

The TFP Muzzled? Who's at fault?

The split in the TFP initiated a new chapter. Those who were formerly called “dissidents” have assumed, after seven years of litigation, the administrative directorship of the entity. The old board of directors, the minority affected, recently founded a “dissident” organization. Who is in the right?

São Paulo's prestigious morning newspaper *Folha de São Paulo*, offered space to each side to present its readers with their respective points of view – from the pen of Prince Bertrand de Orleans, former director; and representing the TFP, Mr. Roberto Kasuo, Superintendent of the entity.

To give a background of the debate for those who did not read the article of the aforementioned prince, we offer the following summary of its main allegations, since we do not have the author's permission to reproduce it in its entirety.

The fable and the prince

In the course of a long digression about the national political panorama, Prince Bertrand dedicates just a few lines to his version of what occurred inside the TFP. Even then, he uses generic and vague terms obscuring the fundamental principals involved, as Roberto Kasuo will show.

Briefly, he alleges that “dissidents” of the TFP linked to progressive sectors of the Catholic clergy aim to take over the TFP and silence it (“muzzle” it). He conveniently foregoes producing evidence that would substantiate his allegation – it's indispensable he proceed thus, since he does not have any.

He then declares that such dissidents supposedly began a “frivolous suit” in which “the court itself” denied many of their demands, and that a single unexpected decision of the court that was “surprising and controversial” found in favor of the “dissidents” recognizing the validity of a “totally irregular” annual meeting of the members.

Curiously, the prince forgets to mention that prior to this, the *Tribunal de Justiça* of São

Paulo has repeatedly found in favor of the “dissidents” from 2001 to the present about the fundamental core of the question.

To better explain what happened most recently, the TFP’s ousted board of directors tried to stay the effects of the aforementioned “totally irregular” annual meeting and the judicial decision giving it effect in the *Tribunal de Justiça* of São Paulo as well as the *Superior Tribunal de Justiça* (STJ). Both of these courts of law denied the TFP’s former board of director’s petitions.

But, according to the prince, an explanation for the attitudes of the “dissidents” and the Judiciary can be found: the “*Catholic left is ensconced in key points of the State*” and it would be in their best interests if the TFP were silenced, and this would all be the result of a plot of the CNBB, the Pastoral Land Commission, “*that aims to lead Brazil toward a regime similar to the Castro-Cuban ‘paradise’ which Frei Betto and other leaders of ‘the Catholic Left’ present as the model for Evangelical poverty.*”

Again, evidence for this “conclusion” is something with which the prince dispenses... since “there is no need for special astuteness to discern who would be interested in the silencing the TFP.”

Finally, the prince even reveals a thinly veiled sentiment of revolt in relation to the Holy See and Pope John Paul II, affirming that “many faithful” are struck with perplexity at their impassiveness in the face of this “conclusion.” (Would there be an insinuation of their complicity?)

If you wish to read the entire text of Prince Bertrand’s article, search the *Folha de São Paulo* website of May 12, 2004 or click [here](#)

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While necessarily brief, Roberto Kasuo article refutes the most outlandish points of Prince Bertrand’s text.

The Brazilian TFP’s Superintendent’s article refuting Prince Bertrand’s theses follows.

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TFP muzzled? Truth is stranger than fiction

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In vain, I perused the pages of La Fontaine, Aesop and Fedro in search of a fable that would elucidate the paradox contained in the elaborate composition of Prince Bertrand of Orleans e Bragança in his article of May 12 in the *Folha de São Paulo* (“In whose interest is it to muzzle?” page A3). Really its insolence is shocking – and if it were not for the noble quality of its author, it would be more fitting to use another term – that of distorting reality. Why?

A simple report of the recent events in the TFP will permit a perspicacious reader to judge for himself.

After the death of Professor Plinio Corrêa de Oliveira, the eight remaining founding members of the TFP, availing themselves of parts of the bylaws granting them alone – the founding members – the right to participate in the general assemblies of the entity, sought to direct the TFP in a dictatorial fashion and impose their personal views on the entire social body. Their capriciousness steadily increased until finally 80 percent of the members of the TFP began legal proceedings seeking to annul those sections of the bylaws that prevented all the members from voting in the general assemblies of the association because they contravened article 1394 of the old Civil Code, which established that “all the members can vote in the general assemblies, except where stipulated to the contrary, deliberations will always be made according to majority vote.” This legal principle is nothing more than the

simple application of the democratic process to associations.

In retaliation for seeking redress from the Courts, the former board of directors of the TFP implacably and meticulously persecuted the plaintiffs of the lawsuit. From one day to the next, more than 1,000 people (representing 80 per cent of the membership of the TFP) were expelled from the entity without food, shelter, medical assistance, or any other means of subsistence. They even went so far as to twice refuse burial to deceased members. The majority of these persons had dedicated their whole lives to the TFP. Justice is slow, but it does not fail.

Since then, four years have passed, and the Courts have successively found in favor of the plaintiffs in the proceedings. The founding members, instead of respecting the Court’s decisions and seeking reconciliation with the vast majority of its members in order to once again promote the activities of the TFP together, preferred to treat the Court with contempt and proceed outside the law.

Shortly after their motions were denied by the *Tribunal de Justiça* of the State of São Paulo, the founding members of the TFP conspired to setup another association called the Alliance of Fatima, comprised of four members of the TFP who were of their utmost confidence, to which they gradually siphoned off all of the funds and assets of the entity.

At the same time, the ex-directors of the TFP filed several motions whose only purpose

was to delay the execution of the sentence and gain time to complete the total ruin of the organization's assets, until they were finally found to be litigating in bad faith.

After this, a general assembly of the TFP was convened – in an absolutely proper manner, scrupulously following all the requirements dictated by its bylaws and the determinations of the Courts – in which a new board of directors was elected and installed.

Finally, the Courts ordered that the new directors should effectively assume control of the TFP and that the former directors should turn over all records, assets and real properties of the association. Faced with this, the ex-directors informed the Courts that all the documents and assets of the TFP were to be found in two rooms.

In these rooms, in addition to some papers, there were only some metal bookshelves, two old computers, two tables, two chairs, an antiquated fax machine and two fans.

According to the ex-directors these were the only goods still belonging to the TFP – there

were no other fixed assets or real property. The complete siphoning-off of the assets of the association had been accomplished. (All of these facts are documented and form part of the court's records in civil suit no. 00097936441-9/001 of the Terceira Vara Civil do Foro Central de São Paulo). This rather is the silencing that Prince Bertrand should refer to. It is evident that to transform a once robust association with abundant resources into a pile of papers, half a dozen pieces of old furniture and massive debt is to hinder it from exercising its public action. Administrators who siphon-off and squander the assets of societies are not uncommon. What is unheard of and truly unbelievable is the attitude of the founding members of the TFP, who, after having carefully pillaged the association, go to the press through their spokesman, the Prince of Orleans, accusing the Hierarchy of the Catholic Church and Courts of muzzling the association. Frankly, truth is stranger than fiction ...