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TELEGRAM

Edu 9-3 Bray

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ACTION ARA 16

INFO OCT 01, RSR 01, CIAE 00, DODE 00, JPM 04, H 02, INRI 07, LI 03, NSAE 00,

NSC 10, P 04, RSC 01, SP 02, SS 20, USIA 12, AID 28, PC 04, CU 04, 071196

R 222100Z MAY 69
FM AMEMBASSY RIO DE JANEIRO
TO SECSTATE WASHDC 8592
INFO AMEMBASSY BRASILIA
AMCONGEN RECIFE
AMCONGEN SAO PAULO
USCINCSO

C O N F I D E N T I A L RIO DE JANEIRO 3946

USCINCSO FOR POLAD

SUBJECT: PUNISHMENT OF PROFESSORS MODIFIED

REF: RIO 3250

Edu 9-3 Bray
7 R. Sci 12 Bray

1. ON GROUNDS THAT ORIGINAL DECREE OF APRIL 30, ORDERING

COMPULSORY RETIREMENT OF 24 UNIVERSITY OF SAO PAULO PROFESSORS, WAS PUBLISHED WITH ERRORS, FEDERAL GOVERNMENT REPUBLISHED DECREE IN DIARIO OFFICIAL YESTERDAY. NAMES OF THREE PROFESSORS -- CAIO PRADO JUNIOR, JULIO PUDDLES AND REYNOLDO CHIAVERINI -- WERE OMITTED FROM NEW, OFFICIAL VERSION. TEXT OF DECREE WAS ALSO ALTERED AND SUBSTANTIALLY BROADENED. WHEREAS ORIGINAL WORDING PROVIDED FOR RETIREMENT FROM "POSITION OR FUNCTIONS WHICH THEY OCCUPY AT THE UNIVERSITY OF SAO PAULO," REVISED DECREE DIRECTED RETIREMENT FROM "POSITIONS OR FUNCTIONS WHICH THEY OCCUPY IN THE PUBLIC ADMINISTRATION, DIRECT OR INDIRECT, OF THE STATE OF SAO PAULO" AND ALSO PROVIDED FOR "THE END OF ANY OTHER TIES WITH THE SAME ADMINISTRATION, EVEN IF THEY DO NOT HAVE THE CHARACTER OF EMPLOYMENT." LIST OF 21 PROFESSORS THEN FOLLOWED.

2. O ESTADO DE SAO PAULO STORY INCLUDED NOTE FROM EDITOR WHICH POINTED OUT THAT STRICTLY SPEAKING THREE PROFESSORS

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NOW EXCLUDED FROM RETIREMENT LIST DO NOT HAVE CONNECTION WITH STATE PUBLIC ADMINISTRATION. ACCORDING O ESTADO, CAIO PRADO JUNIOR ONLY HAS TITLE OF ASSISTANT LECTURER OF FACULTY OF LAW; JULIO PUDDLES IS FRENCH CITIZEN AND DOES NOT HAVE PRESENT CONTRACT WITH UNIVERSITY OF SAO PAULO; AND PROFESSOR CHIAVERINI IS ALREADY RETIRED.

3. COMMENT: SINCE NONE OF THREE REMOVED FROM RETIREMENT LIST IS KEY PROFESSOR, CHANGE DOES NOT SIGNIFICANTLY DIMINISH DAMAGE DONE TO EDUCATIONAL STRUCTURE IN SAO PAULO BY RETIREMENTS (REF TEL). GOVERNMENT ACTION MAY HAVE SOME MARGINAL CALMING EFFECT ON MORALE OF EDUCATIONAL COMMUNITY IN THAT IT MAY INDICATE SOME DEGREE OF FLEXIBILITY ON PART OF GOVERNMENT. HOWEVER, POSITIVE EFFECT MAY BE OFFSET BY INCREASED SEVERITY OF PUNISHMENT CONTAINED IN REVISED DECREE, WHICH NOW APPEARS TO FORBID ANY SORT OF DEALING BETWEEN RETIRED PROFESSORS AND ANY PUBLIC ENTITY IN SAO PAULO. HOW FAR PROHIBITION OF "ANY OTHER TIES" EXTENDS HAS NOT BEEN DEFINED. BELTON

SUBJECT: PUNISHMENT OF PROFESSORS MODIFIED

REF: RIO 3289

1. ON GROUNDS THAT ORIGINAL DECREE OF APRIL 30, ORDERING

COMPULSORY RETIREMENT OF 34 UNIVERSITY OF SAO PAULO PROFESSORS, WAS PUBLISHED WITH ERRORS, FEDERAL GOVERNMENT REPUBLISHED DECREE IN DIARIO OFFICIAL YESTERDAY. NAMES OF THREE PROFESSORS -- CAIO PRADO JUNIOR, JULIO PUDDLES AND REYNOLDO CHIAVERINI -- WERE OMITTED AND NEW OFFICIAL VERSION. TEXT OF DECREE WAS ALSO ALTERED AND SUBSTANTIALLY BROADENED. WHEREAS ORIGINAL WORDING PROVIDED FOR RETIREMENT FROM "POSITION OR FUNCTIONS WHICH THEY OCCUPY AT THE UNIVERSITY OF SAO PAULO," REVISED DECREE DIRECTED RETIREMENT FROM "POSITIONS OR FUNCTIONS WHICH THEY OCCUPY IN THE PUBLIC ADMINISTRATION, DIRECT OR INDIRECT, OF THE STATE OF SAO PAULO" AND ALSO PROVIDED FOR "THE END OF ANY OTHER TIES WITH THE SAME ADMINISTRATION, EVEN IF THEY DO NOT HAVE THE CHARACTER OF EMPLOYMENT." LIST OF 31 PROFESSORS THEN FOLLOWED.

2. O ESTADO DE SAO PAULO STORY INCLUDED NOTE FROM EDITOR WHICH POINTED OUT THAT STRICTLY SPEAKING THREE PROFESSORS

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