

of all those who have illicitly become wealthy in the exercise of their public offices or functions, including autarchies, public enterprises, or associations of mixed capital, in addition to the corresponding legal sanctions.

Paragraph 1

If the legitimacy of the acquisition of these possessions is proved, restitution shall be made.

Article 10

The guarantee of habeas corpus is suspended in the cases of political crimes against the national security, economic and social order and the popular economy.

Article 11

There shall be no judicial review of any measure carried out in accord with this Institutional Act and its Complementary Acts, nor of the corresponding results.

Article 12

The present institutional Act takes effect on this date, revoking any provisions to the contrary.

Brasilia
December 13, 1968

COMPLEMENTARY ACT NUMBER 38

The following Complementary Act Number 38, was promulgated simultaneously with Institutional Act Number 5:

"The President of the Republic, using the powers conferred upon him by Article 9 of Institutional Act Number 5 on December 13, 1968, has decided to promulgate the following Complementary Act:

Article 1

In the terms of Article 2 and its paragraphs of Institutional Act Number 5 of December 13, 1968, the recess of the National Congress is decreed as of this date.

Article 2

The present Complementary Act takes effect on this date, revoking all provisions to the contrary."

Brasilia
December 13, 1968

HOW THE PRESENT BRAZILIAN PRESIDENT WAS "ELECTED"...

1. The present President of Brazil was chosen by consulting 239 officers of the Armed Forces.
2. The Electoral College was made up of 118 Army generals, 60 Admirals and 61 Air Force Generals.
3. The only eligible candidates were the "electors" themselves, i.e., two-, three-, or four-star generals.
4. For "hierarchical" motives, a three-star general preferred by the troops in the Northeast, the most underdeveloped region of Brazil, was excluded from the dispute for succession.
5. The name chosen by the Army High Command, the Admiralty Council of the Navy, and the Military Aeronautical Council as capable of preserving unity and representing the military, was that of General Garrastazú Médici, Commander of the Third Army. A symbolic list of three names, which in addition to General Médici included the Army Chief of Staff and the Chief of Staff of the Armed Forces, was organized.
6. Congress, whose membership had already undergone successive purges, was reopened in order to ratify, in the name of national security, the name selected by the upper echelons of the military.