

Report from Rio by Silvia Palacios

A constitution violated

President Sarney trembles with guilt as the new constitution is promulgated before the nation.

On Oct. 5, Brazil was treated to a most solemn ceremony. The Congressional Assembly and galleries were full, the national anthem was sung, and the president of the National Constituent Assembly, Congressman Ulysses Guimarães, promulgated the new Constitution of Brazil.

However, not all were filled with the pride and spirit of a civic holiday. In swearing to uphold the new Constitution, President José Sarney's hand was seen to be trembling so uncontrollably that he was forced to lower it several times before concluding his pledge.

Sarney's nervousness may perhaps have been due to the fact that he was well aware that the new law of the land was already being violated by his ministers, even as he was swearing his allegiance: in particular, those aspects of the Constitution which punish usury and question the onerous international debt agreements that have been signed with the creditor banks and the International Monetary Fund.

For example, as soon as the President's economic team realized that the constitutional article demanding prior approval by the Congress of all international acts of government had the majority support of the Constituent Assembly, they flew off to New York to ram through an agreement with the banks.

Simultaneously, they began a systematic campaign to block the application of the usury law, which limits annual interest rates to 12%. In fact, while the Constitution was being promulgated in Brasilia, Attorney Gen-

eral Saulo Ramos was holed up elsewhere, putting the final touches on a judicial opinion opposing application of the usury law. Thus, one day after swearing to uphold the new Constitution, Sarney put his signature to a document ordering the national banking system to ignore the constitutional article that limits interest rates!

At the same time, Finance Minister Maílson da Nóbrega went head-to-head with the Congress, insisting that no initiative by that body could nullify the foreign debt agreement, which is apparently the Senate's intention. The minister argued that the article he was challenging, which demands prior congressional approval of an international agreement, referred only to pacts with states, and not with private entities, as in the case of the creditor banks.

In response to these open challenges to the new Constitution, PMDB president Ulysses Guimarães warned during his address to the congressional plenum Oct. 5: "Refuse to obey it? Never! A traitor to the Constitution is a traitor to the Fatherland."

In his speech, Guimarães defined various aspects of the new Constitution he helped bring into being: "The Constitution changes a man into a citizen, and it is only the citizen who earns a just and adequate wage, who reads and writes, dwells, has hospitals and medicines, has leisure time." He added, "Disorder is the child of penury, and ignites popular outrage."

Congressman Guimarães did not fail to mention the international pressures to which the preparation of the Constitution had been subject. "The

drafting of the Constitution was innovative and daring, rejecting both foreign and domestic preliminary designs." As *EIR* has charged, these pressures came primarily from the networks of the infamous Project Democracy, which produced Oliver North's monstrous brand of covert foreign policy.

Finally, the congressman presented what he called "several distinguishing features of the Constitution, which will ultimately command this great nation. . . . The first of these is courage. Courage is the raw material of civilization. Without it, duty and the institutions perish. Without courage, the other virtues succumb in the hour of danger. Without it, there would exist neither the cross nor the gospels."

With his statements, Guimarães not only warned the Sarney machine against tampering with the Constitution, but launched the debate around next year's presidential elections. In a country with the largest Ibero-American foreign debt, inflation of 1,000% a year, deepening economic recession, severe malnutrition, and immobilized by an IMF-imposed policy straitjacket, repudiation of austerity policies will again become a central electoral issue.

Guimarães began his presidential campaign by bringing the content of the new Constitution to the nation. On Oct. 10, speaking in the city of Natal, he warned that the economic collapse the states would experience next year, due to an IMF-dictated 1989 budget requiring payment of a minimum 25% of Brazil's foreign debt, "could result in serious social convulsion." If this happens, he warned, "the governors will not even be able to leave their offices. . . . They won't even have enough money to pay their employees."