

Brazil – Holy See Concordat

Foreign Relations Committee approves agreement signed between Government and Holy See

Document regardable as symbol of Catholic Church power

On Wednesday, August 12, 2009, the Foreign Relations Committee approved in Brasilia the agreement between the government and the Holy See establishing a new Juridical Statute for the Catholic Church in Brazil. Seven representatives voted against it, among them Ivan Valente (Psol-SP), who stated that, “*CCJ - Comissão de Constituição Justiça e Cidadania* (Committee for Constitution, Justice and Citizenship) should manifest on the unconstitutionality therein, since it presents an agreement between a Republican State and a Theocratic State.” The concordat still has to pass in several Committees: Labor, Administration and Public Services, Education and Culture, and Constitution, Justice and Citizenship. Nevertheless, once declared an urgent procedure, it might go straight to the plenary. President Lula - who asked for blessings for Minister Dilma Roussef and Vice-president José Alencar during his visit to the Rio Presbyterian Cathedral this Wednesday, spoke in favor of cooperation between the State and religious institutions, which might translate his positive position towards the concordat.

The problems deriving from the accord, obviously denied by its backers, have been debated in the major press since the end of last year, although there has been very little coverage and disclosure on the matter. Expectedly, out of respect for the Constitution and the national population, the Foreign Relations Committee should not have accepted such document, which openly represents the power and privilege of the Catholic Church in the country.

Last week’s discussions raised issues such as pluralism, indulgence, limits between the public and private, democracy, and the churches’ intense run to gather followers as part of an unrelenting dispute for media control. Acquisitions of radio and TV stations as well as press vehicles by religious institutions - such as the very controversial one called *Renascença em Cristo*, became increasingly frequent since the 90s. It’s the new Crusades. The experienced Catholic Church once again searches for privileges that will assure, among other things, the highest number of followers in this scenario. With sections in the document granting tax exemption to ecclesiastical authorities, and further yet, to “patrimony, income and services related to essential finalities” (§15 in the agreement), the Catholic Church enhances the use of State subsidies for evangelization purposes. The same is patent on the effort to guarantee that public elementary schools include religious teaching at regular hours, even if enrollment is “nonobligatory”.

Through the signature of an agreement between the government and the Holy See, the institution subtly reassures not only its religious supremacy but also, most of all, its political and economical supremacy in Brazil. This is what the researcher Marcos Nobre refers to in his article “*Fé na mídia*”. He states that, “if protestant institutions are usually better succeeded at acquiring direct mass communication means, Catholic Church responds with its secular power”, and reminds that, “already in 1997 during the FHC government (Fernando Henrique Cardoso), the church accomplished the passing of a law ensuring religious teaching in elementary school.” On the signature of the agreement between the Holy See and the government, Nobre writes, “We should expect that the House of Representatives rejects it.”

COMISSÃO DE CIDADANIA E REPRODUÇÃO

Supporters of the document evidently mix up the concepts of Laic State, Democracy and pluralism in their current speech. According to the mass media, the excuse for the concordat was that it agrees with interests of the majority of Brazilian population, since it is catholic. Roberto Livianu, in “*Sagrada laicidade*” (“Sacred laicity”), a text also published by the *Folha de São Paulo* on August 07, 2009, put it very well: “...this means denying democracy’s very essence. Because in the democratic system, the voice of the majority determines the choice for governors; but, once elected, they should work for everybody, including minorities, not only for the majority who elected them.” Livianu also reminds the historical 119-A decree, which establishes the separation between Church and State.

Marshal Deodoro da Fonseca, Chief of the Republic Provisional Government then, sanctioned it on January 7, 1890. The very first section declared forbidden to Federal authorities as well as to all Federated States authorities to sanction any law, rule or administrative act that established or condemned any religion, and to create differences among inhabitants or public services because of religious or philosophical opinions or beliefs.

Churches and religious confessions also had their juridical personality recognized in the same decree, so to acquire goods and properties and administer them “under the limits established by laws concerning the dead hand property”, and allowed them to keep possession of all their wealth as well as their edifices for religious rituals. http://www.planalto.gov.br/ccivil_03/decreto/1851-1899/D119-A.htm

The voting of the concordat in Brasilia takes place exactly at the same time that an action from the São Paulo Federal Public Ministry is under study, asking for the withdrawal of religious symbols such as the crucifix and the bible from public offices. If approved by Federal Justice, the determination is that the offices have 120 days to obey the decision. It is seemingly simpler to remove such easily recognizable symbols from public office walls than to avoid the subliminal arrival of another yet more powerful one, once it is sanctioned by the highest political jurisdiction in the country – the Agreement Brazil – Holy See.