

The Rights of Royal Patronage and the Legitimacy of anti-Clericalism after the Independence of Mexico*

El Patronato Real y la legitimación del anticlericalismo en México tras la Independencia

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Abstract:

The Church-State statutory institutional relationship is particularly significant apropos the debate of cultural tolerance. Here, I review the mechanisms by which this relation circumscribes to an ethno-centric pattern in the reading of Mexican history, and examine the discursive atmosphere the Church and the State institutional struggle to master the symbols of nationhood, and account for the ethnic images ratified by institutional narratives with liberal pragmatic postulates. In particular, I focus on the complex netting of political demarcations between religious and civil institutions, and the distinctive tone they acquired under Hispanic Patronage; all of which set the background upon which the Church's antagonism to official lay discourses on Mexican identity appears futile.

Keywords:

Royal Patronage, Church-State relationship, papacy, liberalism, religious tolerance

Resumen:

La relación Estado-Iglesia y los estatutos que la rigen son de especial relevancia en lo que toca al tema de tolerancia religiosa. Aquí se describen los mecanismos que rigen dicha relación, y se muestra cómo éstos se circunscriben a una lectura etnocéntrica de la historia de México. Para ello se examina el contexto discursivo generado en la lucha que ambas instituciones establecen por controlar los símbolos nacionales y las imágenes de etnicidad que ratifican los postulados pragmáticos de la narrativa liberal. Se pone especial interés en la compleja demarcación entre los ámbitos de lo religioso y lo cívico, y el rol que jugó el derecho de patronato real; lo cual hizo fútil el antagonismo de la Iglesia Católica a los discursos laicos sobre mexicanidad.

Palabras Clave:

Patronato real, relación Estado-Iglesia, papado, liberalismo, tolerancia religiosa

The Bishop loves to employ that shading of dialect that makes a voice popular, but the Bishop's isn't popular... The truth is not boring, but the Bishop apparently has the gift of making it seem so.

Heinrich Böll, *And Never Said a Word*. 1953

A glance to reformation

The understanding of the conquest as a religious crusade framed three centuries of co-operation between the Catholic Church and the Spanish Crown to guarantee the expansion of Christianity in the New World.¹ These institutions circumscribed each other's power and

prerogatives, and limited the scope of civil dispositions and clerical freedom in colonial territories. This complex netting of political demarcations between ecclesiastical and civil authorities was known as the Rights of Royal Patronage. These implied the Crown's entitlement to intervene in ecclesiastical matters and to orchestrate an ideological *closure* that aimed to prevent the Catholic dogma from being politically and culturally adulterated. In compensation, prelates were offered a participation in political and economic affairs, while they kept the supreme and exclusive spiritual authority in the propagation of faith in colonial territories.

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The expansion of the Christian faith and the consolidation of colonialism depended on that co-operation. Colonies and Iberic lands became the bastion of Catholic faith, and the Crown was the foremost protector of apostolic prerogatives. However, as the Catholic hierarchy accepted civil protection, it relinquished part of its internal autonomy, becoming more dependent upon royal and civic decisions, than upon canonical instruction. That was the price to strengthen the papacy and to restore part of the social force the Church had lost with the Lutheran Reform. In turn, counter-Reformation allowed monarchs to endure the local confrontation of emerging secular nationalisms in Europe.

The coincidental events of 1492, the expulsion of Moors and Jews from Iberic lands and the discovery of America, on the one hand; and the Lutheran schism with the Catholic Church and the surrender of the Aztec capital Tenochtitlan to the Spanish army in 1521, on the other, evince the dependency between the Church and the Crown. However, the protection of Catholicism as the official religion of the Empire also unravelled a disguised struggle among these institutions. After the Independence of colonial territories, hegemonic secular discourses sprang and became the dominant standpoint to build a sense of belonging ever since (Enríquez and Aguirre, 2014). All this despite the fact that Catholicism was a key reference point for policy making and education in the colonies, and regardless the fact that popular religiosity formed part of many American born colonists' and Indians' sense of selfhood. In this paper, I address the gradual exclusion of the Church from public arenas in Mexico, as part of a struggle to master the symbols of a 'civilising enterprise' based on a pervading sense of 'religious unity' that translated in anything but unity.

The Conquest in the transition to papacy

The Catholic tradition is distinguished by its set of dogmas, and the so-called 'apostolic legacy' for the patriarchs of Christian churches. This right took form during the political conflicts of early Christianity and brought "the Catholic Church into a recognisable shape" (Hall, 1995:33-35). It first ratified the apostles as predecessors of presbyters, bishops, and patriarchs (apostolic faith), and sanctioned who could correctly interpret the Scriptures (apostolic authority). The supremacy of the Roman Church over the other metropolitan churches as the trustee of apostolic legacy was proclaimed on the basis of both its registry of bishops' succession, and Peter's and Paul's establishment of the first Christian congregation (Hall, 1995:60). The flourishing of Rome and the gradual imposition of its orthodoxy —Irenaeus' *Rule of Faith*— are inconceivable outside Constantine's imperial policy and his consent to Christianity as the Empire's official religion.² As his concessions drew the Empire "into the Church as well as

the Church into the Empire", the secular structure of power left "room for a strong pope" (Hall, 1995:119, 224).

The inflexibility and toughness of the Gregorian Reform in 1075, revealed the disciplinary character of the Roman Catholic Church, making clear the link between authority and discipline. Gregory VII made this link politically explicit and religiously instrumental by confining the title of 'Pope' to the Roman Patriarch only. He also initiated the groundwork that would allow a committed teamwork between bishops and monarchs to protect Christianity, which shaped the institutional and intellectual unity of the High Middle Ages. In this context, the impetus of anti-heretical movements helped popes to build up an inquisitorial theocracy with monarchical military assistance. One should contemplate the Protestant Reform under this light.

Luther's confronting of the Church with the very evil it fabricated (i.e. accusing the Pope of being the antichrist) is senseless if it is only seen as a challenge to papal authority. It rather seems a response to the need for a major ecclesiastical transition by way of a conciliar theory of church government (i.e. rival popes in Avignon, 1378-1431). A similar need preceded Luther's request for an ecumenical council, which Clement VII disregarded, suspecting that the council would have supremacy over the pope. Likewise, Clement ignored another call for reformation: Franciscans' exhortation to read the bible so as to make mystical experiences accessible to all. The Pope's refusal was all the more surprising considering that the innovation of the printing press facilitated both the regular production of bibles and the breakdown of the Church's monopoly in education.

Non-Latinised Christians asked for bibles in vernacular languages so that people could read without the mediation of priests —otherwise necessary because the Bible was written in Latin. Satisfying this request would have implied weakening the bishops' authority and putting Roman apostolic legacy into question; which explains the reticence to shift the policy regarding Latin mass until 1963, during the Second Vatican Council. In criticism to and despite Catholic reprobation, some religious leaders began to preach in the vernacular. This was perhaps the greatest threat of Protestantism, for it nourished a sense of ethnic differentiation that defied the pontifical elite, and mixed with increased social discontent against papal taxation, the opening of local commercial and banking systems, regional antagonisms unfolding into nationalist movements, and the rise of modern nation-states capable of challenging the Roman Church.

This is why the Catholic inquisitorial zeal hardly distinguished religious dissidence from political opposition which, considering the customary papal abuses at the time, added to the moral discredit of Roman bishops. Yet, as the Catholic world promised to collapse, Columbus

arrived to America with the financial help of Iberic monarchs. A more fruitful opportunity to reformulate the scope of papal authority and discipline could not have been found. A key element was the development of the rights of patronage: the alliance between civil and ecclesiastical authorities for the defence of earthly and sacred spheres translated into an imperial-evangelical project of cultural domination over non-Christian lands.

This episcopal concession was first offered by Pope Nicholas II in the 6th century to laymen who founded a benefice or a parish in their lands (Randell, 1990). By the time of the conquest, the kings' escalating success in the recovery of holy places, ancient sees and ecclesiastical districts in Iberic lands, mostly the Nazarite Kingdom of Granada, had increased monarchical prerogatives (López y Andrés, 1981). In due course, jurisdictional conflicts between the Spanish Crown and the Holy See intensified. The turning point in this conflict was the large-scale renovation of the Spanish Church that royal authorities launched to counteract the blatant abuses of regular priests and the episcopal elite (Randell, 1990:10, 12, 117). Looking to consolidate monarchical power and prevent the election of bishops in Rome, they threatened to convoke a general council to reform the Roman Church as well. In response, Sixtus IV in 1482, and Innocent VIII in 1486, offered Isabella and Ferdinand, the prerogative of presenting ecclesiastical benefices and favour candidates in their reign. Hereupon, the right of nomination —a pontifical distinction no other royal family fully held— developed into the very essence of patronage.³

The expulsion of Jews and Moors from Spanish territories in January 1492 awarded Spanish monarchs the title of 'Catholic Kings'. Ten months later, Columbus came across a new land mass that Spanish kings claimed their own. Asked to arbitrate the litigation with Portugal, Borgia Pope Alexander VI subscribed the encyclicals *Inter Caetera* (1493) and *Eximiae Devotionis* (1501), conceding Spain political, military and economic privileges in America. Correlative grants were expedited to regulate civil prerogatives over local churches: Julius II's *Universalis Ecclesiae* (1508) submitted ecclesiastic affairs to royal supervision, and ceded Spain political control over all tithes in America. Hadrian VI's *Exponi nobis fecisti* —commonly known as Bula Omnimoda (1522)— allowed the canonical foundation of American churches by entitling apostolic functions to mendicant orders in bishops' absence, and by authorising Spanish kings to decide on the construction of monasteries and churches in colonial territories, as well as on the geographical demarcation of dioceses. Pius V's *Exponi nobis* (1567) reinstated mendicants' evangelical duty, which he had rebuked two years earlier, and had Tridentine decrees sent worldwide.⁴ These bulls or apostolic endowments were the legal basis of Royal Patronage (Hera, 1970). They denoted Spanish

monarchs' prerogatives to regulate ecclesiastical business and clerical organisation in exchange for their compromise to propagate the Catholic faith and transplant the apostolic structure into the New World. For this, Spanish kings founded a permanent Viceroyal system in America, whose representatives were depositories of the *Real Patronato de Indias*. This bestowed civil authorities (from the king of Spain to regional governors in America) with rights to nominate and remove ecclesiastical offices, and to make the Catholic hierarchy resigning from its duty.⁵ Civil authorities regulated license and permissions for prelates travelling to and from Spain, and had the faculty to intervene in councils and synods to solve disputes, compelled the clergy to observe their own rules and punish their misdemeanours. They also administered tithes and further founding of churches, convents and ecclesiastical districts of secular and regular units, and were likewise entitled to approve or censure the publication and circulation of pontifical documents (*derecho de pase*), and to keep the Church's labour in education, health, and charity under general surveillance (Mounce, 1979, León, 2001).

Such attributions, which apostolic endowments did not actually include, changed the *Patronato Indiano* into the so-called *Regio Vicariato*, and later on modelled the regalist policy of the Bourbons (León, 2001; Porras, 1987). The *Vicariato* first appointed the Spanish Crown as the absolute intermediary between the Holy See and Catholic churches in Hispanic domains, which permitted monarchs to assume papal representation, a right upon which missionaries and bishops depended (Jaramillo, 1999:14-16; Traslosheros, 2000:50-51; Soberanes, 2000:13-18). Despite bureaucracy excess and subsequent subordination of apostolic functions, royal authorities conferred a privileged status to the Church as a temporal body in charge of community affairs —schooling, care of the ill, the poor and the disabled— and as a spiritual agency in charge of the evangelisation of natives. This civic-religious responsibility made prelates and mendicant friars a tactical instrument of the colonial rule in the New World (Porras, 1987; Numhauser, 2013).

The expansion of Christianity in America appeared as a royal attribution of justice under which the integrity of Catholicism and the cohesion of clerical discipline came to rest. Hispanic patronage prevented the Church from falling apart during the Protestant schism by rendering *holy* a warlike affair: the intention to rescue the 'original' Rule of Faith in the New World, and more specifically in New Spain, the Spanish Empire's capital in America.⁶ The actualisation of Hispanist colonial discourse by means of the conquest and the Counter-Reformation protected Latin Catholicism vis-à-vis Anglo-Saxon churches. In this context, indigenous resistance to conversion accused colonial religious order as unreliable. The bad reputation

of secular and regular clergy was implicated for triggering the Lutheran Reform in Europe and for constituting the main source of a failed doctrinal mission in New Spain.⁷ Therein lies the ostensible frailty of a nation integrated around a most exiguous religious unity, and its rather unfit universalist pretensions to conciliate segregating race-cultural policies with that unity, after which anti-clericalism materialised as an enlightened epiphenomenon of apostolic self-distrust.

Paving the way to exclusion

Monarchic religious protectionism in America weakened when the House of Bourbon took possession of the Spanish Crown. First, Bourbons reclaimed major civil intervention in religious life by replacing the figure of the Pope with the King as the supreme authority, while the presence of the clergy was reduced to spiritual matters and clerical immunity effaced. The Pope's authority regarding ecclesiastical jurisdictional matters, except the canonically right of government, fell upon the King (León, 2001: 295). Reforms also lifted the ban on forbidden authors —i.e. More, Descartes, Luther, Hobbes and Rousseau— giving access to liberal ideas. More significantly, Bourbons declared war on France. With Spanish armed forces engaged in defending Spain from Napoleon, Creoles grabbed the chance to fight Peninsulars off New Spain. Regalist policies permitted both local priests to ally with Creoles in the War of Independence and the Catholic hierarchy to join Iturbide's *Plan de Iguala* warranties, whether they were defending the monarchs or the papacy under a religious banner (García, 2017; Ibarra, 2002). In 1821, the colonial period came to an end.⁸

Thereafter, the regard of the colonial past (Hispanism and anti-Hispanism), the deference to Rome (*regalistas* and *canonistas*), the intended government (monarchy and republic), and the administrative method (federalism and centralism), typified *grosso modo* incipient political tendencies: liberals aimed to build a federalist republic based on a bourgeois philosophy and the US democracy, conservatives tried to rescue monarchical centralism and European oligarchic ideals (O'Gorman, 1999; González, 1993). This economic and cultural battle framed post-Independence legal reforms and inscribed continuities and discontinuities of ecclesiastical duties throughout the 19th century. The rights of patronage received special attention. For *regalistas*, patronage involved a rearticulation of tolerant Bourbon policies with French liberal philosophy so as to retain civil power over ecclesiastical authorities, subduing the role of ecclesiastical authorities and the Pope to Royal rule, while adjusting all this to new institutions (Pérez, 1977:8-9, 340). The clergy refute this pretension and sought to gain back their autonomy (Gómez, 1999:54-55; Ruíz, 1999:62-63), explaining liberal radical response to the Church's refusal to accept national patronage and recognise the independent nation (Connaughton, 2010)

Taking ultramontane obedience, Archbishop P. J. de Fonte sent a missive to Iturbide's Imperial Regency in March 1822 apropos the invalidation of the temporal pontifical prerogative received by the Catholic-Kings, that was neither transferable nor could it be reassigned. In any case, the diocesan meeting advised governors to treat the matter directly with the Holy See. In due course, a *Comisión de Patronato* was issued to deal with the negotiations.

The promulgation of provisory laws —May 1829 and February 1830— offered a practical solution to the urgency of filling vacant sees after the expulsion of Spaniards. It also helped to solve the problem of patronage step-by-step. Which meant, Casillas argues, finding specific answers to particular prerogatives Spanish monarchs formerly held: tithes, land properties, vital statistics, religious orders and missions, and, of course, the appointment and removal of prelates. The latter proceeding involved both the participation of diverse governmental and ecclesiastical sectors and the recognition of areas of social influence for each sector. The Holy See accepted in 1831, naming Mexican prelates to empty bishoprics under a clause *motu proprio*, the Vatican 'freely' deciding on the provision of pastoral assistance, while at the same time Mexican authorities favoured Church candidates keen on the idea of national sovereignty (Casillas, 1999).

Formally speaking, the Vatican negated the ownership of 'national' patronage, not so much for the regalist belief in lay supremacy, but allegedly because this would damage the relationship between Rome and Spain. The pontifical right remained bestowed to Spanish monarchs under Isabella II's power (Casillas, 1999; Soberanes, 2000). Gregory XVI's, nonetheless, released the Catholic hierarchy from compromises with specific regimes or public celebrities by allowing spiritual support to all people regardless of their form of government (Ruíz, 2000:74). Such a 'political distance' restored the Roman Church's autonomy in the election of prelates, and granted two seldomly-accredited vindications: the freedom of Mexican churches to negotiate with liberal regimes and the prospect of born Mexicans to attain high ecclesiastical ranks (Casillas, 1999:103-107).

In this context, the annulment of former canonry appointments between 1833 and 1834 gave way to the first liberal reform, against which the clergy aggressively responded. This reaction, and the subsequent legal reply it brought about, should be assessed by bearing in mind that liberal reforms embodied new forms of understanding religiousness, ecclesiastical duties, the State's attributions and public responsibility (Ruíz, 1999:60). As this involved nation-building, the conservative-liberal controversy set the ground for reorganising social life around a tutelary ruling figure against which the Catholic Church seemed to

contradict: the paternalist administrative state, (Corpas, 2011). Republicans sought to depose reactionary public servants and control the clergy so as to align religious behaviour through cultural policies (cf. Krauze, 1992).

Agustín de Iturbide's first step to refrain international pressure and the constant threat of external intervention in domestic affairs, was the official declaration of a Catholic Mexican Empire. The menace of popular rebellions between 1822 and 1823 also shoved the Emperor to repeal the *Constitución de Cádiz's* anticlerical clauses to keep Spaniards' and Catholics' rights safe (Peña, 1965). In 1824, however, a dismantling of the imperial rule befell his effort when the Second Constituent Congress proclaimed Mexico as a Federal Republic. France and England soon authorised diplomatic relations with the new federation, but the favourable votes of the Vatican and Spain were a harder task. Given the political loyalty of the Spanish Crown and the Holy See, the latter rebuked the Independence as heretical, while the former gained the Holy Alliance's support for recolonising Mexico. In response, a massive expatriation of Spaniards followed in 1827 and 1829. The Vatican and Spain recognised Mexican sovereignty in 1836, just as Texas declared its annexation to the US. Mexican authorities assumed this as a declaration of war that culminated in the treaties Guadalupe-Hidalgo in 1848 and la Mesilla in 1853, by which half of the territory was lost.⁹

The pragmatic lesson of such a loss was that Mexican autonomy depended on the competence to boost the country's productive system by renovating internal political alliances. Seen by Republican liberals, massive exterminations of natives by colonists explained the troublesome demographic situation that conditioned the loss of half of the territory in the first place, while failed indoctrination accounted for indigenous people's resistance to become part of the nation. The Catholic legacy was seen to interfere with the consensus the country required to achieve social unity, and the blurring of civil and ecclesiastical jurisdictions seemed to compromise national integration. Catholicism further appeared as the reminder of a medieval past, a sacralised mentality permeating all sorts of experience and preventing the split of private and public realms that was necessary for the rise of modern states.¹⁰

Liberals forbade the clergy from participating in any governmental proceeding and confiscated ecclesiastical properties, a very handy resource in the middle of an economic crisis the Church was unwilling to assist. Binding religious authorities to renounce political and economic prerogatives was as imperative as to purge a religious cast of minds in order to bestow official supremacy to civil autonomy. The 19th century radical restructuring of the church-state relationship was the result of such political pressure, rather than a mere economic provision.¹¹

Certainly, liberal regimes aimed to undermine the power of episcopal authorities so as to constrain them to cede much of the Church's wealth and several of its properties. In turn, one may correctly argue that the hierarchy's concern about protecting its economic and political prerogatives, at the expense of neglecting moral and evangelical aspirations, worked against the Church's honourable reputation (see García, 1992:70, 74-75; Pastoral letters in Alcalá and Olimón, 1989). It may be true that ecclesiastical representatives would have prevented the Reform's aggressive aftermath had they voluntarily collaborated in invigorating the national economy (Medina, 1984:215ff). Yet, whether the confiscation of real estates and the re-allocation of public funds could have been avoidable events, it was not the liberal financial strategy as such that validated those economic measures. Instead, it was a piecemeal de-centring of politico-religious unity that prepared the legal decline of the Church within which those measures were feasible. The first body of laws that Mexico as an independent country set up the breakpoint of such a process (García, 2017).

A pretension of keeping internal ecclesiastical proceedings under civil control was present in the constitutional articles of 1824, as well as in the enactment of statutory laws and reformation acts that validated them.¹² The Constitution established legal boundaries for civil action so as to overrule institutional excess on the part of religious dignitaries. For instance, president Guadalupe Victoria protected the Catholic Church by having federal authorities made responsible for the financial running of religious worship. This involved both undertaking emergency payments in case of insolvency and adjusting liturgical expenses. According to de la Peña, this was the most contentious stratagem to subjugate ecclesiastical authorities, "for alienating and declaring the Church's wealth a national property is the next logical step to the State covering the cost of worship and controlling religious expenditure" (Peña, 1965:18-19). The selling of properties in 1829 that once belonged to the Company of Jesus and the Inquisition, the confiscation of religious congregations in California and the expropriation of 'misiones de Filipinas' in Veracruz between 1833 and 1834, as well as the decrees to free the federal government from paying tithes in the same years, support de la Peña's claim.¹³

In like manner, de la Peña adds, the Senate Report of 1826 prohibited entry to other religions and endorsed 'His Holiness the Pope' as religious authority with the pretence of retaining ownership over universal patronage: clause 4 conferred on the Mexican Congress "the exclusive faculty to determine the exercise of Patronage in the Federation" (Toro in Peña, 1965:20). The Report included an ordinance —that de la Peña overtly disdains— with a greater transforming status to the clergy than the right of patronage or the arrogation of ecclesiastical properties.

Clause 11 offered conventuals, monks and nuns, the opportunity of renouncing monastic life and joining the society as seculars.¹⁴ The accent on secularisation of social life that a cancellation of monastic vows afforded, was far more perilous for the Church than the hazard of ignoring the invalidation of national patronage headed by Archbishop de Fonte. While the latter resolution directly defied ecclesiastical authority, the former achievement steadily undermined clerical autonomy—for it directly obliterated the Church's cultural monopoly.

The attempts to revoke compulsory monastic life, dissolve religious congregations, confiscate mission lands and properties, and the measures against payment of tithes, were all ordinances coherent with the State's decision to undertake worship costs and provide moral attention to the faithful—a duty compatible with the claims of 'national' patronage and the Congress' resolution to safeguard Catholicism as the federation's religion. How the liberal project either refuted or contradicted with such an intention, and why the clergy seemed unable to recognise the relative freedom that those laws could offer to local churches, are not neglected questions. Yet, little has been said of how a secularised unity identifying Catholic faith with European culture turned against a religious forging of ethno-national identities.

Often ignored, the removal of religious obligations amounted both to questioning the historical significance of corporate structures in the consolidation of identity values and to thinking of canonical sanctions as an obsolete source of social archetypes. By so dismissing the role of religious collectivities in the articulation of ethnicity and the social pertinence of Catholic narratives on cultural unity, liberals anticipated the displacement of the Church as the institution in charge of public life. This comprised the direction of civil affairs such as the registry of births, deaths, and matrimony, the administration of schools, hospitals, and cemeteries, and the censure of printed texts. The urgency to seize the civil management of all these fields was a turning point in the disassociation of public and private realms that restrained the relevance of religion in cultural policies.

In the civil sphere, it implied the creation of lay institutions necessary for a sovereign State: the possibility that "anyone could be considered Mexican (thanks to the civil registry) with no need of holding Catholic or any other religious belief. And [that] anyone could get married or be buried (the central life-death rituals), by appealing to their civil status, rather than claiming certain religious or church belonging as decisive (Blancarte, 2004:20). This started as a gradual, local process, by enacting 'light' regulations upon daily life and behaviour—change of bells to clocks for announcing set activities, placing cemeteries in the cities' outskirts, forbidding the use of fireworks during religious celebrations, as well as youth night meetings and

indecent chants and recitations to sell candies—. These measures were actually backed up by the clergy as they helped to subdue popular religiosity expressions that put into question official liturgy (Staples, 1986:17-21).

It was such a distancing from religious symbolism that both allowed liberals to ban the clergy from taking part in public affairs, and rendered liberal policies more inflexible toward the Church's economic and political privileges. Those who see in this process a negation of religion and accuse liberals of blocking the Church, like de la Peña, do not avow that, liberal reforms from the 1830s onwards were correlative to a desacralisation of ethnic imaginaries (religious identities being displaced by civil identities) upon which the lay Mexican state emerged. Or, as one may say paraphrasing Rabasa, they are unable to conceive such occurrences as part of a specific syntactical strategy or sign rearrangement that was, above all, the forging of a Mestizo society (Rabasa, 1993:17-18).

Hatching lay identities

The modern state did not exist in Mexico before the Church was ruled out of public affairs, in which case, liberals proceeded to dismiss the clergy from economic and political sphere, and assigned temporal duties to secular hands. Correspondingly, harsh economic and political measures were the result of restricting sacred privileges to grant equal civil rights—the legal emblem around which the Catholic heritage starts to fade *vis-à-vis* a growing respect for civilians' homeland (Santillán, 1995:177, Corpas, 2011, García, 2017: 24-26). Creole discourse could not get rid of Catholic values even if these were a reminder of Hispanic colonialism, for religious referents of collective identity also legitimated independent juridico-political structures (Santillán, 1999:78; Ruíz, 2000:71). Ethnic imaginaries had to be desacralised, re-centring political unity and shifting the rank of national symbols so as to detach cultural identities, specifically Creole ones, from clerical and royal control.

Desacralisation involved the transference of temporal duties to civil hands, which inscribed a juridical hiatus with the colonial past, on the one hand, and entailed the repeal of religious codes framing Mexican identity, on the other. This implied a questioning of the role of religion in both the construction of a modern national-state and the articulation of Mexicanhood, but 'laicism' should not be addressed as a restructuration of identity around a secular paradigm that destroyed religiousness (Blancarte, 2004). Quite the contrary, religiosity remained a personal choice for the free citizen, and belonging to a lay nation was a prime referent upon which one may exercise the right of freedom of belief (García, 2017:26). In secular discourses, religion no longer compensates for the weakening of solidarity, the individual—i.e. the citizen—appears where group belonging—i.e. the community—disappears (cf. Spickard, 2000:132-138). Indigenous rebellions and the alienation of lands in hands

of ethnic communities, until then protected by religious corporate institutions, illustrate that point.

Inasmuch as such measures acted upon the idea of cultural unity under which Catholic narratives framed colonialism, they modified the status of Indian subjects, of indigenous communities and challenged their agrarian condition. The same applies to the legal declaration of equality among citizens, or to the policies of public instruction for all people regardless their ethnic extraction. Indigenous land tenure and native's socio-cultural conditions are far too complex a problem to be treated here in all their implications. It suffices to note that early 1830's decrees responded to the debate about religious tolerance unravelled during the elaboration of constitutional statutes in 1824. As the Congress brought this issue to debate, the problem of religious divergence became a political concern, and the legal practice of religious liberty a feasible standpoint (Santillán, 1999:76).

The dilemma of tolerance, the assumption of personal freedom, and the dissociation of individuals from corporate institutions were not a matter of congressmen abdicating their religious convictions, but of showing themselves flexible enough to gain control over minority groups whose disputes could solely be settled by a religiously neutral system (Santillán, 1999:67-68; 1995:177-178, 180). The cultural field was strategic: it was there that a rupture between the believer and the citizen subject positions took place. In this controversy, the value of Catholicism was put into question through the revision of Mexican history.¹⁵ It implied to confront religious leadership responsibility in the midst of social adversities. Some aimed to reinforce Catholic values by means of civil custody (i.e. building a confessional state),¹⁶ others urged to dissociate spiritual conviction from political coercion (i.e. a separation of sacred and secular powers). After the liberal triumph at the Congress in 1854, new laws announced the separation of civil and ecclesiastical powers.

The relationship between the individual and the institutions regulating people's liberty was at stake, for the dislocating feature of civil social welfare implied a conceptual discontinuity of the sacred versus the profane through which the family, as the basic unity of socialisation, became the means to transform the individual into a citizen. This visibly jeopardised religious contents and the Church's legitimate partaking in the process of socialisation, while it reticulated a political space for the State to evolve as if disconnected from sacred tasks, and in opposition to the religious representation of social totality, i.e. Christendom.

This metamorphosis gave room to the notions of civil society and lay nationhood that laid behind liberal laws, i.e. adjusting the concepts of family and nation into a temporal order as to regulate the national resource *par excellence*: the people. The public control of demographic indicators

was vital in so far as this permitted an infiltration of the secular in the constitution of sacrality. A case in point is the exhortation to avow religious tolerance as a means to attract European immigrants to repopulate the country and 'whiten' its residents. The notion of religious tolerance acted as a discursive connector between racial miscegenation and territorial defence, which is all the more emblematic considering the 19th century 'pseudo-scientific theory' of racial mixture as degrading to mankind.¹⁷

The notion of individual liberty as a foreground of cultural unity and progress rounded up these seemingly disconnected and conflicting issues. Promoters of religious tolerance such as Lizardi, Cañedo, Mora, to mention only the most famous, thought of countries with civil equality and religious freedom as morally respectful and well developed, modern, rich, and, above all, populated.¹⁸ Only individual liberty, and its correlative civil equality, could attract non-Catholic white immigrants, and facilitate racial contact so as to whiten Indians who, in turn, could be inserted into the society through the reorganisation of agricultural structures. The Manifest Destiny, nomad assaults, and indigenous rebellions entangled here, raising questions of whether a military alliance with another nation might best protect Mexican autonomy (González, 1981:280-281 and 1984:43-46).

The refusal to assist Mexican authorities led liberals to ponder a different strategy to weaken indigenous rebellions: the deportation of war prisoners to countries like Cuba or to northern colonies and missions was considered a way to 'civilise barbarians' and to defend Mexican territory from US colonists, while also obstructing squatter and nomadic incursions (González, 1981:270-305). This strategy gained relevance as religious motifs involved in bishops' manipulation of public opinion against those who set out to transform the ecclesiastical order, inflaming small revolts and aggravating the country's political instability (cf. Galeana, 1999:97; Ruíz, 1999:65).

In 1861, liberals withdrew legal protection to Catholicism, granted independence to all doctrines in spiritual matters, proscribed public servants from aiding or officiating in religious acts, and abolished the right of asylum to prevent deserters' refuge. Ceasing to regard Catholicism as the nation's official religion amounted to undermining the economic and political use of sacred ideas by which civil law validated a lay domain over canonical matters. The cancellation of the rights of patronage was also at stake. Since the Church was no longer liable to legal protection, the state ought to abdicate partaking in ecclesiastical decisions and organisation, which is why Bastian refers to this moment as "the end of liberal attempts to integrate the Church to the State" (Bastian, 1989:32).

The pulpit was a place where institutional realms tended to overlap, as Ruíz argues, and hence, the place to ascribe political and spiritual margins within which new forms of

religiousness —a modern religiousness so to speak— could have evolved (Ruíz, 1999:64-66). However, religious dissidence grew among indigenous groups, particularly when Catholic social thought aimed to recover the terrain religion had lost.¹⁹ It seems that a deeply Catholic population, a politically precarious civil society, and social heterogeneity, allowed the Church to display an unshakeable cohesion in confronting schismatic trials by the end of the century that aimed to keep lay control over religious preferences (Bastian, 1989:32-35, 47-48; Kirk, 2000:108).

Similarly, public rituals had favoured the rotation of community loyalties and local compromises, weakening the configuration of both class structures and a central state. In due course, the interest of engaging rural populations in the federation's project responded to the need of debilitating ethno-religious values that reinforced local leadership. Indians as 'new' citizens unveiled negative stereotypes of indigeneity (González, 1984:13; 1981:261, 308). Further:

The multivocality of the concept 'Indian' is turned at one and the same time to nation- or state-building, to the invention of tradition, and to the construction of an imagined community, while it is also employed to squash resistance to the state's project and destroy a real community (Young, 1994:358).

What is said of the state-building problem regarding ethnicity applies to the religious issue: in maintaining indigenous customs under the shield of religious commitment, the clergy competed with civil authorities so as to master the symbols of cultural unity. Not only did this inflame indigenous rebellions and prevent the unification of the nation-state, but it also became an obstacle for the task of secularising rituals, and gaining intracommunity solidarity and intercommunity competitiveness. To unseat Catholic supremacy was necessary, Mora suggested, to disaffiliate Indians and clergy, and concurrently eliminate the former through racial miscegenation and the latter by abolishing ecclesiastical immunity (cf. González, 1984:45). This problem was subservient to the enlightened concept of civil society and to the dispute about religious agents' role in the process of constituting minority groups. The indoctrination of natives had justified the conquest and the colonial enterprise; which concealed the role of the Church in the military experience, allowing the clergy to evade the punctilious task of accounting for the destruction and cruelty against native cultures, by accusing them of paganism and of a doubtful humanity. Missionaries articulated a unitary antithetical recognition of otherness that modelled ethnic discrimination, and allowed the Church to claim its pertinence to the Novohispanic society through the subordination of Indians under a mythical building of the New Christendom in America. This

tampered the very possibility of a proper political inclusion of many ethnic groups whose cultural specificities blurred under the social category *Indian* haunted by the Catholic *ethos*, and making a religious referent of national identity an implausible quest.

A secular turn to the cosmic race

The church-state statutory relationship has been marked by ethno-centric patterns in the interpretation of Mexican history. Besides economic and political goals, they had the intention to master the symbols of nationhood. This is why, the outcome of the complex netting of religious and civil jurisdictional demarcations also evince the Church's antagonism to official nationalist discourses on Mexican identity. And also why, indigenous popular religiosity appears as if reinstating the pertinence of reconsidering lay identity narratives.

The ethnocentric recovering of indigenous symbols was not exclusive to secular discourses, i.e. a lay citizenship imaginary, but it applies to any narrative that declares an indigenous 'essence' as a cardinal part of an nationalist identity. The influence of religion in the construction of an 'Indian' identity sets the precedent to a 'narrow' idea of cultural plurality that has exacerbated the competition between lay and religious views of indigenous historicity. Ethnic images ratify secular narratives and yet, show the 'penetration' of Catholic values into Mestizo identity. Catholicism appears as a paradoxical part of a sense of lay Mexicanhood, to the extent that religious nationalism was plausible (i.e. the intention to nationalise the Church and seize the right of patronage), but it underestimated or neglected, questions of faith and popular religiosity in the long run.

The historical rivalry between the Church and the State makes it admissible to contrast the functioning of different discursive logics in the construction of national identities. By the turn of the 20th century, the Catholic Social Doctrine raised as the 'modern' sacred answer through which the Church aimed to reassert its concern in social affairs, after being displaced by secular reforms, and yet, not submitting its own agency to civil scrutiny, as it happened when royal patronage and regalist pretensions were at work. This inaugurated a new period in which the institutional struggle would continue with renewed force, but the scenery and the balance of forces were of a completely different sort. If the Church did not recognise the State ascendancy in the 19th Century, it paid the price with the most anticlerical political response ever.

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NOTES

¹ Hereafter, the substantive Spain and the adjective Spanish are employed for the sake of simplicity, to refer to the political inland domain and the population born in the territory encompassed by the matrimonial alliance between the kingdoms of Castilla and Aragón.

² For imperial differential treatment related to distinctions between linguistic and philosophical traditions, the East-West Christian schism and Roman bishops' sovereignty see Hall, 1995:223-240, Noel, 1994:8, 14; Davis, 1990:170-206.

³ Borgia Pope Calixtus III had agreed in 1455 to consider prelates recommended by King Alfonso, his old *patron*, for the election of ecclesiastic sits. Ferdinand and Isabella interpreted such a confirmation as if royal approval was obligatory for a candidate to occupy a see in Spain. Mecham thinks of this as the legal prelude of colonial Royal Patronage (cf. Mecham, 1966). Others, like Solórzano y Pereyra, include as well Hadrian V's conceding the control of Irish prelaties to England in 1276, and Martin V's offering Portugal alike revenues over the East Indies in 1420 — extended to Africa and Asia by Nicholas V, Calixtus III and Sixto IV— (cf. n.5 in Traslosheros, 2000:48, Numhauser, 2013). Concessions to England and Portugal, as well as to France, Italy Germany, and Spain, consisted of five-year prerogatives after which bishops returned to the old policy of papal reservations —save the case of England (Kelly, 1996:239). Spain gained a permanent privilege as the Moorish Crusade mixed with optimism to find new maritime routes to the East and allowed the geo-political consolidation of Europe as a centre of world history —what Dussel calls *oecumenical world* versus peripheral *oecumenes* (Latin, Byzantine, Arab) or regions (Aztec, Inca, China, India). See Dussel, 1981:4. Both, the crusade against Moors and Jews, and the conquest of America, shaped the Catholic unity of the Roman Church with the frame of royal concessions.

⁴ Divergences in dates and names of specific bulls were found in bibliographical references. In this sense, it is worth noting that few historians use first-hand sources regarding apostolic endowments. Comparing different authors, I found Jaramillo's the most orderly recording

on this subject (cf. Pérez, 1977; Chauvet, 1984; Casillas, 1999; Jaramillo, 1999; Traslosheros, 2000; Soberanes, 2000). For the trajectory of popes linked with the concession of apostolic grants see Kelly, 1996.

⁵ The right of patronage was a salient political referent much disputed not only by the Church and the State, but significantly, by representatives of civil authorities at every level (imperial, provincial or municipal). Liturgy and rituals, when regarded as a recognition of those rights upon public servants, worked as a battle field in which local authorities (disclaimed to be entitled to request the rights of patronage, but in close connection to people), achieved greater goals than vicepatrons (Carbajal, 2015). This, in fact, is the practical reality that would show the potential of a 'federated church' as conceived by liberals (cf. Connaughton, 2010). We come back to this subject later on.

⁶ This intention points out at New Spain's central role in the configuring of power relations of Europe's 'transcontinental arcade'. In the sight of an imminent cultural split between Latin and Anglo-Saxon societies, a warlike religious signification of Christian supremacy and the reconquest of Jewish and Islamic redoubts in the Iberic peninsula exhibited the unifying force that war and religion yielded for the instrumentation of an ethnocentric order: "the subjugation of peoples with non-European cultures as an undeniable right derived from the obligation of disseminating the Christian faith to all people" was an alibi for invading new regions and subordinating their habitants (Bonfil, 1996:75). The Spanish Empire thus became the main delegate of medieval Catholicism.

⁷ See Randell, 1990:6-13 for the abuses of high and low clergy in Europe, and Kelly, 1996 for a summary description of popes' dissolute behaviour at the time of the Protestant Reform. Not by chance, Protestants' main criticism against papacy includes a reproof of the imposition of celibacy (cf. n.10 infra). Also Numhauser, 2013 for Jesuits' reluctance to fully accept regalist patronage claims and the expulsion of the Company of Jesus from Spanish territories.

⁸ On the religious significance of the Independence compare Mora's reading of priest Miguel Hidalgo's role (in González, 1984:19-20) and Mexican prelates' pastoral letter to cardinal Antonelli in September 1864 (in Alcalá and Olimón, 1989:135-141) with official interpretations of

Mexican history (cf. Paz, 1997:131-135; Brading, 1988:139-142). See Pérez, 1977:148-151 for the *Plan de Iguala* warranties. Also see Connaughton, 1995:241-245 and Young, 1994:355 for the reverence to both national heroes and the Aztec past in Creole sacralising civic discourse.

⁹ For the bilateral relationship between Mexico and the USA, and the regulation of territorial annexations between Mexico, Chiapas, Guatemala, and Belize, see Vázquez, 1993.

¹⁰ For the rise of the modern state see Heller, 1985. For a reading of the Mexican State see Young, 1994:346 n.4; and Brading, 1988. Compare with Romano, 1994:23-27. On philosophical links between individualism and secularisation see Farrel, 1996 and Blumenberg, 1983. On the demographic implications of poverty see Mora's view in González, 1984:25. Note Mora's critique regarding religious persecution as a hindrance to demographic growth of European and Creole populations, the most persecuted by the Holy Inquisition in New Spain (*ibid.*:14-15). Compare with a Mestizo interpretation of 19th century political thought by O'Gorman (1999) and demographic problems by Loyo (1935).

¹¹ There is an ongoing debate among specialists as to whether or not the Church actually participated financing the war of independence, or refused to back the State's financial crisis during the 19th century. Sparse evidence proves both occurrences. The economic side of the debates around royal patronage and lay identities is here secondary. In the best case, it is the use of such arguments that helps understanding the political positioning of those institutions.

¹² Paradoxically, the first to exercise the right of patronage during the armed rebellion was religious insurgent leader José María Morelos, who appointed religious representatives (vicar, chaplain, and so on) because of pragmatic reasons, to keep Catholic liturgical rituals going, since the high clergy refused to administer the sacraments to rebellious armed forces, whether or not they claimed—under the banner of the Virgen de Guadalupe—their fight aimed the protection of Catholic religion (Ibarra, 2002:68-77). For detailed descriptions of the Constitution of 1824, the Senate Report on Ecclesiastical Relations and Affairs of 1826 regarding the problem of patronage, the Constitution of 1857, the Laws of Reform of 1859 and subsequent modifications, and the Constitution of 1917, see Peña, 1965 and Mounce, 1979. Also see Connaughton 2010 for the political discussion surrounding the debate of the rights of royal patronage.

¹³ Jesuits obedience to the Pope, before any other civil authority, remains a key rationale to explain their expulsion from colonial domains, regardless if those belonged to Portuguese or Spanish kingdoms; their criticism against monarchs was, in any case, a logical response to regalism, when this became a political tendency both in Europe and America (Numhauser, 2013).

¹⁴ Rather than a malicious reply to what liberals could not control, as Alcalá asserts, this edict seemed an answer to the compulsory religious vows that sons and daughters of well-off families took because of economic or social pressure (cf. Alcalá, 1984:238). Alcalá omits that church men and women became corrupt priests or nuns, subject to solicitation, and that the vow of chastity was implemented—as Pérez shows—despite the lack of consensus among the members of the Church. Between the 11th and the 15th centuries, the 'sins of the flesh' of secular orders were tolerated, but the critique against conventuals remained incisive. From the 16th century onwards,

sexual regulations extended as to systematically prosecute sexual offenders of either order (Pérez, 1992). On the relaxation of monastic discipline and prelates' recognition of leniency as a determinant of the Church's moral deterioration in Mexico see García, 1992:79. On the diverse socio-historical contexts of regular's decline see Frost, 2000:14-15; Traslosheros, 2000:54-56; Escandón, 2000:34-35; Kirk, 2000:113; and Jaramillo, 1999:20-21.

¹⁵ This is perhaps one of the reasons why the 19th Century has been neglected until very recently as a 'lost' or 'forgotten' period, fractured by conflicting interests, and so disregarded for a political instability that could only be sorted out by European intervention (cf. Bernecker, 2003; Kohut, 2010).

¹⁶ For the nationalisation of Catholicism, how this related to the Bourbon reforms, debates on royal patronage, and the problem of worship costs see Ruiz, 2000; Galeana, 1999; Ramos, 1995; Pérez, 1977. For the intention of 'nationalising' religious experience through a Mexican church autonomous of Roman authority—which otherwise conceded to the force of a religious sense of identity and to the power and prestige of the Catholic Church—see Ibarra, 2002 (the *iglesia insurgente* of Morelos' attempts to keep religious liturgy), and Connaughton, 2010 (the *república universal espiritual* under the regalist liberal goal to achieve federal unity).

¹⁷ See Tenenti, 1994 for an account on the disarticulation of Patriotic solidarities through a centripetal idea of the family. For the transformation of marital alliances and their role in the formation of the Mexican state see Balmori; *et al.*, 1990. On the replacement of religious affiliation as the central bond with the *Patria* by the category of citizen and the avowal of a lay federal sovereignty as the support of nationalist imageries see Escalante, 1995; Merino, 1995; Romano, 1994. For Hegel's reading of the role of religion in the relation between the need for government and the citizenry as the expression of the state see "Freedom, Individual and the State" in Hegel, 1988. See also Heller, 1985 for a traditional account of the state as a repressive instrument in the denial of the public authority of kinship dynasties. For a critique of current conceptions of the family as separate from the state or as restricted to the private sphere see Freeman, 1984; Smart, 1984. On the public status of matrimony and the family as a source of social concern see Levi-Strauss, 1984. See Perrenoud, 1984 for an account of contraceptive practise in association with Protestant morality as part of the 19th century demographic transition in northern Europe. On the socialisation of daily life, and its parallel, the domestic life, by liberal puritan morality, as well as the configuration of urban spaces to drive vice from city centres see Staples, 1994. On the 'desacralisation' of the family see de la Peña, 1965:43; Arrom, 1985; Pastoral letters in Alcalá and Olimón, 1989; and Connaughton, 1995:238-239.

¹⁸ For Fernández de Lizardi's and Juan de Dios Cañedo's defence of religious tolerance see Santillán, 1995 and 1999. For José María Luis Mora, the brain behind the educative and religious reform, see González, 1984.

¹⁹ On the sudden growth of Catholic social thought after the communist revolts and civil mobilisations in France 1848 see Ceballos, 1999a and 1999b, also Monsivais, 1993:460-462. For confessional versus lay states see González, 1997.