

## Secularism and Secularization in Portugal

To begin with, let me thank the *European Liberal Forum* and the *Movimento Liberal Social* for the kind invitation to be here, in Rome, reporting on the portuguese experience concerning secularism and secularization. I represent the Portuguese *Associação República e Laicidade*, founded in January 2003, and therefore my talk will be much more the work of an activist rather than academic in nature.

### 1. Secularism in theory and practice

*Secularism* is the body of ideas and policies that aim to organize the State and its relation with the citizens in such a way as to make it possible for all and each one of us to freely choose to follow one religion or the other, or no religion at all, while enjoying full equality with the citizens who have made a different religious option. It implies that the State has no business concerning religion, besides the role of guaranteeing the civil liberties necessary to implement the freedom and equality of all, including obviously the free exercise of religion and freedom of speech, while safeguarding civic harmony.

Secularism means much more than separation between the State and the religious communities. It means, more broadly, separation between the public domain (meaning the State, public services, public schools and state-owned media) and the private domain (meaning voluntary associations, the churches, private schools and private media). The public domain must be secular, in the sense that it cannot privilege or discriminate on religious grounds. In the public domain, the State does not impose religion, does not embarrass religion and guarantees pluralism and freedom of speech. The private domain is where religion and oth-

er options in cultural and religious matters are exercised, through the freedom of speech and association guaranteed by the State.

In my view, we can talk of three different models of State and church relations.

1) Secularism («laicidade» in Portuguese and «laïcité» in French or «laicità» in Italian): organised religion has become part of the civil society fabric and nothing more, the State does not know the religion of individual citizens. France and, in particular, the USA, are close to this model.

2) State church or State religion: the State is not separate from the church, it governs the church and supports the religious cult of the established church, which has a status of privilege. The most perfect example in Europe is Greece, albeit the United Kingdom or Denmark still fit in this model.

3) Communitarianism: the State supports some religious communities, which tend to be given equal rights (as communities), including segregated schools for each religious community. One of those communities may be an atheist, humanist or secular group. Countries like Belgium, the Netherlands or Luxembourg are the ones that fall into this model.

For instance, on a truly secular State, public schools do not have classes on religion, on a State with a State Church those classes exist and may even be difficult not to attend, and in a communitarist State public schools offer classes on different religions, perhaps including humanist or secular ethics.

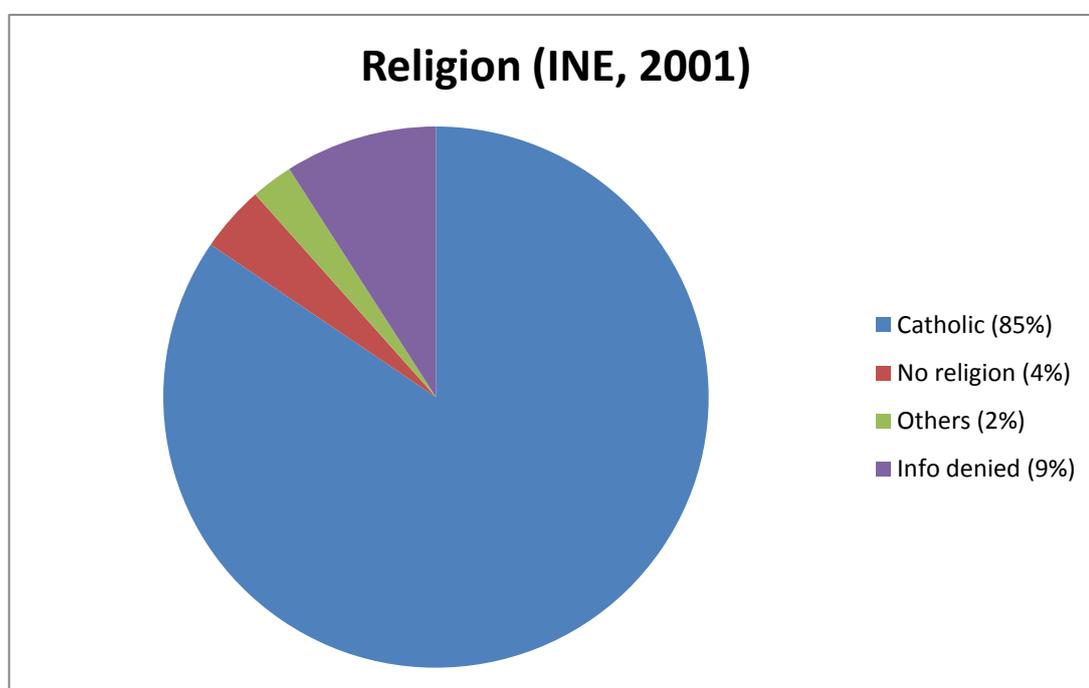
I use the word *Secularization* to refer to the process by which religion becomes less important in the daily lives of individuals, by their own free choice. Clear signs of secularization are a lowering number of people attending mass, as well as a lowering number of people being baptized, getting married in the church or having religious funerals, or following less and less the core values of the traditional religion.

In the following section, I will give a brief assessment of the Secularization of the Portuguese society.

## 2. Secularization in Portugal: what does it mean to be catholic?

Portugal is perceived, by nearly everybody who looks from the outside, and by many who live there, as a traditional catholic society. Whether that is still true, not anymore, or in the process of changing, is something that I will try to answer with the data that follow.

### a) Religious identity (national census, 2001)



In the national census of 2001, the vast majority of the population, 85%, really did identify itself as «catholic»; only 2% of the population did claim to identify with other religions<sup>1</sup>, 4% declared «no religion» and 9% refused to answer the question (a right guaranteed by article 41 of the Constitution<sup>2</sup>). The major

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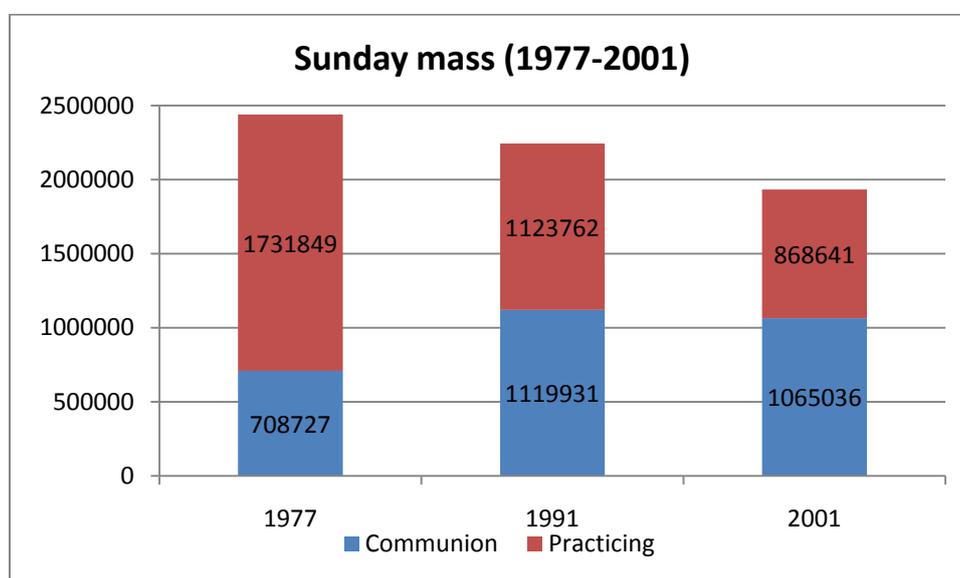
<sup>1</sup> 2.2% choosed to identify as «other christian», «protestant» or «orthodox»; 0.3% as «other non christian», «muslim» or «jewish».

<sup>2</sup> «Ninguém pode ser perguntado por qualquer autoridade acerca das suas convicções ou prática religiosa, salvo para recolha de dados estatísticos não individualmente identificáveis, nem ser prejudicado por se recusar a responder.» (Article 41, n°3, Constitution of the Portuguese Republic).

change from the 1991 census was the decrease in the percentage of people refusing to answer the question (down from 18% in 1991)<sup>3</sup>. The other groups increased, but not dramatically.

So, it seems that a very strong majority of the portuguese population does indeed retain (or at least did retain in 2001), a subjective sense of being catholic. Whether or not that is important in the everyday life of Portuguese individuals is addressed in the following.

### b) Attendance at Sunday mass (2001)



The Sunday prior to the national census, the Portuguese catholic church did a counting of the people present at Sunday mass. The total number was 1.9 million, for a population exceeding, for the first time, 10 million people. It is interesting to compare this number with previous results (the population remained essentially stable in this period). Two trends can be detected.

- a) A decreasing number of practicing catholics: more than half a million less since 1977, such that while 26% of the total population was at Sunday mass in 1977, 23% were there in 1991 and only 19% in 2001.

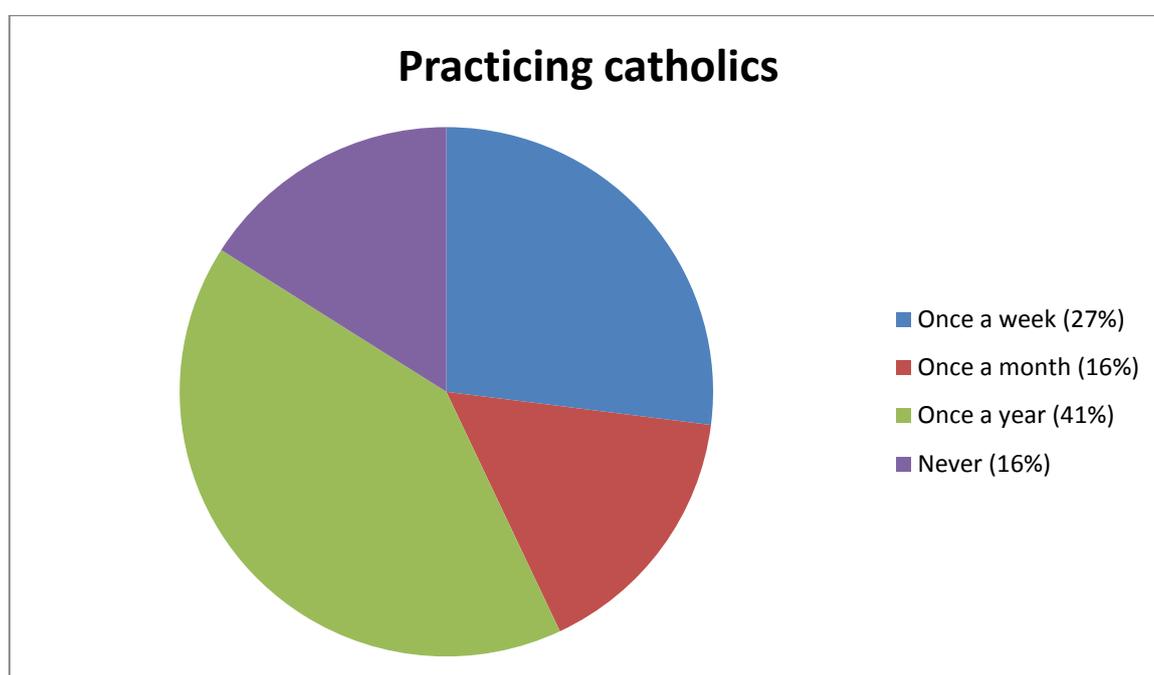
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<sup>3</sup> Instituto Nacional de Estatística, Censo Nacional de 2001.

b) The rising proportion of those taking communion amongst the remaining practicing catholics, to the point that a majority of the people present at mass now take communion.

**c) Practicing catholics according to the ICS survey (1998)**

According to a survey done in 1998<sup>4</sup>, 27% claimed to go to catholic mass at least once a week, 16% less than once a week but at least once a month, 41% at least once a year, and 16% never.



These results may seem to contradict the counting done by the catholic church three years later, but even so, it is a contradiction which says something about the social attitude towards going to church.

Now, let us look at how the catholicism of the Portuguese people translates in the choices concerning birth and marriage.

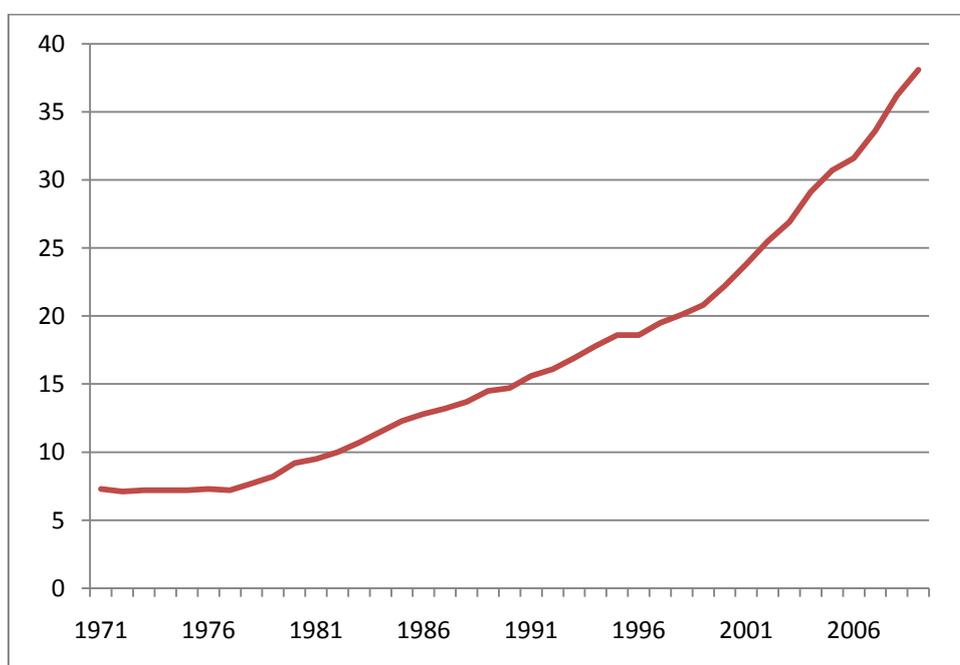
**d) Children born outside marriage (1971-2009)**

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<sup>4</sup> Manuel Villaverde Cabral and Instituto de Ciências Sociais, quoted from José Machado Pais, Manuel Villaverde Cabral and Jorge Vala (2001).

It is a fact that in Portugal, nowadays, a sizeable proportion of the young couples do not marry prior to having children. In fact, in 2009 already 38% of the children born in Portugal were born outside marriage, from parents mostly living together but unmarried (as of 2009, 62% of the children are born from married couples, 30% from couples united but unmarried, and 8% from parents who do not live together). Moreover, the percentage of children born outside marriage has been growing steadily since after the Revolution of April 25 1974, and may reach 50% by 2020<sup>5</sup>.

**Children born outside marriage (%)**



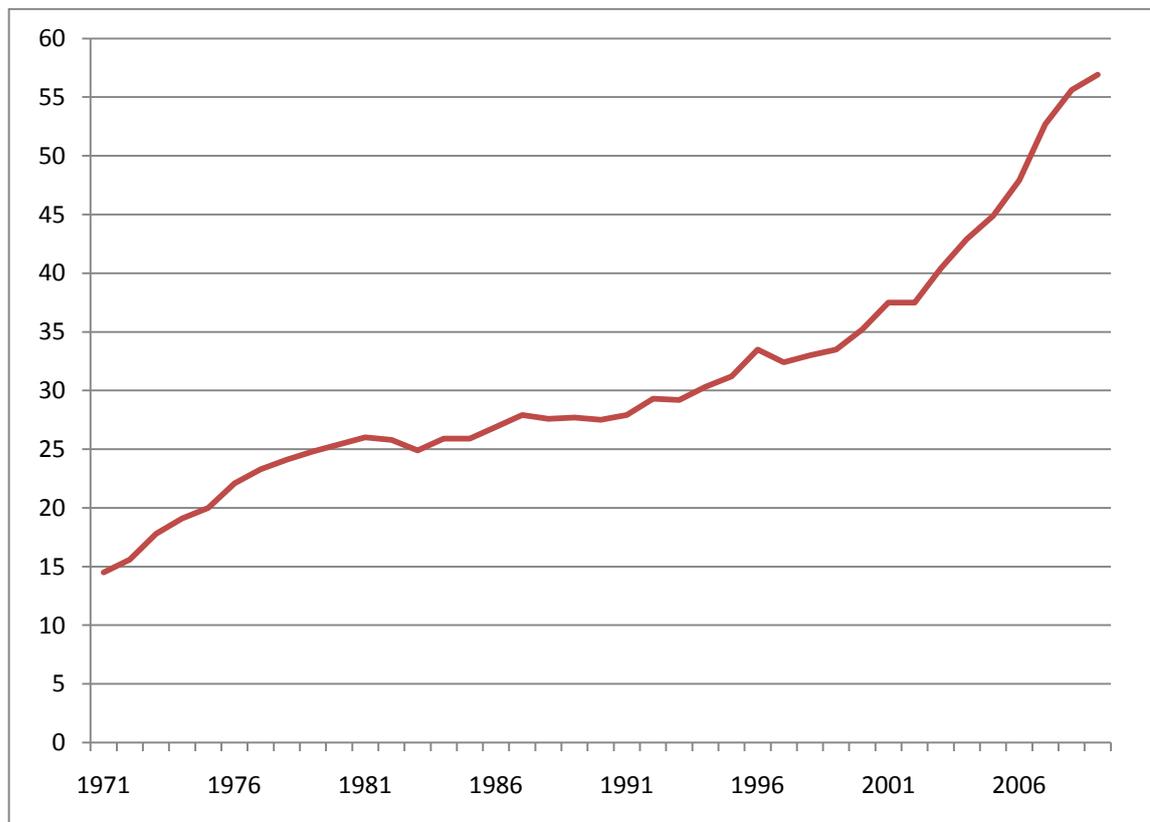
#### e) **Marriage: catholic and civil**

Civil marriage became, in 2007 and for the first time since the first republic, the form of marriage chosen by a majority. As of 2009, 57% of the marriages were civil. This fact may look less impressive if we consider that 25% of the marriages are now second marriages. Nevertheless, the fact remains that the number of catholic marriages has fallen from 46 thousand to 17 thousand since

<sup>5</sup> Data from Instituto Nacional de Estatística.

1999, while the number of civil marriages has stayed stable at around 23 thousand in the same period (marriages from other religions are less than two hundred every year<sup>6</sup>). However, it must be said that civil marriage remains in the minority (albeit presumably not for long) for men and women under 35 years, but even there with an average of only 53% in this age group marrying inside the church (in 2009)<sup>7</sup>.

**Civil marriage (%)**



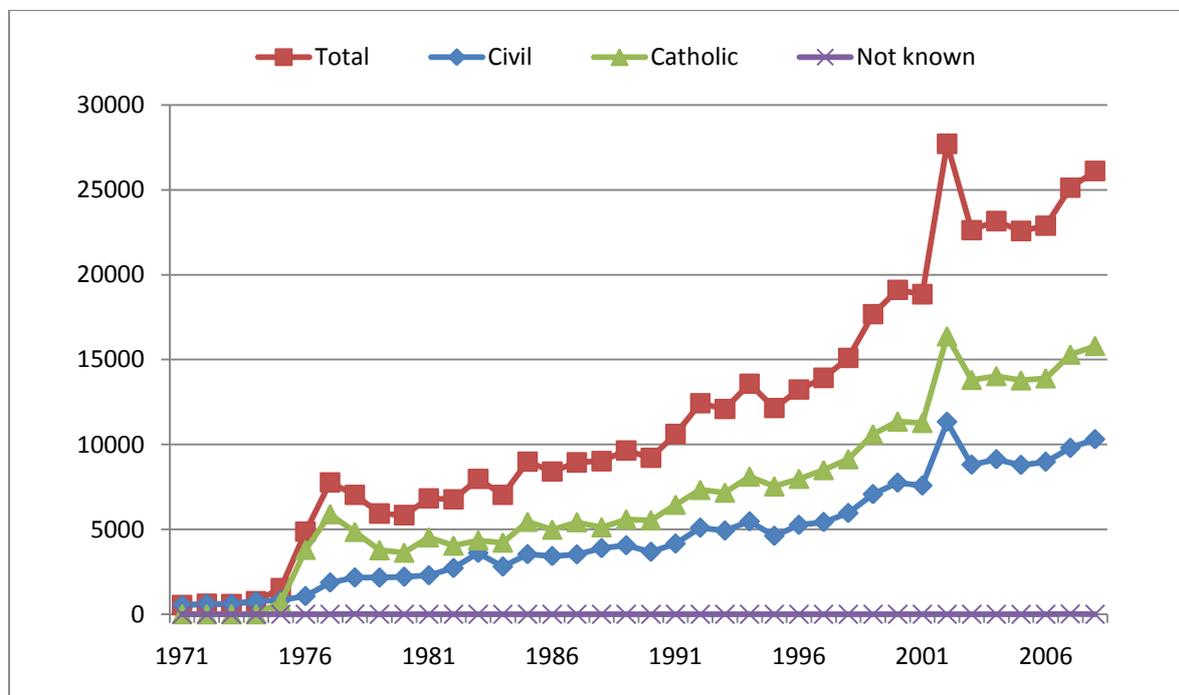
#### **f) Divorce**

The number of divorces was residual prior to the revision of the Concordat in 1975. However, in the 35 years since the additional protocol to the Concordat (enabling divorce for couples married in the catholic church), divorce has become a fact of life, stepping over 20 thousand divorces each year since 2002. As the number of marriages has decreased, the proportion of divorces as compared

<sup>6</sup> Marriages in other religions: 12 (2006), 88 (2007), 162 (2008) and 123 (2009).

<sup>7</sup> Data from Instituto Nacional de Estadística.

to marriages has increased dramatically, to the point that, in 2009, there were 65 divorces for every 100 new marriages. It is also clear that the number of divorces from catholic marriages is very similar<sup>8</sup>.



## Conclusions

From this data, Portugal can be defined as a society that still sees itself as catholic, while going through a fast process of secularization, with mass attendance decreasing, and more than a third of the new families starting unmarried, while another third chooses a civil marriage, and a final third marries in the catholic church.

## 3. The legacy of the first Republic and its aftermath

(In this part, I will digress briefly about the historical origin of the separation between State and Church in Portugal).

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<sup>8</sup> Data from Instituto Nacional de Estatística.

On the 5<sup>th</sup> of October 1910, the republican Revolution triumphed in Portugal. Secularism (or *anticlericalism*) was an important part of the Portuguese Republican Party political program.



During the days and months that followed, the Provisional Government decreed a series of measures towards a secular state. On October 8<sup>th</sup>, the Jesuits and other religious orders were expelled. On the 18<sup>th</sup> of October, religious oaths were banished<sup>9</sup> (before, they were obligatory for many public offices, in court and even to get a degree from the single existing university, the one in Coimbra). On the 22<sup>nd</sup> of October, schools were secularized<sup>10</sup>. On the 3<sup>rd</sup> of November, divorce became legal<sup>11</sup>. On the 25<sup>th</sup> of December, a new family law, based on the equality between husband and wife and improving the status of those born outside marriage, was published. Most important, on the 18<sup>th</sup> of February

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<sup>9</sup> <http://www.laicidade.org/documentacao/legislacao-portuguesa/portugal/republica-1910-1926/juramentos/>

<sup>10</sup> <http://www.laicidade.org/documentacao/legislacao-portuguesa/portugal/republica-1910-1926/decreto-1910/>

<sup>11</sup> <http://www.laicidade.org/documentacao/legislacao-portuguesa/portugal/republica-1910-1926/divorcio/>

1911 the law on civil registry was passed. The register of births, marriages and deaths thus became strictly a function of the state.

### **Separação da Igreja do Estado**



Finally, on the 20<sup>th</sup> of April 1911, the Law on Separation of Church and State<sup>12</sup> was published, laying the final cornerstone of a Lay State<sup>13</sup>. With full freedom of conscience as its fundamental value, the law stated that Catholicism would be no longer the religion of the State, that priests ceased to be public servants, and that all religions were allowed to exist and freely organize. The Con-

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<sup>12</sup> <http://www.laicidade.org/documentacao/legislacao-portuguesa/portugal/republica-1910-1926/lei-da-separacao-da-igreja-do-estado/>

<sup>13</sup> «Artigo 1º

*A República reconhece e garante a plena liberdade de consciência a todos os cidadãos portugueses e ainda aos estrangeiros que habitarem o território português.*

Artigo 2º

*A partir da publicação do presente decreto, com força de lei, a religião católica apostólica romana deixa de ser a religião do Estado e todas as igrejas ou confissões religiosas são igualmente autorizadas, como legítimas agremiações particulares, desde que não ofendam a moral pública nem os princípios do direito político português.*

Artigo 3º

*Dentro do território da República ninguém pode ser perseguido por motivos de religião, nem perguntado por autoridade alguma acerca da religião que professa.*

Artigo 4º

*A República não reconhece, não sustenta, nem subsidia culto algum; e por isso, a partir do dia 1 de Julho próximo futuro, serão suprimidas nos orçamentos do estado, dos corpos administrativos locais e de quaisquer estabelecimentos públicos todas as despesas relativas ao exercício dos cultos. (...)*» (Beginning of the Law on Separation of Church and State, April 20th 1911)

stitution, voted by an elected assembly the same year, established the equality of all religious cults<sup>14</sup> and confirmed the essential tenets of the Provisional Government decrees.

The majority of the population was catholic and many, specially in the rural north, resented the consequences of the Provisional Government decrees. So, although a strong free-thinking movement existed, and despite the fact that religious freedom became a reality for the first time in five centuries, thus allowing protestants and jews to practice their religion in the open, the free-thinking movement was not really independent from the Portuguese Republican Party, and the minority religious communities were indeed very small. Thus, the constituency supporting the secularist measures was small.



(Afonso Costa, 1871-1937)

Many of the secularist decrees, including the Law on Church and State Separation and the Civil Registry law, were the work of the Minister of Justice of the Provisional Government, Afonso Costa, a man who would become the leader of

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<sup>14</sup> «O Estado reconhece a igualdade política e civil de todos os cultos e garante o seu exercício nos limites compatíveis com a ordem pública, as leis e os bons costumes, desde que não ofendam os princípios do direito público português.» (Article 5th of the Constitution of the Portuguese Republic, 1911)

the Democratic faction of the republican movement, three times Prime Minister and the symbol of the anticlerical policies of the first republic. He is considered by every clerical person in Portugal, to this very day, as the devil incarnated.

The first republic lasted from 1910 to 1926, a period of troubles, with a world war, its aftermath, and much internal strife, including monarchist guerillas and attempted coups d'état.

### **The backlash**



In May 1917, three little shepherds reported that they had seen a «Lady» in the fields near their small village, near Fátima, while they were guarding their parent´s sheep. Portugal had many soldiers fighting in the trenches of France, there was civil unrest, shortage of food and supplies. The war was very unpopular. The news of the sightings, which according to the children happened on the 13<sup>th</sup> day of every month, spread quickly, and in October there were thousands of people in Fátima, watching in the Sun what many, even today, believe it was «a miraculous dance». The gathering, being religious and happening in a public place, was in defiance of the Law on Church and State Separation. The shrine in Fátima has, since then, become the symbol of portuguese Catholicism.

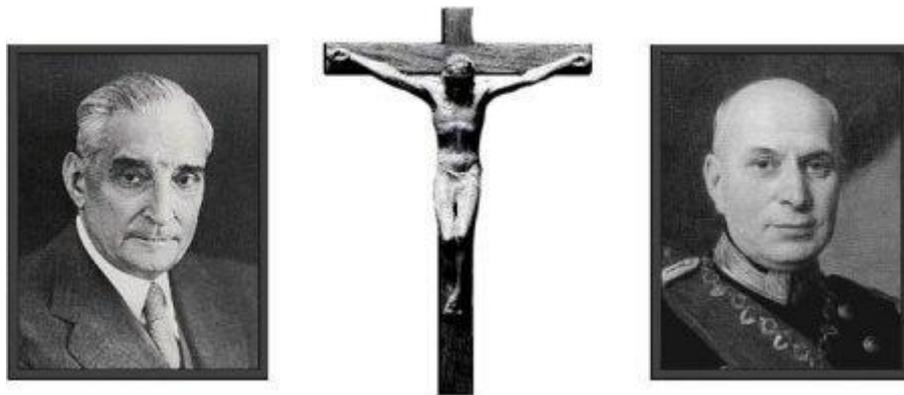
The Republic fell to a military coup in May 28 1926. From then on, it starts a period during which much of the secularist conquests of the 1<sup>st</sup> Republic were abandoned, or even reversed. It must be said that the regime was, from the beginning, an alliance between political catholics, outright fascists and some republicans gone conservative. Albeit the Presidency was always retained by the

military, the strong man of the regime was Salazar, who entered the government in 1928 and became Prime Minister in 1932. The following year, a new Constitution was voted in a plebiscite. It maintained separation, now between «the State and the Catholic Church», but it was inspired by the Social Doctrine of the Church and it placed the family, not the individual, as the basic unit in society. Nevertheless, the civil registry stayed secular.



(Cerejeira<sup>15</sup> and Salazar)

From 1936, public education was placed, by law, under the spell of the «*principles of the Christian doctrine and moral*». It became obligatory, for every public school in the country, to have a catholic cross «*behind and above the chair of the teacher*».



Furthermore, in 1940 a Concordat was signed with the Holy See. Catholic marriage became again recognized by the State, and divorce became all but impossible for those married in the catholic church.

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<sup>15</sup> Manuel Gonçalves Cerejeira (1888-1977), was Cardinal of Lisbon from 1929 to 1971.

#### 4. After 1974: a secular constitution and cautious politicians

After the Revolution of April 25<sup>th</sup> 1974, Portugal became a democracy and a secular Republic. The 1976 Constitution states that the State is separated from «the churches and other religious communities», guarantees the equality of all citizens regardless of their religious beliefs, the right not to answer questions regarding one's religion, and states that public schools shall not be religious. Moreover, separation of church and state cannot be changed by any constitutional revision. The word «catholic» is nowhere to be found in the Constitution.

In 1975, the Concordat was revised, making divorce possible for couples married in the catholic church. Religious classes in public schools became optional.

However, since the revolution, all political parties have been very cautious about confronting the catholic church. Not many consequences were drawn from the secularism of the constitution.



(A school somewhere in Portugal, early 21th century.)

For instance, no order was ever issued to remove crosses from classrooms. Where parents or teachers protest, the crosses can be taken out... or not. Asso-

ciação República e Laicidade has been campaigning for the secularism of public schools since 2005, and we have witnessed the government abstaining from taking a secularist stand on this issue (as well as on many others). Crosses are now taken out on request from individual parents, but with different degrees of resistance from the local school authorities from place to place.

As another example, in 1990 the European Commission started proceedings against Portugal (and Spain) because the VAT was not being levied on the economical activities of the catholic church (including construction works on catholic temples and so on). The government solved this problem by passing a law stating that the VAT would be taxed, but that the catholic church would get in return, every year, a subsidy on the same amount as the VAT taxed.

So, it is fair to say that all governments since 1974 have been very cautious about doing anything that might upset the catholic church.

In 2001, the status of religious minorities started being debated, when the Parliament passed the first Law on Religious Freedom of the democratic period. It is a law that does not apply to the catholic church and, as a consequence, creates a hierarchy of statuses for the organized religious communities in Portugal. The law created the Commission on Religious Liberty, where two seats belong to the catholic church, three to representatives of religious communities appointed by the government, and five more to specialists. This Commission rules on which religious communities can be considered to be «rooted» in Portugal, a status that confers legal effects to religious marriages and various exemptions concerning taxes, as well as the right to negotiate agreements with government. The religious communities which are deemed «recognised» but not «rooted» can still apply to teach religious classes in public schools or to have some time on public TV.

The laws on religious assistance have also been changed, in the summer of 2009. Every hospital, prison or armed forces headquarters has its chaplains that may be called to assist a particular person. However, catholic chaplains remain

the only ones that are on pay by the State. Moreover, the chapels inside hospitals will carry on being run by the local catholic chaplain.

On another development, in 2006 it was noted that after the new President had sworn office, the fifth person in line to salute him was the Cardinal of Lisbon. This was, all of a sudden, considered inadequate, and a new protocol law was passed, giving the cardinal a much more modest place in the protocol. However, despite the Constitution, the Religious Freedom Law and the law on protocol, the Government insists on inviting catholic priests to bless new buildings, and even to perform a ceremony at the beginning of the school year.

Finally, let me say a few words concerning political issues with ethical relevance. There was a referendum about the legalization of abortion in 1998. The «no» won by a tiny margin (under peculiar circumstances that I will not describe here), and it would be only in 2007 that abortion on demand would become legal, through another referendum, this one won by the «yes» with a wide margin., As to marriage between people of the same sex, it became legal this year, in June, and no referendum was held.

Today, we may say that Portugal faces a two-sided paradox. Portugal is a society going through a fast secularization process overlooked by the authorities and by the civil society at large. And it is a Republic with a secular Constitution that is not honored by the political class.

Ricardo Alves, Rome, November 26<sup>th</sup> 2010.

**Associação República e Laicidade**

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