

Brazil's First Woman Chief Justice Wants General Applicability to Alleviate Courts

Contributed by Ana Paula Marra
Friday, 28 April 2006

In her inaugural address Thursday, April 27, as president of the Brazilian Federal Supreme Court (STF), minister Ellen Gracie Northfleet, Brazil's first woman Chief Justice, affirmed that the central point of an efficient and operative judicial system is ample access to the courts.

Northfleet said she will give priority to expanding and strengthening the lower court magistracy - the so-called Common Justice - to provide all citizens easy access to a judge and to make sentences straightforward, comprehensible, and educational.

Gracie also urged the superior courts and the STF always to remain open to the discussion of issues of general applicability and to be more expeditious, especially when they have to rule on claims involving tax and social security questions.

"The two instruments, 'stare decisis' and general applicability, have the extraordinary potential to ensure that a single legal issue finally receives uniform treatment for all the interested parties.

"In a short time, therefore, we will achieve a solution to most of these lawsuits brought on a mass basis. And, by alleviating the excessive load represented by repetitious cases, the judiciary will be able to handle more speedily the individual cases that demand craftsmanlike treatment," she affirmed.

The new president of the STF recalled that it is up to her to guide the National Council of Justice and to seek to work in conjunction with the state, regional, and federal courts, the labor court system, the lower court justices, and all members of the legal profession.

"That is the only way we will turn the Council into the great center of Brazilian judicial thinking, to formulate policies and do the strategic planning of the institution we will bequeath to future generations," she remarked.

In her speech, the new president, who is replacing minister Nelson Jobim, also stated that she is fully aware of the symbolism of the unprecedented act of a woman's assuming the presidency of the highest court of the land.

"I would like all women of this country to feel they are participating in this moment. They are all partaking in this day. My commitment, therefore, could be none other than to perform my functions to the limit of my capacity in order not to be unworthy of them."

Minister Northfleet was elected on March 15 to preside the Supreme Court for the two-year term 2006-2008. On the same occasion, the assembled court elected minister Gilmar Mendes as vice-president, also in a secret vote and without the right to be re-elected.

It is a tradition in the STF to grant the presidency and vice-presidency to the ministers who have served the longest on the court and have still not occupied these posts. The eleven members of the Supreme Court are appointed directly by the president of the Republic.

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