

# Education for Citizenship and Human Rights and the Impact of Neoconservative Catholic Influences in Spain

Alicia Muñoz Ramírez

University of Salamanca, Spain.

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Alicia Muñoz Ramírez

almura@usal.es

University of Salamanca, Spain.

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### Introduction

Since the transition to democracy in the late 1970s, ideological, cultural and moral pluralism, as well as secularisation and *laicismo*<sup>1</sup>, have been gaining importance for Spanish citizens, undermining long-established symbols of national Catholic identity that have been part of Spain's heritage for several centuries. This trend has influenced a range of social policies, including educational ones.

Accordingly, it is worth noting that during the Spanish Socialist Workers' Party's administration under the leadership of José Luis Rodríguez Zapatero (2004-2011), several laws were debated and approved. Among these were the law amending the Civil Code for the regulation of same-sex marriages (2005), the law on assisted human reproduction techniques (2006), the Organic Law of Education (2006), the Organic Law for effective equality between women and men (2007), and the Organic Law on sexual and reproductive health and voluntary termination of pregnancy (2010). These laws were much welcomed by one sector of Spanish society; for this group they signified progress on social rights and democratic principles, and a detachment of public policy from Catholic morality.

However, the Spanish Episcopal Conference and the Holy See viewed such measures with mistrust and aversion, interpreting these initiatives of the Socialist government as aggressive secularism in support of moral relativism, 'gender ideology' and anti-clericalism.

This situation strained the relationship between the Catholic Church and the Socialist government. Spanish society's neoconservative Catholic<sup>2</sup> forces felt threatened by these policies and started to regroup and adopt a public, moralizing militancy.

In this regard, the words spoken by Cardinal Antonio María Rouco Varela, President of the Spanish Episcopal Conference (1999-2005, 2008-2014), right-hand man to John Paul II and Benedict XVI and one of the most prominent exponents of

Spanish Catholic neoconservatism, were very enlightening. In his view, if Spain were to lose touch with its Catholic roots, it 'would not only stop being Catholic Christian, but would no longer be Spain' (RD/Agencias, 2005).

The ambition of neoconservative Catholic forces to defend a Catholic-based moral, political, historical and cultural universalism can be fully understood through an analysis of the impact of such forces on the field of education, specifically in regard to Education for Citizenship and Human Rights. This school subject was developed by the Socialist government in the Organic Law of Education of 3 May 2006.

Neoconservative Catholics saw this change to the curriculum as a secularizing threat and as state interference in the monopoly on moral education and educational values held by the Catholic Church, as a result of its political and legal privileges. Thus, they engaged in a process to encourage and facilitate conscientious objection and civil disobedience. They even managed to prevent the inclusion of the contents and values of Education for Citizenship and Human Rights in the new Organic Law for the Improvement of Educational Quality of 9 December 2013.

However, before analysing the entire process by which Education for Citizenship and Human Rights was discredited and mobilised against, it is essential to understand how this subject was implemented and why it was developed. For this purpose, the first step is to briefly explain the demands and recommendations that the United Nations and the Council of Europe have developed in the last few decades for the incorporation of human rights education and education for democratic citizenship in curricula and in the social consciousness.

### **International recommendations on human rights education and democratic citizenship education**

Over the last seven decades, the United Nations has supported several recommendations and guidelines to raise awareness and reflect the importance of developing an education in and for human rights, encouraging states and social actors to create educational policies and programmes. One of the most significant examples is the World Programme for Human Rights Education (2005-present), which consists of a series of consecutive phases to advance the implementation of human rights education in schools, higher education, teacher training programmes and society in general (Office of the United Nations High Commissioner for Human Rights & United Nations Educational, Scientific and Cultural Organization, 2012).

Hence, it should be noted that human rights education is not only a legal and political commitment, but also a continuous, permanent and open process of formal, non-formal and informal training through multiple and diverse teaching and learning methods, whose full development depends on the commitment of all social actors in democratic societies (United Nations, 2011).

Furthermore, as observed by Ribotta (2006, p. 153):

*Educar en y para los derechos humanos es el único camino que conduce a las mujeres y hombres del mundo de todos los pueblos, las culturas, las religiones, las edades, las opciones sexuales y situaciones sociales, económicas y políticas, a convertirse en ciudadanos del mundo y artífices de su propio destino* [Educating in and for human rights is the only way by which all women and men, no matter what their background, culture, religion, age, sexual

preference or social, economic and political situation, can become world citizens and architects of their own destinies].

In the same vein, since the 1980s, the Council of Europe has initiated several projects and programmes to reawaken the democratic values, knowledge and behaviour that will foster human rights and citizen participation. One of these has been Recommendation No. R (85) 7 of the Committee of Ministers of the Council of Europe to Member States on teaching and learning about human rights in school (Council of Europe, 1985). There is an even stronger emphasis in the Final Declaration and Action Plan of the Second Summit of Heads of State and Government of the Council of Europe, where the "desire to develop education for democratic citizenship based on the rights and responsibilities of citizens, and the participation of young people in civil society" was expressed (Council of Europe, 1997). Moreover, in 2002, the Council of Europe recommended member states and contracting states of the European Cultural Convention to include Education for Democratic Citizenship in their curricula, on the understanding that this education is essential for social cohesion, mutual understanding, intercultural and interreligious dialogue, and the defence of liberty, pluralism, human rights and gender equality (Council of Europe, 2002).

Likewise, according to the Recommendation adopted by the Committee of Ministers of the Council of Europe on 11 May 2010:

Education for democratic citizenship and human rights education are closely inter-related and mutually supportive. They differ in focus and scope rather than in goals and practices. Education for democratic citizenship focuses primarily on democratic rights and responsibilities and active participation, in relation to the civic, political, social, economic, legal and cultural spheres of society, while human rights education is concerned with the broader spectrum of human rights and fundamental freedoms in every aspect of people's lives (Council of Europe, 2010).

Therefore, human rights education necessarily involves the learning of civic and democratic values, and vice versa.

### **The implementation of Education for Citizenship and Human Rights in Spain**

In Spain, the right to education is provided for in article 27 of the Spanish Constitution of 1978<sup>3</sup>. This article, a source of controversy and tension, was formulated with calculated ambiguity so that different governments would be able to apply this right in terms of their ideological interests, and that the Spanish ecclesiastical hierarchy would be able to maintain certain educational privileges (Martínez de Pisón, 2003, p. 125). In fact, over the last 40 years, Spain has had seven educational laws<sup>4</sup>, and disputes between the different political and ideological actors have hindered all efforts to attain a much-needed consensus.

Furthermore, despite the fact that the Spanish Constitution of 1978 and subsequent democratic laws on education have allowed the development of education for human rights and democratic citizenship, this was not a priority in curricular planning. It was treated as an interdisciplinary topic and, in most cases, fell into oblivion. Therefore, Spanish society suffered from a lack of education for human rights and democratic citizenship, a situation that was denounced by

Amnesty International (Amnistía Internacional [Amnesty International], 2003) and by Katarina Tomaševski, United Nations Special Rapporteur on the Right to Education (1998 - 2004), in an interview given in Spain in 2004 (Barroso, 2004).

This lack of education for human rights and democratic citizenship was not consistent with several of the Spanish government's commitments. For example, in 2002, under the right-wing government of the People's Party, Spain supported the Recommendation of the Committee of Ministers of the Council of Europe which specified that education for democratic citizenship should be given priority (Council of Europe, 2002).

However, the Socialist government of José Luis Rodríguez Zapatero (2004-2011) showed a greater concern to satisfy such commitments and implement civic-democratic and human rights education. In 2005, under the Socialist government, Spain effected the World Programme for Human Rights Education to promote such education in the educational system and in society as a whole (Office of the United Nations High Commissioner for Human Rights & United Nations Educational, Scientific and Cultural Organization, 2006).

In addition, from September 2004 to March 2005, the Ministry of Education and Science, led by Socialist minister María Jesús San Segundo (2004-2006), engaged in discussions to draft a new law on education, emphasizing the need to teach education for democratic citizenship, not as an interdisciplinary topic, but as a separate subject. This would counteract the limitations of previous approaches and deal with the growing complexity and plurality of Spanish society. Over the last 35 years, Spanish society has experienced different social, economic, political and migratory changes that have led to a multiplicity of moral, political and ideological codes that sometimes clash with each other. Therefore, it was considered that a specific school subject that taught democratic knowledge and values was essential to encourage the acquisition of norms that could support coexistence, mutual respect and solidarity, and so ensure the full development of the human personality (*Ministerio de Educación y Ciencia* [Ministry of Education and Science], 2004; Tiana, 2009).

The Spanish Committee, created on 8 March 2005 to boost the objectives of the Council of Europe's proposal to proclaim '2005 European year of citizenship through education', was the venue where the contents of this subject were assessed. After reaching relative consensus among public administration representatives and educational and social organizations, the Ministry of Education and Science presented the drafts that contained the contents of the curriculum. Such drafts were approved by the General Commission of Education and by a large majority, albeit not by unanimous decision, of the State School Council, the advisory and consultative body for the sectors of the educational community. Its members are the President and Vice President of the State School Council, and 105 representatives from educational sectors.

Thus, in the Organic Law of Education of 3 May 2006, Spain introduced a new subject that taught democratic citizenship, one that encouraged a universal culture of human rights (Law no. 7899, 2006).

An analysis of Spain's recent history underlines the importance of such education. After a long period of dictatorship, apathy and lack of democratic practice, Spanish society was gradually gaining an awareness of the need to know, analyse and practice democratic values and human rights. Moreover, Spaniards were calling for greater democratic participation. Hence, this subject was the perfect means for

developing a participatory and reflective democratic culture that, far from dogmas or prejudices, would seek to defend justice, dignity and the freedom of all its citizens.

The subject Education for Citizenship and Human Rights was taught in the last stage of primary education, and in one of the three first courses of compulsory secondary education. Pupils went on to study Ethical-Civic Education in the fourth year of compulsory secondary education, and Philosophy and Citizenship in the first year of pre-university education.

The Organic Law of Education and the Royal Decrees of 2006 and 2007, which laid down the minimum requirements of the contents of primary education, compulsory secondary education and pre-university education, were endorsed by the Council of State and the Council of Ministers. Thus, for the first time in Spain, the competencies, contents, aims and teaching hours for human rights education were established.

In addition, following the Recommendation of the Council of Europe of 2002, it was determined that the objectives and contents of this subject should range from the individual sphere of identity and personal relationships, to that of social coexistence and collective responsibilities.

This led to the development of several competences, all of them revolving around social and civic competence, with a special emphasis on respect for human rights. The subject content was organized into different blocks; for primary, secondary and pre-university education.

The main goal of this subject was to confront the fact that there was an inadequate culture of democracy and human rights in Spain. This problem was to be addressed by providing all students with a space where they could study, analyse and reflect on democratic principles and human rights. A number of things were stressed: e.g., the importance of participation in public life; the identification and management of situations of discrimination, poverty or human rights violations; the development of self-esteem; and respect for custom, belief and sexual orientation diversity. Special attention was to be paid to the issue of gender equality.

The minimum teaching hours established were fifty for primary education, seventy for compulsory secondary education and one hundred and five for pre-university education. In certain autonomous communities, such as Extremadura, Asturias, the Canary Islands or Castile-La Mancha, education authorities increased the number of hours for teaching human rights at the primary and secondary levels. This placed Spain ahead of other European countries, as far as the amount of hours for primary schools was concerned. However, for practical reasons, the average number of hours per year for secondary education was set at one hour a week, far below the European average (*Amnistía Internacional* [Amnesty International], 2008). Some teachers criticized this, claiming they were not being given time to encourage critical and reflective thinking and, if they were to achieve the expected outcomes in HR, time would have to be taken from other subjects. (Carabaña, 2010).

Education for Citizenship and Human Rights was finally implemented in the compulsory secondary education system and in pre-university education in the 2008-2009 academic year. Certain autonomous communities, such as Andalusia, Castile-La Mancha, Catalonia, Asturias or Navarre, had already started to introduce it as a secondary school subject in 2007-2008. However, in primary education it was not taught until 2009-2010.

In addition, although Education for Citizenship and Human Rights was a step towards developing a sound education for democracy and human rights in Spain,

there were several ways in which it could have been better implemented. For example, Amnesty International (2008) reported the need for a National Implementation Follow-up Commission to look at this education, as well as the appropriateness of the contents of specific teacher training programmes and their application. Critical analysis of the type of citizenship that was being shaped was essential (Fernández, Fernández, Alegre & Brieva, 2007).

Unfortunately, these issues were never addressed, since neoconservative Catholic sectors diverted the public debate on Education for Citizenship and Human Rights away towards other matters. Specifically, they steered the discussion towards deliberations as to whether it involved a degree of indoctrination, and whether parents might object to this (Muñoz Ramírez, 2016a). It was the ways in which the subject focussed on personal and social relationships, respect for diversity, identity and otherness, different family models and gender equality that Spain's neoconservative Catholics objected to. It was argued that they constituted indoctrination and that parents with Catholic beliefs should protest.

All this was nothing but a manoeuvre designed to delegitimize Education for Citizenship and Human Rights, since certain Catholics saw it as the main threat to the cultural hegemony of the Church.

### **Impact of neoconservative Catholic influences on Education for Citizenship and Human Rights**

From the moment that the Ministry of Education announced its intention to implement Education for Citizenship and Human Rights, the Spanish Episcopal Conference took a stand against it (Puga Davila, 2004; *Comité Ejecutivo de la Conferencia Episcopal Española* [Executive Committee of the Spanish Episcopal Conference], 2005; *Conferencia Episcopal Española* [Spanish Episcopal Conference], 2006).

At the time, the Spanish Episcopal Conference was under the ideological sway of Cardinal Antonio María Rouco Varela and Cardinal Antonio Cañizares, Vice President of the Spanish Episcopal Conference (2005-2008; 2017-). Both men were prominent Spanish exponents of Catholic neoconservatism, and advocates of John Paul II and Benedict XVI's ideological and discursive project.

Thus, Spain's ecclesiastical hierarchy, interpreting Education for Citizenship and Human Rights as a tool for the secularisation of Spanish society, did not hesitate to mobilise as an ethical-political and religious pressure group. Their actions were grounded in the Holy See's transnational discourse and supported by the People's Party and mass media and Catholic organizations with a similar ideological orientation.

All of these actors portrayed Catholic families as victims, encouraging them to take action by appealing to their emotions, and to the fact that they were the people who could make a difference; a strategy similar to that used by post-fascism. Accordingly, Catholic neoconservative forces encouraged Catholic families to criticize the Citizenship and Human Rights curriculum and practice conscientious objection and civil disobedience.

The ideological position of the Spanish Episcopal Conference was closely linked to the ideological project of the Holy See, reproducing its discourse. An analysis of such discourse, studying the papacy of John Paul II, 1978-2005, and that of Benedict XVI, 2005-2013 (Muñoz Ramírez, 2017), reveals it had a number of characteristics: a defence of Europe's Catholic roots; the promulgation of the

Apostolic Letter *Summorum Pontificum* to facilitate the use of pre-conciliar forms in the celebration of the Roman Rite and in most of the sacraments; the establishment of the Pontifical Council for Promoting the New Evangelization. The Pontifical Council is a Vatican Ministry, and was established so that countries that seemed to be falling into *laicismo*, such as Spain, could recover their Catholic identity. Similarly, the Holy See believed that some of the guidelines and measures adopted by the Council of Europe and the United Nations were leading countries towards secularisation, threatening the Catholic family unit and man's true nature. Consequently, it was only logical for the ecclesiastical hierarchy to criticize certain policies that were being developed in Spain, and promote mobilisation against the curriculum and lay values of Education for Citizenship and Human Rights (*Los obispos llaman* [The bishops call], 2006; *El Vaticano opina* [The Vatican thinks], 2008).

Furthermore, the political and legal privileges enjoyed by the Catholic Church in Spain enable it to intervene in certain political, legal, social and cultural affairs. And this has certainly been the case with Education for Citizenship and Human Rights, inasmuch as the Catholic institution has used these privileges to justify the process of discrediting it. On the one hand, articles 14 and 16, of the Spanish Constitution of 1978, although implicit and ambiguous, enshrine a principle of political and religious modernization, deconfessionalization and secularization of the Spanish State (Llamazares Fernández, 2005). However, on the other hand, the 1979 agreements between the Spanish State and the Holy See maintain the link between Church and State. This undermines the State's authority in matters of religion and makes it hard to break legal ties (Díaz Burillo, 2013), in particular those relating to the funding received by the Catholic Church from the State and in its involvement in matters of moral and values-based education.

Attention should also be drawn to the fact that the People's Party and the Spanish Catholic hierarchy have a close relationship, so that this party usually incorporates the Catholic institution's demands on issues such as education, marriage, divorce or abortion in its election manifestos (Díaz-Salazar, 2007). It is not surprising, therefore, that, in December 2006, education ministers in the autonomous communities governed by the People's Party agreed to only implement the minimum legal requirements for Education for Citizenship and Human Rights in their schools. And neither was it unusual for them to draw up their own curricula, removing contents related to homosexuality, gender equality or the peaceful settlement of conflicts (Muñoz Ramírez, 2016b).

This was possible because of the decentralization of the education system. In Spain, the minimum content of the educational curriculum, which serves as a common framework, is set by the central government through Royal Decrees. However, the different autonomous communities are able to customize what is taught in their schools. As a result, although curricula in the autonomous communities are similar, there is no uniformity.

It neither should be overlooked is that certain media, such as the newspapers *El Mundo* and *La Razón* and the COPE Network of popular Spanish broadcasters, covered, broadcast and encouraged the above-mentioned criticism of Education for Citizenship and Human Rights.

Likewise, the support and cooperation of several Catholic institutions and organizations, such as *Profesionales por la ética* [Professionals for ethics], *Foro Español de la Familia* [Spanish Family Forum]; *Conferencia Católica Nacional de*

*Padres de Familia y Padres de Alumnos* [National Catholic Conference of Parents and Parents of Students] and *HazteOir* played a decisive role.

It is worth noting that some prominent Spanish neoconservative Catholics appear to be associated with the *El Yunque* organization (Lobo, 2012). This seems to be a secret paramilitary extreme right-wing association, originally Mexican but with an international dimension. Its purpose is to establish God's kingdom on earth by controlling public policies and infiltrating the highest levels of political power (López Luengos, 2010; Garrido, 2014).

The fact is that, from 2006, the first groups of Catholic parents in favour of conscientious objection against Education for Citizenship and Human Rights began to raise their voices, dissatisfied with how the Socialist government had defined some aspects of the subject. For example, they disagreed with what was said on topics such as gender equality, diversity of marriage, or sexual minorities, claiming that it went against their moral and religious beliefs (*Profesionales por la ética* [Professionals for ethics], 2009).

These Catholic families, reproducing the ideals guiding the Catholic Hierarchy, believed that the inclusion of such topics comprised an indoctrination that imposed *laicismo*, relativism and 'gender ideology'. The young were encouraged to engage in sexual activity, there was a fostering of homosexuality, and women were discouraged from wanting to become mothers or start a family.

From June 2007, specific associations and platforms were formed to disseminate and coordinate Catholic parents' collective action. Examples were: *¿Xq te callas?* [Why do you remain silent?], *Los Padres Eligen* [Parents Choose], *Plataforma de Madres Objektoras* [The Movement of Objecting Mothers] or *Objetores.org* [Objectors.org], among others. Some of these were grouped in the *España Educa en Libertad* [Spain Educates in Freedom] national federation, made up of more than 70 organizations.

The mobilisation against Education for Citizenship and Human Rights took the form of a large number of campaigns, conventions, meetings, performances and press conferences. Additionally, several protest rallies were organized and lots of documents, guides, videos and books were disseminated (Muñoz Ramírez, 2016a, pp. 485-518).

Furthermore, to ensure the success of this mobilisation, different identity references were used to produce a cultural framework that offered a mythical reading of the national history of Spain, linking dignity, truth, goodness and civic virtue to the Catholic faith. Analysis of these ideological-cultural frameworks reveals a desire to revitalize certain ideological components of the religious fascism that prevailed during Franco's "National-Catholic" Spain (Muñoz Ramírez, 2016a, pp. 519-532).

Owing to the pressure of this mobilization, the Socialist government reached an agreement with the Organization of Catholic Schools<sup>5</sup>, chaired by Inmaculada Tuset (2007-2015), so that these schools could adapt Education for Citizenship and Human Rights to their religious beliefs. This made it possible for schools belonging to the Catholic Schools Organization to drop contents they disagreed with (*Escuelas Católicas* [Catholic Schools], 2007).

While many of the Catholic parents who had mobilized were satisfied with this measure, unyielding neoconservative Catholics believed it was not enough and continued to mobilize in favour of conscientious objection and civil disobedience, in pursuit of the complete elimination of Education for Citizenship and Human Rights.

However, not all Spanish Catholics were negative. For example, people such as the theologian Juan José Tamayo and the former Claretian priest Benjamín Forcano, both advocates of liberation theology, saw Education for Citizenship and Human Rights as a good way to develop cosmopolitan, global and democratic citizenship. They criticized the irresponsibility of certain political groups in opposing it, and were also critical of the action plan of the Spanish ecclesiastical hierarchy to encourage civil disobedience. They even expressed their rejection of the Socialist government's decision to allow the contents of this subject to be adapted to the thinking of Catholic schools (Forcano, 2007; Tamayo, 2007).

Similarly, the philosopher José Antonio Marina and Olegario González de Cardedal, Catholic priest, theologian and member of the Royal Academy of Moral and Political Sciences of Spain, both considered that the subject did not contradict the tenets of Christian humanism, and found no reason to object to it (Bastante, 2007; Marina, 2007).

However, such voices were in a minority: criticism of Education for Citizenship and Human Rights continued, and encouragement of conscientious objection persisted.

On the one hand, neoconservative Catholics defended parents' right to conscientious objection by mainly referring to article 27.3 of the Spanish Constitution<sup>6</sup>. On the other hand, Rodríguez Zapatero's government and those defending this education used article 27.2<sup>7</sup> of the Constitution, the Universal Declaration of Human Rights and international treaties, agreements and recommendations supported by Spain to justify its implementation.

Several families, objecting to Education for Citizenship and Human Rights and wanting to invalidate the minimum contents of the subject as indoctrination, began to lodge contentious administrative appeals before the Superior Courts of Justice in several autonomous communities. The judicial decisions of these Courts varied: some of them ruled in favour of parents' right to conscientious objection while others did not.

This whole situation generated a huge controversy about the legitimacy of such conscientious objection.

The rulings of the Supreme Court of Spain, of 11 February 2009, were expected to solve the questions of whether the subject involved indoctrination, and whether conscientious objection was legitimate. The decisions, which were in response to four cassation appeals<sup>8</sup>, established that there was no indoctrination, and that the right to conscientious objection was not acceptable. Nonetheless, certain autonomic supreme courts continued to issue judgements in favour of conscientious objection, one example being the Supreme Court of Justice of Castile and Leon's ruling of 23 September 2009.

The neoconservative Catholic movement against Education for Citizenship and Human Rights continued its actions. In 2010 there were more than 1,000 registered students no longer taking this subject and, in 2012, there were more than 54,000 requests for conscientious objection throughout Spain (Urcelay, 2011). In November 2010, the movement appealed to the Constitutional Court of Spain and in February and March 2014, two of its complaints were dismissed. Similarly, in March 2010, 300 people brought before the European Court of Human Rights a claim against Spain for alleged violation of fundamental rights contained in the European Convention on Human Rights. The Court has not yet issued its ruling.

Towards the end of 2010, the protest movement against Education for

Citizenship and Human Rights made the leap into the international scene, activating transnational networks and obtaining the support of international and European Catholic organizations. In this way, the protest movement against education for citizenship strengthened its capacity to act in other countries. It entered a coalition with the Alliance Defending Freedom (ADF) and the European Centre for Law and Justice (ECLJ), and extended its contacts with European Dignity Watch and Christian Action Research and Education (CARE) for Europe. The movement also had the support of the European People's Party group.

It was in this context that the movement against education for citizenship presented its case before the Council of Europe and the United Nations Human Rights Council. However, although it failed to obtain the desired support.

Following the electoral victory of the People's Party, under the leadership of Mariano Rajoy, in the 20 November 2011 general election, protests and actions against Education for Citizenship and Human Rights were toned down. José Ignacio Wert, the People's Party's Minister of Education, Culture and Sports (2011-2015), announced that controversial topics would be dropped. The subject would be renamed Civic and Constitutional Education and taught in the second year of compulsory secondary education. Afterwards, giving its full support to the demands of the Catholic hierarchy, the People's Party decided to implement Civic and Constitutional Education, but only as an interdisciplinary topic, in the academic year 2014-2015. This would be part of legislation in the new Organic Law for the Improvement of Educational Quality of 9 December 2013. Students would be able to choose whether to take a subject where they learned about Catholicism or other subjects. Topics covered in these alternatives are very different from the contents and values of Education for Citizenship and Human Rights; they are called "social and civic values" in primary education and "ethical values" in compulsory secondary education. (Law no. 12886, 2013).

This initiative of the People's Party encouraged more than 60 national, international and European organizations, such as *Fundación Cives* [Cives Foundation], Amnesty International and Democracy and Human Rights Education in Europe, to react to the neoconservative Catholic forces and denounce the suppression of this subject at the Council of Europe. These organizations considered that this action was a backward step for Spain to take. It meant inadequate education for human rights and democratic citizenship, and constituted a serious setback to gender equality and the rights of sexual minorities. They also saw it as a breach of commitments made by Spain, and as an attack on the very structure of Spanish democracy. (*Fundación Cives* [Cives Foundation], 2013)

This whole situation prompted the intervention of the Council of Europe's Commissioner for Human Rights, Nils Muižnieks, who supported these organisations and criticized the People's Party's decision, seeing it as a threat to democracy and human rights education. Furthermore, he believed that human rights and citizenship should be an integral part of education at all levels, as prescribed by the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (Commissioner for Human Rights, 2013).

The Committee on the Elimination of Discrimination against Women also issued a statement, in July 2015, claiming that an approach based on alternative subjects such as "social and civic values" and "ethical values" was an inadequate one, if the aim was to develop a proper education in democratic values and human rights (*Committee on the Elimination of Discrimination against Women*, 2015, p.9).

However, the central government of the People's Party disregarded the Commissioner of the Council of Europe for Human Rights' recommendations, as well as the claim of the Committee on the Elimination of Discrimination against Women. Education for Citizenship and Human Rights was removed from Spanish curricula. Nevertheless, certain autonomous communities, such as Andalusia or Aragon, currently under Socialist governments, have used their devolved authority to continue delivering this education, as part of a set of freely and autonomously defined subjects.

### **Conclusion**

Since neoconservative Catholic sectors believe that ethical universalism and civic-democratic education rely on the confessional discourse of Catholic instruction, they did not hesitate to criticize parts of the Education for Citizenship and Human Rights curriculum. Moreover, they encouraged a mobilization, with certain touches of religious re-politicization, to abolish this subject and thus maintain the monopoly of moral, civic and values education based on Catholic criteria. Furthermore, this group's intention is to control the model of citizenship so that Catholicism may remain a constituent element of national identity and of the democratic system itself.

This is a particularly dangerous scenario because it challenges not only moral and religious pluralism, which should prevail in any democratic state, but also the principles of democracy and human rights, which are eroded by extreme religious and ideological beliefs.

At the same time, this situation creates a conflict of normative values regarding the definition of the basic ethical principles of a democratic society, while also contravening the international commitments undertaken by the Spanish State in terms of democratic and human rights education. This re-opens unresolved issues in Spanish education and in the very structure of Spanish democracy.

The success of Catholic neoconservative mobilization in Spain could be the trigger for neoconservative Catholic and extreme right-wing forces to take action in other countries, e.g., France or Germany. In fact, the transnational dissemination of the Catholic neoconservative discourse and the rise in the number of radical and post-fascist right-wing groups in recent years threatens the timid but important advances being made in human rights education.

## Notes

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<sup>1</sup> The ideological current that defends the independence of man or society, and especially that of the State, from all religious or ecclesiastical influence.

<sup>2</sup> The term refers to a very restrictive fundamentalist manifestation of the democratic system. Catholic neoconservatism does not use the language of Catholic traditionalism. After the Second Vatican Council it updated its language to make it compatible with the modern world. In addition, it encourages and relies on the actions of grassroots Catholics to exert political pressure to achieve their goals, trying to shift the limelight from the Catholic Hierarchy to the grassroots. These sectors represent a part of the political right and of the Catholic Church that, reproducing the renewed discourse developed by popes John Paul II and Benedict XVI, seeks to impose the social doctrine of the Catholic Church in legal, political and socio-cultural spheres.

<sup>3</sup> Article 27 of the Spanish Constitution of 1978: 1. Everyone has the right to education. Freedom of teaching is recognised. 2. Education shall aim at the full development of the human character with due respect for the democratic principles of coexistence and for the basic rights and freedoms. 3. The public authorities guarantee the right of parents to ensure that their children receive religious and moral instruction that is in accordance with their own convictions. 4. Elementary education is compulsory and free. 5. The public authorities guarantee the right of everyone to education, through general education programming, with the effective participation of all parties concerned and the setting up of educational centres. 6. The right of individuals and legal entities to set up educational centres is recognised, provided they respect Constitutional principles. 7. Teachers, parents and, when appropriate, pupils, shall share in the control and management of all the centres maintained by the Administration out of public funds, under the terms established by the law. 8. The public authorities shall inspect and standardise the educational system in order to guarantee compliance with the law. 9. The public authorities shall give aid to teaching establishments which meet the requirements to be laid down by the law. 10. The autonomy of Universities is recognised, under the terms established by the law.

<sup>4</sup> The educational laws approved in the current democratic Spain are: the Organic Law of the Council of State, 1980; Organizational Regulatory Law of the Right to Education, 1985; General Organic Law of the Educational System, 1990; the Organic Law for the Participation, Evaluation and Administration of Centers of Education, 1995; the Organic Act on the Quality of Education, 2002 (never came to be applied); the Organic Law of Education, 2006 and the Organic Law for the Improvement of Educational Quality, 2013.

<sup>5</sup> Catholic schools make up 60% of the Spanish *privado-concertados* schools. In Spain there are three types of schools: 1) Public. Created, administered and financed by the government. 2) *Privado-concertados*. Created and administered privately but mainly financed by the government. The vast majority of these schools defend a Catholic ideology and belong to the Catholic Church. 3) Private. Created, administered and financed privately, although they have to follow the minimum requirements of the general curriculum. In Spain, approximately 69% of schools are public, 28% *privado-concertados* and 3% private.

<sup>6</sup> See footnote 3.

<sup>7</sup> See footnote 3.

<sup>8</sup> Three cassation appeals were brought by three pairs of parents against three rulings issued by the High Court of Justice of Asturias, on 11 and 22 February 2008, which had ruled against conscientious objection. A cassation appeal was brought by the Public Prosecutor, the State Attorney and the Counsel of the Junta de Andalucía against the ruling of the High Court of Justice of Andalusia, of 24 July 2008, in favor of conscientious objection.

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**Figure 1.**

**Mobilization against education for citizenship and human rights in Spain.**

**Some of the most important dates.**

February 2004	The Spanish Socialist Workers' Party, under the leadership of José Luis Rodríguez Zapatero, presented the electoral program for the general election of 14 March 2004. The electoral program defended "the educational alternative of the socialists", presenting an educational project that underlined the importance of developing a civic-democratic and human rights education.
14 March 2004	The Spanish Socialist Workers' Party won the general election.
22 June 2004	The Pope, John Paul II, visited Spain and met with the President of the government, José Luis Rodríguez Zapatero. John Paul II expressed his disagreement with the political pretensions of the socialist government, especially on issues such as abortion, same-sex marriages and civic-democratic and human rights education.
27 September 2004	The socialist government announced the opening of a debate to approve a new Organic Law on Education that, among other aspects, will include an educational area on education for citizenship and human rights.
2-4 December 2004	II International Congress of Education and Family, organized by the Catholic University of Murcia with the collaboration of the Pontifical Council for the Family of the Holy See. During the Congress, the sectors of the ecclesiastical hierarchy used a discourse that encouraged a future mobilization against the educational project of the Socialists and against the area of education for citizenship and human rights.
31 March 2005	The Executive Committee of the Spanish Episcopal Conference published a note on the Draft Organic Law on Education. This note showed an attitude contrary to education for citizenship and human rights.
21 May 2005	Professionals for ethics spread the leaflet: 5 reasons to say NO to education for citizenship and human rights.
28 September 2005	The Permanent Commission of the Spanish Episcopal Conference published a report on the draft Organic Law on Education. This report showed strong criticism against this educational project and against education for citizenship and human rights.
12 November 2005	Demonstration against the draft Organic Law of Education proposed by the socialist government. This demonstration had the support of the Spanish Episcopal Conference and the People's Party.
3 May 2006	Organic Law of Education. Law that introduced an education for democratic citizenship that encouraged a universal culture of human rights.
9 October 2006	Observatory for conscientious objection to education for citizenship and human rights. The observatory was made up of the Spanish Family Forum, Professionals for ethics, <i>HazteOír</i> , National Association for the Defence of the Right to Conscientious Objection and Legal forum Tomás Moro.

17 November 2006	Study day on education for citizenship and human rights, organized by the Spanish Episcopal Conference. In this study day was justified conscientious objection to this education. The Spanish ecclesiastical hierarchy affirmed that this education indoctrinated.
8 December 2006	The People's Party affirmed that education for citizenship and human rights was a education indoctrinating. The People's Party published a draft with the contents of education for citizenship and human rights developed in the autonomous communities where they governed. The People's Party removed contents related to homosexuality, gender equality or the peaceful settlement of conflicts.
6 March 2007	The National Catholic Conference of Parents and Parents of Students gave a note to families with children in <i>privado-concertados</i> schools to encourage them to object to citizenship education and human rights.
13 March 2007	Although Education for citizenship and human rights was not yet developed in schools, a family from Toledo wrote the first objection of conscience to this education.
30 March 2007	The autonomous communities governed by the Socialists announced that they would develop education for citizenship and human rights in secondary education from the academic year 2007-2008.
28 April 2007	The National Catholic Conference of Parents and Parents of Students, Professionals for ethics and the Spanish Family Forum published various leaflet, guides, etc. to encourage families to object to education for citizenship and human rights.
24 May 2007	The socialist government reached an agreement with the organization of Catholic Schools so that such schools could adapt education for citizenship and human rights to their religious beliefs.
June 2007	Some families began to form specific associations and platforms to oppose education for citizenship and human rights. These families claimed that this education was a education indoctrinating.
7 July 2007	Promulgation of the Apostolic Letter <i>Suummorum Pontificum</i> , of the Supreme Pontiff Benedict XVI, to facilitate the use of pre-conciliar forms in the celebration of the Roman Rite and in most of the sacraments.
27 December 2007	The Observatory of the European Parents' Association supported Spanish families who defended conscientious objection to education for citizenship and human rights.
31 January 2008	Note of the Permanent Commission of the Spanish Episcopal Conference on the general elections of 2008. The Spanish ecclesiastical hierarchy criticized the socialist government for same-sex marriages and education for citizenship and human rights.
4 March 2008	The Supreme Court of Justice of Andalusia recognized the right of a family to object to education for citizenship and human rights.
22 May 2008	Statement of the People's Party on Education for Citizenship and Human Rights. The People's Party defended conscientious objection to this education.
24 July 2008	The Supreme Court of Justice of Asturias denied the right to conscientious objection to education for citizenship and human rights.

12 September 2008	Education for citizenship and human rights started to implemented in the compulsory secondary education system and in pre-university education.
11 February 2009	The rulings of the Supreme Court of Spain established that the contents of education for citizenship and human rights were not indoctrinating and that the right to conscientious objection was not acceptable.
28 February 2009	II national conference of objectors in Madrid. This conference gathered more than 1000 objectors to education for citizenship and human rights.
10 September 2009	Education for citizenship and human rights started to implemented in primary education.
23 September 2009	The ruling of the Supreme Court of Justice of Castile and Leon was in favour of conscientious objection.
29 October 2009	The national federation "Spain Educates in Freedom" was founded. This federation made up of more than 70 entities opposed to education for citizenship and human rights.
19 March 2010	Class action lawsuit filed with the European Court of Human Rights.
21 September 2010	Pontifical Council for Promoting the New Evangelization. This Pontifical Council is a Vatican Ministry, so that countries that were claimed to be falling into <i>laicismo</i> , such as Spain, could recover their Catholic signs of identity.
20 November 2011	People's Party, under the leadership of Mariano Rajoy, won the general election. The People's Party affirmed that they would elaborate a new Organic Law of Education and would eliminate, in a gradual way, education for citizenship and human rights.
January 2013	More than 60 national, international and European organizations report to the Council of Europe the intention of the People's Party of suppress in a gradual way of this education.
9 October 2013	Report by Nils Muižnieks, Commissioner for human rights of the Council of Europe, following his visit to Spain from 3 to 7 June 2013. This report criticized the People's Party's decision to eliminate education for citizenship and human rights.
9 December 2013	The Organic Law for the Improvement of Educational Quality.
24 February 2014 and 24 March 2014	The Constitutional Court of Spain denied the right to conscientious objection to education for citizenship and human rights.
19 May 2014	The Court of First Instance number 48 of Madrid recognized as truthful the relationship of some members of <i>HazteOír</i> with the paramilitary and extreme right-wing society "El Yunque".
10 September 2014	The academic year began and the area of education for citizenship and human rights ceased to be taught in primary education.
29 July 2015	The Committee on the Elimination of Discrimination against Women issued a statement claiming that the approach based on alternative subjects such as "Social and Civic values" and "Ethical values" was not enough to develop a proper education in democratic values and human rights.
17 September 2015	The academic year began and the area of education for citizenship and human rights ceased to be taught in pre-university education.
19 September 2016	The academic year began and the area of education for citizenship and human rights ceased to be taught in secondary education.

Source: prepared by the author.