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**Religion, Democracy and Human
Rights: Thoughts since Latin American
Theology**

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with sponsorship of CAPES
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**Religion, Democracy and Human Rights:
Thoughts since Latin American Theology**

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Abstract

Among paralyzing, enthusiastic, militants, skeptical attitudes in the Brazilian contemporarity human rights have added emancipatory struggles, claims for justice, equality, security, citizenship, protests against any kind of violence, prejudice or degradation of life. Social movements, governmental policies and actions, academic researchers converge to the direction of human rights, especially in the period of democratization in Brazil which extends to the present day. The theological term used by Bobbio, in his book *The Age of Rights* (2004), stating that human rights emerge as “signs of the times”, may be a hermeneutic tool of the present moment. Signs of the times come amid increased awareness about these rights (an age of rights) and, at the same time, multiply the violation of them, causing a feeling of disintegration of the human condition. And in that context, without assuming apologetic attitudes, it is worth to identify how theology and religions are linked to the promotion of human rights. Of course, the memories of oppression, intolerance, colonial conquest cannot be forgotten. However, based on the ambiguity of religion, there is the understanding that Latin American societies and the possibilities of construction of democratic law cannot dispense the study of religions and theologies. Thus, this paper aims to reflect on challenges and intersections between theology and human rights, specifically in the Latin American context. And it also reflects in which way this combination between theology and human rights can be an indication of hope and resistance. Therefore, the persistent search for liberation falls in the trajectories of Liberation Theology, whose announcing-denouncing task demonstrates to be relevant and necessary to the current context.

Keywords: Human Rights, Theology, Violence

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Democracy and Human Rights: Historic Constructions

When we speak of democracy in Brazil, we firstly have to consider that there is a process of political construction going on in Brazil. Democracy is not something ready yet, because actions arising from the experience of the dictatorial regime still remain, especially, the forms of government repression against social movements and social protest movements.

Efforts in Brazil to strengthen its democracy, since the beginning of the democratization process, have converged to the defense of greater citizen participation in political decision-making and oversight of public managers. These efforts have been aimed at reversing the growing process of social disintegration as a result, among other factors, of the decline of the state as a result of the adoption of a neoliberal perspective that disrupted society without generating a creative contrast that enabled to articulate a common space under new rules. (Baquero, 2003, 83)

In this sense, democratic processes have found in human rights forms of popular participation and forms of government action. On one side, there are many government programs, policies, aimed at implementing the protection and the guarantee of human rights especially for women, blacks, elderly, disabled and poor people. On the other side, social movements find in the human rights forms of questioning, claiming, criticizing the actions not carried out in society. That is, the forms of violence are made visible when social groups come together under the theme of human rights. Of course, the lack of trust in democratic processes, the lack of credibility of public institutions and also the lack of opportunities for direct participation (not just representative) still difficult the political relations, or as Arendt (2007) would say, forms of appearance in public space.

As for the quality of democracy, the Brazilian situation points to the existence of institutional deficits that affect basic principles such as the rule of law and accountability of governments, undermining the ability of the political system to respond to citizens' expectations. Dissatisfaction to democracy and distrust of their institutions indicate that they do not feel that their rights of participation and representation—that depend on political equality and its corollaries, such as social and economic equality—are effective channels to address problems such as corruption or economic difficulties. (Moisés, 2008, 36).

Problematizations: Human Rights in Brazil

When we talk about human rights, we put ourselves in a current, polysemic and controversial discussion. It is a polysemic discussion, because human rights have many meanings, many claims and many people and institutions involved. It is a controversial discussion, because there are many controversies surrounding the topic. We just have to watch the news to realize that human rights are receiving priority in speeches and political actions in Brazil and around the world. We cannot be oblivious to this contemporary setting.

In Brazil, we constantly hear that human rights refer only to the defense of criminals and bandits. We can notice a certain aversion to human rights when they are strictly related to the crime and prisoners. Would human *rights* be only for *right* people? With this argument, many people say they are contrary and refute human rights. When we think alike we reproduce an uncritical attitude and, as stated by Robson dos Santos, thinking like that is an understanding that advocates for control, for violent and punitive practices in the chaos of the prison system. However, the situation of violence in which we live does not resolve itself. And certainly we do not solve violence with more violence.

In addition to this distortion of human rights understood as defense of criminals, there are other misconceptions. 1) Many people **restrict** human rights to the Universal Declaration of 1948. Of course, this statement is important, but it is not the only one. There are other statements; the history of human rights refers even to the year 1210, to the Constitution of England. 2) Another distortion is to associate human rights **only** to statements or actions written or done by the State. Human rights is also the action of social movements, it is also the action of society when claiming their rights and fighting for rights that sometimes are not in constitutions, declarations and neither are aimed by public policies. 3) Human Rights are more than civil and political rights. They have a range that even includes the preservation of the environment. Even historians can put the beginning of human rights as a struggle of the bourgeoisie against abuses made by absolutist government and medieval Church; it is necessary to notice that many people also struggle against other forms of abuse, rape, violence and discrimination today.

As Sólon Viola puts it:

Thinking about the history of human rights in Latin America and in Brazil, especially, may be as risky as walking in a fog that is so thick that it is difficult to see and understand the space around us. We risk not seeing what is in front of our nose and, even if after the next step a door appears and, with it, the possibility of firming openings or exits, there is also the possibility of finding walled, isolated patios.
(Viola, 2007, 119)

On the one hand, the foundations are still under discussion. On the other, one is under the impression that the goals of human rights have a greater

possibility of gathering, bringing together, making oppression, exclusion, inequality, poverty and violence more visible. Human rights have brought together emancipatory struggles, claims for justice, equality, security, citizenship, protests against all and any kind of violence, prejudice or degradation of life in the midst of enthusiastic, militant, skeptical, stagnating attitudes in the contemporary scene in Brazil. Social movements, government actions and policies, academic researchers, all flow together under the guidance of human rights, especially during the period of Brazil's redemocratization, (Moisés, 2008, 11) which extends to the present time.

The theological expression used by Bobbio (2004), saying that human rights emerge as “signs of the times,” may be a hermeneutical tool for the present. The signs of the times arise amid the expansion of awareness of these rights (an age of rights) and, at the same time, the violations against them have been multiplied, causing the feeling of a shattering of the human condition. There is a general idea of crisis. Among uncertainties, but confidently, the signs of the times—differently from Hegel's “spirit of the age,” whose function is to interpret the present—glimpse the future. Human rights are thus a reflection of human contradictions: human beings are not defined “... only from the standpoint of their misery, but also from the point of view of their potential grandeur.” (Bobbio, 2004, 223) Amid a perception of crisis, an experience of violence and poverty, speaking of “signs of the times” may be an indication of hope and resistance.

In fact, never has there been such a multiplication of prophets of misfortune as today: nuclear death, second death, as it was called, progressive and unstoppable destruction of the conditions for life on Earth itself, moral nihilism or the “inversion of all values.” The century that is now ending [20th century] has already begun with the idea of decline, of decadence or, to use a famous metaphor, of twilight. But, above all, by suggestion of barely overheard physical theories, the use of a very strong word is being disseminated: catastrophe. Nuclear catastrophe, ecological catastrophe, moral catastrophe. (Bobbio, 2004, 222)

Possibilities between Theology and Human Rights

Human rights claims are not alien to the theology constructed *from* Latin America. Especially the so-called social, economic, cultural and environmental human rights are so close to theological concerns, that it appears difficult not to see correlations. However, individual rights were not ignored historically, especially during periods of dictatorship. At times of extreme violence, theology was not absent to face it and articulate resistance. In this sense, special emphasis must be given to the ecumenical movement, which has since a long time interwoven the path of theology with human rights claims as in the Latin American context as worldwide.

This comprehension of theology and religion appears to be consensual among many critics. From a given aspect, the argumentative emphasis denounces an authoritarian religion which institutes a relationship of irrational orders and obedience. It is true that this aspect is present in contemporary societies, but by staking everything on the opposite side of transcendence “from outside” it does not bring any guarantee of relations guided by “the good,” “justice” or “equality”. Phenomenologically it appears that the action is founded on various sources, various whys and wherefores; therefore, it would be excessively simplistic to place the transcendence from outside and that from “inside” at destructive poles.

Among the paths that bring together or separate religion/theology from human rights, there is a long way to go, in the sense of venturing beyond the already established frameworks. The established paths for the relations between theology and human rights are far from being definitive answers. It is necessary to undertake new paths that are not based on already given and established concepts; i.e. words and concepts such as democracy, politics, public, equality, dignity and freedom must be revisited. These words go beyond the limits of conceptualization, since behind each word there are disputed epistemologies, contextualities and intentionalities.

As Lewgoy asserts, analyzing the field of religion in Brazil, both the discourses on excessive religion and the discourses of those that identify its lack have crystallized the discussion on religion and human rights in Brazil. The influence of the evangelical/neopentecostal wing on the public space, on electoral decisions fosters much mistrust (Mariano, 2011; Oro & Mariano, 2010). The clashes between interests, the prejudices based on family models, models of gender roles, on intolerance and on the demonization of other religions, (Mariano, 2007) on the attitudes about health issues such as abortion, provoke a negative reaction to the presence of religion in the public space. Thus, as a guiding point of departure, it is necessary for theology to understand the role that religion may play in given contexts:

I believe that we can avoid the sterile debate among those who regret the excess of religion and those who, on the contrary, deplore its lack by emphasizing that the protagonists of these discourses are generally lodged in very heterogeneous social spaces, which actualize very different horizons for the production of meaning, where a minimal dialogue does not occur, but only the possible collision of boring, repetitive monologues. (Lewgoy, 2004, 71-72).

Injustices, economic, ethnic and gender segregation are rather common. The scars of apartheid,¹ dictatorial governments, the slave-owning system, economic exploitation claim the right to memory, justice, equality and freedom. And in this context theology cannot remain silent, keep uninvolved or

¹In the South African context, Koopman believes that religions may be signs of hope in action. The various religions help, supply meaning and purposes of political actions. (Koopman, 2011).

perpetuate the same inequalities. Of course, as Stålsett indicates, religion and theology may act in a pro-systemic, anti-systemic way or in both ways at the same time, i.e. they can exert the function of integration by promoting the system or they may be a source of resistance and criticism by combating the system, by being a space for alternatives, or even both, since they can combat certain aspects and be in favor of those that suit them.¹

As resistance and by breaking the logic that legitimates the division between people who have privileges and those without rights, theology may be a force for bringing together and religion may be a space for gathering. As Viola emphasizes, during the dictatorship in Brazil, “civil society found in the church the space it needed to become organized. ‘The amorphous, misshapen mass’ into which the State had transformed Brazilian political life found a shelter to begin to reorganize through multiple and sectorial movements.”² Even if there was no totally supported by theologians and religions, the existence of this resistance and militancy contributed as a base for the Movement of Justice and Human Rights, organizing “... a current of religious activists structured in sectors of different Christian churches, including the Catholic Church, the Lutheran, the Presbyterian and the Methodist Church, which then began to supply a base of support in terms of infrastructure and militancy.” (Viola, 2008, 122).

... if there is an intellectual and political place for religion on the agenda of human rights, it certainly will be aligned in the continuity of an ecumenical proposal for tolerance, respect and interreligious dialogue, in search of responsible solutions, completely opposed to the partisan disposition of confrontation that characterizes current fundamentalism. (Lewgoy, 2004, 73).

The excess of religion in the Brazilian political space has caused much discussion. There are groups that have representation in decision-making spheres, especially decisions relating to human rights. The so-called evangelical bench has advocated values, considered by them as Christians, and this directly affects the groups that fight for recognition of their dignity. For example, women in the discussion of abortion, groups that fight for sexual diversity in the discussion for homosexual rights, these are groups who are

¹As resistance, fundamentalism may be an option, but Stålsett considers it an illegitimate resistance since, besides rejecting dialogue, it may resort to violence. The role of religion as resistance is essential for Latin America, where exclusion, injustice, corruption of the political parties fragment society between the privileged ones and the people without rights. (Stalsett, 2004, 4).

²On the one hand, the hierarchy of the Catholic Church did not support religious militants. However, Viola mentions the decisive participation of personalities and organizations of that church: Bishops Dom Adriano Hipólito, Dom Hélder Câmara, Dom Paulo Evaristo Arns, movements such as Educação de Base (MEB), Juventude Estudantil Católica (JEC), Juventude Universitária Católica (JUC) and Juventude Operária Católica (JOC), the Ecclesial Base Communities (CEBs). (Viola, 2008, 109, 107).

ultimately excluded from decisions of human rights in the Brazilian congress due to the large evangelical representation.

In Brazilian context, especially in academic discourses, any theological proposition refers to religious experiences and to religious institutions. Thus, participation, even if committed to the promotion¹ of citizenship, to the common good, may become associated with painful memories of the colonial period or yet they bring to the surface intolerant clashes of religions in present times. The so much hailed laicity of the State and the so much desired religious freedom are still far from providing an actual religious tolerance, an egalitarian treatment of religions, and a genuine respect for those who do not profess any religion. Despite the constitutional character of religious freedom, there are still much to reflect on in terms of guarantee and promotion. Regarding this aspect, the discussions of the Special Federal Office of Human Rights have concerned themselves with the violence and intolerance that occur within the religious sphere, ensuring diversity, encouraging dialogue, preventing and combating all kinds of religious intolerance. (Brasil, 2004).

Taking this into account, human rights can be a proposal for a confluence, for the commitment of theology with the world. After all, one does not want a theology that is alien, apathetic, alienated and alienating. And if it joins the struggle for human rights, it has the possibility to help to delineate the past-present-future: cry for justice, demanding that the memories and scars cannot be forgotten; cry for the freedom of a life without oppression and privileges, but with rights; and cry for hopes that bet on a world with different relationships.

The involvement in human rights would be an example where theology could make an effort: human rights understood—here—as contextual aspirations and demands, as concrete projects of commitment to the public, to the common good, to justice, to tolerance, in the struggle against inequality, oppression and any kind of violence or violation. Of course the appropriate position is *next to* other areas of knowledge, *next to* social movements, *next to* the groups that somehow network to see their rights ensured, *next to* those people who are not yet organized, but need support and solidarity.

A Few Considerations

When retrieving some aspects of theology in Latin America, it is important to consider a few characteristics that have a potential if conjugated with human rights. To speak of theology and human rights in Latin America means to speak

¹It should be pointed out that the legality of laicity is not a synonym of religious tolerance. Especially in a country that had an official religion, the scenario of religious plurality appears almost as a counterculture, and people who do not want to profess any religion at all may even be considered amoral. Religious violence has been highlighted by research on African-Brazilian religions. Thus, it is necessary to discuss and elaborate on the comprehensions of laicity, secularity, religious pluralism, tolerance and democracy. See some discussions about this in Fonseca, 2002; Giumbelli, 2002; Smith, 2003; Schaper, 2007; Schaper, 2008.

of memories, hopes and non-conformity or non-resignation. Theology emphasized by liberation theology is a secondary act, a reflection after the experience of faith.¹ And this experience is not only something from the past, it is a constant hermeneutic exercise of memory, of the present and the future. And, because theology is not a prisoner of the past, it is not only a reflection that comes after, it is not a mere tautology, but an anticipatory reflection. “Our theological conceptions of God and God’s paths with us are images of the search for what is coming.” (Moltmann, 2004, 51).

Thus, memory² and hope³ give theology a character of non-conformity with what exists and also a permanent exercise of self-reformulation. However, theology has articulated itself in favor of stability⁴ and self-preservation, maintaining some memories and forgetting others. Theological memory is a memory of suffering, slavery, exile, crucifixion, persecution, death. It is also the memory of liberation, resurrection, redemption, life. Hope feeds on this memory and aspires a reality without suffering. Thus, theology is a constant exercise of interpreting memories, experiences and hopes, a hermeneutics that constructs meanings for reality and longs for transformations. And, even so, it is an investigation that cannot be fully figured out: it brings a reality that will not be fully exhausted.

Perhaps qualifying, using adjectives and genitives in theology may further complicate the discourses and argumentations, it always demands an explanation of what one intends with other names. We bet on Maraschin’s perception, the word theology itself contains a challenging perspective. *Logia (légein)* had the original meaning of “collecting or gathering together.” Gathering together opposites, those that are different, bringing together persons and, then, gathering together signs and meanings. “The activity of *logos* in

¹Just as other theologians of liberation say, there is no theology without faith; without faith there is no Christian praxis. “First comes the commitment to charity, to service. Theology comes *after*, it is a second act.” (Gutiérrez, 1976, 24). Segundo elaborates this definition methodologically: (Segundo, 1978, chapter 3).

²See the relationship between theology and memory: Judaism and Christianity as religions of memory. (Hornaert, 1986, 18-21).

³“... in the medium of hope our theological concepts become not judgments which nail reality down to what it is, but anticipations which show reality its prospects and its future possibilities. Theological concepts do not give a fixed form to reality, but they are expanded by hope and anticipate future being. ... Their knowledge is grounded not in the will to dominate, but in love to the future of things. *Tantum cognoscitur, quantum diligitur* (Augustine). They are thus concepts which are engaged in a process of movement, and which call forth practical movement and change.” (Moltmann, 2005, 53).

⁴For Rubem Alves, when observing religions, two attitudes are possible: to seek the transformation of the world or to seek its stability. “... *religions are general forms to structure time* and contain a ‘programming of action to respond to them’.” Thus, since historical time is a form of abstraction and universalization of practical experiences of a group, history is reorganized throughout the course of history itself. When there is a crisis in the “programming” that arises in confrontation with reality, there are two choices: either reformulate the program, including solutions for the new problems, or reaffirm the same program, denying the new problems. These two positions may be expressed in two different terms: utopia and ideology. “While utopias guide actions of transformation, ideologies inhibit them, thus preserving things as they are.” (Alves, 2004, 121, 123).

bringing together what is separate gathers, then, people together in a common task.” (Maraschin, 1977, 141). This is why “... *logos* did not take long to come to mean also *word*. The word ... is only possible in communal existence, where countless isolated meanings come together to connote a meaning for the group. All of this leads us to believe that reason is a social reality that cannot exist alone.” (Maraschin, 1977, 141).

In this sense, theology transcends discourses on the deity, theistic arguments or a divinization about the ultimate meaning of *logos*;¹ rather, it has a gathering, unifying dimension of encounter. According to the Gospel of John, the *logos* “was God ..., but the God who meant relationship.” (Maraschin, 1977, 143). By meaning relationship, God will not leave human beings to their own fate, despairing at their limitations. Relating to God is to relate with God’s creation, with the world, with people. Gathering, however, needs to be understood beyond an ontological meaning. It is not a matter of making all people Christian, but of being a theology of friendships, that preserves human plurality without considering it a threat to itself. Also, reflecting on the apartheid, the human separations and human segregations based on biological, economic, social, ethnic criteria, theology would rather gather, collect.

Thus, it is possible to establish common tasks that do not annihilate the differences, including religious differences and atheism. On the horizon of gathering and being gathered, theology joins the struggle for the implementation of human rights. Human rights as signs of the times that cry for justice, that aspire equality. Human rights that are deconstructed, rethought, questioned, enriched with dialogues of several knowledge, including the theological one, have a potential to demand new relationships.

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¹“A Copernican revolution hit the very core of theological self-definition (post-Enlightenment]. It began to be seen as a ‘divinization’ on the ultimate meaning of *logos* in the imaginary of religious representations. Despite differences in opinion about what this ‘divination’ consists of--whether it is seen as a psychological process, a historical-literary process, an emanation of self-consciousness, an anthropological projection or externalization of substance--it was taken for granted that the object of the theological discourse was primarily the representations that were anchored in the religious phenomenon. It was no longer obvious that there was a correspondence between representation and its referent, between signifier and signified.” (Westhelle, 2000, p. 15).

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