

## **Discrepancies regarding the murder of Carlos Marighella by the Brazilian dictatorship in 1969**

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**Abstract:** This article seeks to analyze reports and personal accounts of individuals who lived during the armed guerrilla period of the National Liberation Action (Ação Libertadora Nacional /ALN) regarding the death of Carlos Marighella, the group's highest-ranking leader. The aim is not to establish an absolute truth but to present the discrepancies between individual accounts and researcher reports of the event, which leave much room for interpretation. Carlos Marighella was shot to death on November 4<sup>th</sup>, 1969, on Casa Branca Lane in São Paulo. Some believe that he was killed outside the car in which two Dominican friars, his coreligionists, were waiting for him; consequently, the crime scene was altered by the police to match the official version of the event. Others state that the ALN leader was in fact shot inside the car.

**Keywords:** Carlos Marighella; Ação Libertadora Nacional; National Liberation Action; ALN; armed combat; memory.

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### **1. Introduction**

In the sixth chapter of *Historical Currents in France*, Christian Delacroix, François Dosse and Patrick Garcia discuss (2005, p. 353) memory as it pertains to historiography. In the context of "present time history," memory is one of the conductors of retroactive conflict of the "pasts that do not pass." When discussing the "duty to remember," the writers regard memory as a device through which historic research can be placed under suspicion.

In *The Latest Catastrophe* (2016, p. 239), writer Henry Rousso states that "working with the near past is permanently taking the measure of the ever-changing distance in relation to the object and the subject being studied." According to the writer, both the proximity of working with an ongoing process which is, by definition, unfinished as well as working with living, accessible actors who are subject to their own reactions to historians' accounts present their own inherent difficulties. To Henry Rousso, the presence of actors and witnesses of recent historical periods is remarkable. The physical presence of those who have gone through that specific period compromises historians in a way that is much more complex than when working with traces alone.

Historians devoted to the 1964 military dictatorship in Brazil regard Carlos Marighella as the greatest icon of resistance to that regime. Likewise, Marighella's guerrilla group is considered the most notorious of the countless groups that established armed combat against the dictatorial regime. This article will address this leader's polemic death while discussing reports on the event.

After Marighella's death, Friar Betto<sup>1</sup> and Jacob Gorender<sup>2</sup> wrote contrasting opinions on whether two Dominican friars were to blame for the guerrillero's death. It is speculated that the police used torture to convince the friars to lure Marighella to a trap that would result in his death. Both researchers lived this historical period directly and intensely and, as such, this is the account of historians who were too close to their object of study. In the book *Blood Baptism*, Friar Betto states (2006, p. 256) that "the safe and progressive way the repressive forces behaved showed that they had information regarding Marighella that went beyond the friars' words." In addition, Betto discusses Jacob Gorender's dissenting opinion. In *Fighting in the Darkness*, Gorender states that "in detention centers, the belief that Fernando de Brito (Friar Fernando) and Yves do Amaral Lesbaupin (Friar Ivo)<sup>3</sup> were responsible for the tragedy on Casa Branca Lane was widespread among political prisoners." Furthermore, Gorender criticizes (2006, p. 257) Betto's version, remarking that "my

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<sup>1</sup>Friar Betto, the author of *Blood Baptism*, helped guerrilla members leave the country by crossing over the border into Uruguay. (BETTO, 2006)

<sup>2</sup>Jacob Gorender is a former member of the Brazilian Communist Party (Partido Comunista Brasileiro / PCB) and one of the founders of the named Revolutionary Brazilian Communist Party (Partido Comunista Brasileiro Revolucionário / PCBR), which was a dissenting PCB party. (GORENDER, 1987)

<sup>3</sup> Friar Fernando and Friar Ivo were Dominican friars who were part of ALN's logistics support and met with Carlos Marighella periodically. (BETTO, 2006)

historian's silence would imply complicity with Friar Betto's version, which is widespread in Brazil and around the world. This would be an inadmissible silence considering the historian's commitment to the truth."

After discussing Jacob Gorender's accusation, Friar Betto in turn criticizes (2006, p. 257) the former PCB member's position. To Betto, Gorender's error lies in exempting former guerrillero Paulo de Tarso Venceslau<sup>4</sup> from blame for giving away the Dominican friars. He states (2006, p. 257) that "a historian never ignores a living source, especially if both the source and the historian live in the same country." In spite of having interviewed Paulo de Tarso Venceslau, Jacob Gorender never interviewed Friar Ivo or Friar Fernando. In Betto's opinion, this is the product of an anticlericalism that compromised the objectivity of someone who intends to consider history scientifically.

As previously stated, the main goal of this article is not to support or discredit any specific view, especially as both researchers were alive during the military dictatorship regime. The objective is to use *Blood Baptism* and *Fighting in the Dark* to contrast opposing viewpoints, not favoring one or the other.

Yet another element to be considered can be found in historian Edson Teixeira da Silva Junior's Master thesis, which later became the book *Carlos, Marighella's hidden face*. At the end of the book there are full interviews with Carlos Marighella's contemporaries. In the Edson's interview with Carlos Augusto Marighella (JUNIOR, 2009, p. 265), the guerrillero's son talks about the family's position regarding the Dominican friars' culpability in Marighella's death. Carlos Augusto states that "the truth is that there are, and this is clear even among left-wing historians, two supposed versions." In one version, according to Jacob Gorender, there is the feeling that the friars collaborated and that they should be held accountable. Furthermore, the fact that they lured Marighella into the car is an act of spontaneous betrayal even though the friars were under custody at the time and it was either that or death.

The second theory, which is that the event was purely accidental, is corroborated by arguments that Carlos Marighella might have been ambushed anywhere else and he might have died outside the car. After stating both opposing views, Carlos Augusto Marighella says, "I can tell you what I think, what I know, and this is it: we don't have a definite version on this matter." Marighella's son also speaks for his family when he says that they do not hold Friar Ivo and Friar Fernando accountable in any way for the death.

What we said, at one point, is that we had no way of determining specifically what happened, this is polemic, we maintain that the friars did not spontaneously collaborate with the police, the truth is that these friars saved many lives, they were very useful and did wonderful work, they were my father's friends without limitations. So it is not up to us, family members, to admonish them for not resisting such fierce and inhumane torture. (JUNIOR, 2009, p.264).

Emiliano Jose is yet another journalist who has written about this issue. In his *Marighella: the military dictatorship's number one enemy*, he explains contrasting views regarding the culpability in the accusations that led to Marighella's death. Jose interviews (1997) Alipio Freire, who is a former militant for the guerrilla group Ala Vermelha (Left Wing) and who shared a prison cell with Paulo de Tarso Venceslau, from ALN. Freire states that Venceslau left the cell daily for interrogation sessions and that one day, after being interrogated for a long time, his face was completely disfigured when he returned to their cell. That was when he confessed to Freire that he had told them about the Dominican friars' strategy, which was that the friars would wait for Marighella inside a car in a planned location and they would then drive to the ALN meeting site. In spite of having confessed, Freire states that Venceslau always avoided this topic and never clearly explained what happened, in addition to blaming other militants for the fact that the repression forces reached Marighella. Among these accusations to other militants, the most serious one was when Venceslau talked about Manoel Cyrillo<sup>5</sup>, who was also an ALN militant and who took part in the kidnapping of American ambassador Charles Elbrick. Cyrillo eventually admitted that he told the police about Venceslau's codename. According to Emiliano Jose, Freire's account sheds some light on the facts, though they remain uncertain.

It is clear that the explanation for Marighella's death cannot be reduced to these actors. There is a conjectural framework to be considered, which entails both the dictatorial regime at that point in time and the left-wing crisis; not taking these

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<sup>4</sup> Paulo de Tarso Venceslau, who is currently an Economist, was an ALN guerrillero and took part in several armed actions with the group, including the kidnapping of North American ambassador Charles Burke Elbrick. (MAGALHAES, 2012)

<sup>5</sup> Manoel Cyrillo, advertiser and former ALN guerrillero, hit Elbrick's head with the butt of his weapon when Elbrick tried to resist his kidnapers. During the kidnapping, Elbrick tried to fight back against Virgilio Gomes da Silva inside the vehicle. Virgilio Gomes was the guerrilla member responsible for leading armed combat. (MAGALHAES, 2012)

factors into consideration would make the account overly simplistic and too personalized. (JOSE, 1997, p. 43)

## 2. Marghella's death, an unfinished truth

On November 4th, 1969, a group of policemen known as the Death Squad, led by Sergio Paranhos Fleury<sup>6</sup>, brutally shot Carlos Marighella to death. The guerrilla leader was executed on Casa Branca Lane, which was a common meeting place between himself and other ALN members. There are conflicting accounts regarding the events that surround Marighella's death; the only thing we know for certain is that he died as a result of multiple gunshots at the hands of the police.

According to Mario Magalhaes's (2012, p. 552) book, *Marighella: The guerrillero who set the world on fire*<sup>7</sup>, Marighella was shot to death inside the Volkswagen Beetle that Friar Ivo and Friar Fernando were in. Magalhaes, who is a journalist, describes the policemen's weapons, where the body was, the caliber of the projectiles that hit Carlos Marighella, the other victims who were accidentally injured and even the name of the police dog who bit Friar Ivo. There is an especially interesting excerpt in which Magalhaes states that "the guerrilla leader pulls the door on the passenger's side, pushes Friar Fernando's seat forwards and seats himself in the back." After that, according to Magalhaes, the policemen pulled Friar Ivo out of the left door and Friar Fernando out of the right door.

They surrounded Marighella suffocatingly and then Fleury approached, limping, and ordered his arrest while wielding a .45 caliber gun. After a few silent seconds, some law enforcement agents placed their weapons into the Beetle's windows while others surrounded the front part of the vehicle. Before Marighella had the chance to react, they fired at point-blank range and a round of countless shots was heard on Casa Branca Lane. A second set of shots was heard when a carbroke through the DOPS<sup>8</sup> barrier and new victims shed their blood in this historic scene.

When faced with a DOPS barrier, German prosthetist Friedrich Adolf Rohmann decided to break through it; he crossed Lorena Lane with his black Buick and drove toward Casa Branca Lane, which had been closed off. Rohmann had been a former nazi division soldier during World War II and had moved to Brazil for rest and relaxation. The police believed he was a late member of a nonexistent security detail for Marighella and his vehicle became a moving target. The police officers used machine guns as well. Rohmann was killed and his car stopped. There were other injuries during the second round of shots. Tucunduva<sup>9</sup> was shot in the left leg on the street and Estela Morato<sup>10</sup> was shot in the head inside a Chevrolet; both were shot by fellow law enforcement agents. Tucunduva lost a lot of blood but he survived; Morato passed away three days later. (MAGALHAES, 2012, p. 553).

Furthermore, Magalhaes remarks that "in the prologue of the historic farce, the deputy describes a careless militant who inspected Casa Branca Lane before Marighella. Also, a fierce ALN squad engaged law enforcement agents in armed combat, shooting Rohmann as well as the police officers." According to Magalhaes, Fleury also planted the news that Marighella tried to draw a Luger 9 millimeter pistol, which was widely circulated in the media.

In *Blood Baptism*, Friar Betto reports a completely different version of the murder. Betto remarks on flaws in lawyer Dr. Mario de Passos Simas's<sup>11</sup> official version, stating that "there are two contracting versions in the newspapers from the first week of November, 1969." In the first version Marighella was executed on the street while in the second version he was killed inside the Beetle.

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<sup>6</sup> Sergio Paranhos Fleury was the DOPS deputy and leader of the Death Squad. He was responsible for countless incarcerations, torture sessions and disappearances during the military regime. Marighella's polemic execution was also coordinated by Fleury. (MAGALHAES, 2012)

<sup>7</sup> Mario Magalhaes's book was also the inspiration for the movie *Marighella*, directed by Wagner Moura, which will soon be released in Brazil.

<sup>8</sup> The Department of Political and Social Order (Departamento de Ordem Política e Social /DOPS) aimed to repress social movements. It was also a torture center for political activists and oppositionists during the New State dictatorship; this practice was once again taken up when the military regime was established in 1964.

<sup>9</sup> Rubes Tucunduva was a DOPS deputy..

<sup>10</sup> Estela Borges Morato was a police detective.

<sup>11</sup> Mario de Passos Simas, who was a lawyer, frequently defended political prisoners during the military dictatorship regime in 1964. Simas was also a founding member for the São Paulo Archdiocese Commission for Justice and Peace in 1972. (BETTO, 2006)

The first contradiction is the presence of a guerrillero Edmur Pericles de Camargo<sup>12</sup>, known as Gaucho, in the car in which Marighella arrived. In a court deposition, Gaucho stated he had broken ties with Marighella in the beginning of 1969. The second contradiction pertains to the car in which Marighella arrived at Casa Branca Lane. Mario Simas questions the fact that this car simply disappeared and the controversy regarding pictures that were taken of this car and the driver's disappearance. The third issue, which is the topic of this paper, is whether or not Marighella went into the car where Friar Fernando and Friar Ivo were waiting. Regarding this issue, Simas says that neither Deputy Tucunduva, who led this operation, nor Detective Rubens Pacheco, who was in charge of security and whose main responsibility was to keep track of Marighella at all times, were able to explain how Mariguella got into the Beetle. The fourth issue pertains to the origin of the Beetle in which Fernando and Ivo were waiting for the victim; the police reported that the friars went to Casa Branca Lane in the same car they typically used to meet with Marighella, and that this car belonged to the Dominican convent. However, The Dominican Order reported that none of its vehicles were removed from the convent by the two friars or even by the police in the first week of November, 1969. The fifth inconsistency in the police report, as pointed out by Simas, was that the official stated that all the bullets went through Marighella's body; yet, Friar Fernando, who was in the backseat of the Beetle, was unharmed. Sixth, Simas points out that there was a body bag in the picture of the inside of the car; body bags are used exclusively by the police or the coroner's office to pack up bodies. Simas assumes that the body bag might have been used to move the guerrillero's body from the place where he fell dead to the inside of the vehicle. The seventh contradiction is that Marighella's trousers were unbuttoned in the picture inside the Beetle. Regarding this point, Simas argues that it is impossible for someone who was ordered to be arrested and immediately after shot to have the time and motive to unbutton his trousers. The eighth argument against the police report is that Mario Simas points out a leaf that was stuck to Marighella's shoes. He does not understand how the leaf could have gotten stuck to his shoe and added that there was similar foliage in the garden of a nearby house. The ninth piece of evidence, noticed in one of the pictures of Marighella's body, is that he is missing a phalanx on his left index finger. In this case, Simas argues that the phalanx should have been found inside the car. However, the following day, a finger was found ten meters from where the body was in the picture and it was established it was Marighella's. The tenth and last piece of information is the position of the body of the victim. Simas describes the picture in which Marighella's head and shoulders are on the backseat, on the right side, and his legs are coming out of the door on the driver's side. It would have been impossible for Marighella to stick his legs out of the door having first pushed both seats forward to lie still with a leaf stuck to his shoes. In addition, Simas argues that the body of a dead man would not be able to stay in that position in the backseat.

Friar Betto defends the hypothesis that Carlos Marighella was shot outside the Volkswagen Beetle in which the picture of his body was taken. He remarks that "the number of wounds and injuries corroborates the hypothesis that he was a moving target. Marighella was moving while he was shot, which contradicts the official police report that he was already inside the car when he was shot." In addition, Betto states that "curiously, you cannot see any bullet holes or any type of damage to the backseat in which he was shot."

Emiliano Jose's book begins with a description of the guerrilla leader's execution. According to Emiliano Jose, on November 4<sup>th</sup>, 1969, Luis Jose da Cunha, a former leader of the National Liberation Action, walked through Casa Branca Lane around 8:00 in the evening. He inspected the street around house number 806, which is where the blue Beetle with the two Dominican friars was parked. This information was reported to Genesio Homem de Oliveira, another ALN militant, by Luis Jose da Cunha. According to the report, shortly after 8:00 PM, Luis Jose da Cunha walked by Marighella and made a positive hand gesture, which meant he had been able to go to the meeting place and spot the Dominican friars. According to Emiliano Jose, as Carlos Marighella crossed the street he was shot multiple times from every direction. The researcher states that "the first shot perforated his buttocks from right to left. The second hit him in the pelvic region and the bullet became lodged in the pubic arch. The third shot scraped his chin." According to the coroner's report, signed by forensic doctors Harry Shibata<sup>13</sup> and Abeylard de Queiroz Orsini on November 11<sup>th</sup>, 1969, Marighella was still conscious when he was shot for the fourth time at point-blank range and lost one of his fingers when he tried to protect himself by raising his hand. The fourth shot fractured one of his ribs, perforating his aorta and lung and killing him instantly. According to Emiliano Jose, no one knows for sure who fired the fourth shot.

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<sup>12</sup>Edmur Pericles Camargo joined the ALN with Marighella after breaking away from PCB. However, as stated by Simas, the guerrillero broke off ties with the group in the beginning of 1969, which discredits the report that he was seen with Merighella on the day of his execution. (BETTO, 2006)

<sup>13</sup>Both Dr. Harry Shibata and Dr. Abeylard Orsini were forensic doctors at the São Paulo Coroner's Office during the military regime. (JOSE, 1997)

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Former ALN member Roberto Barros Pereira<sup>14</sup> was interviewed by Edson Teixeira da Silva Junior for the book *Carlos, the hidden face of Marighella*. In this interview he stated that “Marighella died inside a car registered to my name at one of our meeting places on Casa Branca Lane.” In addition, Roberto reports that, after the two friars were arrested, he heard from Friar Ivo that “as soon as Marighella got in the car they ran out of the car.” At the end of the book Edson states that “Marighella’s death has a much broader meaning. The way he was executed implies a concrete participation by ALN in resisting the dictatorship.” Edson believes that this execution still has not yet been properly explored and has usually been explained from a reductionist viewpoint. The book ends leaving the responsibility to fill in the blanks and even overwrite history in the hands of historic research.

### 3. Conclusion

Historiographical approaches regarding the use of memory, the production of present-time history and the discrepancies between researcher reports and witness reports lead us to the conclusion that Carlos Marighella’s death must be seen as an unfinished case.

In the book *The past and how to use it. History, memory and politics*, Italian historian Enzo Traverso writes about memory and states that “it is a nonfixed construction, constantly being formed by experiences that add to already existing memories and modify them.” Traverso considers the reports of people who lived in the period of interest as very important, as they allow us to revisit a set of images and facts that are only accessible through these accounts.

When faced with the detailed and conflicting accounts of this case, current history researchers must, from their distanced viewpoint, carefully analyze both versions regarding Carlos Marighella’s death. Carlos Augusto Marighella’s account in the book *Carlos, the hidden face of Marighella* further reinforces the discrepancies between both hypotheses. Carlos Marighella’s execution is a fact, but the exact way in which he was executed is still open for research by future generations.

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<sup>14</sup> Roberto Barros Pereira was an ALN militant and the car used by the police to ambush Carlos Marighella was registered in his name. (DA SILVA JUNIOR, 2009)