



Working Paper 25

The Human Right of Religious Freedom in Latin America

by

Ruben Ruiz

August 2024

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Working paper PUEAA No. 25. The human rights of religious freedom in Latin America

DOI: [XXXXXX](#)

Publication Date August 2024

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Programa Universitario de Estudios sobre Asia y África
Calle de Filosofía y Letras 88
04360, Copilco Universidad
Coyoacán, Ciudad de México

Mechanical Editing Andrea Reyes, Anaelia Lazcano y Sophia Cisneros. Composition: Andrea Reyes. Cover design: Yussef A. Galicia Galicia.

Made in Mexico / Hecho en México

Abstract

XXIst Century Hispanic America has seen important changes in the world of religious faiths and practices. All along XXth Century a minority of Hispanic Americans have found new spiritual identities. Nevertheless, in spite that Religious Liberty has been consecrated in the Universal Declaration of Human Rights, the burden of a Roman Catholic institution that carries a strong historical presence and is identified with regional social identity has prevented full acceptance of this trait in Hispanic American societies, hindering the full -fledged acceptance of this fundamental Human Right.

Resumen

El siglo XXI en la América Hispánica ha visto cambios muy importantes en la conformación de las creencias y prácticas de fe que se viven en ella. A lo largo del siglo XX se fueron gestando elementos de diversidad religiosa minoritaria pero significativa. Sin embargo, a pesar de que la libertad religiosa quedó inscrita en la Declaración Universal de los Derechos Humanos, el peso de una institucionalidad con fuerte carga histórica y presencia católica romana, identificada con la identidad social regional, ha sido un impedimento para aceptar de esa nueva realidad una característica de las sociedades hispanoamericanas, dificultando la vigencia de un derecho humano fundamental.

The Human Right of Religious Freedom in Latin America

Ruben Ruiz

The Human Right of Religious Freedom

The *Universal Declaration of Human Rights* (United Nations Organization, UNO, 1948), issued December 10, 1948, grants every human being the right to

the freedom of thought, conscience, and religion... freedom to change his religion, or belief, and freedom, either alone or in community with others, and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance (Art. 18).

Such a broad assertion becomes difficult to enforce. It is clear to everybody that because of the deep and diverse meanings of religious faith and practice, because of its imbrication with identity building, because of its impact on social bonding, historically, religious faith, practice and institutionalization have been major factors in social and political unrest, to say the least. Nevertheless, because of those very same reasons, it is important to make sure all human beings enjoy this Human Right.

Latin America, A Catholic Region?

Latin America, as we know her today, was born a Catholic region. If the adventure of its “finding” by Europeans was an economic enter-

prise in search of species that prevent food from rotting and to obtain easy wealth, it's justification was built on religious arguments. From very early in the so-called age of discoveries, Fernando and Isabella, kings of Aragón and Castille, went to Pope Alexander VI in order to be recognized as the sole possessors of the right to find, occupy and evangelize the newly “discovered” lands, something the Pope granted in the encyclical *Inter Caetera* (1493) on the grounds that they

have purposed with the favor of divine clemency to bring under [their] sway the said mainlands and islands with their residents and inhabitants and to bring them to the Catholic faith. ... with the stout hope and trust in your hearts that Almighty God will further your undertakings.

No wonder that a year later, thence exploring countries, Spain and Portugal, signed a treaty in order to determine their respective areas of expansion (Treaty of Tordesillas, 1494) almost on the same terms.

Afterwards, when the occupation of the “New Lands” took place, the dissemination of Christianity, that is to say Catholic beliefs, was the main pretense (Ricard, 1966). With every discovery or colonization enterprise, Catholic friars and priests went along. Even some of the most important colonial institutions, “encomienda” (Zavala, 1935, p. 9) and “patronage” (Mecham, 1928) were based on religious issues. In order to control the new possessions, Spanish and Portuguese crowns marched hand in hand with the Catholic Church.

Centuries later, once the Hispanic American countries attained their independence, in XIXth century, many of them issued Constitutions that made Catholicism not only their one official faith and, in consequence, Catholic Church was to be protected by the state. For the future, Catholicism was to be the only religion accepted. (Mecham, 1966). Thence, when due to security and administrative rea-

sons, the idea of collaboration between Hispanic American governments efforts were made, one of the main reasons argued was the practice of Christianity in the Catholic way. Simón Bolívar, the epitome of XIXth century Latin American promoters of regional union, put it this way:

It is a grandiose idea to think of consolidating the New World into a single nation, united by pacts into a single bond. It is reasoned that, as these parts have a common origin, language, customs, **and religion**, they ought to have a single government to permit the newly formed states to unite in a confederation (Bolívar, Carta, 1815).

No wonder that, up to the 1960s, Catholicism was the main, if not almost the only, faith socially accepted in this part of the world.

Awareness of Religious Diversity in Latin America

In spite of the fact that some countries broke bonds between State and Catholic Church in the XIXth century, and that Protestant/Evangelical groups had evolved in them, it was not until the 1960s that the practice of religious freedom through Christian diversity began to be noticeable in Latin America. It was then that in some countries, for instance Chile and Brazil, Protestant (or Evangelical) denominations grew enough to be perceived. Almost overnight, politicians and scholars started noticing people practicing different sorts of religious creeds. Latin American societies began wondering about what these changes meant for them and what “dangers” awaited them because of this phenomenon.

That decade, outside Latin American Protestantism, appeared several different studies that tried to make sense of this situation. In 1962, Prudencio Damboriena, a Jesuit, published *El protestantismo*

en América Latina under auspices of the Federación Internacional de los Institutos Católicos de Investigaciones Sociales y Socioreligiosas (FERES), a Catholic institution (Damboriena, 1962). Some years later, Christian Lalive d'Épinay's *El Refugio de las Masas: Estudio sociológico del protestantismo chileno* (Lalive d'Épinay, 1968), published with funding from ecumenical institutions, set the tone of this literature: Evangelical, Protestant denominations or groups were seen as the result of undesirable social changes in the region.

In 1984, Jean Pierre Bastian published *Protestantismo y Sociedad en México* (Bastian, 1984), a collection of essays written in an important Higher Education institution in Mexico: There, he emphasized the role of religious change in political issues. In the late 1980's, in Mexico, the Board of Education initiated *Religión y sociedad en el sureste de México* (Giménez, 1989), a series of publications about religious change in areas inhabited by numerous indigenous people.

In 1990, another important work written by an anthropologist, David Stoll, asked the question *Is Latin America turning protestant?* (Stoll, 1990). From the very question for research, we can infer the hypothesis: Protestantism, or evangelicalism is alien to this part of the world. This literature was a consequence of growing concern for the more noticeable presence of heterodox religious beliefs.

The situation

The presence of Protestant/Evangelical¹ groups has grown ever since. As a result, at the beginning of the 2020s, and according to *Statista* (Statista, 2023), “only” a little more than 57% of Latin American po-

¹ In Latin America, historically, these groups were referred to as Protestant. With the time, Evangelical became a synonymous with that term. In English speaking societies, this very same term has a somewhat different meaning, emphasizing the conservative nature of Evangelical outlook and thinking.

pulation professes to be Catholic. Yet, another study carried out by the same company shows that even where there is a vast majority of people with this affiliation, their relative impact on population has had a constant decrease, though in absolute figures their presence has grown. In their words,

Except for Uruguay, over 60 percent of the population in all of the selected Latin American countries defined themselves as Catholics in 2000. However, by 2020, that was the case in only three countries: Mexico, Peru and Colombia. (Statista, 2023b).

In consequence, religious diversity has grown in the region, and is now undeniable. According to the latest *Religious change in Latin America* study by Pew Research Center (Pew, 2014), there are two countries, Paraguay and Mexico, with more than 80% Catholics in their population.²

On the other hand, more than 20% of the population in Brazil, Costa Rica or Dominican Republic are Protestants. Furthermore, in El Salvador, Guatemala, Nicaragua and Honduras Protestants range from 36 to 41 per cent of the population in each country. More important than the fact that big chunks of the population are no longer Catholics, in several countries, like Brazil, Costa Rica, Guatemala, and Peru, protestants are a political force not to be disregarded (Malamud, 2018).

Protestant and Evangelical groups are the most noticeable forms of heterodox religious practices. In the region, from late XIXth century, different religious practices are present. Judaism, Islam, different sorts of Catholicism, eastern spiritualities, and others sorts of creeds are practiced.

² There are differences between the Statsia and Pew figures, this may be due to the nine years elapsed between the two studies (2014 vs 2023).

The legal framework

In the late 1980s and 1990s most countries in the region evolved from authoritarian governments to democratic ones. This led to the creation of new constitutional frameworks in, again, almost all of them (Villabella, 2017; Uprimny, nd). These changes included religious liberty. Nevertheless, in several of them a special status for Catholic Church prevails.

However, there were steps forward. Countries like Mexico felt the need of abandoning a long-time history of not recognizing legally the existence of religious institutions. Thence, the legal categorization of them as “Asociaciones Religiosas” (“Religious Associations”) in 1992 made it possible for them to have legal rights and duties in the legal framework of Mexican Constitution. Argentina stripped the need to be a Catholic Church member from the requirements to be eligible for the Presidency (González, 2004).

Almost all Latin American countries, in addition, created registries of Churches or Religious Associations in order to make it possible for governments to get to know the variety of religious practices, religious advocacies and religious institutions in their societies. For instance, in Argentina there is a Registro Nacional de Cultos, where, in 2020, 6,330 non Catholic organizations were included. There is a special registry in that country of Catholic churches and Institutes. Other countries like Mexico, Chile, Colombia, Ecuador, Guatemala, Paraguay and Perú, also have official registries of ecclesiastical organizations. It is important to underline that these instruments are aimed at registering churches, not faith practices.

The social resistance

As can be seen, social and political realities have a place for religious freedom in Latin America. It seems that in the region people are free to change religious practices, organize ecclesiastical institutions and teach the contents of their faith. That's a huge advance considering Latin American history of religious intolerance. Nevertheless, reality is not as generous as it seems to be.

It is true that different manifestations of religious practices have a place in Latin American societies. We can find worship places ranging from Roman Catholic, orthodox Christian, Protestant, Latter Day Saints meeting rooms, Jewish synagogues, up to places for “traditional” ethnic groups practices. Also, eastern spiritualities have significant roles in everyday life of Latin Americans. Unfortunately, some of these manifestations are not welcome in the region, even if they are numerous and provide spiritual support to their followers. It would seem that there is a “proper” social and political behavior in people of faith. The result is that if not fully complying with it, social rejection is the punishment. Thus, some of the most noticeable religious practices outside Roman Catholicism find rejection either from governments, religious organizations, *mass media* or just “society”.

Just a couple of examples may help understand this paradox. As it has been said, Protestantism/Evangelicalism have gained an important hold in most Latin American societies. That was the cause that in the 1970's both leftist anthropologists and conservative Catholics disqualified them as alien. As heterodox beliefs gained ground in political and social acceptance, the disqualifications changed. Particularly *mass media* began questioning social and political views or preferences. Evangelical became a synonymous of conservative, and, maybe, a negative term.

Let us consider the cases of Brazil and Colombia. There, Evangelical groups are considered not only reactionary but nefarious. In the first one, the alliance between evangelical congressmen and other interest groups that supported Jair Bolsonaro's (EFE, 2022) access to power has become an obstacle to understanding the role of religious change in a society marked by injustice, inequalities, racism and that is looking for ways to give large groups of underdogs opportunities for a better life. In Colombia, with a far lesser impact on society, political questioning of their role has been an important way of rejecting religious change (Pérez Salazar, 2019; Cristianos, 2016). There is still a long way to go in order to make religious freedom a reality.

Conclusions

Religious freedom has gained ground in Latin American Societies. It is an undeniable fact and has provided millions of people with the strength and hope to carry on with a life plenty of privations and hindrances. Life in the region is not particularly generous to large majorities. The myriad of possibilities that the possibility of changing traditional outlooks and expectations is an asset Latin American societies have.

There is still a long way to go in order to make it possible for the destitute and the marginalized to build their own life choices. The only way to achieve this aim is to educate towards the acceptance of the different options people find in their personal and spiritual quests. All means are needed in this effort: formal and informal education, mass media, social media, governmental and institutional positive actions. There is still a long way to go.

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