



CLERICAL IDEOLOGY IN A REVOLUTIONARY AGE: THE GUADALAJARA CHURCH AND THE IDEA OF THE MEXICAN NATION (1788–1853)

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A Fundamental Shift

Independence, Popular Sovereignty and Freedom of the Press

Political Geometry

This chapter and the ones that follow address the ways in which liberal spokesmen's overall perspectives on change were intertwined with those of the dominant Church groups. Even though liberalism and clerical ideology were clearly opposed on important issues, they also had significant agreements on social questions. Their forms of addressing those questions, however, differed. While liberals – especially after 1824 – saw all around them a widespread and deep-rooted social rot, with little sign of renewal, clerical observers saw things with a distinct twist. That is, they agreed there was an objective need for change and renewal, and that society's imperfections should be addressed, but they held that the transformation required could be carried out without any drastic change in the social order. From the clerical point of view, popular representation was perfectly compatible with social order and discipline and, therefore, with popular sovereignty exercised primarily by the state. Gradualism and constitutionalism were their banners. Laws had to be observed and time had to pass for things to improve. Wanting to build the perfect world in a single step was an illusion which only proved the ignorance or naïveté of whoever proposed it.

In Guadalajara, it was Francisco Severo Maldonado who best addressed the dilemma these ideological positions created, in the *Nuevo pacto social* he wrote for the 1822/1823 Cortes in Cádiz. National independence surprised him before he could finish the



work. In reality, this did not greatly bother the unstoppable cleric; he quickly made the necessary changes so that his project for reforming the Spanish nation would be equally, or even more, applicable to the Mexican nation. Maldonado began with the same premise he had established in his newspaper *El Telégrafo de Guadalajara*: the best reform assumes and requires social peace. Going deeper in his new writings, he quoted Descartes: “Il n’est pas plus aise à un de se défaire de sus préjugés, que de brûler sa maison.” He immediately moved on to Rousseau: “Voulez vous regner sur les préjugés? Commencez a regner par eux.”¹ Translating these principles into concrete terms, he added later on that “alone among all the nations of Europe,” the Spanish monarchy

like nature reproducing herself from her ruins, had discovered in the very vices, errors and disorders of her previous misgovernment the most effective and sure means of achieving swift and complete restoration.²

This was not simply a matter of finding the instruments of renewal among the debris of the past. Citing Jean-Baptiste Say, Maldonado established that “instability produces such dreadful effects that one cannot even pass from a bad system to a good system without suffering serious troubles.”³ He specified that

... a good constitution should be like the sun, which by the wisdom and goodness of the Supreme Being rises every day and lights and heats the good and the bad equally. There is no one who does not share, or might not share, in her healthy influences.⁴

Every interest present in corrupted society had the right to be represented in the new, renewed society of the future. In fact, a secure future could only be built on such plurality and care for the past – and the avoidance of “the sophistries of a false and dangerous liberalism.” The task to be accomplished was the overall coordination of “state interest with individual interest, a sacred and eternal principle.” Here, “there is no room for abstract general wills, but for pragmatic agreements for renewal between the different sectors of society.”⁵ The preacher wrote:

O fathers of the fatherland! Do not rush the advance along your majestic course, or try to speed through many centuries in little time. Do not rush to knock down the Gothic edifice of our aged



former government, without first examining all the parts of its ancient construction. Among them you will find many excellent materials to employ, if you only retouch them lightly and clean them of the unfortunate and Baroque forms the ignorance of past centuries disfigured them with. Thus you will build a new edifice incomparably more solid than those palaces of false façades and utterly squalid interior structure which political architects have raised up among the other nations of Europe in recent years.⁶

Thus Maldonado placed himself on the razor's edge. He invoked his fellow clergy's profound traditionalism, on the one hand, and their awareness of the need for change, on the other. He trusted, as he often stated, that his reform project would be a project with truly general support, overcoming the dispute already launched between the "servile" and the liberals.⁷

By contrast, openly liberal pamphlets were radical and decisive, far from the intellectual and social juggling of Maldonado. Their authors chose to protect their radicalism by writing anonymously, keeping themselves safe from any possible personal counterattack. This also allowed them to blend in with the everyday crowd of people in social life, even if this approach implied a certain hypocrisy.⁸

What held social discourse together was the judgment that the colonial order had been seriously deficient and that present conditions offered good opportunities and broad possibilities for improving matters. Independence consolidated this common discursive base. But the anonymity of liberal pamphlets allowed for various analyses, diagnoses and solutions to be tossed out into the public forum without anyone being tied to them directly. Thus liberal pamphlets became the measure of theoretically possible change. The pamphlets proposed transformation according to principles society had not yet accepted in practice. They were a challenge to the status quo, to conformism, and to the lack of imagination. They were the affirmation of a free and sovereign reason, even if reality was stacked against them and difficult to manage. They were also the means of expression of the independent pride of youth with its own power to reason, understand and finally propose and decide. They allowed sovereign thinkers to let their imaginations and pens run wild without the danger of ad hominem attacks, and without any risk for their own private or public lives outside the forum of unrestricted reason. They were also a reflection of youthful admiration for the achievements of



Europe and the United States, and disappointment with Spanish heritage and ecclesiastical thought.

Maldonado, for all his nit-picking positions towards the past and future, captured the peculiarities of this movement.

Politics is a science as unvarying in its principles as geometry. And just as it would be absurd to say that each people should have their own geometry, so it is absurd to say that each should have their own politics or their peculiar constitution. All these statements prove the general ignorance we are suffering from in the basic and clear principles of the science of association, and how close even the lettered are to doctrines that open the doors to arbitrariness and therefore to tyranny.⁹

In fact, the political geometry being introduced into Mexico originated mostly in literature from north of the Pyrenees, as indicated by the ideas and quotes of Maldonado and the openly declared liberals. It spearheaded critical political debate in Mexico after Independence. Its principles were clearly and constantly felt; one anonymous author proclaimed, in 1823:

The best government is that under whose influence nations grow and prosper, men enjoy the greatest civil liberty, equality is protected, property is defended, and all the rights of the citizen are assured to the greatest degree.¹⁰

Pledges “on matters of government,” he continued, “are conditional,” and they are conditioned precisely by “national confidence.” Sovereignty corresponds directly to the nation, which can change governments whenever it pleases, in keeping with “happiness, the only end of every human society.”¹¹

Thus, the 1820s became an impassioned period when some promoted the idea of a dramatic and definitive change in Mexican life. The declaration of popular sovereignty – moderated at first by the establishment of the Empire, but expanded shortly afterwards with the proclamation of the Federal Republic in 1824 – at once reflected and advanced a new relationship between society and “public affairs.” Prisciliano Sánchez said:

From century to century, there appears for the consolation of humanity a happy moment which passes quickly and never again returns. How unlucky the peoples who uselessly let it escape! Such



is the moment that on the present occasion the heavens in their mercy have offered the nation of Anáhuac [Mexico].

Fellow citizens, ours is a singular epoch: we fortunately find ourselves on the best occasion for happiness if we rightly constitute ourselves in a way dignified and fitting the ideas of the century we are living in.¹²

This vision of things opened and broadened political debate to include social organization, the definition of nationality, the challenges to be faced and the goals to accomplish. The country's problems were blamed on the government's previous lack of representativeness. Now that limitless possibilities opened up before a representative and effective government, many expressed the opinion that no reasonable achievement should be beyond the nation's reach. There were no insurmountable barriers to the progressive development of the nation, only technical difficulties in finding the right mechanism to bring it about, as well as, of course, larger problems in precisely defining desired objectives. Even though such problems might have seemed passing matters, more formalities than realities, in fact the fierce polemics of the 1820s would yield uncertain and worrisome results. This was an impasse, pushing resolution into a more or less distant future. Good faith, optimistic confidence, and the sense of a predictable present and future would have to be severely changed to speed up this process.

The constitutive nature of the 1820s in Mexican life is clear in pamphlets. Leaving aside for the moment pamphlets expressly dedicated to religious matters, the remainder were eloquent testimony to the issues arousing interest and winning the attention of thinkers and legislators. There were treatises on political association, projects and rulings on the financial structure of state and nation, positions on the organization of industry and commerce, many analytical and rhetorical writings about the political transition underway, and finally an assortment of publications about other questions of state organization. To judge by the major thrust of propagandists, public administration drew attention and mobilized political loyalties the most. The press reflected a Guadalajara immersed in the task of defining its personality and public existence in terms of the state and its ideological basis. The structure of society was to be redefined, starting with the state, producing a future unlike the past. Rather than reflecting present-day society, seen as weak and insufficient, the state would bring to life the



elements of transformation and development present within it.¹³ The state was born as a state for the people, but not by the people, or at the very least not by “the people” according to the strict definitions of the time, who were not seen as sound and self-sufficient. “Three centuries of tyranny” were why the people were not able to act for themselves. Now, whatever was not useful had to be dismantled, in order to reassemble society along appropriate guidelines set from the heights of the state.

Tradition was no longer seen as a reservoir of wealth, but as a barrier to making rational and optimal use of all the human and material resources of society. In between the spontaneous repetition of the past and the widely recognized need to overcome it, the state found its place. Just as the transformation of the late medieval state had made the monarchy base itself on the emerging corps of “lettered” advisors, so the national state would now depend on a relatively small number of reformers. These, in turn, would always aim to place themselves close to a state which historically represented the connection point between the various sectors, layers and corporations of highly heterogeneous Hispanic society.

It is worth returning to what José María Luis Mora said in the 1830s:

If Independence had taken place forty years ago, a man born or settled in the territory would not have cared at all for the title of *Mexican*, and would have considered himself alone and isolated in the world, without any other title. For such a man, the title of high court judge [*oidor*], of canon, and even of guild-brother [*cofrade*] would have been more worthwhile and we have to agree that he would have been right, since it meant something positive: to debate *national interests* with him would have been like speaking to him in Hebrew; he neither knew nor could he know any other interests but those of the *body* or *bodies* he belonged to and he would have sacrificed the interests of the rest of society for them, even if they were more numerous and important.... Bodies exercise a kind of tyranny over the thinking and action of their members, and they have quite clear tendencies to monopolize influence and opinion by means of the symbol of the doctrine they profess, the commitments they demand, and the obligations they impose.¹⁴

The national state was called to change this situation, replacing it with a different dynamic based on new principles opposed to past tradition. Like the axis of a wheel, the state was what



communicated each spoke (corporate body or social layer) with the others in the meantime, while the reforms designed to pull that structure apart were being carried out. That is why the state represented the promise of transformation and became the center of social concerns and debates.

The key role of the state in setting societal goals in the Hispanic world cannot be minimized. The Bourbons assigned the state a central position in the transformation of Spain and its Empire. The liberals only partially deviated from this; they considered the reshaping of the state, its laws and its ethics, to be fundamental for any change in society. But they tried to orient the state's activity towards removing corporate privilege, heavy fiscal burdens, bureaucratic clumsiness and exclusivity – religious or otherwise – in public opinion. Curiously enough, the state should ensure that society avoided falling into past patterns, the ones which – from the liberal point of view – had so terribly narrowed the horizons of previous generations. The task of the new, liberal state was to destroy the outmoded patterns and to establish and oversee the liberating new arrangements promising progress.¹⁵

Up until then, Mexican life had been connected on every level with the Catholic Church, and so it was only natural that the Church found itself practically at the center of every debate. Politically, how could absolute priority be given to the popular state derived from popular sovereignty without delving into a debate about the Church and its powerful influence over the personal loyalties of many? Socially, how could a reform of society and economy be launched, how could the state be strengthened for the task, without involving the Church and its most concrete manifestations?

The Promise of Independence: Juggling Nationhood and Freedom

Obviously enough, as already seen, the definition of Mexican nationality sparked disputes between pro-clerical and pro-secular thinkers. If nationality was made a value in itself, that brought out the libertarian and Enlightened aspects of a feisty, popular sovereignty. But if, on the other hand, it was tied to a transcendent mission inspired by Christian messianism, then nationality was turned into a vehicle for achieving something greater than itself. In that case, it would take on a traditional rather than reformist cast coming from sacred respect for the past



in which this destiny had been set. Even more importantly, the Church and its authorities, as necessary spokesmen for this transcendent mission, would be positioned as guides of the nation's steps and transformations. In this sense, defining national challenges and goals implied a series of prior assumptions about politics, nationality and social organization. National challenges and goals would be the point where objective reality clashed with the projection of subjective values, a situation which polarized public opinion in Guadalajara, as pamphlets show.

To stress the point, this was the moment for remaking nothing less than the social life of the country. For people of various social outlooks, Independence was a sign that the status quo was no longer adequate. The possibilities emerging with independence brought forth a truly enviable optimism and conceptual clarity, but who had the right to set Mexican destiny? Who represented popular feeling – or the “general will” of the people – and how? Was the people's agreement on matters of custom, belief and conviction a vote of confidence? Or was it a sign of the overwhelming ignorance perpetuated by those who should have represented and overseen the people in days gone by, but who had misruled and defrauded them instead? If that were the case, how could the state promote the liberty and progress of a people who did not fully desire either?

Trying to address these problems amidst mounting disgust with the reign of Agustín de Iturbide, one author called for the consolidation of an authentic public opinion through freedom of the press and enlightenment of the people. His perspective was based on obviously liberal principles which turned every man into a sovereign who had to struggle for his own happiness:

Without enlightenment, there is no liberty, and so long as men do not know their rights, they will not know how to defend themselves. We must enlighten ourselves, because as long as ignorance is sheltered in our hearts, the rule of despotism will not cease. This monster must be defeated for our happiness, because otherwise, the arbitrariness and injustice of despots will disturb our tranquility at every moment. Our properties will not be secure, our existence will be uncertain, and our lives will only be preserved in exchange for lamentable work in the tyrant's service. In short, so long as the people are ignorant, so long as they do not know their own dignity, and finally so long as they do not know that all power is theirs, that sovereignty dwells in them and that they alone are the legitimate sovereign, everything will



be injustice, everything despotism, everything arbitrariness. Ministers will abuse their power, government will be in disarray, intrigue will do its part, espionage will redouble its watch, bootlickers will increase their perfidy, and in sum: the servile will work with untiring zeal to hold back the enlightenment of the people.¹⁶

If Independence represented a prolonged crisis of the premises which had guided the social life of man, the 1820s can be seen as a period of deep reflection, ambition, and notable audacity. They held out the hope of a time for Mexico. The moment was right to forge the nation. Years of political apprenticeship and then of political insubordination informed the polemics of those times. Yet for liberals, this was a time that had lasted too long, when they lamented the monotony of a routine that refused to pass away. They rejoiced, nonetheless, at the unsuspected power of the people as it made itself evident. By contrast, the traditionalists demanded a slowdown, because they claimed that a country whose construction was just beginning required understanding and patience to keep the work from spoiling. Two opposing times and their complexities always threatened to smother the object of so many efforts. This was undeniably a very human time, confronting men with a challenging reality that demanded transformation.

For people of liberal leanings, independent Mexico was facing the danger – among others – that civil structures would once again be taken for granted, as worthy in themselves of social loyalties, in keeping with a conservative interpretation of the ancient Christian slogan of “render unto Caesar the things of Caesar, and unto God the things of God.” From this standpoint, the state might once again be seen as the sole bearer of sovereignty, a sovereignty understood as not constantly exercised by the people, since at most they would merely monitor the proper behavior of the rulers. The relationship between the civic order and the divine order appeared to be a possibly deadly trap for the republican civic behavior of the young nation. It seemed to free the individual from any lasting and deep commitment to the social order, since that order would be overcome and abandoned as the citizen achieved his goals in another more spiritual and heavenly dimension. Such an orientation threatened to force the social order into virtually replicating civil society exactly as it was constituted at that moment. This would offer the possibility of limiting certain “abuses” by putting pressure on institutions and their representatives, but it provided



no real chance to completely renew those institutions through the participation of civil man, eager to achieve self-development and self-fulfillment through worldly institutions.

So long as religious transcendence continued to be presented in terms which relegated civil society to secondary status, it did not seem necessary to take it to heart. From this perspective, William Blake could rightly ask in England a few years earlier: "Are not religion and politics the same thing?"¹⁷ As Groethuysen put it, "a vision of the world is ... a creation of the world, a modeling of the world."¹⁸ The relationship between the divine and the worldly set the terms for action in politics. The matter undoubtedly went deep. For some, the deeds which enhanced civil and political society should be judged in light of an essentially theological vision of man and his Earthly surroundings. Society was a means, but not an end in itself. For others, society was hardly a mere stage, but rather the place for achieving human ideals, and the field of battle on which human institutions would increasingly draw closer to their maximum possibilities. For some this was a matter of human transcendence within a given setting, hierarchically subject to God, from whom all Earthly sovereignty came. For others, this was a matter of man's transcendence as a Mexican, in very concrete terms, whose sovereignty came from himself and whose future possibilities depended on his own capacity to develop them intelligently, to transform his reality, and to make clear the way towards a complete improvement of man by man.

It was precisely on the question of the exercise of sovereignty that the rejection of the government of Iturbide in 1823 was based. This struggle would be the forerunner to the emergence of the fight between liberalism and clerical ideology. Iturbide, it was said, had begun with a representative monarchy, but with the passing of time he had merged his state power with his own whims, and not with the free and full interests of his fellow citizens. One author who signed himself "J.J.C." stated

... that the political existence of Mister Iturbide is incompatible with our happiness, because he has never respected the inviolate rights of man, he has not kept the constitution that was temporarily adopted by the state, he has disdained popular sovereignty, recognizing no law other than his own whims and interest; he has violated the sacred pacts on which public security rests, and he has always perjured, and never kept, what he offered to the nation.¹⁹



Iturbide had failed precisely in not taking the nation to the higher of the “two steps” necessary to make Independence real: “the first, to be independent of the Spanish government, and the second, to shake off domestic tyranny which should follow it.”²⁰

A pamphlet signed by El Cuerpo de Liberales (The Body of Liberals) insisted that

[w]e are told that we are now free, and we do not yet enjoy even the freedom to think; we are blessed with electing the government, and we are prohibited from examining it; we are promised a constitution, and our representatives are crushed; enormous contributions are demanded of us, and we are told they are not enough.... Against order-givers and tyrants, the healthy portion of Guadalajara ... wants to take active part in public operations ... wants to make effective that wondrous sovereignty spoken of.²¹

The problem was great, they admitted, because such an exercise of sovereignty would confront citizens “with the crowd educated in the tenth century, and with another large segment who live off disorder.” But “since when do changes not have their difficulties?” And “should we live badly, because we do not work to live well?”²²

That same year, José Joaquín Fernández de Lizardi also entered the fray in Guadalajara, by means of the reprinting of an incisive pamphlet. Lizardi set out his argument by sarcasm: “I think that Americans (at least those in Mexico) understand liberty to be nothing more than independence from Spain; the rest they put up with patiently.” He claimed that “we were born beneath the sign of the sheep [*sic*], and we accept everything with patience and the love of God, because we are followers and because we are blessed.” Only freedom of the press could change things; otherwise, “give me fools, and I will give you slaves.”²³

It was exactly along these lines, placing emphasis on the difficult but necessary participation of citizens in the handling of public affairs, that the governor of Jalisco, Luis Quintanar, argued for the necessarily federal nature of the republic that would succeed Iturbide’s imperial regime. In fact, he argued that the social pact had been broken by the insurrection of its signatories – the states – following the general will of those they represented:

With the power of the congressmen annulled by the general will, their representativeness in the Mexican assembly is truly ephemeral



and worthless, and they should only be considered an isolated and lonely group, without any relationship to the people. If the people played a role in electing congressmen, they did not sign a binding contract to keep them in office, since it should be understood that the people gave their government a provisional form that was tolerated until the people wished to rearrange it.

With the existence of a central government in Mexico thus adulterated, it is necessary as a consequence that the nation is now in its natural state to provide for itself, and in this case the respective provincial governments, elected by the populace, are fully authorized by the people to set the route to be followed.²⁴

The governor concluded his statement with the affirmation that “in republics, everyone is born a magistrate.”²⁵ Another author, who signed his name “R.P.,” stated that:

The duties that man has towards society are a product of his convenience and well-being, and each one of them is directly related to the utility it provides for whoever carries it out; therefore egoism in this sense is the best philanthropy, the best and healthiest patriotism; let the individual rightly love the human race above all, but when he assures other citizens of the same rights which he demands from them, then this nation will be the most virtuous and orderly.²⁶

Once more he reached federalist conclusions. The “unbearable and baseless primogeniture of Mexico City” – forever “striving to call itself the metropolis” – could be tolerated no longer. All that was left to Guadalajara was to proclaim, as it already had, that “I am equal to the rest of the provinces; all of them together have no rights over me.”²⁷

The concept of limited state power was stressed by Prisciliano Sánchez, a convinced federalist and shortly afterwards the first governor of the federated state of Jalisco:

Nothing is more contrary to the dignity and preference of man, to his general vote and to the survival of the social pact, than demanding of him a greater portion of liberty than what is necessary to assure the other portion which is left to him. A well-constituted state should not give its rulers more authority over its subjects than is necessary to maintain social order. Everything beyond those limits is abuse, tyranny, usurpation, because man never gives up freely more than what is strictly necessary to gain a greater good. Therefore the desire to give up [power] should never be assumed.²⁸



It was exactly on this point that liberal pamphlets called into question the traditional role of the Church and its upper ranks in the political life and thought of society. Since 1822, Lizardi had entered debates in Guadalajara by means of a reprinting. He proclaimed then “that men have learned that nations are not the patrimony of kings or priests.”²⁹ He insisted on the sovereignty question:

Yes, sir, pride made kings despots, and ambition made priests fanatics and tyrants.... *Not all* of them, but certainly *many* of them. Monarchs came to need ecclesiastical authority to sanction and sustain them on the throne, and pontiffs so dominated kings that they removed and installed them according to their wishes, relaxing the oath of loyalty of king’s vassals as they saw fit, so that any Pope could then say of the kings of Christendom: *per me reges regnant*.

Since royal authority depended on the Church, we can understand that the latter did with royalty as it pleased. From this came the privileges, judicial rights, immunities, and prerogatives which were well-deserved because of the dignity of their ministry, but which were abused to the scandal and harm of the people.

By contrast, the ecclesiastical state, taking advantage of popular ignorance and fanaticism, proclaimed the authority of kings above all others, *after its own*, teaching the people that kings came directly from God, that sovereignty resided in them, and that it was a heresy to think that nations were sovereign or could be free, since kings were absolute lords and masters of the lives and properties of men, who were only their vassals or slaves, born to obey and suffer, even if the king was a tyrant, since doing otherwise would mean resisting the divine order.

These and similar supremely servile maxims, contrary to natural law and the dignity of man, were printed in books, preached from pulpits, and encouraged in confessionals, and with this holy diligence the despotism of kings was promoted with impunity.³⁰

In Lizardi’s view, the Inquisition had been the faithful instrument of the despotism born of the union of Church and state. Facing such a union of throne and altar, to the detriment of the robust exercise of sovereignty by the people, Lizardi tore sovereignty in civic practice away from its heavenly ties. He chastised Iturbide:

It is true that kings reign thanks to God, just as everything is done because He allows it and participates as first cause, *omnia per ipsum facta sunt*. That is why Your Majesty is emperor by divine Providence, but according to the natural order, Your Majesty is emperor because



your nation proclaimed you thus, and its legitimate representatives confirmed its sovereign will.³¹

In this context, Lizardi advised the emperor that he “act as a constitutional president- emperor.”³² Shortly afterwards, in response to the crisis sparked by the fall of Iturbide, an author who signed himself “A.R.F.” would state:

In God’s name, let us leave behind our foolish worries, and realize that it harms our Holy Religion in nothing if we constitute ourselves under the system of a Republic. This government only looks to establish some laws fitting our customs and situation, and has nothing to do with ecclesiastical doctrine and discipline. Colombia is a republic, and it is Catholic. England is a monarchy, and it is Protestant.³³

Liberals were worried about the religious concerns of the people, which predisposed them towards traditionalism in political matters and social practices, as is evident in pamphlets within Guadalajara and elsewhere.³⁴

It was the elaboration of a Jalisco Constitution in 1824 that launched the richest and most challenging debate about the ties between the Church and public affairs. The debate reached greater intensity because it included the question of not only the free exercise of sovereignty, but also of the financial well-being of the new free and federated state, the development of its economy and its right to international recognition. One pamphlet asserted:

The priests of every nation and every century have always and forever wished to assume a different status within states and to be governed by rules very different from those governing the mass of the people. They have always wished to dominate all temporal authorities, because by making their authority descend from the heavens, they have tried to place it above all others. The ignorance of the people at first allowed the clergy to abuse its spiritual attributes, dominating them astutely with other faculties which, being temporal in nature, belong to the people themselves. Everything was spiritualized by necessity in order to place even the most precious and sacred rights of nations under the ecclesiastical rod.

The clergy based their enormous power on two great columns which in all times they have tried to make untouchable, *rents and judicial rights*. This is what is frightening about the clergy, and what goes against the grain of the republican equality which the



federation of United Mexican States so prides itself on. If the supreme authorities of the states do not have sufficient [authority] over all the state's inhabitants, of whatever class, status or condition they may be, then it is impossible to keep the people in peace and quiet, because if there are individuals who except themselves from submission to the supreme chief, then that will be enough to agitate and make insolent the rest with impunity.³⁵

The administration of justice had to be equitable for all if there was a real desire for concord between ecclesiastical and civil authorities.³⁶ In addition, the independent wealth of the clergy had to be done away with in order to assure economic development and obedience to the state:

Ecclesiastical rents: that robust and prideful giant which in order to feed its insatiable belly sucks the nurturing juice out of agriculture and leaves the miserable peoples drained, that formidable arm which skillfully moved by the high clergy overcomes the law itself and triumphs over the wisest institutions, that strong shield the authority of sovereigns has always run up against, and that dominating post from whose heights the ecclesiastics have subjected to their influence every branch of public administration. Ecclesiastical rents: I say they cannot remain standing as they are without causing the ruin of the nation. Even clearer: the prosperity of the Mexican nation and its true liberty cannot be realized if the existing system of ecclesiastical rents is not changed.³⁷

The author recommended immediate use of state patronage to straighten out the situation, stating that this patronage was "inborn, inherent, and inseparable from the sovereignty of the Mexican nation."³⁸

Attacking the clergy effectively, with any chance of weakening its power in society, required undermining the overall prestige it still enjoyed. It required breaking the priesthood's commonly appreciated tie to divinity, and placing members of the priesthood on a level with the other individuals in society, susceptible like them to vices and group interests which went against the general interest. The author known as El Polar proclaimed with severity:

The clergy has tried to place itself outside the circle of society. But they are men like us, they enjoy like us the advantages of society, they live with us and owe their existence to our labors; those of



us who break the earth with our arms feed them, those of us who harden our hands in shops clothe them. Is it just that, with such a great debt, with such close ties, they wish to govern themselves without us? There is no reason for doubt: they form part of society, they are members of society and should be entirely subject to the authority of the government just like the rest of us.³⁹

Here, as in other liberal authors of the time, an important change takes place. The problem was not religion or the Church as a whole, but the priesthood, and that group should not aspire to more than parity with the other members of society. Society worked and did its duty; when the clergy did the same, it had the right to the corresponding recognition, yet it should not be forgotten that they lived off the efforts of the rest. If the clergy were found to be doing well, that was cause for suggesting their laziness, on the one hand, and the fatigue of lay society, on the other. The canons of the Guadalajara Cathedral were the largest target, here, although any hypothetically abusive and self-interested priest could serve to make the contrast. And the canons in fact embodied a great part of the religious problem under scrutiny. They were the men whose erudition and pens had been at the service of the interests of the Church. They had not lived from the healing of souls at the parish level – a necessary office – but from tithing, which detoured funds from economic development and the state coffers. From this, they enjoyed such economic independence that they could free themselves even of the authority of the state.⁴⁰

The Promise of Independence: Church Accountability and a Free People

The Political Constitution of Jalisco was where this debate crystallized. Very specific principles and interests were in dispute. This constitution presented the first frontal attack on the internal autonomy of the Church and its union on equal terms with the state. In Article 7, it subjected ecclesiastical financing to state control, which placed all the ministers of the Church under the economic and implicitly moral authority of the government. The article in question read:

The state Religion is the Apostolic Roman Catholic without tolerance of any other. The state will set and pay all the expenses necessary to promote worship.⁴¹



The defense of the republican and federal Constitution was easily combined with an attack on the hierarchical character of religious practice. The established interests of the clergy, it was claimed, were alien to true religion and had distorted it. Thus the effort of the “sovereign people,” as pointed to in Article 7 of the Constitution, was required to make religion once more “pure, clean, and beautiful, without stains to make her ugly or wrinkles to make her pitiable.”⁴² The pristine purity of things was to be reestablished. The people

wanted and want to have ministers who serve them spiritually and whom they maintain bodily. But the people do not want to be hungry for the bread of heaven despite keeping lords to serve, who cannot be spoken to except by written petition, whom the people fear and must fear because they have become potentates with the riches they have acquired through exactions from the poor. In sum, the people wanted and want justice, religion in all its purity, the uprooting of abuses, abundance, prosperity and decorum in all things.⁴³

If there were those who did not want to hear such truths, this polemicist, signing his name as the Unbiased Ecclesiastic, challenged them not only to declare him a heretic, but along with him to declare Saint Benedict a heretic as well, since he had spoken even more harshly of the same problem in his time. A careful citation of the saint’s words was offered as solid proof.⁴⁴

The demand for a morally unstained clergy was compatible with its subordination to a state emerging from popular sovereignty. The argument appealed to the idea of a Church made up of more than the clergy, consisting of the whole of the faithful. The authentic state, like the ancient Church, was of the people and watched over them. An anonymous defense of Article 7 set out the following “principles of ecclesiastical legislation”:

First: the Church that Jesus Christ founded is a society, whose goal is to obtain eternal happiness for each of its individual members, using the means established by Jesus Christ himself to achieve it. Second: like every society it has a constitution, which is the Gospel; in it are set out the rights and duties of the members, the form of government of that society, and the character, faculties and rights of its governors. Third: in view of the fact that the Church is a society formed by the will of her members since no one can be forced to join her, has an unchangeable constitution because of its divine



origin, its members can use their right to name her rulers (who are the bishops and priests), and these rulers cannot infringe the constitution, we can infer that her government is popular and representative. Fourth: the duties of the members are to believe in the mysteries God has revealed, to worship that same God, according to the rules of worship he himself has established in the Gospel, and to follow the moral precepts he has pointed out; their rights are to name those who should be authorities, to protest and correct religious abuses, to participate in the holy sacraments established by Jesus Christ himself and in the spiritual fruits of common prayer. Fifth: the obligations of the rulers are these: to teach the dogma, morality and doctrine of Jesus Christ; to exclusively administer certain sacraments, and to preside over the faithful when they come together to render God acts of adoration. They are not judges to mete out corporal punishment on the violators of the law of Jesus Christ, since the punishments he himself established are only spiritual. They have the right to be respected by the remainder of the faithful, and to be maintained at their expense.

Priests, therefore, are not the Church, they are only her ministers.⁴⁵

The same document clarified, by means of a denunciation of the clergy who resisted accepting Article 7 of the Constitution, that for practical purposes the people and the government of Jalisco were one and the same thing, precisely because of the latter's new popular representativeness. By contrast, legitimacy was denied to the canons of the Guadalajara cathedral precisely because their authority did *not* come from the people, but wanted to impose itself on them. The secular authorities elected by the people, that is, by the whole of the faithful, had written Article 7, so the clerical authorities could not oppose popular will so expressed without opposing the very principle of representative government. From this standpoint, "the people by means of their legislators" had the right to correct religious abuses. "Abuses are not part of religion; they are acts of corruption that the people are not obligated to follow..." For example, financing the clergy by means of tithing was a corruption of the pristine custom of "voluntary donations and offerings by the faithful in the primitive Church."⁴⁶

Obviously, principles like this pointed to a fundamental shift in the balance of power between the Church and state. If the Church was not responsible to the people, but the state was strengthened by being responsible to and representative of the people, if the



representatives of the former were just men like any others, as carnal and as prone to evil as anyone, but state representatives were clear spokesmen for an eminently egalitarian people, then there was no other solution than to ignore the clergy and its statements. Until the Church reformed itself according to the principles of representative government, along the lines of the primitive evangelical Church the liberals conceived of, then it was not worthy of the recognition of free men. Once it had been reformed along those lines, then there would be no doubt of a new union between it and the popular state. Until then, however, the clergy was a caste, a privileged group in a world of collapsing privileges. Its illegitimate character was constantly pointed out, and it was accused of trying to gain a fraudulent power before God and man.⁴⁷

Beyond the fall of the Empire, the writing of the 1824 Constitution and Article 7, three further events sparked controversy midway through the 1820s: the Papal Bull by Leo XII rejecting American independence, the excommunication of the journalist called *El Polar*, and the conspiracy of Father Arenas. In liberal pamphlets, each in turn served to assert the thinking of previous years and explore its implications.

The state of Mexico gave a firm and swift response to the Bull of Leo XII in the form of a long and learned publication. A contest had been carried out, with a prize given to the author who best wrote on the question: "Within what limits should Papal authority be contained in matters of spiritual power, since such power exercised fully does not damage in any way the sovereignty or independence of nations?"⁴⁸ The winning piece was published in Guadalajara. Author Norberto Pérez Cuyado was careful but forceful in his reasoning. He followed the course of Spanish royalist thinking in its struggles to assert its temporal power over the Church. He began from a historical scheme in which problems between Church and state dated back to the time of Constantine, who had wished to protect the Church from persecution. But his praiseworthy goal had led to a less enviable situation. "Every right was disturbed, as Emperors made themselves into judges and teachers of religion and made the ministers of the temple into arbiters and regulators of imperial politics." This process deteriorated further as a result of barbarian invasions and the decay of the Roman Empire. "The mixture and confusion of spiritual and temporal matters was the poisoned root that gave humanity such bitter fruits." From Pérez Cuyado's standpoint, there was only one solution to the resulting problems:



The cure for so many wrongs is breaking up this monstrous and anti-Christian union, and placing each power in its natural place, raising up a wall of bronze at the points where their respective faculties begin and end. That is what experience confirms, and that is what both reason and the Gospel persuade us.⁴⁹

Pérez Cuyado held that the laws, whose making was a task of the government, had the obligation of governing political and civil life. "Political life" referred to the international sphere of the state, in his definition, and "civil life" referred to the internal sphere of the state, having to do with the relationships between members of the society. The laws of the state necessarily had to follow natural and Christian law. Yet while "the propagation and preaching of the general principles of morality, insofar as it orders men's relationships with each other on Earth, is a duty of the priesthood, the application of morality to specific cases has nothing to do with the priesthood, and is even opposed to the nature and goals of that institution." It was beyond any doubt, according to the author, that "the care of secular things, that is, the knowledge and direction of the businesses which occupy men while they live on Earth, did not concern the priesthood."⁵⁰

Such good principles referring to the "distinction and independence between both powers" were observed by "a few wise men" even in the time of the barbarians, with Saint Bernard particularly standing out. Even so, it was "since the renaissance of letters" that these principles had spread and rulers had begun to act in accordance with them. "Such have been the thoughts and actions for the last three centuries in Spain, the country most submissive to the Roman Pontiff in all of Europe. How much more liberty was always exercised by Germany, Venice, Portugal, Naples, and above all, France?" Pérez Cuyado stressed the work of Bishop Bossuet in France in supporting this renewed separation of temporal and ecclesiastical powers. He also insisted that all of this was in keeping with the true spirit of Christianity.⁵¹

This argument led him to direct an attack on the unrestricted power of the Pope within the Church, because "it should be noted that the Pontiff himself is subject, like the remainder of the faithful, to the entire body of the Church, as declared in sections four and five of the Church Council of Constance."⁵² In any case, he continued,



the exercise of Papal authority in relations with civil governments is circumscribed by the limits marking the authority of the Church. What is not licit for the Church is not licit for the Pontiff, and since it is beyond any doubt that Jesus Christ did not grant the Church any power over the civil and political affairs of nations, it is equally unmistakable that the Pope does not have the authority to take part in those affairs.⁵³

The specific rights accumulated historically by one power relative to the other were another matter, and the author referred this to the diplomacy of concordats between respectively sovereign powers. As Pérez Cuyado stated at the end of his work, he found the Bull of Leo XII simply inappropriate because neither the Church nor its Pontiff had the right to any judgment concerning temporal authority.⁵⁴

Another document attacked the Bull of Leo XII, declaring it “scandalous, null and void.” More polemical than learned, this article was clearly liberal rather than statist, and went so far as to affirm that if Leo XII really was the author of the Bull he had committed the sin of “blasphemy, stating that God’s cause was that of the princes.”⁵⁵ The problem was that he

... blended the most perfect sovereignty of God with that of the despotic princes who usurped the sovereignty of the people.... The cause and interest of the princes is the brutal ignorance of the people, and could this be God’s cause? On the contrary, I affirm that *the devil’s cause is one with that of the princes.*

The priests say: if the people are enlightened, everything is lost; and the author of the Ruins writes: if the people are enlightened, everything is won.

What will become of the Pope and other princes enthroned or to be enthroned, if the people become civilized, open their eyes, see the light, learn the sacred rights of God, of the people, and of man? Which are? Give to God what is God’s, to the people what is the people’s, and to man what is man’s.⁵⁶

Writing against a “pamphlet which insults God, men, and the Mexican republic,” the author recommended “our separation from the communion of a Pope who is the first to introduce poisonous nourishment into the heritage of the Lord, until the matter is satisfactorily cleared up diplomatically.”⁵⁷



The next cause of controversy, the excommunication of El Polar, can only be understood within the course this journalist had followed over the previous years, which had brought it about, as the ruling of the Board of Ecclesiastical Censure stated, that

from the greatest to the least of the Catholic people, all are scandalized, all are protesting, and all zealously desire that he be subjected to the fitting punishment he has made himself worthy of, and like a rotted member of the mystical body of the Church, he be separated, declared, and reputed to be most lowly, and infamous, so that none be polluted by the noxious fumes his corruption gives off.⁵⁸

The political career of El Polar, profoundly rooted in federalism, culminated in 1825 and 1826 with two pamphlets virulently attacking the cathedral chapters in particular and clerical influence over society in general. Both pamphlets, with some variation, explicitly demanded an important number of changes in the relationships between state, Church and society.

The most illustrative passage of the first of these pamphlets, *Conjuración del polar contra los abusos del clero* (The Polar's Conjuring Against the Church's Abuses), is the following:

Some time ago, I worked on a general plan for reforms in the ecclesiastical system, and among various things I proposed: the destruction of Cathedral Chapters, the extinction of monasteries and convents, the imposition of certain barriers to stop bishops from banning the reading of books and to keep them from being able to excommunicate or ordain any citizen without government permission. I said that before preaching sermons it was appropriate for them to be reviewed and approved by the government, I designated the number of ecclesiastics to serve in the state of Jalisco, I denied them their privileged judicial status and vested the right of patronage in the supreme government of the state. I also proposed a reform in marriage ceremonies, excluded ecclesiastics from all civil and military employment, removed from them all influence over the education of the young, asked for the confiscation of all the real estate of the religious communities with the prohibition of ever being able to acquire property again under any circumstance, established certain restrictions on the public exercise of the faith such as reducing the excessive number of feast days, processions, private religious obligations [*mandas*] and other superfluous things, arranged a way of administering the viaticum to the ailing. In sum,



I said many other things ... but after having seriously thought over this enormous work, I understood that I was publishing reforms in vain if I left standing the origin of the Church's abuses.

I always despair at seeing articles only referring to religion mixed in with our constitutional laws, because as long as our legislators do not give up on this routine, our social order will never advance, and writers will work in vain announcing the best of reforms. These reforms will always be insufficient as long as governments meddle in religious matters, because the people do not have to be told about this; they are free to choose the faith that suits them best, just as they are to choose good or evil. And if the being that created us gave us that freedom, why do we want to enslave all to a single and perpetual faith? These arguments have convinced me that only with universal tolerance, absolute freedom of the press, and the exclusion of every dominant religion, can we decree at once the happiness of the people and forever assure their independence and liberty.⁵⁹

The second of the pamphlets – *Concordatos del Polar con el Estado de Jalisco* (The Polar's Concordats with the state of Jalisco) – basically followed the first, but also included a fierce harangue against clerical celibacy, attacked the capital of chaplaincies – which he considered wasteful – and demanded that the “masses and all the prayers of the Church” be given in Spanish. Seen as a whole, these two pamphlets took the controversy to the highest level, and the Church's rejection could not have been any more absolute, leading to his excommunication.⁶⁰

El Polar himself and another writer calling himself El Otro Polar (the Other Polar) alternated in his defense. They rejected the various considerations made by the ecclesiastical authorities since 1825. In no way did they disguise their total repudiation of ecclesiastical censure and the ways of action of the clerical hierarchy. They deliberately drove open the breach separating their liberal position from clerical thinking. In a pamphlet entitled *El Polar convertido* (The Polar Converted), he accused the canons of moral “bankruptcy” and affirmed they were carrying out a “war against the state.” He specifically and systematically accused them of exceeding their authority in trying to censor his pamphlet *Conjuración* because there were legally established procedures which relieved the ecclesiastical authorities of intervening in such matters. Accusing the canons of being a “poor, ignorant council,” he drove the point home by arguing that the measures against him only spread his ideas and shamed the council.⁶¹



By going further in explaining and defending the propositions made in *Conjuración*, the author made the situation worse by using insulting and defiant language, in addition to refusing to retreat on anything essential. Later on, to close with a flourish, he demanded in his new pamphlet that the Popes be popularly elected, just as in the first days of the Church, and in fulfillment of a right inherent to the people. But since the Popes had not been elected in this way, he saw “certain Popes as tyrants . . . who thought the people incapable of correct decisions and government.”⁶² Having landed this blow against the head of the Church, he proceeded to attack the infallibility of General Church Councils (assemblies of bishops) based on the argument that they had never included or represented the congregation of the faithful. And he closed his pamphlet with this withering conclusion:

In the congregation of all the faithful essentially resides the sovereignty of the Church, therefore nothing done without the vote of those very faithful can be legitimate, since the Church and the General Church Councils must follow the same principles as the Nation and the Congress, and everything that strays from these standards cannot help but bear within it an arbitrary and unjust character. Canons: see what your imprudence has led to, go forward with your whim of offending El Polar, and you will hear far worse things.⁶³

El Otro Polar did not hold back in El Polar’s defense.⁶⁴ He claimed that “tithing, celibacy and impious tolerance are not part of religion,” since they are “amendations that you [theologians] have made to the Gospel written by the Apostles who understood better than you the doctrines of our teacher Jesus.” His appeal was to reason, above any other authority.⁶⁵ Just like El Polar, he ended his article with an exhortation:

Citizens, do not let yourself be fooled by appearances. These men with crowns and tonsures are men just like you, and just as subject as any to intrigue, error and perversity. And when they rule on a matter they are so involved in, they are more likely than anyone to act with partiality and bad faith. Every matter under debate is as much within the reach of your insight as it is subject to the view of a great and observant talent. So start debating yourselves, and never believe except that which reason tells you is true.⁶⁶



The conclusion of a pamphlet referring to the conspiracy by Father Arenas makes a fitting end for this chapter, since it sums up the core of the debate the liberals kept up all through the 1820s.⁶⁷ Written as a dialogue between a traditionalist woman and her liberal son, the pamphlet included the following ironic passage as the final words of the son:

But do you not understand that there is a vast distance between Church discipline and doctrine, just as between good and bad ministers? What is impious about punishing the horrible crimes of treason, when the public verdict demands it as an overall lesson, even if the delinquents are friars, clerics, bishops, or of higher rank? Then let one of them come along with a portrait of Ferdinand VII, and place it in the plaza, and swear loyalty to it as absolute king and bring down the eagles of the republic, taking away constitutional liberties, and although he commit in his imprudence thousands of idiocies and cause incalculable damage, let nothing be done to him, for he is a minister of God on High.⁶⁸

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