shall not be subject to judicial review." Burns, History of Brazil, p. 393.

²⁹The total number of votes totalled 438 (366 + 72 abstentions). Since Congress was composed of 475 members at the time of the revolution, apparently only 37 Congressmen were cassated on April 10, instead of 40. Three ballots were cast for Juarez Tavora and two for former President Dutra.

seems this threat of cassation created a condition of deterrence. Many Congressmen probably voted for Castello only to preserve their political rights. For example, fifty-three PTB Congressmen, who most likely would not have voted for Castello in the absence of the threat of cassation, did vote for him perhaps because they realized that as members of the deposed President's party they would be highly suspect and easily subject to cassation, if they appeared to be opposing the military's efforts to end the persisting influence of Vargas.³⁰

As Stepan suggests, the expulsion of a major group of politicians from the political arena presented a dilemma to the military.

On the one hand, if the military withdrew from politics, these politicians could be expected to re-enter politics strengthened by their years of martyrdom and untarnished by the shortcomings of those who had the responsibility for governing. More importantly, the military assumed that these men would be hostile to them. On the other hand, if the military did not accept the inevitable return of these politicians to politics and to positions of power, the military would have to retain power themselves or stay in readiness in the wings to enforce their veto.³¹

The Supreme Command had perhaps unwittingly produced a situation that would require prolonged, if not permanent, military

³⁰ Schneider explains that the Revolutionary Supreme Command was determined not to repeat the "mistake of 1954" when the Vargas forces emerged scarcely weakened by the 1954 coup. They wanted to remove all corrupt and subversive elements linked to the overthrown regime. Schneider, op. cit., p. 124.

³¹ Stepan, op. cit., p. 224.

intervention.³² It appears the intricacies of this dilemma were not sufficiently appreciated by the Supreme Command, otherwise they would not have permitted the election of Castello Branco, a Sorbonnist dedicated to a swift return to constitutional normalcy. As the ramifications of the cassations became more evident, a tension would develop between the Sorbonne wing, led by Castello, and the linha dura.

With the cassations already posing potential problems, the armed forces purged many high-ranking officers who had hesitated to support the March 31 coup or who had remained loyal to Goulart throughout his difficulties. While the purge affected only a small proportion of the officer corps, it was to result in a built-in obstacle to military withdrawal from politics. In most instances middle level officers (captains and majors) had acted vigorously to purge colonels and junior generals by having them transferred from active duty to reserve status, which was the equivalent of retirement. If reinstated, which probably would have been the case when a civilian government assumed power (ostensibly by the 1965 presidential elections), these purged officers would then pose a threat to the very institutional unity the Supreme Command was trying to restore; undoubtedly, many of the purged officers would seek revenge against their lower ranking comrades, if given the

³²Ibid., p. 225. The author explains that any successful extrication strategy required coming to terms with the political and military forces previously banned. In the absence of recognition of this problem, extrication would be difficult.

opportunity.³³

The Revolutionary Supreme Command, in acting to consolidate the new regime and to initiate a housecleaning of the forces that rallied to or failed to confront Goulart, laid the groundwork for long-term military involvement in politics, something that it failed to understand or refused to admit.

Castello Branco: The First President of the "Revolution"

In the formative stages of the First Institutional Act Castello Branco and other moderates had attempted to soften the hard line views of Francisco Campos and Carlos Madeiro da Silva, the two men who actually wrote the Act. When the Act was decreed, however, it was evident the hard line opinions had prevailed in most cases, especially in getting the period of deprivation of political rights raised from five to ten years. Castello, who favored a strong but less authoritarian position, inherited powers more suited to an advocate of the hard line views.

As a graduate and former faculty member of the ESG and a participant in the Brazilian Expeditionary Force in Italy

³³The group of purged officers posed another kind of problem. Being specialists in the art of violence, many of these officers found themselves underemployed and often became available to movements attempting to disrupt the military regime. Their inability to transfer military skills, along with their resentment, was to cause the regime problems in succeeding years. See Stepan, op. cit., p. 225.

during World War II,³⁴ Castello Branco was generally regarded as a "soft line" officer. Like most Sorbonne officers, he believed it was essential to come to grips with the structural problems of Brazil's political and social system. Unlike the linha dura elements, who felt subversion and corruption were the fundamental problems and who traced all social ills to "bad" individuals, Castello's background led him to believe that institutional weaknesses were more responsible for political instability than was the absence of extraordinary public figures.³⁵ Parts of his inaugural speech reflected his perception of military intervention as being more of a short-term corrective function than a protracted punitive function.³⁶

First, he acknowledged his doctrinal responsibilities:

"I will preserve with honor and loyalty the Constitution of

³⁴Stepan writes that the FEB's participation in World War II provided its members with a powerful socialization experience. Because of that experience, its members tended to be favorably inclined toward the United States and its example of democracy. Another characteristic of its participants was that they disliked anything that seemed to them to be narrow, unrealistic, emotional nationalism. Ibid., pp. 242-44.

³⁵The linha dura argued that Brazil lacked this kind of public figures and that what was needed to fill the void were disinterested, virtuous military leaders, not more self-seeking civilians. Schneider, op. cit., p. 143.

³⁶It seems that Castello's inaugural pledges have to be understood as sincere promises and that primarily because of subsequent confrontations with the linha dura did it become necessary to modify his positions. His background and serious disposition caused most observers to conclude that his term would be marked by "unspectacular seriousness." None expected him to develop political ambitions. See New York Times, April 6, 1964, p. 11 and New York Times, April 13, 1964, p. 5.

Brazil, including the Institutional Act that is a part of it." It seems that by professing his loyalty to both the Constitution and the Institutional Act, Castello was accepting the expanded executive powers with the understanding that some of these powers were subject to time limitations and that when these powers did expire he would revert to the powers extended to his office by the Constitution. With regard to his tenure of office, as spelled out by the Institutional Act, and the succession of office he said, "My behavior shall be that of a head of State who will harbor no hesitations in the process to elect a Brazilian to whom I shall transfer my office on January 31, 1966." This passage does not in any way indicate Castello feared the prospect of a civilian succeeding him; it has to be understood to mean that he would surrender his office to the candidate receiving the most votes in a direct election held on October 3, 1965. The Institutional Act had done nothing to modify the direct election of the President, provided for by the Constitution, though it did entitle military personnel to pursue elective office. Therefore, it was conceivable that a military officer might defeat his civilian rivals in the popular, presidential elections, but such a victory would presumably be the result of voter preference, not special advantage.

None of the preceding comments are meant to imply that Castello had no reservations about the fitness of civilians to govern. His March 20, 1964 memorandum expressed his concern over the common practice of some politicians who sought

to rebuke political parties and to substitute for them "juntas dominated by communists and who, to the horror of the law, insolently look to bring pressure on the powers of the Republic by union coercion through strikes and strike threats."³⁷ In order to avoid syndicalism and end the practice of factionalism, which he felt resulted in the kind of divisiveness of which communism thrived, Castello promised to be the President of all Brazilians, "not the head of a faction."

His inaugural address rejected reactionary, right-wing measures for dealing with communism. Instead, he called for "economic development through moral, educational, material and political elevation." It was not clear if the "moral elevation" referred to by Castello was the same as the "moralization of institutions," or the judging of corrupt officials and the seizure of illicit gains, that War Minister Costa e Silva had requested on April 11.³⁸ One thing was clear: Castello, like the linha dura, recognized that the problems of corruption and subversion posed a special kind of threat to the nation, but unlike the hard line's pleas for punitive action, the new President apparently felt it was fundamentally more important to remove the conditions that facilitated corruption and subversion. While some public officials

³⁷ Ianni, op. cit., p. 138.

³⁸ See Edward C. Burks, "Castello Chosen in Brazil," New York Times, April 12, 1964, p. 4.

would have to be dismissed, he felt it was essential to encourage officials to have a larger purpose in public office than personal gain.³⁹

Upon his inauguration Castello enjoyed the confidence of nearly all political sectors. His Cabinet, although it did not necessarily represent particular civilian or military groups, has been labelled as "centrist conservative."⁴⁰ The members of the Cabinet (eleven civilians and five military figures) as well as the Branco Administration in general, shared the common attribute of holding an intellectual commitment to an ideal form of democracy. As one author writes, "though they tended to see political debate as an obstacle rather than an intrinsic part of the process of democracy, nonetheless they believed their goal was an ideal democracy."⁴¹ At times the Administration's attachment to "ideal democracy" resulted in the adoption of policies that tended to blur the distinctions between themselves and the linha dura.

Perhaps feeling compelled to cleanse the political system of subversive and corrupt figures in order to ensure that steady progress toward the goal of "ideal democracy" was not to be jeopardized, the Castello Branco government continued in

³⁹Castello tried to set an example for all public officials to follow. He was the first President to ever declare all of his personal wealth prior to entering the presidency. See "The Road Back," Time, April 24, 1964, p. 24.

⁴⁰Schneider, op. cit., p. 132.

⁴¹Stepan, op. cit., p. 234.

the direction indicated by the Revolutionary Supreme Command and its Institutional Act. Under Article X, which detailed cassação, some 400 people, including former President Kubitschek, had their political rights suspended before Castello allowed this discretionary power to expire on June 15, 1964.⁴² All 400, with the exception of Kubitschek, who was the target of an adverse publicity campaign orchestrated by the linha dura to discredit him, were the victims of charges brought in secret before a panel of officers and civilians, which presented their recommendations to the President. No defense was permitted.⁴³ By June 15, 1964 forty-four Federal Deputies had had their political rights cancelled, leaving about 8 percent of the nation's voters without congressional representation.⁴⁴

A newly created agency, Comissão Geral de Investigações (General Investigations Commission), was authorized to conduct investigations of governmental operations during the Goulart era. Reports of this commission's findings, which generally reflected an anti-Vargas and anti-Goulart bias, were sent to the President for final action. When Article VII of the First Institutional Act expired in October, 1964, nearly 9,000 pub-

⁴²Ronald M. Schneider, "Interim Regime in Brazil," Current History, XLIX (December, 1965), 352.

⁴³On this point the military regime was severely criticized. The Brazilian Council of Bishops issued a memorandum that demanded that Brazilians be given the "sacred right of defense." See "Seeds of Injustice?" Time, June 12, 1964, p. 50.

⁴⁴"Quest for Moderation," Newsweek, April 27, 1964, p. 59.

lic employees had been dismissed on charges of national security violations or corruption.⁴⁵

In the months succeeding the March 31 coup some extremes were notable, but Castello's demands for moderation and rationality prevented widespread abuse of governmental power. The new President was deeply committed to moderate reforms, and not to reactionary measures, within the limits of the Constitution and the Institutional Act. To the chagrin of the linha dura he dutifully permitted Article VII and Article X to lapse on their specified dates despite demands by the hard line that they be extended. Succumbing to the realization that his government could not complete its economic and electoral reforms in the time allotted by the Institutional Act, Castello did, however, allow his term of office to be extended from January 31, 1966 to March 15, 1967 by a Constitutional amendment of July 22, 1964.⁴⁶ It is significant to note that it was Congress, not Castello Branco or the military, which proposed this amendment; it was attached by conservative Congressmen to an electoral reform bill initiated by the President.⁴⁷

⁴⁵Schneider, "Interim Regime," 352.

⁴⁶This development seems to have represented a partial triumph for that part of the military command which felt the revolutionary command should have staked out a five year period of office rather than the 22-month term the Institutional Act outlined. Juan de Onis, "Brazilian Regime Rebuke Lacerda," New York Times, April 19, 1964, p. 24. Shortly after his term was extended, Castello began to use a familiar analogy: that Brazil was in a long, dark tunnel and needed to move as quickly as possible toward the light. See "A View from the Tunnel," The Economist, October 17, 1964, p. 254.

⁴⁷"More Time: Election Postponed," Time, July 24, 1964, p. 36.

In public Castello only very reluctantly accepted the fourteen month addition to his term; most Brazilians, except the major presidential contenders, accepted the postponement of the presidential elections with indifference.⁴⁸

With the Castello Branco Administration displaying little interest in public opinion and more concern with balancing the extreme proposals of the linha dura, 1964 closed without much sign of renovation or reform. The government was beginning to experience an erosion of public support. The anti-inflation economic policies began to evoke hostile reactions once their effects were felt. Federal interventores, sent by the government to replace state and local officials who had been dismissed under Article VII, were a constant source of tension. It was not until the middle of 1965, when the government imposed restrictions on political party activities, that the strongest supporters of the "revolution" turned against it.

Acts of Political Reform: Signs of Tension

Throughout 1964 Castello Branco had frequently expressed his dissatisfaction over the manifest weaknesses of the political party system and the defects in the electoral process. As early as May, 1964 he called for, but did not initiate, legislation establishing strict controls over the influences of economic power and political patronage on the electoral

⁴⁸de Dubnic, op. cit., p. 18.

process.⁴⁹ It was not until July 15, 1965 that these reforms became law in the form of the Ineligibilities Act, the Political Party Statute, and the Electoral Code. Despite initial assessments that the reforms would favor wider and more effective political participation,⁵⁰ these laws tended to resist such an expansion. All of these reforms permitted more effective, centralized control over the electoral process. According to Roett: "These represented the first substantive revisions of the pre-1964 political rules of the game."⁵¹

The Electoral Code, which automatically became law when Congress failed to consider it within the thirty day deadline specified by the First Institutional Act, attempted to reduce the number of political parties by fashioning exacting standards that the parties had to maintain if they were to retain legal status.⁵² It attempted to increase party responsibility by abolishing party alliances and to improve party discipline by requiring voters to select legislators from the same party. Politicians were now required to be residents of the state

⁴⁹For a discussion of one dimension of Brazil's political patronage, see Lawrence S. Graham, Civil Service Reform in Brazil: Principles vs. Practice (Austin: University of Texas Press, monograph #13, 1968), pp. 125-39.

⁵⁰Schneider, "Interim Regime," 353.

⁵¹Roett, op. cit., p. 31.

⁵²For a list of the requirements the political parties were expected to maintain, see "Detribalizing Politics," Time, July 23, 1965, p. 32.

they sought to represent. The running mates of successful gubernatorial and presidential candidates were automatically elected, thereby making it impossible for a President, say of the UDN, to be elected with a Vice-President of the PTB as had happened in 1960. Consistent with the ESG analysis of the old multi-party system, regarding its detrimental defects, this code ensured greater order in the electoral process and gave electoral courts expanded supervisory powers over internal party affairs. The possible abuse of such expanded supervision was not to become apparent until the gubernatorial elections in October, 1965.

The Political Party Statute, passed by Congress but restored to almost its original form by the President,⁵³ established procedures for the organization of new political parties. It included residency requirements and a provision prohibiting an individual from running for more than one office; both were intended to tie a candidate more closely to his constituency. Other provisions were designed in theory to abolish the practice of favoritism and nepotism by the party hierarchy and to permit the infusion of individuals who had been discriminated against by party leaders. On this point, it appears this statute attempted to foster wider participation. While a great deal of importance was attached to grass roots politics and civil education to free the parties of traditional

⁵³For a discussion of how the President exercised a kind of item veto, see Schneider, Political System, p. 158.

party control, no adequate mechanisms of implementation were provided.⁵⁴ As a result, old party leaders would continue as dominant forces in local politics.

The Ineligibilities Act, like the Electoral Code, automatically became law due to Congressional inaction. Somewhat unlike the other two measures, this act contained reactionary overtones: several of its provisions aimed to deny candidacy to former Cabinet Ministers of the Goulart Administration, as well as leading anti-regime politicians.⁵⁵ Those who had heretofore sided with the "revolution" in the pursuit of its political reform goals strenuously objected.

Upon the Act's submission for congressional approval, Carlos Lacerda, whose support had been instrumental in Castello's election, denounced the bill as "bad, narrow, hypocritical, judicially wrong, politically wrong, morally wrong--another error of the revolution."⁵⁶ These caustic remarks, the first sign of estrangement between Lacerda and the "revolutionary government," were typical of the protests that erupted in response to the provision that denied candidacy to those who had allegedly compromised "the normalcy of an

⁵⁴It is possible that since this was the only statute passed by Congress that the exclusion of an implementary mechanism was a deliberate oversight by that body, since many of its members stood to lose their strong party positions if such a device had been provided.

⁵⁵Roett, op. cit., p. 31.

⁵⁶"Laying the Ground Rules," Time, July 2, 1965, p. 31.

election through abuse of economic power, act of corruption, or improper use of the powers of public office."⁵⁷ Former Minister of Transportation, Helio de Almeida, and ex-Finance Minister, Sebastião Paes de Almeida, both leading contenders in the gubernatorial races in their states, were specifically singled out by the Act and denied candidacy by the electoral courts.

Unpopular decisions handed down by the newly empowered electoral courts only tended to heighten the mounting protests against federal intervention in state and local government. Federal intervention, in the form of military tribunals which judged the fitness of politicians and administrators in the states of Ceará and Goiás in late 1964, drew widespread criticism, especially toward Castello Branco.

In the case of Ceará, four legislators were arrested by a general of the linha dura on charges of communist subversion; when Castello ordered that they be released, the general, who now had the backing of War Minister Costa e Silva, refused and a stalemate ensued. There were open discussions amongst officers about a coup against the President until the state legislature revoked the legislators' immunity, thus making it legal for the military to arrest them.⁵⁸ Many began to ask who was

⁵⁷This is a translated excerpt from the Ineligibilities Act. See Schneider, Political System, p. 180.

⁵⁸For a brief explanation of the events in Ceará, see "A Hard Line," Time, December 4, 1964, p. 40.

in charge, the moderate Castello or the linha dura? If Castello was in charge, they wondered, why had he not prevented such an abuse of power against democracy.

In the state of Goiás the Supreme Court granted a writ of habeas corpus to governor Mauro Borges, who had been imprisoned in the wake of what had come to be called "the Ceará Solution." His crime had been his refusal to dismiss members of his staff whom the military tribunals had denounced as communists. Castello, sworn to uphold the Constitution but perhaps realizing his political life depended on reaching a compromise with the linha dura, ordered the officers concerned to obey the Court's decision but sustained Borges' removal from office, which was precisely what the linha dura wanted. On the surface it appeared Castello was deviating from his pledge not to rely on reactionary, right-wing reforms; more epithets were hurled in his direction.

In May, 1965 Castello once again upheld a Supreme Court decision when he ordered the release of Miguel Arraes, the governor of Pernambuco who had been arrested thirteen months earlier on charges of subversion.⁵⁹ Seeming to proclaim his dominance over the right-wing investigating commissions and the linha dura, he ordered all inquiries into the Goulart Administration completed as soon as possible. Arrests immediately tapered off but the damage to Castello's credibility

⁵⁹"A Hard Blow to the Hard Line," Time, April 30, 1965, p. 46.

was already done: even while expressing his determination to promote a swift return to democracy,⁶⁰ many Brazilians regarded him as indecisive and as incapable of controlling the linha dura.

Inevitably, Castello's policy decisions pleased no one--neither the moderates and leftists, who complained about his muffling of politics, nor the conservative civilians and the linha dura which scoffed at his loyalty to democracy. The austere economic-recovery policies of Finance Minister Roberto Campos continually served as a cause of government unpopularity. In fact, de Dubnic suggests that much of the anti-government activity during this time stemmed more from dissatisfaction with economic policies than from political repression.⁶¹

Campos' diagnosis of Brazil's economic woes was similar to those of the Goulart Administration, but the new team's steadfast determination to fully implement its essentially technocratic solutions offered a sharp contrast to its predecessors. The new finance team's policies of restoring a high economic growth rate by encouraging international financial assistance was opposed by those deeply committed to economic nationalism; efforts to reduce inflation by freezing wages

⁶⁰ Castello consistently expressed his intention to retain the participant-representative institutions of Brazil despite demands by the hard line that they be closed. He was on record on numerous occasions as being opposed to any moves that smacked of police-statism. See Milan J. Kubic, "Brazil's Adroit New Leader," The Reporter, December 17, 1964, p. 22.

⁶¹ de Dubnic, op. cit., p. 165.

and by controlling credit met with opposition from both labor and the producing sectors.⁶² As one presidential aide was quoted as saying to an American scholar, "Now we know how your State Department people felt after the first year of the Alliance for Progress. All we've earned for a year of hard work are brickbats and howls."⁶³ The effectiveness and the corresponding unpopularity of his administration's economic policies seemed to substantiate claims that Castello Branco appeared more concerned with solutions than with public opinion and "theatricized results."⁶⁴

Reviewing the first year of the "revolution," the Diario de Noticias observed:

. . . The Revolution's Institutional Act has been used, sometimes rather indiscriminately, for punitive aims. The President said in one of his speeches that the revolution was not exclusively for punishing. But this is the impression some observers have. The visible aspect of the revolution has been a nearly daily spectacle of purges and sanctions. Suspension of some Constitutional guarantees gave rise to demonstrations of hate, to small personal revenges inspired by envy and resentments.⁶⁵

⁶²For a brief explanation of President Branco's policies of economic austerity and their effect on the various economic sectors, see Schneider, Political System, pp. 149-72.

⁶³"Year End Report," Newsweek, April 12, 1965, p. 63.

⁶⁴In his eulogy to Castello Branco, Roberto Campos said of him: "He had an aversion to easy promises and theatricized results. He deeply dreaded creating false hopes in the people. He preferred to accustom the people to the discipline of truth." He also see "Brazil: The Price of Unpopularity," Time, July 28, 1967, p. 30.

⁶⁵Editorial, Diario de Noticias cited by Leonard Gross in "South America's Moment of Truth," Look, March 23, 1965, p. 42.

While the reference to "a nearly daily spectacle of purges" might overstate the case against political repression, this summary draws attention to the increased middle-class disenchantment with the "revolution." Economic and political recovery under the direction of the military had become increasingly difficult to tolerate as time progressed.

The Elections of October, 1965: Pursuit of Electoral "Normalcy"

Encouraged by the victory of a pro-government candidate in the mayoral election in São Paulo in March, 1965, Castello Branco decided to push forth in his campaign to guarantee scheduled elections as a step toward the maintenance of the participant-representative features of the regime.

Despite references by the linha dura to several violent uprisings which this group claimed were indicative of a large-scale, subversive threat to national security,⁶⁶ Castello and his Cabinet continued to assure the nation that the October, 1965 gubernatorial elections would be held, in spite of the dangers to which the government might be exposed. Justice Minister Milton Campos assured Brazil, "The government wants elections. It wants them clean, authentic, democratic and it will promote them with full guarantees of liberty."⁶⁷ The

⁶⁶The fact that one of these violent uprisings was led by an ex-officer who had been purged by the military in 1964 dramatizes what Stepan has referred to as the "nontransferability of military skills" (see footnote 33 of this chapter).

⁶⁷"A Year After," Time, April 2, 1965, p. 36.

President appeared a bit more appreciative of the dangers inherent in conducting elections in the midst of the widespread government unpopularity. With reference to the gubernatorial elections he stated, "Democracy always takes a chance."⁶⁸ On another occasion he was quoted as saying that the revolution was "not afraid of the ballot box."⁶⁹ But just to make certain the possibility of a major government defeat was minimized, Branco had earlier secured the passage of a constitutional amendment that would more fully guarantee that "corrupt" or "subversive" elements would be prevented from returning to power. Congress, apparently convinced of the chief executive's commitment to democratic procedures, overwhelmingly approved the amendment.⁷⁰ Armed with this constitutional amendment, the Ineligibilities Act, and control over the electoral courts, the government sought to deny candidacy to individuals that the President found undesirable.

It soon became evident that in the major states, where the elections were of national significance, the initial nominees of the PTB and the PSD, the parties identified with Vargas and Goulart (and therefore corruption and communism), were undesirable. First, the PTB nominee for the governorship of Guanabara,

⁶⁸"The Soldier as Reformer," Newsweek, August 23, 1965, p. 45.

⁶⁹"Eyeing A New System," Time, September 3, 1965, p. 41.

⁷⁰For a breakdown of the voting on the military's proposal to curb political opposition, see Schneider, Political System, p. 154.

Helio de Almeida, was denied candidacy under the Ineligibilities Act. Then, retired Army Marshall Texeira Lott was denied the same nomination for failing to meet the residency requirements set forth in the reform acts.⁷¹ Frustrated and perhaps aware of the strong possibility of the PTB-PSD victory, the PTB joined with the PSD in supporting Francisco Negrão de Lima.

Next, Sebasião Paes de Almeida, nominated for the governorship of Minas Gerais by the PSD, was charged with "abuse of economic power" and his candidacy cancelled under the Ineligibilities Act. Israel Pinheiro, a Kubitschek protege, succeeded Almeida for the PSD nomination.

In the other nine states holding gubernatorial elections the government exercised less discretion in determining the candidacy of its opponents. But governmental interference in Guanabara had caused a further erosion of popular support throughout Brazil. Rising unemployment, increased taxes, the government's harsh treatment of its opponents became important election issues.⁷²

The October 3 elections demonstrated that direct elections are extremely hazardous for a "revolutionary" government which

⁷¹Because Lott had become disenchanted with the "revolution" and had labelled it on many occasions as being "undemocratic," many felt the military would have to trump up some charges to deny his candidacy. But this became unnecessary when it was discovered Lott was in violation of residency requirements. See "Eyeing a New System," Time, op. cit., p. 41.

⁷²Schneider, Political System, p. 164. Also, see Brazil: Election Factbook, No. 2, op. cit., pp. 24-25.

tries to wrench political power away from traditional ruling elites while it is advancing the cause of economic austerity and political reform. In Guanabara, Negrão de Lima received nearly 52 percent of the vote,⁷³ dealing a crushing blow to both his UDN opponent, Flexa Ribeiro, and Carlos Lacerda, who had staked his presidential ambitions on a victory by Ribeiro. Immediately after the election Lacerda resigned his UDN presidential nomination. In Minas Gerais, Israel Pinheiro defeated his UDN rival with 55 percent of the vote and undermined the political fortunes of yet another presidential aspirant, Magalhães Pinto. In both instances the influence of Juscelino Kubitschek, whose cassacão had proved to be an unpopular move, was regarded as decisive.

Of the eleven states that held elections, pro-government candidates, usually members of the UDN, emerged victorious in five states.⁷⁴ Considering the adverse circumstances under which the elections were conducted, supporters of the regime tried to make the case that government-sponsored candidates had not fared too badly. The linha dura, on the other hand, interpreted the victory of candidates identified with Kubitschek as a defeat of the ideals of the 1964 election. Its

⁷³For a summary of the election results for all eleven states, see Brazil: Election Factbook, No. 2, op. cit., pp. 90-91.

⁷⁴The government's candidates won governorships in the states of Goiás, Maranhão, Pará, Paraíba, and Paraná. The gubernatorial election in the state of Alagoas was so close there had to be a run-off election, which the pro-government candidate finally won.

members had opposed these elections from the beginning on the ground that the antagonisms caused by Castello's policies of economic austerity would result in the election of non-revolutionary or anti-revolutionary politicians who would threaten the advance of the "revolution."⁷⁵ The results in Guanabara and Minas Gerais tended to confirm these fears.

Hard line fears over the symbolic resurrection of pre-revolutionary politics were compounded when Kubitschek ended his self-imposed, sixteen-month exile and returned to Brazil to a hero's welcome. Their fears turned to anger when Castello announced his intention to uphold the elections, despite his administration's and the "revolution's" apparent setbacks.⁷⁶

Fearing the President had abandoned the "revolution," on October 5 members of the linha dura placed the First Army, stationed outside Rio de Janeiro, on alert to move against him. Talk of a coup against Castello abounded. Into this super-charged atmosphere stepped War Minister Costa e Silva, who reassured the officers of the First Army: "You must trust your commanders. They are as revolutionary as you are."⁷⁷ He

⁷⁵This is Stepan's analysis of the hard line's objection to the elections. If correct, it reflects a curious bit of reasoning by the linha dura because it tends to ignore the impact that the revolution's policies of political repression may have had on the elections. Cassations alone were nearly as unpopular as the revolution's economic policies. See Stepan, op. cit., p. 225 and Schneider, Political System, p. 161.

⁷⁶The Castello Branco Administration maintained that PSD victories and UDN defeats at the state level should not be equated with voter endorsement or repudiation of the national administration. See Brazil: Election Factbook, No. 2, op. cit., p. 91.

⁷⁷"The Other Barrel," Time, November 12, 1965, p. 46.

did not specify whether by "commanders" he was referring to the members of the Revolutionary Supreme Command, of which the President was not a member, or to the military hierarchy in general, of which Castello was the commander-in-chief. The distinction is important because, it will be recalled, in the exercise of the poder moderador historically it had been the War Ministers who had judged the legality of presidential acts; in this case, if the three Ministers, who had become members of the Supreme Command, decided a presidential action was not consistent with "revolutionary" principles, they could direct the armed forces to oust Castello Branco.⁷⁸ The situation was further confused by the fact that Castello had acquired widespread respect as an officer and so there was a question of how many officers would remain loyal to him regardless of the War Ministers' judgment. Unity within the armed forces was essential, if action against a President was to be successful.

After meeting with President Castello Branco, presumably to judge the President's dedication to "revolutionary" principles, Costa e Silva emerged and announced to the younger, more conservative officers:

I guarantee to you, my young commanders,
that we know where we are going. The present

⁷⁸It appears the President was no longer required to act "within the limits of the law" because it is not clear that by assuming power the military as an institution was acting within the law. Legality was secondary to the principles of the "revolution."

chiefs are as revolutionary as the young commanders. I guarantee to you we will not turn back.⁷⁹

The reference to "we" seems to indicate that Costa e Silva had concluded that Castello was sufficiently revolutionary to continue to lead the "revolution" along with the Supreme Command. There is no evidence the other two Ministers of the Supreme Command participated in the assessment of Castello's "revolutionary" character, suggesting Costa e Silva alone acted as the pivotal force that saved the President from expulsion.⁸⁰

Besides expressing ideals that must have coincided with Costa e Silva's perception of "revolutionary" ideals, President Branco agreed to strengthen the powers of the executive office in order to reinvigorate the "revolution" by decreeing a second institutional act, if necessary.⁸¹ With this assur-

⁷⁹Stepan, op. cit., p. 256. Costa e Silva had never been regarded as an advocate of the linha dura opinion, but rather as a mediator between the hard line and the Sorbonnists. His activities in this crisis seemed to indicate he was moving progressively toward the hard line. Ronald Chilcotte deftly anticipated this development. See "Suppressing the Future," Nation, November 23, 1964, p. 370.

⁸⁰This is significant because it represented a vast concentration of power in determining the application of the poder moderador, itself a dangerous precedent. Stepan suggests that while Costa e Silva could have undoubtedly led a coup against Castello Branco, the Marshall preferred another route to the presidency. Stepan, op. cit., p. 257.

⁸¹After this arrangement was made, it became necessary to decree such an act. Several authors have suggested that had Castello failed to issue the Second Institutional Act, it may well have cost him the presidency. See Brazil: Election Factbook Supplement, No. 2, edited by Ronald Schneider (Washington, D.C.: Institute for the Comparative Study of Political Systems, November, 1966), p. 3.

ance, continued military obedience of the President was guaranteed, but Castello still faced civilian opposition to his decision to uphold the elections.

Carlos Lacerda, the bête noire of Brazilian politics, demanded the elections be annulled. His support for the "revolution" had previously been tempered by what he felt would most fully benefit his own political advantages. As soon as the Branco government acted in a manner that endangered his chances of being elected President, Lacerda first criticized and then condemned the "revolution." His gubernatorial candidate soundly defeated and the momentum of public sentiment now squarely behind Kubitschek, Lacerda lashed out when he learned the election results would be enforced:

The army should declare that the revolution has ended. The revolution no longer exists. It doesn't exist because it was betrayed. President Castello Branco assumed power in the name of the army. I ask if the army agrees with what he has done and what he is doing.⁸²

The implication of these remarks was that because the Supreme Command, of course, did not agree with the President's decision regarding the called elections it should instruct the armed forces to remove Castello and replace him with an individual who would annul the elections. This done, Lacerda's political fortunes would have been restored to their pre-election levels. However, his call for action against the President received little serious attention. One result was that Lacerda was forced

⁸²"Answer for a Critic," Time, October 22, 1965, p. 53.

into the opposition camp and no longer remained a troublesome critic within the "revolution."

Schneider suggests that the Castello Branco government actually preferred the defeat of Lacerda's and Pinto's hand-picked candidates. His argument is that both men had become liabilities to the revolution and that the government forces felt individuals of the opposition could be counted on to seek an accommodation with the regime and cause fewer problems than the politically ambitious, "revolutionary" governors.⁸³ If this was the case, it appears the Branco forces badly misjudged the impact that such opposition victories would have on the linha dura.

Having promised Costa e Silva that he would initiate internal control legislation, Castello requested that Congress adopt measures that called for (1) the institution of a parliamentary system or a hybrid system greatly enhancing the powers of the executive, (2) the incorporation into the Constitution of those provisions of the Institutional Act requiring prompt Congressional action on presidential proposals and those granting the President expanded legislative discretion, and (3) the expansion of the jurisdiction of military courts in matters of national security. He also proposed that the membership of the Supreme Court be raised from eleven to sixteen justices and called for the re-establishment of the government's right to suspend political

⁸³See Schneider, Political System, pp. 163, 169.

rights. Congress refused to "consider" these proposals despite pleas by the new Justice Minister, Juracy Magalhães, to adopt "such apparently undemocratic measures to save democracy."⁸⁴

On October 27, 1965, less than a month after the gubernatorial elections, Brazil awoke to the promulgation of the Second Institutional Act. Its contents seemed to make it clear that the linha dura had exacted a high price for permitting Castello Branco to remain in office, but as Schneider points out:

. . . Although the issuance of such an act was forced upon Castello by the hard liners, he had retained substantial control over its specific content, and would determine its applications.⁸⁵

Institutional Act #2 sustained the 1946 Constitution and its amendments, except as modified by the Act. The general outlines of all the measures earlier proposed to Congress found expression. The Supreme Court, which had served as the last holdout against the more flagrant unconstitutional actions of the revolution, was revitalized: the membership was increased and the President was empowered to dismiss and appoint members at will, thus offsetting the existing majority of judges appointed by Kubitschek and Goulart and assuring the regime of a reliable majority in all cases. Military courts were extended

⁸⁴ Ibid., p. 171. It is significant to note that Magalhães became Justice Minister only after Roberto Campos resigned because of his opposition to the increased prospects of unconstitutional moves by the military regime.

⁸⁵ Ibid., p. 172.

exclusive jurisdiction over cases involving national security. The power of cassation was renewed and further restrictions were placed on those whose rights had been cancelled. When deemed "necessary to preserve the social and political order," one of these individuals could be placed under house arrest or prohibited from visiting certain places. They were prohibited from participating in union elections and "political activity."⁸⁶

The other, more significant, measures of the Act included:

1. Article IX provided for the election of the President. "The National Congress meeting in public session shall elect the President and Vice-President by roll call vote. The candidate who receives an absolute majority of the votes cast shall win the election.
2. Article XIII authorized the President to declare a state of seige for up to 180 days in order "to prevent or subdue the subversion of the internal order."
3. Article XVIII stated: "Present political parties are hereby abolished and their respective slates of candidates cancelled."
4. Article XIX excluded from judicial competence all of the acts of the Supreme Command and of the federal government in the First and Second Institutional Acts, as well as all resolutions passed since March 31, 1964 regarding the cancellation of legislators' mandates. In addition, complementary acts designed to implement or elaborate institutional acts, were to be free of judicial review. Decreed laws were also extended this judicial immunity.
5. Article XXXI empowered the President to recess Congress by decree or by complementary act.

⁸⁶ Direct quotes from Article XVI of the Act. For a complete English reprint of the Act, see Burns, History of Brazil, pp. 394-98.

Under the announced intention of restoring political order, this Act abruptly concluded the relatively smooth departure from political traditions that had been underway since April, 1964. Tutelage moved more toward direct control.

The emasculated and carefully supervised political parties, having failed to yield the desired results, were abolished. Fearing the resurgence of pre-revolutionary politics despite the widespread application of cassacão and the laws of ineligibility, the government snatched the election of the President from the people and foisted it upon Congress, a more easily intimidated body which could be counted on to produce the desired electoral results. The patterns of political recruitment and the procedures that are expected and accepted in the processing and implementation of demands had undergone further modification--modifications which no longer seemed temporary.

The Second Institutional Act seemed to indicate that Castello Branco's commitment to tutelary democracy had been abandoned. In his speech accompanying this Act he left no doubt that his devotion to the re-establishment of constitutional normalcy had been misplaced.

The revolution is alive. It will not retreat. It has promoted reforms and will continue to undertake them. However, agitators are menacing the new order precisely when the revolution is trying to give the people practice in the discipline of exercising democracy.⁸⁷

⁸⁷"The Hard Line," Time, November 5, 1965, p. 56. The speech's reference to "practice of the discipline" seems to imply the Branco Administration could envision a kind of demo-

The essence of the last sentence is that the people had not learned their lessons of discipline well enough, for they had not voted for revolutionary candidates. What was apparently needed was more discipline and the elimination of so-called "agitators." These goals would be provided by Institutional Act #2.

The reference in Castello's speech to a kind of conspiratorial force represented a hard-line interpretation of the body politic. Only in September the President had insisted on conducting elections despite linha dura opposition, but by the end of October his position appeared completely inverted, or substantially compromised toward hard line persuasions. Why Castello Branco altered or otherwise abandoned his earlier positions can be explained, in part, by his realization that a prolonged crisis with the linha dura might have been culminated with his ouster as President; so in order to retain office, Castello succumbed to the same hard line demands that he had resisted for so long.⁸⁸

cratic society and all they had to do was train the masses accordingly.

⁸⁸Numerous scholars suggest this motive. That Castello may have acted out of this kind of consideration is quite probable if one accepts Stepan's proposition that the military is more prone to overthrow a military government than a constitutional government for at least two reasons: the disincentives, i.e., the fear or reluctance to overthrow an electorally legitimated government, are decreased; and because the military feels an increased responsibility for the performance and success of the government, it may be more intolerant of slowness in reform and compromise. See Stepan, op. cit., pp. 253-54.

There are other forces which may have caused Castello's apparent surrender to hard line pressures. Stepan points out that it is possible that Castello felt hard line demands, if unfulfilled, would have eventually resulted in the implementation of a "naked dictatorship." Rather than continue to oppose these demands and possibly be removed from office and replaced by a member of the linha dura, Castello may have felt it best to institutionalize a much stronger government, so that his successor, while exercising more authoritarian powers, would be required to govern within the confines of law, not according to the whims of the linha dura.⁸⁹ This explanation is, of course, problematical: in the process of institutionalizing a stronger executive office, Castello was actually yielding to the caprice of the hard line.

Roett suggests that Castello felt the future development of Brazil depended more on military unity than on the constitutional principle of direct elections.⁹⁰ While this observation recognizes that Castello's military education and training emphasized national development, it seems to distort the importance Castello placed on military unity vis à vis tutelary democracy. His subsequent application of the Second Institutional Act made it clear that military unity would not be pursued at the expense of Brazil's practice in democracy. Castello's complete submission to the linha dura was more apparent

⁸⁹Ibid., p. 256.

⁹⁰Roett, op. cit., p. 32.

than real.

One result of the October, 1965 crisis was that public support for the military regime continued to decline, perhaps because many Brazilians felt betrayed by Castello Branco, the man who had promised moderation in all reforms. Institutional Act #2 seemed to violate the spirit of this promise. Yet the President used his increased discretionary powers against the linha dura, instead of initiating further purges of the civilian ranks as had been expected. He closed down a far-rightist military group known as LIDER (The Radical Democratic League), established and supported by the more extreme elements of the linha dura. He reassigned many of the officers who had plotted against him in the post-election crisis; he placed one of his most trusted generals in command of the First Army outside Rio. Finally, he guaranteed the inauguration of both Negrão de Lima and Israel Pinheiro.⁹¹ Under the Second Institutional Act, a kind of military unity not anticipated by the linha dura was achieved and the popularly-elected candidates were sworn into office.

Having regained the initiative and reasserted his dominance over the military, Castello then sought to fill the political vacuum created in October, when all political parties had been abolished.

⁹¹For a description of the events surrounding Negrão de Lima's inauguration, see "Riding the Tiger," Newsweek, December 20, 1965, p. 50.

Complementary Act #4 of November 20, 1965 provided for the provisional registration of political organizations that had the support of 120 federal deputies and 20 federal senators. Nearly 250 deputies and more than 40 senators joined the government-sponsored Alianca Renovadora Nacional (The National Renovating Alliance, or ARENA). Those joining ARENA were generally former members of the UDN and the more conservative wing of the PSD, who had formed the Revolutionary Parliamentary Bloc prior to the promulgation of the Second Institutional Act. In this regard, the Complementary Act only legitimized the institutionalization of political alliances that had existed under the old party system, except there were now to be only two parties.

The opposition forces formed the Movimento Democratico Brasileiro (Brazilian Democratic Movement, or MDB). The ranks of the MDB were composed primarily of the ex-PTB and liberal PSD congressional representation.⁹² Where there had been fourteen political parties there were now only two, brand new parties, resulting in a profound simplification of Brazil's political party system. No longer would there be confusing divisions within parties with regard to support for the revolution and its policies. While legally only transitional political

⁹²For a discussion of the members of both parties and the resulting changes in the composition of Congress, see Brazil: Election Factbook Supplement, No. 2, pp. 18-19 and Roett, op. cit., p. 36.

groupings,⁹³ ARENA and MDB forced politicians into a position where they had to identify themselves as "for" or "against" the revolution. Democracy in form had been retained but it was not clear how Brazil would evolve from this condition to the "ideal democracy" envisioned by the Branco Administration.

On February 5, 1966 Institutional Act #3 was issued; the rules of the political game were more extensively modified. Among other changes, the Act replaced the direct election of governors with their selection by state legislatures by an absolute majority vote, replaced the election of the mayors of capital cities with their appointment by the governors of the states, and scheduled federal legislative elections for November 15, 1966, a little over a month after the October presidential election. It is significant to note that this Act, unlike the first two, did not directly extend any new powers to the President, although its effect was to centralize power further: it established a system under which "revolutionary" candidates could not lose an election at any level, no matter how unpopular the "revolution." Because of this Act the government only had to concern itself with the election of state and federal legislative representatives. With major restrictions already placed on such elections by Institutional Acts and political party statutes, the military regime could eliminate any formidable MDB opposition and nearly assure itself (through

⁹³Brazil: Election Factbook Supplement, p. 18.

ARENA) a majority of the seats in federal and state legislatures. The National Congress would then elect the ARENA candidate for President; the state legislatures would elect the ARENA candidates for governor, who would in turn appoint the mayors (presumably ARENA members) of the capital cities.⁹⁴

It seems Institutional Act #3 represented one response of an administration that had thought through the ramifications of Complementary Act #4. By forcing the opposition into an identifiable group, the government had unwittingly raised the stakes of the political game. While the government could deny candidacy to some opposition candidates, it could not deny candidacy to all of them and still win even limited support for its showcase democracy.⁹⁵ Given the widespread animosity toward the military regime, an opposition candidate could well have exploited this unpopularity and ridden its victory. In such a case it would be difficult for the government to deny that such a victory represented a repudiation of the nation administration.⁹⁶

⁹⁴This gradual encroachment by the military regime into the electoral process seems to substantiate Frances Foland's contention that democratic procedures and liberties were decimated in "bits and pieces" and not in large "chunks." See "The Prospects for Brazil: Costa e Silva's Military Dictatorship," New Leader, LII (January 20, 1969), 7.

⁹⁵There was no indication that the Branco Administration intended to pursue this kind of policy, principally because of its concern for world opinion and its commitment to tutelary democracy.

⁹⁶See fn. 76 of this chapter. The government utilized this argument after its October, 1965 defeats.

If, for example, an MDB gubernatorial candidate and a slate of opposition, legislative candidates were elected in their respective elections, they would serve as a rough indicator of how unpopular the military government was. If voters concluded that the MDB was a strong opposition, in succeeding elections they may have voted for MDB candidates to express their opposition to the military government, thus further eroding the dominance of ARENA and dramatizing the effects of a self-fulfilling prophesy. If unchecked, this kind of development could have resulted eventually in the MDB becoming the "in" party and ARENA becoming the "out" party.⁹⁷ Institutional Act #3 would serve as a check against the MDB gaining any electoral momentum.

The "Revolution" Solves the Problem of Succession

As the October, 1966 presidential elections neared, speculation turned to whom would succeed Castello Branco. Under Article XXVI of Institutional Act #2 the President was ineligible to succeed himself, though this was not a serious obstacle. Only three months after issuing Institutional Act #1 the government deviated from the election schedule the Act provided. Elections still had not become a routine constitutional procedure.

⁹⁷After the 1964 "revolution" the UDN replaced the PTB-PSD as the "in" party, or that party which controlled the President's office. Perhaps the UDN was only the "in" party because neither the PTB nor the PSD was the "in" party and not because the President was a member of its party. When the new party system was established, ARENA automatically became the "in" party.

Reluctantly, Castello Branco allowed Marshall Costa e Silva to be nominated as ARENA's presidential candidate but only after the War Minister promised to continue Castello's economic and political policies. This promise was only a formality, however, because Costa e Silva would have been the ARENA candidate even in the absence of such a pledge; implicit in the hard line's acceptance for his call for discipline during the October, 1965 crisis was that he would be Castello's successor.⁹⁸ Had the President denied Costa e Silva the nomination, it was possible that another military crisis would have erupted. Faced with this real possibility, Castello really had no choice: the promise he evoked from Costa e Silva appears to have been an attempt to clear his conscience of the reservations he had about a member of the linha dura assuming the greatly expanded powers of the presidency.

Castello was described as being more concerned with the continuity of ideas and structures, not people.⁹⁹ While one author suggests Castello was interested in a civilian successor,¹⁰⁰ by June, 1966 there were few prominent civilians who had not fallen into disfavor with the "revolution" or who had not had their political rights suspended. When Adhemar de

⁹⁸Schneider, Political System, p. 170.

⁹⁹Interview with Roberto Campos cited in Stepan, op. cit., p. 219.

¹⁰⁰Milan J. Kubic, "Top Brass in Brazil," New Republic, September 10, 1966, p. 11.

Barros was removed as governor of São Paulo, he joined Magalhães Pinto, Carlos Lacerda and Juscelino Kubitschek as former presidential contenders who no longer warranted serious attention as Castello's possible successor.¹⁰¹ For a time, there were fears that Castello would opt for continuismo, or simply suspend the election and retain power himself. But his aversion to the continuity of men included the extension of his own rule.

Costa e Silva's election, which was never really in doubt, became a foregone conclusion when the MDB refused to dignify what it called a "fraudulent" election by running a candidate. Governmental interference in the September 3, 1966 gubernatorial elections tended to compound MDB suspicions that the government would interfere in the presidential elections to the extent that opposition would be useless.

In the state of Rio Grande do Sul a large number of ARENA politicians refused to endorse the ARENA candidate for governor and joined with the MDB in supporting another candidate, a man who was respected by the military. The government responded by cancelling the mandates of four deputies who had joined with the MDB in this case and issued a list of cassations against deputies in other states in order to guarantee conformity with

¹⁰¹In a public opinion poll conducted by Jornal do Brasil 71 percent of the respondents said they would vote for either Kubitschek or Lacerda for President, whereas only 12 percent replied they would vote for Costa e Silva. So while the first two individuals were clearly the most popular candidates, they could not be seriously considered as Castello's successor because they were at odds with the regime. See Stepan, op. cit., p. 257.

ARENA nominees.¹⁰² On July 18, 1966 the government decreed Complementary Act #14 which made it more difficult for the MDB to nominate an alternate to succeed a candidate whose candidacy had been denied. This was one overt sign the government wanted no opposition where possible; just as it had interfered in the October, 1965 gubernatorial elections, the government could be expected to deny candidacy to some individuals, but unlike in 1965, in 1966 once the MDB lost a candidate it could not replace him. As a result, the ARENA nominee would run unopposed.

On July 22, 1966 Complementary Act #16 made it illegal for an ARENA legislator to switch to the MDB or to vote for an MDB candidate in a gubernatorial or presidential election. Faced with certain defeat, the MDB contemplated self-dissolution or abstention in the September elections as a sign of protest. The government, however, responded by decreeing Complementary Act #17, which authorized cassação for any legislator who might resign for such motives. As a prelude to the presidential elections, the MDB was forced to participate in the government's showcase democracy. Abstention was presumably conceived by the government as being detrimental, for it might have tended to underscore the absence of substance in the government's "democratic elections."

¹⁰²The individual in question was Rui Cirne Lima, a jurist the regime was considering for appointment to the Supreme Court. It seems in this instance the government placed principle over expediency: ARENA candidates were supposed to win, even though the MDB candidate was perfectly acceptable to the government.

By forcing practice in the discipline of exercising democracy, however, the government only exposed the facade of democracy it had constructed. On September 3 all twelve ARENA candidates for governorships were elected by state legislatures throughout Brazil, a dramatic improvement over the "revolution's" performance in October, 1965. With the presidential elections only one month away, the futility of the MDB was apparent. If the government's party was able to win twelve out of twelve gubernatorial elections, what chance would the MDB candidate have in the election of the President? In light of the government's improprieties prior to the gubernatorial elections, the MDB leadership decided opposition to the government was hopeless and dangerous. As one MDB spokesman explained his party's decision not to nominate a presidential candidate: "Any sort of opposition candidate would help the government present itself, particularly abroad, as what it is not."¹⁰³

Following his resignation as War Minister in July, Costa e Silva embarked upon a three month, nationwide campaign, which he continued even after the MDB refused to oppose him.¹⁰⁴ It appears he tried to play down his political aptitude, ostensibly

¹⁰³"Unwilling Opposition," Time, August 19, 1966, p. 34.

¹⁰⁴Schneider contends Costa e Silva's campaign, even under these circumstances, was not without some value. It permitted him to learn more about the country and the people he would be governing and it presented him to the people in a non-military context for the first time. See Political System, p. 182.

to preserve the image of a soldier-above-politics he had projected during the October, 1965 crisis. In surely the understatement of the decade in Brazilian politics, he said, "I may be weak politically, but my party is the army, and it is strong."¹⁰⁵ Ambiguity shrouded his campaign; he continually referred to vague programs that were still in the formative stages. He stressed the need to "humanize" the revolution's economic policies, but just how this was to be done was said to be under study. By evading searching questions, Costa e Silva did little to comfort the middle class which had borne the brunt of the revolution's policies of economic austerity,¹⁰⁶ yet many Brazilians were optimistic that political repression and economic revitalization would be relaxed under Costa e Silva.

Campaign oratory was fraught with promises to establish "dialogues with the people" in order to be the President of all Brazilians (just as Castello had promised). On one occasion he explained:

The big historical role of my government will be to consolidate the 1964 revolution. Return of full democracy Redemocratization of the country without new overthrows, without violence.¹⁰⁷

Despite Costa e Silva's attempts to promote an image of himself

¹⁰⁵ Kubic, "Top Brass in Brazil," p. 12.

¹⁰⁶ See "Brazil's New Leader-Inherits Old Woes," U.S. News and World Report, October 17, 1966, p. 24.

¹⁰⁷ Kubic, "Top Brass in Brazil," p. 12.

as a defender of democracy, Brazilians beheld his campaign with indifference and boredom.¹⁰⁸ Simply stated, there was no reason for them to believe that the "showcase democracy" would not endure, for while Costa e Silva could attempt to promote different personal images, he could not change the fact that his election was hardly democratic.¹⁰⁹

On October 3, 1966 Costa e Silva received the votes of 252 ARENA federal deputies and 40 ARENA federal senators, as well as the votes of three unaffiliated and MDB deputies. The majority of the MDB representation abstained. Of the 475 total votes Costa e Silva could have received, he received only 295; the remaining 180 votes were listed as abstentions.¹¹⁰ Members of the ARENA bloc abided by the restrictions of Complementary Act #16 which prevented them from changing parties, although this was an obscure triumph because there would have been no MDB candidate to have voted for if they had changed parties.¹¹¹

¹⁰⁸Ibid., p. 13. One observer quipped, "We're bored by their campaign. We care for them about as much as they care for us."

¹⁰⁹Costa e Silva promised that, if elected, he would govern the country within a "strictly democratic" regime. If the procedure by which he was to be elected was to serve as any indication as to how he interpreted "strictly democratic," it appears Brazilian democracy was in for even more modifications. See Schneider, Political System, p. 175.

¹¹⁰After Institutional Act #2 (Complementary Act #4) was decreed ARENA controlled 297 congressional seats and MDB and an unaffiliated group known as Sem Legenda controlled a total of 178 seats. Two MDB deputies voted for Costa e Silva, but 178 MDB, two ARENA and two Sem Legenda congressmen abstained. See Schneider, Political System, p. 178 and Roett, op. cit.

¹¹¹This Act perhaps only tended to hold down the number of ARENA party members who abstained.

The result of the presidential election was received with little surprise or fanfare. As one commentator wryly observed, "In the U.S. the results of an election are known six hours later. In Brazil, six months before."¹¹² By first solidifying its decisive electoral vote in Congress with its Sixteenth Complementary Act and then intimidating its opposition to the extent it offered no candidate, the "revolution" had created an environment that was conducive to winning elections but not to the acquisition of popular support. Subsequent events were to indicate that Castello Branco, now a lame duck President, was more concerned with institutionalizing the "revolution" than with public opinion.

Institutional Act #4: Institutionalizing the "Revolution"

By October, 1966 the new Constitution, which had been proposed by the President in April, was ready for congressional consideration and approval. Part of the ARENA delegation suggested that the government perform one more purge on Congress before that body undertook consideration of the new constitution because they felt the MDB would effectively obstruct its adoption.¹¹³ The President, seriously dedicated to the swift approval of the document for which he claimed a great deal of responsibility, responded by cancelling the political rights of six MDB congressmen; when the President of the Chamber of

¹¹²Frances Foland, op. cit., p. 6.

¹¹³See Schneider, Political System, p. 184.

Deputies refused to honor these cassations, the government decreed Complementary Act #23 of October 20, 1966.

The latest Complementary Act ordered Congress recessed until November 22, 1966, because, as it stated, there existed in Congress

. . . a group of counter-revolutionary elements whose objective it was to disturb the public order and upset the coming elections of November 15, thus compromising the prestige and authority of the legislative power.¹¹⁴

Article XIII of the Second Institutional Act authorized the President to declare a state of seige for up to 180 days in order to prevent the "subversion of the internal order," but why he had decided on thirty days was confusing. Whether or not the government felt that by having Congress in recess during the national legislative elections ARENA's electoral prospects would be improved (thus helping to assure swift action on the new Constitution) was not clear.

This Complementary Act has two important effects. First, it established the precedent of allowing the executive to silence the legislative branch whenever it suited the government's needs. Since becoming President, Castello had repeatedly resisted efforts to close Congress,¹¹⁵ but now, apparently with

¹¹⁴Direct quote from the Complementary Act cited in Roett, op. cit., p. 34.

¹¹⁵On one occasion Castello Branco said, "You have heard demands that Congress be subjugated and even eliminated so that the revolution would have a free hand to be arbitrary. The fact is that had this not been prevented . . . the consequences would have been most serious . . . Soon we would have reached the stage of police system fencing the country by a circle of force and oppression." See Kubic, "Brazil's Adroit New Leader," p. 22.

the Constitution in the balance, he was willing to close a recalcitrant Congress lest its activities and opinions influence the Brazilian voter. In addition, this Act had the effect of placing further strains on the relationship between the military regime and ARENA. In the controversy over the cassation of the six federal deputies many pro-administration legislators felt compelled to oppose the regime. As the controversy unfolded and relations continued to decline, the Branco Administration must have decided it would be better to obscure these "inter-revolution" problems by closing Congress instead of allowing further deterioration in public. Such a development would have only tended to strengthen the MDB.

Whatever the government's motivations for closing Congress, the direct elections on November 15, 1966 consolidated ARENA's control in Congress. It increased its membership in the Chamber from 254 to 277 seats and from 43 to 47 seats in the Senate. On the other hand, the MDB lost ground in both bodies; its membership in the Chamber dropped from 150 to 132 seats and from 21 to 19 seats in the Senate.¹¹⁶ Yet, while ARENA was stronger as a result of the election, the "revolution" had not thereby necessarily increased its influence in Congress. As Schneider points out, during their campaigns many ARENA candidates had tried to establish their independence from the national regime and, given the government's unpopularity, many such candidates were un-

¹¹⁶ See Roett, op. cit., p. 37.

doubtedly elected.¹¹⁷ The question now was whether ARENA's decisive numerical superiority could be translated into an advantage for the "revolution," especially with regard to the new Constitution.

By December, 1966 Castello appeared intent on eliminating debate and altering the procedures of decision-making in order to secure the passage of the new Constitution. Apparently, ARENA's majority was not regarded as a reliable majority. On December 7, 1966 the President decreed Institutional Act #4, which convoked an "extraordinary" session of Congress to "vote" and "promulgate" a new Constitution.¹¹⁸ Although the Act provided procedures to determine a Mixed Commission, that was to consider the original draft, and set strict time limitations for the constitution's ratification, the Act empowered the President to decree the new Constitution if Congress failed to approve it.¹¹⁹ Even though some 1500 amendments were proposed, Congress finally adopted a version that varied very little from the original draft. (The 1967 Constitution is presented in Chapter III.)

As on so many previous occasions, the adoption of the new

¹¹⁷For a discussion of these elections and the strategies employed by both parties, see Schneider, Political System, pp. 185-87. One indication that ARENA's showing on the national level was deceptive was the aggregate result of the state elections: the MDR realized a net gain of 48 seats nationwide.

¹¹⁸See Burns, History of Brazil, p. 400.

¹¹⁹For excerpts from the Fourth Institutional Act, see ibid., pp. 400-401.

Constitution made it evident that behind the facade of democratic procedures there was very little substance to the "revolution's" style of democracy. Stemming from a widespread feeling within the "revolution" that the objectives and principles of the Institutional Acts should be more permanently institutionalized, the implementation of the new Constitution represented an attempt to align the "written" constitution with the "real" constitution. Deviation from the 1946 Constitution was so common that that document had become inoperative.

The First Phase of the "Revolution": An Assessment

In the interest of public order and national security Brazilians were subjected to cassação, loss of elective and appointive office, and a gradual curtailment of political prerogatives during the first phase of the "revolution." The character of the military's expanded doctrine of internal national security slowly evolved from one of a temporary, corrective nature, that sought to restrain the continuation of demagogic, populist politics, to one of a more permanent nature, that by 1967 was attempted to institutionalize the principles and objectives of the "revolution," however they might be interpreted. The military did not necessarily intend that this transition should take place, although an unfortunate combination of factors tended to minimize the differences of opinion within the military and make such a development almost inevitable.

Castello Branco's military training at the Escola Superior de Guerra had emphasized that the relationship between national security and national development was one of mutual causality. But because of the President's favorable inclination toward an ideal form of democracy, which saw debate as an obstacle rather than an intrinsic part, he had a latent bias for order somewhat like that of the linha dura. Originally, he had intended to implement policies designed to control the Vargas and Goulart forces, but when these proved ineffective, Castello was forced by considerations of political expediency to retreat from his pledges of moderation and to adopt a more extreme position on political reform. Each concession he made to the linha dura resulted in the gradual erosion of political prerogatives open to civilian politicians and in the concentration of vast powers in the office of the executive.

The President's apolitical character, which was hailed as the best guarantee that true "democracy" would be restored during his "caretaker" regime, seems to have been partially responsible for the undemocratic developments between 1964 and 1967. His feeling that any attempt to win support for his plans was a form of demagoguery placed him in a precarious position when the linha dura issued its frequent ultimatums: lacking substantial civilian or military support for his causes, he was forced to comply or face expulsion. His distaste for political persuasion became a liability for the cause of democracy because, had he attempted to cultivate military support for

his decision to uphold the October, 1965 gubernatorial elections, he may have been able to resist the hard line's demands and the Second and Third Institutional Acts might have never been decreed.¹²⁰

The patterns of political recruitment were most affected by the changes in Castello's political reform policies. At first some politicians and civil servants were forced from office; then standards were established by which to declare candidates ineligible for election. Political parties were forced to undergo modifications and finally abolished; when ARENA and MDB were created, numerous restrictions were placed on the ability of the MDB to compete with the "revolution's" party. It is apparent that these alterations were implemented in part because of the voters' failure to support the "revolution." When the government realized the electoral system was not functioning according to its expectations, it simply imposed controls that made its experiment in tutelary democracy yield the desired results. In many cases these controls were justified as essential to the public order but their real effect was to permit the military "carte blanche" to intervene against its political enemies and other perceived threats.

By the middle of March, 1967 there was no question that the military had the day-to-day responsibility for governing

¹²⁰ Stepan suggests some of the problems growing out of the President's apolitical character. See Stepan and Einaudi, op. cit., pp. 94 and 111.

Brazil. The relatively minor changes in the norms and procedures of the decision-making process that had been instituted by the First Institutional Act were finally replaced by an abandonment of those processes by the end of Castello Branco's term. Decreed laws, an irregularity in Brazil's post-war "democratic experience," were adopted as a regular mechanism of decision-making after the success the government realized with Institutional Act #4.

The elections of October, 1965 represented a crucial juncture in the course the "revolution" took. Had Castello Branco resisted the linha dura, a kind of democratic normalcy would have been re-established. But because the linha dura successfully elicited a major concession from the President, in the form of the Second Institutional Act, only the amenities of a democratic system, such as a legislative body and a free press, were preserved and only to the extent they did not interfere with the "revolution's" pursuit of its objectives and principles.

CHAPTER III

PHASE TWO OF THE "REVOLUTION": DISILLUSIONMENT AND POLARIZATION

Carminhando

There are soldiers who are
armed but not loved
Mostly lost with their
weapons in their hands.
In the barracks they
learn the old lesson
Of dying for the country
and living for nothing.

There is hunger on the
great plantations
And desperation marching
through the streets.
But still they take the flower
as their strongest refrain
And believe that the flowers
can overcome the cannon.

Geraldo Vandre, Brazilian poet,
circa September, 1968

Artur da Costa e Silva entered the presidency in March, 1967 pledging to "humanize the revolution." Many Brazilians interpreted this pledge presaged a significant liberalization of the "revolution's" social and political policies. Their expectations severely disappointed, many Brazilians began to openly oppose the military regime. The regime's repressive response toward increasing manifestations of opposition led

to further polarization and by December, 1968 it was apparent a more rigorous renovation of the political system was necessary.

Castello Branco's "Revolutionary" Legacy

The final weeks of the Castello Branco government were marked by a renewed intensification of its "mood of puritanism" begun in April, 1964.¹ In concluding his drive to transform Brazil into a disciplined society, capable of exercising democracy, President Branco decreed what has been termed an "orgy of Calvinistic legislation" during the first months of 1967, thereby retaining the reformist image of his government to the end. As a result of these laws, the new Constitution promulgated January 24, 1967 and scheduled to go into effect on March 15, 1967, and other carefully devised presidential strategies, Castello Branco left his successor, Artur da Costa e Silva, a political arena that was more orderly and more disciplined than it was when he inherited it in 1964.

Between October, 1965 and March, 1967 nearly 250 individuals were cassated under the provisions of Institutional Act #2; but ninety of these cassations were decreed between February 8 and March 15, 1967, suggesting there was a final attempt on the part of Castello to finish purifying the political system before

¹For a further discussion of the puritan-like style of the Branco government, see Mary Charlesworth, "The New Regime," New Statesman, May 8, 1964, p. 712 and "Brazil: Some Unpleasant Business," Time, January 13, 1967, p. 30.

the power of cassation expired on March 15.² This drive for purification was accompanied by a preference for unobstructed reforms. On the last three days of February, 1967 151 laws were decreed, bringing the total to 312 in a little over a year and 191 in less than three months.³ When resistance to reform measures was anticipated, Castello simply decreed the desired reforms. For example, rather than confront the entrenched interests in Congress on the vital issue of currency reform, Castello legislated by executive decree a substantial devaluation with the introduction of a "new cruzeiro" worth 1000 old cruzeiros. While most decrees of this period did not implement such fundamental changes as the currency reform, they nonetheless brought about a radical modification of the decision-making process. The facade of participant democracy that had been so precariously preserved throughout the Branco government, appeared to be on the verge of complete dissolution by the end of Branco's term. Decree laws had become the rule and popularly legislated measures the exception.

Although Brazil had witnessed an erosion of civil liberties during the first phase of the "revolution," freedom of the press, was not restricted in a highly authoritarian manner during that phase, although it was restrained somewhat. In fact, sufficient freedom of the press existed to enable the news media to uncover and publicize fraudulent practices during the October,

²See Schneider, Political System, p. 199.

³Ibid., pp. 195, 200.

1965 elections, the government saw to it that these situations were corrected.⁴ In light of such evidence Busey argues that the Castello Branco government can be legitimately described as "quasi-democratic" and "semi-authoritarian."⁵ Yet, with the passage of the Press Law by Congress it appears that the Branco government, with congressional backing, created the machinery through which succeeding governments might more easily establish themselves as more authoritarian and less democratic.

The Press Law provided for the punishment (for up to four years) of anyone publishing or broadcasting anything "prejudicial to national security" or "any news or information of a secret matter," regardless of whether the secrecy had been declared by government directive or judged so by the courts.⁶ This law, which did not go into effect until March 15, 1967, had the effect of increasing government supervision over and of imposing potential censorship of the communications media. While it is true that the Branco government did not exercise the powers of the Press Law, it is also true that by proposing and securing congressional approval for such a reform,⁷ it created an additional

⁴de Dubnic, op. cit., p. 23.

⁵Busey, "The Old and the New," p. 68.

⁶See "Brazil: Some Unpleasant Business," p. 30, and Lester A. Sobel, ed., Facts on File Yearbook, Vol. XXVII (New York: Facts on File, Inc., 1967), p. 40.

⁷It is not clear why Congress passed this law (304 to 168) while it opposed so many of Castello's proposals and forced him to decree them. Perhaps, as with the Constitution, Congress reserved the right to seek fundamental changes in this law with the Costa e Silva government. See Schneider, Political System, pp. 198-99.

weapon for the "revolution" to use in dealing with its adversaries: it legitimized the censorship of opposing viewpoints under the guise of national security. Under the law not only would the government no longer be expected to answer charges of its abuses and shortcomings, but also the media would now be required to prove that their disclosures did not violate the national security. (See Chapter IV).

Perhaps Castello's single most important contribution to the "revolution" was the 1967 Constitution. This document imparted legal permanence to the major provisions of the first four institutional acts and provided for further centralization of power in the national government. About the 1967 Constitution Peter Ranis has written:

Perhaps the most paternalistic of the Latin American constitutions, it purports to seriously regulate the political sector while increasing the prerogatives of the national government over the state and municipal constituent authorities.⁸

During congressional deliberations on the proposed constitution one of the proposals drawing the most strenuous objections was one calling for the deletion of "United States" from the name of the country. Many congressmen felt that such a change would only legitimize the further centralization of power, but, because of the "rubber stamp role," that had been imposed on it, Congress was unable to prevent this and other changes.⁹

⁸Peter Ranis, Five Latin American Nations: A Comparative Political Study (New York: The Macmillan Company, 1971), p. 190.

⁹See "Institutional Act #4: Institutionalizing the 'Revolution'," Chapter II.

Just as it was proposed, the approved constitution represented the principles of the "revolution." Under Article 76 the President and Vice-President, who were required to run on the same ticket, were to be elected by an electoral college composed of members of the National Congress and delegates named by the legislative assemblies of the states. Article 83 assigned the executive branch exclusive power to initiate legislation in budgetary, fiscal, and security matters. The national government was given the exclusive right to collect all taxes (except those on real estate), which were then to be distributed on an equitable basis. The executive was authorized to issue decrees in the areas of national security and public finance, to decree a state of seige, and to order federal intervention in the affairs of state and local governments.¹⁰

The Chamber of Deputies and the Senate were each permitted forty-five total days to act on an executive measure unless such a measure was declared "urgent." In such a case, a joint session of Congress was required to consider the legislation within forty days. Legislators were prohibited from holding any other elective post and each legislator was subject to the loss of his mandate if he failed to attend more than half of his chamber's

¹⁰For translated excerpts of the 1967 Constitution, see Burns, History of Brazil, pp. 402-10. For a general discussion of this constitution, see Ranis, op. cit., pp. 190-92 and "All Wrapped Up," The Economist, CCXXII (January 7, 1967), 35.

ordinary sessions during each legislative period. The members of the National Congress were still to be elected by "direct and secret" elections.

Obviously, many of these provisions were direct adaptations of the "revolution's" institutional acts but with an important qualification: there were no longer any expiration dates for the expanded powers of the executive nor was the indirect election of the President any longer a temporary electoral device. These modifications had been institutionalized as permanent components of Brazil's constitutional framework.

If one accepts Peterson's proposition that Castello Branco pushed through the new constitution because he felt Costa e Silva might give way to pressures to "soften" the line of the "revolution" once he assumed power,¹¹ then it might also be argued that the outgoing President pursued a strategy of military promotions designed to insulate the succeeding government from the pressures of the linha dura. Due to an unusually large number of vacancies in the upper ranks of the armed forces,¹² Castello was afforded the opportunity to promote a large number of officers to strategic positions. During the final three months of 1966 seven new full generals were named; all of them

¹¹Peterson, op. cit., p. 555.

¹²These vacancies were created when high-ranking officers retired in order to take advantage of the military's retirement benefits which were scheduled to be terminated by Castello. See Schneider, Political System, p. 210.

shared Castello's general military and political philosophies. In several cases officers more closely associated with Castello were promoted over those associated with the linha dura.

Just as the new Constitution initially limited Costa e Silva's freedom to deviate from the course the "revolution" had followed under Castello, so too by promoting officers loyal to the Sorbonne ideology was Castello able to strengthen the influence of the "soft line" in the hierarchy of the military. Ostensibly, these officers would serve as a safeguard against pressures by the linha dura to force the "revolution" in an even more repressive direction. Ideally, Costa e Silva would move neither in the direction of popular opinion nor in a direction dictated by the linha dura as a result of the new Constitution and Castello's military promotions.

Whereas many Brazilians had welcomed the 1964 coup with either popular support or indifference,¹³ by the beginning of 1967 just as many were turning against the revolutionary government. Castello's austere economic and political policies, according to one author, combined to make his "one of the most unpopular regimes in Brazilian political history."¹⁴

It appears Castello's unpopularity in the sphere of economics stemmed directly from the success of his policies:

¹³See Nicholas Raymond and Winthrop P. Carty, "Elections in Brazil: The Revolution Digs In," The Reporter, September 8, 1968, p. 44 and "Brazil: Government by the Consent of the Governed," New Republic, April 16, 1966, p. 17.

¹⁴Peterson, op. cit., p. 533.

inflation had been reduced from an annual rate of 144 percent in 1964 to 41 percent in 1966.¹⁵ One of the prices for cooling of the economy, which required wage, price, and credit controls, was unpopularity. In the sphere of politics his unpopularity apparently stemmed from unfulfilled promises. Castello had failed to prevent the "revolution" from taking on a reactionary character and had failed in his attempts to facilitate a swift return to democratic normalcy as he had promised. If anything, by the end of Castello's term Brazil indeed seemed headed in the opposite direction.

Costa e Silva: Humanizing the "Revolution"

As the inauguration of Costa e Silva neared, Brazilians became hopeful that his government would transform campaign pledges to "humanize the revolution" into liberal policies that would relax the austere measures of his predecessor. As Schneider explains, upon his inauguration

. . . Costa e Silva enjoyed the advantage that almost all important segments of public opinion expected his administration to be a relief from the increasing authoritarian trend of the first revolutionary regime.¹⁶

While most were not optimistic that full-scale changes in the revolutionary order were forthcoming,¹⁷ those with the highest

¹⁵"Brazil: The Price of Unpopularity," Time, July 28, 1967, p. 30.

¹⁶Schneider, Political System, p. 203.

¹⁷According to a public opinion poll conducted by the journal, Manchete, prior to Costa's inauguration, nearly half the respondents expected Costa's government to be "better" and

expectations that the "revolution" would be liberalized under Costa e Silva were to be the most bitterly disappointed.

Even though he graduated from the Escola Superior de Guerra, Costa e Silva's political and military philosophies only superficially resembled those of Castello Branco. But despite his differences with the Sorbonne ideology, Costa e Silva could not be accurately labelled as a member of the linha dura. Where Castello had come to act as a kind of mediator between the soft line and the linha dura by the end of his term, Costa e Silva's position relative to both of those groups was more obscure.

His actions during the October, 1965 military crisis had won him the support of the linha dura, but since then he had retreated, at least publicly, from his close association with that group. Instead of opposing the linha dura in defense of stated principles (as Castello had done in defense of his "ideal democracy"), Costa e Silva appeared more amenable to reaching compromises with it.¹⁸ The compromise Costa e Silva struck with that conservative military faction resulted

only 3 percent felt it would be worse. The expectation for major changes remained relatively limited. See Schneider, Political System, p. 203 fn.

¹⁸Costa's first concession to the linha dura was in the appointment of his Cabinet officers. All of the military personnel ranged from either "strong" to "moderate" in their affiliation with the hard line, according to Schneider. Ibid., pp. 207-208. Rosebaum writes that Costa, "while not identified as a hard-liner, was not an opponent of their policies and values, but a skillful conciliator of conflicting military positions." See "Brazil's Military Regime," Current History, LVIII (February, 1970), 74.

in an increase of hard line influence in governmental matters during the second phase of the revolution, especially after Costa e Silva's policies proved incapable of subduing his government's opposition.

Costa e Silva's "campaign" for the presidency had demonstrated that he was favorably disposed toward influencing public opinion, both at home and abroad. Faced with no opposition and, therefore, his election guaranteed, there was no reason for Costa e Silva to have pledged to "humanize the revolution" and to establish dialogues with the people except to encourage popular backing for his administration. This in itself was at variance with the Sorbonne's disdain for public opinion.¹⁹ Even after his election he appeared determined to project an image of himself as a strong leader of reform, who unlike his predecessor was willing to extend individualized attention to even the most downtrodden Brazilian.

In a news conference in New York City in January, 1967 the President-elect stated he was intent on "transferring prosperity to the people" and on viewing "man as the individual, man as an entity."²⁰ Brazilians, who had labored for nearly three years under Castello's formal, uniform policies of austerity received these kinds of expressions with a feeling of hope--hope that

¹⁹ Ibid., p. 201.

²⁰ See Gerde Wilcke, "Brazilian Vows Gains in Economy," New York Times, January 31, 1967, p. 77.

the path toward economic and political recovery under Costa e Silva would require less suffering and fewer individual sacrifices.²¹

Costa e Silva's inaugural speech and his first policy statements were a curious blend of evasiveness and confusion. On the one hand, he said he would be unafraid of public opinion, but on the other hand, he said he would not yield authority to mass opinion.²² It appears that while the President would presumably permit differences of opinion and possibly adjust his policies accordingly, he would not tolerate any attempt to mobilize opinion against the government which might influence the decision-making process itself. The anti-populist character of the "revolution" remained intact,²³ but Costa e Silva implied opposing viewpoints were welcome. In fact, authority was to continue to be exercised at the discretion of the "revolution" and opposition tolerated only to the extent it did not interfere with the government's policies.

With reference to what he termed were his administration's sources of support (ARENA and the armed forces), the President

²¹Schneider, Political System, p. 212.

²²For a brief account of Costa's inaugural speech, see Paul Montgomery, "Costa Is Inaugurated in Brazil," New York Times, March 16, 1967, p. 21. For an account of his first policy statements, see Paul Montgomery, "Humanist Regime Pledged in Brazil," New York Times, March 17, 1967, p. 18.

²³See Jerry L. Weaver, "Assessing the Impact of Military Rule: Alternative Approaches," in Military Rule in Latin America: Functions, Consequences, and Perspectives, ed. by Philippe C. Schmitter (Beverly Hills, Calif.: Sage Publications, 1973), p. 59.

attempted to clarify the confusion over the role of opposition in his government:

We might not be a popular government but we will be, without shadow of doubt, a government for the people in the most profound sense of that expression.²⁴

So, while everyone might not have agreed with the decisions of the "revolution," it nonetheless was to continue to determine the public will. This position did not represent a change from the position Castello had assumed, but rhetorical expressions like "government for the people" must have encouraged Brazilians to expect to have a voice in the shaping of their destinies.

Compared to the frenetic activity of the Branco Administration's final weeks, at its outset the Costa e Silva government appeared "inactive." The new Cabinet was comprised of eight civilian and eight military figures, with the latter holding an edge in terms of the political importance of their positions;²⁵ none of its members were holdovers from the previous government and the Cabinet, as a whole, lacked the intellectual qualities of the Branco Cabinet.²⁶

Generally, the "influential" military figures around Costa e Silva were admired by the linha dura. Interior Minister Albuquerque Lima, Chief Military Aide Jaime Portella, and

²⁴New York Times, March 17, 1967, p. 18.

²⁵Schneider, Political System, p. 206.

²⁶Ibid., p. 205.

General Garrastazú Médici, head of the National Intelligence Service, all

. . . owed their positions in the second government to the fact that, symbolically and actually, they represented the opposite of the ideas and career patterns of the core group of officers in the 1964-1967 government In fact, these officers came to power in response to the more nationalist officers, who were dissatisfied with the achievements of the first military government and because of their desire for the military in general to be more popular.²⁷

Thus, the essentially technocratic, Branco government was replaced by a less vigorous and more public-opinion-conscious government.

It is possible that Costa e Silva and his influential advisors decided that, because the "revolution" had been so institutionalized by the new Constitution that its persistence was no longer an issue of debate, opposition to the regime's various political policies would steadily diminish over time.²⁸ Therefore, it is reasonable to conclude that apparently in order to augment its popularity, the new government must have decided that a revision of Branco's economic policies was necessary.

²⁷ For a discussion of the "influentials" in the Costa e Silva government, see Stepan and Einaudi, op. cit., pp. 111-112.

²⁸ Costa e Silva felt the "revolution" had given Brazil a responsible political system that had to be given a chance to work. Rollie Poppino suggests that in this resolve Costa failed to recognize that Congress had only reluctantly adopted indirect elections and expected them to be reversed by the new President. See "Brazil: Second Phase of the Revolution," Current History, LVI (January, 1969), 11.

After prolonged deliberation the government eased inflation controls and adopted a less favorable policy toward United States investments. While Stepan has suggested that the adoption of a stronger nationalist position resulted from civilian pressures,²⁹ Roberto Campos asserts that Costa e Silva felt that by relaxing Castello's long-range economic policies his popularity, both within the military and among civilians, would be increased.³⁰ Regardless of the new President's motivations, as soon as the "revolution's" policies were relaxed inflation started to rise. By 1967 inflation had been reduced to an annual rate of 25 percent, the lowest in more than a decade; but after economic policies were eased a bit it rose 14.5 percent in the first half of 1968.³¹

If Campos' assertion that Costa e Silva was sufficiently concerned with public opinion to try to influence it by effecting policy changes is valid, then the President was playing a dangerous game. With his concern for continued economic recovery, the President would have to re-tighten economic controls if inflation reached unacceptable levels; and this could be accomplished by disappointing heightened expectations and with a subsequent loss of support. So it was with many of Costa e Silva's

²⁹ Stepan and Einaudi, op. cit., pp. 97, 111.

³⁰ Ibid., p. 95.

³¹ "Brazil: A Paradise on the Edge of Trouble," U. S. News and World Report, September 2, 1968, p. 66.

policies: an initial promise, raised expectations and then failure to secure the implementation of these promises in the form of policies, accompanied by a loss of political support.

Problems with the Opposition

Costa e Silva inherited a number of unresolved problems from Castello Branco. Since the latter half of 1966 a wide variety of opposition elements had been trying to establish a comprehensive alliance in order to more effectively confront the government. Late in the Branco period student groups and various sectors of the Catholic Church had begun to denounce openly the "revolution's" restrictions on certain forms of political activity. And as Costa e Silva was inaugurated, the delicate alliance between ARENA and the military government remained unpredictably balanced. It was in dealing with these critical situations that Costa e Silva was to make his contribution to the "democratic revolution."

In August, 1966, shortly after the MDB had been severely restrained by a series of complementary acts, Carlos Lacerda, who had seen his presidential ambitions destroyed by the military government, consulted with ex-Presidents Kubitschek and Goulart over the possibility of launching a united opposition movement. Frente Ampla (Broad Front), the informal organization resulting from these consultations, was founded on the unlikely assumption that these men and the people they represented, with such diverse and outright conflicting political philosophies, could form a cohesive opposition movement. While Frente Ampla's

leaders were apparently able to make the necessary rapprochements, the movement itself was destined to failure from the beginning.

Frente Ampla first moved to test the Costa e Silva government's intentions in the area of dissent, in order to force the government to choose between its campaign pledges of normalization and that of revolutionary continuity. Lacerda directed the former editor of Tribuna da Imprensa, Helio Fernandes, to publish political articles, a violation of regulations placed on cassados (those whose political rights had been cassated). The linha dura regarded this action as a "provocation," but the President resisted their calls for punitive action on this and other occasions; his failure to react decisively encouraged the Frente Ampla to plan further moves designed to expose the government as just another military government or to reveal it as a true "government of the people."³²

Several members of the government, perhaps appreciating Lacerda's strategic position in the Frente Ampla and the real possibility of the center-left elements of the MDB joining an opposition movement, tried to arrange a reconciliation between Lacerda and the "revolution." This attempt had a disruptive effect on the infant Frente Ampla; its organizational work ground to a halt. Lacerda, after all, was the key to Frente Ampla's leadership because, while he had signed separate pacts

³²Schneider, Political System, p. 213.

with both Goulart and Kubitschek,³³ no evidence indicates the latter two ever exchanged mutual agreements. When Frente Ampla's leadership became suspicious that Lacerda (being the political opportunist he was) was seeking realignment with the "revolution" in order to enhance his presidential aspirations, the Frente Ampla fragmented along personality lines.³⁴ The organizational hierarchy of the Frente Ampla was so fragile that the government did not have to assert itself to disrupt it.

The fortunes of Frente Ampla did not improve. Since its inception it had not enjoyed the support of the executive committee of the MDB and was thus denied the support of the only recognized body of opposition, itself at odds with the "revolution," but apparently not willing to risk being further suppressed. Jânio Quadros refused to join the Frente Ampla; thus it was denied the presence of a popular figure who might have been able to mobilize a mass movement.³⁵ When by the middle of 1967 the attempted reconciliation between Lacerda and the "revolution" had failed to materialize, Lacerda assumed his traditional role of denouncing the incumbent government, perhaps in an attempt to mobilize support for his ill-conceived

³³ See Roett, op. cit., pp. 37-38 and Schneider, Political System, pp. 195, 222.

³⁴ Schneider states the Frente Ampla was never really able to overcome the mutual distrust of Juscelinistas, Lacerdistas, Janguistas, and the Janistas and remained throughout a leadership at the top. Political System, p. 223.

³⁵ Roett, op. cit., p. 38.

coalition. Though divided and ineffective, the Frente Ampla did succeed in exacerbating tensions between the military government and the opposition, enough that when Fernandes and Lacerda greeted Castello's death in June, 1967 with scathing attacks on the ex-President, Fernandes was imprisoned and Lacerda barred from further television appearances.

From its predecessor the Costa e Silva government inherited a ticklish student opposition. Since being outlawed in 1964 the National Union of Students (UNE) had been forced to meet and conduct its activities in secret.³⁶ Being in agreement with some of the students' grievances, Dominican priests in Belo Horizonte allowed the UNE to conduct its 28th Congress in one of its buildings in July, 1966. Encouraged by their success in holding a large, secret student meeting, in September, 1966 college students quickly closed ranks in opposition to newly-imposed tuition payments. This movement rapidly flared into a general strike of university students across Brazil, something expressly prohibited by the Suplicy Law of 1964.

The Suplicy Law had placed student organizations under strict government supervision, requiring that they be free of ideological or political content; for that reason few politically-

³⁶ According to George H. Dunne, the pro-Goulart UNE was a prime target of the 1964 coup after it eliminated Goulart. See "Happening in Sao Paulo," America, September 23, 1967, p. 306.

minded students joined the organizations that replaced the UNE. Schneider posits:

The rationale of the law was that, with the troublemakers removed and autonomy severely restricted, student organizations could be used to channel interests toward academic matters. This proved quickly to be an illusive vision, if not a complete illusion.³⁷

The September, 1966 general strike was a clear indication that the goals of the Suplicy Law were unrealistic. Nonetheless, the Castello Branco government reacted to the strike along the rationale of that law by arresting a large number of São Paulo students to set an example for the remainder of the country. The students retaliated with a series of sympathy strikes, culminated by a "National Day of Struggle Against the Dictatorship" on September 22, 1966. But the basic issues of dissent and freedom of speech went unresolved.

The students welcomed Castello's departure but greeted Costa e Silva with guarded optimism, suspicious of most of his campaign promises except the ones pledging to be more responsive to student needs and to initiate policies that would improve educational opportunities.³⁸ If the students were selectively perceptive in being at all optimistic that Costa e Silva would be an improvement over Castello, they also proved to be impatient. When the new President's promises to "humanize the revolution" failed to be followed up with specific policies, tensions between

³⁷ Schneider, Political System, p. 230.

³⁸ New York Times, March 17, 1967, p. 18.

the disgruntled students and the government peaked.

Costa e Silva did not appear intent on immediately establishing dialogues with the students. In July, 1967 the military police forcibly arrested a large number of São Paulo students in an attempt to thwart the holding of the UNE's annual Congress.³⁹ Much to the surprise of the government, the 29th Congress of the UNE was held later that month in defiance of the government's attempted intimidation. Once again the Catholic Church was implicated in the illegal meeting of the UNE. A Benedictine monastery near Campinas was the site of the daring 29th Congress.

Successfully hoodwinked and embarrassed by a band of 400 students who attended the UNE Congress, the government, in seeking to repair its damaged stature, over-reacted. Dissatisfied by the insistence of the Campinas monks that they had no idea they were acting as hosts to the outlawed UNE, the government arrested scores of priests and nuns associated with the Campinas monastery, violating the sanctuary of churches and setting off a nationwide, but scarcely unified, Church protest in the process.⁴⁰ Most influential members of the Church's hierarchy denounced the government's invasions of monasteries to arrest priests. A dissident, conservative wing of the

³⁹Schneider, Political System, p. 232.

⁴⁰The Campinas monks allegedly told the military police that, since the students had not asked for their spiritual services, they thought it best to leave the students to their own devices and consequently did not know what was going on. The police found this disciplined lack of curiosity hard to believe. For a rather detailed discussion of this church-state confrontation, see Dunne, op. cit., pp. 306-307.

Church, as well as the conservative press, however, assailed the Dominicans and Benedictines as agents of subversion. By over-reacting the government had facilitated the likelihood that the progressive Church and the students could unite in common cause against the government.

By the end of 1967 the Costa e Silva government, despite its announced intention to enter into dialogue, had failed to win the confidence of the students. According to one student spokesman, the effect of the government's lack of comprehension and the heavy handed methods employed by the military police throughout 1967 had been "to unite the students against the government, something years of left wing propaganda had not been able to achieve."⁴¹ Even though opposed to the UNE the same spokesman touched upon some of the basic shortcomings of the Costa e Silva government.

Every constructive criticism or attempt to present a grievance is dismissed as the result of "inexperience," or as "subversive propaganda." The "dialogues" turn out to be boring monologues. Solutions are put off and the truth disguised. This lack of faith aggravates the general lack of confidence.⁴²

Costa e Silva's policy toward students during 1967 seemed to have alienated even the more conservative students who could have been expected to support the government, had it converted some of its promises into concrete policies.

⁴¹ Ibid., p. 308.

⁴² Ibid.

On the military's attitude toward political mobilization Stepan has written:

Clearly in 1964 the Brazilian military most feared chaos and communism. They felt the need for a strong government to check inflation and subversion. Given this vision of societal disintegration, they perceived all groups engaged in confrontation and mobilization politics as potentially dangerous.⁴³

Because the progressive Church (liberal and radical churchmen) had persisted in their support for the Basic Education Movement (MEB) even after the 1964 coup, despite efforts by the government to terminate that movement, the Church found itself in political conflict with the military governments.

One of the goals of the MEB, which was initiated in 1961, was to make people critically aware of their situation. According to this movement "development" was defined as intrinsically related to political participation, critical awareness (called conscientização), and mass mobilization.⁴⁴ The "revolution," which had assumed sole responsibility for overseeing national development and which viewed the expansion of political participation as detrimental to that development, attacked the MEB as an undisguised attempt to disrupt its anti-mobilization strategy and as a threat to the national security. While there was an essential philosophical difference between conscientização and the pre-revolutionary, populista technique of mass mobiliza-

⁴³Stepan and Einaudi, op. cit., p. 86.

⁴⁴For a discussion of the primary objectives of the MEB, see Emanuel de Kadt, Catholic Radicals in Brazil (New York: Oxford University Press, 1970, p. 123 and Stepan and Einaudi, op. cit., p. 86.

tion,⁴⁵ the government chose to regard the MEB as a form of demagoguery and subversion, thereby unnecessarily alienating many dedicated lay and clerical proponents of the MEB.

Deeply influenced by the philosophies of Mounier, the more liberal and radical members of the Church found themselves incontrovertibly opposed to condoning a dictatorial form of government for the sake of future generations without popular consent.⁴⁶ Tensions between this group, as visible adversaries of dictatorship, and the military government, which defined itself as "democratic," were inevitable. And because the Church, in general, had acquired a greater social consciousness and had formulated alternative solutions to Brazil's problems, even the more moderate and conservative members of the Church found themselves at odds with the government.

In an August, 1967 speech assailing the failures of the Costa e Silva government to bring "prosperity to the people," Dom Helder Camara, the respected Archbishop of Recife and a founder of the MEB, summed up the Church's new concern for social problems.

⁴⁵For an explanation of the distinctions between these two phenomena, see de Kadt, op. cit., pp. 94-95.

⁴⁶de Kadt discusses the influence of Mounier in the Catholic Church. See Catholic Radicals in Brazil, pp. 91-93. Mounier wrote that it was well and good for a generation to sacrifice its well-being to a future generation, "but there has to be assent to it without which there are only arbitrary methods and sterile effects." Emmanuel Mounier, "Christianisme et communisme," Feu la Chrétienté, translated and quoted in Roy Pierce, Contemporary French Political Thought (London: Oxford University Press, 1966), p. 75.

Today the priest can not be satisfied only to say his prayers, standing with folded arms before the problems that afflict the masses For too long we have acted as a brake; now we must act as an accelerator; for had we spoken out more clearly in the past, millions of human beings would not today be experiencing penury and misery I am not a partisan of violence, but I am of the opinion that we can not be content with the hyricism of fine phrases that solve none of the grave social problems.⁴⁷

In addition to implicitly defining a new social policy for the Church, which was apparently to be offered as an alternative to the government's "fine phrases," the speech included references to the failure of capitalism to solve Brazil's problems.

Dom Helder's speech, like so many other speeches by churchmen during 1967 and 1968, seemed to challenge the government for the leadership of national development. The suggestions of Marxian alternatives to national development were in strong contradiction to the stringent anti-communist principles of the "revolution." It is not surprising, then, that the Costa e Silva government, which in the tradition of the "revolution" felt development could only be realized by resisting political participation and developing a strong capitalist economy, interpreted this kind of speech as an attempt to subvert its political and economic reforms.⁴⁸

The conservative members of the Catholic Church hierarchy,

⁴⁷Cited in Dunne, op. cit., p. 309.

⁴⁸Norman Gall discusses the tensions between the military government and the Church in "Latin America: The Church Militant," Commentary, April, 1970, pp. 28-31.

upset over what they felt was an infiltration of the Church by communists, revived the "Society for the Defense of Tradition, Family, and Property" (TFP), which had so effectively helped to mobilize support against Goulart in 1964. After quickly winning government and military support it launched a vigorous campaign against the members of the progressive Church who had been speaking out against the government.

At this point, it seems, the government incorrectly perceived the conservative and the more progressive Catholics as comprising two, distinct collections of uniform attitudes, one supporting and one in opposition to the government. In fact, the Church's hierarchy was comprised of clergy with widely varying political views. And whereas the Castello government had managed to avoid significant clashes with the Church, Costa e Silva's government did not. With the linha dura wielding more influence in governmental matters, high-ranking officers began to levy verbal assaults against all progressive Catholics, calling them Marxists, leftists, and subversives. The result was to polarize the Church's hierarchy by forcing moderate and liberal clergy to identify with either the extreme right or extreme left.⁴⁹

⁴⁹Thomas C. Bruneau explains the process of polarization in the Catholic Church during the Costa e Silva government in, "The Changing Political Role of the Catholic Church," in Contemporary Brazil: Issues in Economic and Political Development, ed. by H. Jon Rosenbaum and William G. Tyler (New York: Praeger Publishers, 1972), pp. 317-18.

Where prior to 1964 the Church had cooperated with the state in effecting social change (primarily by passively supporting the government's policies), by the end of 1967 the Church found itself in opposition to the state on the issue of social development. Although the progressive Church had continued to support the same kind of development policies begun under Quadros and Goulart, the military government had adopted policies that emphasized political and social stability.⁵⁰ Because of its outspoken manner, by 1967 the Church had placed itself in a position of opposition to the government and was the only formal institution that consistently dared to criticize the regime's excesses.⁵¹

As the government's problems with the student organizations and the Church increased, its relation with Congress, particularly with the supposed pro-government ARENA, also continued to deteriorate. After failing to assume the political initiative during the new government's period of indecisiveness (March to June 1967),⁵² ARENA gradually began to assert itself to the extent that by the end of the 1967 session Costa e Silva was confronted with a parliamentary revolt. For the first time

⁵⁰Thomas C. Bruneau discusses the erosion of church-state relations over the question of political and social change in his work, "Power and Influence: Analysis of the Church in Latin America and the Case of Brazil," Latin American Research Review, VIII (Summer, 1973), 41-43.

⁵¹Bruneau, "Changing Political Role of the Catholic Church," 299.

⁵²See Schneider, Political System, pp. 211, 213.

Congress rejected a presidential decree law and attempted to circumvent the constitutional provisions which prevented it from initiating legislation involving additional government expenditures. More significantly, twenty-nine ARENA legislators voted for an MDB-sponsored constitutional amendment calling for the restoration of direct presidential elections.⁵³ Although the ramifications of this revolt were as potentially dangerous as the end-of-the-session revolts in 1965 and 1966, Congress was not forced into recess nor were any cassations decreed.

The first nine months of the Costa e Silva government had been marked by undulating outbursts of dissent and 1967 closed with a lull in political confrontations. Yet, the antagonisms between the government and each pocket of opposition remained unresolved, requiring only a catalyst to touch off a chain reaction of protest and confrontation.

1968: Confrontation and Reaction

In a series of interviews during December, 1967 Admiral Jose Saldanha da Gama, Minister of the Supreme Military Tribunal, disclosed that the military's position of national leadership was still a subject of debate within the military itself. In one such interview Saldanha observed:

The military continue to interfere violently in the nation's destinies; it is everywhere defending something that it calls national security but that I call internal security. The military

⁵³Ibid., p. 224.

does not live its basic purpose which is preparation for the external defense of the country. The enemy of the military is the civilian population; it [the military] exists to occupy the country; it is everywhere except in the barracks where it ought to be, carrying out its purpose.⁵⁴

Subsequent interviews with the prestigious Saldanha da Gama further demonstrated that the military was far from united on the question of whether it should retain power or withdraw to its traditional position of poder moderador. Once broached, the question of the military retaining power became a critical issue of public debate, forcing the Costa e Silva government to provide what the linha dura felt was an expedient answer.

Coincident with the publication of Saldanha da Gama's interviews, Carlos Lacerda engaged in another barrage of criticisms of the incumbent government, presumably in an attempt to increase tensions within the armed forces to the benefit of his floundering Frente Ampla. If at this point he could have convinced a substantial portion of the civilian population that his condemnations were shared by influential military personnel (whom he hoped would express more criticisms of the military government), the possibility of a successful opposition movement would become more viable. He did succeed in establishing dialogues with Albuquerque Lima, thereby exposing the conflicting interpretations within the military of its political function; but while Lacerda was able to encourage anti-government demonstra-

⁵⁴For excerpts of several of Saldanha da Gama's interviews with Galera, the student magazine of the Navy School, see ibid., p. 225.

tions, he was still unable to mobilize a wide following for his Frente Ampla.

As the fourth anniversary of the "revolution" approached university students, who had been relatively quiet since August, 1967, planned massive protest demonstrations against the military government. On March 28, 1967 military police killed a student as they attempted to break up such a demonstration, in the process creating a martyr for the student movement. This death also served to heighten the already increasing public sympathy for the students' cause. On March 29 fifty thousand persons, including thousands of non-students, attended the slain student's funeral, touching off a series of massive sympathy demonstrations which marched under slogans like "Down with the Fascist Dictatorship" and "Organized People Will End Dictatorship."⁵⁵ Because such demonstrations were held in violation of a government ban on them, the government chose to interpret and deal with them as part of a subversive plot.

In Rio de Janeiro priests and nuns, who had participated in an April sympathy demonstration, were brutally assaulted by military security forces. This type of government brutality only served to reinforce the Church's sympathy for the students, who themselves were being dispersed by increasingly violent tactics.⁵⁶ But such government tactics also had broader impli-

⁵⁵Robert O. Myhr describes this entire phase of the student movement in his work, "Student Activism and Development," in Contemporary Brazil, op. cit., pp. 358-60.

⁵⁶See "Surpassing All Limits of Unpopularity," Time, July 5, 1968, p. 34.

cations for the entire political system. As one author explains ". . . little opportunity was afforded the moderates to find ways to avoid polarization and ultimate violent confrontation."⁵⁷ But the government, feeling it had "a monopoly on honesty, patriotism, and national interest,"⁵⁸ must have concluded that for reasons of national security it was necessary to repress any opposition.

Convinced the Frente Ampla was coordinating civil protest, the government declared that organization illegal. Because of this decision, Lacerda acquired a large sympathetic following, something he had been unable to do while promoting the Frente Ampla. By July even influential ARENA deputies had begun to insist that it alter its policy toward the students and listen to some of their demands.⁵⁹ Instead, Costa e Silva ignored these requests by the "revolution's" own political party. In an error of tactical judgment Costa e Silva decided at this point to implement a reform proposal calling for a reduction of government expenditures on education, a move that was viewed as a betrayal of his earlier pledges to expand educational facilities.⁶⁰ This apparent complete disregard for public opinion seems to indicate that Costa e Silva was becoming increasingly subject to the pressures of the linha dura.

⁵⁷Schneider, Political System, p. 262.

⁵⁸See Howard J. Wiarda, "Crisis is Coming in Brazil," New Republic, September 14, 1967, p. 16.

⁵⁹Mhyr, op. cit., p. 359.

⁶⁰See New York Times, March 17, 1967, p. 18.

In the eyes of the regime, resistance to its initiatives had come to be equated with subversion.⁶¹ With the conventional forms of opposition either outlawed or rendered ineffective by the government's arbitrary use of its expanded constitutional powers, violence soon replaced demonstrations as the predominant form of protest. Bombing of government facilities and thefts of military arms and explosives proliferated. Thousands of suspected "subversives" were rounded up in mass arrests, including the 739 who attended the UNE's 30th Congress.⁶²

The government was not without its allies during the onslaught of violence. Inspired by the government's Department of Public Order and Security (itself only under the nominal control of the President), groups like the Anti-Communist Movement and the Comando Caca Communistas (Communist Hunters Command) were formed. They acted like vigilante groups who exterminated "subversives" without fear of government reprisal, justifying their violence with mottoes like: "For every dead democrat we'll kill five Communists."⁶³ As one Communist Hunter spokesman explained, "Through our violence we hope to provoke a

⁶¹See Schneider, Political System, p. 110.

⁶²Expecting a violent showdown with the students attending the Congress, hundreds of armed military policemen surrounded the site of the Congress, only to find unarmed, sleeping students. See "Edging Toward the Brink," Time, October 25, 1963, p. 48.

⁶³See "Threat from the Right," Newsweek, December 9, 1968, p. 52.

rightist reaction in the indecisive government so that the leftists can be totally eliminated."⁶⁴

Government and military personnel were repeatedly implicated in the activities of these anti-communists groups and the Costa e Silva government appeared reluctant to dissociate itself from them. As the head of security for the state of Rio de Janeiro explained, "There is no doubt the terrorist actions of the right have actually helped us by putting fear into the left."⁶⁵ Considerations of national security apparently encouraged the government to rely on a progressively narrowing political base on the right; those not in total agreement with the government seemed to be classified as "subversive" opponents.

The problems of a military partially but not completely in power (e.g., permitting the existence of a "representative" legislative body) had by now become evident. An insecure government of men thoroughly indoctrinated with a rather rigid doctrine of national security had been prone to exaggerate the subversive threat and to meet demonstrations of opposition by excessive repression. As a result, a vicious cycle had been set in motion: repression led to violent reaction which only generated more repression.

In 1966 Sidney Lens suggested that a government which lacks popular support, as the Branco government did at the time, must one day perform a "massive bloodletting" or be swept aside by a

⁶⁴Ibid.

⁶⁵Ibid.

revolution.⁶⁶ This was especially true by August, 1968, for on any standard of comparison the Costa e Silva government had far less popular support than its unpopular predecessor.⁶⁷

Opposition to the government appeared varied and ubiquitous and the government's responses to it seemed to reflect the tensions within the armed forces. On the one hand, many officers, frustrated over the daily responsibility for governing the nation, expressed a desire for the military to withdraw from politics and return to its former poder moderador. They were, therefore, reluctant to support any governmental action that might draw the military even further into the political arena. On the other hand, the purges and widespread threat of the return of the exiled to politics made withdrawal from politics an untenable alternative for the linha dura. This group was confident that, if all political restraints were removed, the "revolution" could resolve the crisis and better pursue its objectives.⁶⁸

The tense, deteriorating condition of the political system seemed to require a catalyst to bring the crisis to a head and to force the military to decide whether it would assume total power or withdraw completely from politics, since a revolution against the military government was quite unlikely.

⁶⁶See Sidney Lens, "Brazil's Police State," The Progressive, XXX (December, 1966), 34.

⁶⁷For an example of one comparison of the relative popular support of the first two "revolutionary" governments, see Paul Montgomery, "Brazilian Poll Finds Dissention on Government," New York Times, May 22, 1968, p. 12.

⁶⁸See Stepan, op. cit., p. 259.

One incident that precipitated a solution to the deepening crisis was a speech before Congress on September 3, 1968 by Marcio Moreira Alves. Calling for a "boycott of militarism," he recommended that parents keep their children out of the September 7 Independence Day parade as a gesture of protest against, what he termed, "the nest of torturera."⁶⁹ Immediately, the more conservative, middle level officers, already convinced of a conspiracy to discredit the armed forces,⁷⁰ insisted that Alves be punished for his remarks. Costa e Silva, perhaps wary that yet another unpopular decision might incite another outburst of violence, approved the proceedings to cassate Alves, but insisted that ratification of the charges come from Congress itself.

The President's decision turned out to be a disastrous gamble. The best he could have hoped for was that the ARENA delegation would interpret his decision not to cassate Alves as a sign that his position was "softening." Congress might then have sacrificed one opposition deputy in the interest of encouraging further executive moderation. This done, the President's popular support might then increase but would also place him in a position of having to make further concessions, lest he disappoint the now-expectant nation. But such a develop-

⁶⁹Perhaps the best account of Alves' speech can be found in José Yglesias, "What the Left Is Saying," New York Times Magazine, December 7, 1969, p. 53.

⁷⁰Schneider, Political System, p. 271.

ment was unlikely because throughout the 1968 session Congress had remained insubordinate; ARENA deputies had frequently crossed the aisle to vote with the opposition against the government. It was possible, then, that a vote on Alves' cassation might serve as a rough indicator of the regime's popularity.⁷¹

Congress finally considered Alves' cassation on December 11, 1968, voting 216 to 141 against punishment; at least 93 ARENA deputies voted with the opposition. The defeat of such a vital executive measure convinced the military that Congress could no longer be allowed to function.

Furthermore, the officers tended to carry over into the sphere of party politics a military concept of discipline. Thus, "abandonment" of the government by centrist ARENA elements on a critical issue was viewed as partaking . . . of desertion in the face of the enemy.⁷²

Although Costa e Silva had resisted demands by the linha dura to decree an institutional act early in 1968, such a measure now appeared inevitable.

Institutional Act #5: Another Military Crisis Resolved

While there does not appear to have been an outright attempt

⁷¹Given the state of executive-legislative relations at this point, it seems highly unlikely that the popularity of the regime could not help but to influence Congress' vote more so than the real issue, that of freedom of speech.

⁷²See Schneider, Political System, p. 72. Since there were only 123 MDB deputies, an additional 93 votes were needed for the 216 votes against cassation. In addition, 12 blank ballots were cast. See Roett, op. cit., p. 39.

to oust Costa e Silva (as there had been against Castello in 1965) the President was forced to yield to enough hard line demands that the December, 1968 crisis came to be called "a coup within a coup."⁷³ It seems that Castello's promotion strategy had prevented a move of force by the linha dura against the President, but Castello's appointees had not wielded sufficient influence to prevent the imposition of more political restrictions on the nation.

The President succumbed to the demands of the linha dura in the form of the Fifth Institutional Act of December 13, 1968. The Act was justified as necessary

. . . to assure the authentic democratic order based on liberty, on respect for the dignity of the human being, on the combat of subversion and ideologies contrary to the tradition of our people, on the fight against corruption . . . in order to confront directly and immediately the problems of restoring the public order and international prestige of our country.⁷⁴

The thrust of this statement seems to suggest that at this point the government interpreted its promise to restore democracy as restoring stability to the present, "revolutionary" order of politics, not restoring a purified version of "democracy" as it had existed prior to 1964. "Normalization of politics" now seemed to mean eliminating public discontent in what the

⁷³Bruneau, op. cit., p. 317.

⁷⁴See Frances M. Foland, "The Prospects for Brazil: Costa e Silva's Military Dictatorship," New Leader, LII (January 20, 1969), 8.

"revolution" now seemed to believe was an already, authentic democratic system.

Article II of the Act granted the President the power to recess Congress, legislative assemblies, and municipal councils by decreeing complementary acts; they were not to reconvene until ordered to do so by the President. Coincident with the promulgation of this Act was the decree of Complementary Act #38, which, in the words of one observer, "dismissed Congress with the ease and insouciance of a Fairy Godmother waving her wand."⁷⁵ The President was empowered "in the interest of the 'revolution'" and "without limitations prescribed in the Constitution" to cancel the rights of any citizen for ten years, to place further restrictions on cassados, and cancel the mandate of any elected official. In addition, the President, having been empowered to declare a state of seige under Article 152 of the 1967 Constitution, was authorized to extend a state of seige beyond the Constitutional maximum of sixty days, to "confiscate the property of those who have enriched themselves illicitly" and to suspend the guarantees of habeas corpus in political crimes against the national security and the economic and social order.⁷⁶

Just as the linha dura exploited a political crisis to

⁷⁵"Flying Down to Rio," National Review, December 31, 1968, p. 1307.

⁷⁶For an English translation of the Fifth Institutional Act, see Burns, History of Brazil, pp. 411-13.

radicalize military opinion and to force Castello to the right in 1965, now it had maneuvered Costa e Silva into a position where he was forced to submit to their demands. The military government's own Constitution, largely the work of the Sorbonnists, had proved unacceptable to the linha dura; by the end of 1968 they had found it necessary to violate it in order to assume unambiguous control over the nation. The last vestiges of democracy were thereby removed. The inconvenience of elected, civilian interference was suspended and the demonstration of anti-regime sentiment outlawed under the pretense of national security.

The Second Phase of the "Revolution": An Overview

During this phase of the "revolution" there had been fewer alterations in the patterns of political recruitment than there had been during Castello's term, although the armed forces was utilized more as a source of government personnel during the Costa e Silva government. The Cabinet and other governmental positions, formerly held only by civilians, now showed a preponderance of military figures. In addition, until he decreed the Fifth Institutional Act, Costa e Silva initiated few alterations in the procedures that had become anticipated and accepted in the processing and implementation of demands under the 1967 Constitution. Presumably in an attempt to favorably influence public opinion, he decreed fewer laws and exercised the powers of the presidency in a less authoritarian manner than his predecessor. But in his attempt to win more civilian support for

the "revolution" Costa e Silva actually laid the groundwork for the Fifth Institutional Act.

In his concern for military and public opinion Costa e Silva offered a dramatic contrast to Castello Branco. Whereas the latter remained steadfastly apolitical, refusing to mobilize support for his policies, Costa e Silva displayed a vacillating political style, striving to satisfy a variety of elements within the political system. Initially he realized a high level of public support and an apparent high degree of independence from the linha dura, which he sought to placate by way of compromise. Yet, he still labored under the same types of restraints his predecessor had.

In light of Castello's experiences with the linha dura it was evident he had to remain true to the principles of the "revolution." Policy changes were acceptable so long as they did not jeopardize continued economic recovery, political stability devoid of populism, and the elimination of corruption and subversion. Considerations of national security remained paramount. But during the interval between his election and his inauguration, Costa e Silva appeared to be oblivious to these restraints, speaking with ease about "democratic normalization," establishing dialogues with the people, and "bringing prosperity to the people." It soon became evident that these kinds of policies could be pursued only to the extent they did not interfere with the military's rigid doctrine of national security.

Perhaps Costa e Silva's greatest shortcoming was his repeated failure to convert a sufficient number of demands of the politically relevant members of the political system, who had been encouraged to demand more by Costa's rhetoric, into policy outputs or to give the impression that these demands would be fulfilled sometime in the future.⁷⁷ The demands of ARENA's congressional delegation, the Catholic Church, and the students were largely ignored and many times interpreted as subversive in nature. In addition, Costa e Silva was forced to reverse certain policy changes once the effects of such changes came to be interpreted as detrimental to the national security. Both of these developments led to a steady erosion of support for the nation's leadership and the rules and norms that governed the decision-making process. Support for the authorities and regime reached such a low level that the Costa e Silva government was required to institute widesweeping institutional and procedural changes, once the influential members of the linha dura determined that the military would not withdraw from politics.

David Easton asserts that a highly stratified political system, with only indirect communications between the members of the various levels, can persist even if it receives only a minimum of support from the ordinary members of the system, so long as each intermediary level of leadership evinces strong

⁷⁷See Easton, op. cit., pp. 47-53 and Chapter 14.

attachment to the next higher level of leadership.⁷⁸ In Brazil, primarily as a result of Costa e Silva's policies, the political system had been polarized into two extreme positions with only a minute intermediary group. By interpreting opposition as subversion and denying its expression, the Costa e Silva government removed the likelihood that the political system could continue to function without substantial modification. The concern of the linha dura for unity and political stability resulted in a second, progressive stage of isolation of the military government from the civilian population.

⁷⁸Ibid., p. 227.

CHAPTER IV

REVOLUTIONARY PRINCIPLES WITHSTAND A "REVOLUTION WITHIN THE REVOLUTION"

This chapter focuses on the period between the Fifth Institutional Act of December 13, 1968 and March, 1970, the sixth anniversary of the "revolution." The circumstances surrounding Costa e Silva's erosion of military support and the ensuing succession crisis are examined in some detail. The military's solutions for this crisis suggested that true democracy would be realized only in the very indefinite future.

Implanting a Military Dictatorship

The promulgation of the Fifth Institutional Act once again served to indicate that the Brazilian political system had lost its capacity of jeitinho, or to slide through each crisis without violence or total breakdown of the existing political processes.¹ As the political stakes had become more important, politics likewise had become more deadly serious. By the end of 1968 the traits of compromise and non-violence, characteristics the Brazilian people had long imagined

¹See Iêda S. and Howard J. Wiarda, "Revolution or Counter-Revolution in Brazil?" The Massachusetts Review, VIII (Winter, 1967), 163.

their social order possessed,² had been replaced by arbitrary decisions and violence. The overall effect of the Fifth Institutional Act, in particular, was quite disruptive to Brazil's political processes and the expectations that the Brazilian people had for their government.

In seeking to restore political stability prior to issuing the Fifth Institutional Act the military governments had continued to tinker with Brazil's political system, hoping that, perhaps with the re-writing of certain rules and the elimination of a few more opponents, the system would begin to function according to its expectations. Prior to December, 1968, military intervention in Brazil's political life had been justified as a temporary, instructional necessity with repeated lip-service given to the notion that "democracy" would shortly be restored. Even the 1967 Constitution retained a body of popularly-elected representatives, which although severely restrained could still act as a kind of "check" against the executive; the 1967 document also included an electoral apparatus by which the military might withdraw from power. However, with the issuance of the Fifth Institutional Act tutelary democracy was supplanted by an open military dictatorship.³

²The Brazilian self-image of being a non-violent society is tested by Henry H. Keith in his article, "The Nonviolent Tradition in Brazilian History: A Myth in Need of Explosion?" in Conflict and Continuity in Brazilian Society, ed. by Henry H. Keith and S. F. Edwards (Columbia: University of South Carolina Press, 1969), pp. 231-40.

³Stepan, op. cit., p. 216.

Apparently distraught over the regime's dismal performance between March, 1964 and December, 1968, despite a successive increment of executive power during that time, the military renewed the unfinished task of defining its authority role; it did so by violating its own self-imposed, constitutional limitations and, in the process, by expanding the scope of its governing authority. In the words of one author, after December 13, 1968

Harsh repression quickly replaced benevolent semi-authoritarianism The survival and permanence of the "revolution," it was announced, were vital, and its irreversibility had to be guaranteed.⁴

Before undertaking to insure the permanence of the "revolution," however, Costa e Silva found it necessary to guarantee his continuation as President. In a speech before the Army's Command and General Staff school on December 16, 1968 he attempted to recover the political initiative and to reassure skeptical members of the linha dura that he shared their commitment to the principles of the "revolution." He pleaded that he was a "companion in arms," who "not even for one day forgets his loved days in the Brazilian military." He continued, "The tranquility and order of the country are our responsibility."⁵ He stressed that whenever conditions required it "revolutions within the revolution" should be made by the armed forces.⁶

⁴Rosenbaum, "Brazil's Military Regime," 74.

⁵"Justifying the Crackdown," Time, December 27, 1968, p. 24.

⁶Speaking before the predominantly military audience, Costa

It appears that the emphasis placed on the military's responsibility to guarantee "order" and its obligation to promote "revolutionary" changes implied that the President perceived a political role for the armed forces which would require it to retain governing authority indefinitely. Withdrawal from politics, given this perception, seemed remote. Combined with the ascendant priority placed on order and stability, the strong likelihood that the military would continue to govern must have allayed the hard-liners' fear of Costa e Silva's revolutionary intentions. Having made his peace with the linha dura, the President moved to silence the regime's critics.

On December 30, 1968 Costa e Silva exercised the power of cassation for the first time in his term, suspending the political rights of eleven persons. Included in his list of cassados were: Carlos Lacerda, whose presidential aspirations were thus laid to rest for at least a decade;⁷ Marcio Moreira Alves, whose speech helped to precipitate the executive-legislative showdown; and other individuals associated with the Frente Ampla. These cassations were followed on January 16, 1969 with the most extensive purge of the national legislature to date: two senators and

said, ". . . we will make new revolutions." See Schneider, Political System, p. 276.

⁷Who could have foreseen such a development back in 1964 when in a speech praising the "revolution" Lacerda said: "In Brazil today there is more freedom than ever before. Only those few who wanted to destroy liberty for everyone have lost the liberty to do so." See "Brazil: The New Government," Vital Speeches, XXX (September 15, 1964), 719.

thirty-five deputies (primarily from the MDB) were expelled, principally because of their antagonistic actions toward the "revolution" in the past. On February 7, thirty-three congressmen were cassated, bringing the total to seventy-seven deputies cassated under Institutional Act #5.⁸ Costa e Silva seemed intent on making certain that when (and if) Congress was reconvened it would not again disappoint the "revolution's" expectations.

Upon the promulgation of the Fifth Institutional Act an editorial in O Estado de São Paulo charged: "You can't run a country of eighty million people like an army division."⁹ But the government thought otherwise. It invoked the Press Law and clamped a state of strict censorship on the communications media, proclaiming that anyone who published articles detrimental to the national security would be arrested. The armed forces occupied the offices of several of Brazil's leading newspapers and many of the country's leading journalists were arrested.

Under the conditions of outright censorship many newspapers ceased publications altogether until the government eased its press policy and called for "self-censorship" on the part of the press and broadcast media. Even then no overt unfavorable

⁸See Schneider, Political System, p. 275. Note: Not all of the congressmen who were purged suffered cassation. The MDB was hardest hit by the purges, losing 40 percent of its strength in the Chamber.

⁹Cited in "Crackdown in Brazil," Time, December 20, 1968, p. 36.

editorial comments on the government and its institutional acts were espoused because press and broadcast officials were required to adhere to strict governmental guidelines in order to resume operations.¹⁰ Still, the press occasionally conveyed the mood of the nation. With no reference to meteorological conditions, a front page Journal do Brasil weather report read:

Weather black. Temperature Suffocating. The air is unbreathable. The country is being swept by a strong wind.¹¹

As the government's definition of subversive activity expanded in scope, however, the requirements of "self-censorship" became increasingly restrictive. As a result, in the succeeding years critical political commentary came to be noticeably absent in a nation that had traditionally enjoyed a free and often sensational press.

The purges of the forcefully closed Congress and the censorship of the media were accompanied by a renewed government effort to reform the rules and authority structures of the political system. With the final vestiges of representative democracy stripped away, the Costa e Silva government steered a closely guided course to the right, toward the further involvement of the military in more areas of Brazilian life.

Reforms Within the "Revolution Within the Revolution"

As Stepan explains, the increasing removal of "buffers,"

¹⁰ Rosenbaum, op. cit., 75.

¹¹ Cited in "Crackdown in Brazil," op. cit., p. 36.

such as Congress, "made the government even more exposed to the conflicting demands coming from different military groups."¹² The persisting tensions between the two dominant opinions within the military regarding the issue of continued military presence in Brazil's political life had not been alleviated as a result of the Fifth Institutional Act. They were merely rendered less visible. Several reasons account for this situation.

First, press censorship prevented the publication of anti-government sentiment that existed within the armed forces.¹³ As a result, the military was able to project a false image of unity.

Second, the resignation of Interior Minister Albuquerque Lima (who had been at odds with Costa e Silva since his unsuccessful attempt to unseat the President in December, 1968) strengthened the President's authority, at least initially. The Cabinet was thereby reduced to a body of uniform opinion; presidential directives were implemented with a minimum of intra-government opposition. This development helped to disguise the growing polarization of the military hierarchy and the lower levels of the command structure.

Finally, because of a new series of retirements and promotions and the President's increasingly favorable disposition

¹²Stepan, op. cit., pp. 261-62.

¹³The press censorship clouded many of the details of developments within the military throughout 1969. See Schneider, Political System, p. 273.

toward the principles of the linha dura,¹⁴ by February, 1969 the hard line opinion had emerged as clearly as predominant within both the government and armed forces. In this regard, the military high command was perhaps more unified in opinion than it had been since the 1964 "revolution."

All of these conditions and developments helped Costa e Silva present his government as one united in purpose, acting first on the behalf of those civilians who still supported the "revolution." Yet simultaneously, this image of a united front also masked the potential turmoil brewing within the military,¹⁵ which, while it was not evident, increasingly influenced the direction the "revolution" took during 1969.

February 1, 1969 marked the beginning of a seven month period during which the authority structures and the rules of decision-making and political recruitment underwent extensive modification. On that date Costa e Silva decreed the Sixth Institutional Act, which reduced the Supreme Court membership from sixteen to eleven justices and reaffirmed the jurisdiction of the Superior Military Court over national security crimes.

¹⁴Rosenbaum argues that Costa e Silva's move to the right was designed to placate his hard-line critics within the military. "Brazil's Military Regime," 74.

¹⁵Some officers (up to the rank of colonel) were so disenchanted with the military regime during 1968 that they established contacts with Lacerda and Kubitschek to discuss how a military withdrawal might best be expedited. See Francis B. Kent, "Brazilian Storm Warning," The Nation, February 10, 1969, p. 178. Their convictions were not easily dissuaded after such contacts were prevented by the Fifth Institutional Act.

The first provision of the Act actually amended Article 113 of the 1967 Constitution and represented a retreat from the regime's own Institutional Act #2, which had increased the membership from eleven to sixteen. (See Chapter II).

Why the Supreme Court was retained at all is not clear. It, like Congress, had drawn the wrath of the government in the weeks before December 13, 1968 by granting writs of habeas corpus to some seventy-nine students who had been summarily arrested by the military police.¹⁶ After three justices were forced into retirement on December 30, 1968 a succession of Supreme Court justices refused the "honor" of succeeding the President of the Court; in fact, two more justices resigned, leaving the Court with only eleven judges.¹⁷ Perhaps to avoid any further embarrassment in seeking replacements, Costa e Silva decided to freeze the Court's membership at this point.

The composition of the Supreme Court at the time of the Sixth Institutional Act was of limited significance because it was prohibited from hearing any cases except those the government would allow it to review. All the acts initiated in accord with the Fifth Institutional Act and the "effects" of those acts were exempt from judicial review. In addition, the Supreme

¹⁶Supreme Court decisions during the latter part of 1969 were extremely unpopular with the military government, particularly in light of other simultaneous political developments. See Schneider, Political System, pp. 272-73.

¹⁷In 1863 a similar series of resignations by Supreme Court justices occurred. That case served as a precedent for the justices to follow in 1969. See Schneider, Political System, p. 275.

Military Court held exclusive jurisdiction over cases involving national security, the volume of which increased as the concept of national security drew a progressively expanded definition. With the pretense of democracy dropped and the chances of an appeal to the Supreme Court all but nonexistent, the functions of the Supreme Court throughout 1969 and 1970 were just as symbolic as its existence.

On February 26, 1969 Institutional Act #7 was issued. It provided for the cancellation of all elections scheduled to be held before the gubernatorial and congressional elections slated for November, 1970. The President was authorized to set new dates for elections as he felt necessary. This Act also recessed the MDB-controlled legislatures of Goiás and Pará and provided for governmental regulation over legislative assemblies and municipal councils in matters involving salaries and special sessions. This Act seemed to suggest that the military government would intervene in the affairs of state and municipal legislatures whenever it concluded those institutions were promoting policies (or sentiment) which might jeopardize the peaceful social order or interfere with the smooth implementation of national government policy.

Decree Law #477 also appeared on February 26. Unlike the Seventh Institutional Act, which authorized the closure of institutions whenever it appeared those institutions were facilitating conditions contrary to the interests of the government (and therefore the nation), the intent of Decree Law

#477 seems to have been to correct conditions in order that educational institutions might remain open. In the words of Fagundes Bandeira, the decree law

. . . aimed at actions designed to bring to a standstill the activities of the [educational] institution; plots against persons or property; acts designed to organize, or participate [sic] in subversive movements, picketings, parades or unauthorized assemblies; the transportation, preparation, printing, possession or distribution of "subversive" material of any nature.¹⁸

The logic of the laws enacted on February 26 was all-inclusive and in a strange way disclosed the priorities of the military government. Under the provisions of the Institutional Act, if an institution failed to perform up to the expectations of the government, it would simply be closed. The national and state legislatures had proven easy to close. But under the decree law, the government seemed to have recognized it had a vested interest in keeping the university system open. As the government was aware, when the universities had closed students were freed to participate in demonstrations and terrorism.¹⁹ If the continued functioning of the universities was jeopardized, the decree law provided for the eradication of the detrimental conditions and disruptive causes.

¹⁸Fagundes Bandeira, "Brazil: Subverting the Universities," The New Republic, November 8, 1969, p. 17. The author of this article teaches in Brazil.

¹⁹Historically, Brazilian students have played an important political role, especially when the universities have been closed down. See Robert O. Myhr, "The University Student Tradition in Brazil." Journal of Inter-American Studies, XII (January, 1970), 126-40.

Under military rule some of the country's institutions had to maintain a proper compatibility with a carefully controlled political environment, while the same environment was manipulated to guarantee the proper functioning of other institutions. Regardless, the paramount consideration of the military was to guarantee the "order" and "tranquility" of Brazil.

Two interesting developments soon ensued. On April 25, 1969 the Minister of Education issued instructions authorizing anyone to bring charges of subversion against any member of an educational institution. If the director of such an institution, who had the responsibility of judging each accusation, found the accused not guilty, the case was automatically referred to the Minister of Education for further consideration.²⁰ In cases involving charges of subversive activity in an educational facility, the accused stood guilty until proven innocent. In a case involving thirty-six students on trial for subversion, thirty-four were acquitted but two were punished because they failed to "succeed in proving their innocence regarding recent movements of agitation in the school."²¹

²⁰ Bandeira, op. cit., p. 18.

²¹ O Estado de São Paulo, July 30, 1969, cited in Bandeira, op. cit., p. 18. The presumption of guilt until innocence is proven is not entirely alien to the Brazilian legal system since it was derived from Roman Law. See Fernando de Azevedo, Brazilian Culture: An Introduction to the Study of Culture in Brazil (New York: Hafner Publishing Company, 1971), p. 186. Also see Peterson, op. cit., p. 565.

But the government's measures of repression were not confined to the academic community alone. In March, Costa e Silva issued decree laws calling for the punishment of anyone inciting activity against the regime in private as well as in public. The law seemed to be aimed at those individuals engaged in guerrilla warfare, terrorism and sabotage and those suspected of inciting racial discrimination, animosity toward the armed forces, subversion, and bank robbery.²² All of these activities were regarded as violations of the national security by the armed forces. The provision against bank robbery seemed to imply that crimes against a private institution, that is as vital to the economic and social order as a bank is, were now to be equated with crimes against the government itself. This was a rather indirect, albeit effective, way of punishing crimes that were disruptive of the social order as violations of the national security. In addition, it now appeared that meeting for the purpose of planning any of the aforementioned activities was a crime against the national security, even if the decisions made at the meeting were not carried out. The armed forces were now nearing that point of involvement in the country's political life where the attempted regulation of what people were thinking seemed to be an inevitable next step.

Increasing numbers of civilians, who had long sympathized with the "revolution," were now turning against the military

²²See "Brazil Tightening Her Security Laws," The New York Times, March 23, 1969, p. 12.

government both as a result of these additional restrictions on civil liberties and because of the excessive application of earlier restrictions.²³ In fact, when Costa e Silva delivered the state of the union address early in April, he divided it into four one-hour installments in order not to antagonize the television viewing audience by interfering with its favorite evening soap operas.²⁴ But while the government made relatively minor concessions in order to minimize middle-class opposition, it found itself increasingly confronted by opposition elements which had completely dissociated themselves from the conventional means of opposition.

By 1969 opponents of the regime could be classified in one of two general groups. On the one hand there were the more moderate elements that were still convinced the best way to oppose the government and to promote social change and a rapid return to democracy was to run opposition candidates in elections, to distribute pamphlets and to call strikes.²⁵ However, increasing numbers of Brazilians, alienated by the government's ban on political opposition in the name of national security, swelled the ranks of opposition elements committed to the pro-

²³Rosenbaum writes: "Some individuals who formerly admired the political tranquility established by the regime became resentful because their friends and relatives were subjected to harsh and sometimes brutal treatment." "Brazil's Military Regime," 76.

²⁴"No Cheers for the Heroes," Time, April 11, 1969, p. 36.

²⁵For a discussion of this, the more moderate group's methods, as well as those of the more extreme groups, see Sanche de Gramont, "How One Pleasant Scholarly Young Man From Brazil Became a Kidnapping, Gun-toting, Bombing Revolutionary," The New York Times Magazine, November 15, 1970, pp. 43-45.

motion of social change via armed action and violence.

About the causes and ramifications of the growing appeal of armed action as an alternative to peaceful protest, Rosenbaum has written:

The enemies of the regime were even more embittered than previously and some began to resort to terrorist methods. For instance, in the late winter and spring of 1969, politically inspired bank robberies, calculated to disrupt the economy, to finance future anti-government activities, and, eventually, to destroy the political system occurred almost daily in Sao Paulo and . . . in Rio de Janeiro. Bombings of government installations and mass communications facilities also became common. The government's response was the application of even sterner punishment.²⁶

The greater the perceived threat to the survival of the regime, the more vigorous its response.²⁷

Costa e Silva had reacted to anti-government opposition in 1968 by unintentionally closing the existing channels through which grievances could have been addressed and redressed. In the process, the President set in motion another cycle of civilian criticism, government repression of that criticism, harsher and less conventional expressions of civil dissent, and further repression by the government.²⁸ Those who remained

²⁶Rosenbaum, op. cit., 76.

²⁷Stepan asserts that with the rise in terrorist activity against the government, the hard-liners became increasingly preoccupied with repressive measures and even less concerned with social reform. Stepan and Einaudi, op. cit., p. 114.

²⁸Stepan, op. cit., p. 262 and William G. Tyler, "Introduction: An Overview," in Contemporary Brazil: Issues in Eco-

politically active were, in turn, forced by the government's national security policies to engage in activities that were in violation of those policies.

Despite indications to the contrary, a sizable number of Brazilians still remained fairly optimistic that a move toward constitutional normalcy would soon occur.²⁹ By April, 1969 speculation abounded as to whom would be ARENA's next President when Congress reconvened, even though the government's statements as to when Congress would be called back into session remained vague. This kind of speculation and accompanying hopes were rudely disappointed when 199 individuals were purged from the universities and government service during the last week in April. With new "revolutions within the revolution" being made with unpredictable frequency, it appeared Brazil was headed more toward a kind of "revolutionary normalcy" than constitutional normalcy.³⁰

The concept of democracy itself was undergoing yet another subtle transformation. In February, 1969 Justice Minister Gama e Silva defined democracy as "a magic word, a concept that varies

conomic and Political Development, ed. by H. Jon Rosenbaum and William G. Tyler (New York: Praeger Publishers, 1972), p. 9.

²⁹Political speculation was on the upswing by mid-1969 as indicated by two political polls. See Schneider, Political System, pp. 284, 287.

³⁰The concept of "revolutionary normalcy" was put forth by Justice Minister Gama e Silva to justify the continuation of the regime's arbitrary powers; a return to constitutional normalcy was still referred to as being probably only in the indefinite future. See Schneider, Political System, p. 278.

in time and place, principally in an instant, like that through which we are passing, that is the moment of the Revolution."³¹ Previous reference by the government to "democracy" suggested that it was a preconceived system of interaction that would be instituted once the "revolution" accomplished its objectives. Now, "democracy" seemed to be coterminous with the "revolution," a pragmatic concept, devoid of principles, and subject to redefinition according to the direction and character the "revolution" assumed.

On May 18, 1969 the President decreed Institutional Act #10, levying still more restrictions against cassados (those deprived of their political rights). The Act, retroactive to March 31, 1964, specified that the suspension of political rights also included (1) compulsory retirement from any public enterprise that was in part state-owned, (2) termination of any electoral mandate that had not already been cancelled and (3) a prohibition on holding positions in foundations, public service institutions, educational establishments or organizations that were in any way concerned with national security.³² Restrictions like these must have had a deterrent effect on many kinds of political activity (except by the most radical) and must have served to reinforce political apathy. The intrusion of the military government into the private lives of

³¹Quoted in Schneider, Political System, p. 278.

³²Facts on File Yearbook: 1969, ed. by Lester A. Sobel (New York: Facts on File, Inc., 1970), pp. 362-63.

Brazilians had now reached the point where it could deny a livelihood to anyone who lost his political rights.

Throughout 1969 urban terrorism and violence proliferated apace. According to Schneider, by the middle of 1969 the primary concern of the armed forces high command was one of developing a democratic system, which could defend itself against the dangers of the pre-1964 modernizing elite and clientelistic politics.³³ The military government, on the other hand, seems to have become totally preoccupied with repressing its perceived enemies; the desired end result of its repressive measures was not at all clear.³⁴ Periodically tensions flared between the armed forces high command and the government and, though not serious in and of themselves, these tensions took on added significance as Costa e Silva fell into disfavor with the various factions within the military.

It appears that by the middle of 1969 the issue of continued military rule had been resolved in the affirmative by the military leaders. But this resolution really represented contrasting opinions within the military. Lower ranking offi-

³³Schneider, Political System, p. 288. Reference to the "high command" shall be understood to include all of those officers of four and five-star rank, or any officer exercising authority over strategic commands. The three military ministers in the Costa e Silva government can be considered as a part of the high command until they formed a junta on August 31, 1969.

³⁴Stepan has written: "Politically, the military government, since the Fifth Institutional Act of 1968, appeared to be without a program and without direction." Stepan, op. cit., p. 265.

cers, who sided with Albuquerque Lima, sought to assert their dominance over the linha dura in order to pursue an "authentic revolution" in which national development (directed by the military) would receive greater attention. Given Albuquerque Lima's earlier position, if this group acquired power, military rule for up to fifteen years was planned.³⁵ This group sought to align itself with the Castelista elements (those still loyal to the principles of Castello Branco), which, while sharing the view that the military should retain power in order to direct national development, envisioned a shorter duration of military rule and a greater civilian voice in planning national development than did Lima's counterparts. The Castelista's prime concern was that the Costa e Silva government was a failure and that Brazil could not afford two more years of its incompetent rule.³⁶

The followers of Lima and the Castelistas were more united in their opposition to Costa e Silva and his perception of the governmental role of the armed forces than they were in agreement as to what form continued military rule would acquire or

³⁵ See Stepan, op. cit., p. 260.

³⁶ The Castelistas had a particular disliking for Costa e Silva because they felt he exploited the 1965 crisis to his own benefit at Castello's expense. See Schneider, Political System, pp. 289-90. Due to the question of national development, Stepan argues that by this time the distinctions between the linha dura and the soft line had become more complex. The linha dura, he asserts, could more accurately have been termed "authoritarian nationalists" and soft-liners better termed "liberal internationalists." See Stepan, op. cit., pp. 250-52.

how long that rule would last.

The erosion of support for Costa e Silva and his policies should have served as a sign that unless the President shored up his support, his continuation in office was in serious danger. Having placed the military government in a position where it was largely dependent on the support of the armed forces, Institutional Act #5 also exposed the President to the real threat of removal from office if his military support fell below a "threshold level."³⁷ At this point there were noticeably fewer restraints on this kind of military action than there had been in October, 1965 when Castello Branco was faced with a similar low level of support. There was no longer any pretense that civilians had any function in determining the fate of the President, although declined civilian support was one factor leading many officers to desire Costa e Silva's ouster.³⁸ Also, in light of the constitutional developments since 1967, the constitutional limitations on military action against the President could hardly be counted on to deter the armed forces from removing the chief executive and commander-in-chief. The President himself had stated that whenever it was necessary, the

³⁷The Fifth Institutional Act created a situation wherein the military government was almost totally dependent on military support. This condition offered a variation of Easton's concept of support and the effects of that support falling below a minimum level. See Easton, op. cit., pp. 222-24.

³⁸It will be recalled that Costa e Silva and his Cabinet came to power in response to the demands of more nationalist officers who wanted the military in general to be more popular with the people. See Chapter III.

armed forces would make "new revolutions within the revolution."

A "Revolutionary" Development: A Military Junta Takes Over

The expansion of terrorism and violence during 1969, despite (or because of) the adoption of stringent laws of national security, had a disquieting effect on the armed forces and contributed to the growing sentiment within the military that a more effective executive was needed. A full-scale military crisis appeared imminent when highly respected General Moniz de Aragão and General Lyra Tavares, members of Costa e Silva's Cabinet, exchanged harsh accusations over the government's handling of a case involving alleged subversive activity by a high-ranking officer.³⁹ The suspension of Moniz de Aragão from the Army's high command, because of his remarks, only increased the possibility that the armed forces might move against Costa e Silva. But Brazil was saved this spectacle and was treated to another kind of "revolutionary" development.

On August 31, 1969 Brazilians were notified that Costa e Silva had suffered a "circulatory impediment." The President had suffered a stroke, leaving him partially paralyzed and unable to speak. Contrary to the constitutional provision

³⁹For an account of the circumstances surrounding the dismissal of Colonel Francisco Boaventura Cavalcanti and the ensuing Moniz de Aragão-Tavares dispute, see Schneider, Political System, pp. 286, 290.

stating that the Vice President "shall replace the President if he is incapacitated,"⁴⁰ it was simultaneously suggested that Vice President Pedro Aleixo, a civilian personally selected by Costa e Silva for the position, would not replace Costa e Silva. Principally because of Aleixo's opposition to Institutional Act #5 and convinced by the rise in terrorism that they were confronted with a military war,⁴¹ the Ministers of Navy, Army, and Air Force decreed Institutional Act #12 on August 31, authorizing them to form a military junta to replace the stricken President. There was not even any mention of the Vice President, but, then, perhaps that was not necessary. After all a "revolution within the revolution" was in the making.

In part, the Act read:

The situation that the country is experiencing . . . precludes the transfer of the responsibilities of supreme authority and supreme command of the Armed Forces, exercised by his excellency, to other officials, in accordance with the constitutional provisions.

As an imperative of National Security, it falls to the ministers of the Navy, of the Army and of the Air Force to assume, for as long as the head of the Nation is incapacitated, the duties given to his excellency by the constitutional documents in force.⁴²

⁴⁰Article 79 of the 1967 Constitution, see Burns, History of Brazil, p. 407.

⁴¹Thomas G. Sanders, "Institutionalizing Brazil's Conservative Revolution," American Universities Field Staff Reports: East Coast South America Series, XIV, No. 5 (December, 1970), pp. 8-9.

⁴²Roett, op. cit., p. 41.

For the first time in the nation's history, in the interest of the "national security" a military junta would govern Brazil, at least until the President recovered. Once again, the armed forces' perception of the imperatives of the "revolution" had displaced the already frequently modified constitutional norms. For the second time since promulgating its constitution, the military had blatantly violated the provisions of that document.

By the latter half of August, Costa e Silva had fallen out of favor with the great body of the armed forces. His stern application of the anti-subversion laws had evoked a new series of condemnations from the Catholic Church,⁴³ which complained more loudly as the government's repression grew more intense. Many within the armed forces felt the further alienation of the Church and its followers could have been avoided by a more prudent application of the laws. This, coupled with the general aimlessness of the government and its handling of the Moniz de Aragão-Tavares dispute, led to discussions among officers of initiating a pre-emptive golpe against the President.⁴⁴ Only Costa e Silva's sudden illness prevented his suddenly being

⁴³Costa's policies succeeded in uniting the conservative and progressive Catholics against the regime. During the last week of September, the Brazilian National Conference of Bishops called for the end of military dictatorship, indicating the junta's policies of repression earned the anger of the conservative Church also. See "Brazilian Bishops Criticize Junta," America, October 4, 1969, p. 250.

⁴⁴Schneider, Political System, p. 294.

removed from office by force.⁴⁵

The tripartite junta was comprised of Admiral Rademaker Grönwald, General Lyra Tavares, and Brigadier Marcio Sousa e Mello. Because of the Aragão-Tavares dispute and its members' general low esteem with the armed forces, the "caretaker" junta found itself in a weak position to command the obedience of the armed forces.⁴⁶ But what it lacked in popular military support, the junta more than compensated for in its resolve to guarantee the "revolution."

There seems to be little evidence to suggest that the junta would serve only as a temporary replacement for the duration of the President's illness. In assuming the supreme authority of the nation it seemed clear that the junta represented the general will of the military that the President be replaced.⁴⁷ But due to the questionable ability of the junta to act as the supreme command of the armed forces, it was also apparent the junta would serve as a substitute successor until a more suitable, permanent successor to Costa e Silva could be found. Nonetheless, during the interim period the junta was forced to confront a crisis precipitated by terrorists and to decree its own brand of punitive, national security legislation.

⁴⁵Costa's decision to hold partial municipal elections in November, 1969 only augmented his opposition within the military. Given his extremely low level of support, it is difficult to imagine how he could have possibly finished out his term.

⁴⁶Schneider, Political System, p. 294.

⁴⁷Roett, op. cit., p. 44.

The junta's precarious position vis à vis the armed forces was even more severely tested after the kidnapping of the American Ambassador to Brazil, C. Burke Elbrick, on September 3, 1969. Terrorists, seeking to demonstrate the extent of underground opposition and to maximize publicity for their demands, abducted Elbrick from his limousine, leaving behind a "manifesto," part of which read:

With the kidnaping of the Ambassador we want to demonstrate that it is possible to defeat the dictatorship and the exploitation if we arm and organize ourselves. We show up where the enemy least expects us and we disappear immediately, tearing out the dictatorship, bring terror and fear to the exploiters, the hope and certainty of victory to the midst of the exploited.⁴⁸

In exchange for the victim's safe return the terrorists issued two demands that had to be fulfilled. First, they demanded the release of fifteen political prisoners and their safe passage to either Algeria, Chile, or Mexico (where political asylum awaited them) within forty-eight hours. Second, they demanded that the preceding "manifesto" be published in its entirety in Brazil's highly censored press. If these conditions were not met, the "manifesto" ended, the abductors would be forced to carry out "revolutionary justice" and execute the Ambassador.

As Schneider points out, Elbrick's kidnapping and the accompanying demands placed the junta in an "extremely delicate position."⁴⁹ In attempting to satisfy the United States desire

⁴⁸A more complete account of the manifesto may be found in Facts on File, p. 570.

⁴⁹Schneider, Political System, p. 295.

for Elbrick's safe return, the junta only further alienated officers already disenchanted with the regime. By this time the officers closely identified with the linha dura had adopted a less pro-American and more nationalist stance.⁵⁰ These and other highly-nationalist officers seemed quite willing to risk Elbrick's life and an estrangement of relations with the United States rather than to bow unhesitatingly to this threat to the social and political order. Of course, they had a point. In light of the widespread publicity this situation would receive if the government gave in to these demands, other terrorists would be encouraged to conduct more kidnappings. The entire affair was further complicated because the prisoners the terrorists selected for exchange seemed to be those the military would be most reluctant to see set free.⁵¹

Much to the dismay of the military high command, the fifteen prisoners were rounded up and released on September 6, but not until the government thwarted the effort of a number of officers and enlisted men who attempted to prevent the freedom flight from taking off.⁵² Elbrick's safe return several

⁵⁰See Stepan, op. cit., pp. 250-51.

⁵¹Schneider, Political System, p. 295. The author explains that the careful selection of the individuals involved guaranteed internal dissention within the military. For interviews with the exchanged prisoners see Andy Truskier, "The Urban Guerrillas in Brazil," Ramparts, October, 1970, pp. 30-34.

⁵²Facts on File, p. 571.

days later had little favorable impact on the disgruntled officers. The entire episode tended to place the continued survival of the junta in doubt.

Presumably foreseeing the unsettling effect that their decision to release the prisoners would have on the already alienated officers, the junta decreed Institutional Act #13 on September 5, which empowered the executive to banish any Brazilian considered "manifestly harmful and dangerous to national security."⁵³ Actually, the Act served to legitimize the liberation of the fifteen prisoners who were banished by a subsequent complementary act.

The provisions of Institutional Act #13 seemed to be designed to deal with the Elbrick situation alone. Also formulated on September 5, but not announced publicly until September 9 (probably so as not to endanger Elbrick's release), was Institutional Act #14. The preamble read:

. . . considering the acts of adverse psychological warfare and revolutionary and subversive war that, actually disturb the life of the country and maintain it in a climate of intranquility and agitation, these deserve more severe repression.⁵⁴

"Adverse psychological warfare" was defined as

the employment of propaganda, of counter-propaganda, and actions in the political, economic, psycho-social, and military fields, with the intention of influencing or provoking opinions, emotions, attitudes, and behavior of foreign groups, unfriendly, neutral,

⁵³Ibid.

or friendly, against the execution of national objectives.⁵⁵

Exactly what the "national objectives" were was not entirely clear, but for actions intending to influence opinions, one could conceivably receive the maximum penalty of death, a punishment abolished in 1891 and expressly prohibited in Article 150 of the 1967 Constitution. With this and other kinds of punishment for those convicted of subversive activity there was no need to banish them from Brazil--Institutional Act #14 superseded Institutional Act #13. The junta had not completely bowed before the terrorists demands after all.

The junta's actions propelled the military into a position of still further involvement in the national life of Brazil. Military courts, which were assigned jurisdiction over all cases stemming from Institutional Act #14, were required to rule on an individual's motivations and the intent of propaganda. In addition, the military had assumed the responsibility of providing answers to basic questions of life itself: could the holding of certain ideas be sufficient cause to necessitate the ending of an individual's continued survival? In a very real sense the military had become indistinguishable from the state, for it alone possessed the right to use violence.⁵⁶ How far from the classical national security function

⁵⁵ Bandeira, op. cit., p. 18.

⁵⁶ It seems that at this point instead of existing as a means of violence to be utilized at the state's discretion, the armed forces were in a position to determine under what

of the armed forces--that of defending the nation from external aggression--the Brazilian armed forces had deviated.⁵⁷

Despite its promulgation of excessively repressive acts and its general crackdown on suspected oppositionists, the junta remained in low esteem with the bulk of the officer corps. A permanent successor to Costa e Silva had to be found.

The search to locate a successor gained momentum throughout September, 1969. Since it was evident that no civilian would even be considered and because Congress was still in recess,⁵⁸ the question of succession of necessity was resolved in a typically military fashion, on the basis of seniority. All generals of four-star rank were instructed to compile a

circumstances their force should be used. This corresponds closely to what Weber has written about the relationship between force and the state: "Specifically . . . the right to use physical force is ascribed to other institutions or to individuals only to the extent to which the state permits it." Only in the present case the armed forces were in a position to make this decision. See Max Weber, "Politics as a Vocation," in From Max Weber: Essays in Sociology, ed. and trans. by H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), p. 78.

⁵⁷Bengt Abrahamsson discusses the apparent correlation between military professionalization and increased political activity by the military in Military Professionalization and Political Power (Beverly Hills, Calif.: Sage Publications, 1972), pp. 101-50.

⁵⁸By this time the military in general had adopted a rather cynical view of civilian politicians, not because they were corrupt, but because the officers felt none of them possessed an adequate concept of national security. Until a civilian developed an adequate concept, none could be trusted to govern Brazil. See Schneider, Political System, p. 289.

list of the three most preferred candidates of their command; when all the military regions had been polled, the various lists were to be reduced to a single list of preferred candidates. From this list, high-ranking officers would then select Brazil's next President.

By the end of September after a kind of intra-military campaign, Generals Garrastazú Médici, Orlando Geisel, Antonio Muricy, and Albuquerque Lima emerged as the leading contenders. The armed forces command structure seemed to be functioning much like a political party trying to select its strongest nominee.⁵⁹ In this case, however, a nomination was the equivalent of an election.

The consensus of opinion gradually coalesced around Médici, a long-time associate of Costa e Silva. The high command agreed Médici possessed the appropriate qualifications: his close association with Costa e Silva would soften the image of an illegitimate succession; he was not an extreme nationalist and was, therefore, acceptable to the international finance community; and was not associated with the Escola Superior de Guerra, the anathema of civilian and military nationalists.⁶⁰ However, the high command's inevitable election of Médici was not accepted without question.

⁵⁹See Schneider, Political System, p. 299. The author writes that the command structure came to be Brazil's major political party. At the time, the command structure was really the only political party.

⁶⁰See Stepan and Einaudi, op. cit., p. 115.

Albuquerque Lima, who had built a vast basis of support among lower-ranking officers since his resignation, tried to preclude Médici's "election" by demanding that the interests other than those of the high command be considered.⁶¹ This attempt by a three-star general to question the electoral procedures decided upon by his superiors drew a swift response from Army Minister Tavares. "This [the military] is not a political institution," he said. "We can not have those below dictate to those on top."⁶² Seniority prevailed, as on October 7 Médici was elected by a majority of the 230 top ranking officers and confirmed by the three member junta.⁶³ The election of a President was still not a routine practice in Brazil. (See Chapter I.)

With regard to the "succession crisis" of 1969, Stepan has remarked that the senior officers were "barely able to

⁶¹In a letter to Lyra Tavares, Albuquerque Lima wrote: "If those responsible for the final decision do not agree to hear and respond with realism and patriotism to the desires, not of a few but of the majority of the armed forces, we can not foresee the risks the nation will be running, when other leaders, perhaps more audacious and less resistant to the temptations of power, may dare to pass the military chiefs." Lima was not alone in his condemnations. About the selection process Admiral Baptista Mello said it could better be called "a cold military coup." See Facts on File, p. 638.

⁶²See "The Generals' Choice." Newsweek, October 20, 1969, p. 64.

⁶³Sanche de Gramont, op. cit., p. 44. Other sources indicate Médici's election was by a unanimous vote. See, for example, Facts on File, p. 638. Schneider, Political System, suggests 239, not 230, officers participated in the election, pp. 298-99.

carry the day" and install their candidate.⁶⁴ This may well have been the case because as Schneider points out

Fully half of the generals participating in the selection of Brazil's new President occupied . . . desk jobs and, in varying degrees, were out of touch with the sentiment of the middle grade officers exercising troop commands.⁶⁵

Initially, then, it is quite possible that Médici's support came primarily from the military hierarchy, with only a minimum of support from lower-ranking officers and enlisted men. If the members of the military hierarchy were sufficiently out of touch with lower echelon officers that outright animosity toward Médici existed, then military obedience of presidential orders would be difficult to guarantee.

It seems that the procedure the armed forces used in selecting Costa e Silva's successor was founded on two faulty assumptions. First, permitting members of the armed forces to specify their preference for President implied that the military could resolve an essentially political question on the basis of democratic procedures (and in this respect the high command gave the impression they viewed the military as a political institution, despite Tavares' disclaimer). Yet, the ultimate

⁶⁴Stepan and Einaudi, op. cit., p. 114.

⁶⁵Schneider, Political System, p. 300. In many ways this situation was much like the one confronting Goulart and his cobertura militar (military cover) in 1964. As Stepan has observed: "Officers closest to him, who urged him [Goulart] forward on his course of increasing pressure on Congress, were more and more out of touch with the bulk of military sentiment." Stepan, op. cit., 193.

decision had to fall within parameters defined by "those on top," just as Tavares' statement implied. The military hierarchy refused to abide by any decision other than its own. As developments since March, 1964 had revealed, only to the extent that the opinions of those outside of the high command (in this case middle grade and lower-level officers) coincided with the opinions of the high command did democracy exist.

Second, permitting an intense political campaign also implied that there was as small a range of political opinions within the body of the military as there was in the high command. In fact, political opinions were quite varied and frequently antagonistic. The campaign tended to demarcate these antagonisms and to demonstrate the polarity of high command and lower echelon opinion. As Stepan asserts, "Ranks were finally closed behind the choice of the senior generals, but only because of the specter of complete military fragmentation."⁶⁶

So, it appears that primarily for the sake of military expedience, many officers shelved their political persuasions with the hope that by doing so military unity would be restored. It seemed, however, that for the immediate future President Médici would have to reckon with the political unity, as well as the institutional unity, of the armed forces.⁶⁷

⁶⁶ Stepan, op. cit., p. 264.

⁶⁷ One of the components of civil-military relations in Brazil mentioned in Chapter I is that a politicized military is the norm. The presidential campaign resulted in a high degree of politicization of the military, except that in this

Congress "Elects" Médici: Recreating the Facade of Democracy

President-designate Médici could not constitutionally succeed Costa e Silva for a year and a half, or until March, 1971 when Costa's term expired. The high command, however, had decided Costa e Silva had to be replaced immediately, so this constitutional obstacle posed little problem; after all their candidate had been elected by a clearly unconstitutional procedure.

In order to diminish charges of impropriety, the junta had requested that a respected French physician examine Costa e Silva, presumably to announce the stricken President unfit to resume office. When it became evident that such a prognosis would not be forthcoming,⁶⁸ the junta, not wanting to delay Médici's accession, decreed Institutional Act #16 on October 14, 1969. The Act stated, "considering that the superior interests of the country require the immediate and permanent filling of the office of President," the position of President "is declared vacant."⁶⁹ Filling the presidency was no problem: Médici had been elected one week before by the high command.

case it was political actors within the military who attempted to co-opt fellow servicemen, instead of civilian politicians outside the military institution attempting to co-opt the military, as had customarily been the case.

⁶⁸The physician in question stated that Costa might fully recover but only after prolonged rest and therapy. See Schneider, Political System, p. 298. The doctor never did pronounce Costa unable to resume his duties. See Rosenbaum, op. cit., 78.

⁶⁹Cited in Roett, op. cit., p. 46.

Hence, the inevitability of Médici's accession under the "unwritten constitution" became a mere formality under the provisions of the latest addition to the "written constitution." (See Chapter I.)

Complementary Acts #72 and #73, decreed on October 14 under the auspices of Institutional Act #16, called for Congress to reconvene on October 22 for the purpose of electing Brazil's next President and Vice-President on October 25. But this did not mean Congress' ten month military-imposed recess was being concluded in order that the presidential election might be more democratic; instead it was ended principally so that Congress could meet and ratify the military's "election" of Médici and his vice-presidential running mate, Admiral Grünewald Rademaker. There was little reason for Congress to believe it had been reconvened for any other electoral function since Médici delivered his inaugural speech on October 7, a full two weeks before Congress was even reopened.⁷⁰

Médici and Rademaker were going to be Brazil's next President and Vice-President, of that the military commanders were certain; but in order to insure maximum compliance within the military for the choices of these officers, the junta also

⁷⁰ Even members of the international community recognized the October 7 "election." Shortly after the generals "elected" Médici, the Shah of Iran cabled his best wishes to the new President. See "New President: Medium Hard," Time, October 31, 1969, p. 33.

decreed Institutional Act #17 on October 14.

There was a curious inclusion in the preamble of this Act. One sentence of the preamble stated that the armed forces, "as institutions that serve to sustain the constituted powers of law and order, are organized on a basis of the principles of hierarchy and discipline."⁷¹ This expression apparently represented a redefinition of the powers of the armed forces: the phrase ". . . and subject to the limits of the law," which followed a similar definition of the powers of the armed forces in the 1967 Constitution, had now been deleted.⁷² So, while the armed forces were charged with the responsibility of sustaining the constituted laws, the actions of the armed forces were seemingly no longer subject to the limitations of those laws. The armed forces did, however, remain under the supreme authority of the President.

The provisions of the Seventeenth Institutional Act were designed to silence those within the military who were disenchanted with the selection of Médici and the course of events since Costa e Silva's stroke.⁷³ One provision authorized the President to

transfer to the reserve, for a specified period, military who [sic] have made an attempt against

⁷¹Cited in Roett, op. cit., p. 47.

⁷²See Article 92 of the 1967 Constitution in Burns, History of Brazil, p. 408.

⁷³This is the conclusion of both Roett, op. cit., p. 47 and Schneider, Political System, p. 309.

the unity of the armed forces, thereby divorcing themselves of their constitutional mandate.⁷⁴

The effect of this Act was to extend to the President the power to impose the will of the military hierarchy (the President, the service ministers in the Cabinet, and the high ranking division commanders) on the remainder of the armed forces without having to rely on coercion or intimidation.⁷⁵

The implication of Institutional Act #17 was that the divisiveness within the military, exacerbated by the "Presidential campaign," had progressed to the point that the armed forces high command could no longer depend on the unquestioning allegiance and obedience of lower ranking officers. That the cohesion of the armed forces had to be guaranteed at all by such a measure is an indication of how much the authority of the command structure had been eroded by the high degree of politicization of the armed forces: the Act also tended to demonstrate how superficial the high command felt the decision to close ranks behind Médici had been. The kind of political conformity the high command had been trying to impose of the civilian sector it now found vital to impose on the body of the armed forces.

The decision to reconvene Congress seems to have reflected

⁷⁴Cited in Facts on File, p. 730. It will be recalled that a transfer to the reserves is the equivalent of retirement.

⁷⁵This kind of development almost suggests the high command now equated military unity with unanimous opinion within the military.

the confidence of the military government that civilian politicians had been intimidated enough so that a representative body would now function according to its (the government's) expectations. Since December 13, 1968, the date of the Fifth Institutional Act, the government had purged eighty-eight federal deputies (sixty-one MDB and twenty-seven ARENA), thirteen alternate federal deputies (six MDB and seven ARENA), five MDB senators, and one alternate MDB senator.⁷⁶ Those federal congressmen who escaped the last list of cassations on September 30, 1969 must have been those whom the government felt could be expected to support the "revolution" out of loyalty or renewed intimidation; congressmen who remained recalcitrant after Congress reopened could easily be purged.

Given their reprieve from political extinction, civilian politicians performed according to the military government's desires. ARENA dutifully nominated General Médici and Admiral Rademaker Grünewald on October 17; the MDB offered no opposition slate. On October 25 Médici and Grünewald were "elected" by a combined congressional vote of 293 in favor and 76 abstentions.⁷⁷ Civilian politicians had learned their lessons well. Perhaps "democracy" could function in harmony with "revolution-

⁷⁶ Brazilian embassy figures cited in Facts on File, p. 730. It might also be noted that, since March, 1964, one-hundred eighty-eight Congressmen had been purged.

⁷⁷ This was the final vote as reported by the Brazilian press. Of the total 369 votes cast, I have been able to account for 368, by using data furnished by Roett, Schneider, and the Facts on File. See Appendix A.

ary" developments.

Members of Congress had to have been aware that other legislative functions would be just as symbolic as this "election." On October 20, a full five days before the presidential election, Constitutional Amendment Number One was made public and, as a result, legislative functions were curtailed so much that there was not really very much for a legislative body to do.

Constitutional Amendment #1, sometimes referred to as the Constitution of 1969 even though 95 percent of the 1967 Constitution survived intact,⁷⁸ was actually a series of fifty-eight amendments which significantly increased the legislative prerogatives of the executive at the expense of Congress. The President was given expanded authorization to decree laws on national security, public finance (including tax policy), and to establish public offices and determine their functions. Legislative assemblies were prohibited from introducing any constitutional amendments; and congressmen were no longer protected by congressional immunity when they made declarations "injuring national security," meaning considerations of national security took precedence over the rights of legislators. In addition, Congress was reduced from 409 to 293 members, with the representation to be calculated on the number of votes rather than the number of inhabitants.⁷⁹

⁷⁸See Roett, op. cit., p. 47.

⁷⁹Prior to this reapportionment, the populous, illiterate

The Amendment removed the presidential power of veto, but Congress could be impelled to "re-examine" any one of its decisions. The death penalty for those convicted of "external, psychological, subversive, or revolutionary war," which had been reinstated by Institutional Act #14, was made a permanent part of the Constitution. And finally, all institutional acts decreed since December 13, 1968 were to remain in full effect for as long as the President wishes, which seems to suggest that the executive retained indefinitely the power to decree the recess of Congress "during a state of seige, or otherwise."⁸⁰ Once reconvened, Congress would be on trial and the President would be the judge of its performance.

Because Amendment #1 was actually issued on October 17 it is interesting to conjecture as to whom within the military authorized its decree, since the presidency was declared "vacant" on October 14. The rough outline of the Amendment took shape during the final months of Costa e Silva's term but he was incapacitated before it acquired its final version. The three-man junta added its own provisions (e.g., death penalty) but did not decree the Amendment during its reign of

states held a large representational advantage over the modernizing, urban centers. It is interesting to note that the new membership total for Congress was the same as the total number of votes Médici received when Congress elected him, although there is no evidence to suggest the government actually was able to foresee such a development.

⁸⁰See Article 2 of the Fifth Institutional Act in Burns, History of Brazil, p. 411.

power. Because the junta had removed itself from power by declaring the presidency vacant, it appears the person most likely to have accepted the final version of the Amendment was Garrastazú Médici, who had been "elected" President by the military hierarchy on October 7, and for all intent and purposes Médici acted in a presidential capacity after that date.⁸¹

If Médici did decree the Constitutional Amendment, then he authorized full-scale changes in the constitutional framework of the government before he was actually "constitutionally" verified as the President of Congress on October 25. This in itself would demonstrate the military's disdain for its own self-imposed constitutional limitations and how lightly it regarded the congressional "election" of the President. The military seemed to be operating under the provisions of some "unwritten constitution." That the constitutionality of Médici's election may be regarded as a moot point only further emphasizes the emptiness of Congress' functional existence.

If the Constitutional Amendment was decreed by someone other than Médici, say members of the high command, then the military's failure to find or to provide a "constitutional" basis for these changes only displays their complete contempt for the existing constitutional procedures. This kind of

⁸¹Admittedly this is speculation on my part, but it does seem quite probable that it would have been extremely difficult for the junta to adopt policies against the wishes of Médici after he was "elected" by the officer corps.

disposition foreshadowed a bleak future for democracy, for, despite the reopening of Congress, Brazil clearly was not headed in the direction of constitutional normalcy. She was headed instead for a kind of transient normalcy that shifted course with the "revolution."

Medici: Hope, Wait, and See

In his October 7th inaugural speech Médici conceded that "Brazil is still far from being a developed nation, being under a regime we can not consider fully democratic."⁸² He explained, "There must be freedom but there can be no license to contradict the political desires of the nation To have freedom institutions must free themselves from minority groups that preach violence and corruption."⁸³ As a compromise candidate of the military moderates and the linha dura, the new President announced the two major goals of his administration would be (1) accelerated economic and social development and (2) the "installation of democracy" by the end of his term in March, 1974.⁸⁴ He seemed to be offering more to the moderates than to the linha dura. He appeared to be challenging Brazilians to

⁸²See Schneider, Political System, p. 301.

⁸³These sentences from Medici's inaugural speech are taken from excerpts of the speech quoted in "New President: Medium Hard," Time, October 31, 1969, p. 34 and "The Generals' Choice," Newsweek, October 20, 1969, p. 64.

⁸⁴A peripheral dispute in Médici's election was whether or not he would merely finish out Costa's unexpired term or be entitled to a full term. The high command finally decided Médici's term would last four years.

dare to hope that they, and not the military hierarchy, might elect his successor.

Once reconvened, Congress seemed to represent the predominant mood of the nation. Members of both ARENA and the MDB pledged cooperation with the government either by public announcements or by their actions, suggesting that they were testing the government's intentions by taking the path of least resistance and provocation. Perhaps they hoped that, confronted with just symbolic opposition as it determined the "political desires" of the nation, the Médici government would have no reason to recess Congress or to cancel upcoming congressional and state elections. However, in its capacity as the political director of Brazil, as well as the overseer of the national security, it was also inevitable that members of the high command would be assigned to help institutions "free" themselves of violent and corrupt influences. This kind of development would render any drive toward democracy a specious one.

The constitutional modifications included in Constitutional Amendment No. 1 preserved certain provisions of the National Security Law of 1967 and expanded others. Subversive propaganda, as a result, came to be defined by the government as:

1. Using any organ of social communication, such as newspapers, magazines, periodicals, books, bulletins, pamphlets, radio, television, cinema, theater, and related media as a vehicle of propaganda for adverse psychological war, or revolutionary or subversive warfare.

2. Inciting people in their places of work or study.
3. Holding assemblies, public meetings, or public demonstrations.
4. Holding forbidden strikes.
5. Causing injury, libel or defamation, when the offended party is an organ or entity that exercises public authority, or an official in the course of his duties.
6. Manifesting solidarity with any of the acts listed above.⁸⁵

As Bandeira has observed:

All offenses under the anti-subversive law (penalties vary from 6 months to 20 years) are tried before a military court. During pre-trial investigation a person may be held in prison for 30 days, 10 days incommunicado. After the defense has been presented, the court may convict the accused of an offense not specified in the accusation, even if such an offense involves a more serious penalty than that imposed for the original charge Roughly 70 per cent of those charged are convicted.⁸⁶

If these provisions and procedures were an attempt by Médici to purify the political system as a first step in implementing democracy, it appeared that, given the high rate of conviction and the longevity of punishment, for many years there would be only a few Brazilians who could participate in the military's system of democracy. Apparently Brazilians could undertake or support (number six above) any kind of contradiction to the "political desires of the nation" only at the risk of losing

⁸⁵ Cited in Bandeira, op. cit., p. 18.

⁸⁶ Ibid.

what small measures of freedom they presently enjoyed.

During the last few months of 1969 the government vigorously clamped down on anti-government terrorist activities, which had continued without respite since the Elbrick affair. On November 4, Carlos Marighella, the charismatic leader of the terrorist movement, was assassinated by military police. His death seemed to mark the beginning of the decline of terrorism. Possibly because it sensed the battle against subversion and terrorism was being won, the government relied more frequently on increasingly excessive policies.

Reports of police torturing civilians, including nuns and priests, dramatically increased. Documented cases revealed that the military police were using "unusual methods" in order to extract information from those suspected of subversion or actions detrimental to the national security.⁸⁷ Under pressure from Pope Paul VI (who had received and personally discussed the problem of police torture with Dom Helder Camara), the President announced that his administration would eliminate any police personnel found guilty of torture. Médici, fully cognizant of the dangers caused by arousing the Church, seemed to be willing to mold government policies somewhat by public

⁸⁷Periodically since 1964 there had been sporadic reports of police torture, but only during the latter half of 1969 did they receive widespread attention. Ralph Della Cava discusses some of the different kinds of torture tactics employed by the police in his article "Torture in Brazil," Commonweal, XCII (April 24, 1970), 135-41. Also see Robert H. Bolton, "Brazilian Torture: Specifically New, Specifically Terrible," The Christian Century, April 1, 1970, 387-88.

opinion. But any kind of hope that the military regime would be receptive to public opinion soon proved to be ill-founded, when it became evident that the Médici government would surrender to public opinion only in those cases involving world opinion.

Early in 1970 Médici abandoned his promise to restore democracy by 1974, stating that the military would remain in power

as long as it might take to implant the political, administrative, judicial, social, and economic structures capable of raising all Brazilians to the minimum level of well-being.⁸⁸

The restoration of democracy now appeared to be more conditional and improbable than it had been since 1964. With political stability all but guaranteed, economic development, another dimension of national security, received new attention. Once again democracy was to be subordinated to the newly-defined goals of the "revolution." Only to the extent that these goals were achieved and enhanced the national security would it be possible for Brazilians to participate in the formulation of the policies that determined their destinies.

⁸⁸Excerpts from this May, 1970 speech can be found in Rollie E. Poppino, "Brazil's Third Government of the Revolution," Current History, LX (February, 1971), 104.

CHAPTER V

THE NEW FRAMEWORK OF POLITICAL EXPECTATIONS

Deviation from the *poder moderador*

Writing in 1970 Charles Wagley made this assessment of Brazilian politics:

The history of Brazilian politics since 1964 is one of a steady increase of military power over civilian power, until in 1970 the military rules almost outright, with only the shadow of any legalistic validation.

It would seem that the Brazilian "game of politics" was over, at least for some time.¹

Perhaps, however, it was not so much that the "game of politics" was over as it was that the outcomes of the "game" could no longer disappoint the expectations of the military high command.

The application of the poder moderador by the armed forces between 1945 and 1964 created a framework of expectations on the part of civilians with regard to the execution of that function. This framework resulted in a limitation being placed on military intervention at the removal of the President and ruled out the assumption of governmental power by any of the officers involved. While military intervention was regarded as legitimate, mili-

¹Charles Wagley, An Introduction to Brazil (New York: Columbia University Press, 1971), pp. 306-307.

tary rule was considered illegitimate.²

In addition to this type of civilian expectation for military intervention into politics, it must also be recognized that high-ranking military officers developed a framework of expectations for the functional performance of the political system between 1945 and 1964. At first the armed forces applied the poder moderador only after being requested to do so by civilian elites and, then, only in accordance with the specifics of the civilian demands.³ Gradually, however, the armed forces assumed more autonomy in exercising the poder moderador, until in 1960 the high-ranking officers, disillusioned with the performance of the civilian politicians, implemented a fundamental change in the governmental structure; they transformed Brazil from a presidential to a parliamentary form of government even though they were not specifically instructed to do so by the civilian sector. Military intervention had not even been requested in this instance and so it was clear that the poder moderador had been modified in two ways: first, in the determination as to when that power would be applied and, second, the manner in which that power would be applied.

After over three years of political disorder under João

²Stepan, The Military in Politics, p. 115.

³Ibid., p. 102. The author writes ". . . civilians rarely gave the military carte blanche to decide for themselves what action to take. Demands were often quite specific as to the limits and purposes of military intervention into politics."

Goulart, civilian elites demanded his removal by the armed forces. The armed forces obliged by removing Goulart and by assuming governmental power, a move not all Brazilians either supported or opposed. By assuming power the military officers seemed to be indicating that they were no longer content to act in the capacity of political arbitrators and were now going to act as political directors for an indefinite period of time. And, so, after a series of developments that had made it "psychologically easier" for the officers to intervene in politics,⁴ they decided to retain power and direct Brazil's politics on a continuing basis rather than on a periodic, temporary basis. For all practical purposes, the poder moderador had been abandoned.

The gradual expansion of the military's political prerogatives under the poder moderador seemed to parallel the growing concern of military officers about communism and subversion during the 1950's and early 1960's. They seem to have become convinced that civilian politicians were either directly abetting the ruination of the political system by condoning the presence of communists in government or were indirectly promoting its downfall by failing to enact comprehensive policies of economic development so that the conditions on which communism thrived might be removed. The officers felt Brazil was defi-

⁴de Dubnic argues that the post-election coup of 1955 by one faction within the military made it "psychologically easier" for other groups to intervene in the subsequent decade. Political Trends in Brazil, p. 16.

cient in both of the areas suggested by her national motto: Order and Progress. Both deficiencies, they felt, had to be corrected if Brazil was not to succumb to communism. Due to the strong influence of the linha dura, the restoration of political and social order received the highest priorities after the armed forces assumed power in 1964. Between 1964 and 1970 political activity was permissible only so long as, and to the extent that, it did not endanger the "national security," a concept that drew an increasingly broader definition as the military regime sought to cleanse the political system of corrupt or subversive influences.

Historically, the office of the presidency, as well as congressional seats, seem to have been regarded as purely political prizes by civilian politicians rather than as institutions designed to process and implement demands and to coordinate Brazil's national affairs. Hence, when Brazil began to experience a high rate of social mobilization after 1945, she lacked both the political community and political institutions sufficiently developed to mediate, refine, or moderate group political interaction.⁵ When the leaders of one of these institutions sought to assume the initiative, they were forced by intra-government wrangling to pursue

⁵In this sense Brazil was highly characteristic of a "praetorian society." In the absence of effective political institutions power was fragmented and authority over the system as a whole was transitory. See Huntington, Political Order in Changing Societies, pp. 196-97.

extreme or extra-legal courses of action. On these occasions the armed forces, charged with the function of upholding the Constitution, were summoned forth to exercise its poder moderador. Each time the officers acted more independently of civilian instructions, perhaps with the intention of effecting enough structural and procedural changes that those political institutions could begin to process the high volume of political demands. When these efforts were frustrated,⁶ the officers decided that in addition to "modernizing" the nation's political institutions, the high level of political participation had to be checked if political stability was to be restored.

After assuming governmental power, the military leaders sought to impose political order on Brazil by altering the process of political recruitment and by modifying the patterns of the decision-making process. The effects of these kinds of policies were (1) to introduce an increasingly larger number of military personnel into governmental positions and (2) to centralize more and more power in the executive office. The officers welcomed both of these developments as necessary for the national security.

Under Castello Branco the military regime was not concerned with public opinion; this was understandable since dedication to

⁶A national referendum conducted on January 6, 1963 scrapped the parliamentary system and returned Brazil to a presidential form of government.

one's duties and the necessary reforms, even in the absence of popular support, was a major maxim of the doctrine of the Escola Superior de Guerra.⁷ It was as if the Castello Branco government diagnosed Brazil's sickness and administered the bitter medicine prescribed for stabilization and recovery, caring little for the amiability of the doctor-patient relationship.⁸ A purged and intimidated Congress was expected to support the government's policies and when it repeatedly failed to enact executive proposals, the President exercised more and more legislative discretion by decreeing laws.

Near the end of the Castello Branco government the basic differences of opinion over what course Brazil's political recovery was to take became more intense. The linha dura faction, which had professed the necessity of prolonged and repressive military rule, now wanted the "revolution" (as the military regime and its civilian supporters were referred to) to be more popular as it continued to direct Brazil's political recovery. On the other hand, the Sorbonnists, interested in short-term, reformative military rule, held a vision of an "ideal democracy," which they felt Brazil could realize only after more unpopular reforms had been instituted. The essential difference seems to have been that the linha dura desired prolonged military rule over a complacent civilian population, while the Sorbonnists desired a temporary, reform-

⁷Schneider, Political System, p. 201. Also see Stepan, op. cit., pp. 182-83.

⁸This analogy is adopted from Stephen Clissold, Latin America: New World, Third World (New York: Praeger Publishers, 1972), p. 210.

oriented military rule over a temporarily displeased civilian population. The inability of these factions to resolve their differences resulted in a situation which subjected the military governments to the vacillating influence of one and then the other group. The ascendance of one group's influence over the other's resulted in a continual redefinition of the goals and objectives of the "revolution," which in turn necessitated the postponement of the restoration of democracy.

As the linha dura emerged as the predominant force, a cycle of civilian dissent--government repression--more extreme civilian dissent--more extensive repression was set in motion when the civilian sector grew disillusioned with Costa e Silva's failure to live up to his campaign promises to promote the "redemocratization" of Brazil. Soon civilians began to challenge the regime by terrorist and violent tactics, which had the effect of encouraging the military to interpret these actions as "subversive" and to formulate even more comprehensive policies of repression to preserve the national security. In doing so, the military seemed to be equating the continued survival of the military regime with the national security of Brazil. Between 1967 and 1970 only a kind of "democratic" system that was harmonious with the preservation of military leadership was allowed to function.

By 1970 it appeared that "democracy" was a type of political interaction wherein

... elected officials at all levels [would]
be held by members of a single, disciplined

party immediately responsive to the policies and directives of the chief executive.⁹

In this context, politics were democratic only in a very superficial sense in that participation was permitted at all. The "game of politics" was clearly more manageable and its outcome more highly predictable.

Isolation of the Military Regime from Civilian Influences

As the officers' concept of internal national security expanded from one that sought to eradicate all corrupt and subversive influences to one that seemed to necessitate controlling the social and political behavior of all Brazilians, the military government was incrementally isolated from the civilian sector.

In the period between April, 1964, when the armed forces assumed power, and December, 1968, when Institutional Act #5 was decreed, the military regime permitted a trial run of tutelary democracy but increasingly restricted the political prerogatives of the elected representatives because of national security considerations. The powers of the executive were gradually increased at the expense of the legislative branch; when the legislators retaliated by obstructing executive proposals, the officers began to equate them with subversives. It seems that as the military leaders broadened the scope of their institution's doctrine of internal national security and

⁹Poppino, "Brazil's Third Government," 104.

increased the extent of their political involvement, they lost the capacity to distinguish their military roles from their political roles. Perhaps this was because the officers came to regard their institution's political functions as synonymous with its defense functions. The officers interpreted the failure of Congress to revoke Deputy Alves' congressional immunity much like desertion in the face of the enemy.¹⁰ The military regime subsequently closed Congress and, thereby, concluded its experiment in limited, instructional democracy.

During the period between the promulgation of the Fifth Institutional Act and the re-opening of Congress on October 22, 1969, the isolation of the military government from civilian inputs achieved its zenith. Since civilian participation had not resulted in favorable officer responses, even after a successive curtailment of civilian political prerogatives, civilian participation was eliminated altogether. This development had several consequences for the military as an institution.

First, the framework of political expectations that members of the high command had held for the civilian population was transferred to the body of the armed forces. Prior to the decree of Institutional Act #5, "democratic" procedures had been adhered to so long as the end result of those procedures conformed with the results anticipated by the high command. To the extent there had been conformity, "democracy"

¹⁰See Chapter III.

had existed--to the extent conformity was absent, the concept of democracy was revised. Just as the high-ranking officers had expected civilians to perform up to their expectations for a "democratic" form of government, after civilian participation was denied, these officers transferred similar expectations to the political performance of the armed forces.

For example, after assembling a list of probable candidates (in a highly, internally-democratic fashion) to succeed Costa e Silva, officers of the high command dispelled any moves by lower-level officers and enlisted men that might have endangered the election of Garrastazú Médici, the popular choice of the high command. As in the period prior to December, 1968, to the extent widespread participation appeared capable of rendering the results anticipated by the high command, "democratic" procedures were retained. When it appeared that those results might be jeopardized, participation was restricted or suspended, and the concept of democracy correspondingly redefined.

Second, by closing Congress, Costa e Silva forced the armed forces to probe within the military government for the sources of problems; there were no longer any civilian scapegoats to blame. The expansion of anti-government terrorism during this time must have convinced many officers that the terrorism was a product of repression, a reaction against oppression. In a sense, they concluded that Costa e Silva's policies of political repression were creating a permanent

national security threat and that a more effective executive was needed. Isolation of the government seemed to have resulted in a demand for increased executive accountability to the armed forces.¹¹

A third and related consequence of the denial of civilian participation was that a kind of "mini-political system" was created within Brazil's existing political system. That is, the relationship between the military government and the armed forces came to resemble the kind of relationship one usually observes between a government and the public sector in a political system that provides for civilian participation. In this case, the armed forces were substituted for the civilian sector.

After Institutional Act #5 was decreed the President and his government were made almost exclusively dependent on the support of the armed forces.¹² It was pointed out in Chapter IV that Costa e Silva ignored the erosion of his military support at his own peril. There was a greater likelihood that Costa e Silva would have been forcefully removed from office

¹¹In 1965 the armed forces had held Castello Branco, as head of the Sorbonne faction, responsible for the "revolution's" disastrous showings at the polls. In that instance the President was caught between the struggle of the two dominant factions within the military. In 1969, however, it seems to have been a case of the military government versus the armed forces; Costa e Silva, as head of the military government, was held increasingly accountable personally for the performance of the government, especially after the closure of Congress.

¹²See Stepan, op. cit., p. 261.

if his support fell below a "threshold level" than there had been in 1965 when Castello Branco experienced a similar decline in support. (See Chapter IV.)

When the question of presidential succession was broached, the armed forces were directed to resolve this purely political dilemma. Owing to the absence of civilian participation as well as the failure of the military regime to develop an institutionalized succession process,¹³ the members of the armed forces were required to participate in an improvised electoral procedure and the norm of a highly politicized military underwent a radical transformation.

The traditional pattern of civil-military relations had included attempts by the major political actors to co-opt the military,¹⁴ however, in the 1969 presidential "campaign" certain high-ranking military officers attempted to win the political support of fellow servicemen. One effect of the "campaign" was to expose and to polarize the existing, but heretofore latent, political animosities within the armed forces. Only because of their dedication to military discipline and due to the real possibility of complete institutional fragmentation did the lower- and middle-grade officers and the

¹³See H. Jon Rosenbaum, "Introduction: An Overview," in Contemporary Brazil: Issues in Economic and Political Development, ed. by H. Jon Rosenbaum and William G. Tyler (New York: Praeger Publishers, 1972), p. 26.

¹⁴See "Aspects of Civil-Military Relations in Brazil," Chapter I.

enlisted men close ranks behind the presidential selection of the high command.

Perhaps realizing that the conditions conducive to intra-military demagoguery and "palace coups" had been created, Médici sought to "de-politicize" the armed forces and to remove the threat of a politically-inspired military coup against him. Whereas the military regime had reacted to antagonistic civilian opinions by isolating the government, once it realized the government was unable to impose political conformity on the civilian sector, it now attempted to insulate the government against a politically fragmented military opinion via military procedures. In this instance the officers realized, as they had in 1964 when Goulart had attempted to divide the armed forces along political lines, that the political unity of the armed forces was an essential factor in the institutional unity of that body.¹⁵ After all, a military in political disorder could hardly expect to promote political order in the civilian population.

A facade of democracy was re-instituted in October, 1969 when the severely restrained national Congress was reconvened. Devoid of any substantive functions, the Congress was comprised of the loyal, pro-regime legislators of the ARENA and only the most carefully scrutinized members of the MDB, the now very

¹⁵ During the Costa e Silva term, however, the officers themselves had helped to create the conditions that resulted temporarily in a politically divided military.

loyal opposition party. A series of cassations between December, 1968 and October, 1969 had helped to guarantee legislative as well as judicial cooperation with the executive once civilian participation was restored. Perhaps during the first two phases of the "revolution" this was precisely what the leaders of the military regime had desired: a functioning political system that was highly manageable and predictable and compatible with the officers' doctrine of national security.

This was hardly democracy. But in view of the officers comprising the armed forces hierarchy and their determination to continue to provide political directorship, there were literally no alternative forms of participation open to civilians. The survival of the military government depended on a degree of civilian participation. Considerations of internal national security prevented that participation from being more than symbolic.

Prospects for the Restoration of Democracy

When one speaks of the possibilities of the armed forces "restoring" democracy in Brazil, he must recognize that the word "restore" means to re-establish or to bring back. If one accepts the premise that the Brazilian political experience between 1945 and 1964 was democratic, then references to the armed forces "restoring" democracy would imply that the officers would recreate a prior condition, or would re-establish the political conditions and practices that existed during that

era. That populist or demagogic politics will ever return to Brazil, while the military regime supervises any kind of "democratic" transition, is beyond the realm of possibility. Therefore, references to the "restoration of democracy" must be confined to a discussion of the re-establishment of civilian participation in the political processes.

Any kind of a re-establishment of meaningful civilian participation will result in the creation of a system of political interaction that will be necessarily different than the pre-1964 system. Such a system will likely not be democratic, except in a very limited sense.

The restoration of sufficient civilian participation that the Brazilian political system may be accurately labelled as truly democratic seems to be inextricably dependent on the complete withdrawal of the armed forces from politics. Until the armed forces do withdraw, the regime's system of democracy will only be as open to civilian participation as the officers' considerations of national security will permit. Given the officers' recent proclivity to centralize power, to make the "restoration of democracy" dependent on the achievement of an increasingly larger number of "revolutionary" goals, and to increase the extent of military surveillance over civilian affairs, participation by civilians promises to be extremely limited and, at most, symbolic.

So the question appears to be, what factors may bring about a military withdrawal from political power?

Several of the same factors that shaped the historical development of Brazil's civil-military relations and enabled the officers to assume governmental power in 1964 might also be useful in trying to identify some of the probably factors that might result in the military's withdrawal from power.

Having won her independence from Portugal in a relatively peaceful manner which did not require a sustained military confrontation, Brazil was not indebted to a generation of military heroes. Subsequently, unlike in the Spanish-American republics where the armed forces were held in contempt and suspicion, the Brazilian armed forces were respected and trusted by civilians.¹⁶ After the military assumed the function of the poder moderador in 1889, civilians continued to assign the military a political function each time a new Constitution was adopted. Military involvement in politics was authorized under certain conditions.

Because Brazil has not engaged in hostilities with her neighbors since 1864, the armed forces have not been pre-occupied with defending the nation from external aggression. Instead, the armed forces were free (and welcomed by civilians) to participate in civil assistance programs and to develop alternative proposals for national development in

¹⁶For a discussion of how the civilian sectors in the Spanish-American nations have looked upon their armed forces, see Johnson, Military and Society, pp. 153-73. The author describes how the Brazilian experience with its armed forces has been at odds with that of her neighbors. See pp. 177-223.

its national "war" college.

Because of the unique development of civil-military relations and because they found themselves surrounded by a "low conflict environment," the Brazilian armed forces functioned in an atmosphere that legitimized military participation in civilian social and political affairs. However, in 1964 the armed forces violated the implicit trust that had been an intrinsic part of civil-military relations, which means the armed force will never again act as the poder moderador even if the officers withdraw from governmental power. So long as the region remains peaceful, military withdrawal from power is not likely to advance beyond the point where the armed forces would exercise a veto power over any decisions made by a civilian government.¹⁷ And a civilian government, which would remain in power only at the sufferance of the military in this kind of arrangement, could only succeed so long as the officers felt the civilians possessed adequate concepts of national security.

The outbreak of international hostilities in Latin America could act as a double-edged sword with regard to military withdrawal from power. On the one hand, increased international tensions could result in the officers being preoccupied with Brazil's external defense to the extent that they would turn the day-to-day responsibility for administering the government

¹⁷See Needler, Latin American Politics in Perspective, p. 68.

over to civilians; here, too, the officers might act in a veto capacity. A more likely result, however, would be that if Brazil were to be confronted with the threat of external aggression, the military regime would be further entrenched in power in order to coordinate a national effort against an aggressor. In this case, the regime would most likely be more repressive than ever, suspending all civilian participation and eliminating all sources of social tension.¹⁸

Considerations of what the officers define as the national security will undoubtedly influence how much political power they will surrender to the civilian sector. Regardless, Brazil will never again experience a political reality in which the armed forces act as only an indirect influence in the shaping of that reality.

¹⁸In a speech before military planners in late 1970, Medici said, "National security strategy must take into account the elimination of the sources of social tensions and the raising of the cultural and economic standards of our people." See "Popular Brazilian Chief," The New York Times, December 8, 1971, p. 24. The need to eliminate the sources of internal tensions would be most intense in a time of national emergency.

APPENDIX A

Congressional vote for President: October 25, 1969

Membership by House:

	Deputies	Senators
December 1968	409	66
Purged	- 101	- 6
October 1969	308	60

Membership by Party:

	Deputies		Senators	
	ARENA	MDB	ARENA	MDB
December 1968	277	132	47	19
Purged	- 34	- 67		- 6
October 1969	243	65	47	13

Straight Party-line vote:

ARENA (for Médici)	243 + 47 = 290*
MDB (abstention)	65 + 13 = 78

*Since the final total was 293 for Médici, three MDB Congressmen probably voted for Médici.

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