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TRSE-00 PM-10 PA-01 OMB-01 INRE-00 USIE-00 SP-02
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O 262121Z APR 84
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC IMMEDIATE 3986
INFO AMEMBASSY BOGOTA
AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO
AMCONSUL RECIFE
AMCONSUL PORTO ALEGRE
AMCONSUL SALVADOR DA BAHIA POUCH

C O N F I D E N T I A L SECTION 01 OF 03 BRASILIA 03975

BOGOTA FOR DCM

E.O. 12356: DECL: OADR
TAGS: PGOV, BR
SUBJ: THE DAY AFTER THE FAILURE OF THE DIRECT-ELECTION
- AMENDMENT

REFS: (A) BRASILIA 3929, (B) BRASILIA 3629
2. SUMMARY: THIS CABLE LOOKS AT SOME OF THE ALTERNATIVES
OPEN TO BRAZIL FOLLOWING THE DEFEAT OF THE DANTE DE
OLIVEIRA AMENDMENT TO THE CONSTITUTION, CALLING FOR DIRECT
ELECTION OF THE PRESIDENT IN 1984. BRAZILIANS ARE FAMOUS
FOR RECONCILING THEIR SEEMINGLY IRRECONCILABLE DIFFERENCES
BY NEGOTIATIONS, BUT THE WAY TO SUCCESSFUL NEGOTIATIONS
BETWEEN THE GOVERNMENT AND THE OPPOSITION IS STREWN WITH
OBSTACLES. NO CHANGE IN THE RULES IS STILL A VERY REAL
POSSIBILITY. END SUMMARY.

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3. THE DAY AFTER HAS DAWNED, AND THE QUESTION ON
EVERYONE'S LIPS IS, WHAT NOW?

4. SINCE THE DEFEAT OF THE DANTE DE OLIVEIRA AMENDMENT

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: ALAN H FLANIGAN
CLASSIFICATION: UNCLASSIFIED
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CAME AS A SURPRISE TO NO ONE, POLITICIANS HAVE BEEN GIVING A LOT OF ANTICIPATORY ATTENTION TO THE QUESTION. BUT THAT DOES NOT MEAN THAT THE ANSWER TO THE QUESTION IS CLEAR TO ANYONE. THE HUGE PUBLIC DEMONSTRATIONS IN FAVOR OF DIRECT ELECTIONS, THE EMERGENCY MEASURES (WHICH EXTENDED TO CENSORSHIP OF RADIO AND TV STATIONS OUTSIDE BRASILIA), AND THE GENERAL EXCITEMENT CREATED BY THE "DIRETAS JA" CAMPAIGN HAVE INTRODUCED AN ELEMENT WHICH HAS NOT HAD MUCH IMMEDIATE IMPACT ON BRAZILIAN POLITICS FOR MANY YEARS. THAT ELEMENT IS POPULAR PRESSURE.

5. THE AIM OF THE GOVERNMENT IS CLEAR--TO BEGIN NEGOTIATIONS WITH THE OPPOSITION ON THE BASIS OF ITS OWN PROPOSED CONSTITUTIONAL AMENDMENT. THIS PROPOSAL WOULD PROVIDE FOR DIRECT ELECTIONS IN 1988 AND MAKE A NUMBER OF CHANGES AIMED AT ELIMINATING SOME OF THE MOST SALIENT TOOLS OF AUTHORITARIAN RULE (REF B). THE ENTIRE GOVERNMENT/MILITARY/PDS GROUPING IS IN AGREEMENT WITH THE PROPOSED AMENDMENT, ALBEIT WITH RELUCTANCE IN SOME CAMPS--MOST NOTABLY AMONG SUPPORTERS OF PRESIDENTIAL CANDIDATE PAULO MALUF.

6. THIS UNITY IN THE GOVERNMENT CAMP BECOMES EXCEEDINGLY FRAGILE WHEN ANY NEGOTIATING FALLBACK POSITION BEGINS TO BE DISCUSSED. EVEN MODERATES IN THE OPPOSITION FEEL STRONGLY THAT NEITHER MALUF NOR ANDREAZZA WOULD BE ACCEPTABLE AS THE NEXT PRESIDENT. THEY ARE PREPARED TO ACCEPT INDIRECT ELECTIONS, BUT THEY BELIEVE THAT THE NAME OF THE NEXT PRESIDENT IS INEVITABLY AN IMPORTANT CONFIDENTIAL

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PART OF ANY NEGOTIATIONS WITH THE GOVERNMENT. SOME OF THEM ALSO FEEL THAT EVEN THE ABBREVIATED FOUR-YEAR TERM IN THE GOVERNMENT'S PROPOSED AMENDMENT IS TOO LONG. NAMES AND A FURTHER REDUCED TERM ARE POINTS WHICH STAUNCH MALUFISTAS AND ANDREAZZISTAS DO NOT CONSIDER NEGOTIABLE. FOR THEM IT IS OF FUNDAMENTAL IMPORTANCE THAT THE BASIC RULES OF THE GAME BE MAINTAINED. IF THE GOVERNMENT BEGINS TO DISCUSS NAMES, THEY CAN BE CERTAIN THAT THOSE OF PAULO MALUF AND MARIO ANDREAZZA WILL NOT FIGURE PROMINENTLY IN THE DISCUSSIONS. THE TWO LEADING RIVALS FOR THE PDS NOMINATION, FEEL A SUFFICIENTLY CLOSE COMMUNITY OF INTEREST THAT THEY HAVE ALREADY AGREED TO WORK TOGETHER TO AVOID BOTH A NEGOTIATED "CONSENSUS" CANDIDATE AND A BRIEF (PROBABLY TWO-YEAR) INTERIM TERM FOR THE NEXT PRESIDENT. IT IS SIGNIFICANT THAT VICE

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PRESIDENT AURELIANO CHAVES FAVORS A CONSENSUS CANDIDATE PREVIOUSLY AGREED WITH THE OPPOSITION AND HAS SAID HE WOULD ACCEPT A TWO-YEAR TERM. OTHERS IN THE GOVERNMENT TAKE A SIMILAR POSITION. MOST NOTABLY, MINISTER JOAO LEITAO DE ABREU, CHIEF OF THE CIVIL HOUSEHOLD, IS WIDELY BELIEVED TO BE PREPARED TO NEGOTIATE AN AGREED CANDIDATE, AS WELL AS A TWO- OR THREE-YEAR TERM. THE MILITARY, FOR THE MOST PART, SEEM WILLING TO ACCEPT EITHER A NEGOTIATED SOLUTION OR THE WINNER UNDER THE CURRENT RULES.

7. THE OPPOSITION IS, IF ANYTHING, EVEN MORE DIVIDED THAN THE GOVERNMENT AND PDS. IT HAS GLORIED IN ITS UNITY IN FAVOR OF DIRECT ELECTIONS IN 1984. BUT "THE DAY AFTER" PRESENTS A TOUGH DILEMMA. MODERATES, WHO ARE DOMINANT AMONG PMDB LEADERS, WOULD PREFER TO ACCEPT THEIR DEFEAT ON THE DANTE DE OLIVEIRA AMENDMENT AND MOVE ON FAIRLY PROMPTLY TO THE NEGOTIATING TABLE.

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AMCONSUL RIO DE JANEIRO

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C O N F I D E N T I A L SECTION 02 OF 03 BRASILIA 03975

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GOVERNOR TANCREDO NEVES IS THE LEADER OF THIS BRANCH OF THE PARTY. MOST OF THE PARTY'S OTHER GOVERNORS AND AT LEAST HALF OF ITS MEMBERS OF CONGRESS AGREE WITH HIM. WITH CONTROL OF THE PARTY MACHINERY, THIS WING OF THE PARTY SHOULD IN THEORY BE IN A POSITION TO IMPOSE ITS WILL. BUT THERE ARE TWO PROBLEMS WITH THIS. FIRST, THE VERY REAL ENTHUSIASM FOR "DIRETAS JA" WAS AIMED AGAINST THE POLITICAL CLASS' ARROGATING TO ITSELF THE KING-MAKING ROLE WHICH THE MILITARY HAS ABANDONED. MEMBERS OF CONGRESS WAVERING BETWEEN SUPPORT FOR OR OPPOSITION TO THE DANTE DE OLIVEIRA AMENDMENT HAVE TOLD US THEY WERE THE OBJECTS OF STRONG CONSTITUENT
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PRESSURE TO SUPPORT DANTE DE OLIVEIRA. (SUCH PRESSURE IS LESS PRONOUNCED ON POLITICIANS WHO COME FROM THE NORTHEAST OR WHO DEPEND ON RURAL SUPPORT FOR THEIR ELECTION.)

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8. THE SECOND RESTRAINT ON OPPOSITION MODERATES IS THE NEED FOR UNITY, OR SOME APPROXIMATION THERETO, IF NEGOTIATIONS WITH THE GOVERNMENT ARE TO SUCCEED. MOST OF THE SOLUTIONS BEING DISCUSSED WOULD REQUIRE A CONSTITUTIONAL AMENDMENT--I.E., THE FAVORABLE VOTE OF TWO-THIRDS OF THE FULL MEMBERSHIP OF BOTH HOUSES OF CONGRESS. AND IT IS NOT INCONCEIVABLE THAT INTRANSIGENT DIRECT-ELECTION-NOW FORCES IN THE OPPOSITION COULD JOIN WITH MALUF AND ANDREAZZA FORCES IN THE PDS TO DEFEAT A COMPROMISE.

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9. FOR THE MOMENT THE LEADERS OF THE PRO-DIRETAS CAMPAIGN ARE UNLIKELY TO GIVE UP. A PMDB SENATOR TOLD THE POLITICAL COUNSELOR LAST NIGHT THAT HE EXPECTS THE

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FIGHT FOR DIRECT ELECTIONS THIS YEAR TO CONTINUE FOR
AT LEAST A MONTH. SEVERAL OTHER AMENDMENTS FOR DIRECT
ELECTIONS NOW HAD ALREADY BEEN SUBMITTED. IN
ADDITION, THE OPPOSITION TALKS OF AMENDING THE GOVERN-
MENT PROPOSAL TO STRIKE "1988" AND SUBSTITUTE 1984 IN
ITS PLACE.

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10. WE COULD BE WRONG, BUT WE BELIEVE THAT THE AIR WILL
GRADUALLY GO OUT OF THE DIRECT-ELECTIONS BALLOON. ONCE
THE TENSION DIES DOWN, NEGOTIATIONS BETWEEN THE
OPPOSITION AND THE GOVERNMENT SEEM TO BE LIKELY. THERE
IS, OF COURSE, NO WAY TO KNOW WHAT THOSE NEGOTIATIONS
WOULD LEAD TO. THE SOLUTION MOST DESIRED BY ANDREAZZA
AND MALUF ADHERENTS WOULD BE ACCEPTANCE OF THE GOVERNMENT
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AMENDMENT WITH NO MORE THAN COSMETIC CHANGES. THEY
BELIEVE THIS IS POSSIBLE, BECAUSE THE ABSENCE OF AN
AMENDMENT TO THE CONSTITUTION WILL MEAN THAT THE EXISTING
RULES CONTINUE TO APPLY. GOVERNMENT NEGOTIATORS MAY
FIND THEMSELVES IN EFFECT TELLING THE OPPOSITION, BETTER
FOUR YEARS OF MALUF THAN SIX.

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11. A FOUR- OR A TWO-YEAR TERM FOR AN AGREED COMPROMISE
CANDIDATE IS ANOTHER POSSIBILITY. AURELIANO CHAVES,
WHO APPEARS TO BE THE MOST POPULAR POLITICIAN IN THE
COUNTRY, WOULD BE THE OBVIOUS CHOICE--AND HE HAS INDICATE
THAT HE WOULD ACCEPT. HE ALSO HAS WIDE ACCEPTANCE IN THE
MILITARY, THOUGH HIS SUPPORT FOR DIRECT ELECTIONS MAY HAV
LESSENED ENTHUSIASM IN SOME QUARTERS. BUT AURELIANO'S
BIG PROBLEM IS THAT PRESIDENT FIGUEIREDO SEEMS TO HAVE
DECIDED THAT HE DEFINITELY DOES NOT WANT THE VICE
PRESIDENT TO BE HIS SUCCESSOR. THE BENEFICIARY OF
NEGOTIATIONS MIGHT BE TANCREDO NEVES OR A WIDELY RESPECTED
PDS POLITICIAN SUCH AS WELFARE MINISTER JARBAS PASSARINHO
OR AN ENTIRELY NEW NAME.

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12. IT SHOULD BE CLEAR FROM THE ABOVE THAT THE PROCESS
OF NEGOTIATING A POLITICAL SOLUTION WILL BE DIFFICULT.
BUT BRAZILIANS PRIDE THEMSELVES ON THEIR ABILITY TO FIND
COMPROMISE SOLUTIONS WHICH AVOID IRRECONCILABLE CONFRONTA-
TION. IF THEY FAIL, THEN ONLY TWO OPTIONS WOULD SEEM TO
BE OPEN: 1) AN EXTRA-CONSTITUTIONAL CHANGE IN THE RULES--
IN BRIEF, A COUP OF SOME SORT; AND 2) ELECTION OF THE
PRESIDENT FOR A SIX-YEAR TERM UNDER CURRENT LAW. WE
STILL CONSIDER THAT A MAJOR BREAK IN THE ABERTURA PROCESS

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CONTINUING WITHOUT MAJOR CHANGE IS DOWN SOMEWHAT FROM A
COUPLE OF MONTHS AGO, BUT IT IS STILL THE SINGLE MOST

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LIKELY DENOUEMENT TO THE CURRENT STRUGGLE. IF EXISTING ELECTORAL COLLEGE DOES INDEED CHOOSE THE NEXT PRESIDENT FOR A SIX-YEAR TERM, THEN IT SEEMS TO US THAT PAULO MALUF HAS AN EXCELLENT CHANCE OF BEING THE WINNER. WE DO NOT BELIEVE THAT HE YET HAS A MAJORITY OF THE CONVENTION DELEGATES TO WIN THE PDS NOMINATION. IN FACT, ANDREAZZA MAY HAVE AS MANY OR EVEN MORE DELEGATE SUPPORT COMMITTED TO HIM. BUT MALUF SEEMS TO US THE BETTER OPERATOR IN THE CONTEXT OF A NARROW ELECTORATE OF PROFESSIONAL POLITICIANS, BOTH IN THE PDS CONVENTION

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AND IN THE ELECTORAL COLLEGE. AURELIANO CHAVES APPEARS TO HAVE LITTLE CHANCE OF GETTING THE PDS NOMINATION.

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13. IT IS BY NO MEANS CERTAIN THAT THE PDS NOMINEE WILL BE ELECTED IN THE ELECTORAL COLLEGE, DESPITE THE PDS' MAJORITY. A SHIFT OF FEWER THAN 20 PDS ELECTORS COULD THROW THE PRESIDENCY TO THE OPPOSITION. AND WITH PARTY LOYALTY A VERY ARTIFICIAL THING IN BRAZIL, THAT IS QUITE POSSIBLE. THE MOST FREQUENTLY MENTIONED SCENARIO IS THAT THE OPPOSITION WOULD UNITE BEHIND TANCREDO NEVES, WHO WOULD THEN NEGOTIATE FOR THE SUPPORT OF THOSE PDS ELECTORS WHO PREFER TANCREDO TO THE PDS NOMINEE. THIS WOULD NOT BE AN EASY PLAY TO EXECUTE, PARTICULARLY IF MALUF WERE THE PDS NOMINEE. MALUF WOULD HAVE FOUR MONTHS FOLLOWING THE PDS CONVENTION TO PERSUADE ELECTORS TO SEE THINGS HIS WAY. AND MALUF, IN HIS ELEMENT OF FELLOW POLS, IS A NOTORIOUSLY PERSUASIVE MAN.

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14. A FINAL, UNPREDICTABLE ELEMENT MUST ALSO BE ADDRESSED. THAT IS THE POSSIBILITY OF VIOLENCE, AND THE GOVERNMENT REACTION TO SUCH VIOLENCE. THE GOVERNMENT HAS NOT BEEN SHY ABOUT ASSUMING EXTRAORDINARY POWERS, EVEN WHEN THE THREAT TO PUBLIC ORDER HAS NOT BEEN EVIDENT TO EVERYONE. AND THE EXISTENCE OF THE EMERGENCY MEASURES--ESPECIALLY CENSORSHIP--MUST DOUBTLESS BE CONSIDERED YET ANOTHER OBSTACLE TO ANY NEGOTIATED SOLUTION. BUT THE GREATER DANGER LIES IN THE POSSIBILITY OF STREET VIOLENCE OR EVEN TERRORISM. SO FAR, THERE HAS BEEN NO SIGNIFICANT VIOLENT REACTION TO THE DEFEAT OF DANTE DE OLIVEIRA, AND WE EXPECT NONE. OUR CONSULATES GENERAL IN BOTH RIO AND SAO PAULO BELIEVE THAT THE OPPOSITION--EVEN THE FAR LEFT--WILL TRY TO AVOID PROVOCATION. WE SHARE THAT APPRECIATION OF THE SITUATION.

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THE OPPOSITION IS UNANIMOUS IN WANTING TO AVOID ANY
RETROGRESSION IN THE ABERTURA PROCESS. BUT THE
POSSIBILITY OF VIOLENCE CANNOT BE DISMISSED, AND IF IT
SHOULD HAPPEN, IT WOULD ONLY MAKE A DIFFICULT PROBLEM
EVEN MORE DIFFICULT.
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