



## Religion

## Population

## Area

- Christians : **95.9%**
- Agnostics : **2.7%**
- Ethnoreligionists : **1.1%**
- Others : **0.3%**

128,632,000

1,964,375 Km<sup>2</sup>

## Legal framework on freedom of religion and actual application

Article one of the Mexican constitution<sup>[1]</sup> states that all government authorities have an obligation to promote, respect, protect and guarantee human rights. The same article bans discrimination on grounds of ethnic or national origin, gender, age, disabilities, social condition, health conditions, religion, opinions, sexual preferences, marital status or any other factor that might offend human dignity.

According to article three of the constitution, state education must be secular and should not include any references to religious doctrine.

Article 24 of the constitution contains elements of article 18 of the Universal Declaration of Human Rights. It states: "Every person has the right to have freedom of ethical convictions, of conscience and of religion, and to have or to adopt, as the case may be, the one of her preference. Such freedom includes the right to participate, individually or collectively, in both public and private ceremonies, worship or religious acts of the respective cult, as long as they are not a felony or a misdemeanour punished by law." It goes on to say: "No person is allowed to use these public acts of religious expression for political ends, for campaigning or as means of political propaganda."

Article 27 refers to the capacity of religious associations constituted under the terms of article 130 of the constitution, as well as the Law of Religious Associations and Public Worship<sup>[2]</sup> (the statute that regulates article 24 of the constitution), to acquire, possess or administer assets.

Articles 55 and 58 of the constitution preclude members of the clergy from becoming federal deputies or senators.

Article 130, which sets out the historic principle of separation of church and state, states that churches and religious groups cannot obtain legal recognition as religious organisations unless they register with the relevant authorities. The

latter, however, cannot intervene in the internal life of the religious associations. Mexican citizens are permitted to exercise ministry in any religion of their choice.

Under the Law of Religious Associations and Public Worship, members of the clergy may not hold public office. They can vote but they cannot be elected. They can neither associate for political purposes nor preach for or against any candidate, party or political association; nor can they oppose national laws or institutions in public meetings, acts of worship, religious propaganda, or publications of a religious nature. Members of the clergy cannot inherit from people whom they have helped spiritually and to whom they are not related to the fourth degree.

In addition, religious associations and members of the clergy cannot own or administer telecommunications concessions, except for printed publications of a religious nature.

The same law contains 32 articles that refer to: the nature, constitution and operation of religious associations; their associates, members and representatives of the clergy; their patrimonial regime; their religious acts of public worship; the role of the authorities; as well as offences and penalties. The law provides that religious beliefs are not grounds to ask for an exemption from compliance with the laws of the country. The state shall exercise its authority over any individual or collective religious activities, if they contravene the provisions of the constitution, international treaties ratified by Mexico and other applicable legislation.

Churches and other religious groups must meet a set of requirements to obtain legal recognition<sup>[3]</sup> Religious associations have the right to set up and run administrative structures governing their activities, perform acts of public worship and manage private welfare institutions, educational establishments and health institutions as long as they are not for profit.

In order to engage in religious acts of public worship outside places designated for the purpose, organisers must give prior notice to the authorities, who may prohibit the act for reasons of security, health protection, morality, quiet and public order or to protect the rights of third parties.

The federal Law to Prevent and Eliminate Discrimination<sup>[4]</sup> deems it discriminatory to place limits on the free expression of ideas and or to hinder freedom of thought, conscience or religion, or religious practices or customs, provided that these do not violate public order.

On 11th May 2018, an amendment to the General Health Law was approved. This recognises the right of medical and nursing staff who are part of the national health system to make conscientious objection and not to provide certain services, which otherwise they would be required by law to provide, if those services are contrary to their convictions; except in those cases in which the life of the patient is at risk and in the case of a medical emergency. In addition, the amendment states that conscientious objection cannot be grounds for employment discrimination<sup>[5]</sup> This provision can only be applied to medical and nursing staff. General restrictions on conscientious objection remain in place.

On 12th April 2018, Deputies Carlos Iriarte Mercado and José Hugo Cabrera Ruiz put forward a proposal to extend various provisions of the Law on Religious Associations and Public Worship and repeal other ones<sup>[6]</sup> If approved, it would improve the legal framework that protects the right to religious freedom by making it conform to the legislation of other OECD member countries. Proposed changes including giving people various rights, such as the right to conscientious objection based on religious or ethical principles, the right to associate, meet or demonstrate peacefully and express their religious beliefs in relation to matters of a public nature and the right to contribute money or make contributions in kind in support of religious associations. Another change would grant religious associations the right to acquire real estate without prior approval of the Ministry of the Interior, and the right to own or manage concessions to operate radio, television or other forms of media.

## **| Incidents**

During the period under review, violence towards priests continued to rise. On 5th July 2017 Father Luis López, of the diocese of Nezahualcóyotl, was murdered at home in the state of Mexico.<sup>[7]</sup> Father José Miguel Machorro was attacked on 15th May 2017 at the metropolitan cathedral of the archdiocese of Mexico and died that August.<sup>[8]</sup>

On 4th February 2018, Father Germaín Muñiz, of the diocese of Chilpancingo-Chilapa, and Father Iván Añorve, of the archdiocese of Acapulco, were killed as they drove along the Iguala-Taxco highway in the state of Guerrero.<sup>[9]</sup>

In April, three more priests were killed.<sup>[10]</sup> Father Rubén Alcántara, of the diocese of Izcalli, was attacked with a knife on 19th April inside his parish in the state of Mexico; on 21st April, Father Juan Miguel, of the archdiocese of Guadalajara in the state of Jalisco, was attacked in his parish by two armed men; finally, Father José Moisés, of the archdiocese of Mexico, was found dead on 27th April in the state of Morelos, after his family had reported his abduction.

Several priests have complained of threats and extortion by organised crime. In some places protective measures have been taken. In May 2018 the diocese of Zacatecas announced the suspension of evening and Masses to prevent priests from being exposed to attacks.<sup>[11]</sup>

On 25th July 2017 an explosive device was detonated at the main door of the headquarters of the Catholic Bishops' Conference of Mexico, a few metres from the basilica in Guadalupe.<sup>[12]</sup>

Several Catholic leaders have spoken out against the violence carried out against priests. Bishop Salvador Rangel of the diocese of Chilpancingo, Guerrero, reported that, after receiving threats, priests have abandoned their communities for fear of being killed.<sup>[13]</sup> Father Omar Sotelo, director of the Catholic Multimedia Centre, stated that clergy have been threatened, and tortured before being killed.<sup>[14]</sup> The Archbishop of Morelia, Michoacán, Carlos Garfias Merlos, has stated that violence against the clergy and widespread insecurity in various communities are threats to the activities of the Church.<sup>[15]</sup>

In addition to the violent attacks against priests, Bishop Ramón Castro, Bishop of Cuernavaca, Morelos, has denounced the harassment he has endured for denouncing a series of abuses, omissions and excesses committed by the state government.<sup>[16]</sup> In response, the state governor, Graco Ramírez, has accused the bishop of plotting against his government by holding meetings with opposition social leaders and inciting violence in a community of the diocese.<sup>[17]</sup> According to the bishop, this persecution has been going on since 2013.<sup>[18]</sup>

The Catholic Church has not been the only religious body affected by violence. Members of the clergy of other denominations have also reported that they have been the victims of robbery, kidnapping and extortion, according to Arturo Farela, president of the National Confraternity of Evangelical Christian Churches. Farela noted that the states with the greatest number of attacks are Chiapas, Oaxaca, Jalisco, Veracruz, Guerrero, Coahuila and Chihuahua.<sup>[19]</sup>

The Mexican Commission for the Defence and Promotion of Human Rights notes that no clear figures are available for the number of people displaced for religious reasons, as many of the conflicts tend to combine political, territorial and religious factors.<sup>[20]</sup>

On 4th December 2017, in Tuxpan de Bolaños, in the state of Jalisco, 48 indigenous Huichol converts to other denominations and religious groups (Jehovah's Witnesses, Evangelicals and Baptists), were expelled from their community for refusing to hold local government positions, which would have contravened their religious precepts.<sup>[21]</sup>

On 15th March 2018, Luis Herrera, of the Christian Voices organisation, complained that in San Miguel Chiptic, a village in the municipality of Altamirano in Chiapas, several people destroyed three homes belonging to families that converted to the Adventist church. He added that the authorities have not taken steps to ensure that local residents can profess their religion in freedom.<sup>[22]</sup>

On 21st April 2018, in Acteal, a village in the municipality of Chenalhó in Chiapas, a group of armed people attacked a house of the Catholic association called The Bees. The group reported that the attackers were members of the Ecological

Green Party of Mexico, which leads the local government. Weeks later, the parish of Chenalhó called for a pilgrimage to Acteal but ultimately decided against it because of the risk of attack. This village is of special interest because in 1997 the community was attacked by a paramilitary group who killed 45 people.<sup>[23]</sup>

## Prospects for freedom of religion

The period under review shows that the number of attacks against priests and other pastoral agents have increased over previous years.<sup>[24]</sup> As organised crime grows, the chances of ending violence against priests diminish. Members of the clergy are in a particularly dangerous situation, since they are the ones who continually denounce attacks or abuses by organised crime, government or other groups towards themselves or members of their communities. It is relatively easy to find out the number of religious leaders murdered by organised crime, but information about the number of threats they receive on a daily basis in relation to their pastoral activity is not so accessible, especially in areas where the conflict is worst. The situation is of great concern to Mexico's Catholic Bishops, who have expressed their dismay in several press releases, demanding justice for the murdered priests and denouncing the country's precarious situation.<sup>[25]</sup> The authorities, which sometimes heed the calls, lose interest as soon as media attention fades.

In addition, there are no clear figures regarding the number of people displaced for religious reasons. In many cases, these conflicts do not go beyond the national media or do not receive a proper follow-up by the authorities, so it is also not possible to analyse the efficacy of steps taken to bring the perpetrators to justice.

Even though the recognition of the right to conscientious objection in the reform of the General Health Law is a move in the right direction, it is still limited since it grants this right only to medical and nursing staff. In addition, the text of the reform goes against the provisions of the Law of Religious Associations and Public Worship. Article one continues to indicate that "religious convictions do not give exemption in any case from compliance with the laws of the country. No one can claim religious reasons for evading the responsibilities and obligations prescribed by the law". These are all reasons given for amending the regulatory law.

## Endnotes / Sources

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[2] Ley de Asociaciones Religiosas y Culto Público, Cámara de Diputados, <http://www.diputados.gob.mx/LeyesBiblio/ref/larcp.htm> (accessed 23rd June 2018).

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