

# **Agreement between Brazilian Government and Holy See in Plenary Assembly's trial calendar**

Document is under urgent procedure and can be voted at any moment

Tuesday 25 August 2009 (Date first published: 22 August 2009).

Brazil is about to pass an agreement with the Holy See establishing a Juridical Treaty with the Catholic Church. The proposal was included in the Brazilian House of Representative's trial calendar on August 18, 2009 as Legislative Decree Project 1736/2009, and is to be voted at any moment. The document was signed by President Inacio Lula da Silva in November, 2008 and has already passed in the Foreign Relations Committee and the House of Representatives National Defense Committee. It is now under urgent procedure and, if approved by the National House of Representatives, it still has to go to the Senate.

Civil society entities have manifested against the treaty's signature, including the Brazilian Magistrate Association (AMB), and representatives of evangelical churches, atheists, women movement, black movement, and entities that defend the laic teaching. In the many political parties we find parliamentarians that are either favorable or contrary to the concordat, and any of them takes an official stand on the matter.

Other countries that signed similar agreements during dictatorial historical periods (Spain, Germany, Italy, and Portugal) are not necessarily role models for the Brazilian State, and France remains as reference for laicity. In this sense, the excuse that "it is a Laic State, but a religious nation" is unsustainable, since the principle of laicity foresees the separation between the State and the Church; that is, between public and private matters. Therefore, followers from minor religions as well as non religious citizens are free from impositions by the country's major religion through the State, and it is also assured the free manifestation for all religions, with no privileges granted.

The most controvert issues about the concordat rely on norms established on public education and labor. Education: it introduces the confessional teaching with emphasis on the catholic religion disregarding section 33 in the Brazilian Educational Bases and Guidelines Law. Labor: it legally prevents that current or former religious teams (priests, nuns and other religious categories) appeal and claim their labor rights regarding services rendered to the Church, thus blocking them the access to rights assured by the Brazilian labor legislation.

The agreement also involves issues regarding marriage, tax immunity to ecclesiastical entities and the rendering of spiritual services in prisons and hospitals. Questions 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 mediatic and strategic control are also present. One could say, after all, that the Catholic Church is willing to expand the use of State subsidies for evangelization purposes.

If you are against the approval of the concordat, click here: [http://www.ccr.org.br/a\\_iniciativa0...](http://www.ccr.org.br/a_iniciativa0...) and send your message to the Republic President, the Foreign Relations Ministry and the Parliament

team.

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**LETTER:**

We the defenders of the Laic State, Democracy and Human Rights hope that National Congress will reject the Legislative Decree Project 1736/2009 that was sent to Brazilian Parliament by Lula's Government Foreign Relations Ministry. The decree foresees the establishment of a Juridical Statute which grants privileges to the Catholic Church in the country.

A clear position from the National Congress will allow that Brazil recovers its prestige face the international community, by taking concrete actions that demonstrate the country defends the separation between Church and State Powers, protects constitutional rights of all citizens and promotes an international environment that respects religious diversity of all Peoples and Nations.

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[http://www.ccr.org.br/a\\_iniciativa06\\_ago2009.asp](http://www.ccr.org.br/a_iniciativa06_ago2009.asp)

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\* [http://www.ccr.org.br/a\\_iniciativa06\\_ago2009en.asp](http://www.ccr.org.br/a_iniciativa06_ago2009en.asp)