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Catholicism and Democratic Consolidation in Spain and Poland

JOHN ANDERSON

The processes of democratisation evident in many parts of the globe since the mid-1970s have thrown up major challenges for religious institutions in general and the Roman Catholic Church in particular. For several centuries the latter institution had at best been sceptical about, and more commonly openly opposed, to democratic government, but during the post-war years the church came to favour and sometimes actively promote democratisation. In part this shift arose out of the post-war capitalist–communist confrontation which made democracy look the lesser evil, but it also stemmed from the intellectual and practical decisions emerging from the Second Vatican Council. In consequence, in Latin America, Europe, Africa, and Asia many (though not all) national hierarchies came to support movements for political liberalisation. Hence in Spain a new generation of bishops led by Archbishop Tarancón sought to distance themselves from the Franco regime and to criticise its social and human rights policies, whilst in communist Poland the Catholic Church provided a major space and voice for those critical of the communist system. However, once democratic governance had been achieved the two national churches faced new problems as they sought to define their role in rapidly changing polities and societies.

This article explores the efforts of two national hierarchies to develop their relationships with the new democratic orders, in particular during what political scientists describe as the ‘consolidation’ phase. The concept of ‘transition’ is generally used to refer to the process whereby the authoritarian regime is replaced by a new order enjoying democratic legitimacy. Yet in some ways the next task, that of consolidating democratic governance, is far more problematic insofar as it may involve changing the practice and attitudes of public and elites towards political power. Political leaders have to acquire the skills of bargaining and negotiation in a more open political setting, and be willing to abide by the democratic ‘rules of the

game'. Simultaneously the population also needs to be acclimatised to the new political structures, to accept them as legitimate and, ideally, acquire a democratic mentality characterised by tolerance of alternative viewpoints and commitment to change by peaceful means. Most political analysts accept that consolidation is a process rather than an end point and that few democracies in practice live up to the 'ideal type' model in the fullest sense, but still suggest the necessity of some development towards consolidation if a stable democratic order is to be achieved.¹

In most countries the place of religion in these processes is relatively minor. Nonetheless it is arguable that religious institutions which enjoy the status of national church and that have contributed in some way to the process of political liberalisation do have the potential to contribute towards or undermine the prospects of successful democratic consolidation. For example, the statements and actions of religious elites may serve to strengthen or weaken the notion of democracy as the 'only game in town'. They might foster or hinder reconciliation where society is fundamentally divided over the changes that have occurred or over how best to come to terms with the past. The extent to which religious (and indeed all) elites play by the democratic rules of the game in pursuit of their own interests may impact upon their own and the new system's legitimacy. If they fail to act 'democratically' why should others? Equally their pronouncements and practices with regard to minority or individual rights may serve to strengthen or inhibit some of the values associated with pluralist democracies and thus impact upon the evolution of a democratic mentality amongst the wider public.

From the perspective of religious organisations consolidation throws up other questions, as they realise that democratisation may be a mixed blessing in terms of their social and political position, and ideological influence. In some cases they have to cope with what some writers refer to as the delayed and therefore speeded up processes of 'modernisation' (and secularisation) that have the capacity to undermine their position within the national community?² They also have to deal with elites who, though grateful for the churches' contributions to democratisation, have no desire to see excessive (non-elected) clerical intervention in public life. So the churches have to face up to the task of redefining their role in society and in political life? To what extent is it legitimate for them to intervene in the public sphere and by what means should they do so? What types of arguments might they be able to use in pursuing their public policy preferences and how might they reconcile absolutist ideals with a democratic political style rooted in bargaining and compromise? Can they

claim any special privileges on the basis of their status as 'churches of the nation' or on the basis of their contribution towards democratisation? This essay cannot explore all these issues in depth, but asks about the political claims that the two churches made on the new democratic systems in the decade or so following the initiation of democratic transition. In particular it focuses on how they handled the question of their legal constitutional position in the new order and how they sought to exercise political influence.

FINDING A ROLE FOR THE CATHOLIC CHURCH IN THE NEW SPAIN

Historically the relationship of church and state in Spain had been strong and, despite mounting anticlericalism, the Concordat of 1851 had stressed the role of the Catholic Church as the religion of the nation and thus deserving of protection by the Crown.³ This formal position was maintained in subsequent decades though periodic bursts of hostility to the church led to the destruction of religious property and occasional killings of priests and monks. These mounted under the Republican government of the early 1930s, and following Franco's revolt some 7,000 priests, monks, and nuns lost their lives. In such circumstances it was hardly surprising that many within the church welcomed the nationalists who promised to restore Christian civilisation and who once in power repealed republican legislation and restored many of the privileges taken by the previous administration. Many of these changes were reinforced in the Concordat of 1953, albeit at the expense of giving Franco a key role in the appointment of diocesan bishops.

Many within the church had hoped this new arrangement would create the conditions for a re-evangelisation of Spain, but in general they were disappointed, as much of the population remained indifferent to the church's doctrinal and moral claims. In consequence, as the civil war gradually receded in memory some religious activists began to adopt a position more critical of the regime. Partly under the influence of changing social conditions and partly in reaction to the theological innovations supported by Vatican II younger church leaders began to speak of the need to protect the vulnerable and ensure observance of human rights. Particularly influential here were Tarancón, by 1971 Cardinal Archbishop of Madrid, and a number of auxiliary bishops whose appointment Franco had no control over. With increasing urgency they began to support democratisation and develop links with opposition groups and after Franco's death openly expressed their support for the creation of a more pluralist political system.⁴ Yet the

emergence of democracy raised new problems for the church as it sought to define its role in the new political order. In particular, how should its formal position be defined and by what means should it exercise influence in the new polity. How it dealt with these questions was likely to have an impact not just on its own position, but also on public perceptions of, and loyalty towards, the church and thus on its subsequent influence in the public sphere.

Defining the Church's Legal Position

Addressing the congregation at the coronation mass of King Juan Carlos in November 1975 Cardinal Tarancón set out his vision of the relationship between church and state. Though noting with pride the historical connection between throne and altar, he made it clear that the church was not seeking any privileges in the new order or any recreation of the old ties.⁵ Nonetheless, during subsequent months church spokesmen made clear their opposition to an American style separation of the two, and argued that the church needed to be taken seriously in a country where the vast majority of the population were Catholic. In Tarancón's words: 'the Church is a social reality ... and politics has to bear in mind and respect the real life of the people; it cannot ignore the fact that a large majority of the Spanish people belong to the Catholic Church.'⁶

Church leaders were particularly concerned when in November 1997 a leaked constitutional draft was found to make no explicit reference to the Catholic Church, instead simply stating that 'the Spanish state is not confessional'.⁷ The church also had some reservations about the constitutional phrasing on issues such as religious education, divorce, and abortion. This unease was clearly reflected in a statement put out by the bishops in November 1977 which expressed support for constitutional guarantees of rights but argued that such rights could not be absolute or be used to justify giving offence to the religious sensibilities of the Catholic population. They also argued for a constitution providing a 'tutelage of public morality' to prevent a confusion of freedom and licence.⁸

In subsequent months the church continued to lobby hard on the question of constitutional recognition though it remained wary of making a public issue of confessionality. For that reason it preferred to argue its case within the corridors of power and proved willing to accept the first two clauses of the proposed Article 16 which guaranteed religious freedom to all and stated that no one should be obliged to declare their religious beliefs. It did, however, continue to argue for a formal recognition of the Catholic Church's special position to be inserted in the third clause, preventing the

creation of a state church. In the political arena, the Conservative parties lined up behind the church, whilst the Socialists took a much more aggressive line, arguing for complete separation and an end of subsidies for religious schools. More surprising was the position of the Communists, with General Secretary Carillo describing his party as a 'spectator' on religious issues and stressing the need to avoid polarising society as had happened in the 1930s.⁹ In consequence, his party joined the centre-right in finding a compromise formula which left the third clause of Article 16 reading: 'There shall be no state religion. The public powers shall take into account the religious beliefs of Spanish society and will maintain consequent relations of co-operation with the Catholic Church and other confessions.'¹⁰

This phrasing had the advantage of singling out the church of the majority without giving it any specific privileges, though arguably other documents discussed below do in fact favour the Catholic Church. The majority of the church leadership was content with this formulation, though not some of the other clauses which failed explicitly to promote Catholic values and left the door open for the introduction of divorce legislation. In consequence most advocated support for the constitution in the subsequent referendum, though nine bishops urged their flocks to reject the document. The leader of this group, Cardinal González Martín, defended his oppositional stance on the grounds that the new constitution made no mention of God or Catholic values, and represented an attempt to foist an agnostic constitution on 'a nation of the baptised'.¹¹ There was also a suggestion that the new Polish Pope John Paul II shared the views of the traditionalist Spanish bishops that the hierarchy should have fought harder for some reference to God and taken a tougher line on family issues.¹²

Whilst the constitution provided the most basic definition of the formal position of the Catholic Church in the new Spain, other texts and agreements served further to define its role in relation to both the state but also vis-à-vis religious minorities. For example, in 1976 and 1979 the Spanish state signed a series of agreements with the Vatican which replaced the Concordat of 1953. These guaranteed the legal status of the church, the right of parents to choose religious education for their children, the provision of chaplains in the armed forces, and some degree of state financial support for the church in the short term.¹³ In consequence, it might be argued that the church received additional privileges via international treaty that were not possible for other religious communities. In part these agreements served to free the church from state control – notably removing the state's right to oversee episcopal appointments – but they also

effectively provided guarantees for Catholic educational establishments and financial support that others did not receive. Whilst the Catholic Church was seeking to ensure its own position, it is worth noting that it did nothing to reinforce this by seeking the formal restriction of the rights of religious minorities, despite a long history of intolerance. The hierarchy fully supported the guarantees of religious liberty provided for in the constitution, and then fully supported the passage of a new Law on Religious Liberty in 1980s despite several older bishops arguing that to allow religious freedom would ultimately undermine the unity of the Spanish people. And though minor problems periodically surfaced – especially for new religious movements and for the Salvation Army which was refused permission to open a children's home in the Canary Islands because it was a 'destructive sect' – there has been no serious attempt to restrict minority rights since then.¹⁴

The Exercise of Political Influence

In his coronation sermon Cardinal Tarancón had argued that the church sought no special political influence, but in a later speech he stressed that this did not mean that the church would withdraw into the private sphere.¹⁵ In practice under his leadership the church did attempt to avoid overt political involvement, most notably during elections and in relation to discussion about the possibility of creating a Christian Democratic Party. Though a number of leading centrist politicians supported by some bishops advocated this course, Tarancón remained opposed, arguing that anyone who used the names of the church or Christianity in the title of any organisation was 'blatantly usurping' them. In part this opposition stemmed from the church's own lack of organisational capacity and the fact that such a party would be outside the control of the church despite sometimes acting in its name. At the same time, under the early UCD governments there were no fundamental religious interests that required a political organisation (beyond the existing centrist and conservative parties) to defend the core values promoted by the church. In practice two small Christian Democratic parties were created in the mid-1970s, but in the 1977 elections the stronger of the two gained only 1.4 per cent of the vote, perhaps in part because of the lack of church support.¹⁶

Equally the leadership of the Catholic Church made only limited attempts to influence the voting behaviour of Catholic electors. Early on after the transition, Cardinal Tarancón stated:

The greatest service we can render to the Church and to the Spanish people is precisely this: to manifest clearly and publicly that we want to remain outside of all the vicissitudes of the struggle for power; and to recognise the liberty of Christians to confront temporal problems or their own accord according to the dictates of their consciences.¹⁷

Prior to the 1977 election the Church adopted a formal position of neutrality, though it was fairly obvious that much of the hierarchy hoped for the victory of Adolfo Suarez's UCD. Moreover, a letter from the Episcopal Conference on 'The Moral Responsibility of the Voter' called upon Catholics to assess party programmes in the light of their relationship to Catholic values. Individual bishops were more explicit, with one arguing that 'no Catholic can support the parties of the left because they are opposed to the Catholic creed'. Equally, despite formal neutrality, most bishops in the 1977 and subsequent election made clear their preference for parties of the centre-right.¹⁸ Yet though subsequent episcopal appointments shifted the hierarchy in a more conservative direction, it became increasingly clear that only a minority of voters made their decision with reference to the church. During the late 1970s around 25 per cent of practising Catholics voted for the Socialists and by the 1990s most studies suggested the proportion voting for the Socialist party was only slightly lower than that voting for the right.¹⁹

Whilst abstaining from overt political involvement, the church had no intention of keeping silence on issues relating to core values or institutional interests, and on matters relating to abortion and divorce it was resolutely opposed to attempts at the liberalisation of public policies. Reluctantly, if still critically, it accepted the UCD's attempt to liberalise the divorce laws in the late 1970s, but resolutely – if ultimately unsuccessfully – opposed the partial decriminalisation of abortion under the PSOE government in the early 1980s.²⁰ In the sphere of education, tensions arose under the Socialist government when it sought to ensure that all private (that is, Catholic) schools followed the state curriculum in return for continuing state subsidies, but in practice these changes made little difference to the essentially pluralistic nature of Spanish education.²¹

Despite the heated nature of these and other debates, the striking feature of the emerging relationship between the church and the new order was its essentially consensual nature. More conservative bishops appointed by John Paul II were increasingly vocal about the moral failings of the new Spain, but few wanted to resurrect the polarisation that has caused such a major division within Spanish society in the past. The church increasingly

recognised that it could not make the same claims on society and state in the new order as it had in the old. And larger questions sometimes emerged about the extent to which the church was engaged in legitimate lobbying to defend its own interests or whether it was seeking to maintain privileges that were no longer acceptable. More importantly, as Spain embarked upon a process of what some described as accelerated 'modernisation', the church found itself facing new challenges from secular ideas and consumerism that challenged both its hold on the flock and ability to influence their political and lifestyle choices. In such circumstances there was a growing emphasis on spiritual revitalisation at the grass roots, though this posed the danger of enhancing the very privatisation leading bishops were keen to avoid.

THE POLISH CATHOLIC CHURCH AND THE PURSUIT OF INFLUENCE

Though often seen as a deeply Catholic country, only in the twentieth century did the church come to adopt an uncompromisingly nationalist position, as the very future of the nation came under threat from Nazi and Soviet occupiers. During the early years of Communist rule, however, broader concerns took second place to the question of institutional survival as the doughty Cardinal Wyszynski struggled to maintain Catholic influence. Only in the early 1970s did the Catholic Church begin to move beyond self-defence and speak out more forcefully in defence of human rights. In consequence, by the end of the decade the church found itself in a tripartite alliance to resist oppression alongside the critical intelligentsia and the working class. All this was reinforced in 1978 by the election of Karol Wojtyla to the papal throne. During his first visit to Poland in June 1979 the new Polish Pope told one congregation that 'the future of Poland will depend upon how many people are mature enough to be nonconformists'.

One year later it turned out that more than enough Poles had the courage to support the emergent Solidarity movement and deliver a fundamental shock to the whole Communist bloc. Though the immediate causes of social unrest were economic, the workers quickly adopted religious symbols as their own whilst the church provided a moral basis to the struggle as well as encouraging the strikers to avoid excesses. The declaration of martial law one year later posed considerable problems for the church hierarchy, with Cardinal Glemp initially appearing to justify its imposition as the lesser evil, though many within the church sought to defend those rounded up by the military. As the decade progressed, the church's leadership became increasingly critical of the regime and in the years 1987–89 played a key

role in assisting the transition to a new form of rule. Though only an observer at the Round Table Talks in April 1989, most sources suggest that its mediation was often crucial in overcoming difficulties, and the eventual outcome was the holding of a partially free election in June. The end of the Communist system, however, posed new dilemmas for the church as it sought to redefine its own position in relation to political influence and in adapting to the new pluralist mentality which treated the church as just one pressure group amongst many.

Defining the Church's Legal Position

The Catholic Church in Poland proved much more assertive than its Spanish counterpart during the transition period, making clear early on that its position needed to be respected and embodied in constitutional and legal forms. Perhaps ironically, given the speed of change, Poland was one of the last of the Central-East European states to adopt a completely new fundamental law. The provisional 'small constitution' adopted in October 1992 provided the basis for government in the early 1990s and the guarantees of religious rights here largely followed the Communist era constitution. At the same time, Article 82 maintained a commitment to the separation of church and state, neutral terminology the church's leadership viewed as smacking of the old order.²² Nonetheless, the delay in formulating a full post-Communist constitution gave the hierarchy a chance to rethink what it might want from any future settlement.

Though there was some intermittent discussion of a final constitutional settlement immediately after the adoption of the 'small constitution', not until 1995 did the pace of debate quicken after seven drafts were put before the Constitutional Commission. Informally, the church supported the Solidarity-backed text that referred explicitly to the 1,000-year link of the people to Christianity and to 'the heritage of Christian faith and culture'. In addition it proposed support for the right to life from the moment of conception, and obliged the state to provide for the teaching of 'legally recognised religious beliefs at public schools'. Other versions appearing to lean in the direction of the church included that of the Senate, which started with an invocation to God, and that proposed by the Confederation of Independent Poland which argued for granting the Roman Catholic Church 'a leading position amongst denominations of equal rights'.²³

During the course of the debate, church spokesmen focused repeatedly on three issues: the need to avoid the word separation in defining the relationship of church and state, the inclusion of some reference to God and Christian values, and to the protection of unborn life. Bishop Tadeusz

Pieronek, Secretary of the Bishops's Conference, accepted that the two should be separate but argued that in a strongly Catholic nation there was no need to make formal statements about this.²⁴ A similar argument was made by liberal Catholic and former Prime Minister Tadeusz Mazowiecki, who suggested that the church was a part of the national furniture that could not simply be shunted aside.²⁵ Lech Walesa, in his typically blunt way, reminded Poles that 'communist bandits ran the country for fifty years, but the Church for 1,000 years' and argued that it would therefore be improper not to give this constitutional recognition.²⁶ In contrary vein, minority representatives argued very strongly for a formal separation, fearing the potential restoration of a state-backed national Catholicism.²⁷

The debate reached the floor of the Sejm in early 1997 where Solidarity leader Marian Krzaklewski made a passionate appeal for an explicit reference to religious values in the constitution's preamble. Eventually the Constitutional Commission opted for Tadeusz Mazowiecki's rather awkward wording, which spoke of the constitution being adopted by 'all Polish citizens, both those who believe in God, who is the source of truth, justice, goodness and mercy, as well as those who do not share this faith and derive the values they recognise from other sources'. It then went on to speak of a culture rooted in 'a Christian heritage and universal human values' and recognised the people's responsibility 'before God or one's conscience'. With regard to the question of church and state the text spoke of relations being based upon the principles of respect for the autonomy and mutual independence of each. Despite this, special recognition was given the Catholic Church in a clause stating that its relationship with the state would be further defined by an international treaty with the Holy See.²⁸

Not all in the church were happy with this formulation, which Cardinal Glomp described as failing to meet the expectations of the majority of the population. Others were more forthright, with one bishop describing the document as morally unsound and several openly calling upon their flock to vote no in the constitutional referendum. In the event, only 40 per cent of the population turned up to vote and a small majority of these approved the offered text.²⁹ In consequence, though still unhappy, church leaders turned their attention to persuading the authorities to ratify the long delayed Concordat with the Vatican. Agreed in 1993, parliamentary approval has been prevented as a result of liberal and socialist suspicions about some of the privileges it appeared to grant the church. For example, Catholic marriages were made legally binding, certain religious feast days made public holidays, subsidies were granted to some Catholic educational establishments, and priests given access to public institutions. Religious

minorities and liberal critics argued that such an institutionalisation of the church's position could only be detrimental to non-believers, especially with regard to religious education and in the provision of parish cemeteries whose priests might refuse to bury the dead. The church countered that the terms of the agreement simply gave it freedom to carry out its true mission and entailed no privilege or discrimination. In early 1988 the Sejm finally adopted the Concordat and in so doing perhaps took the sting out of debates over the formal place of religion in the new Polish society.³⁰

Religious minorities remained uneasy about some of the provisions of the Concordat, as well as the practical activities of Catholic authorities in parts of the country, but they faced little in the way of co-ordinated hostility from the church hierarchy. Though some Catholic bishops appeared committed to restoring something resembling a national Catholic state,³¹ the commitment of the international church and the Pope himself to human rights preventing the institution from taking positions that could be seen as opposing minority rights. Legally, a 1989 Statute on Guarantees of Freedom of Conscience and Creed provided all religious communities with a relatively open regulatory framework, whilst Article 53 of the Constitution committed the state to defend religious rights. Occasionally problems surfaced in rural areas where clerical influences sometimes led to expressions of hostility towards minority groups, whilst in the east of the country some local and church authorities acted in ways that discriminated against the sizeable Orthodox minority. Problems also continued into the new century over issues of property ownership as Catholic parishes sought to reclaim church buildings previously handed over to other communities. And towards the end of the 1990s elements within the church and the administration argued for tighter control of the 'sects'.³² For all this, there have been no major infringements on religious liberty promoted by the authorities or the church, and in this sense one might argue that the institution has been supportive of attempts to create the more pluralistic atmosphere that is often seen as conducive to a consolidating democracy.

The Exercise of Political Influence

As in Spain, the Catholic Church denied any intent to seek a political role, but in practice the hierarchy was far less restrained than its Spanish counterpart in seeking to influence the political process. True, it made no concerted efforts to form a Christian Democratic Party, but it consistently offered backing to those seeking to create parties supportive of church interests and values. In the first instance, immediately following the fall of

Communism, this meant backing the Solidarity coalition in the 1989 elections. Church leaders played some role in initiating Solidarity electoral committees which in many cases held their meetings on church properties. Pulpits were used to back some candidates or denounce others, as in the case of a doctor who had performed abortions, and ostensibly neutral advice was offered to a citizenry voting in free elections for the first time.³³ And whilst officially the church supported no party, in 1990 Cardinal Glemp held well publicised meetings with the leaders of the Christian National Union and the Christian Democratic Labour Party.³⁴ Subsequent elections followed a similar pattern as church leaders tried to encourage rightist parties to form broad electoral coalitions capable of taking on the revitalised Socialist Party. Thus in the 1993 parliamentary elections the Archbishop of Gdansk brokered an agreement amongst the fragmenting Conservative parties to form a Catholic Election Committee, Fatherland. Yet in the event the bloc and its constituent parties did badly, in part because of divisions between those of a more Christian Democratic orientation and those inclined to a more radical neo-liberalism. In consequence, the religious constituency was left largely under-represented in the new political order.³⁵

The church leadership was far more outspoken during the 1995 presidential elections, combining a formal commitment to neutrality with a call to voters not to support the 'candidates who participated in the exercise of power at the highest party and government levels under totalitarian rule'.³⁶ In practice this represented a scarcely disguised call to vote against the Socialist candidate Alexander Kwasniewski. This became more overt after the first round of the voting when Gdansk Archbishop Tadeusz Gocłowski called for a large turnout in the second ballot to preserve freedom and Christian values. In similar vein, the Archbishop of Lublin advised his flock only to vote for a Catholic and Cardinal Glemp stated that the two candidates presented voters with a choice between 'Christian values and a system of neo-pagan values'.³⁷ Given that the voters rejected this advice, one needs to be wary of overstating the political influence of the church. Nonetheless, Kenneth Chan's study of voting behaviour during the 1990s does indicate a much closer relationship between religious identity and political choice than can be found in Spain or other strongly Catholic countries. Broadly speaking, the church has promoted a rightist outlook over the last decade or more, and studies of voting behaviour during the elections of the early 1990s do show a broad distinction between religious-traditionalist and secularist blocs of voters. Moreover, in the 1995 presidential elections religiosity was a better predictor of choice than other variables.³⁸ Today, however, it appears that this factor may be declining in

significance, with the majority of voters focusing heavily on what parties might be able to deliver in the economic and welfare areas.

On issues of public policy the Polish hierarchy tended to be more outspoken than was the Spanish church during the first decade of the transition process, though the extent to which it went beyond legitimate lobbying to the pursuit of privilege remains open to debate. Almost immediately after the collapse of the old system, the church called for a restoration of religious education in schools and in June 1990 the bishops suggested that this should be compulsory so as to combat the distorted view of religion promoted by the old regime.³⁹ During the course of the 1990/91 school year a growing number of school authorities did in fact introduce religion and ethics classes, though in theory parents were permitted to withdraw their children. In early 1993 parliamentary ombudsman challenged the practice of giving grades for religion classes and the state financing of the clergy involved in giving lessons.⁴⁰ Following subsequent debates in the Constitutional Tribunal, it was decided that religious education in schools was permissible but children would be offered the choice of Catholic, other religious or ethics classes. In practice, however, few schools had the resources to meet these objectives, and in rural areas there were considerable pressures on all parents to permit their children to take Catholic-run classes.⁴¹

During the same period there was also considerable discussion about the role of the media in the new Poland, with the bishops expressing considerable unease about its perceived permissiveness and poor moral tone. During parliamentary debates over a new media bill during the winter of 1992/93 the bishops suggested including a clause requiring the media to respect Christian values and not to promote activities that conflicted with morality and the public good. At the same time, the law created a National Council to monitor the media, some 25 per cent of whose membership was to be made up of church representatives. Many within parliament opposed this clause, arguing that it gave the church too much power, and the head of national television suggested that in practice it might be hard to define what Christian values meant in practical terms.⁴² Minority representatives were also unhappy with what they saw as unequal treatment in the media, with weekly broadcasting of masses and the creation of Catholic radio stations seen as evidence of 'creeping establishment'.⁴³

Perhaps inevitably, however, it was the issue of abortion that provided the major focus for religious interventions in the public arena during the 1990s. Here the church, backed up by the Pope, adopted an uncompromising position and in October 1990 supported a parliamentary

bill that would have prohibited the practice in virtually all circumstances. During mid-1991 fierce debates took place in the Sejm as both sides fought bitterly to promote their position, whilst liberals within Solidarity's ranks sought a compromise position. Though the bill fell, the church made clear that it would return to the question following the next parliamentary elections. With a new parliament in place the issue was brought before parliament at the end of 1992. Parliament did indeed approve more restrictive legislation, and though Cardinal Glemp saw this as a step forward it was still not seen as sufficiently restrictive by the church.⁴⁴ Moreover, the return of the Socialists to power in 1995 brought a partial re-liberalisation of the law, much to the dismay of the church leadership, and the issue looked set to remain a political football for the rest of the decade. In consequence of this, the church sought guarantees for the right to life in the constitution being debated during the mid-1990s, though the eventual phrasing remained ambiguous with regard to abortion and the hierarchy remains far from satisfied.⁴⁵

CONCLUSIONS

In some respects the process of transition was very similar in Spain and Poland. In both cases democratisation emerged out of a process of negotiation and argument around the table, rather than from violent protest or imperial collapse. In both cases the Catholic Church had played a key role in the 'return of civil society' and had publicly expressed support for the process of democratisation. Yet there were also differences in that one transition led to the displacement of a regime ostensibly committed to a religious vision of the nation, whilst the other saw the removal of a system seemingly promoting an anti-religious ideology which restricted religion to the private sphere. They also took place at different points in Catholic 'history'. The first occurred at the end of a period of Catholic liberalisation and under the gaze of a newly appointed pontiff still finding his feet. The second took place at a time when John Paul II had stamped his own mark on the wider church and had every intention of ensuring that his Polish colleagues provided an adequate defence of Catholic values and interests.

These similarities and difference undoubtedly played a considerable role in shaping the ways in which the two hierarchies handled the process of democratisation, though in each case it is problematic to speak of the church as an actor with a single voice. Broadly speaking the Spanish church had a more 'centrist' or 'liberal' orientation in the late 1970s than its Polish

counterpart 15 years later, though in each institution there were highly conservative voices arguing for resistance to 'the spirit of the age'. Both, however, were influenced by the post-Vatican Council's emphasis on human rights and religious liberty. In consequence, each publicly supported the creation of democratic orders and neither put forward serious arguments for the restriction of minority rights, unlike their Orthodox counterparts in Greece, Bulgaria, and Russia.⁴⁶ Each also shared certain assumptions about the limitations of democracy, arguing that majority decision could not decide moral and ethical issues. In consequence, each stated quite clearly from the outset that they opposed the use of voting on questions such as divorce and abortion, for these were issues where God and natural law laid down absolute standards that could not be transgressed by any healthy society. Equally, both national churches were concerned to ensure that the new states gave legal or constitutional recognition to the historical connections between the nation and its religious institutions. Yet in defending the latter position they did tend to resort to demographic majoritarianism, arguing that in this case recognition was essential because most of the population formally adhered to the Catholic Church.

Yet in practice, despite shared objectives, they were operating in different contexts and often opted for different strategies in seeking to pursue these objectives. Hence the Spanish hierarchy was extremely concerned to avoid any revitalisation of the religious-secularist tensions that had cost Spain so dear in the 1930s, and joined other political actors in seeking consensual solutions to the constitutional debates. Though outspoken in opposition to divorce and, more especially, abortion, its language always left the door open for discussion – occasionally to the dismay of the Vatican. By way of contrast, the Polish bishops tended to adopt a more strident tone, arguing for very explicit public recognition of Christianity and the church in the constitutional text, and pursuing an absolute ban on abortion during the early 1990s. Whether either strategy was successful remains open to discussion, for both Spain and Poland now permit divorce, whilst within certain limits abortion is also possible.⁴⁷ On the other hand both succeeded in getting some recognition of the church's national status written into the constitutional texts, albeit rather 'softly' in the Spanish case.

More important for us, however, is the question of whether the positions adopted by the Catholic hierarchy served to ease or hinder the process of democratic consolidation. These were bodies with significant public support, though not necessarily major influences on political life, and the positions they took might have given backing to the

democratisation process in two ways. They could do this firstly by encouraging some of the values that one associates with democratic governance such as tolerance and acceptance of others. Here the picture is mixed. As already noted, they did support pluralism in 'their own patch' by offering few objections to the legal and practical realisation of religious liberty – albeit with little enthusiasm in some cases. Though Cardinal Glemp in Poland and some of the older hierarchs in Spain had some sympathy for the 'error has no rights' approach which dominated pre-Vatican II thinking, they recognised that the world had changed. Equally importantly, though the Pope might attack sectarian 'ravelling wolves' who sought to steal flocks in Latin America, he did not generally support attempts at physical or legal restriction of their rights, rather preferring to focus on counter-proselytising strategies that reinforced the faith of the Catholic community. Hence the official commitment of the international body to ideas about individual rights helped at some level to reinforce pluralist values in some areas of society.

The second way in which the church might have reinforced or undermined democratic consolidation relates to its promotion of the democratic rules of the game or the notion of democracy as the 'only game in town'. Here the tensions were more basic because of the very nature of the church. Traditionally it had seen the forms of rule as less important than the nature of that rule, that is whether it promoted a Catholic understanding of the common good. Democracy had in the second half of the twentieth century come to be seen as better than most other forms of rule, but where majorities promoted policies or values at odds with those of the church it too must face criticism. This dilemma was particularly acute for the Polish church because it had acquired influence by developing an ethical critique of the Communist system, by proclaiming divine and absolute truths against a system perceived as godless. Whilst all very well in the past, this division of the world into good and evil was hard to maintain into a democratic political system which is rooted in concepts of uncertainty, compromise, bargaining, and negotiation. Or, as Stepan and Linz suggest, an ethical notion of civil society that was useful in combating authoritarianism may prove 'dysfunctional' for political society in a consolidated democracy.⁴⁸

The dilemma facing these churches was how to lobby for their own interests and values but to do so in ways that did not appear to representing special pleading for advantage or privilege. With regard to constitutional recognition, both utilised the language of democracy to argue that their status as majority churches demanded a formal recognition that in no way

entailed any restriction on minority rights. It simply recognised a 'sociological fact'. More problematic was arguing their case for certain areas to be effectively excluded from this majoritarian approach, by using what some have described as 'private' arguments. That is, by claiming that certain areas were out of bounds for electorates and legislators they were utilising arguments that could not be contested and basing them on grounds that could not be shared by the whole society. And, as several writers have suggested, if one group claims certain areas as beyond the ken of public debate or voting in a democracy, why should others not do likewise.⁴⁹ This is not to say that religious organisations should simply deny their religious and theological inheritance or disguise it behind bland liberal sentiment – along the lines of an archbishop defending lenten fasting as a means of dieting. Rather they should find arguments that, whilst open about their religious origins, are also expressed in ways that do not simply rely on a 'God told me' approach which is essentially not contestable. Whether this will always be possible remains unclear and it is likely that tensions will resurface as absolute values come into conflict with the 'clash of interests' which lie at the heart of democratic politics. But in our cases it does seem that the Spanish Catholic Church has come to terms with this dilemma, as its leaders have come to focus primarily on revitalisation of their faith communities with only occasional forays into the public square.⁵⁰ For the Polish church this change has proved more problematic, though since the adoption of the constitution in 1997 its political interventions as an institution have been less public and confrontational. In particular, and like its Spanish counterpart, it has had to concentrate its attentions on dealing with the consequences of delayed modernisation in the form of a Western-style consumerism that offers alternative possibilities to those provided by the men in black. In that sense, both churches have been forced to take the road of backing freedom for all, not just for believers, and in that sense, however reluctantly in some cases, to adapt to democratic consolidation with all its uncertainties and occasionally undesirable side effects.

More generally, these case studies suggest that the relationship of the churches to democratisation is shaped by no single factor. In both cases, historical experience was important, though arguably the Spanish hierarchy appreciated the inheritance better than its Polish counterpart in making relatively modest claims on the new system for fear of re-awakening the old secular-clerical divisions that had torn Spain apart in the past. By way of contrast, the Polish church, used to battling against a hostile political system, appeared to believe that its past role in protecting civil society rendered it deserving of special consideration. This led it to adopt the same

robust attitude to democratic authorities as it had done with their Communist predecessors. Equally, it may well be that the Spanish church more quickly realised the likely impact of delayed modernisation on their hold over the flock, and the probable secularising implications of the new social and political order. In both cases the religious institution enjoyed the support of the majority of the population but faced the evaporation of this support if religious leaders made what were seen as excessive claims on the political order. It might be argued that both sought legal protection for their interests and values in order to prevent competition, but because this came from moral pluralism rather than religious alternatives, most of their campaigning focused on moral issues rather than curbing minority rights. Above all, however, it seems that the relationship of the churches to democratisation is shaped by their particular historical relationship with the political order, their perception (or mis-perception) of their political capital, and, in the Catholic case, of the broader attitude to political order, political influence, and minority rights of the international institution at the point of transition.

NOTES

1. A useful introduction to this distinction can be found in J. Linz and A. Stepan, *Problems of Democratic Transition and Consolidation* (Baltimore and London: John Hopkins University Press 1996).
2. See the discussion in J. Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press 1994), pp.11–39; G. Davie, *Religion in Modern Europe: A Memory Mutates* (Oxford: OUP 2000), pp.28–9.
3. D. Nichols, 'Religious Liberty in Spain', *Iberian Studies* 1/1 (1972), p.5.
4. Cf. F. Lannon, *Privilege, Persecution and Prophecy: The Catholic Church in Spain, 1875–1975* (Oxford: Clarendon Press 1987); A. Brassloff, *Religion and Politics in Spain: The Spanish Church in Transition, 1962–96* (London: Macmillan 1998).
5. R. Graham, *Spain: Change of a Nation* (London: Michael Joseph 1984), p.214.
6. Quoted in Brassloff, *Religion and Politics in Spain*, p.95.
7. William J. Callahan, *The Catholic Church in Spain, 1987–1998* (Washington DC: Catholic University of America Press 2000), p.567.
8. *Ibid.*, p.566.
9. R. Gunther, G. Sani and G. Shabad, *Spain after Franco: The Making of a Competitive Party System* (Berkeley: University of California Press 1998), p.221.
10. W. Callahan, 'Church and State in Spain, 1975–91', *Journal of Church and State* 34/3 (1992), p.507.
11. *The Tablet*, 9 Dec. 1978.
12. Brassloff, *Religion and Politics in Spain*, pp.97–8.
13. J. Hughey, 'Church, State and Religious Liberty in Spain', *Journal of Church and State* 23/3 (1981), pp.100–101; this financial support remains extensive, with a subsidy estimated at around \$10m in 2000.
14. On the current legal position, see G. Moran, 'The Legal Status of Religious Minorities in Spain', *Journal of Church and State* 36/3 (1994), pp.579–95; US State Department, *International Religious Freedom Report, 2001*.
15. Brassloff, *Religion and Politics in Spain*, pp.86–7.

16. Cf. Graham, *Spain*, p.225; V. Perez-Diaz, *The Rebirth of Civil Society* (London: Harvard University Press 1993), p.170; L. Edles, *Symbol and Ritual in the New Spain* (Cambridge: Cambridge University Press 1998), p.69.
17. R. Gunther and R. Blough, 'Religious Conflict and Consensus in Spain: A Tale of Two Constitutions', *World Affairs* 43/4 (1981), p.383.
18. Gunther *et al.*, *Spain after Franco*, p.228.
19. J. Montero and K. Calvo, 'Religiosity and Party Choice in Spain', in D. Broughton and H.-M. ten Napel (eds.), *Religion and Mass Electoral Behaviour in Europe* (London: Routledge 2000), pp.118–39.
20. *The Tablet*, 21 Feb. 1981; Brassloff, *Religion and Politics in Spain*, pp.123–24.
21. J. McNair, *Education for a Changing Spain* (Manchester: MUP 1984), pp.139–50.
22. M. Brzezinski, *The Struggle for Constitutionalism in Poland* (London: Macmillan 1998), pp.106–10.
23. *BBC Summary of World Broadcasts* EE/2055, 23 July 1994; J. Karpinski, 'The Constitutional Mosaic', *Transition* (Aug. 1995), p.9.
24. *BBC SWB* EE1684, B/5, 10 May 1993.
25. Brzezinski, *The Struggle for Constitutionalism in Poland*, p.122.
26. *BBC SWB* EE/2258, A/6, 25 March 1995.
27. S.P. Ramet, *Whose Democracy? Nationalism, Religion and the Doctrine of Collective Rights in Post-1989 Eastern Europe* (Oxford: Rowman & Littlefield, 1997), p.105.
28. *BBC SWB*, EE/2970, C/4, 18 March 1997.
29. Cf. *BBC SWB* EE/2902, C/5–6, 25 April 1997 and EE/2910, C/9–10, 5 May 1997.
30. Cf. *The Warsaw Voice*, 2 June 1996; *Catholic World News*, 9 Jan. 1998.
31. Cardinal Glomp amongst others initially appeared to have some sympathy for the pre-Vatican II position that error has no rights, and to have explicitly advocated the creation of a national Catholic state. Casanova, *Public Religions in the Modern World*, pp.110–11.
32. These religious liberty issues are explored in more in my forthcoming book on religion and politics in transitional societies (CUP, 2003).
33. K. Kosela, 'The Polish Catholic Church and the Elections of 1989', *Religion in Communist Lands* 18/2 (1990), pp.124–37.
34. A. Sabbat-Swidlicka, 'Polish Bishops Discuss Current Issues', *Report on Eastern Europe*, 20 April 1990, pp.25–8.
35. F. Millard, 'The Shaping of the Polish Party System, 1989–93', *East European Politics and Society*, 8/3 (1994), pp.467–94.
36. *Open Media Resources Institute (OMRI)*, 205, 20 Oct. 1995.
37. Cf. *BBC SWB* EE/2460, C/5; EE/2461, C/15 and EE/2465, S1/0 on 14, 15 and 20 Nov. respectively
38. K. Chan, 'The Religious Base of Politics in Post-Communist Poland', in Broughton and ten Napel (eds.), *Religion and Mass Electoral Behaviour in Europe*, pp.189–90.
39. *Keston News Service* 12 July 1990, 14 and 25 Oct. 1990.
40. M. Eboz, 'The Roman Catholic Church and Democracy in Poland', *Europe-Asia Studies* 50/5 (1998), p.821.
41. A. Sabbat-Swidlicka, 'Polish Ombudsman Over-ruled on Religious Instruction', *RFE/RL Research Report* 2/28, 9 July 1993; Brzezinski, *The Struggle for Constitutionalism in Poland*, pp.178–82; Ramet, *Whose Democracy?* p.101.
42. *BBC*, *SWB* EE/1576, B/11, 1 January 1993 and EE/1629, B/5, 5 March 1993; A. Sabbat-Swidlicka, 'Church and State in Poland', *RFE/RL Research Report* 2/14, 2 April 1993.
43. *Annual Report on International Religious Freedom for 1999: Poland* (Washington DC: US State Department 1999), Section 1.
44. *The Independent*, 17 and 18 May 1991, and 27 Nov. 1991; Sabbat-Widlicka, 'Church and State in Poland', pp.47–8.
45. *OMRI* 168, 29 Aug. 1996; J. Karpinski, 'Poles Divided over Church's Renewed Role', *Transition*, 5 April 1996, pp.11–13.
46. J. Anderson, 'The Treatment of Religious Minorities in South-Eastern Europe: Greece and Bulgaria Compared', *Religion, State and Society* 30/1 (2002), pp.9–31.
47. Speaking off the record, an experienced Vatican diplomat suggested to me that the absolutist

- positions adopted by the Polish hierarchy could often be counter-productive both in terms of achieving goals and in engendering public support.
48. Stepan and Linz, *Problems of Democratic Transition and Consolidation*, p.272.
 49. This argument is made in relation to Latin America in M. Fleet and B. Smith, *The Catholic Church and Democracy in Chile and Peru* (Notre Dame: University of Notre Dame Press 1997), p.179. Or, as Casanova suggests, so long as the church's arguments are made in the public sphere of civil society, they are legitimate and likely to be more effective, whilst when they appeal for state sanction and claim privileged knowledge they are likely to be rejected by democratic polities. Casanova, *Public Religions in the Modern World*, p.223.
 50. Cf. Davie, *Religion in Modern Europe*, pp.152–4; Callahan, *The Catholic Church in Spain*, Chapters 23–4.