



SEXUALITY

POLICY

WATCH

The Pope's visit to Brazil: context
and effects

by Washington Castilhos

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Sexuality Policy Watch (SPW) is a global forum composed of researchers and activists from a wide range of countries and regions of the world. Inspired by local and international initiatives, the SPW 's mandate is twofold: to contribute to sexuality related global policy debates through strategic policy-oriented research and analysis projects, and to promote more effective linkages between local, regional and global initiatives.

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Introduction

In 2007, the Pope's visit to Brazil mobilized various groups in opposition to the Vatican's moral dogmatism. In support of these groups, Sexuality Policy Watch (SPW) has produced a series of short articles to illuminate the larger social and political context within which the Pope's visit occurred and to examine more closely the main controversies with respect to sexuality that the Pope's visit has triggered, or has the potential to trigger. Such an analysis lends itself to a more nuanced understanding of the politics surrounding papal visits that otherwise go unrecognized in mainstream media reports. However, this series of articles is not only about Brazil's experience with how the Catholic Church intervenes in sexual matters. Rather, the articles also reflect on the Vatican as a main actor in globalized sexual politics and on Brazilian society and the Brazilian government as important players in the international arena.

This series of articles comprises our 5th Working Paper. It includes articles published on our website in 2007 along with a new article from 2008 that addresses the effects of the Pope's visit. The series has been produced in close collaboration with the Latin American Center on Sexuality and Human Rights (CLAM), which also translated the articles into Spanish and disseminated them in Latin America. We thank our partners at CLAM, and in particular, Washington Castilhos, for his dedication to the project.

Richard Parker and Sonia Corrêa

The traces of Ratzinger's visit to Brazil

Translation: Sonia Corrêa
:: Posted on July, 2008 ::

When Pope Benedict XVI visited Brazil last year, he spoke about sexuality, abortion and youth chastity. He expressed concern that Brazilian Catholics have become increasingly less committed to the official position of the Church on these issues. He called upon the local Catholic hierarchy to encourage greater adherence to the Church's stated norms and values. However, this is not to say that his recommendation has been wholeheartedly received by the faithful nor that it will find a fertile ground to blossom.

An opinion poll released by *Folha de São Paulo* one week prior to the Pope's arrival (May 6th, 2007) revealed a clear gap between the Church and Brazilian Catholics on questions of sexual morality. While Ratzinger argues that condoms encourage promiscuity in contemporary society, 94 percent of Brazilian Catholics supports the use of condoms to prevent HIV/AIDS. In the same manner, although civil union among same-sex persons is denounced by the Pope as an aberration, it is supported by 46% of Brazilian Catholics. Lastly, whereas the Vatican document "Sacramentum Caritatis" refers to second marriage as a "social plague", 74% of Brazilian Catholics is in favor of divorce. These figures indicate that a significant proportion of Brazilian Catholics either is indifferent to, or refutes, moral prescriptions of the Church in relation to these matters.

In the view of sociologist Regina Soares Jurkewicz from Catholics for a Free Choice: *"The Pope's presence has revealed how the religious field in Brazil is organized and, most principally, how both Catholic men and women behave with respect to issues related to intimacy. In terms of moral values, the Pope underlines the importance of fidelity in marriage, celibacy of the clergy, and the 'right to life' of an embryo or fetus. This has frustrated people who thought he should be addressing the injustice and exclusion resulting from neo-liberal policies, heteronormativity, or even gender-based violence. However, it is important to note that not all of his projects have been successful. Right before the Pope's visit, the Minister of Health stated that unsafe abortion is a major public health problem and that the government must take greater responsibility for women's reproductive health."*

The Pope, therefore, has encountered a country that is democratic and plural, religiously undogmatic, and unwilling (against the request of the Vatican) to infringe upon principles of laïcité (see the article "Secularity put to the test"). However, state actors have not always sustained these positions. As published in the newspaper *O Globo* on May 14th 2007, President Lula openly criticized the statement made by the Minister of Health, José Gomes. He argued, *"Fighting with the Pope! How come? Are you nuts? To openly speak about abortion when the Pope is in the country? As a citizen you can advocate for whatever*

position. But since he is the Minister this is not possible. Do you want to create problems between the Pope and me?"

Thus, many contradictions have become evident because of the Pope's visit. One year later, we are in a position to examine the traces his visit has left behind. Various experts point out the difficulties of such an examination, since the effects of the Pope's visit are multiple and scattered. For Sonia Corrêa, co-coordinator of Sexuality Policy Watch, "*The effects are quite diffuse. In order to more precisely describe and analyze them, a deeper investigation of the Catholic Church's internal processes and decisions would be required. What is quite evident, in any case, is that at a societal level the visit has triggered the virulence of conservative sectors.*"

Maria das Dores Campos Machado, a sociologist at the School of Social Services at the Federal University of Rio de Janeiro, agrees with this assessment. She says, "*Quite clearly the Pope's visit has mobilized the energy of conservative Catholic groups organized around the so-called Pro-Life Movement to pressure politicians and to thwart legal advancements in the area of sexual and reproductive rights.*"

Conservative voices are louder, their arguments, sharper

In Sonia's and Maria das Dores' views, the main impact of the Pope's visit has been that conservatives now feel more at ease to express their opinions and act accordingly. One illustration of this was during the 13th National Health Conference, held in Brasília in November of 2007, when pressure from Catholic sectors led by the Children's Pastoral resulted in the rejection of a motion in favor of legal abortion. This motion had been supported by Ministry of Health delegates, among other groups.

The 2008 Fraternity Campaign, a yearly Catholic Church initiative since the 1960s, is another example of the new strategies used by conservative Catholics. This year's campaign slogan is: "*Fraternity and the defense of life: Choose therefore live*". Although conceived of long before the Pope's visit, the 2008 campaign must be located within the same strategic framework. Specifically, its principles and arguments were openly endorsed at the 5th Latin American Episcopal Conference (CELAM) that took place in the Sanctuary of Aparecida do Norte when Ratzinger was the main honorary guest.

As part of the 2008 campaign, during lent, plastic fetuses, and videos showing abortion scenes, were exhibited at each of the 240 churches in Rio de Janeiro. In one church, a "fetus" floating in gel inside a vase was placed at the altar to portray the "sacrifice of life". These bad taste performances are not designed to promote ethical debates, but rather terrorize the faithful and society at large.

In Jundiá, a town in the state of São Paulo, the Municipal Council approved in March of 2008 an ordinance that prohibits the distribution of emergency

contraception by the public health system. Several days before the decision was made, the local bishop had visited the Council, urging the adoption of the ordinance in the name of a "right to life". Although the ordinance violates Article 226 of the Constitution, which protects the right to access health information and family planning services, the Mayor sanctioned the ordinance.

In April of 2008, in Campo Grande in the state of Mato Grosso do Sul, Judge Aluizio Pereira dos Santos declared that he would punish 9,862 women who had undergone illegal abortions. These women had received services from a well-known family planning clinic (in operation for more than 20 years). In 2007, a news broadcast of *TV Morena* (the local affiliate of the giant *Globo TV*) accused the clinic of practicing illegal abortions. The clinic was subsequently raided by police and the medical records of roughly 10,000 women were confiscated as hard evidence. When this case went to court, the judge made a threatening declaration and the episode gained national media attention. By May 9th 2008, the medical records of 74 women had been examined: 16 women, although still living in the state, can not be found by the police; seven women have crossed state lines; and 51 women have turned themselves in. Twenty-six of the women who turned themselves in have been found guilty, but, under federal law 9099, received a relatively minor sentence. They have been forced to do community volunteer work in childcare centers. In Judge Aluizio's view, this punishment will make them reflect on the meaning of motherhood: "*If they are forced to work in child care centers and schools they will learn that many women have children and take care of them with just a little bit of effort*" (interview with *Época*, Issue nº 521, May/2008).

Sociologist Dulce Xavier, coordinator of the Brazilian Coalition for the Right to Abortion (Jornadas Brasileiras pelo Direito ao Aborto Legal e Seguro), believes that the 2008 Fraternity Campaign has had a stronger impact than the Pope's visit because it creates the favorable conditions at local levels for conservative Catholic sectors to reach their desired goals, such as the ones described above: "*In the case of Jundiaí, the Mayor has declared that he knows well that emergency contraception is not an abortifacient. But even so he sanctioned the ordinance because the Bishop is too influential and he would not risk vetoing a law supported by the Catholic Church in an election year [In late 2008 municipal elections will take place]. We can also perceive key connections between these forces and sectors with much financial power. Moreover, it is clear that many of these conservative sectors aim to become visible in the press and TV. For instance, in Jundiaí, Claudio Miranda, the Municipal Councilor who proposed the ordinance – and who has undertaken very few projects during his term – has clearly wanted 'religious morality' to appear in the media. And, in fact, he has achieved his objective.*"

Dulce also says that the Catholic Church is strategic in how it pressures legislative and executive branches at all levels: it imbues politicians with a "power of persuasion" and it takes advantage of favorable media attention: "*In the case of Campo Grande, the judiciary action occurred because a small group of conservative federal parliamentarians visited the town, after the clinic was*

raided, and asked the Public Attorney's office to prosecute the women whose medical records had been collected. Not surprisingly, local authorities felt compelled to implement the Penal Code and were quite reluctant to respond to the case using a human rights or social justice approach."

In Sonia Corrêa's view, it is vital to analyze these facts as a whole: *"Ordinary people tend to view these facts as isolate episodes. But they are not at all disconnected. What we are witnessing is a coordinated strategic action being implemented by both the Vatican and the local Church, which, together, have the structure and capacity to mobilize such attacks in different local settings. In 1997, John Paul II's visit re-mobilized anti-abortion groups that had, since the 1980s, lost momentum. Ratzinger's visit has left behind a new wave of unseen virulence that, paradoxically enough, co-exists alongside sophisticated papal discourses and documents that systematically speak of love and 'expanded reason:'"*

Maria José Rosado Nunes, a professor at the Catholic University of São Paulo and coordinator of the Brazilian Chapter of Catholics for a Free Choice, argues that, at a deeper level, the Pope's visit has confirmed the conservative hegemony in the Brazilian Church: *"The current composition of the hierarchy is aligned with the Vatican. The core of the groups that oppose abortion and sexual plurality has been strengthened. These regressive sectors of society have gained power and authority to implement these virulent actions because they feel supported by the hierarchy. But we must also recognize that what makes it possible to display fetuses in churches is the conservatism rooted in society itself. The Church's discourses and actions are in line with the social climate."*

The analysis developed by Sérgio Rego, coordinator of the Research and Ethics Committee of the National School of Public Health (at FIOCRUZ), echoes this point: *"It is difficult to isolate a single factor explaining the growing conservatism we are witnessing. But it is undeniable that in the year that elapsed since the Pope's visit we have observed a regression in various areas as a result of the Catholic Church's political actions. This is not limited to abortion, but also includes euthanasia. A judicial action by the Federal Public Attorney's office is currently underway to contest a resolution (Res. 1805/2006) of the Federal Council of Health (CFM). This resolution authorizes euthanasia, or the interruption of life support for terminal patients whose dignity has been severely compromised on account of their condition. It should be noted that euthanasia was used in the case of John Paul II himself. The CFM resolution is very important because it allows doctors to take this kind of action only when the family of the patient authorizes it. Moreover, in São Paulo, there is a state level regulation that can be applied to situations such as these occurring in the public health system."*

Rego notes that during the Brazilian Conference on Bioethics, held in São Paulo immediately following the Pope's visit, a Catholic scientist, responding to a participant who had suggested revisiting the abortion debate, exclaimed: *"In*

what concerns abortion, no debate is possible'. Catholic Church representatives are now mobilizing to undo another CFM resolution, adopted in 2007, which defines the medical status of brain dead fetuses, including the anencephaly cases, as to facilitate tissue and organs transplants.

Rego argues that Brazilian society still lacks the democratic maturity needed to place such controversies within a reasonable framework. He attributes this deficit to a long history of authoritarianism: *"Brazil must develop further in democratic terms for the society to fully recognize the secular features of the state. We experience, even today, much confusion between religion and state, between public and private. If we take the case of Italy, another country where Catholics are the majority, religion is perceived as belonging exclusively to the private domain. In Brazil, the principle of state laïcité – which means that we are not, as a country, Catholic or Christian – is not yet fully understood or respected. But the principle of laïcité is enshrined in the Constitution."*

Sonia Corrêa points out that Ratzinger has left behind more than virulence. In the political and intellectual debates on abortion, stem cell research, and related themes, the arguments advanced by religiously dogmatic voices have become much more sophisticated. For instance, in a recently televised public debate, a representative of anti-abortion forces called attention to the limits of public health policies at large: *"The Health Minister should be taking care of dengue epidemics and the incidence of high blood pressure, the latter of which is the number one cause of death for pregnant women in Brazil. Abortion may also be a cause of maternal mortality, but the primary concern should be pregnancy-induced high blood pressure."*

A similar line of argument was used by Dr. Zilda Arns, the founder of the Children's Pastoral. Also on public TV, she drew a comparison with Chile to argue against legal abortion. She explained that in Chile, where abortion is illegal, *"the maternal mortality rate is 17 deaths per 100 live births, while in Brazil the rate is 67 per 100,000 live births. Maternal mortality does not justify legalizing abortion. More effective ways to move forward would be to improve the health care system, increase the health budget, train health professionals, provide access to drugs, and resolve the obstacles to access to care."*

In Sonia Corrêa's analysis, strategies such as these, which contest legal abortion by redirecting public attention from abortion itself to the limitations of the current public health system, can easily capture popular imaginary. It is therefore urgent to quickly and effectively respond to these arguments. In reaction to the statement about Chile, she argues: *"It is true, in Chile, that rates of maternal mortality are lower and abortion is illegal. However, the comparison made by Dr. Arns is fallacious because, in the case of Chile, efforts to reduce rates of maternal mortality began forty years ago, which was not the case in Brazil. In Brazil, these measures began in the mid-1990s, and, before that, maternal mortality was not at all a policy priority, even for the Children's Pastoral. Dr. Arns also failed to mention that the feminist movement, beginning in the late-1980s, has been primarily responsible for demanding that maternal*

mortality become a focus of epidemiological studies and public debates. It is only recently that the Pastoral has engaged this issue."

The effects on national politics

In light of the climate described above, the detrimental effects of the Pope's visit on policies and politics were inevitable. For instance, the intensification of conservative attacks and actions has led the Health Minister to become extremely cautious with respect to abortion, at least in his public speeches. In addition, there has been an upswing in regressive legislative proposals at the level of Congress since 2007, when a new legislature was put in place. These include law provision PL 478/2007 proposed by representatives Luiz Bassuma (PT-Bahia) and Miguel Martini (PHS-Minas Gerais), which aims to abolish access to safe abortion in the case of rape and redefines abortion as a hideous crime; law provision PL 489/2007 proposed by representative Odair Cunha (PT-Mina Gerais) that also eliminates the possibility of abortion in the case of rape; and a proposal that became known as the "rape grant," whereby the state, in order to dissuade women who become pregnant as a result of rape to terminate their pregnancy, provides financial assistance to the mother and child until the child reaches 18 years of age.

On May 7th 2008, the House Commission on Social Security and Family voted on law provision PL 1135/1991, which aims to modify the Penal Code so as to decriminalize abortion and exempt women who abort from detentions of one to three years. However, the provision was rejected and the rapporteur, Jorge Tadeu Mudalen (DEM- São Paulo), reinstated the existing legislation, which states that there are only two cases in which abortion is not punishable by law: rape and when the woman's life is in danger.

In fact, the text discussed on May 7th was not the original text but a new report prepared by the rapporteur himself. This report reflected the typical stance of conservatives in that it advocated for the right to life for the unborn. It also made the false contention that the original text – the one that aimed to decriminalize abortion – advocated in favor of late-term abortion, including abortion during the 9th month of pregnancy. This distorted rationale was critical to ensure the approval of the new text. The 33 representatives attending the session were all members of the Right to Life Parliamentarian Group. The seven progressive representatives, who would have voted against the modified text, were not even in attendance, since they saw no hope of overturning the ruling. Since 2006, when the Commission became overwhelmingly conservative under President Mudalem, any advancement with respect to abortion and related matters has been systematically blocked.

Law provision PL 1135 was then brought before the House Commission on Constitution, Justice and Citizenship (CCJC). The composition of this commission is also overwhelmingly conservative, since, over the past six years, conservatives have gained power within both the left and right extremes of the political spectrum. The CCJC rejected the provision on July 9th, after two public

hearings, and accepted the proposal of Rapporteur Eduardo Cunha. This proposal was written prior to public hearings held with the precise aim democratically debating the issue, to which experts both in favor and against abortion were invited to express their views. Not surprisingly there were 57 votes opposed to the provision, and only four in favor of it.

This outcome further demonstrates an increase in conservative thinking both within right-wing political parties and the so-called “left”. One example is Eduardo Cunha, who apart from being a member of the parliamentary evangelic “group” (1) is also one of the signatories of the proposal to make abortion a hideous crime in Brazil. Many politicians from left-wing parties in Brazil also advocate for conservative “flags” in relation to sexual and reproductive rights. Some examples are the two parliamentarians of the Labor Party (*PT – Partido dos Trabalhadores*) who presented two of the projects mentioned above, and ex-Senator Heloísa Helena and Municipal Councilor Cláudio Miranda who introduced the ordinance to suspend access to emergency contraception in Jundiaí. It is worth noting, and rather regrettably, that both the PT and the PSOL programs officially endorse the legalization of abortion.

Most importantly, at the judiciary level, a lawsuit against Article 5 of the Bio-Security Law, which regulates the use of embryos in stem cell research, has come before the Supreme Court on two separate occasions, first on March 5th and then again on May 30th. This lawsuit began in 2005 under the first Federal Attorney of the Lula government (2003-2005), Cláudio Fonteles, who is devote Catholic. Article 5 authorizes the use of cells extracted from embryos fertilized in vitro; only embryos that have been frozen for more than three years or that are deemed non-viable are used. Since the lawsuit began, the Supreme Court has sponsored a series of debates, during which a number of scientific experts have expressed their support for the law, while conservatives have criticized the law as an infringement on the right to life.

In the March session, after Ministers Carlos Ayres de Britto (who is also Supreme Court President) and Ellen Gracie voted in favor of the constitutionality of the article, voting was suspended because Minister Carlos Alberto Direito raised procedural questions. Minister Direito is a conservative Catholic, nominated to the Court by Lula in August of 2007 after much pressure from the Vatican and the National Conference of Bishops. Minister Direito justified his request by arguing that the issue was too controversial to be decided in one session. This delayed the process until May 30th, when the constitutionality of Article 5 was affirmed by a small margin of six to five votes.

Sonia Corrêa considers the position of the Catholic Church and its allies in relation to the stem cell debate to be a blatant illustration of dogmatism: *“The ideological goal of the Church in attacking stem cell research is to reaffirm the attachment to, and appeal of, a notion of organic, biological, and natural life. The Church’s framework prioritizes the ‘sacredness of life’, which paradoxically serves to threaten quality of life. In the Vatican’s doctrine, the order of nature cannot be altered because it derives from divine law. By emphasizing this*

notion in the stem cell debate, the Church places greater emphasis on the sacredness of an embryo's life, since this, in turn, creates a broader social consensus against abortion. In doing so, the Church completely discards the potential of the research to actually improve quality of life."

Societal and institutional responses

Although the current climate is far from favorable, groups and voices in support of stem cell research, legal abortion, and sexual plurality, are actively resisting this new wave of virulent moral conservatism. In March, the feminist NGO CFEMEA, in partnership with the *Jornadas pelo Direito ao Aborto Legal e Seguro*, launched the campaign "In support of Brazilian women's sexual and reproductive rights". Its main goal: "*To contain the actions and effects of conservative and fundamentalist groups that continue to portray, as criminals, those women who, for a variety of reasons, may resort to abortion. Violating existing laws, these forces attempt to restrict the sexual and reproductive rights already afforded to women in areas such as family planning, emergency contraception, HIV/AIDS prevention and access to abortion in the cases permitted by law*" (excerpt from the Campaign's manifesto).

A working group has been created to monitor Congress debates and strengthen ties with progressive parliamentarians who support sexual and reproductive rights but are under heavy attack by conservative representatives. Another strategy recently adopted is to expand political support for these rights, particularly the right to safe and legal abortion, among the electoral basis of conservative parliamentarians. Dulce Xavier argues that, because law provision PL 1135 has been rejected, the next step will be to present a different provision prepared by the Tripartite Commission, a commission composed of members of the executive, parliamentarians, and civil society representatives.

The provision, elaborated in 2005, which aims at decriminalizing abortion, can be introduced by either individual parliamentarians or popular initiative, which would require the support of 1% of the Brazilian electorate. It differs from PL 1135/1991 in that it goes beyond abolishing the Penal Code that criminalizes abortion. While PL 1135 does not include any specifications about procedural regulations of abortion – for example, it does not limit abortion to first or second-term pregnancies – the provision of the Tripartite Commission addresses both decriminalization and regulation. Specifically, abortion is legal through the first 12 weeks of pregnancy. In cases of rape, this timeframe is extended to 20 weeks. In cases of fetal abnormality or health risk to the woman, the timeframe is left to the discretion of medical providers.

Dulce explains: "*It is important to clarify that this law provision makes explicit exactly what is being proposed, so that society can better understand the issue. People resist the idea of decriminalizing abortion because they imagine this will result in a complete lack of rules or control, when in fact what we are proposing is that rules and criteria be defined, and this serves to standardize a medical*

procedure that is currently being practiced without any norms or parameters. Many women who lack information resort to illegal and unsafe abortion after 12 weeks of pregnancy, thus putting their lives at risk. As long as abortion remains illegal, there is no way for a woman to get accurate information on abortion and prevent the risks of unsafe procedures. If the procedure is made legal, women will have access to the necessary public health information and services and this will lead to a reduction in the number of abortions performed after the 12th week."

A rapid response initiative has also been created in response to the punishment of the 9,862 women in Campo Grande. The Commission on Citizenship and Reproduction (CCR), CFEMEA, Themis, Articulação de Mulheres Brasileiras (AMB) and the National Feminist Health Network have all traveled to Campo Grande to analyze the episode and create a support system for the women being accused and prosecuted. The report prepared by this team explains: *"Although TV news coverage of the case has triggered intense institutional reaction, the case is only one of many instances in which abortion clinics have been raided by police in other cities, which have also been made visible by Globo TV or their affiliates... Pro-life groups have been active in Mato Grosso do Sul and Campo Grande for many years. A group of parliamentarians from the Pro-Life group in Federal Congress visited the city right after the clinic was shut down and put pressure on the judiciary. It is appalling and regrettable that the women are turning themselves in to the police without being accompanied by lawyers. The women are forced to 'confess' and they do so because they are unaware of their right to remain silent."*

Other groups, beyond the feminist movement, are also showing resistance. A number of intellectuals and op-ed writers have expressed their views on the debates underway. Flávio Pierucci from the University of São Paulo (USP) considers the terms used to discuss abortion in Brazil to be entirely inadequate: *"The question is not to decide whether or not abortion is a sin, but rather to understand that even if it were a sin, this does not automatically make it a crime. Catholic ethical principles cannot be the model on which the Penal Code is based. If abortion is a grave sin, this is a problem for the Church. For society at large, the question is to decide whether or not abortion is a crime. How many things does God prohibit that do not constitute a crime? What the Christians or Catholics prohibit cannot be automatically called a crime in the Penal Code. Crime is crime, sin is something entirely different."*

In an article published in the Sunday Special Supplement of *Folha de São Paulo* (April 13th, 2008), another professor at USP, the philosopher Renato Janine Ribeiro, argues that, crisscrossing the discussions on abortion, euthanasia and stem cell research is an intense ethical debate about "life": *"This is not an easy debate because it brings to the fore questions about the life that will not come into being, in the case of abortion and embryos, as well as the life that may have been abbreviated. In other words, it is a debate about life that encompasses death or non-life. This is why it is so delicate and hotly contested. But the case of stem cell research is not the case of abortion. These issue*

should not be equated with one another. There are people who accept, for research purposes, the use of frozen embryos, which are not on the path to becoming a life, but do not support abortion. Some defend the right to abortion as the 'lesser evil'; others defend it within broader limits. The positions differ widely. Most importantly, I believe that even when all these issues with respect to life and voluntary death converge, it is vital not to mix them up, since this creates only more confusion."

For bioethicist Fermin Roland Schramm from the National School of Public Health, the key question is not to define "life" in biological terms alone: *"It is true that when the two gametes are joined a new biological entity is formed. But we cannot say that this entity will forcibly have a potentiality for life. The core of the debate is to ask: what type of life is really relevant from an ethical point of view? In my view, what is crucial is 'life in relation' and not cells or zygotes in isolation. What is important is the moment at which a relationship is established between the new entity and the 'host', an epidemiological term referring to the woman wherein this new being will evolve. If for whatever reason the woman does not accept that relationship, an ethical connection does not exist nor can it be imposed by third parties such as the Church, family, society, or significant other. To penalize this woman is therefore highly problematic. Given that she is the owner of her own uterus – that is, the fetus is inside her body and no one else's – her rights prevail over the rights of the Church, state, family or even significant other. Ethically speaking, the core relationship takes place between the woman and embryo. More important than searching for biological origins of life, therefore, is to ask the women if she recognizes this core relationship. At these early stages, the embryo does not yet have a brain."*

Regarding state institutions, while the positions of the executive and legislative powers are by and large contradictory, if not blatantly conservative, the judiciary has shown more of a commitment to secular values and a respect for moral plurality. This is illustrated by the way the Supreme Court judges voted on Article 5 of the Bio-Security Law. In the March session, the President of the Court, Minister Ayres Britto, argued that the Brazilian Constitution may protect human life from birth to death; however, while there is consensus about what constitutes death (the ending of all brain function), the same is not true for life: *"The bill of rights does not specify when human life begins. It does not contain any provision with respect to pre-natal life. The embryo is the embryo. The fetus is the fetus. The human is the human. This human is not anticipated before the metamorphosis of these other organisms... The human is the phenomenon that evolves between birth and death. It is the final product of this transformation. It means the creation of another being, in the same way that seeds become plants, clouds become rain, and a caterpillar becomes a cocoon and later a butterfly. Nobody would claim that a seed is a plant, that a cloud is rain, or that a caterpillar is either cocoon or butterfly. An embryonic person does not exist; what exists is the embryo of a person."*

In another key moment, Ayres Britto reminded that “[*The embryo*] is never the same as the new life it later becomes, since it lacks the very neural connections that constitute the biological announcement of a human brain being gestated. To put it simply, the embryo does not have a brain already formed or even in the process of formation. The human, therefore, does not exist within the embryo, not even as a potentiality.” Minister Ellen Gracie position, on the other hand emphasized, the normative aspect of the debate: “*We are not an academy of sciences. Our main task is to assess the constitutionality of the Bio-Security Law and I do not consider this law to be unconstitutional as it has been defined.*”

Minister Celso Mello, a longer standing judge in the Court, was silent on the issue of the law during the March session. However, he later told the press that he believed the rapporteur’s vote to be consistent with earlier international agreements, made during the 1990s, on reproductive rights and abortion. He also strongly contested the religious tone of the debate. He said that although the question of what constitutes a human life is highly controversial, Supreme Court judges should not opt “for a theory that defines the beginning of life from a strictly faith-based perspective” (*Agência Estado*, 9/03/2008).

In the final debate the positions of six of the eleven Supreme Court Ministers has converged with the general opinion of the public on the issue of stem cell research. Prior to the March session, an opinion poll conducted by IBOPE at the request of Catholics for a Free Choice revealed that 95% of respondents is in favor of the use of discarded or non-viable embryos for stem cell research. More importantly, although the Supreme Court vote on Article 5 was narrow (6-5), the judges who voted in favor of the constitutionality of Article 5 have solid convictions in the principles of laïcité and moral plurality.

In his assessment of the Supreme Court decision on Article 5, Janio de Freitas, a widely respected op-ed writer, imagines a future wherein such topics can be discussed in Brazil more openly and less dogmatically: “*Having demonstrated support for stem cell research, some Ministers have carved out a space that hopefully will allow other key areas of debate, including the right to terminate an unwanted pregnancy and the right to euthanasia, to be reconsidered in a different light.*”

The international connection

Since the mid-1990s, Brazil has become a target of Vatican strategies. This is because the Catholic Church is competing for the religious and spiritual market but also because it aims to erode progressive policies being implemented domestically and diplomatic positions expressed by Brazil internationally. But what has been happening recently must be analyzed in the context of other global initiatives triggered by the Benedict XVI papacy. For example, it is necessary to mention the brief but highly publicized spin mobilized by the Catholic media in January of 2008 around a global campaign calling for a

moratorium on abortion. The moratorium campaign was inspired by the call for a moratorium on the death penalty proposed by the Office of the High Commissioner on Human Rights to commemorate the 60th anniversary of the Human Rights Declaration, adopted as a General Assembly resolution in December of 2007 (see [Daniela Colombo's article](#) in the SPW Newsletter 3, April 2008). Another relevant event was the Pope's visit to the United Nations in April of 2008.

Sonia Corrêa calls attention to the fact that the Pope's visit to the UN was also a visit to the United States, or to be more precise, the White House. In other words, it aimed to make explicit an alliance between President Bush and the Vatican at the very moment when the Bush era is coming to an end. She writes: "*Benedict the 16th has appeared on the White House lawn to signal to the world that 'We are together as we always have been. Bush eventually will be replaced but we, the Vatican, will continue to raise the flag of dogmatism. We will once again become the main actor in this regard'.*" Sonia recalls that, over the past eight years, the Vatican has been rather silent or at least discreet in global negotiations on abortion and sexuality. This low profile, which openly contrasts with the Holy See behavior in the various UN negotiations of the 1990s, was made possible because, since 2001, the Bush administration did the dirty work on the frontlines. These "favorable" conditions may change after the 2008 US elections.

Most principally, it is crucial to critically analyze the statements made by Ratzinger to the UN, since they have many implications for the debates and processes underway in Brazil, as well as many other contexts where the Vatican has an influence. As discussed by the Brazilian philosopher Artur Gianotti (Caderno *Mais*, Folha de São Paulo, April 28th, 2008), the Pope made a formal and diplomatic speech that did not show any sign of virulence, but which nonetheless subjected politics to moral judgment and criteria: "*In a pen stroke, Benedict the 16th transformed an institution [the United Nations], which is eminently political, into a moral entity very clearly aligned with the Christian family. He has subjected politics to morality without taking into account the fact that politics is always an unstable game of competing interests and that contemporary morality is, above all, the coexistence of different points of views.*" Gianotti's insightful analysis pierces the core of current arguments against legal abortion, sexuality plurality, and bioethics: in the Vatican's conception what will save the world is religious morality, not politics.

Brazil's new religious landscape

Translation: Tori Holmes
:: Posted on April 10, 2007 ::

Flávio Pierucci, a sociologist from the University of São Paulo (USP), once said that to be Catholic in Brazil is to follow the crowd. *"People are born Catholic. Catholicism is not a religion that is chosen. Just like Lutheranism in Sweden, Catholicism in Brazil is part of the landscape."* However, when Pope Benedict XVI arrives in Brazil, he will find a very different "landscape" from that encountered by his predecessor, John Paul II, on his last visit to the country in 1997. Although the Brazilian state ceased to be Catholic at the end of the 19th century – when at the end of the Empire strong principles of laïcité were adopted by the Republic – Brazil is still considered the largest Catholic country in the world. However, the results of the latest demographic census carried out by the Brazilian Institute of Geography and Statistics (IBGE) show a growth in the number of evangelical Christians and people who declare themselves to have no religion – according to this data, the Catholic Church has seen a drop of almost ten percentage points in its flock over a decade: from 83% in 1991 to 73% in 2000. Many believe that this is the main reason behind Benedict XVI's visit to Brazil at this time.

According to experts, beyond the fall in the Catholic faithful, another key characteristic of contemporary Brazil is the intense religious mobility to be seen in the country. Research from 2004 about religious transit carried out by Ceris (Center for Religious Statistics and Social Concern) shows that 23% of interviewees changed religion in the last two decades. (Source: *Mudança de religião: desenvolvendo sentidos e motivações no Brasil* [Changing religion: uncovering meanings and motivations in Brazil], Ed. Palavra e Prece.)

"We must take into consideration that the majority of these interviewees were Catholic to start with. This religious mobility is something we've never had in Brazil before. Before, a person could say they were Catholic and attend Umbanda ceremonies¹. But when a survey is carried out and people admit to having changed religion, what they are saying is that they have broken their

ties with the institution and that changes are taking place in terms of how their identity is constructed. What we see nowadays is a growing number of people trying out other forms of religious expression and community life," says Maria das Dores Machado, sociologist and professor at the School of Social Work of the Federal University of Rio de Janeiro (UFRJ).

It is not exactly the growth of the evangelical churches (a phenomenon that has been occurring for 50 years but which has accelerated over the past three decades) that worries the Vatican the most. According to the IBGE data, the number of people who say they are Catholic has also risen, from 122 million in 1991 to 125 million in 2000. This increase of 3 million followers in a decade may be considered significant in the current Brazilian religious market, given that, for example, it is larger than the number of worshipers who attended Baptist Church services in 2000.

What has attracted the attention of the Catholic hierarchy is the fact that the growth in the number of its followers has been slower than the rate of overall population growth in the country – from 1970 to 2000, the average annual growth rate for the number of Catholics was 1.3% whereas that of the total population reached 2%. (Source: *Atlas da filiação religiosa e indicadores sociais no Brasil* [Atlas of religious affiliation and social indicators in Brazil], Ed. Loyola)

"For 40 years Catholic women have disobeyed a Vatican ruling and used the pill"

The worry is that this decrease in the growth rate of the number of Catholics may result in a loss of influence by the Catholic Church in the country, if the trend continues in the coming years. The truth is that over the years the religion has lost spheres of influence over people's behavior. Another issue faced by the Catholic Church today is that in recent years, due to technological advances and greater access to education and information, its followers have developed an increasingly critical outlook towards religious institutions. Catholics want more and more autonomy over personal matters such as marriage, contraceptive methods and sexual orientation, exactly those which the Vatican attempts to keep under the control of its rigid traditions.

"I can see that the capacity of the Catholic Church to convince its followers of its dogmas is much reduced today. People's autonomy in relation to religious institutions is increasing. The higher levels of education and knowledge increase the ability of social actors to take more critical positions in relation to the institution. When the pope says that 'second marriages are a plague', people – even those who are fervent Catholics – look upon this statement as absurd and irrelevant," emphasizes Maria das Dores.

This hiatus between doctrine and behavior always existed, according to Flávio Pierucci. *"This has to do with the advance of knowledge in a general sense. Look at the question of the use of condoms. However much the religion*

positions itself against them, the crucial information comes from the medical profession. In another matter, divorce, also condemned by the pope, there is a demand for legal information. The fact that it is banned by a religion leads people to pay attention to other sources. People are becoming more literate, but there is also increasing medicalization. The sexual sphere has gone from being associated with sin to being a health matter. And the Church wants to recover a sphere of power that it once held," says Pierucci.

One example, according to the sociologist, concerns the number of people infected with the HIV virus in Brazil, which statistical predictions from last decade indicated would be higher today than it actually is. This is the direct consequence of the use of condoms during sexual relations, as research shows. *"If the population is Catholic and the rates of AIDS are not as high as predicted, then it must be because people are listening to the doctors, despite the religious directives,"* he says.

Pierucci also points out that condom usage is not the only sign that the Church is losing space. *"The Vatican was against the birth control pill in the 1960s, when the method was first used. But Catholic mothers used it then and they have continued to do so for the past 40 years. They're not going to follow the pope's advice while the doctors are telling them that this is a way to avoid unplanned pregnancy,"* he stresses.

"When we expand people's knowledge and their cognitive resources, we create new challenges for the religious institution. Divorce, for example, is one of these challenges. The problem is that the Church simply rejects it, without negotiation. The Church's more conservative discourse in relation to divorce, abortion and homosexuality is out of date. But when levels of education increase this leads to a more liberal way of thinking about a number of issues. This also makes it possible to separate doctrine from personal behavior. You can join a religious institution and have an abortion, or be homosexual, even if this goes against a dogma," concludes Maria das Dores.

As well as the religious mobility, socio-political changes have also taken place in Brazil since it was last visited by a pope. The changes in educational levels have given women a wider perspective about their role in society at the same time as the country has moved forwards in the debate about sexual and reproductive rights in both political and legal spheres.

"There have been advances, but the Catholic Church maintains the same position. In actual fact, the pope is coming to reinforce the Vatican's position. But we should remember that at the same time as we have a more lively debate in the public sphere, we also have more conservative positions in the Catholic Church. Historically, the Catholic Church had never developed strategies like those used against Jandira Feghali [in the 2006 elections for senator of Rio de Janeiro state], when it sent text messages telling voters not to vote for her because she supported the decriminalization of abortion. On the one hand, we have seen progress, but on the other hand we have seen the

hardening of the Catholic Church's conservatism and fundamentalism," evaluates Maria das Dores.

Holy opportunity

Factors such as the growth in the number of evangelical religions, a greater religious mobility and an increase in the level of education of the population mean that the current competition in the Brazilian religious market is no longer about the number of followers but rather about occupying space in society. Emerson Giumbelli, an anthropologist from the Institute of Philosophy and Social Sciences (IFCS) of the Federal University of Rio de Janeiro, believes that the Catholic Church is no longer adopting a defensive strategy in relation to the evangelicals. *"On the contrary, over the years it has incorporated some of the characteristics of other churches, as can be seen from the consolidation of the charismatic movements. The pope's visit, which coincides with the canonization of Friar Galvão, the first Brazilian saint, can be seen from this angle. It is about gaining visibility through massive public manifestations which show the importance of Catholicism in Brazilian society,"* says Giumbelli.

For this reason, experts believe that the canonization of the friar is extremely opportune. It represents a Catholic reaction to try to block the growth of the evangelicals and promote a return to links with the Catholic universe. *"When the Catholic Church releases medallions carrying the pope's head for sale, it is responding to an existing demand which will also in some way increase a religious bond. In the case of the canonization of Friar Galvão, for example, it is creating a new fact which will probably lead to pilgrimages, stimulate religious tourism and make possible the sale of products. In this case, it is not just about marketing, but also the mobilization of emotions and sentiments. The Church is mobilizing people to buy the medallion, to go and see the pope and to buy Friar Galvão's prayer pills,"* analyzes the sociologist Maria das Dores Machado.

Religion and sexuality

In May, Ratzinger will also encounter an embryonic movement of inclusive religions present in the Brazilian religious landscape. *"The movement is consolidating more and more, through a discourse that removes homosexuality from the category of sin and is positive about lesbian, gay, bisexual and transgender people,"* says Marcelo Natividade, an anthropologist also from IFCS in Rio de Janeiro. For three years Natividade has been conducting ethnography on new religious movements – amongst them the churches with an inclusive approach – as part of a research project into "Sexuality and religious experience: paradoxes of contemporary construction of the self".

This movement emerged in the 1990s when Pastor Nehemias Marien, from the Bethesda United Presbyterian Church, began to welcome homosexuals at services. Due to his public position in favor of homosexuals, he was the subject

of criticism from across the Christian spectrum. In 2003 the Church of the Metropolitan Community was born, paving the way for other religious institutions aimed at the lesbian, gay, bisexual and transgender population.

"The new thing about these churches is that they believe that Christian services of worship can be led by openly gay or lesbian people, or attended by them without requiring them to change their sexual orientation. This was unthinkable ten years ago, when only Afro-Brazilian religions were more tolerant and welcomed homosexuals. Today we see that this is spreading. Most of these people came from Pentecostal churches and now they see that they can reconcile their religious experience with their sexual orientation. Before they lived in conflict, hiding their identity in the religious environment," observes Natividade.

According to him, there is research that shows that there is a tendency amongst homosexuals to abandon their religion of origin in favor of Afro-Brazilian faiths, which may be related to the exclusionary character of Christian religions.

Since the 1980s the Vatican has been working to instill a policy based on a return to conservatism. For the past two decades, John Paul II had been substituting the bishops and archbishops in Brazil. For each progressive who resigned or retired from an archdiocese, he appointed someone more conservative. The purpose of Benedict XVI's visit is to strengthen this position.

Science and Religion

Galileo, stem cells, and reproductive technologies: science "heresies" according to the Church

**Translation: Jones de Freitas
:: Posted on April 18, 2007 ::**

Tension between religion and science has existed for centuries. According to Enio Candotti, the physicist who presides the Brazilian Society for the Advancement of Science (SBPC), *"the hardening of the Catholic Church's position concerning science occurs in times when the Church centrality has been under question."* This happened in the late 1500s. Protestantism brought this centrality into question and the Italian philosopher and scientist Giordano Bruno, who defended a "plurality of worlds", was burned at the stake by the Tribunal of the Holy Office (the Inquisition). Years later, physicist Galileo Galilei would be forced to publicly abjure his ideas and would be committed to house arrest because he upheld that the Sun was at the center of the solar system and not the Earth, as the Church taught.

For Candotti, the Church continues to disregard the validity of the real world as a source of knowledge and this explains why it positions itself systematically against the scientific attitude of continuous search. *"Science is an open-ended and unfinished system that seeks to understand the world on a permanent basis. On the other hand, according to religious logic, everything is already known, all is ready, the absolute truth has already been revealed."*

The creation of the world is a good example of the sharp divide between religious and scientific visions. While the Church defends the biblical narrative of creation – the world was created in six days and God rested on the seventh – science sustains Darwin's theory of the evolution of species and that the universe originated in an initial explosion (the Big Bang theory).

"Creationism must be revised by the Church," says physicist and astronomer Ronaldo Mourão, founder of the Rio de Janeiro Astronomy Museum. For him, the Church has already recognized, if only indirectly, that the biblical narrative is symbolic. In the introduction of his book "From the Universe to the Multiverse

– a new vision of the cosmos” (Vozes), Mourão quotes John Paul II speech in an audience with the participants of a week of studies on “Cosmology and Fundamental Physics” organized by the Pontifical Academy of Sciences. *“Every scientific hypothesis concerning the origin of the world, such as the primitive atom from which would have been derived the whole of the physical universe, leaves open the issue of the beginning of the universe [...]. The Bible itself talks about the origin of the universe not to give us a scientific study, but to precisely indicate the just relations of man with God and with the universe.”*

In this context of analysis it must be also recalled that the Vatican has “recognized its mistakes” deriving from the Inquisition, even when it has done it almost ten centuries later. Interestingly enough it was John Paul II who asked the world to forgive the abuses committed by the Tribunal of the Holy Office. Despite these belated regrets, it should be underlined that, in reality, the Inquisition was never completely abolished. In 1908, its name was changed to Holy Congregation for the Doctrine of the Faith. Cardinal Ratzinger, now the current Pope, presided over this Congregation for 23 years, under John Paul II.

***The debate on the use of embryos:
does a live cell have the same importance as an individual?***

When he was still the head of the Holy Congregation for the Doctrine of the Faith Cardinal Ratzinger contributed in the elaboration of the document “Instruction on Respect for Human Life in its Origins and on the Dignity of Procreation.” The text affirms that in God’s view life starts with the union of the ovum and the spermatozoid. This concept has been systematically used by the Church to condemn techniques such as in vitro fertilization, the use of embryonic stem cells in research, and decriminalization of abortion.

The document makes it clear that medical resources to overcome sterility should not separate “the essential aspects of uniting and procreating,” and criticizes procedures that use third-party materials (gamete donors) as contrary to the unity of matrimony. The core of the criticism is the issue of respect for the embryo. According to this understanding, “the human being should be respected as a person since the first instant of existence” – at the moment of fecundation.

Using the arguments developed by the specialists from the Pontifical Academy for Life, the Catholic Church condemns any experiment with human embryos, except for the benefit of a particular embryo. It is understood that the embryo is already a full human being at conception, whose life must be respected.

“All Church’s positions in respect to these matters are expressed in scientific language. They apply the logic of science to ground their own moral framework. They use scientific arguments in their favor. In the case of stem cell research, the Church uses scientific arguments to affirm that the donated embryo is a living being. Hence, this embryo cannot be frozen,” says sociologist

Maria das Dores Machado of the Rio de Janeiro Federal University School of Social Work.

According to Candotti, the religious definition of life's beginning is arbitrary. *"The conceptualization of the beginning of life has oscillated for centuries. The Church has already considered that the fetus would just become a living being after some months of pregnancy. They are constantly updating their own premises,"* he says. For him, the union of two cells is insufficient to establish the beginning of life. *"There are a number of moments that could be considered as the beginning of life. However, a human being is far more complex. We should accept as legitimate that some people believe in religious logic, but it is quite problematic to expect that everybody would follow and adjust to these beliefs. These affirmations may sound consistent, but cannot justify public policies. Abortion and stem cells are public health issues."*

Scientists who favor the use of human embryos in research argue that there is no human being at the initial stage, but just a pre-embryo, an agglomeration of cells that may divide into more than one being, or whose development may cease. In this debate, several theories are put forward to explain the start of a human life.

"If the Catholic Church insists on the thesis of fecundation, based on individual's genetic continuity, other theses could also be taken into consideration such as the emergence of the primitive line (beginning of the spinal cord around the 15th day), the emergence of the neural plaque (beginning of the central nervous system), the identification of heartbeats, acquisition of sensitivity, and live birth. Thus, there is no single position on the beginning of human life, and even less so on what constitutes the condition of being a human person," argues anthropologist Naara Luna of the Educational Technology for Health Unity of Rio de Janeiro Federal University.

For the public health specialist Sergio Rego, coordinator of the National Public Health School Committee on Ethics in Research, the conservative approach to social life adopted by the Church is extremely problematic. *"Undoubtedly there is life in two united cells. However, the central issue raised by science is to interrogate what is the moment when this life becomes morally relevant. Does one live cell have the same importance as an individual?"* he questions. *"Scientific search is focused on finding concrete and viable solutions. We should not deny the opportunities this may create for those persons who one day may potentially benefit from stem cell research."*

"Attacks against life"

Catholic Church teaching on new reproductive technologies corroborates what the Church affirms about contraception. No contraceptive method that separates sexuality and reproduction is licit, because sexual intercourse must always be open to the possibility of procreation.

"In vitro fertilization and related techniques is to be condemned either for separating sexuality and reproduction or for producing human embryos – equivalent to persons according to Catholic teaching – many of which are not transferred to the maternal womb but discarded or maintained in a suspended existence due to freezing methods," says Naara.

In his speech to the 13th General Assembly of the Pontifical Academy for Life, whose theme was "Christian conscience in favor of the right to life," Pope Benedict XVI included new reproductive technologies in the list of "threats against life". In this speech, Ratzinger affirmed that it was necessary *"to admit that threats against life have expanded and multiplied throughout the world, also assuming new forms. Pressures for the legalization of abortion are increasingly strong in Latin America and developing countries, even with the liberalization of new forms of chemical abortion under the pretext of reproductive health [...]. At the same time, in the more developed countries there is increased interest in enhanced biotechnological research and broader eugenic methods, going so far as the search for the 'perfect child', with dissemination of artificial procreation and various forms of selective diagnostic tools. A new wave of eugenic discrimination finds support in the name of individual welfare [...]."*

Among the various forms of diagnosis considered by the Pope to be "eugenic methods" are those scientific resources such as pre-implantation genetic diagnosis, which allows for identification of embryos with genetic alterations. *"Embryos with grave illnesses would be discarded and not implanted in a womb, a procedure condemned as eugenic by Catholic Church teaching. The only acceptable intervention in an embryo is to cure and preserve life. Some Catholic authorities even compare these procedures to eugenic abortion and to the anticipation of labor in the case of anencephalic fetus,"* notes anthropologist Naara.

However, having in mind that on a number of historical occasions the Church has been forced to recognize its mistakes and to make concessions. Professor Sergio Rego says that: *"I have great hopes that the Vatican will become aware of its current mistakes in a shorter time than it did with Galileo."*

The Miracles of Friar Galvão: the "use" of science

One of the hallmarks of the agenda of Pope Benedict XVI in Brazil is the canonization of Friar Galvão, who will be the first Brazilian saint and whose "miracles" underwent the verification process needed for his sanctification.

This text extracted from the official website of the Pope's visit to Brazil explains that *"a miracle is understood as an inexplicable fact according to the laws of nature, that happened by the intercession of the Servant of God. This miracle must have some characteristics of great relevance: it must be a fact, normally a*

cure that has to be instantaneous, perfect, lasting, and inexplicable by science. The alleged miracle is examined by a commission of physicians from the country who issue a statement to be sent to the Vatican. Upon arrival, the case is reviewed by another commission normally made up of five physicians who also will issue their own statement. It should be noted that what really matters in this statement is not the affirmation of the existence of a miracle but the conclusion that no scientific explanation is possible."

Noticeable in this process is that –despite the scientific verification - what justifies the legitimacy of the miracle is the impossibility of a scientific explanation for the fact under examination. *"It is interesting to note that by calling upon science to verify the miracles that produce saints, the Catholic Church reveals its image of scientists: those who speak the truth in the name of nature. In this context, certifying a miracle means that a scientist affirms, based on his or her intimate knowledge of nature, that a given fact has no explanation according to nature's laws,"* says UNICAMP sociologist Teresa Citeli.

Friar Galvão's "miracle" was to ensure the birth of a healthy baby to a woman who had already experienced several miscarriages. According to Citeli, the same tactic of opportunistic appropriation of science is also utilized to argue about the beginning and the end of life, opposing contraception, the right to an abortion, use of embryonic stem cells, and euthanasia as well as to condemn homosexuality.

Sergio Rego thinks that historically scientific analysis has been contaminated by religious values, leading to a clouded view of the scientific field. *"Examples abound of how the Catholic Church incorporation of scientific knowledge has been tragic,"* he says. In addition, Dr. Rego thinks that the Catholic Church has managed to disseminate its moral proposals using very efficient communication strategies. The impact of Friar Galvão canonization is a striking example. According to Rego, it may have a negative influence on national political debate: *"Friar Galvão sanctification will reflect on the Catholic 'mood' in general. Results from this new 'mood' will depend on the centrality of the Pope's messages and on how these messages will be spread. I will not be surprised by the exacerbation of actions against individual and collective freedoms in the name of religious principles. A large number of parliamentarians and government officials are ready to comply with demands from the pulpit."*

This is not the first Papal visit to Brazil. If the first visit by Pope Paul II in 1980 had a devastating effect on the theology of liberation, the second in 1997 clearly resulted in the expansion of antiabortion voices and initiatives. Teresa Citeli, finds it hard to precisely predicts what will happen after Ratzinger's visit, but she acknowledges that the current Pope may leave an even more conservative trail: *"The most reactionary groups regarding sexuality and reproduction may gain some momentum. However, defenders of these rights are also better structured and surely will be able to respond to any fundamentalist, myopic, and antidemocratic tide."*

Undue tutelage

Translation: Jones de Freitas
:: Posted on April 26, 2007 ::

Since when he was the head of Congregation for the Doctrine of the Faith, Joseph Ratzinger has blamed liberation theology for the Catholic Church's loss of influence in Latin America. In light of that, many observers consider the punishment imposed on theologian Jon Sobrino as a clear message from Benedict XVI to the Latin American Church. The Vatican identifies several symptoms of this weakening. One of them is the growth of Evangelical churches and other religious denominations. Another sign would be the changes in mentalities and norms concerning issues on which the Vatican has maintained unshakable dogmatic positions in particular in regard to abortion.

In his speech to the General Assembly of the Pontifical Academy for Life held in February, Pope Benedict XVI "appealed to the Christian conscience" and reiterated his fear of abortion decriminalization across the world, especially in Latin America. *"It is necessary to admit that threats against life have expanded and multiplied throughout the world, also assuming new forms. Pressures for the legalization of abortion are increasingly strong in Latin America and developing countries, even with the liberalization of new forms of chemical abortion under the pretext of reproductive health."* The Pope, in this particular case, is entirely right. In recent years the debate on abortion decriminalization expanded in the region. In addition to rich processes of mobilization and debate processes underway in Uruguay and Argentina, the Colombian Constitutional Court issued a decision that guarantees access to abortion in cases of fetal malformation, rape, and when the mother's life is at risk, in 2006. Colombia is a country where the Catholic Church has always had great influence on politics and where abortion under any circumstances had been forbidden.

More striking yet was the approval, on April 24th 2007, by the Assembly of Federal District of Mexico of a draft bill legalizing abortion. Right before the voting the Pope sent an open letter to the Mexican bishops appealing to them to impede, at whatever costs, the legal reform. Parliamentarians from various parties interpreted this letter as an infringement of Article 113 of the Mexican Constitution that defines the separation between State and Church and the

Minister of Interior (Secretaria de Gobernación) requested the Church hierarchy to refrain from excesses. In relation to this episode the Mexican LGBT activist Gloria Careaga affirms that: "*The Pope open intervention has given strength to those who called for the laïcité of the State to be respected when abortion is discussed as public policy issue*". (See more on this issue at BBC and Center for Reproductive Rights websites. Pictures are available here)

In the specific case of Brazil, the draft bill PL 1135/91 – based on the proposal made by a Tripartite Commission set up by the Executive in 2005 to review abortion legislation – will be debated by the Social Security and Family Commission of the Federal Chamber of Deputies. But yet more significant in the weeks leading up to the Pope's visit the country has witnessed the recently appointed Health Minister, José Gomes Temporão, making a series of statements on abortion as a grave public health problem and appealing for a wide public discussion of this problem – including through a referendum.

It must be said that even before the Minister's statements, the Catholic Church and other sectors have been intensely mobilizing its opposition to legalization proposals. In 2005, when the Tripartite Commission finalized a draft bill for abortion legalization, the government did not present the draft bill to Congress as an Executive proposal and antiabortion forces rapidly mobilized in Congress creating the Parliamentary Front for the Defense of Life. During the 2006 general elections, candidates that defend abortion legalization were harshly attacked.

In late March these groups (plus the Brazilian Kardecian Spiritist Federation) mobilized for a rally in São Paulo, which was publicized through billboards spread across town with the following text: "Say No to Abortion Until the 9th Month." This slogan aimed at projecting a distorted image of the abortion decriminalization draft bill (PL 1135/91), under discussion at the Federal Chamber of Deputies. The text argues for the legalization of abortions carried out until the 12th week of pregnancy, a timeframe that could be extended to 20 weeks in special cases, such as serious health risk for the pregnant woman, pregnancy resulting from rape, congenital malformation incompatible with life, and grave and incurable fetal disease. Nowhere in the draft bill text is it proposed that abortion could be performed until the ninth month. These attacks inevitably intensified after the Health Minister's statements. Two weeks ago, the Minister was surprised in the city of Fortaleza by a protest against the referendum. In Rio de Janeiro, Cardinal Archbishop Dom Eusébio Scheid interrupted the celebration of Christ's Passion on Good Friday to talk about abortion.

Therefore there is no doubt that abortion will be one of the key issues at the Fifth Latin American and Caribbean Episcopal Conference to be opened by the Pope on May 13 in the city of Aparecida do Norte (São Paulo state). This gathering will define the doctrinal line and the actions of Catholic hierarchy for the next twelve years. Several analysts suggest that its major objective is to

increase bureaucratic control over the Latin American Church and to influence political and ecclesiastical realities in the region.

However some voices consider that the Vatican interpretation – that views recent advances in relation to abortion debate as reflecting the Catholic Church loss of strength in the region – entirely disregards or minimizes the meaning of social struggles for human and citizenship rights. *“To recognize reproductive rights as human rights was a victory for humankind: the right of a person to experience his or her sexuality without coercion, free of violence, and to safeguard his/her health. Society is freeing itself from Church tutelage in areas of life where it regards this tutelage as undue. This is a major step forward”* said sociologist Maria José Rosado from the non-governmental organization Catholics for a Free Choice. Margareth Arilha, director of PROSARE, a program that supports research on sexuality and reproductive health, does a similar evaluation: *“Society is not entirely determined by the Catholic Church. Society is made up of social and political actors who hold other world visions and interpretations of reality.”*

Likewise, Dulce Xavier, also a member of Catholics for a Free Choice, argued *“reflecting about sex and reproduction outside the private sphere, beyond individual decision, and placing these issues in the sphere of legislation and rights was a leap forward made by the feminist movement and incorporated by the states.”* According to her, what is still missing is a broader incorporation by the population: *“The taboo around abortion decriminalization is a cultural problem, and religion plays a great role in building this culture. People just think within the parameters set by Christianity in the western world,”* the sociologist pointed out.

Society’s perceptions

Poll results indicate that cultural resistance still weighs on the social imaginary. A Datafolha poll of 5,700 people in late March found that 65% of them thought that Brazilian legislation – allowing abortion in cases of rape and when the woman’s life is at risk – should remain as it is. The feminist sociologist Maria Betania Ávila, coordinator of SOS Corpo in Recife, interprets these figures as the outcome of a systematic subliminal propaganda against abortion: *“In the [Brazilian] soap opera Páginas da Vida, which ended less than a month ago, the most evil characters were the ones who insisted that the ‘good girl’ of the story resorted to an abortion. All the good characters were against. The soap opera was an open pamphlet against abortion.”*

Thomaz Gollop was a member of the commission set up in 2005 to review abortion legislation. He is a physician and professor of human genetics at São Paulo University and believes that people are against abortion legalization because they lack proper information. *“If we ask whether a woman who had an abortion should go to jail, people would probably say no. But when we ask if*

the law should be revised, they oppose it. Not out of conviction but because they have no idea of what it means."

Gollop is correct when he says that polls often do not capture the finer dynamic of social perception of abortion. For example, the finding of the study performed, in 2005, by Catholics for a Free Choice show ambivalence even among Catholics: 78% of the Catholics interviewed favored legal abortion in public health services, 82% agreed with abortion in cases where the woman's life is at risk, 80% when there were congenital problems, and 67% if pregnancy resulted from rape (Source: Opinion poll with Brazilian Catholics on reproductive rights, relations between Church and state, and related issues).

These figures suggests that society has, in fact, been sensitized by those who argue that abortion must be extracted from criminal law and the realm of sin, to be addressed as a public health issue, exactly as the Health Minister did. *"Especially because those who experience this dramatic situation are low-income women, who are forced into clandestine abortions, we must discuss this issue with a medical approach, a vision of reality, showing what happens in real life,"* said Thomaz Gollop. It is estimated that 1,000,000 clandestine abortions are performed every year in Brazil. Abortion is the third cause of maternal deaths in the country. In 2005, the Unified Health System (SUS) registered 230,000 hospital admissions for curettage at an annual cost of R\$ 30 million Reais (roughly US\$ 15 million).

Biological determinism

According to Maria José Rosado, two obstacles make it unlikely for the Catholic Church to adopt this perspective. First, the hierarchical structure of the institution that keeps women excluded. *"The Catholic institution is founded on the need for an intermediation between the faithful and divinity represented by the priest. The faithful do not address God directly, but through the priests, and women are excluded from this position of intermediation. While the Church maintains this type of structure, it will be impossible to have a more positive view of sexuality, a more liberal and open vision, because this would affect its structure."*

Another obstacle, again according to Rosado, is the centuries' old conceptualization of women as mere reproductive beings. *"In the Church's vision sexuality is regulated by reproduction. It is not a free sexuality, but 'sex' aimed at reproduction, and this continues to be the Church's ideal. Although there has been minor progress regarding this issue, the deep linkage between sex and reproduction is strongly maintained, and that is why sexuality can never be free, autonomous, and aimed at pleasure. Moral theology has not advanced,"* she said. For Maria José, if maternity is not "denaturalized", it will never be possible to discuss abortion as an issue that belongs to the realms of an ethics of autonomy: *"If maternity continues to be conceived as something that is part of women's nature, to which they are forcefully confined – if women*

will always have to explain why they decided not to be mothers – we will not be able to place abortion in the field of choice. Maternity has to be considered a matter of choice if abortion is also to be placed in the same domain. Abortion is the solution for an unwanted pregnancy, impossible to be carried through. But it is impossible for society to see it in this way while we do not view maternity as a choice. Maternity must be a project of life, a desire, a fulfillment."

In the book *Tirs Croisés: la laïcité à l'épreuve des intégrismes juif, chrétien et musulman* (Crossed Shots: laity under pressure from Jewish, Christian, and Muslim Fundamentalisms), authors Caroline Fourest and Fiammetta Venner identified a convergence across the three world monotheist religions – Judaism, Christianity, and Islam – regarding what "must" be the role of women in society: a role of subordination and submission. Documents released by the Vatican in recent years illustrate how Fourest and Venner's perceptions are legitimate as far as Catholicism is concerned. In a letter to the Catholic bishops discussing the collaboration of men and women in the Church and in the world, published when Cardinal Ratzinger was still Prefect of the Congregation for the Doctrine of the Faith, it was affirmed that the search for women's autonomy is an evil because it brings about the erosion of the family and lead women to take distance from their "biologically determined" role as mothers. In the chapter entitled "The problem," the text criticizes a certain "*anthropology that favored equal perspectives for women, freeing them of all biological determinism, but that ended up inspiring ideologies that, for example, question the family.*"

For Dulce Xavier, this formulation reflects "*negative thinking on women, as if they had no other function in the world except to be submissive to men or being mothers. It is as if they were not full human persons and had no chances to live an autonomous life. For the Pope, sexuality is something negative that must be controlled within marriage. The condemnation of contraceptive methods (pill, condom) is a condemnation of the possibility of freedom. According to this theology, when people have sexual intercourse without the commitment to procreation, they tend to promiscuity*".

The various interpretation of the "right to life"

In Brazil and elsewhere the Church resorts to two fundamental doctrinal arguments to oppose the decriminalization and legalization of abortion. The first is that "sex" not meant for procreation does not recreate Heaven's image on Earth and gets close to perversion. According to the 2005 *Deus Caritas Est* encyclical letter, love that does not procreate is a weak love. The second argument is deeply grounded in the concept of the "right to life" dogmatically articulated with the position stating that life starts at the moment of conception.

In Brazil, the ideological conflict concerning the right to life and its beginning achieved great visibility in a debate that evolved at the Supreme Court (STF) in 2004. In June of that year the National Federation of Health Workers (CNTS)

submitted to the country's highest court a Legal Action Against Disregarding a Fundamental Principle (ADPF), a legal remedy that allows society to present direct requests to the STF. The objective of this legal action was to assure women "bearing an anencephalic fetus" the right to a therapeutic abortion, without the need to produce previous judicial authorization or any other form of state permission. A month later, STF minister Marco Aurélio de Mello granted the provisional order requested by CNTS. This generated intense mobilization of pro-life Catholic groups. Four months later, the STF magistrates in a seven-to-four vote revoked this provisional order. Although in an April 2005 plenary session the STF considered that the ADPF was justified, two years later its merit has yet to be judged.

For Debora Diniz, director of the Institute of Bioethics, Human Rights and Gender (Anis), and CNTS partner in submitting the ADPF, if there is a conflict of principles, it should be processed through an argumentative perspective: *"This is what makes a democracy. The fact that there is no single answer to the beginning of life does not mean that one answer is not better than another. We can start from a consensus – the embryo has the form of life – but so what?"*

Miriam Ventura, a lawyer specialist in bioethics, also argues that the Church's position is the expression of *"a naturalistic ethics that defends the fetus status as a person. It is grounded in naturalistic argument. However, we should not ground the debates on these issues in religious dogmas but rather in reason. A possibility of life can not have more rights than a person."* For her, the issue of abortion should be discussed on the basis of individual freedom enshrined in article 5 of the Brazilian Constitution, which establishes that *"all persons are equal before the law, without distinction of any nature, and Brazilians and foreigners residing in the country are assured inviolability of the right to life, freedom, safety, and property."* For Ventura: *"The right to life since conception is not in the law. I defend the subject autonomy as a value. We do not have to argue whether or not a fetus has life, but the value society should assign to this life. The value of life is not absolute. I believe in the meaning of life given by the Constitution: a decent and social life. The meaning of life should not be approached by its biological and naturalistic aspects as the Church does. Life is a social value. When we defend abortion in cases of anencephalic fetus, we work with the scientific data that asserts this fetus is not viable. Thus, the issue is: should we privilege a possibility of life over an existing life?"*

It is worth noting that even from the viewpoint of science there is no single position on the beginning of human life and still less consensus on the condition of a human person. *"Undoubtedly there is life in two united cells. However, the central issue raised by science is to interrogate what is the moment when this life becomes morally relevant. Does one live cell have the same importance as an individual?"* asks public health specialist Sergio Rego, coordinator of the National Public Health School Committee on Ethics in Research. Significantly enough, meanwhile the abortion debate is regaining great visibility; a Public Audience to discuss the "beginning of life" was called by the Supreme Court on April 20th. The debate was aimed at informing the judges decision on an appeal

made by Dr. Claudio Fontelles – who had been Federal Attorney General until 2004 – contesting the article of the recently approved biosecurity law, which allows the use of stem cells in medical research. In debate, which was extensively covered by the Brazilian press, Dr. Fontelles went as far as to affirm that Dr. Mayana Zatz – the internationally acknowledged Brazilian scientist – was favorable to stem cell research because she is a Jew.

It is always important to remind, however, that despite the Church's viscerally dogmatic position on these matters Catholic voices express different views. For example, Brazilian theologian Leonardo Boff, one of the mentors of liberation theology who was condemned by the Vatican in 1985 to "obsequious silence," affirmed in a recent text: "*We cannot content ourselves with this vision assumed by the Church in present days. In the Middle Ages it was not so; for Thomas Aquinas humanization began forty days after conception. For its internal ethics, the Church may establish the moment for the conception of human life*" (Source: In Defense of Life: Abortion and Human Rights, Catholics for a Free Choice).

The Portugal experience requires further reflection

On the eve of Ratzinger's arrival in Brazil, after a referendum on the subject, the Portuguese Parliament approved a legislation permitting abortion up to ten weeks of pregnancy, The Portugal experience was in fact one of the arguments used by Health Minister José Gomes Temporão when he suggested a referendum to decide on abortion legalization in Brazil.

On the one hand, the minister's declarations were widely appraised and supported by feminist organizations and many other voices. In a Latin American Regional Meeting convened by PAHO to discuss the agenda of the WHO Commission on Social Determinants of Health, the Feminist Network for Sexual and Reproductive Health and Rights publicly presented a letter signed by other organizations in support of the Minister and this was widely acclaimed by a number of women's representatives attending the meeting. But, on the other hand, the proposal of a referendum triggered a lively debate among legal abortion advocates outside and within the feminist field. For instance Dr. Nilcéa Freire, Minister for Women's Policies, in an interview to the paper Estado de São Paulo declared that: "*It does not seem appropriate to discuss, a priori, a referendum. If in the course of the public debate on the issue the proposal of a referendum is considered adequate, then there is no reason to avoid it.*" Débora Diniz has also made an appeal for precaution. She considers a referendum to be an adequate instrument to resolve issues related to the political system, but that is not the best option to resolve the differences of views concerning abortion. "*Abortion must be thought of within the constitutional framework of pluralism that ensures freedom of expression for minorities. The referendum becomes a false expression of democracy when one confuses democracy with majority representation. If the highest constitutional framework of public reason*

is not capable of addressing this issue, we should turn to the Legislative," she said.

In an open letter to the Minister also published in O Estado de São Paulo, Sonia Corrêa, associate researcher with the Brazilian Interdisciplinary AIDS Association and co-coordinator of Sexuality Policy Watch, also stressed that the proposed referendum deserves further reflection: *"On the one hand, it opens the way for forces favoring legalization to establish a broad dialogue with society; on the other, abortion is not an issue that can be settled by imposing the will of majorities over minorities."* Corrêa also reminds that – though the Portugal experience is to be celebrated – one needs to be careful when drawing easy analogies with the Brazilian case. *"In the European Union, of which Portugal is a member, almost all countries have liberal legislation and there is a transnational human rights system that demands consistency from national laws. Had Portugal not revised its legislation, the European Court of Human Rights would have rebuked it very likely. We are a far cry from having a regulatory and convergence 'system' for national laws such as this one,"* she said.

If Corrêa and Diniz recommended caution, other feminists view the current political landscape as a window of opportunity. *"I think this could be an important moment for the Brazilian society to take a look in the mirror. The idea of a referendum has always been very frightening even for the pro-life groups. It is a strategy that scares both sides, but I personally think that society should analyze what could come out of it. The referendum could give us a more precise idea of where we are,"* says Margareth Arilha. Maria José Rosado agrees: *"I ask myself if society has not progressed sufficiently in respect to the awareness on rights and autonomy in the face of Church tutelage and is mature enough to go through a referendum,"* she argued.

In an interview to the newspaper O Estado de São Paulo, Carmen Barroso, director of the International Planned Parenthood Federation (IPPF), openly supported the idea of a referendum. *"I know about people who defend the right to abortion who think the referendum is not opportune. But it may lead people to think about the issue and take a position. Even if risky, the debate will be a step forward. Note what happened in Portugal. They had a referendum and abortion legalization was rejected. Some years later, another referendum approved it. The important aspect is the process,"* she argued.

Significantly, the Church has also expressed strong views against the referendum. The archbishop of São Paulo and secretary-general of the National Bishops' Conference of Brazil (CNBB), Dom Odilo Scherer, explained this position from a doctrinal perspective in an interview with the newspaper Folha de São Paulo. He affirmed that it was absurd *"to call a referendum on the right to kill."* For Sonia Corrêa, a fine political calculation lies beneath this doctrinal position, which should not be underestimated: *"The Vatican's goal is not merely the defeat of a legal provision legalizing abortion. The Church has a much more ambitious objective: it wants to eliminate the few exceptions allowed by the*

Penal Code. This already happened in Nicaragua in October 2006, when the National Assembly banned the article allowing for abortion when a woman's life was at risk, a clause that had been in the Penal Code since the 19th century. This happened under the pressure of the Church and with open support from Daniel Ortega, who was elected president few weeks later. The same could happen in Poland in the next few months. In Brazil, where 65% of the electorate thinks the law should not be changed, the referendum could result in maintaining the existing law. Given the Church's radically regressive objective, such result is to be interpreted as a defeat for the Church. That is why, although I have expressed a cautious position regarding the referendum, I have no doubts that we are experiencing a privileged moment on the long and sinuous pathway of the struggle for abortion legalization in Brazil."

The contours of the ongoing debate are somewhat surprising. Since 2005, various observers have assessed the Brazilian climate in relation to abortion as a regressive one and many of them predicted that the Pope's visit would aggravate this ongoing tendency. However, the immediate political scenario does not exactly fit these somber predictions. Margareth Arilha considers that the overall democratic environment prevailing in Brazilian society will not allow regressive religious positions to crystallize in the aftermath of the Papal visit: *"Footprints will be always left behind, but they are not indelible. We must recognize the visit as one main strategic step of a hard-line and dogmatic Pontificate. But it will not be easy for the Church to impose its monolithic view because social movements supporting abortion legalization have been in existence for many years and have been able to promote democratic debates on the issue and mobilize progressive positions amongst other relevant actors, as demonstrated by the lucid position taken by the Health Minister."*

“Unshakable” position

**Translation: Jones de Freitas
:: Posted on May 03, 2007 ::**

Personal autonomy has expanded in contemporary society and, as we have seen in a previous article, the Catholic Church is losing followers in Brazil. However, nothing indicates that the Vatican is going to change its ultraconservative positions regarding marriage, sexual orientation, contraceptive use, and AIDS. These positions have been made explicit in official documents – letters to bishops or encyclical letters directed to the world faithful – but also in the context of global diplomatic negotiations. “*The field of human rights has been affected to a large extent by trade negotiations. Democracies seeking to ensure social rights and the human development of their populations have faced the powerful conservative alliance between the George W. Bush administration, the Vatican, and Islamic countries,*” noted Magaly Pazello, who collaborates with Development Alternatives with Women for a New Era (DAWN), in her article “Trade, Political and Religious Interests in the Way of Human Rights,” Social Watch (Brazilian edition), 2004.¹

This happened, for example, in 2004, when Brazil was prepared to present for the second time the resolution on human rights and sexual orientation at the UN Commission on Human Rights. In 2003, when the resolution was proposed for the first time, the Organization of the Islamic Conference (OIC) had already harshly attacked it. In the following year, when the Commission work started, Brazil issued a public statement informing that the resolution would not be re-tabled because “there was not enough consensus for its approval.” Behind the scenes, Islamic countries had threatened to boycott the trade summit between Latin American countries and the Arab world scheduled for late that year. Although the OIC was the major actor behind these pressures, the Vatican was a close ally of the Islamic countries and made efforts in the same direction.

¹ **Translator’s note:** A slightly different version of this article, entitled “Sexual Rights and Trade,” was published in *Peace Review: A Journal of Social Justice*, Volume 17, Numbers 2-3, Number 2-3/2005, pp. 155-162(8).

Once again the intricate relationship between human rights, sexuality, and trade may surface in the context of the Pope visit . In an interview with the newspaper O Estado de São Paulo, Vera Machado, Brazilian ambassador to the Vatican, said that the Itamaraty [External Relations Ministry] is trying to produce a joint declaration by Lula and Pope Benedict XVI, appealing for the resumption and conclusion of WTO negotiations and the end of the agricultural subsidies adopted by the US and Europe. Even when such a declaration would please a wide range of sectors in Brazilian society, we must not lose sight of the risks of trade-offs implicit in this diplomatic initiative. Papal support for the Brazilian international trade agenda may mean retrogression in the Brazilian government's positions on themes such as abortion, human rights for LGBT people, and civil union.

"Unfortunately, economic issues always weigh heavily in any diplomatic negotiation, even when it addresses human rights. However, Brazil has reaffirmed its intention to help renegotiate the resolution on sexual orientation, even in Mercosur. President Lula has committed to defend at international forums freedom of sexual orientation and gender identity as fundamental rights of the human person. We hope this will happen," said Beto de Jesus, secretary of the International Lesbian and Gay Association (ILGA) for Latin America and the Caribbean. Concerning the WTO, the activist finds it is too soon to know if there is something behind the meeting of Lula and the Pope.

"Strong" and "weak" love

In the encyclical letter "Deus Caritas Est" (God is Love), released in December 2005 Pope Benedict XVI stresses that man is incomplete and will only be complete when in communion with the opposite sex. Hence, "correct" love is the one oriented toward marriage and related to love between a man and a woman, *"By contrast with an indeterminate, 'searching' love [...], moving beyond the selfish character that prevailed earlier. Corresponding to the image of a monotheistic God is monogamous marriage [...] Marriage based on exclusive and definitive love becomes the icon of the relationship between God and his people and vice versa,"* affirmed the Pope in the first part of the text.

For anthropologist Sérgio Carrara, professor at the Social Medicine Institute of the Rio de Janeiro State University (IMS-UERJ), the key message of this first section of the encyclical letter is that sexual love only has meaning, from the Catholic viewpoint, in the context of altruism. *"One can have pleasure only to constitute another life, which requires care. Sex is therefore seen as an act of selfless giving,"* said Carrara, who also coordinates the Latin American Center on Sexuality and Human Rights (CLAM).

The concept of this selfless and "strong" love is clear in Pope Benedict XVI's speech to the General Assembly of the Pontifical Academy for Life in February, in which the Pope appeals to the "Christian conscience" in favor of the "right to

life." *"It is necessary to take a road that follows the various stages of life, opening heart and mind, in order to accept the fundamental duties in which existence is grounded, both individual and community existence. Only in this way it will be possible for the youth to understand the values of life, love, matrimony, and family. Only in this way it will be possible to make them appreciate the beauty and sanctity of love, the joy and responsibility of being parents and collaborators of God in the act of giving life,"* affirmed Ratzinger.

Benedict XVI's speech also explains the ancient Catholic doctrine, which considers reproduction to be a divine gift and sexuality the means to achieve the divine purpose of reproduction. In addition to being fecund, "strong love" is also what assures children the possibility of growing up in a family that must be indissoluble. Hence, in a second document "Sacramentum Caritatis" (The Sacrament of Love), Ratzinger argues against divorce, affirming that the "second marriage is a plague." Once again non-reproductive love is portrayed as "weak" because it does not procreate. It is not fruitful in terms of bringing new lives to the world. Thus, only heterosexual love could be considered "strong," while homosexual love would be "weak," hedonistic, and selfish. Many believe that these assumptions are at the core of Church's criticism of homosexuality.

Ecclesiastical paradoxes

"It is often commented that after the pardon requested by heretics, dissenters and scientists who had been persecuted and excommunicated, the Catholic Church had no other enemies in the world but homosexuals," noted Italian philosopher Gianni Vattimo in a recent text in which he analyzes the idea of "weak" and "strong" love. In contrast, the Church values sexuality that nourishes the linkage between man and woman. According to Tommaso Besozzi, coordinator of Corsa, a São Paulo group that defends homosexual rights, the issue is broader since the Church's criticism of homosexuality is inscribed into the Catholic discourse against the excesses of the modern era. "The Church feels threatened by modernity. Its criticism is directed against the search for immediate satisfaction of human desires and impulses that would characterize modern times. Reproduction is not central in understanding why the Vatican is against homosexuals. Historically, procreation was not important to the primitive Church because they supposed the world would rapidly end and vanish. Saint Augustine preached that to be a good Christian a person should not engage in sex." Besozzi who over the last twenty years lived in Italy, England, Belgium, and the US, today discusses issues of human sexuality, including homosexuality, in the Anglican parish he attends.

For Sergio Carrara, the main theme to be addressed is, in fact, the Church's moral condemnation of homosexuality. *"The thesis that the criticism of homosexuality by the Catholic Church is related to procreation is increasingly less credible within the Church framework itself. If taken literally, the idea of 'weak love' would affect infertile heterosexual relations, but this is not the case.*

If reproduction is the justification for exercising one's sexuality, a sterile heterosexual would have to abstain from sex, as much as the homosexual. However, as far as I know, the Church does not condemn the sexual activity of sterile heterosexuals," he notes. Thus, Carrara questions the idea that the condemnation of homosexuality would derive just from the non-reproductive nature of this sexuality. *"The problem,"* he said, *"seems to lie much more in the sphere of homophobia and heterosexism than in reproductivism."*

Beto de Jesus expands this same critical opinion a little further: *"When it says that love between people of the same sex is weak and unworthy, the Church is helping to articulate the discourse of hate and violence against homosexuals. These exhortations have a degree of symbolic violence, which later may translate into real homophobic violence."* Tommazo Besozzi agrees: *"The central issue is not procreation but homophobia, a prejudice that has dragged on for centuries,"* he said.

Even before Ratzinger became Pope, LGBT people around the world were already fighting against the conservative and dogmatic rhetoric of his predecessor. It is important to recall that during the John Paul II Papacy, Ratzinger headed the Congregation for the Doctrine of the Faith, and the Vatican published a 676-page catechism – the largest compendium of Catholic guidelines published since the Council of Trent (1566). In this publication, valid to this day, a central argument is that although gays, lesbians, travestites, and transgenders must be treated with compassion, they are compelled to abstain from sex.

Unlike other Christian churches, especially Pentecostal denominations, the Catholic Church does not propose to cure homosexual desire. But it believes that it is possible to control sexual desire in general and that persons are able to lead a life of abstinence. *"The Church seems to assume a much more naturalistic position, opposing sexual activity but not sexual desire. It seems to refrain from reflecting on the nature of this desire or considers it to be immutable. One can avoid homosexuality, but can not eradicate desire,"* affirmed Sergio Carrara.

For him, by proposing sexual abstinence as a "way out" of homosexuality, the Church falls into a paradox. *"Homosexuality is not condemned by Catholicism provided it remains as desire, provided it is not put into practice. This is a strange position if one takes into account the very tradition of Catholicism, which does not restrict sins to acts, but also includes certain thoughts and desires. Desire defines homosexuality, but in the Church's view if you do not practice it, although you continue desiring, you are not sinning, because desire is not a sin because it belongs to the realm of nature."*

God's plan and homosexual unions

Although the Catholic Church does not adopt the extreme position of other Christian churches that consider homosexuality an evil for which there should be redemption, miracle or cure, it does not think it is acceptable. Carrara emphasizes the ambivalence of this position: *"It is ambiguous. You can be a Catholic, take communion, provided you abstain from sex. My impression is that the Church views homosexuality as a disease, an untreatable anomaly, a congenital defect. The only possibility of salvation is by controlling it. It seems they think homosexuals have a deviant nature and the duty to practice abstinence in order to merit compassion."*

"Evangelicals speak in the name of a moral constructivism. They situate homosexuality in the sphere of something that is learned and negatively built within traumatic experiences. Catholics naturalize homosexuality," said anthropologist Marcelo Natividade of the Institute of Philosophy and Social Sciences of Rio de Janeiro Federal University (IFCS-UFRJ). However, Natividade ponders: *"Among Catholics there are people, movements, and initiatives that go counter the Church's moral precepts. For example, the AIDS Pastoral deals with homosexuality issues in a more open and flexible fashion."*

Author of the book *Sopa de Letrinhas* (Alphabet Soup), in which she reconstructs the trajectory of the homosexual movement in Brazil, anthropologist, and UNICAMP doctoral candidate Regina Facchini believes that the exacerbation of Church's views against homosexuality is related to the dispute for the faithful and the growth of Evangelical denominations. *"The issue of control over people's personal lives and sexuality is something fundamental for Christian religions. There is a dispute for the religious market, and the issue of homosexuality is a key element in this competition. Clearly, there is a difference between what is said and what is done in practice, but there is always the obligation of saying you are against it. They have to show coherence and be deserving of the faithful's adherence."*

Although they are in opposing camps contending for the faithful, both Catholic and Evangelical rhetorical statements are openly aligned when it comes to issues such as civil union of same-sex persons. The key argument used by the Church to oppose civil union is protection of the family. *"In some way, homosexuals are viewed as impure people who can contaminate society. The religious discourses that call most attention involve moral accusations and disqualification of LGBT persons. They are treated as a moral threat to the family. The proposal of civil partnership has remained on paper because of religious dogmas. We can see that religious values are the obstacles,"* Marcelo Natividade points out.

Another example of ideological convergence between Catholics and Evangelicals is illustrated by fundamentalist reactions to the draft bill that criminalizes homophobia (PLC 122/06) to be voted by the Brazilian Senate this year. On the eve of the Pope's visit, religious groups used their radio and television networks to launch a campaign against the passing of this draft bill. Through e-mails to parliamentarians the faithful demand they vote against that proposal.

Conservatives have dubbed the draft bill as the “gay gag.” They say it is a law to restrict freedom of religion, that homophobia does not really exist, and the cases denounced are actually part of a gay “conspiracy” to gain visibility.

Biologism and immutable natures

The document “Considerations regarding proposals to give legal recognition to unions between homosexual persons,” published by the Congregation for the Doctrine of Faith while Ratzinger still headed it, affirms: “No ideology can erase from the human spirit the certainty that marriage exists solely between a man and a woman [...] In this way, they mutually perfect each other, in order to cooperate with God in the procreation and upbringing of new human lives [...] Marriage is instituted by the Creator as a form of life in which a communion of persons is realized involving the use of the sexual faculty [...] God has willed to give the union of man and woman a special participation in his work of creation. Thus, he blessed the man and the woman with the words ‘Be fruitful and multiply’ [...] There are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God’s plan for marriage and family.”

The Catholic Church’s view that maternity is sacred and natural ends up condemning homosexual women to another stigma, in addition to the one derived from homosexuality. For Rosângela Castro of the Rio de Janeiro Felipa de Souza Women’s Group: “*Quite often lesbians refrain from procreation and from forming families. But this is a matter of personal choice, although the Church condemns it. Any woman, regardless her sexual orientation, has the right not to procreate,*” she affirmed. “*How can the Church speak about and reflect on the family if its members do not constitute families? It is an inconsistent institution,*” criticized Marisa Fernandes, member of São Paulo State Human Rights Council and coordinator of the Lesbian Feminists’ Collective.

Sergio Carrara agrees that the Church is incoherent. “*In the Catholic view, homosexuality is bad because it is not reproductive. But there are heterosexual couples who are not reproductive. Homosexuality is bad because it is selfish love. However there are many homosexual couples who wish to adopt children and constitute families. Although these couples are appealing to values appreciated by the Church, it still rejects them on the grounds of a ‘biological’ reasoning. Rather than being concerned with the dissemination of its own values, the Church simply classifies those who can and cannot meet these values. Why is Catholicism so insistent on biological ties and immutable natures when reflecting on progeny and parenthood?*” In his view it is as if the Church is closing its doors. “*It is paradoxical because instead of opening up, it closes up; rather than considering love from an abstract point of view, love which links people, the love proposed by the Church can only unite a man to a woman, as if anatomy determined values and feelings. This is odd for a religion that is*

concerned with transcendental values. It should just be defending love between people, because love is a fundamental element," he argued.

Carrara also calls attention to the fact that the Church entirely disregards what has become evident in the last few decades: homosexual love, in fact, builds social ties. The poll Politics, Rights, Violence, and Homosexuality carried out during the large LGBT pride parades in many capitals, including Rio de Janeiro, São Paulo, and Buenos Aires, demonstrates that LGBT people are increasingly valuing stable love relationships, thus overcoming the stereotype of promiscuity. Results from the 2004 Rio de Janeiro Pride Parade show that a significant number of participants (25.7%) were married, 20.4% were in a steady relationship, and 14.2% were having casual sex. Although 39.5% of respondents declared to be single and alone, the majority (46%) stated they were in stable love relationships. This helps to relativize the hegemonic image of the lonely and promiscuous homosexual (Source: report of the poll Politics, Rights, Violence, and Homosexuality, 2004, CLAM-CESEC).

Abstinence and fidelity

Regarding HIV/AIDS preventive policies, the Catholic Church has also strongly opposed contraceptive distribution. It insists that the state should promote sexual abstinence and conjugal fidelity instead of promoting condom use. "From a medical and scientific viewpoint, this is insane. From a lay perspective, it is almost criminal, especially if one thinks about the situation of several African countries," Sergio Carrara agrees: "*In relation to AIDS, the Church should be prosecuted for this discourse against condom use. It should educate and guide its faithful and not set prohibitions,"* said Keyla Simpson, who chairs the National Association of Transgenders (ANTRA), an institution that promotes the rights of travestites and transsexuals in Brazil.

For Beto de Jesus, the Catholic discourse is anachronistic. "*If we did not use condoms, as the Church preaches, AIDS incidence would be absurdly high. People continue to have sex for pleasure, no matter the Church's prohibitions,"* he said. According to him, the Church should turn to its internal problems, such as pedophilia and rape of women. "*There are emotionally and sexually castrated men in the Church because they do not discuss sexuality. Pedophilia in the Church is related to a biased way of dealing with sexuality."*

In contrast, Tommaso Besozzi thinks that prohibiting condom use in times of AIDS is consistent with the Catholic Church's concept of death: "*The purpose of religion is to save souls, not bodies. In this perspective, it does not matter if one dies from AIDS; what matters is if the individual reaches a higher spiritual level. From a religious point of view, death liberates us from this earthy life. For the Vatican, if you do not wish to die from AIDS, you should not have sex or you should be faithful if married. The problem is that although monogamous relations exist, they are not the majority. Thus, this Church's position is intolerant,"* Besozzi analyzed.

An intentional visit

Despite the recrudescence of conservative forces in Brazil and worldwide, the public scenario in Brazil is very favorable for the human rights of LGBT persons. Polls indicate that almost half of the country's population supports civil union between two people of the same sex. The country's case law favors LGBT rights, pride parades occur across the whole country, and a draft bill to criminalize homophobia is under discussion in the Senate. Regarding AIDS control and prevention policies – despite Vatican opposition and George W. Bush's conservative policies – the federal government continues to stimulate condom use among the population and to freely give out antiretroviral medication in the public health system. However, some believe that the Pope's visit may have negative impacts.

"This visit has a clear intention: to curb some advances that we have achieved. This certainly will be on the agenda of the Conference of the Bishops of Latin America and the Caribbean attended by the Pope. The presence of Benedict XVI will reinforce the discourse against the proposal to criminalize homophobia," Beto de Jesus argued. For Marisa Fernandes, the Papal visit will reignite faith and conservatism will remain for some time. *"The Pope's visit will show that the Catholic flock exists in Brazil, considered the world's largest Catholic country; and this will prove that the Church is legitimate and has thousands of faithful. But how many of these faithful only have sex for procreation or do not engage in sex at all? Not one. Thus, in my view, the Church is not really a spiritual institution. It is an institution of state political power, of money"* he said. For sociologist Flávio Pierucci, of São Paulo University (USP), *"the Church wishes to recover a sphere of power it lost when the sexual sphere stopped being the domain of sin."*

Secularity put to the test

**Translation: Jones de Freitas
:: Posted on May 12, 2007 ::**

In his first encyclical letter, *Deus Caritas Est* (God Is Love), Pope Benedict XVI affirms that although social justice is a state responsibility, faith must “illuminate” politics. In that document, Ratzinger reaffirms the boundaries between the action of the state and the church. The Pope writes that the “*the church cannot and must not take upon herself the political battle to bring about the most just society possible. She cannot and must not replace the state. Yet at the same time she cannot and must not remain on the sidelines in the fight for justice.*” Because of its ambiguity, this text has been open to different interpretations. For some people, the Pope is saying that one should not confuse faith with politics. However, for many people, there might be a threat to secular freedoms behind these Papal statements.

“The pretension of the Catholic Church, manifested by the Pope, to interfere with state affairs and to attempt to impose his Catholic view of the world undermines the principle of separation between state and churches, and must be rejected by state political agents. To accept this interference is to lay the ground for a fundamentalist regime, as can be seen in several countries under strong religious influence,” says Judge Roberto Arriada Lorea, of the Rio Grande do Sul Justice Tribunal.

“The fear of becoming irrelevant in the political sphere, on the one hand, and the belief in having superior morality, on the other, partly explain the Pope’s statement awarding the Catholic faith the privileged right to ‘illuminate politics,’” thinks sociologist Ricardo Mariano, professor at the Rio Grande do Sul Pontifical Catholic University.

It is feared that Ratzinger will put in practice his intention to “illuminate politics” during his visit to Brazil. Information has circulated that President Lula is about to sign an “agreement” with the Vatican during the Papal visit. According to these rumors, this “agreement” would assure the church the canonical right to

have maximum influence on issues such as reproductive rights and biotechnoscience (stem-cell and cloning research). This has caused concerns and much reflection because according to specialists such an initiative would be disastrous for secular freedoms and an affront to republican principles.

"It would be a serious political mistake to take the nation by surprise with a secretly-prepared alliance assuring unconstitutional privileges to one church. It would be an attack against republican principles enshrined in the Federal Constitution," affirms Roberto Lorea. At the juridical level, according to Lorea, this alliance with the Holy See would have to be overthrown by the Supreme Court (STF) because of its unconstitutionality. At the political level, the remedy could be even more bitter because attacking the Republic may lead a president to lose his office. *"In this hypothesis, President Lula would be risking his mandate by attacking the Constitution and Brazilians' citizenship rights,"* says the judge.

However, sources of the National Bishops' Conference of Brazil (CNBB) affirm that what is at stake is the presentation of a document requesting that the government clarify the juridical and legal situation of the church in Brazil, a document that took the Conference ten years to prepare. Although the advent of the republic brought about separation between state and church, there has not been any legislation on this matter yet, unlike in several other countries, including Portugal. Sociologist Maria Jose Rosado, of Catholics for a Free Choice, favors a law that would define the church's situation in the country. *"This would mean to adjust the situation of a religious institution in a democratic and secular country,"* she said.

On Tuesday, May 8, on the eve of the Pope's arrival, the press divulged that in fact the Vatican has been negotiating with Brazil, since last year, a draft agreement including elements related to property, tax exemptions, and presence of missionaries on indigenous lands. This text also addressed religious education, abortion, euthanasia, marriage of same-sex persons, and stem cell research. According to the newspaper Folha de São Paulo, the External Relations Ministry recommended that the President not sign any document during the Papal visit. But the newspaper O Estado de São Paulo goes a bit further in its analysis, affirming that *"the government still fears the agreement could be interpreted in the future as a way to make it more difficult to change abortion laws, as it would be clear that the Brazilian state and the Vatican shared the same values."* In addition, some analysts suggest that this position is also explained by the fear that Evangelical forces would rapidly mobilize to achieve similar agreements for their churches.

Blurred boundaries

Sociologist Maria Betânia Ávila, coordinator of SOS Corpo – Feminist Institute for Democracy, thinks that the attempt to get "faith to illuminate politics" is already underway in practice. *"Pope Benedict XVI's visit is a way to put*

pressure on the state. When one observes the manifestations of conservative sectors, this visit appears as the moment for the Vatican to hold the state to account, calling on it to demonstrate the country's adherence to the church's precepts. The fact that the church has consistently opposed abortion legalization is another sign of this situation. By restricting the domain of democratic principles – for example, by blocking legislation favoring homosexuals – they try to diminish the exercise of freedoms that the secular state must guarantee and assure."

This lack of a clear definition of boundaries between state and religion can also be seen in the resources invested in the Papal visit. São Paulo state will spend more than the Catholic Church on the Pope's visit to the city of São Paulo. The São Paulo archdiocese will spend an estimated US\$ 750,000 with the help of donations from followers and companies. This amounts to less than the US\$ 1.2 million to be spent on this event by the state and São Paulo municipality, despite the fact that article 19 of the Federal Constitution definitely prohibits state subvention to religious cults of any denomination. In fact, there should be no lack of resources in the church because "*Brazilians spend around US\$ 2.55 billion a year in tithes and other donations to churches and orphanages. This estimate was made by economist Marcelo Neri, of the Getúlio Vargas Foundation Social Policy Center.*" (Source: Agência Estado, Jornal do Comércio, May 4, 2007).

"State public interest, as far as religion is concerned, is to ensure freedom of conscience and belief, according to article 5, item VI, of the Federal Constitution. This should not be construed as promotion of religiosity, which would violate article 19, item I, that prohibits the Brazilian state from providing subventions to cults or maintaining relations of dependency or alliance with any church," points out Roberto Lorea, coordinator of the International Seminar on [Secular Freedoms](#), an event that took place in the cities of Porto Alegre, Rio de Janeiro, and São Paulo in the week the Pope arrived in Brazil. According to reports published in the country's major newspapers, the church and São Paulo state will jointly spend US\$ 1,950,000 on the Papal visit.

For Maria Betânia Ávila, the problem is not the Pope's visit but the way it has been instrumentalized in Brazil. "*In fact, the visit is important for Catholics but the pressure is to make it important for society as a whole. From the talk about the Papal visit one would think we were a Catholic country, without other religions. This communication strategy is meant to firm up Catholic hegemony.*"

Bargaining between state and church

All these privileges assured to the Catholic Church, together with its high degree of influence on certain state decisions – especially those related to sexual and reproductive rights – have led many people to doubt that the secularization process is fully established in Brazil. Although separation of state

and church has been guaranteed by the Constitution since 1890, this interference of religious values with national politics has continued. *“What we perceive is that the church has acted in the political sphere trying to penetrate and influence the state. In turn, the latter makes ongoing use of the religious institution. Despite all liberal and republican efforts, the state and church are institutions that have historically reinforced each other. The state may assume its secular nature, but it has been responsive to churches and religious discourse,”* said sociologist Maria das Dores Machado, professor at the Rio de Janeiro Federal University School of Social Work.

The trajectory of draft bill 1135/91 on abortion decriminalization is a good example of how and how much the state gives in to religious appeals. In 2006, when the work of the Tripartite Commission had been finished – a Commission set up by the federal government to review the country’s restrictive abortion legislation – draft bill 1135/91 was sent to the National Congress. It fell to President Lula to accept the Commission findings and lead the process. However, when the Tripartite Commission was finalizing its work, the first denunciations about a huge corruption scheme involving high governmental echelons emerged. This became known as the monthly bribe scandal (or *mensalão* as it was dubbed in Brazil). Cornered by the news of corruption in his government, President Lula negotiated the support of the Catholic Church for his mandate. He even wrote a letter to the CNBB promising not to do anything contrary to the Christian faith he acquired from his mother.

“By offering not to send the abortion decriminalization draft bill to the National Congress in exchange for the church’s support, the President seemed to forget he was not elected to govern for Catholics or Christians but for all Brazilian citizens, no matter their beliefs or lack of them,” said Roberto Lorea. The draft bill was finally sent to Congress; but, without presidential support, it became a target for fundamentalist religious groups and its discussion was hampered. *“In this case, the President sought legitimacy through the church, in a desperate gesture, which left him vulnerable to pressures from certain religious groups to the detriment of people’s interests, the very people who put him in power,”* the judge stressed.

However, one day prior to Ratzinger’s arrival, Lula made a statement trying to redeem himself. In an interview carried by 154 Catholic radio stations, he said that although he was against voluntary interruption of pregnancy, the state can not ignore the issue of abortion – a public health issue. Excerpts from the President’s statement: *“I have the position of father and husband, of a citizen, and I must also behave as the President of the Republic. These are two totally different things. First, I have said in my political life that I am against abortion [...] And I have publicly stated that I do not believe that anyone would have an abortion as an option or for pleasure. It is important to evaluate the situation when a desperate young woman with an unwanted pregnancy rushes for an abortion.”* (Source: Folha de São Paulo).

International context

The Catholic Church also seeks to directly influence state political agents in other countries in the region. However, these pressures do not always bring about the results expected by the church hierarchy. A good example of this occurred in Mexico in the last week of April 2007. A few days prior to the vote on the draft bill that legalized abortion in Mexico City – which was passed on April 23 with 46 votes for and 19 against – Pope Benedict XVI had sent an open letter to the Mexican bishops appealing to them to block the legal reform. This letter was viewed by parliamentarians of several parties as a serious attack against article 113 of the Mexican Constitution, which defines the separation between state and church. The Government Secretariat requested moderation from the Catholic hierarchy. To a great extent, this can be explained by the history of secularist principles in the region, because Mexico and Uruguay are viewed as the countries where the political system is strongly inspired by French *laïcité* that establishes very sharp boundaries between religion and state.² In contrast, the Nicaraguan case is a good example of the great responsiveness of the state to church pressures. In October 2006, under church pressure and with support from Daniel Ortega, the National Assembly banned the article that allowed abortion when the mother's life is at risk, and that had been in the Penal Code since the 19th century.

Finally, it is necessary to underline that the debate on secularism and laicism is not peculiar to Latin America. Undoubtedly, it is a burning issue in the US where, after the election of George Bush, conservative Christian morality has deeply contaminated legislation and public policies. But it also is present in many other contexts, such is the case of India, where the four years of BJP (the Hindu party) administration raised many questions about the limits of secularism as defined in the Constitution. In recent days, in Turkey, a crowd of at least 300,000 people took to the streets of Istanbul protesting against the alleged plan of the current government to transform the country into an Islamic state. This would be done by nominating a member of the Muslim party for president, instead of reserving the position for a candidate from a secular party. Although, according to Turkish feminist Pinar Ilkarakkan, legislation established by Turkey's secular state can not be viewed as liberal when it comes to sexuality, this broad public demonstration can and should be considered as a remarkable symptom of our times. (See also SPW Turkey Country Case Study)

Lula's new statement on abortion, on the eve of the Papal visit, suggests that the Brazilian president – perhaps stimulated by the position of Health Minister José Gomes Temporão or by the terms of the Mexican debate – is adjusting his discourse to the modernity and *laïcité* that characterize public debate of this issue and many other themes in Brazil and other countries.

² However, this strong attachment to laicism did not impede, for example, Uruguayan President Tabaré Vazquez from totally opposing the reintroduction of the draft bill on sexual and reproductive health, which includes legalization of abortion up to 12 weeks of pregnancy. He has held this position since he was elected in 2004.

Religious teaching versus freedom of belief

In any case, the Pope's visit demands close attention because as lawyer Miriam Ventura, who also holds a master's degree in bioethics, stressed: "*The Brazilian state is secular, but its secularity is fragile because it allows for many points of contact between the state and religious institutions. To ensure the free expression of all religions we can not have an official religion; rather, we should recognize this pluralism.*" According to Ventura, one of these points of contact is teaching religion in public schools. Although the Constitution authorizes religion as a discipline in public school regular hours, for grade-one-to-eight students, enrollment in these religion classes is optional. It fell to the state and municipal governments to regulate the procedures to define class content. In Rio de Janeiro state, a bill introduced by a Catholic deputy instituted a model of confessional religious teaching in 2000. According to this model, the discipline is offered in different confessions (Catholic, Evangelical, others).

An unconstitutionality action was initiated, arguing that the religious teaching authorized by the Federal Constitution was not of a confessional nature, but interconfessional. Brazil being a secular state, the only way to ensure religious teaching within the state framework is in an interconfessional space, where tolerance and respect for multiple religious conceptions could be guaranteed. In addition, the unconstitutionality action maintained that confessional teaching could bring about proselytism and sectarianism. However, the Rio de Janeiro Tribunal of Justice decided against the action. It argued that the only way to ensure freedom of religion was through confessional teaching. Given the diversity of basic principles and dogmas between religions, one discipline that tried to contemplate all religions could end up stimulating conflicts and questioning religious dogmas, thus harming the freedom of belief. The then governor of Rio de Janeiro state, Rosinha Matheus, opened a public competition for 352 teaching positions for the Catholic religion, 176 for Evangelical denominations, and 30 for other religions.

Anthropologist Emerson Giumbelli of the Rio de Janeiro Federal University Institute of Philosophy and Social Sciences (IFCS-UFRJ), who co-authored the book *Religion teaching in Rio de Janeiro state – records and controversies* with Sandra Sá Carneiro, thinks it is essential to reopen the discussion. "*Religious teaching was kept in the 1988 Constitution because of a campaign waged mostly by the Catholic Church. But it is up to us to reflect whether religion should or needs to be in schools. How can pluralism be effectively guaranteed? Religious teaching is another sphere in which the church interferes with state decisions,*" the anthropologist argued.

"*Religious education in public schools is an affront to the secular state, which can never be permeated by a religious doctrine or funded by the state itself,*" emphasizes public health specialist Sergio Rego, coordinator of the National Public Health School Committee on Ethics in Research. Rego recalled the times when medical education was done by religious professors for religious students

in the 15th and 16th centuries, and how much negative impact this had on medical schools. Until the late 19th century, a norm of the National Medical School prohibited end-of-course monographs that went against Catholic doctrine, such as the existence of the soul. *"In general, practice in the health area is still impregnated by religious concepts and principles. There is still little reflection on moral issues. Physicians follow what they believe to be a code of ethics and do not have much practice in discussing these issues,"* Rego said.

The Municipal Council of Entre-Ijuís, a small town in Rio Grande do Sul state, recently passed legislation imposing Bible reading in municipal schools. *"In fact, it imposed a given religious denomination, violating the freedom of those children. Imagine a child whose family adheres to a certain religious creed to be forced to read the sacred text of another religion in the classroom. This is a fundamentalist practice that debases citizenship. Is it secular to accept the imposition of a determined religious book on all children?"* asks Roberto Lorea. *"This imposition clearly violates article 5, item VI, of the Constitution, as no one may suffer state coercion in religious matters. It also violates article 19, item I, because it establishes an alliance between the state and a given church, the Roman Catholic Church in this instance."*

The Rio Grande do Sul Tribunal of Justice unanimously declared this law unconstitutional. *"The heart of this issue is to accept that in modern democracies religious adherence to a certain creed is of necessity voluntary, and the state must not interfere except to assure secular freedoms,"* Lorea emphasized.

Crucifix in schools and tribunals – is Brazil a Catholic country?

Recently, Roberto Lorea started a discussion on the presence of religious symbols in public buildings, such as schools and tribunals, including the Supreme Court (STF), where a crucifix is affixed above the Republican symbols.

"After being the official religion during the whole period of monarchy, the Catholic Church is obviously reluctant to give up the power and privileges it was used to. The presence of religious symbols in public buildings is a vestige of that period. Slowly, we are becoming conscious that these religious symbols must now, in a democratic regime, be transferred to museums because they belong to our past. Its permanence and even affixation in new buildings are anachronisms, which keep the state tied to a given church, violating several Constitutional principles," the judge argued.

According to Lorea, the laïcité of the state can and should be defended by any citizen. São Paulo engineer Daniel Sottomayor did exactly this in January 2006 when he launched the Brazil for All campaign (*Brasil para Todos*). This initiative is geared to democratize Brazilian public spaces and services, stimulating petitions to the National Justice Council and legal actions to the Public Prosecutor's Office for the removal of religious symbols from these spaces.

"Some of these legal actions have already been judged. So far, they all have been turned down. One of the prosecutors told us he could not grant the request because tomorrow we would want to blow up the statue of Christ the Redeemer," Sottomayor said. "Fortunately, not all prosecutors hold this view and the Public Prosecutor's Office has been a good channel. Last year, an individual complained about the crucifix affixed to the São Paulo University Hospital. The Public Prosecutor's Office concurred and ordered the crucifix removed."

Evangelical caucus: religion at the heart of politics

For anthropologist Sérgio Carrara, professor at Rio de Janeiro State University (UERJ) and coordinator of the Latin American Center on Sexuality and Human Rights (CLAM), this discussion is not just about the removal of a simple object or adornment from a tribunal. *"At stake is one of the most cherished principles of modern democracies, according to which religious and political-judicial planes must be parallel and independent, like spheres that see each other but do not touch. This whole discussion unveils the fact that the Brazilian Republic is far from having founded a truly secular state. In the shade of this cross are hidden several other problems related to the lack of clear boundaries between those spheres, such as the right to abortion and civil partnership of same-sex persons,"* he said.

"The concept of a secular state implies separation between the religious and the secular. But when clerics can hold political positions, there is a reinsertion of religious values into politics," argued Marcelo Natividade of the Rio de Janeiro Federal University Institute of Philosophy and Social Sciences (IFCS-UFRJ). Natividade is one of the coordinators of the research project *"Influence of religious values on draft bill proposal and discussion,"* whose objective is to survey draft bills related to sexual and reproductive rights and the use of the body, under discussion or filed away in the Federal Chamber of Deputies and Rio de Janeiro and São Paulo state legislatures. This study prioritizes four themes: abortion, sexual orientation, family planning, and euthanasia. In its last pronouncement on these issues, on Monday, April 23, the Vatican said that *"homosexual marriage is an evil, and abortion and euthanasia are forms of terrorism with a human face."*

Notwithstanding the Vatican's positions, and those of other conservative sectors, there are currently 87 draft bills under discussion in the Federal Chamber of Deputies addressing abortion, and 53 dealing with homosexuality and sexual orientation. Most of these legislative proposals face strong religious opposition from the so-called Evangelical caucus – in this legislative period made up of 37 deputies (they numbered 60 in the previous period). *"The problem is that when the draft bill gains visibility and reaches public debate, the discourses of Evangelicals and Catholics converge. One of the strategies used by the opposition is to request amendments and adjustments only to move the draft bill off the legislative agenda,"* Natividade said.

According to him, another example is the draft bill on civil partnership (PL 1151/1995), which has been under discussion in the Chamber of Deputies for over a decade. This is one of the draft bills that suffers the harshest rejection from both Catholics and Evangelicals. For example, in the 2006 election for the Rio de Janeiro state governorship, senator and Evangelical pastor Marcelo Crivella, defeated in the first round, negotiated his support for candidate Sergio Cabral in the run-off election under the condition that Cabral would withdraw from the National Congress his proposal to regulate same-sex civil unions. Under criticism, senator Crivella justified his position arguing that the issue is a dogma both for Catholics and Evangelicals. *"Thus, we would be facing a religious cartel,"* Roberto Lorea commented.

Marcelo Natividade explains that another common strategy in the Chamber of Deputies is to introduce a conservative draft bill to counter a legislative proposal that supports LGBT demands. *"To counter PL 379/2003 that proposes a National Gay Pride Day, the Evangelical caucus introduced PL 2279/2003 that turns 'lascivious' kisses between persons of the same sex in public into a misdemeanor,"* he said. *"Debates and attempts at interference and obstruction involving parliamentarians, the Judiciary, and the Executive have demonstrated the strength of religious institutions vis-à-vis state powers. This prompts us to a profound reflection on how to ensure religious freedoms as part of the democratic tradition, maintaining absolute separation between state and churches, or better, keeping the state secular,"* Miriam Ventura affirmed.

For Roberto Lorea, the Papal visit to Brazil should not be viewed as a threat but as an opportunity to assess and monitor the commitment of political agents to federal government public policies. *"Important actions – such as the National Program to Combat AIDS, Educating for Equality, Brazil Without Homophobia, and the program Caring for Women Victims of Sexual Violence – represent our identity in terms of sexual citizenship. I hope our politicians will react against any homophobic religious discourse or attacks against women's human rights, which affront our citizenship."*

Ethics – between good and evil

Translation: Jones de Freitas
:: Revised version posted on May 22, 2007 ::

The Catholic Church radically opposes sex before marriage, condom use, and other contraceptive methods, such as the pill. But, young Brazilian Catholics, including those who Pope Benedict XVI met in São Paulo, on Tuesday, May 10, do not think exactly in the same way. The recently released survey Catholic youth thinking on sexuality, reproduction, and secular state, commissioned by the organization Catholics for a Free Choice (CDD) to the Brazilian Institute of Public Opinion and Statistics (IBOPE), found that "95% of the 1,268 Catholic young people interviewed in 315 municipalities across the country agreed with using the condom to prevent pregnancy and sexually transmitted diseases (STDs); 88% said they saw no discrepancy between the use of contraceptive methods and being a good Catholic; and 79% disagreed with the statement 'people should only have sexual intercourse after marriage.'" According to this study, 72% of those young people think the Catholic Church's position of condemning condom use is backward.

"Religion officially lost its capacity to direct terrestrial life with the advent of modernity, with the institution of a secular public order. Permanence of obedience to religious precepts concerning the private ethos has always been viewed as an annoying vestige of traditionalism. In fact, every religious system must define a private ethos, encompassing the affective, conjugal, reproductive, and erotic life of subjects. Thus, citizens may not only adhere or belong to the cult of their choice, as well as obey or not obey its precepts," said anthropologist Luiz Fernando Dias Duarte, professor at the Rio de Janeiro Federal University (UFRJ) National Museum. *"In addition, there are certain values in our contemporary culture, such as individual freedom and conformity with nature's rules, which seem to have a sacred value above religious rules themselves. Hence, they authorize interpretations, separations, and conversions that are consistent with those values and contradictory to the values defended by religions."*

"The survey shows that one thing is what the church hierarchy says based on its tradition, the other is the day-to-day existence of people seeking various possibilities for living their sexuality, protecting their health, and controlling fertility in a pleasurable way. There are Catholics who separate and remarry and continue to participate in church, although the Vatican is against divorce," emphasized sociologist Dulce Xavier, of the Catholics for a Free Choice.

Benedict XVI's exhortations and statements make it clear that the Pope knows he will encounter in Brazil a flock not so obedient to the dictates of Catholicism. Actually, the church monitors these trends and has powerful internal communication channels. These same pronouncements indicate that despite the circumstances Ratzinger follows guidelines to turn the church into a stronghold against what he considers to be the greatest weakness of contemporary society: relativism.

"Many religions incorporate different aspects of modern values, making less clear the boundaries between the logic of secular freedom and the logic of repressive religiosity. In the case of the Catholic Church, the mere existence of internal tensions regarding this issue also points to a relativity of precepts," Luiz Fernando Dias remarked. For sociologist Maria José Rosado, also from the Catholics for a Free Choice, the problem lies in the church's difficulty in dealing with modernity and the concept of rights. *"Catholicism has a strong antimodern and antiliberal ethos. Rights are related to democracy, individual freedoms, autonomy of choice, and modern liberal achievements – the opposite of Catholic ideals, which pose resistance to democracy, individual autonomy, and democratic freedoms."*

Sociologist Luiz Alberto Gomes de Souza, director of the Science and Religion Program of the Cândido Mendes University (UCAM), in Rio de Janeiro, has been an activist of Catholic movements since 1950 and authored the recently released book *From Vatican II to a new Council? A Christian lay view of the Church*. He holds that the church does not maintain a dialogue with modernity. *"There is a lack of dialogue concerning reproduction, sexuality, bioscience and other great achievements of humankind. Everything advances. Everything is in motion. I think issues like compulsory celibacy, ordaining of women, and sexuality are frozen. We cannot impose self-censorship on ourselves and close the debate."* In fact, Pope Benedict XVI's pronouncements and the strong investment of the Vatican against sexual and reproductive rights tell us that the Holy See has no intention of unfreezing these issues, at least for the time being. *"The justification of certain positions of the Catholic Church in the current Papacy are based on a very literal reading of the Biblical text, which does not make it too different from the so-called fundamentalists,"* stressed anthropologist Otávio Velho, professor emeritus of the National Museum.

In his speech to the General Assembly of the Pontifical Academy for Life, in which he made an appeal to Christian conscience and made explicit his concern with the morals of young people, the Pope stated: *"It is necessary to take a road that follows the various stages of life, opening heart and mind, in order to*

accept the fundamental duties on which existence is grounded, both individual and community existence. Only in this way will it be possible for the youth to understand the values of life, love, matrimony, and family. Only in this way will it be possible to make them appreciate the beauty and sanctity of love, the joy and responsibility of being parents and collaborators of God in the act of giving life." This perspective ignores the freedom of thought that guides Brazilian youth – including the Catholics – to take their distance from church's teaching regarding their sexuality and other issues. This distance captured by the CDD survey is confirmed by other studies.

For Luiz Alberto Gomes de Souza, "*natural law has a series of principles grounded in 'do good and avoid evil.'* Humankind becomes increasingly conscious that certain things should not be done. From this, one can build a consensual ethics at a given historical moment. This ethics changes with history." This perspective is shared by other thinkers and analysts, even those whose views are situated in other disciplinary fields. Psychoanalyst Jurandir Freire Costa, professor at the Rio de Janeiro State University (UERJ) Social Medicine Institute, asserts that ethics regarding conduct for a rightful and just life may have several foundations or justifications, one of them being a religious or spiritualist tradition. "*However, it is perfectly possible for a subject to act ethically within a secular worldview."* Likewise, the philosopher and poet Antonio Cícero considers that "*the human being knows that certain things are wrong because he or she is capable of placing himself/herself in the other's place, and of placing the other in his or her place. Whoever does wrong knows he or she has broken the tacit pact established with other human beings. There is no need for religion to teach this. For example, the ethics put forward by Kant was not religious. In the best hypothesis, religions only mirror principles and rules developed by humankind to better live together in society. The proof of this is that although many of the principles and rules humankind imposes upon herself are not mirrored by religion, they are still respected."*

Good and evil, paradise and hell

Maria das Dores Machado, a sociologist with the Rio de Janeiro Federal University, says that when people choose to belong to a church they are seeking parameters for their conduct. "*In this sense, it can not be denied that people facing a crisis of what is right or wrong seek for an anchor or guidance. It is, therefore, a search for control. You join a church because you want to be controlled."* Hence, it is not surprising that in society many people think religion is also necessary as a brake for criminal impulses of a large part of humankind or for conduct deviations, especially in the area of sexuality, which continues to be considered in moral terms, rather than in the perspective of individual freedom. "*It was necessary to invent hell to tackle this situation. The existence of hell would be a 'pia fraus' or a 'holy lie.'* This has nothing to do with morals. On the contrary, it is a fraud, a lie, an immorality with repressive purposes. How can an immorality be the basis for morals," Antonio Cícero asked.

For bioethics researcher Fermin Roland Schramm, of the National Public Health School: *"Modernity frightens the Catholic Church because if individuals stop believing in the cult of paradise and hell, which is a way of controlling people's behavior, the church will lose power. Ethics and religion must be conceived as separate fields. When the Holy See calls those who favor abortion, stem-cell research, and gay couples terrorists, they are considered terrorists because they in fact do not accept the principle of authority. When there is an absolute principle of authority, there is no ethics, because ethics always implies choice. When there are no options and the individual must obey, there is no ethics. Because modernity implied valorization of the individual and his or her capacity to distinguish good from evil in accordance with his or her cognitive competence and morals, I think modernity expanded the range of possibilities for human beings to overcome the stage stigmatized by Nietzsche as too human."*

Luiz Alberto Gomes de Souza speaks from another perspective; but his reflections point in the same direction: *"Ethics is based on great principles and morals concretize these ethical principles in history. Morals are the rules of life and they change. There are no fixed morals. 13th century morals are not the same as those of the 20th century."* It also needs to be recalled that other religious traditions do not guide their moral orientations with the binary opposition between good and evil, nor exercise their authority on the basis of an imaginary of punishment. In Afro-Brazilian religions, such as candomblé and umbanda, right and wrong are established through an ongoing dialogue between the subject and the divinities; and divinities themselves are not viewed as perfect icons of good or evil. *"The major problem of the great monotheist religions that claim to be 'ethical' is that, on the one hand, they organize and create limits for individuals' behavior and morals, but, on the other hand, they can very easily become intolerant. One thing is the need human beings have for meaning, another is what institutions do with this need people have to give meaning to their lives,"* Maria das Dores Machado said.

Journalist and writer Roberto Pompeu de Toledo, columnist of the monthly magazine *Veja*, asserts that ethics is an imperative of life in society, whether or not one has a religion. *"The tendency of religions to consider they have a monopoly over ethics and morals is very irksome. Or, even more, when they try to identify ethics and morals with themselves. What ethics does a religion that orders killings have, as did Catholicism in the Inquisition and as does Islam with its fatwas, such as the one that condemned writer Salman Rushdie,"* he asked. According to Roland Schramm, it is impossible to articulate ethics and religious vision, unless the latter does not depend upon unquestionable fundamental principles. *"The great monotheist religions are based on a single principle, from which all other principles are derived. For example, the principle of life sacredness, defended by people like Ratzinger, who condemn all ethical positions that do not accept a priori this principle of life sacredness."*

"Catholicism claims to defend life, but in reality the life that matters to the church is not this one, but the 'other', the 'eternal' life, the one after death, that

is, death itself. Earthly pleasures are not worthy in themselves and are very close to sins because they push the human being away from the celestial, the eternal," Antonio Cícero remarked, recalling the famous quote from Saint Bernard: *"Whoever wants the celestial does not like the terrestrial, whoever craves the eternal, despises the transitory."* For the philosopher, the Catholic Church condemns abortion not out of an absolute respect for earthly life. *"Rather, it does so firstly because sexual pleasure is for it not an end in itself, but is meant for reproduction; and secondly, because the church wants to assert the heteronomy of the human being, its conviction that human beings do not own themselves, nor their bodies. For the same reasons, the church condemns homosexuality,"* he argued. *"The church subverts the universal principle of law and of the secular state when, for example, it tries to impede homosexual couples from exercising their definite right to establish civil partnerships."*

For Luiz Alberto Gomes, the problem is the existence in the Catholic world of an obsession when it comes to protecting life. *"Church documents have strongly insisted on defending life since conception. For example, when they oppose abortion, they are protecting the fetus, not life. When we talk about pro-life groups, at bottom, it is not defense of life, but defense of the fetus. Life is much broader."* For the sociologist, the church has also great difficulty tackling the theme of pleasure. *"When one mentions pleasure, immediately hedonism comes to mind, as if people were not entitled to pleasure, as if pleasure was not good. In the 18th century, Jansenism opposed all pleasures. I think that deep down there is still a lot of this within the church. It is a church of old men who have difficulty addressing sex and pleasure."*

Expanding reason

In some of Pope Benedict XVI's pronouncements, one issue is urgently put forward as a pathway for modern society: the expansion of reason. In the Pope's opinion, reason is today reduced, limited to scientificity, and it exists today, in his words, "pathologies of reason" or a "hubris of reason." For this, he proposes an "expansion of reason," as a way out of the "prevailing laicism." In a speech at Regensburg University, Pope Benedict XVI said that *"while we rejoice in the new possibilities open to humanity, we also see the dangers arising from these possibilities and we must ask ourselves how we can overcome them. We will succeed [...] if we overcome the self-imposed limitation of reason to the empirically verifiable, and if we once more disclose its vast horizons."* According to the Pope, this modern concept of reason restricts its field of action. It is worth noting that in January 2004, in a debate with thinker Jürgen Habermas, of the Catholic Academy of Bavaria, a little over a year prior to becoming Pope, Cardinal Ratzinger had already expressed his concerns about what he calls the "limitations of reason." He asserted that *"reason must be recalled in its limitations and learn the willingness of listening to the great religious traditions of humanity. I would speak about a necessary correlation between reason and faith, reason and religion."*

Philosopher Antonio Cícero does not see much novelty in the Pope's speech, except for his more aggressive attitude in defending the Catholic Church's dogmas. *"Deep down, the Pope based his attack on Muslim and Protestant fideism at Regensburg University on the great synthesis of faith and reason performed by Saint Thomas Aquinas. Thanks to an extremely questionable interpretation of Saint Augustine and Saint Paul – an interpretation that places them too close to Aquinas's position – he located in the Late Middle Ages, in Duns Scotus, the origin of Western fideism, and with this, of Protestantism. Thus, this would be the result of a deviation from the correct, that is, the Thomistic line. In my opinion, what in fact occurred was that Late Middle Ages theology realized the irrecoverable incompatibility between reason and revealed religion, between the God of philosophers and the God of Abraham, as Pascal would later put it. One can say that Protestant fundamentalism is the exclusive option for faith and, in turn, that positivism – which, together with relativism, is another target of Benedict XVI's attacks – is the option for reason. To a certain extent, because of this trajectory, it is justifiable to consider positivism as diminished reason, a reason that limits itself."*

Roland Schramm agrees. For him, reason reduced to the absolute principles of theology is reason itself reduced. *"It is the Pope who is defending a reductionist concept of reason. When he talks about reason, he referring to an instrumental reason; to reduce logos to instrumental reason, scientific reason, is an arbitrary operation. Dialogical reason is the way to avoid the reductionism of reason to merely instrumental reason. I think the Pope confuses dialogical reason with faith. Faith is not sharing with the logos. Faith implies submission of people to supposedly divine purposes, and this must be questioned."*

Anthropologist Antonio Velho, professor emeritus at the National Museum, interprets the Pope's statements as an univocal position, reductionist of reason. *"Reason is not unique. Ratzinger's critique is targeted at scientific reason and modernity. The important value of modernity is diversity. The criticism concerning the weakness of reason means not to deal with this diversity."* Roland Schramm agrees that scientific progress is at the root of Benedict XVI's critique of the modern concept of reason. *"Through science we are getting closer to the ideal of autonomy and ceasing to be victims of hazards and natural laws. The church opposes biotechnoscience – that made assisted reproduction possible – because it opposes the so-called divine design for which the Pope and the Vatican men would be the official and authorized interpreters."*

In the opinion of journalist Roberto Pompeu de Toledo, *"contrary to what the Pope defends, the greater the 'expansion of reason', the less power and legitimacy for the church to interfere with people's lives. Rationality gives people independence."* For Antonio Cícero, the solution for these limitations of reason referred to by the Pope is to abandon the very problematic of the relationship between faith and reason that positivism still unconsciously maintains. *"The truly expanded reason is limitlessly free and critical, reason tout*

court, and the key condition for its exercise is an open society. The attempt by Benedict XVI to return to Thomism, as if nothing but a detour had happened after it, is simply regressive and, because of this, is destined to fail," he argued.

Condoms all over the place

Although making severe criticisms of Benedict XVI's moral and philosophical dogmatism, the experts we discussed ethics with think the Pope's visit will not have significant negative impacts. Among their reasons, they say there is already a major gap between the feeling of religiosity and individual conduct. *"Even among people who claim to be Catholics, who strictly adheres to the principles of Catholicism in our days? If Catholicism was taken to the letter, surely people would be more conservative in matters of sexuality and related issues,"* Jurandir Freire stated. For Otávio Velho, the Papal positions just express the Vatican's conservative resistance. *"It is regressive. The Pope has a symbolic presence that goes beyond the boundaries of the Catholic world. However, his authority is fictitious and we know that many Catholics do not respect the Vatican's guidelines and do not follow to the letter the Papal recommendations,"* he said.

A religious scholar for over five decades, the layman Luiz Alberto Gomes has attended all meetings of the General Conference of the Latin American and Caribbean Bishops (CELAM). The Pope visited Brazil to attend the 5th CELAM conference. Luiz Alberto Gomes also witnessed the visit to Brazil of the last two Pontiffs. For him, what should be valued and focused on is the conscience of each individual. *"Moral conscience exists not just for Catholics, but for any human being. In this sense, modernity is crucial. In the old world, conscience was dictated by the king, emperor, or priest. Today conscience is dictated by the person's decision, which is illuminated by principles that might be inspired by religion or by a United Nations document on human rights. It should never be illuminated by the Pope, nor by the state – because we would run the risk of Nazism, fascism, or totalitarianism. It should be illuminated by the common conscience,"* he stated.

Smiling, the sociologist recalls one of the big gatherings held in Paris, the gathering between Pope John Paul II and the youth – similar to the one that occurred on Thursday, May 10, in São Paulo. *"The young people screamed and sang with the Pope. John Paul II talked about virginity and remaining chaste.*

Despite this, the next day the streets were covered by a huge amount of used condoms."