

## Prolegomena to Atlantic Catholic Citizenship

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One month ago, in an academic conference organized by Stephen Roberts and Adam Sharman at the University of Nottingham, some specialists gathered to reflect upon the meanings and legacies of the Cadiz Constitution of 1812 in Hispanic culture and politics. In a magnificent paper entitled “Cadiz and Gran Columbia”, Matthew Brown (University of Bristol) denounced the relative scarcity of academic interest shown so far by leading scholars in comparative constitutionalism to cover the very issue of this workshop: the relationship between religion and politics in the first stages of the Liberal Hispanic world.<sup>1</sup>

This brief paper will certainly not bridge that huge gap. Its goals will be more modest and the paper will focus on four main areas. The first section will provide a succinct overview of the main elements of religious nationalism. Secondly, the paper will briefly examine the spaces and the rituals that outstand in the 1812 constitution that played a key role in sacralising the nation and forging a sense of identity across the Atlantic grounded on the common Catholic heritage. In the third section the paper will shed light on the commonality of Spanish and the different Hispanic constitutions as it regards to the protection and safeguard of the Catholic inheritance. Finally, some ideas will be put forward regarding the anti-liberal usages that religious Spanish nationalism had in the decades following 1812. In so doing, this paper will try to make a contribution to the so called field of Atlantic history as well as to the comparative study of the process of religious transformation linked to the arrival and consolidation of Modernity.

In a recent book the French scholar Émile Perreau-Saussine, *Catholicism and Democracy*, convincingly argues that the de-Christianizing policies of the French Revolution were based on the idea of renewing political constraints, i.e. national sovereignty and the rule of law would be the ultimate limitations to the exercise of absolute powers of the executive. According to Perreau-Saussine, as for the purpose of this paper, French Gallicanism has paved the way for the French revolutionaries as it regards to the political management of the religious sphere and ecclesiastical institutions. In his view, since Louis XVI made clear to the Popes that he was responsible and ultimately accountable to God only for the management of the external organization of the Church in France, he was drawing a clear line between civil and religious matters. However, unlike the revolutionaries, the Gallican king par

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<sup>1</sup> Unfortunately, Brown's dictum is also applicable to one of the most recent and brilliant edited volumes on the topic: Antonio Annino y Marcela Ternavasio (coords.) *El laboratorio constitucional iberoamericano: 1807/1808-1830*. AHILA-Iberoamericana Vervuert: Madrid, 2012.

excellence was still subjected to the religious constraints of his powers due to his commitment to preserve the Catholic faith as the established one in his monarchy.<sup>2</sup>

These developments resonated in Cadiz 1812 but the juridical, institutional and cultural framework that shaped the Constitutional revolution that started in May 1808 could hardly be more different. Despite their similarities and their Bourbon origins, Hispanic Regalismo was not interchangeable with French Gallicanism. The Cortes of Cadiz, gathered in 1810 at la Isla de San Fernando, decided to limit the exercise of power by themselves and the monarch, and at the same time to keep religious limitations. Therefore, instead of declaring a Civil Constitution of the Clergy as the French Assembly did in 1790, the Cadiz Cortes decided to declare Spain a constitutional and confessional nation.

Their decisions, however, put a number of questions that I will address in the following pages: to what extent can the Cortes and the Constitution they passed two hundred years ago be labeled as liberal? Did religious intolerance and the constitutionalization of an established, and privileged Church dependent on the nation-state compatible with liberal ideas such as division of powers and national sovereignty? Would it be attuned with the principle of popular participation in politics being the Catholic Church such a hierarchical body?

It seems that most liberal MPs seating at the Cadiz Cortes thought they were compatible. Apart from the Ecuadorians José Mejía Lequerica<sup>3</sup>, from Quito, and Vicente Rocafuerte<sup>4</sup>, from Guayaquil, almost none of them defended religious tolerance in Parliament. Such a wide consensus on the religious backbone of the Spanish nation and the necessity and adequacy of its presence in the Magna Carta has been understood as fake or strategic by some of the most outspoken members of the liberal party. The Marches of Toreno and Arguelles would in the 1830s write retro-justifications alluding to the liberal fear to provoke the clerical fury and the popular rejection to the Cortes' degrees and even to the constitution.

That Spain was one of the elect nations, a people chosen by God to fulfil a supernatural mission in human history has been commonplace in most traditional historiography. An authority on

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<sup>2</sup> Émile Perreau-Saussine, *Catholicism and Democracy. An essay in the history of political thought*. Princeton U.P, Princeton (NJ), 2012. A broader, international perspective can be found in Ira Katznelson and Gareth Stedman-Jones (ed.), *Religion and Political Imagination*. CUP, Cambridge, 2010. A sociological approach to the topic in Bryan S. Turner *Religion and Modern Society. Citizenship, secularization and the State*. CUP, Cambridge, 2011.

<sup>3</sup> Manuel Chust "José Mejía Lequerica, un revolucionario en las Cortes hispanas", *Procesos. Revista Ecuatoriana de Historia*, n. 14, 1999, 53-68.

<sup>4</sup> Jaime E. Rodríguez, *The Emergence of Spanish America. Vicente Rocafuerte and Spanish Americanism, 1808-1832*. University of California Press: Berkeley, 1975.

Spanish politico-religious history, such as Manuel Revuelta, opens his contribution to the prestigious and widely read Menéndez Pidal's *Historia de España* by stating:

“La historia contemporánea de España empieza con una Guerra santa”<sup>5</sup>

By identifying the Peninsular War (1808-1814) with a Crusade the Jesuit historian, among others<sup>6</sup>, is just but restating a long lasting traditional assumption. Spain had been “martillo de herejes, luz de Trento, espada de Roma, cuna de San Ignacio...; esa es nuestra grandeza y nuestra unidad; no tenemos otra”, as famously put by Marcelino Menéndez Pelayo and it gained it the title of the most Catholic country in the world.

### **1. Catholic Citizenship as a very peculiar form of Religious Nationalism**

Some general reflections on some salient features of the specific religious nationalism that spread among Spaniards of both sides of the Atlantic around *el momento gaditano* and that was first enshrined in the 1812 constitution will follow. To begin with, it is important to stress the use of the notion of citizenship that will be made in this text. Citizenship in the modern era relates to both a legal status and a shared identity that classify ‘all’ members as equals. It is in this second sense, citizenship as a shared politico-cultural identity that will be preferred here. It is also relevant to remind that these cultural and political, i.e. Catholic, traits were shared by a good number of Latin American constitutions in the following decades. They relied on a compromise, or a mixture, between the historicist legacy of Hispanic understanding of the common good and the centrality of religion in it, on the one hand; and the more modern ideas of national sovereignty, constitutionalism, and the rule of law, on the other. This is what I mean by Catholic citizenship: the liberal plan of combining modern freedoms and institutional novelties devised for the *españoles de ambos hemisferios* to which the Cadiz Constitution is addressed. This plan comprised the forced and intolerant respect of the alleged religious unity of the Hispanic transatlantic polity as a key and founding element of its whole design. A Catholic and a citizen were meant to be one and the same thing. The religious boundaries of the community will necessarily coincide and overlap with the

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<sup>5</sup> Manuel Revuelta “Religión” en *Historia de España* dirigida por Manuel Menendez Pidal, Tomo XXXV, La época del Romanticismo, 1808-1874, Espasa-Calpe: Madrid, 1989, p. 478.

<sup>6</sup> Genís Barnosell, “La guerra de la Independencia como guerra religiosa: el ejemplo de los sitios de Zaragoza y Gerona”, *Nuevo Mundo Mundos Nuevos* (on-line), Debates, 2010. For alternative views see Scott Eastman, *Preaching Spanish Nationalism across the Atlantic, 1759-1823*, Louisiana State University Press, 2012 and my chapter “‘Del altar una barricada, del templo una fortaleza’: 1808 y la Nación Católica” in Joaquín Álvarez de Barrientos (ed.) *La Guerra de la Independencia en la cultura española*, 75-105.

emerging sovereign political body.<sup>7</sup> I will thus not cover in this talk the rejection of the status of citizenship to women, most *indios*, Afro Americans, *dependientes* and so on. Maestros such as Manuel Pérez Ledesma or Bartolome Clavero<sup>8</sup> have already written extensively about it, so I will modestly focus instead on chapter 2 of the text whose approval we are studying these days and its controversial article 12:

“La religión de la Nación española es y será perpetuamente la católica, apostólica, romana, única verdadera. La Nación la protege por leyes sabias y justas y prohíbe el ejercicio de cualquiera otra”

I will aim to frame and account for the significance of this declaration in the wider processes of the war and the revolution that had started in March 1808. I will also elaborate on the attempt to organise and exert political power along new, exceptional lines, combining religious and revolutionary sources of legitimacy. Therefore it will be useful to explore the main factors behind the determination of Spanish and Spanish American liberals to take charge of the religious wellbeing of the nation from the outset as “their” main role as representatives of the public and that Catholic rituals and authorities were engrained in the vast majority of the nation-states that emerged from the Spanish Empire from 1808 to, at least, the early 1830s.

The usage of religious traditions in processes of nation-building is a well known phenomenon that has been widely studied by authors such as Roger Brubaker, Roger Friedland, Adrian Hastings, Josep R. Llobera, Anthony Smith and Peter Van de Veer, among others.<sup>9</sup> Their works have focused on the religious elements of nation creation and reproduction deployed by XIX and XX centuries’ nationalists. According to these authors religion offers two key elements to complement those nationalist discourses which release politics from its traditional shackles:

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<sup>7</sup> I have developed these notions in “Ciudadanía católica y ciudadanía laica en la España Liberal, 1808-1874” in Manuel Pérez Ledesma (dir.) *De súbditos a ciudadanos. Una historia de la ciudadanía en España*, Centro de Estudios Políticos y Constitucionales: Madrid, 2007, 165-1992.

<sup>8</sup> Manuel Pérez Ledesma, “Las Cortes de Cádiz y la sociedad española”, *Ayer*, ISSN 1134-2277, Nº 1, 1991, 167-206; and Bartolomé Clavero Salvador, *Geografía Jurídica de América Latina: Pueblos Indígenas entre Constituciones Mestizas*, México City: Siglo XXI, 2008.

<sup>9</sup> Roger Brubaker, ‘Religion and Nationalism: Four Approaches’, *Nations and Nationalism*, vol. 18, Issue 1, 2012, 2-20; Roger Friedland, ‘The Institutional Logic of Religious Nationalism: Sex, Violence and the Ends of History’, *Politics, Religion and Ideology*, Vol. 13, n. 1, 2011, 1-24; Adrian Hastings, *The Construction of Nationhood: Ethnicity, Religion, and Nationalism*, CUP: Cambridge, 1997; Josep R. Llobera, *The God of Modernity: The Development of Nationalism in Western Europe*, OUP: Oxford and Providence, 1994; Anthony Smith, *Chosen Peoples: Sacred Sources of National Identity*, CUP: Cambridge, 2003; Peter Van de Veer, *Religious Nationalism. Hindus and Muslims in South Asia*. Berkeley: University of California Press, 1994. For Central Europe see Heinz-Gerhard Haupt and Dieter Langewische (eds.) *Nación y religión en Europa. Sociedades multiconfesionales en los siglos XIX y XX*, Zaragoza, Cometa, 2010.

1. Religion provides a Cosmology of punishment and redemption which informed the newly created political beings and also makes them ready to use and suffer violence in the name of God. To put it with Max Weber: “War provides death a ‘consecrated meaning’ through this ‘community unto death’. Love – of the cause, of the leader, of one’s community and combatants – makes death meaningful”<sup>10</sup>.
2. And secondly, religion also provides nationalists with a language of ultimate order, as it supplies a cosmogony and a metaphysical framework to the new community of citizens. It therefore helps set the rational, emotional and symbolic framework in which modern nations develop. Religiously pre-constituted nations also face a set of limits that determines them but the unchallenged inherited religious traditions provide them with well defined patterns.

Most modern narratives of nationhood are not exclusively based on common religious bonds. Its recreations use other elements rooted in traditional systems of beliefs with future perspectives of regeneration. In many cases emerging nationalist discourses also refer to revolutionary sources of legitimacy that ground statements of national sovereignty. Nationalist discourses try to cover past and future, so they link communities with their created or imagined past, as well as with a more than desirable future of victory and expansion. Religious nationalisms try hard to make the best use of both worlds.

Moreover, the abdications of Bayonne and the invasion of the Peninsula by the Imperial troops led to a war situation affecting both Spain and Portugal. In that sense, Spain they were no exception. Religious nationalisms have proved to be historically prone to justify violence and narratives of sacred nations are engrained in battles and full-fledged wars against old and new enemies. It is through the desire to give his, or her, own blood and life for the sake of national survival or aggrandizement that a patriot proves to be a rightful member of the newly created community. This giving one’s life for the sake of the nation has been depicted by the military historian Jonathan Nichols as a “Cheerful sacrifice” referring to the 1917 battle of Arras.<sup>11</sup>

It must hence constitute the utmost experience for any single patriot to shed his/her own blood dot the fatherland: through it national life would be regenerated. This vision displaces and accompanies notions of religious sacrifice and redemption rather than replacing it. In so doing, religious nationalist discourse largely relies on the sociological and ideological phenomenon labelled as “transfer of

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<sup>10</sup> M. Weber, “Religious Rejections of the World”, p. 333 as quoted in R. Friedland, see above, p. 9.

<sup>11</sup> Jonathan Nichols, *Cheerful Sacrifice. The battle of Arras 1917*, Pen and Sword: Barnsley, 2005.

sacredness". Although the religious bond that theoretically joined together all citizens de las Españas and, above all, the role of the Catholic Church in the constitutional nation provoked bitter debates, the fact that roughly one third of the MPs seating at Cortes from 1810 to 1814 were members of the secular clergy made this complex process relatively easier. Not in vain, the opening salutation of the Magna Carta went 'In the name of Almighty God, the Father, Son and the Holy Ghost, creator and supreme legislator of society', making the articles that follow it resemble the lines of a civic prayer. Let us see now, then, how Spain shows itself as a Catholic nation.<sup>12</sup>

## **2. Spaces and rituals to visualize, build and participate in the new nations**

The parish was the theatre of power designates by the Spanish MPs through the Constitution to carry out the transfer of sacredness. It was central to the three tiered electoral process. Once elections were held and candidates chosen, the parish and the cathedral were also the *locus* of the ratification of their right to hold office. These celebrations that took place in local parishes were not mere constitutional parties. They were substantial part of the formal procedure through which elections must be celebrated as the Magna Carta prescribed. According the 1812 Spanish Constitution<sup>13</sup>:

Art. 34. For the election of deputies to the Cortes, parish, district, and provincial meetings shall be hold.

Art. 35. The parish elective meetings shall be composed of all citizens settled and resident in the district of each respective parish, including the secular ecclesiastics. (REGULAR ECCLESIASTICS, i.e. MONKS were not allowed to be elected although they could vote and elect their representatives)

Art. 30. These meetings shall always be held in the Peninsula, the islands, and adjacent possessions, the first Sunday in October the year previous to the meeting of the Cortes.

Art. 40. The parish meetings shall be presided over by the chief of police, the mayor, or chief magistrate of the city, town, or village wherein they may be held, with the assistance of the parish priest, to give the greater solemnity to the occasion.

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<sup>12</sup> The works of José María Portillo Valdés have made a decisive contribution to this field: his books have set the academic scenario where we still move. See José M. Portillo (et al.) *La Nazione Cattolica. Cadice 1812: Una Costituzione per la Spagna*, Manduria: Lacaita, 1998; *Revolución de nación. Orígenes de la cultura constitucional en España, 1780-1812*, CEPC: Madrid and *Crisis Atlántica. Autonomía e independencia de la Monarquía Hispana*, Fundacion Carolina-Marcial Pons: Madrid, 2006.

<sup>13</sup> I will quote the English version published in 1820 with the title "The Spanish Constitution proclaimed in March, 19<sup>th</sup>, 1812. Re-proclaimed in March, 19<sup>th</sup>, 1820, and adopted as the constitution of Naples and Sicily, July 4<sup>th</sup>, 1820". London: Benbow.

Art 47 At the appointed time of meeting-, which shall be in the council chambers, or in the usual place, the citizens, having met, shall go to the parish church with their president, when shall be celebrated a solemn mass of the Holy Ghost, by the parish priest,

Art. 58. The citizens who formed the meeting shall go to the parish church, where a solemn Te Deum shall be chanted.

These religious performances, so much rooted in the inherited rituals of power derived from absolutist times, are not to be taken lightly in the Hispanic liberal age. They embodied and stressed both the 'historicism' and that 'corporatism' that informed the spirit and the letter of the constitution. Two characteristics of the first Hispanic constitutionalism which along with 'jurisdictionalism' were its key ideological components, as stressed by Marta Lorente and Carlos Garriga<sup>14</sup>, following Tomas y Valiente and Clavero long standing suggestions<sup>15</sup>. Not only were electors and representative obliged to hold elections in parishes. On top of it, they were also meant to carefully listen to the interpretation of the Constitution that local priests were requested to provide in sermons:

Art. 71. This business being over, the parish electors shall go to the chief church with their president, where a solemn mass of the Holy Ghost shall be chanted by the Clergyman of the highest rank present, who shall deliver an appropriate sermon.

Moreover, on the second level of elections, the district, the procedure to follow was basically the same and it also combined religious and civil elements:

Art. 80. Subsequently, the district electors shall proceed to the cathedral, or chief church, where a solemn mass of the Holy Ghost shall be chanted, and the bishop, or in his absence the clergyman of the highest rank, shall deliver a sermon suited to the occasion

Along with the occupation of the sacral space and its actual constitutionalization to render it appropriate as the stage where to celebrate, enact and embody national sovereignty, the second trait of the 1812 Constitution I would like to underscore in this paper is the crucial importance of the constitutional oath that citizens, electors as well as representatives must take. The sacred oath has

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<sup>14</sup> Carlos Garriga y Marta Lorente, *Cádiz 1812: La constitución jurisdiccional*, CEPC: Madrid, 2007.

<sup>15</sup> See, among other works, Francisco Tomás y Valiente, "Génesis de la Constitución de 1812. I. De muchas leyes a una sóla constitución", *Anuario de Historia del Derecho Español*, 65, 1995, 13-125; and Bartolomé Clavero, *Razón de Estado, Razón de Individuo, Razón de Historia*. Madrid: CEPC, 1991. For an overview of this renewed Spanish constitutional historiography and the 'modelo hispánico', see Carlos Garriga (coord.), *Historia y constitución. Trayectos del constitucionalismo hispano*. México: CIDE-Instituto Mora-El Colegio de Michoacán- Eld-Hicoes-El Colegio de México, 2010.

been depicted as 'the sacrament of power' by Paolo Prodi<sup>16</sup>, and this notion seems fully applicable to the enacted elections and swearing of allegiance to the Constitution by the elected representatives after the first constitutional elections to be held in Spain. Moreover, the full commitment to the preservation and defence of the Catholic faith could have hardly been made more relevant in the new rituals. They constituted the first duty of any political representative:

Art. 117. The last preparatory meeting shall be held on the 25th of February, in every year, at which all the deputies shall take the following oaths on the Holy Evangelists: "I swear to defend and preserve the Catholic, Apostolic, and Roman religion, without admitting any other into the kingdom. "I swear religiously to guard and keep protected the political constitution of the Spanish Monarchy, sanctioned by the general and extraordinary Cortes of the nation in the year 1812. "I swear to conduct myself well and faithfully in the trust the nation has committed to my care, considering entirely the good and prosperity of the nation. If thus I act, may God reward me; and if not, may God be my judge.

But the Cortes did not leave the delivery of such a huge task to the elected representatives alone. They also imposed it upon the Head of the State. The king, Fernando VII, will devote his outmost efforts to achieve the same sacrosanct goal as prescribed by the Constitution for his own oath of political allegiance:

Art 173 Ferdinand by the grace of God and the constitution of the Spanish Monarchy, King of Spain. I swear by the Almighty, and by the Holy Evangelists, that I will defend and preserve the Catholic, Apostolic, and Roman religion , without tolerating any other in the kingdom ; that I will guard, and keep protected, the political constitution, and the laws of the Spanish monarchy, in all my actions, viewing only the welfare and advantage thereof (...)

Although the Inquisition was abolished in January 1813, the tithe reduced by a half and the religious houses with less than 12 active members closed, the compromise with the inherited religious legacy could have hardly been more serious and revered. As it regards to the legal status of ecclesiastics, the Constitution also showed a historicist tone. Article 249 could not be more explicit about it: "The Clergy shall continue to enjoy the usual privileges in the manner regulated by law, at present or in future".

Even more importantly, the sociological role of the clergy and the centrality of its pastoral and educational roles were also to be preserved and even fostered. The MPs in fact requested the religious

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<sup>16</sup> *Il sacramento del potere. Il giuramento politico nella storia costituzionale dell'Occidente*. Roma: Il Mulino, 1992. The best analysis of this political ritual under the Cadiz Constitution keeps on being Marta Lorente, *El juramento constitucional*, AHDE LXV, 1995, pp. 585-632.



authorities with the dissemination and explanation of the constitutional values to all parish priests, as well as teaching members of the clergy working for any school:

Art. 368. The general plan of education shall be uniformly the same in the whole kingdom, all universities and literary establishments, where the ecclesiastical and political science\* are taught, being bound to explain the political constitution of the Spanish monarchy.

### 3. A (Trans) Atlantic Catholic citizenship

Since 1808 Hispanic American pro-independence movements had members of the clergy amongst its leaders. In New Spain, in particular, the role of Catholic priests and canons can hardly be exaggerated. But the shade of Morelos and Hidalgo was long and the initially autonomous, then pro-independence, Creole elites found in leading ecclesiastics a firm support. For example, Roberto di Stefano<sup>17</sup> and others have shed light on this topic for the River of the Plate region in the last decade. The presence of Latin American MPs in the Cadiz Cortes, even if in a shorter number than it was deemed fair by the Creole elites, made possible to flag up some degree of legitimacy when resistance or utter rejection of the Constitution started to unfold right after its proclamation. On the other hand, the American MPs at the Cadiz Cortes, apart from the aforementioned Mejía and Rocafuerte, did not oppose to the *confessionalization* of the nation via Constitution. The different supreme laws introduced by the new independent republics made it evident that the new ruling elites did not aim at eliminate religious intolerance from them and thus made the best use of allegedly shared religious bonds to unite the newly created political bodies.<sup>18</sup>

Let us briefly recapitulate the content of the incumbent articles regarding the religious dimension of the new nations chronologically. The third article of the first Latin American constitution, i.e. la Constitución de Cundinamarca that predates Cadiz by one year as it was passed on April, 4, 1811, the representatives of the Electoral Chamber of Santa Fé de Bogotá stated that the constituent Cortes: “Reconoce y profesa la Religión Católica, Apostólica, Romana como la única verdadera”.<sup>19</sup>

Some months later, also in the Viceroyalty of New Granada, another constitution was introduced by the representatives of Margarita, Mérida, Cumaná, Barinas, Barcelona, Trujillo y

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<sup>17</sup> Nancy Calvo, Roberto di Stefano y Klaus Gallo, *Los curas de la Revolución*, EMECÉ: Buenos Aires, 2002.

<sup>18</sup> Some valuable reflections on this topic can be found in José M. Portillo Valdés, “La revolución constitucional en el mundo hispano” in Bartolomé Clavero, José M. Portillo y Marta Lorente, *Pueblos, Nación, Constitución (En torno a 1812)*. Rosa de Nadie: Vitoria, 2004, 53-101, esp. 91-95.

<sup>19</sup> Probably the best monograph on the origins and development of Hispanic liberalism in current Columbia is by Daniel Gutierrez Ardila, *Un Nuevo Reino. Geografía política, pactismo y diplomacia durante el Interregno en Nueva Granada (1808-1816)*, U. Externado de Colombia: Bogotá, 2010. See especially 235-278.

Caracas that have met for longer than one year in the local Congreso General. They drafted the Constitución Federal para los Estados de Venezuela and passed it on December, 21, 1811. Its first article argues that

La Religión, Católica, Apostólica, Romana, es también la del Estado, y la única, y exclusiva de los habitantes de Venezuela. Su protección, conservación, pureza, é inviolabilidad será uno de los primeros deberes de la Representación nacional, que no permitirá jamás en todo el territorio de la Confederación, ningún otro culto público, ni privado, ni doctrina contraria á la de Jesucristo.<sup>20</sup>

This formulation left no space for religious dissidence, as if the new republics were in a race with the old fatherland to see who was more intolerant. Surprisingly, however, the Constitución de Cúcuta (1824) did not mention Catholicism at all. The Carta Magna that created the Gran Colombia refers to the Supreme Being, with its revolutionary and Masonic resonances, but not the Catholic religion. As pointed out by Matthew Brown, that maybe was one of the main outstanding differences with the 1812 one.<sup>21</sup> Even in this case there are some odd similarities though. The parish is again the chosen locus to hold elections, for instance (art. 8). The smallest electoral locus of the newly created Gran Colombia would be the parish and parochial assemblies would be held to choose and proclaim local representatives (art. 13-18), as well as it was prescribed by Cadiz.

An unyielding and incomparable fidelity to Catholic intolerance can be found in Peru. Its constitutions and constitutional bases proclaim full loyalty to Roman Catholicism with the prohibition of any other cult throughout the nineteenth century and until the introduction of a derogatory act passed in November 1915. In fact, this commitment is one of the few constant features of the text passed by Peruvian parliaments in 1821, 1822, 1823, 1826, 1828, 1834, 1839, 1856, 1860, 1869 and 1879.<sup>22</sup>

Same staunch Catholicism can be found in Mexican constitutions during the first half of the nineteenth century. The new leaders of the territories of New Spain were, however, subject to some bitter criticism due to this strategy. For instance, Vicente Rocafuerte, who would represent Mexican mining and trade interest throughout Europe in the 1820s heavily criticised the first Mexican constitutional text, the 1821 Plan de Iguala, Its first article says that 'The religion of New Spain is and will be the Catholic, Apostolic, Roman, with no sovereignty for any other'. Rocafuerte charged against their allegedly inconsistent preservation of religious intolerance arguing:

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<sup>20</sup> An assessment of the constitutional debates in New Granada in Carlos Restrepo Piedrahita "Las primeras constituciones políticas de Colombia y Venezuela", AYER, 8, 1992, p. 75-146.

<sup>21</sup> "Cádiz and Gran Colombia". Unpublished working paper read at '1812 Echoes: The Cadiz Constitution in Hispanic Culture and Politics', University of Nottingham, 23-24 March 2012. I personally thank Dr Brown for his kind permission to quote his magnificent text.

<sup>22</sup> : Domingo García Belaunde, *Las constituciones del Perú*. 2nd ed. Fondo Editorial de la Universidad San Martín de Porres: Lima, 2006.

Si después de diez años de independencia y de ensayos de libertad no nos hallamos en estado de entrar en el examen de la tolerancia religiosa, ¿para cuándo dejaremos la solución de este importantísimo problema?<sup>23</sup>

Moreover, he framed his reflections on a wider perspective and in the very same essay wondered "¿Qué ha ganado la América en haber cortado con valentía el cable que la tenía amarrada al trono de España, si queda aun atada al carro triunfal al rey de Roma?"<sup>24</sup>. Nevertheless, the views of the bright Ecuadorian republican and freemason was not too common among Mexican MPs for the second article of the 1824 Constitution reads: "The religion of the nation is the Catholic, Apostolic and Roman, protected by law and with prohibition of any other whatever". Three years later the commitment was made even firmer. It recovers the perpetuity clause and links Catholicism to the state instead of to the nation. In 1827, article 12 stated "The religion of the state is and will be the Catholic, Apostolic and Roman, protected by law and with exclusion of any other whatever".

It was only in 1861 in a new constitution passed after a long and bloody civil war and the tremendous efforts devoted to the cause of secularism by president Benito Juárez that Catholic intolerance will disappear from Mexican constitutional texts forever.<sup>25</sup> The 1859 Leyes de Reforma that regulated civil marriage and burials, introduced a civil registry, disentailed the Church's lands and set civic public holidays have clearly paved the way for it. In any case, the Catholic resistance against was described as 'arrogant *statism*' and 'aggressive secularism' was far from over.<sup>26</sup> The Argentine case, among others, will presumably be dealt with by Prof. Di Stefano in a more adequate and detailed manner.

#### **4. The anti-liberal use of religious ascriptions: the Spanish case**

In most European nations, political legitimacy stemmed from the devotion to the inherited monarchical and Christian tradition that in the first third of the nineteenth century moved on to ground itself on its newly found source, i.e. national sovereignty. The move has nothing natural or rational to it. On the

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<sup>23</sup> *Ensayo sobre la tolerancia religiosa*, Mexico City, 1830, 17.

<sup>24</sup> *Ibid*, 21.

<sup>25</sup> Reynaldo Robles Martínez, *Historia de las Constituciones del Estado de México*, 139-157.

<sup>26</sup> Pablo Mijangos y González, *The Lawyer of the Church: Bishop Clemente de Jesús Munguía and the Ecclesiastical Response to the Liberal Revolution in Mexico (1810-1868)*. Unpublished PhD Dissertation. University of Texas, Austin, 2009. As for the economic aspects, *Church Wealth in Mexico: A Study of the 'juzgado De Capellanias' in the Archbishopric of Mexico 1800-1856*, CUP: Cambridge, 2008. From a Protestant point of view, some valuable hints are provided by Pablo Alberto Deiros in his *Historia del cristianismo en America Latina*, Fraternidad Teológica Latinoamericana: Buenos Aires, 1992.

contrary, if successfully completed, it can only be the outcome of a complicated and manifold set of cultural and political operations and calculations that are highly ritualized and symbolic, as we have just read in the 1812 constitution. Let us try and see how a given religiously pre-constituted community acquired some distinctive anti-liberal features literally preached on by interested actors and agencies.

The heyday of nation creation and the successive proliferation of liberal nationalist discourses in Europe provided a fertile ground for the emergence of competing definitions of nationhood and nationness, to use Brubaker's terms. In each individual case the level of inclusiveness and the actual meaning of the ideological identification of a given nation with the defence of a certain religious adscription divert widely. To put it roughly, progressive, moderate or even anti-liberal versions of nationality were simultaneously born and competed among themselves to lead the way.

A group of counterrevolutionary ecclesiastical authors, ranging from Father Alvarado to Fray Diego Jose de Cadiz, paradoxically following French authors such as Baurrel or De Maistre, denounced the foreign character of liberal and revolutionary ideas right after the French Revolution and during the French invasion of Spain starting in 1808. Paradoxically, as Isaiah Berlin put it, Maistre was French but also one of the worst enemies of Enlightenment.

The emphasis of these Spanish ecclesiastical propagandists was put on the alien, foreign nature of the new conceptions of liberty and equality endorsed and enforced by the revolutionary authorities. Moreover, the French occupation seemed to prove them right and the Spanish clergy insisted in all kinds of publications and sermons on the idea that the Spanish people was fighting for *el Rey y la Religión* as a homogenous whole. I will not go into too much detail now about the ideological agenda behind this identification but will try to show that it was shared by a wide spectrum of political actors who soon started to evolve, split and compete among themselves.

The departing point was shared by most political actors: Spain has been and was a Catholic country that owed all past glories and splendour to its faithfulness to its religious adscription. This assumption was constantly repeated by the anti-liberal ultramontane school in sermons, papers and essays throughout the nineteenth century in order to discredit constitutional governments and undermine their legitimacy. In a nutshell, Napoleon faced a nation who has been victorious in previous wars only to the extent to which it had honoured its most sacred duty to God:

Recorred, Señores, todos los periodos de nuestra gloriosa historia, y veréis en esa Religión divina que nos anuncia el Santo Apóstol la base de nuestra nacionalidad, y su ánora de salvación en todas las tempestades que amenazaron destruirla; veréis arder juntos a la sombra del Santuario, formando una sola llama, el celo

religioso y el amor patrio, cuyo fuego sagrado adquiere el carácter español ese elevado temple de constancia y de heroísmo que llenó de admiración el mundo.<sup>27</sup>

Even if most relevant political actors shared this view well further down the nineteenth century, it seems necessary to emphasize that it was only after 1814 that growing sectors of the clergy started to be perceived as vengeful and mostly anti-liberal, due to their involvement in purges and their strategic alliance with the restored absolutism of Fernando VII. The most influential hierarchical sectors of the Spanish Catholic Church thus rejected liberalism outright and sided with monarchical absolutism from the very beginning of modernity.

On the other hand, however, once oligarchic liberalism stabilized and consolidated itself two decades later under Isabella II (1834/1843-1868) it was patent that Spanish governing elites were not willing to embrace religious tolerance. In several constitutions, in the Penal Code and in the 1851 concordat it was once and again clearly stated that in Spain not only the state was confessional, as well as in England or in Italy, but also that it was intolerant. This liberal commitment to religious intolerance had been traditionally interpreted as 'tactical' and 'inevitable' whereas very little things are truly inevitable in the history of humankind and any tactical decision unchanged for longer than five decades can hardly be described as merely 'tactical'. In our view, the successive parliaments and cabinets who passed and enforced those laws acted out of deeply felt conviction. In that sense, it would be better to start thinking of their stubborn rejection to religious toleration as something different and more substantial than a mere tactic. Maybe time is come to regard this unaltered and distinctive feature of Spanish liberalism as constituent and central to Spanish national identity.

Nevertheless, the Catholic Church's position in liberal Spain was severely undermined by a number of reforming measures throughout the nineteenth century. Just to name a few we could recall the sale of its lands, the reduction and abolition of religious orders, the abrogation of ecclesiastical exempt jurisdiction over penal and civil matters, the abolition of the tithe and the Inquisition, and so on. But this reduction of the social and economic presence of ecclesiastical agencies went hand in hand with the educational and spiritual monopoly decreed by the same authorities. To which one should add the political indoctrination of the population. According to nineteenth century legislation the clergy was responsible also for educating the citizenry on civic values and for briefly exposing basic notions of the constitutional values at masses, underpinning the political regime devised by liberals. The underlying plan was to force the Catholic Church, which was the most geographically widespread and respected institution in Spain, to become the first nationalizing agency of the country. All this, however, needed to

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<sup>27</sup> Sermón que en la solemne fiesta celebrada en honor del Santo Apóstol su titular y patrono de España, por el capítulo de caballeros de la orden de Santiago el día 25 de Julio de 1850 predicó el Ldo. Bernardo Rodrigo y López, capellán de honor de SM.

be carried out against Rome's repeated condemnations of new political ideas and institutions and zeal for autonomy from the civil authorities. In that sense, there is an ongoing debate in Spanish historiography regarding the role of the Church in spreading nationalistic views and values. To authors such as Alvarez Junco it was an impossible mission for the Church was interested in creating Catholics and not Spaniards<sup>28</sup>, whereas younger historians such as Maitane Ostolaza or Alejandro Quiroga have shown that it was entirely possible to use the ecclesiastical institutions and staff to teach and preach nationalizing messages.<sup>29</sup>

All the same, the Moderate Liberals regime that stretches from 1844 to 1868 witnessed a rapprochement between church and state positions. The 1851 Concordat between Queen Isabella II and Pius IX, apart from implying the actual and long delayed acknowledgement of the Queen's rights to the throne, signposted the growing agreement amongst both the civil and ecclesiastical authorities. Along with these political agreements there was an increasing *ritualization* of the newly founded harmony between them at different symbolic levels. Masses being said whenever a public position was occupied, at the beginning of Parliament's sessions, the blessing of flags of newly created police bodies such as the Guardia Rural, are only but a few examples of the deeply embedded Catholicization of state ceremonies.

In one of those civic-religious services, the oath of the national flag by the Guardia Rural, the priest depicted a genealogy of Catholic patriots that ran:

Hijos nosotros de los que para defender su nacionalidad, su religión y sus tradiciones derramaron generosos su sangre en las Navas de Tolosa, Lepanto y el Salado, en San Quintín y en Pavía; solo en el sentimiento religioso y en el amor patrio debemos inspirar nuestras almas, para contrarrestar denodados la acción corrosiva de esa ciencia renovadora, nacida allende los Pirineos<sup>30</sup>

To the old enemies of the nation and the faith, i.e. Muslims, Jews and Protestants, in 1868 one needs to add up modern science, materialism, socialism and communism. As the priest clearly stated it:

Fiel intérprete de la enseñanza de ese Restaurador divino, yo repetiré al filosofismo socialista de nuestro siglo, Religión, Familia, Propiedad: hed ahí los tres vértices de la piedra angular, que sirve de cimiento a toda sociedad armónicamente constituida. Fe y propiedad; hed ahí los dos polos sobre que descansa el gran eje del mundo;

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<sup>28</sup> José Alvarez-Junco, "La difícil nacionalización de la derecha española en la primera mitad del siglo XIX", *Hispania*, LXI, n. 209, (2001), 831-858.

<sup>29</sup> Maitane Ostolaza, *Entre religión y modernidad. Los colegios de las Congregaciones Religiosas en la construcción de la sociedad guipuzcoana contemporánea, 1876-1931*. UPV: Bilbao, 2000; and Alejandro Quiroga and Sebastian Balfour, *The Reinvention Spain: Nation and identity since Democracy*, OUP: Oxford, 2007, Ch.1. Similar findings in the French case in Sarah A. Curtis, *Educating the Faithful. Religion, Schooling and Society in Nineteenth-Century France*, Northern Illinois UP: DeKalb (IL) 2000.

<sup>30</sup> *Discurso que en la solemne bendición de la bandera del cuerpo de Guardia Rural de la provincia de Granada, pronunció en la Santa Iglesia Catedral don Francisco Bermudez de Cañas, 1868*, p. 8-9.

¿quitáis uno de ellos? ¡Miserables! Habéis desquiciado la máquina del universo social.<sup>31</sup>

Two main factors led the actual canonization of Spanishness to acquire that distinctively conservative nature. To begin with, let us mention that the inner evolution of Catholic organizations and doctrines under Pius IX took a clearly antimodern and antiliberal pathway. Even if the pope had raised some vague expectations about his liberal leanings in the late 1840s, by the mid 1860s it was clear that he was no liberal, especially after the 1864 explicit and overt declaration of war against modernity in the shape of the Encyclicals *Quanta Cura* and the *Syllabus of Errors* as turning points. Most surely the Italian Risorgimento and the lost of the Holy See controlled provinces during its development had something to do with Pius' policies and dogmatic strategy. Secondly, the church in Spain entertained a pretty complex and unclear relationship with Carlismo. Being such a far reaching, numerous and internally diverse organization, the Spanish Catholic church, taken as a whole, cannot easily be identified with legitimism and violent opposition to the liberal regime. However, there was a widening consensus that Catholicism was the last and insurmountable barrier against communism:

Cuando nos muestra el puñal comunista, como la única solución a los graves problemas que hoy preocupan las almas y conmueven España y el mundo, nada más consolador que el espectáculo de esa multitud de valientes guerreros que evocando en su memoria nuestras gloriosas tradiciones, alentados por la inspiración heroica que se levanta de la tumba de sus padres, se agrupan en rededor de una bandera, cuyo lema es "Patria Y Religión", protestando con solemne juramento derramar su sangre y oponer en sus nobles pechos la invencible muralla que jamás lograrán traspasar las ambiciones locas de la escuela socialista.<sup>32</sup>

When Menendez Pelayo published in 1882 his renowned *Historia de los Heterodoxos Españoles* he argued that Catholicism has been the common and only valid link that had traditionally kept united the different Spanish peoples. In his view, the common set of religious beliefs had cemented a shared sense of belonging among regions and communities separated by distinct languages, traditions, legislation and folklores.

Religion and warfare too, for Catholicism provided both *unidad y gloria*. And the Crown both in the past had needed the use of force far too often to safeguard. The proof of Spanish inherent Catholicism is traced back in its participation in the defensive battles against external and internal foes, and the material and spiritual challenges that have challenged the inherited faith. Therefore, the medieval military campaigns against the moors, commonly known as the Reconquista, the European

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<sup>31</sup> Ibidem

<sup>32</sup> Ib.

religious civil war that followed the Protestant Reformation, and the spiritual conquest of the Americas had all shown the tight links that unite Spain to Roman Catholicism. Much money, blood and resources had been devoted to protect and defend, rescue and save Christianity. This canonical genealogy, apart from conveniently ignoring the long medieval Muslim Iberia also conceals the presence of other religious minorities, such as the Hebrews. On the other hand, this specific interpretation of the national past was heavily loaded with ideology. From this antiliberal viewpoint, full respect and submission to tradition, monarchy and social hierarchy were also part of the same Spanish lot. Therefore, the valiant Spanish soldiers who had fought in all those domestic and international wars had allegedly shared a set of values that not only imply Spain must be Catholic but also that for that very reason it could not be either liberal or democratic.

This re-appropriation of the national essence was linked to the mere acceptance of the collective identity based on sovereignty based on other sources than divine right. In other words, as Alvarez Junco has argued, it was the final version and result of the long lasting and difficult process of nationalization of the Spanish Catholic right wing. Nations, as defined and run by the liberal ideals, were Godless as their existence was deprived of scatological or supernatural foundations. Hence, for Balmes, Donoso and finally Menendez Pelayo they needed to be Christianized, more specifically casted and reshaped in a Catholic pattern. To Menendez Pelayo:

We were probably not destined to form a great nation because of the land we live on, nor because of our race, nor because of our character.... Only common religion can provide a people with its own, specific life, with the consciousness of a strong unanimity; only religion can legitimate and found the laws.... Without a common God, a common altar, common sacrifices, without praying to the same Father and being reborn in a common sacrament, how can a People be great and strong?... Christianity gave its unity to Spain....Thanks to it we have been a Nation, even a great Nation, and not a multitude of individuals.<sup>33</sup>

## CONCLUSIONS

Religious nationalism was first formulated in the Hispanic world in the wars against the French Convention (1793-1795) and the Napoleonic Empire (1808-1814). It was then legally enshrined and consolidated under the transitional society led by oligarchic liberalism where class ascriptions and class discourses were emerging. On the Western side of the Atlantic, in the new independent republics, the postcolonial nationalistic discourse and ecclesiastical policies enforced by the Creole elites did also follow suit. And this close association between nationalism and liberal Catholicism spread also in Mexico, Colombia, Venezuela and Peru at least until the late 1850s. A deep and swift wave of

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<sup>33</sup> Historia de los heterodoxos españoles (1882), 1967, vol. 2, 1036.



secularization would be witnessed across the Atlantic after 1860. The Paris Commune, the Sexenio Revolucionario, German unification and *Kulturkampf* with Mexican and, more generally, Latin American versions and reverberations, questioned and cancelled a large part of the Catholic ecclesiastical privileges. Even more importantly, the end of the temporal power of the Pope and the creation of Italy, opened a new stage in the long history of church-state relations worldwide and fostered the acceptance of religious toleration. However, the toleration of other cults and the restriction of clerical privileges did not always amount to truly religious tolerance with its equality between different cults and the creation of a religious blind state. In any case, this secularization had also an impact on the Catholic as well as Protestant usage of religious narratives and symbols in their respective nation-building agendas.

Secondly, Spanish and Hispanic liberalisms struggled to define and constitute a non-religious public and individual sphere where toleration and reason would blossom and generate even the notion of a self-constituted self. In other words, their long-lasting commitment to religious intolerance ended up being the thickest spanner in the works for the process of individualization. As a result, those Catholic citizens that populated the Spanish speaking Iberian Monarchy and the American republics generally conceived of themselves more than 'brothers' than as 'free individuals', to use an ultramontane analogy. In that sense too Menendez Pelayo was only half right.