

The need to overcome Catholic-centered anticlericalism

Rethinking *laïcité* in Mexico

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Abstract

Laicity and secularity refer to the role of religion in the public sphere. Since they both relate to religious phenomena, these concepts are commonly confused. However, they result from separate processes and imply different consequences. This paper explains the development of both laicity and secularity in Mexico and discusses why the former should be reformulated to attain diversity in the Mexican contemporary social system. The paper emphasizes the gap between the existing legal framework and prevailing social practices in Mexico's ever-changing religious scenario.

Keywords laicity, secularism, religion, diversity, Mexico.

1. Introduction

Religion is undoubtedly one of the most important sources of human socialization. Durkheim (2014) and his successors defined it as an integrated group of beliefs and practices by which people are enabled to distinguish the sacred from the secular. Religion also creates identity, significance, and frames of meaning. In other words, people who belong to a particular religious group are likely to share ideas about the world, human nature, and social order.

As many sociologists have pointed out, traditional societies can be described as religious-based or *integrist*² (Tschannen 1991). This means that religion influenced every social space; for instance, architecture, education, health, and politics were highly interrelated with religious beliefs. Also importantly, those earlier communities were mostly homogeneous; since religion was the only referent for social mean-

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² In this paper, religious-based societies are also referred as *integrist*. This concept is not to be understood as pejorative; rather, it is intended to distinguish between two social models: *integristism*, in which religion is the main axis of social organization, and *secularism*, in which it is not. I use *integrist* instead of *religious-based* to show that religious beliefs, values, or affiliations do not necessarily lead to the notion that religion should define every social sphere.

ing, its inhabitants shared beliefs, morality, and identity. Those who did not adjust to religious standards were punished or somehow excluded from the community. However, as societies moved toward modernization, they became increasingly complex and diverse. Religious pluralism eventually led to different ways of understanding society and government.

This paper explains the process by which those new ways of understanding were institutionalized in Mexico. This case is particularly interesting, not only because laicity³ (*laicidad* in Spanish) is constitutionally recognized, but also because of the contradictions between the existing legal framework and prevailing social practices. In this sense, Mexico exhibits the analytical distinctions between two concepts that are frequently used as synonyms: *laicity* and *secularity*.

The next section of the paper provides a conceptual framework, emphasizing distinctions between analytical categories that are related to the social role of religion. After that, I explain the process by which Mexico adopted laicity as one of its main political principles, along with intertwined social phenomena that can be analyzed by using the concepts explicated in the preceding section. The final part of the paper provides a glimpse into Mexican laicity today, discussing its advantages and limitations in an increasingly diverse society. It also highlights the importance of conceptual clarity and analytical pertinence, not only for academic purposes but also for the political agenda.

2. Laïcité or secularity? The role of religion in contemporary societies

As stated in the introduction, the importance of religion is not only theological but social. This paper focuses on religion's role as a facilitator of social organization. Since it involves beliefs and practices, religion is closely related to collective identity and cultural meaning that crystallize in interpretive frameworks – that is, in ordered groups of ideas by which people understand the world (Berger 1969; Ozorak 1989; Weber 2013).

Religious beliefs also provide criteria for identifying good and evil. Thus, creeds lead to moral codes by which believers can classify personal and social behavior. Habits, traditions, and practices that seem consistent with religious prescriptions are considered good, appropriate, or correct, whereas those which challenge them are understood as evil, inappropriate, or incorrect. This premise is particularly relevant for the problem to be discussed here. Believers are not passive entities, nor do they think and act equally. Nevertheless, religions stem from a desire for

³ *Laicity* is referred to as *secularism* or *secularity* in most Anglophone countries. However, as discussed in this paper, the former term is more accurate for analytical purposes.

certainty and a sense of belonging; in this sense, the members of a religious group usually share substantial ideas about morality.

As classic sociologists and anthropologists have observed, religion is the main source of cohesion in traditional societies, providing shared insights into the world and promoting well-being by regulating social relations. In addition, these societies are characterized by relatively limited diversity and dynamism. Each person has a social role to accomplish and is aware of his or her condition. Those roles contribute to social reproduction and hence to collective survival. Since the society's members share a single religion, its ideals and codes of conduct are rarely questioned.⁴

Religion played a predominant role in social organization for centuries (Berger 1969; Hervieu-Léger and Champion 1986; Casanova 1994; Dobbelaere 1994; Inglehart and Norris 2004; Baubérot and Milot 2011; Weber 2013; Durkheim 2014). Religious beliefs defined political power, economic behavior, artistic production, and family dynamics, among many other areas of social life. This logic was later modified by *secularization*, a widely used but commonly misunderstood concept.⁵

As established by José Casanova (1994) and Roberto Blancarte (2012), secularization consists of the process by which religion loses its centrality in social organization, and therefore its capacity to define other social spheres.⁶ Contrary to the first academic approaches to this process, it is now generally accepted that secularization is not linear, progressive, or irreversible.⁷ In fact, the observance of religious phenomena in contexts other than Europe and the United States has allowed us to rethink secularization as a complex process with varied consequences in each social sphere.

For the discussion presented here, three ideas that have emerged from the new approaches to secularization are worth noting.

2.1 Secularity and secularization are not synonyms

Secularity refers to a condition, secularization to a process. This distinction may appear obvious or insignificant, but it is indeed relevant. The word *secularity* leads to the idea that a society can be classified according to the importance given to religion as a social factor. However, there is no empirical case of a contemporary society that can be considered either entirely secular or entirely integrist. Rather,

⁴ This does not mean that traditional societies are free of conflict; however, the conflicts are less complex than in other models of social organization.

⁵ For historical reasons, in some countries, such as Mexico and France, the word *secular* is frequently used as a synonym for *irreligious*, *antireligious*, or *anticlerical* (Gaytán 2018).

⁶ Since this definition is not normative but descriptive, I embrace it to discuss the concept and its relation to other social processes and phenomena.

⁷ This premise was central for pioneering studies by such authors as Luckmann (1967), Berger (1969), and Martin (1979).

both impulses coexist; while some social groups operate by a secular logic, others follow an integrist one.

The process of secularization must not be understood as progressive or teleological; empirical cases⁸ prove that religion can recover its social centrality. Thus, secularization refers to a heterogeneous, complex, and multilevel set of possible pathways without a defined endpoint, rather than to a static and general condition. This argument has been deeply explored by scholars such as Wohlrab-Sahr and Burchardt (2012), who have noted that different societies experience different types of secularization. Nevertheless, all such processes share one basic characteristic – namely, religion's loss of centrality in social organization.

2.2 Laicity and laicization are not synonyms

Generally, laicity refers to the legal situation in which a state is defined as autonomous from any dogmatic beliefs, norms, authorities, and institutions (Blancarte 2008). This includes, though it is not limited to, religious dogma. On the other hand, laicization refers to the process by which the state attains that autonomy. Like the two concepts discussed in the prior subsection, laicity describes a condition (in this case, one recognized by the legal framework) whereas laicization describes a dynamic path.

There is no preset guideline for this transition; it has developed in varied ways, depending on the particular socio-political context and, thus, on situated historical needs. For instance, Mexico and France exemplify laicity as the result of a fierce struggle between the state and the Catholic Church, which had historically controlled the public space. By contrast, in countries such as Germany, Belgium, or the United States, laicity was formulated as the result of religious diversity, which presented the need to create the conditions for peaceful coexistence (Tschannen 1991).

Laicization, like secularization, is not progressive, irreversible, or homogeneous. Mexico is a good example of this argument: although its Constitution recognizes laicity as a principle of its legal framework, some local laws are still guided by dogmatic precepts. We will discuss this relationship in section 3 below.

2.3 Secularity and laicity refer to different conditions

As Blancarte (2008) has extensively argued, the historical differences in the transit to secularization have led to a conceptual misunderstanding. In French- and Spanish-speaking countries, the term *secular* refers to the loss of religion's social

⁸ Since the Islamic Revolution of 1979, Iran has been a confessional state. Islam has recovered its influence not only in the Iranian political sphere, but also in other social spaces.

centrality, whereas *lay* (*laico* in Spanish) is used to designate the separation between state and dogma. This word is not usually found in Anglophone scientific approaches, which describe both phenomena as *secular*.

In this paper, laicity is defined as a legal attribute by which the state attains its autonomy from dogmatism. Secularity, in contrast, refers to the condition in which religion loses its social centrality. However, as mentioned above, no contemporary society can be classified as completely and homogeneously secular.

Another way to think about differences between the two concepts is by considering the processes that foster each condition. Though it may foment political conflict, laicization can be planned since it involves the creation of a legal framework. On the other hand, secularization is a social process that entails beliefs, and it cannot be planned or controlled.⁹ Moreover, as mentioned earlier, it is also possible to observe the coexistence of secular and integrist groups in a single society.

The linkage between laicity and secularity is also of interest. It is generally assumed that a state that defines itself as lay will rule over a secular society. Nevertheless, empirical observation shows this connection is not necessarily true. Laws represent the materialization of certain ideals that are expected to regulate or somehow influence social relations (Conte 1994). Unfortunately for jurists and social scientists, the existence of a legal framework does not guarantee that people will respect its dispositions. After all, social practices such as homicide, robbery, and kidnap have not disappeared, even though they are categorized as crimes. In a similar way, and with the additional difficulty of being much more complex, the fact that a state is legally defined as lay does not mean that its inhabitants think or act with a secular logic. In fact, there are lay states with a population that is scarcely secularized.¹⁰ The existence of confessional states with mostly secularized inhabitants is also possible.¹¹

3. Mexican laicity: The long and winding road

In this section, I explain the historical processes that resulted in the laicity of the Mexican state. The discussion will emphasize the gap between laicization and secularization.

⁹ History provides some examples of forced secularization, such as Maoist China and the Soviet Union. Most religious organizations were forbidden in these countries, but this does not necessarily mean that the population renounced religions. In any case, secularization cannot be planned in a diverse society, and no democratic regime would allow a state-guided promotion of this or any other social process.

¹⁰ Nineteenth-century Mexico would be an example. The separation between church and state was officially established at a time when most of the population still understood the public space according to Catholic morality.

¹¹ England is a good example. Although the state recognizes Anglicanism as the only official religion, social positions regarding public policies are mostly devoid of religious morality.

Before the Renaissance, European nations were habituated to the union of political and religious power. The latter was considered a source of legitimacy and morality. It was also a basis for national identity, guiding political practices within the state and its relations with others¹² (Pérez 2014). This model was exported to the colonized territories of America, Asia, and Africa.¹³

Although I will not comprehensively review the processes by which America was conquered, it is important to recognize that the Spanish Empire, as it extended its territory, transformed the political, social, and religious organization of its new subjects. The Viceroyalty of New Spain, for instance, was organized under the precepts of Catholicism due to its position as subject to the Spanish monarchs. The Catholic Church was therefore in charge not only of catechism and religious rituals, but also of such social aspects as education, health, and the registration of births, marriages, and deaths (Vázquez 2008). In spite of its diversity and the emergence of social phenomena such as syncretism, New Spain can be classified as a confessional state with an integrist society.

In 1821, when Mexico became an independent country with an imperial regime, church and state remained unified. The emperor, Agustín de Iturbide, had belonged to the Spanish royal army but eventually decided to embrace the independence cause.¹⁴ He defended three basic principles: religion, independence, and union (Vázquez 2008). In fact, these ideals were strictly intertwined. Union was necessary to maintain political autonomy. But how could one create union in a country with such deep ethnic, linguistic, social, economic, historical, and geographic differences? Since Catholicism was virtually the only conviction shared among Mexicans, it remained as a source of identity. Therefore, even after independence, the Mexican state was confessional and ruled over a mostly integrist society.

The Empire fell quickly; a federal republic replaced it through the Constitution of 1824. This document preserved the Catholic religion's official status and explicitly forbade other beliefs (Galante 2006). Its first paragraph stated, "The Congress of the Mexican Nation performs its duties in the name of God Almighty, author and supreme legislator of the society" (Cámara de Diputados, H. Congreso de la Unión

¹² The royal families in Europe were viewed as chosen by God. This belief guided the political practices within a confessional state, in which the crown and the Catholic Church were strictly united. In fact, the continuous conflict with the Ottoman Empire can be explained by political interests but also by religious beliefs. Muslims were defined as unfaithful, and therefore the wars against them were seen as legitimate.

¹³ The European political model was not easily accepted, because (a) non-European populations were far from homogeneous due to ethnic, linguistic, and cultural distinctions, and because most of them espoused religious practices and worldviews that were not consistent with monotheism.

¹⁴ This decision led to an alliance with Vicente Guerrero, one of the main leaders of the independence war.

1824). Clearly, during its first years as a nation, Mexico was neither lay nor secular. Catholicism defined the state's decisions, remained the center of social organization, and influenced collective perceptions about social order and well-being.

The period from 1820 to 1860 saw multiple political transformations due to the struggle between opposing groups, which can be classified by three criteria: monarchists versus republicans, centralists versus federalists, and conservatives versus liberals. Here, we will focus only on the third division. Conservatives defended the social centrality of the Catholic Church and its importance as a state ally; liberals argued that the state should be above any other institution and must be autonomous from all churches (Vázquez 1997). Embracing a secular logic, the liberals wanted to establish a lay state. Conservatives, on the other hand, embraced an integrist logic and wanted to maintain a confessional state.

The complexity of both secularization and laicization increased in the following years. Laicity in public education was proclaimed in 1857, under the rule of the Liberal Party. This decision was a direct threat to the Catholic Church. Education is essential for the formation of citizenship. Hence, the loss of Catholic control of education implied that citizens need not be educated within the precepts of Catholicism; that is, people could embrace a secular logic.

In the same year, President Ignacio Comonfort organized a Constituent Congress with a clear majority of liberal representatives. The resulting constitution is a milestone in Mexican history, since it established the bases for laicity; it affirmed the state's supremacy, recognized freedom of belief, and eliminated the clergy's legal privileges. The state took control over health and education, created the civil register, and expropriated the Catholic Church's properties. To prevent integrism in education, the Constitution declared that it must be free from dogma (Cámara de Diputados, H. Congreso de la Unión 1857). Supported by the Roman Curia,¹⁵ Mexican clergy and the integrist believers interpreted these changes as a threat to Catholicism, and thus to morality and social order. The Liberal Party's radicalism during those years is undoubtedly the main reason why laicity is frequently confused with anticlericalism in Mexico.

The irreconcilable differences between liberals and conservatives led to a civil war that extended until 1861. It also precipitated two additional problems: the French intervention and the establishment of the Second Mexican Empire, headed by Maximilian Habsburg (Vázquez 2008). These processes show the gap between laicization and secularization. Liberals acted by a secular logic and planned the transition from a confessional to a lay state. Even though the state was officially

¹⁵ Pope Pius IX publicly criticized the state's autonomy from the Catholic Church in Mexico. He also excommunicated presidents and legislators who promoted it.

declared autonomous from the church(es), the coexistence of secular and integrist social groups produced several armed conflicts.

Although the political system remained divided between conservatives and liberals, the latter preserved their predominance in the following decades. Laicity remained a central principle of Mexican politics, even if it was not always respected. Porfirio Díaz, who was President for two periods (1877-1880 and 1884-1911), asked the Catholic Church for help in raising literacy rates. Díaz acknowledged that the state was incapable of satisfying education needs by itself, but Díaz did not modify the Constitution and clearly defended the state's autonomy (Greaves 2011). In any case, he was able to maintain a close relationship with the Catholic clergy without diminishing his authority.

The Porfirian administration ended with a violent outbreak involving several revolutionary groups with heterogeneous ideologies. However, the state's supremacy and its separation from the Catholic Church survived. State autonomy remains present in the Constitution of 1917,¹⁶ proclaimed under President Carranza's rule to establish the basis of the post-revolutionary state (Garciadiego 2008). This document was severely criticized by conservative integrist groups, mainly because of its vindication of laicity in public education.

The political instability extended through the 1920s, and by the end of that decade Mexico experienced another civil war. Like the struggles of the previous century, the "Guerra Cristera" was a conflict between those who defended the dominant (liberal) political model and those who wanted to restore the bond between state and church. In 1929, the state attained a clear victory; the *cristero* revolutionaries and the clergy were forced to accept the Constitution, and laicity remained a main principle of the Mexican political system (Larin 1968). Once again, this conflict's violence shows that defining the state as free from church control did not make Mexican society completely or homogeneously secularized.

From 1930 to 1990, state and church went through phases of both confrontation and negotiation. For example, the contents of the public education program were continuously criticized by the Catholic clergy beginning in 1956¹⁷ (Díaz 2013). However, the church allied with State authorities to oppose communism in the 1960s and 1970s (Pacheco 2002). With a clear intention to hold a friendly relationship in which the state should maintain its supremacy, Mexico received Pope

¹⁶ Although the Constitution has been reformed many times, it is still valid. Moreover, its liberal principles still shape the legal framework.

¹⁷ That year was characterized by the creation of the Free Textbooks, edited by the state. Using these books is mandatory for every school, regardless of whether it belongs to the public or the private sector. Since then, the contents of the books regarding biology and sex education have been a source of debate.

John Paul II in 1979 and on four other occasions¹⁸ after that. These visits carried a strong symbolism, indicating that conflict was over and that negotiation between the two institutions was possible. Ironically, the Catholic Church's recognition of state laicity was the best way for it to push for better political conditions.

By 1991, President Carlos Salinas established diplomatic relations with the Vatican. He also promoted the reform of four constitutional articles: Article 3, to allow religious education in private schools; Article 5, to forbid the surveillance of religious and monastic orders; Article 24, to ban the government from enacting laws that established or prohibited any religion; and Article 130, to bestow on registered churches a legal personality and hence the rights guaranteed by the Constitution (Gil Villegas 1996). These reforms profoundly changed the Mexican political system, and some people interpreted them as a direct threat to state laicity (Araujo 2011).

I do not share this interpretation, since the reforms maintained state supremacy and even contributed to regulating religious organizations' registration. Nevertheless, they did make possible the Catholic Church's extended presence in the public space. In any case, by this point the religious scenario in Mexico had changed considerably. The Catholic population has declined substantially since 1950; besides, since 2000 other Christian variants have grown significantly and become visible in the public space. As will be discussed in the next section, this condition has pushed for reconsideration of the Mexican lay regime.

The Constitution was reformed in 2012. Now, Article 40 defines Mexico as a representative, democratic, lay, and federal republic. Unlike in the 19th century, this principle is applied not only to a hegemonic church but to multiple religious organizations, in an increasingly complex society with varied identities, heterogeneous moral convictions, and different degrees of secularization. Considering laicity as a constitutional principle is a huge step for recognizing human rights, since it concerns state autonomy to legislate and create inclusive public policies. It also accomplishes the purpose of extending the concept of laicity beyond the separation of state and church(es). However, many other challenges are involved in achieving an inclusive regime that is respectful of every person's human rights.

4. The challenges of laicity in the 21st century

As argued in the previous section, Mexican laicity was built under specific historical circumstances and responded to particular political needs. Primarily, it was an

¹⁸ The visits took place in 1979, under the presidency of Luis Echeverría; in 1990 and 1993, while Carlos Salinas was president; in 1999, during the rule of Ernesto Zedillo; and in 2002, during the rule of Vicente Fox. The Partido Revolucionario Institucional (PRI), which consolidated as the official party since 1929, ruled Mexico until 2000. This transition led to the rule of Vicente Fox, who belonged to the Partido Acción Nacional (PAN), a right-wing party strongly related to Catholic tradition.

instrument to attain state autonomy in a period in which the state was still struggling to consolidate its authority. Furthermore, laicity became a legal reality in a non-secular society; although the Liberal Party included people who approached the public space with a secular logic, most of the population held an integrist logic. The various civil wars that occurred in the 19th and 20th centuries reinforce this point.

Mexico has experienced deep changes since then: the political system is now ruled by a democratic regime; religious diversity is growing;¹⁹ no church is in position to defeat the state's autonomy;²⁰ social identities are much more complex than before; and secularization has influenced various social groups to different degrees. Nevertheless, laicity is still mostly understood as the separation of state and church and implemented institutionally through the assumptions of 19th-century liberalism.

This paper proposes that laicity should be considered differently, attending to the political, social, and religious particularities in contemporary Mexico.

4.1 Laicity should attend to religious diversity

Although religious pluralization has grown since 1950, the public visibility of non-Catholic groups is relatively recent (Garma 2007, 2018). This may be the reason why Mexican legislation is still focused on Catholic logic. For instance, the Constitution forbids the nomination of persons exclusively dedicated to religious activities for popularly elected positions. This prohibition was designed for Catholic priests, but is not adequate for other religious groups whose ministers are not dedicated full-time to religious practice. In fact, that legal loophole has allowed the participation of evangelical pastors in politics. I am not arguing here for a position for or against pastors in politics; I am simply pointing out that the existing form of Mexican laicity does not apply consistently to all religious groups and should thus be reformulated with a non-Catholic logic.

The current legal logic also affects the analytical perspective taken toward religious groups. The Mexican lay regime seems to think of Catholicism (and, hence, religion generally) as a homogeneous phenomenon. This is not the case; the Catholic Church has internal divisions, and not every religion is organized hierarchically. In fact, we can identify both conservative and progressive movements within

¹⁹ As proved by De la Torre and Gutiérrez (2008), Catholicism started losing its hegemony in the 1950s. This change led to the proliferation of other Christian religions, but also to new ways of experiencing spirituality among non-affiliated believers. The census of 2020 shows that 77.7% of the Mexican population identify themselves as Catholic.

²⁰ Although some religious leaders express their opinion upon political matters, and even their will to have a more active role in the public sphere, none of them challenges the separation between State and Church(es). In fact, Catholic Bishops have constantly declared it is necessary in order to attain a respectful and peaceful public debate.

a single religious group (Garma 2007; Mazariegos 2020). Thus, reformulating laicity should absolutely consider pluralism within religious groups. This step also requires overcoming a binary logic – namely, the false but common premise that every religious group is conservative, integrist, and politically motivated to restore the confessional state.

4.2 Public and private spheres are not clearly divided

Nineteenth-century liberalism assumed that the public and private sectors were two separate spheres of social action, and that religion belonged to the latter. This logic implied that authorities can ignore their religious convictions when making decisions that concern the public. However, this is not always the case in actual experience. Since secularization is not a homogeneous, irreversible, or completed process, some people will operate with an integrist logic no matter what their position is. This fact may explain why certain authorities, public servers, and legislators defend public policies that are based on moral values and dogmas.

In 2020, two political parties promoted a policy that would allow parents to withhold their children from certain educational contents, based on the argument that public education may contradict moral values. Such a policy proposal raises important questions. Are these legislators acting according to an integrist logic, or simply seeking to expand their political support base? Since education has public consequences, should a lay state respect parents' decisions over controversial matters, such as evolution or sex education? And, in any case, is a lay state responsible for creating a lay political culture?

The artificial division between public and the private tends to simplify reality, obscuring the fact that the two are intertwined in everyday life. Persons may learn moral or ethical values at home, at school, and in religious communities. All those social spaces belong to the private sphere, but individuals may reproduce those values in their social action – that is, in the public sphere. Since the Mexican Constitution recognizes freedom of religion, belief, and conscience, the state cannot and should not intervene in the private sphere. Therefore, it is not able to promote secularization. In other words, state laicity may be a reality in terms of its legal framework, but it is still not viewed as an acceptable or sufficient condition by integrist social groups, which cannot be regulated.

The fact that certain social groups hold an integrist logic is not problematic by itself. However, this logic cannot be transferred to laws, institutions, or public policies, or to all public servants and representatives. There are some cases of authorities who refer to God, Jesus Christ, and the Virgin Mary in official acts; this does not affect public policy, but it certainly violates laicity (Barranco and Blancarte 2019). Perhaps the most famous example is the current Mexican president, Andrés Manuel

López Obrador, who constantly refers to Jesus as an example of good conduct. In March 2020, he declared that the COVID-19 pandemic could be fought with honesty and goodwill. He also referred to the protective power of religious symbols and good-luck charms (Animal Político 2020). This is especially problematic; besides promoting non-scientific solutions to an international health issue, it promotes a non-lay political culture.

4.3 Religion is not a private or individual phenomenon

Nineteenth-century liberalism assumed not only that religion is a private matter, but also that it is individual in nature. This assumption is certainly far from reality, as religion is by definition a collective phenomenon (Durkheim 2014). In fact, the religious sense of belonging does not depend only on beliefs and rituals, but on sharing them with other people. This is one reason why evangelization is a priority for most religious groups. But sharing one's faith is also associated with trying to improve social well-being. By doing so, religions are inevitably related to the public sphere.

Some authors argue that a democratic regime should guarantee equal political participation conditions for every citizen, including religious persons and groups (Samuel, Stepan, and Duffy 2012). This consideration is pertinent; however, it should be evaluated carefully in the particular case of Mexico. Allowing religious organizations to participate in politics entails the responsibility of legally defining how they may participate. Mexicans should never forget the civil wars that resulted from the struggle between state and church over their roles in the public space.

4.4 Laicity is still designed to limit religious organizations, but not other political actors

In Mexico, the presence of a hegemonic church in the public space led to the construction of an anticlerical laicity which explicitly limited religious organizations' activities. The institutions and laws that derived from that concept of laicity were designed to curtail the political influence of the Catholic Church. As the religious scenario became more pluralistic, this regime was extended to other confessional organizations.

Since the state needed to guarantee its supremacy by restraining religion to the private sphere, the clergy experienced several limitations: they could not vote or be voted for, mobilize believers for political purposes, or express their opinions on political matters (Gaytá 2018). Their freedom of speech was not totally obliterated, but when the Catholic clergy expressed their opposition to political decisions, it was certainly not well received by the authorities. Besides, the celebration of religious rituals in state facilities is forbidden, and the ministers who participate in them can be subject to sanctions. All these measures are designed to protect laicity, assuming

that the church(es) would try to regain control of the state. But what if laicity is threatened precisely by those who are supposed to protect it?

This phenomenon has always been present but has become much more visible in recent years. Political leaders and authorities constantly refer to religious characters and beliefs. This can be interpreted as a sincere and true demonstration of faith, or as a political strategy to attract popular support. In both cases, this practice is utterly averse to laicity. The first motivation violates the state's autonomy; the second could be disrespectful to religious believers since it introduces the possibility of faith becoming instrumentalized.

Even more relevant, some political leaders and authorities rule according to their dogmatic convictions due to holding an integrist logic. For example, legislation concerning diversity of marriage and family structure, abortion, or euthanasia is generally discussed using non-religious terms, but it often includes a dogmatic logic that is not based on publicly accessible argument and therefore hinders consensus.

5. Conclusions

This paper has argued that Mexican laicity should be reformulated to consider the elements described above. All of these factors pose relevant challenges for the lay state, since they show the loopholes that prevail in a legal framework that does not match the country's contemporary socio-political conditions. Furthermore, the gap between laws and social practices is undeniable in this regard due to the complexity of both laicization and secularization processes. As noted above, although both laicization and secularization refer to the role of religion in the public sphere, they are not synonymous and certainly do not develop in tandem.

Laicity is not just an abstract ideal with no practical consequences; rather it enables the construction of a state that recognizes human rights through the principle of non-discrimination. This means that laicity must not be understood as an anticlerical or anti-religious political conviction. In fact, the peaceful coexistence of diverse religious believers and non-believers depends on laicity. But the lay regime should be rethought in order to address contemporary needs. To do so, we must recognize the collective and public character of religion, understanding that spirituality is much more than Catholicism. We must also realize that laicity goes far beyond keeping state and church(es) separate.

Legal instruments alone cannot generate respect for the precepts contained in them. This is especially true for the case analyzed in this paper. It is possible to legislate the state's character, but one cannot legislate social processes. Hence, the gap between laicization and secularization results in the coexistence of practices that involve both secular and integrist logics, which occur independently from the legal framework (Capdevielle and Molina 2018). In this sense, I argue that the

state should promote a lay political culture through the political and educational systems. It is not possible to accelerate secularization, but the state can encourage support for the civic principles embodied in the Constitution.

Introducing laicity as a constitutional principle is a transcendent necessity and the first step toward changing institutional structures, and eventually toward the reconfiguration of political and social relations. We must remember that all law is essentially about enabling us to live together in harmony.

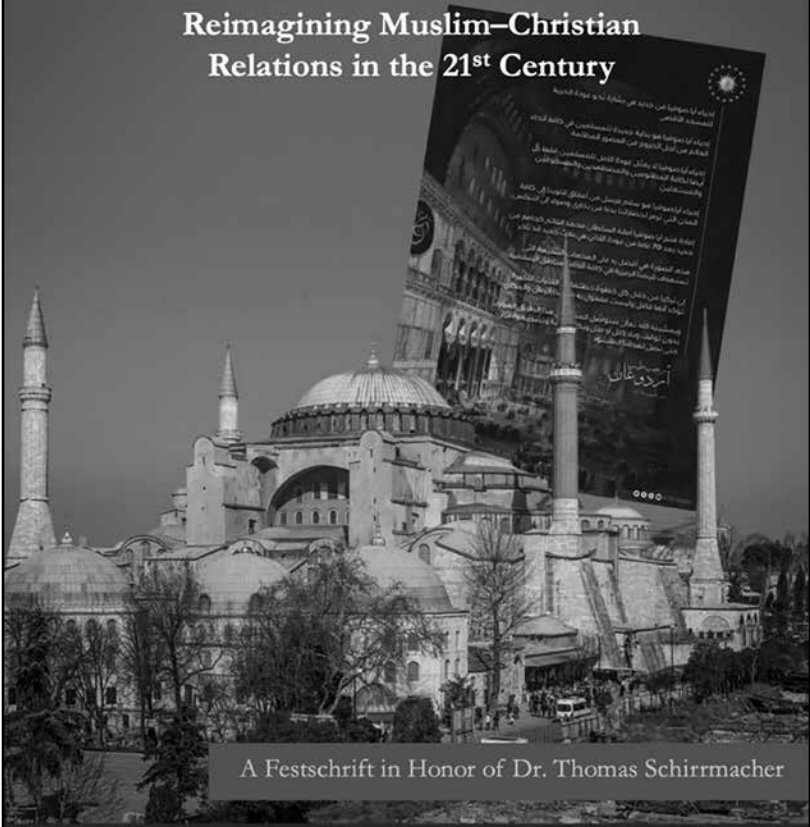
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