A Secular Nation under God’s Protection

Brazil’s Porous State Secularism and the Problem of the Differentiation of Value Spheres

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Abstract

In Brazil, religion influences many aspects of the everyday life of most citizens. But despite this ubiquity, Brazil has favored a strong separation between church and state. Whilst these two realities are by no means incompatible, I ask the question: in a society where religion is ubiquitous, how does state secularism function? As I attempt an answer, I discuss some of the meanings associated with the term “secularism,” whilst critically engaging with the idea underpinning much of our sociological understanding of secularism, namely Max Weber’s differentiation of “value spheres.” I ground the more theoretical part of the argument on the much-publicized “shift” from Catholicism to Protestantism that has occurred in Brazil in the past three decades. I argue that this shift is forcing a more fluid relationship between Brazil’s secular and religious spheres. As a result, the institutional and constitutional boundaries between these spheres could be considered porous. This insight reveals a Brazilian-style state secularism that is more inclined toward accommodation than conflict.

Keywords: state secularism, Brazil, differentiation, secularization, value spheres and religion

Introduction

It would be no hyperbole to suggest that, in Brazil, religion is ubiquitous. Despite the fact that Brazil’s constitution provides a strong separation between church and state, religion influences most aspects of the everyday life of most people, believers and non-believers alike. The separation between church and state is, of course, not incompatible with a vibrant
religious sphere, and this paper will not argue otherwise. Rather, I make the observation that the ubiquity of religion in Brazil’s public sphere complicates our understanding of state secularism, mainly because of the extreme difficulty in separating the religious from the secular in such conditions.

The ubiquity of religion in Brazil is a theme present in recent and abundant multidisciplinary scholarly work. These range from the importance of religion for prisoner rehabilitation programs (Johnson), to its presence in Brazilian politics (Machado 2006, 2012) and governance (Garmany). Religion becomes an important factor in issues as diverse as the environment (Lyons and Tucker) and popular culture (Tinhorão). Scholars have suggested links between religion and health (Murray et al.; Rios et al), social and economic inequality (Solt, Habel, and Grant), and the media, where often-controversial discussions about sex, gender, and abortion (Steele) take place. Religion has been studied with regards to its impact on education (Fonseca) and morality more broadly (Ogland and Hinojosa; Pew Research Center 2014). It has been studied in tandem with, or as a constitutive element of the Brazilian transnational diaspora (Rocha and Vásquez), ethnicity and race (Selka; Burdick), food and culture (Capone; Dawson), and sport (Rial). Religion even seems to shape the demand for certain drugs, whilst inhibiting others (Labate and MacRae). It poses questions regarding animal rights (Alves et al.) and human rights (Ogland and Verona), and it helps to create and re-enforce the material culture of the country (Morgan), not to mention its influence in the process of democratization (Freston). In sum, in secular Brazil, religion is everywhere.¹

It is evident from this literature that Brazil does not fit European patterns of privatization (see Casanova 1994; Taylor 2007; Maclure and Taylor). Moreover, if we take a superficial look at the statistics offered by the last Brazilian population census (IBGE 2010), it is difficult to deny that (at least nominally) most Brazilians claim to belong to one religion or another. According to the 2010 government census (see also Pew 2013; 2014), Brazil is home to 123 million Catholics (64.6% of the population) and 42.3 million Protestants (22.2%). The third largest category refers to the 15 million non-religious people (8%), followed by 9.3 million followers of non-Christian faiths (5.2%). Although there is much more to be said about these numbers, in this paper I focus on the much-discussed, often-polemized on-going shift from Catholicism to largely autochthonous forms of Evangelical Protestantism, in particular that which has been termed “neo-Pentecostalism.”² This shift is accompanied by an extensive academic discussion that began decades ago, as evidenced by the work of David Martin (1990), José Casanova (1994), Paul Freston (1994), David Lehman (1996), and many others, most of whom see this shift as part of a larger phenomenon encompassing the whole of Latin America and indeed a sizeable portion of the global south.

¹ The importance of religion is highlighted in the preamble to the Brazilian Constitution: “We, the representatives of the Brazilian People, convened in the national constituent assembly to institute a democratic state . . . under the protection of God, . . .” (Constitution of the Federative Republic of Brazil).

² The term “neo-Pentecostal” is not easy to define and, according to Paul Freston (1999), it is better understood as an umbrella term used to describe “waves” of development of a complex phenomenon.
Adding to this growing literature, I propose that, given the current vitality of the religious field in Brazil and the potential consequences of the aforementioned “shift” for the political field, this scenario warrants a focus on a theoretical problem that I henceforth refer to as the problem of differentiation of value spheres. I will articulate the problem as I discuss the meanings attributed to secularism (see the next section), and I will use some illustrative questions to express the problem in real terms. For example, in a country where religion is ubiquitous, how impermeable can the boundaries between the religious and the secular ever be? Could transformations observed in the religious sphere result in real changes in the political sphere? If so, what kind of changes can be observed?

The secularity of the Brazilian state guarantees a sort of neutrality through both the right to religious expression and the right of individuals not to hold any religious belief or view or to be the subject of undesired proselytism. In practice, the boundaries between the secular and the religious are hard to establish. That is something that, according to some commentators, jeopardizes the idea of neutrality, because of the “omnipresent heritage of religion in the public sphere and cultural and national identity of western countries” (Lehmann 2013: 646). The cases I bring forth in the last section of this paper should enable further reflections on the functions associated with state secularism in the wake of shifts in the religious landscape of Brazil.

I begin this discussion with an account of the meanings commonly associated with the term “secularism” (or state secularism to be more precise) whilst referring to related terms, namely “secularization” and “secularity.” I do so in order to focus more sharply on a core notion guiding much of our sociological understanding of secularism, namely Weber’s differentiation of value spheres. This is followed by a description of case studies found in Brazil (recent events extricated from the media), which, in my view, exemplify a favoring of accommodation over conflict in church–state relations. This drives me to argue that perhaps we are witnessing a “de-differentiation” of spheres (church–state/religious–secular) in Brazil. I portray Brazil as an example of the need to consider all three – secularization, secularism and secularity – as subject to multiple religious, political, cultural, and economic realities. As such, this paper adds to the growing revisionist literature on what has been termed “multiple secularities” (Burchardt and Wohlrab-Sahr), evolving out of what Peter Beyer has recently described as the “post-Westphalian condition” or, as he further explains, “the (relative) de-linking of the structural modelling of religion and state” (669). In a circular fashion, this should probe us to problematize the notion of “differentiation.”

Secularism, Secularity, Religion and Secularization: the Persistence of Differentiation

Secularism

In its purest, idealized form, “state secularism” refers to the formal separation of church and state or, at the very least, the limiting of the power of a given religion (or religions) in matters of governance. Arguably, there are other expressions of secularism around the world, and these understandings reflect the various forms that secularism may take in

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3 The notion of differentiation of value spheres is found more coherently delineated in Gerth and Mills: 323-59); for a critique of value rationalization, see Oakes.
different social contexts (Burchardt and Wohlrab-Sahr). Of great practical importance for legislators and civil society, secularism is often interpreted as state-neutrality vis-à-vis the plurality of religious traditions encompassed by a nation state (for example, the United States or India). State secularism can also assume radical anti-clerical forms, where traditional religion may be: a) present as popular religiosity but restricted from the public space, b) replaced by a state religion based on the worship of its political leader (as in North Korea), or c) altogether banned or discouraged.4

Theoretically, secularism is considered a stage or element of secularization, itself thought of as a larger paradigm (Tschannen) encompassing three processes, namely “differentiation, rationalization and worldliness” (Tschannen: 395). The majority of attempts to articulate this paradigm have been overwhelmingly influenced by a reading of Max Weber's work, in particular his differentiation of value spheres (Wertsphären). 5 The differentiation of spheres is a theory that is sometimes described as a process and, according to Casanova (1994), Martin (2005), and Taylor (2007), is perhaps one of the most defensible and “workable” (Martin 2005: 123) theories of secularization even if they may also have some criticisms. This is so because secularization is intrinsically linked to the Weberian rationalization thesis.

Although a much older concept not necessarily associated with the idea of “non-religion” (Taylor 2011), our modern understanding of the term “secularism” usually refers to the type of church–state separation encapsulated in Thomas Jefferson’s “wall of separation” in the U.S., and that which has been established in France as laïcité (the Law of 1905). Indeed, the metaphor of a wall or barrier isolating the secular state from the religious realm is persistent throughout the literature, and reflects the influence of the thesis inspired by Weber’s posthumous (edited) works (see Weber 1978). This distinction between church and state has in some cases become interchangeable with the binary distinction of religion and secular, in turn a reflection of Emile Durkheim’s notion of sacred and profane. 6

The secular, then, has become understood as everything that is not religious. That is, state secularism means the absence of religion from state matters, and religious is used to refer to faith-based traditions independent of the state. It is very important to note that although this seems to mark a feasible distinction: “It is still not clear, however, exactly what the distinction demarcates” (Calhoun et al.: 8). According to the authors of Rethinking Secularism,

4 Examples of the latter include Plutarco Elías Calle’s Mexico in 1917, Russia between 1917 and 1991, Cuba between 1976 and 1992, North Korea between 1948 and 1994, and China between 1949 and 1978. These examples are given because of the political constitution of these countries within the periods mentioned. How they have changed over time and how they currently relate to religion are issues open for discussion.

5 Weber also refers to them as Lebensordnungen (“life orders”). He describes five of them: the economic sphere, the political sphere, the aesthetic sphere, the erotic sphere, and the intellectual sphere (see Gerth and Mills: 323-59). It is important to note, as Swedberg does, “The sociological status of the concept of value-spheres is unclear. A value-sphere should not, for example, be equated with an institution. It does, on the other hand, show some similarities with what Weber calls an order (Ordnung), in the sense that it consists of various prescriptions (maxims) for how to behave” (290).

6 It is, however, important to note that Durkheim and Weber seem thoroughly unaware of each other’s work, a problem that has puzzled those concerned with the history of the social sciences.
the term “secularism,” often seen as the absence of religion in state matters, is in fact something, rather than a simple empty space. For them, “... although secularism is often defined negatively – as what is left after religion fades – it is not in itself neutral. Secularism should be seen as a presence” (Calhoun et al: 5). However, this “something” is seen as disconnected from religion. Rajeev Bhargava, a contributor to the aforementioned volume, argues that secularism should be distinguishable in terms of “orders of disconnection” from religion (94-113). According to him, “A state may be disconnected from religion first at the level of ends, second at the level of institutions, and third at the level of law and public policy” (97, italics added). It is worth bearing in mind the latter of these three distinctions, for law and policy are the building blocks of the bureaucracies that regulate institutions and these are, according to Max Weber, often opposite to the ends of a given state – that is, its raison d’être.

Weber saw conflict between spheres as eminent. I want to disagree with Weber by showing how Brazil has in fact favored accommodation over conflict. Although there is no use in denying the conflictual nature of private ends and the politics of neutrality supposedly advocated by the secular state, I find that the evidence suggests that Brazilian-style state secularism functions on the basis of accommodation, despite the often-conflictual nature of demands made from civil society (e.g., gay rights, abortion, or education) or what Maclure and Taylor call “open” vs. “rigid” secularism (27-35). Indeed, it would be easy to disagree with Weber with regards to his assumption that “Every religiously grounded unworldly love and indeed every ethical religion must, in similar measure and for similar reasons, experience tensions with the sphere of political behavior” (1978: 590, italics added). However, a more nuanced reading of his work reveals an important added acknowledgement:

The theoretically constructed types of conflicting life orders are merely intended to show that at certain points such and such internal conflicts are possible and adequate. They are not intended to show that there is no standpoint from which the conflicts could not be held to be resolved in a higher synthesis (Gerth and Mills: 323). Having noted this, it is undeniable that Weber sees “tensions existing between religion and the world” (327).

Western Secularity and Religion

Aware of the limitations of his position, and the difficulty in finding evidence for cross-cultural uniformity of church–state relations, in his influential book, Charles Taylor (2007) differentiates between three meanings of (Western) secularity. The first (secularity 1) refers to state neutrality vis-à-vis religious views, where “the legitimacy of the government is not dependent on religious belief” (Madsen: 248). The second meaning (secularity 2) is that which most sociologists of religion will recognize as the proposition of the progressive decline of either religious belief or practice (or both) across time and amongst a given population. The third meaning (secularity 3) relates to a broader cultural shift from that in which belief in God was a dominant paradigm to one in which it is one option among others in our search for fullness or meaning in life. Although this is an elegant and nuanced view of secularity, it is nevertheless underpinned by the notion of differentiation, one that bares particular importance to the kind of secularism which is the focus of this paper: state secularism.

Before discussing Taylor’s work any further, I must point out the fact that the discussion of secularity is inextricably and confusingly shaped by our understanding of
religion. Or, to be more accurate, the space that religion occupies in a given society is often portrayed as oppositely related to the space where it is not. This implies a differentiation of spaces on the basis of presence or absence. If defining what we mean by secular is difficult, the problem of defining what we mean by religion has proven equally problematic. While I refrain from reifying religion as a thing, definitions are important because they tend to reveal ideological biases (conscious or otherwise) or tendencies to homogenize and exclude practices, which may threaten such hegemonic attempts. One useful definition sees religions as those practices and networks of relations which consist of “... actions, beliefs and institutions predicated upon the assumption of the existence of either a supernatural entity with powers of agency, or impersonal powers or processes possessed of moral purpose, which have the capacity to set the conditions of, or to intervene in, human affairs” (Wallis and Bruce: 10-11; Bruce 1996: 7). This definition is not unproblematic, but I am forced to place concerns aside for the moment as my focus is the two dominant religions in Brazil, Catholicism and Evangelical Protestantism (in all their expressions – see Freston 1999, 2008), only insofar as they affect or are affected by the secular state. I believe we could agree that both religions possess at least two common qualities: 1) institutions, and 2) a strong moral purpose. They are in this sense ethical religions. That is, they are understood as part of a well-defined value sphere, where they display moral purpose that may or may not be aligned with the purpose of the state, itself ensuing in (potential) “orders of disconnection” as Bhargava has observed (see above).

Secularization

At this point it is also useful to ponder the meanings of the associated term secularization, if for no other reason than to confirm the centrality of differentiation in theoretical arguments in this field. It is true to say that, as a result of the wide variety of views found in scholarly discussions, there seems to be no agreed definition of what secularization is or how it operates. Indeed, in his influential Public Religions in the Modern World, José Casanova deconstructs secularization into three separate propositions as a way to synthesize the main streams of argument: a) secularization as the decline of religious belief and practice, b) secularization as differentiation (i.e. separation of powers – a secular state independent of religion), and c) secularization as privatization (1994: 7). The most important point here is that although the theory focusing on the decline of belief and practice is hotly debated in sociology, the centrality of the idea of differentiation is not. In an essay entitled “Secularization Revisited” (2006), Casanova defends his view that differentiation can easily survive “deprivatization.” Religion is still very much relegated to the status of one more value sphere amongst others. That is to say, the differentiation of value spheres is hard to shake-off, given that most democracies operating as capitalist economies tend to impose a separation of church and state, albeit with different results.

The concept of value spheres was developed out of Weber’s concept of cultural being (Kulturmensch). By the latter, Weber meant a given person’s initiative to “take a position on the

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7 The fact that I do not include commentary about Afro-Brazilian religions, Spiritism, as well as other faiths is not a discriminatory measure on my part. Quite the contrary, by focusing on these two competing forms of Christianity, I am pointing to the exclusion of minority faiths by the major religions as well as the state and the reluctance to authenticate minority religions, their beliefs, and practices, as religion.
world and ascribe a meaning to it” (cited in Oakes: 28). This is part of Weber’s much wider theory of rationality. Without wanting to discuss this in length, it is important that we at least mention the importance Weber ascribes to “struggle” (Kampf) in his conceptualization of Werteberiegen (value spheres). For Weber, conflict between value spheres is inevitable because each sphere beholds its own norms and self-autonomy (Eigengesetzlichkeit). Indeed, for Weber, the struggle is fought with the passion derived from the certitude of an “immanent internal logic” (Oakes: 29).

It is no surprise, therefore, that in A Secular Age (2007), Taylor gives high importance to differentiation. In my reading of Taylor’s work, differentiation is used as a foundation stone on which much of his critique of Weber is built. For Weber, religion is the prototypical value sphere: separate from the spheres of politics, culture, economics, and business, for example. Nevertheless, each of these spheres has their own institutions, bureaucratic structures, and values. Taking as an example the work of Steve Bruce (1992, 1996), Taylor points to the way in which different spheres of life were once intrinsically bound together and, to some extent, still are. It is important to note that Taylor does not deny that there has ever been differentiation. Rather, he maintains that because value spheres may be indeed separated by the types of rationalization Weber describes, it does not follow that the non-religious spheres will not incorporate religious content. One example of this would be a teacher who refrains from teaching her students about creationism even when she is herself a practicing Christian of some denomination who, in her private life, may distrust explanations of the origins of mankind on the basis of the theory of evolution by natural selection.

Having established the predominance of differentiation as a theory in prominent discussions of secularization, I now turn to case studies found in the Brazilian context. I will ask the question: how does differentiation fare in the case of Brazilian secularism? I hope to show that despite an effort to organize society into separate value spheres (i.e. by passing laws theoretically strengthening the role of the secular state), state secularism in Brazil may be considered as porous, particularly because of a tendency towards accommodation rather than conflict, which allows values to flow between spheres.

Brazilian-style Secularism and Religion: Conflict or Accommodation?

For Weber, religions of salvation tend to live “not only in an acute but in a permanent state of tension in religion to the world and its orders . . . The more the religions have been true religions of salvation, the greater has this tension been” (Gerth and Mills: 328). Looking at contemporary Brazil, I can only partly agree with this. From the outset, we see that the entrenchment of the Catholic Church after four centuries of imperial privilege (Padroado, “patronage” – see Fonseca) placed the Catholic Church under the strict control of the monarchy as a state religion. Following this measure, two broad aspects of the history of

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8 Two expressions of Christianity, Roman Catholicism and Evangelical Protestantism, fit Weber’s “religions of salvation” squarely. However, it is important to note that these religions may differ in significant ways in their views about materialism, for example. Whilst both religions have at times placed their concern with sex, abortion, homosexual relations, and other morally contentious issues at the forefront of their doctrines, Brazilian Catholics tend to be less strict in their opinions on those matters than the emerging Evangelical churches.
church–state relations in Brazil are worth mentioning for a better understanding of contemporary developments.

First, religion in Brazil has followed almost simultaneously a pattern of oppression and liberation, of accommodation and conflict, and of institutionalization and popular movements (Casanova 1994; Bruce 2003). For example, it was only in 1891, when Brazil was declared a (secular) republic, that the Brazilian Catholic Church was able to strengthen its ties with the Roman Catholic Church. Freed from the claws of the state by the constitutional secularism of that very state, the Catholic Church has since been the chosen partner religion of the Brazilian secular government from a national political sphere down to the regional and the local levels (Machado 2012). This historical process accentuated the role of the Catholic Church in Brazil as cultural heritage.

On the other hand, the historical forms of Protestantism known in Europe arrived in Brazil largely with German immigrants in the nineteenth century, several decades before the constitution of 1891 was sanctioned. The number of Protestants was negligible in comparison to the number of nominal Catholics. That was until a new form of Evangelical Protestantism that arrived in Brazil with American missionaries during the 1950s and 60s began to make a difference. The missions spread amongst the indigenous populations in the countryside and later amongst the poor populations of the inner cities. However, soon the American missions became victims of their own success as they began to lose terrain to local offshoots that in turn became independent from the original missions. As cities grew in size, these American-inspired but by now largely autochthonous Evangelical churches found a space in the religious landscape of the country and grew from there. That is the reason why these churches differ substantially from the European model.

Second, the sudden growth of Protestant faiths in Brazil was greatly influenced by the Judeo-Christian inclination for prophetic voices to arise out of oppressive situations (Casanova 1994). The oppressed, in this case, are the displaced, dispossessed, inner-city dwellers, largely black and female, who migrated to the growing urban centers during the great rural-to-urban transition begun in the 1950s. There, the poor began to turn away from Catholicism as they became increasingly attracted to the prophetic voices, the healers, and charismatic leaders, whose “tongues” were “on fire,” to paraphrase David Martin (1990). As they did so, the autochthonous expressive and participatory form of Evangelical Protestantism born out of the American missions gained true momentum, especially in the shape of neo-Pentecostalism (see Freston; Lehmann 1996, 2013). This situation has put pressure on the Catholic Church to respond to the loss of space in the religious arena. One tactic has been to get closer again to the government by using the argument of the importance of the Church in the formation of Brazil’s cultural heritage.

9 Just as Catholicism in Mexico or the Philippines has incorporated many local elements that are not found in Roman Catholic rituals and doctrines, so the Brazilian Church allows for the veneration of saints and the performance of rituals that are not always in accordance with the doctrines established by the Holy See in Rome. The Brazilian Church allows for much more flexibility in the face of the broad religious syncretism so characteristic of the Brazilian population, where one Catholic saint may be worshipped next to the image of icons from other religions. The seeking of closer ties between the Brazilian Church and the Holy See entails more constraints on rituals and worship.
Another expression of this preoccupation has been the Brazilian Catholic Charismatic Renewal movement, which was largely despised by Pope Benedict XVI. Benedict's papacy differed from that of his successor mainly because of the flexibility and charisma shown by John Paul II and his talent for public relations. Neither Benedict's personality nor his theological views, especially as the former Cardinal-Prefect of the Congregation for the Doctrine of Faith, allowed him to accommodate alterations to Catholic liturgy in Brazil, nor was he willing to share the stage with the singing, dancing priests emerging from the Catholic Renewal movement.

Despite the tendency of the Brazilian Church to move towards more charismatic services, the largely Europeanized Church is increasingly outplayed by the dynamism of the new forms of Protestantism that have become loud voices and a true presence, both in the public sphere and in the Brazilian Congress.

The Influence of Religion in Brazilian Politics

In the same year that the last population census was conducted, 2010, there was a general election that transferred the powers from the then president, Luis Inácio da Silva (aka, “Lula”), to his party colleague and successor to the presidency, the twice-elected Dilma Rousseff. In this transition, evangelicals increased their presence in Congress by almost 50%. This shows that candidates for the presidency, and other elected representatives, can no longer ignore the power of evangelical Protestantism in Brazil. As of 2015, of the 513 representatives in the Federal Chamber of Deputies, 75 are evangelicals with three more in the Senate, representing 14.6% of the seats in congress. If it was an organized political party, the “Bancada Evangélica” (the Evangelical Bench), would be the third largest in the country, and claims for unification have already begun. Although their evangelical affiliations as yet do not form a coherent force, precisely because of their theological and political differences and wide range of affiliations (50% of the total number of members belong to 13 different denominations), the threat of unification creates uneasiness among liberal democrats and even sections of the evangelical groups themselves.

For a sense of how religion is present in the Federal Assembly, consider the fact that elected deputies have been filmed saying that their mission is to represent Jesus, not the people, in parliament. Evangelical deputies gather for regular “cults” (services) within government buildings where crucifixes hang on the walls. In contrast, requests to perform Afro-Brazilian religious rituals in the same rooms have been turned down. The desk of the central office in congress displays a Bible, a crucifix, and since 1994 when the currency was implemented, the Real, the Brazilian currency, inscribed with the words “Deus Seja Louvado” (God be Praised).

The ubiquitous presence of religious vocabulary and symbols in secular spaces worries the average lapsed white middle-class Catholic who is unhappy about what many perceive to be the invasion of religion into public spaces, and this preoccupation is heightened by the overwhelming presence of a loud minority amongst Protestant faiths, the so-called “prosperity Churches,” whose leaders take particular interest in polemicizing religious issues. Discourses made by representatives of the Bancada, such as Pastor and Federal Deputy, Marco Feliciano, one of the most controversial religious leaders to emerge from the Pentecostal movement, have caused much stir in the media. Feliciano sees the Evangelical
alliance as a promise to be fulfilled, a prophetic moment. This is exemplified by a controversial episode that sparked a wide debate in the public sphere: two female gay-rights protesters kissed during a church service in which Feliciano presided over as a pastor. The two girls were both sent away in handcuffs. Infuriated with the girls’ actions (it is important to note that it was a public space), Feliciano lashed out: “. . . these law-breakers will see, we will soon be the largest evangelical group in the history of congress” (Canofre).

So far, the only united group within the Federal Chamber of Deputies is that belonging to the Igreja Universal do Reino de Deus, and there are six of them, all of which belong to the Republican Party (Partido da República) – a center-right conservative and nationalist party with nearly one million adherents. The perceived fragmented status of religious groups within parliament allows for the underestimation of the impact of the political engagement of religious groups in congress and their power to mobilize issues and implement policies that often go against the liberal, secular, democratic grain of the constitution.

Religion and the Rule of Law

The Protestant presence in the corridors of power and in daily media has caused the Catholic Church to react, and that reaction has caused the infringement of foundational laws set in the constitution. This has arguably undermined any claims of neutrality from the part of the then government led by the Worker’s Party in favor of more proximity between religion and state. This was made clear when the Brazilian government endorsed the Catholic Church with a controversial Concordat between Brazil and the Roman Holy See in November 2008 (Machado 2012). The accord was secured during the mandate of former president Luís Inácio Lula da Silva. Article 11 of the document establishes the obligation to offer religious education in all Brazilian public schools. According to the Concordat, “Religious education, both Catholic and of other religious confessions, to be optional, is a regular discipline in normal hours of state schools in primary education, so long as the respect for religious diversity of Brazil is ensured, in accordance with the Constitution and other laws, without any form of discrimination.”

The agreement has been labeled as controversial, and for good reasons. For a start, the accord is quite simply unconstitutional. Once the seriousness of the agreement was fully understood, critics began to question how Brazil, a country that hosts a great plurality of religious views (including a multiplicity of culturally significant religious minorities), can affirm the separation of church and state and yet have one “partner religion.” In such discussions, the last constitution of 1988 is often quoted, in particular the fifth and nineteenth articles. In the first of these we see the assertion of freedom of religious belief and practice.

VI - freedom of conscience and of belief is inviolable, the free exercise of religious cults being ensured and, under the terms of the law, the protection of places of worship and their rites being guaranteed;

VII - under the terms of the law, the rendering of religious assistance in civil and military establishments of collective confinement is ensured;

VIII - no one shall be deprived of any rights by reason of religious belief or philosophical or political conviction, unless he invokes it to exempt himself
from a legal obligation required of all and refuses to perform an alternative obligation established by law (Article 15 of the Constitution of the Federative Republic of Brazil).

According to the same constitution, public schools are considered a department of the state, as are courts of law. Accordingly, the state is forbidden to:

[Establish] religious cults or churches, to support them financially, to restrict their functioning or to maintain with them or its representatives, relations of dependence or alliance, except when, and informed by the law, such collaboration may be of public interest (Article 19 of the Constitution of the Federative Republic of Brazil).

Despite these articles, the Concordat was officially approved by the Brazilian National Congress in 2009 and, as expected, it opened up serious debates that eventually led to protests from other faiths, left-wing minority groups, and organizations such as those fighting for gay rights, women's rights, and social equality reform. This is not to mention a number of academics and public figures who voiced their concerns publicly (cited in Machado 2012). The explanation given by the government in response to its critics was that the agreement was legitimate and did not contravene the federal constitution because it is a diplomatic accord not between a religious group (the Roman Catholic Church) and a federal government, but rather between two sovereign states, namely Brazil and the Vatican.

In my view, it is important that the Concordat be seen from a historical perspective. The changes occurring in the religious demography of the country, in particular the growth of Pentecostalism, are recent developments of a long history of non-strict differentiation between religion and state in Brazil and of a favoring of accommodation over conflict. This contradicts the market-theorists, who believe more religious competition favors more differentiation (Lehmann). For example, the Brazilian Federal House of Representatives passed (June 12, 2013) the General Law on Religions (Lei geral das religiões), which is meant to extend the rights given to the Catholic Church to other religions. Under the premise of religious pluralism and fairness, this development, in fact, sees religious institutions gaining considerable privileges, including property and vehicle tax exemptions, compulsory military service exemption, exemption from labor regulations, and another forty-four privileges (cited in Machado 2012). The assets of these institutions could even be eligible for state support for things such as conservation work, and they would be protected against expropriation, not to mention the opening up of the secular education system to religious organizations by institutionalizing religious education as obligatory. This seriously compromises any allusions to a strict church–state differentiation according to the definitions put forward earlier (see previous sections), as it entails some of the accommodation practices, especially the notion of secularism as state neutrality vis-à-vis religion, which are at odds with genuine state secularism.

It is undeniable that religion has a strong presence in Brazilian politics and is a force to be reckoned with in the ballot. In any moral debate on any conceivable topic, the views of religious leaders can be very influential, even when they represent the views of a minority. Indeed, no serious contender for the Brazilian presidency can afford to ignore religious leaders, such as Edir Macedo and Silvio Malafaia, or other wealthy pastors and media
owners, such as Estevam Hernandes Filho, a former Xerox marketing director known to followers as “The Apostle,” or Romildo Ribeiro Soares, one of Brazil’s best-known pastors. As the leader of the International Church of the Grace of God, the latter exercises a considerable amount of power in politics and the media. Marco Feliciano, the aforementioned evangelical bishop, was (rather controversially) appointed the leader of the Human Rights Commission in the Federal Congress in 2013. He is a Federal Deputy Minister who is very explicit in thinking that politics should be guided by a fervent and literal interpretation of the Bible and by a strict morality that is often openly attacked by academics as misogynist and homophobic.

Indeed, religion and politics in Brazil are so closely linked that they began to issue one another special benefits not open to the rest of society. An illustrative example takes us to January 2013, when yet another pastor, Valdemiro Santiago (also known as “The Apostle”),\textsuperscript{10} the leader of Igreja Mundial do Poder de Deus (World Church of the Power of God) and his wife Bispa (bishop) Franciléia de Castro Gomes de Oliveira, received diplomatic passports from the Brazilian government (Paraguasu). Although these documents do not allow for diplomatic immunity per se, they provide the holders with considerable advantages when transiting between countries, including no need for visas or for going through the normal security search at airports. Santiago’s church is formed by a large conglomerate of adjunct businesses, Igrejas no Mundo, and it is one of the fastest growing religious institutions in Brazil and internationally. Igrejas no Mundo has churches in North America and the African continent and is present in 20 countries around the world, according to its own website. It is on the basis of this international character that special passports were requested. Santiago and his wife were granted diplomatic privileges by claiming to be acting in the interests of the nation and representing Brazil abroad. Just as the Catholic Church has forced the secular state to accommodate its demands because of its place in Brazilian culture, so these autochthonous Protestant churches have found a way to claim similar benefits in the name of prosperity by claiming to represent Brazil’s economic and political interests elsewhere. In a developing country eager to show its own brand of governance and become a world power, support for the expansion of Brazilian churches abroad can be a good way to maintain an international presence and to develop ties.

\textit{Religion and State-Funded Secular Education}

Even more interesting for my proposal of the view of a porous Brazilian secularism is the current debate about the role of religion in the education system. According to Article 210 of the 1988 constitution:

\begin{quote}
Minimum curricula shall be established for elementary schools in order to ensure a common basic education and respect for national and regional cultural and artistic values.
\end{quote}

\textbf{Paragraph 1.} The teaching of religion is optional to the student and shall be offered during the regular school hours of public elementary schools.

\begin{footnotesize}
\textsuperscript{10} Santiago used to work for Edir Macedo, but left the Igreja Universal do Reino de Deus (Universal Church of the Kingdom of God) in order to open his own church, causing great rivalry between the two men.
\end{footnotesize}
Roseli Fischmann, a professor at the Faculty of Education of the University of São Paulo and a United Nations adviser on education, argues that Article 210 has been infringed (Polato). Indeed, she is one of the many critical voices pointing to the transgressing of the constitution by the passing of a law, which, according to her, requires religious education in public schools at various levels. She believes that the Concordat with the Catholic Church has “hurt Brazilian democracy.” In an interview with a Brazilian online newspaper, Fischmann notes that the document signed by the President gives various privileges to the Catholic Church, which should not exist in a secular society. These include the receipt of public money and further benefits that can easily impact on citizenship, like the inclusion of spaces for Catholic Churches in the urban planning of cities. Fischmann is concerned with the “obligatory Catholic teachings and of other religious confessions.”

In her view, even though it mentions other faiths, the agreement gives clear preference to one religion, which obliges schools to adopt a determined confession. In her opinion, because of this the agreement is unconstitutional: “The Ministry of Exterior Relations defend this initiative saying that there is no problem, since it only compiles that which already exists. But this is not true.” As the Concordat is an international bilateral agreement, the executive power has no say on the matter, even if it has clear consequences for polity.

Besides the official transgression, it is important to note that religion can influence the secular educational system in many other and informal ways. It is, for example, not uncommon for public schools to have crucifixes on the classroom walls, images of saints or of the Virgin Mary in halls and teacher’s rooms or eating spaces. Prayers are often offered before school meals and/or there is celebration of religious festivals and special religiously significant dates in the calendar. Some teachers even use the Bible as pedagogical material to teach the Portuguese language or to explain content of other disciplines.

Religion and Academia: “Bureaucratic Irreligion”?

In Economy and Society, Weber describes what he calls “Bureaucratic Irreligion,” a more useful concept than laïcité in my view, at least with regards to an analysis of state secularism of the type we find in Brazil. Weber’s notion allows a space for religion within bureaucracies, even if in Weber’s own words this place is only instrumental on account of the “usefulness [of religion] as a device for controlling the people” (1978: 476). This is by no means my view of religion and its function in Brazilian society.

I believe the very presence of religious actors within state bureaucracies, as we seem to witness in Brazil, informs the normative discourses of well-informed commentators, including sociologists.12 Without intending to depreciate her work and opinions, I believe Fischmann is a case in point. Her preoccupation is based on the assumption that state secularism must necessarily mean the “absence” of religious discourses from the public

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11 Although the Concordat states that Catholic teachings are “optional” (“de matrícula facultativa”), the concern is that they will be required as a general rule by the state, given that the Concordat itself illegal and the close ties between the Brazilian politicians and religious leaders.

12 These discourses are normative and often disregard Weber’s own rule for the practice of sociology: that is, a value-free (Wertfreiheit) assessment of reality. Although we must acknowledge that values are necessary for the understanding of society they must not distort our analysis of events (see Burawoy: 743).
arena. I find this assumption to be pervasive, whilst commentators are seemingly unaware of their own ideological bias – that is, they seem unaware that secularism, like religion, is a presence and not simply an absence of something.

Another, perhaps more problematic, example of academics being seemingly either unaware or purposefully uncritical of secularism, can be found in a recent commentary against Marina Silva, one of the strongest presidential candidates during the 2014 Brazilian elections, and who converted to Evangelical Pentecostalism later in life when she was an elected senator.¹³ She was accused by her own former intellectual guide (Leonardo Boff, an otherwise well-respected theologian of international repute) of being incapable of running a country because, as Boff suggested, her tendency to open the Bible randomly and make decisions based on what she found. Boff suggests that Marina’s beliefs are “pathologies of a type of fundamentalist understanding of the Bible that replaces human intelligence and the collective search for better futures for the country.” Boff imposes a dichotomy (in this case malicious) between religious belief and practice, on the one hand, and reason and rationality, on the other. What this masks is the ideological battle being fought since the late 1980s between Catholicism (both the orthodox Roman Catholicism as well as the base-community Catholicism advocated by Boff) and an emerging energetic Protestantism as the only potential challenge to the Catholic hegemony (Birman and Lehmann: 1).

Kulturkampft and the Redrawing of Secular/Religious Boundaries

This “struggle for the spirit” (Lehmann 1996) also infiltrates academia and makes the porous nature of state secularism in Brazil more visible, because it does not imply a competition between value spheres, but rather a Kulturkampft for the dominance of their shared space within the same value sphere. The battle is underpinned, in my view, by deep social inequalities that help push to prominence the shift that David Lehmann perceives from “religion as heritage” to “religion as belief.” By that Lehmann means the shift from a “vicarious” type of “middle-ground” majority religion, equal to Davie’s concept of “vicarious religion” in Europe, to the energetic, participatory, proselytizing and often, though not always, provocative (sometimes even aggressive) and confrontational minority religions that recruit adherents from the margins of society.

In a well-informed and well-argued paper, Emerson Giumbelli postulates that the religious practices visible today in Brazilian politics are not built in opposition to secularism, but rather as a constitutive part of a judicial system compromised by the notion of secularism that gave rise to the current scenario. He entertains the idea of “modalities” of secularism in Brazil, which resonates with the idea of “multiple secularities” described in the introduction to this article. Taking this as a starting point, Giumbelli argues that the challenge lies in defining the borders inside – not outside – of the religious field, between what is counted as legitimate and illegitimate. The current analysis concurs with this view,

¹³ I am indebted to a conversation with Paul Freston during the International Society for the Sociology of Religion 2015 conference, where he presented an interesting paper that explored the significance of this event in much more detail. It was Freston who made me aware of the issue for the first time. I subsequently read Leonardo Boff’s blog and other sources referring to his post. The responsibility for the way I interpret the event is, of course, entirely mine.
but at the same time it argues for an equal treating of secularism, not as the absence of religion but rather as a presence. In this case, distinctions within the secular sphere would also have to be redrawn.

It would take another entire paper to list the contradictions and discrepancies between the law that supports the Brazilian secular state and how Brazilian secularism actually works in practice. The bracketing of the law to admit concessions to Christian denominations is compatible with Brazil’s long history of concessions made to the Catholic Church and the discriminatory way in which other religious practices are, or have been, described as illegitimate (from Kardecian Spiritism to the so-called Afro-Brazilian possession cults, for example). The fact that Evangelicals and (neo-) Pentecostals are now defying such hegemony simply renders the issue more visible. An important consequence of this involves the role of the sociologist of religion as a critic of the invasion of religion in the so-called public (secular) sphere. One must be critical of this rhetoric, as commentators end up re-enforcing the exclusivism of Catholicism when they claim to be defending the secular (by which they mean the neutrality of the state). Indeed, in Brazil, social scientists concerned with religion have, for most part, looked to the United States as a sort of promised land, where well-defined spaces between value spheres supposedly exist. As the Evangelical voice became louder, these commentators have become a normative voice warning of the perils of religious expression in what they deem to be the immutable (sacred?) secular domains of the state. These voices are right to point out that concessions made to religious institutions by a supposedly secular state do not make Brazil’s state secularism neutral, considering that such concessions disproportionately favor one religion (Christianity). I would disagree that this makes state secularism less necessary, or even that it renders it ineffective.

Conclusion

In the introduction to this study, I stated that my overall argument was that Brazilian state-secularism is porous and that it could be viewed as such because it allows for a flow of values between spheres. Given the non-exhaustive examples given, my view is that such porous constitution is possible because the strong presence of religion in the so-called public sphere is framed by mechanisms elaborated by the secular state itself, despite or because of secularism. That is to say, in Brazil, secularism takes a form perhaps not translatable to the social contexts of other nation-states – even within the North Atlantic West. In Brazil, there seems to be no fixed solidity to the wall of separation between spheres that would impede a fluidity of communication between them. Here the Weberian concept of differentiation runs into problems because in it we find the assumption of internal cohesion produced by the supposedly strong normative homogeneity of each sphere and the supposed antagonism or struggle (Kampf) that Weber believed was inherent in these relations. In this model, the secular is made into the reverse image of the religious. But as we have observed in the work of Casanova, Taylor, Bhargava, and others, it is hard to sustain such a dichotomous distinction between secular and the religious or in fact, any other “subtraction theory” (Taylor 2007), assuming the rolling back of religion from a supposedly separate and impermeable secular public sphere.

For all purposes, I want to leave the reader in no doubt that I agree with the proposition that Brazil is a secular country. That is because I believe Taylor is right about “secularity 3,”
that is, that form of secularity identified by Taylor that indicates a broader cultural shift from belief in God as a dominant paradigm to one in which it is one option among others in our search for fullness or meaning in life. The very fact that there is a raging debate in the public sphere over the place of religion in governance and in public life is good evidence of that. But ultimately, Brazil is secular because there is enough evidence of political activity that defies many tenets of the religions we have here discussed. Indeed, in the past decades, Brazil has been at the forefront of progressive law making, when congress recognized the right of homosexuals to engage in civil partnerships and the right of women to choose abortion in the case of fetuses with anencephaly. Women also have the right to abort if they are victims of rape or if the pregnancy places their life in danger. These laws were passed in the Brazilian Congress with a high degree of approval (14 votes in favor and 1 against for homosexual unions, 8 votes in favor with 2 against in the case of abortion of fetuses), something that affronted religious authority. At the same time, we see a good level of accommodation taking place, as evidenced in the case studies here presented.

Democracy in Brazil is working well, and it works within the parameters of a secular nation-state that guarantees rights and freedoms that would be unimaginable if such a nation was a theocracy, as some strident commentators have argued in the media. Is Brazilian state-secularism safeguarded from the influence of religious agents and discourses? The answer is an emphatic no. But such a puritanical view of the secular is not easy to defend even in the case of French laïcité, with its over-favoritism of Catholicism, let alone in a country such as Brazil, a land infused as it is with vibrant and growing forms of participatory religion.

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