

Concordats — human rights — separation of church and state

A concordat is a legal agreement between a country and the Vatican. It can set up a theological fiefdom where certain human rights do not apply—and where they can never again be reintroduced without the consent of the Catholic Church. This is why concordats represent a fundamental threat to both democracy and human rights. The Vatican finds many uses for its over [200 current concordats](#). In May 2012 the Italian bishops even said that [their concordat](#) excused them from having to report to the police suspected cases of child abuse by fellow priests. *Concordat Watch* is an online resource containing dozens of concordat translations, (most appearing in English for the first time), as well as related documents, general background articles and expert commentary. The editor is Muriel Fraser (who is responsible for all unsigned material) and the platform is generously provided by [Notanant](#).

*[What are concordats?](#) Concordats are international treaties with the Vatican that may range from granting [little more than diplomatic recognition](#) to a legally binding [commitment to observe key aspects of Vatican doctrine](#) and to have taxpayers [subsidise](#) the Church. Because the state may be put under pressure to enforce these Vatican policies, *Concordat Watch* also includes [material on church-state separation](#). In other words, it treats political, but not religious secularism. As the Armenian author [Sevan Nisanyan](#) said, “I am not in the habit of discussing religious belief. ...[It] only becomes fair game when it tries to impose itself by force or by legal subterfuge.”*

1. Once in place, concordats are removed from democratic control forever

Laws can be changed by parliaments, but concordats can't. That's because they're supposed to be international treaties, that is, agreements between a real country and the Holy See (the Vatican).

Even in democracies there is only a brief period, when the legislature has any say over a concordat. That is the time between when the treaty text is revealed and when the ratification vote takes place. This can sometimes be only a matter of days, which does not allow proper legal scrutiny of a very complicated document. A number of other legislative tricks may be used to help get the concordat through: sixteen of these are revealed [here](#). Once the concordat is ratified it is set in stone. That's because treaties cannot be changed unilaterally. Any alteration requires the consent of the Vatican.

And in a dictatorship it's still worse. The concordat may be rubber-stamped by the military junta or even go through with no ratification at all, for the signature of the dictator or his foreign minister is enough. Yet when the dictator is toppled, his concordat remains.

2. Concordats can ensure a never-ending transfer of state funds to the Church

Sometimes the money transfer is justified as compensation for church property nationalised as long as 200 years ago. Concordats can lock in inflation-adjusted payments that cannot be ended unless the Vatican agrees.

Concordats often shift funds to the church by requiring that Catholic schools, hospitals and other agencies must be paid for by the state. This gives the Church the say over what is taught and what services are offered, without having to pay the tab. A concordat can also help Church agencies get tax exemptions, even for Church-run commercial enterprises. And, despite all the state money flowing in, a concordat can ensure that the finances of the Church are kept secret.

3. Concordats can infringe on human rights

By giving advantages to one religious group, concordats can violate the requirement that all citizens and all religions be treated equally. Occasionally concordats have outlawed divorce, even for non-Catholics. Concordats can also anchor other parts of Canon (or church) Law by stipulating that this is to be used within Church institutions. However, since these also include social agencies, many non-clerics and even non-Catholics may find themselves legally obliged to obey Church rules.

A concordat can also anchor Church doctrine in a country's legal system. For instance, the concordat with Hitler ([art. 9](#)) ensures that even crimes cannot be reported if they have come to light through confession. This has contributed to [perpetuating child abuse](#).