

# Brazil Court Allows Corruption Case Appeals

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BRASILIA—Brazil's Supreme Court voted Wednesday to reassess the landmark convictions it handed down against a dozen defendants found guilty last year of participating in a vote-buying scheme that rocked the government of former President Luiz Inácio Lula da Silva.

The 6-5 vote allows 12 of the 25 defendants in the case, including Mr. da Silva's once-powerful chief of staff José Dirceu, to appeal parts of their prison sentences, which could open the door to lengthy retrials. Mr. Dirceu maintains his innocence and says he is a target of political retribution.

The decision could send shock waves through a country that has long struggled with corruption, and where many held up the court's earlier convictions of the defendants as a sign of change. The cash-for-votes scandal, dubbed the Mensalão, or 'big monthly payoff', resulted in Brazil's biggest-ever political corruption trial.

Instead, the retrials now risk becoming a symbol of the inability of Brazilian prosecutors to make high-profile corruption convictions stick, said José Garcez Ghirardi, a professor of political theory and law at the Fundação Getúlio Vargas law school in São Paulo.

"It's frustrating because Brazil has a long tradition of subservience to the powerful, the idea that some people are 'too big to jail'," Mr. Ghirardi said.

In June, nearly a million Brazilians took to the streets across the country during weeks of mass protests that focused largely on ending the perceived impunity and lack of accountability of political leaders. Some protesters expressed hope

that the national venting of frustration with corruption would help ensure the convictions would stand.

At least one sitting Supreme Court justice, Gilmar Mendes, expressed concern this week that allowing the appeals could allow the case to dissipate in the "loose ends" of the Brazilian justice system. He has called for strict time limits on appeals. Otherwise, he said, the case risks turning into what São Paulo's leading newspaper O Estado de S. Paulo called just another "Pizza"—Brazilian slang for big investigations that fizzle away in Brazil's daily flood of scandal news, becoming less significant than eating a pizza.

In the ruling, the justices emphasized that defendants have a constitutional right to appeals, even though the case was heard in the Supreme Court, which doesn't normally hear appeals.

Defense attorneys argued that an appeal was a fundamental Constitutional right of a defendant that was threatened by the unusual circumstance of the case being tried in the Supreme Court.

"We think [last year's conviction] was a mistake," said lawyer Márcio Thomaz Bastos, whose client, banker José Roberto Salgado, was sentenced to 16 years and eight months in prison and 1 million Brazilian reais in fines on money laundering and other charges. "We will do everything possible to fix that mistake," he said.

The court ruled it would hear appeals in the cases in which the vote to convict was close. The appeals could result in different outcomes, partly because new justices regularly circulate through the court.

President Dilma Rousseff—who had been a member of the da Silva administration but never accused of any wrongdoing—urged justice to ignore pressure and vote the law and their consciences.

Judges "have the liberty to make decisions based on facts and laws, founded in their conscience, and always protected from any kind of pressure," Ms. Rousseff said in public remarks.

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