



CATHOLICISM AND AMERICANISM

by MIGUEL AYUSO



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1. *Omnia instaurare in Christo*

The title of this review, taken from St. Paul's exhortation to the Christians of Ephesus (Eph 1:10) and chosen by St. Pius X as the motto of his pontificate, says it all. With regard to the social order, which is the specific subject of this review, St. Pius X himself elaborated on it in some famous paragraphs of his letter *Notre Charge Apostolique*, which remind us that

Christian civilization has existed and continues to exist (in part) so that it is only a matter of establishing it and restoring it unceasingly, on its natural and divine foundations, against the renewed attacks of the revolution^{1,11}

For fifty years, this text of St. Pius X has been the epigraph of the magazine *Verbo*, which I have the honor of directing after the death of its principal inspirer, Juan Vallet de Goytisolo. There is therefore not only a deep but also an external harmony between *Verbo* and *Instaurare*. This has been made more concrete over the last twenty years by the frequent collaboration of the director of *Instaurare*, Professor Danilo Castellano, in the pages of *Verbo*, who has generously agreed to add my humble name to the editorial board of *Instaurare*.

You will understand, then, that it is a true honor, on the one hand, but also a due act, on the other, to participate in this meeting with which we reach our fortieth issue. It is not easy for a group of lay people, faithful to the doctrine of the Church, but without any mandate or organic or functional dependence on its hierarchy, and therefore without its administrative or financial support.

2. Initium doctrinae sit consideratio nominis

Let us begin, then, following the advice of the classics, by paying attention to the term *Americanism*. It is by no means univocal; on the contrary, it conceals a multiplicity of meanings. Of differing meanings, moreover.

In philological terms, Americanism is, first of all, a "word, phrase, phonetic, grammatical or semantic feature belonging to or coming from an indigenous language of the Americas", as well as a "word, phrase, phonetic, grammatical or semantic feature peculiar to or coming from Spanish spoken in any country of the Americas".¹ If, instead of approaching it from Spanish, we approach it from English, it is equally useful, and this is what English dictionaries include, as "a word, phrase, or linguistic feature that is especially characteristic of the English spoken and written in the United States".

Second, there is a theological use of the term. This was forged in the last third of the nineteenth century and acquired its meaning with two documents of Pope Leo XIII: the encyclical *Longinqua Oceani* (1895) and the letter *Testem Benevolentiae* (1899), addressed to

Cardinal Gibbons, Archbishop of Baltimore, in which the errors of Americanism were condemned.² Errors of a theological order, but with relevant political and social repercussions that we will have to reflect on later.

From a philosophical point of view, this name was also given to the project developed in the twentieth century of elaborating a distinct philosophy for Hispanic America (generally referred to as "Latin America" by those who participate in it), which reflected, among other things, on a "national or continental identity".³

In the face of these three more or less precise meanings, there is a fourth, more diffuse one, which, although it seems to be limited to a purely pious devotion to the United States, immediately transcends such reasonable - for Americans - limits, settling right at the heart of the ideology, that is, more emotional and rationally incomprehensible. And again, with a clear political correlate.

In what follows, and taking care not to insist on matters that Professor Rao will deal with later, we will look at some presuppositions of American political culture and recall the foundations of its political constitution. Finally, we will examine its unique conception of *secularism*.

3. Gratia tollit naturam?

Professor Frederick Wilhelmsen, an attentive and intelligent observer of his own country and open to the world, which we could call "European",⁴ was able, at the end of the 1950s, to draw a portrait of the "American soul" through his singular experience of time, space and nature.

The American sense of time is structured as a project and, consequently, spatially symbolized horizontally, as a frontier to be crossed, within a non-sacramental vision of the world. This is in contrast to a present understood as a condensation of a tradition that must be lived vertically, within a world that is a sacrament that leads us to its Creator.⁵ In this disjunction lies the difference between the Protestant, especially the Calvinist, and the Catholic conception.

The United States, therefore, is closely dependent on the Protestant ethic, reinforced by the consequences of the technological revolution and pragmatism. However, it lives with the paradox of the failure of the Protestant faith while retaining its values.⁶

Hence the tension, psychological and not necessarily doctrinal, suffered by Catholics in the United States. They must consciously affirm the primacy of a contemplation that they are forced to deny in their daily life. This also explains the lack of an observable relationship (with exceptions such as that of the Jesuit Murray) between Catholic theology in the United States and the American experience.⁷

4. Omne regnum in se ipsum divisum...

According to a somewhat common narrative, the founders of the United States created a "limited government" according to the canons of the English Enlightenment. The inspirer, then, could be none other than John Locke, oracle of the forces that promoted the "Glorious Revolution" of 1688 for the benefit of the Whig oligarchy and for the Protestant dynastic succession, against the Stuarts, who were considered too close to Catholicism and inclined to strengthen royal power at the expense of the freedom to manage their properties.⁸ The same John Locke who will decisively influence the institutionalization of the American Revolution through, for example, framers of the Constitution like Madison, who will adopt some of his main concepts such as religious tolerance and the separation of powers.⁹

But from Locke they took something even more important, *contractarianism*, which, in turn, suited a situation in which a new political society had to be modeled, which could not arise from a concrete tradition (which was rejected as a principle, although it could not fail to function partially in practice), but from the minds of some of the founders. The Constitution, as an expression of this contract, thus mixed elements from Christian tradition (especially its Calvinist version) with others from the English Enlightenment, and forged an instrument to resolve fundamental problems "not by submitting them to a tribunal representing the natural law in its universal and ultimate character, but by keeping in tension the various interests of the people [...] so that no faction claiming to represent the truth of the law, the very essence of the law, should be able to subject the nation to its

own will and its particular ideology!"¹⁰ In short, a mixture of constitutionalism and legal positivism.

Sociology comes here to confirm what both philosophy and history have taught us: the American republic was conceived in hatred of "monarchical despotism" and according to the optimistic vision (very typical of the eighteenth century) that, once political ambition was deprived of the means to influence the rights of citizens, it would only be necessary to multiply interest groups so that their natural concurrence would hinder the ambitions of any one of them. It is worth noting the preference for "sectionalism" (or fragmentation in equality) that precedes the implementations of the American mentality: the separation of powers, federalism, the equality of churches that are also separated from the State, and the promotion of pressure groups. From a political point of view, the balance of powers, the presidential regime, its "control" by bicameralism, the independence of the judiciary and the ingenious role reserved for the Supreme Court (a kind of collegial monarch) were the basis of a system elaborated by the founders. Today it has been significantly modified by the increase in the powers of the President (with a corresponding decrease in the importance of Congress) and the vast bureaucracy with which he surrounds himself and which, with the help of the Supreme Court, crushes the liberties of the States. But not least because of factors such as the hollowing out of voluntary associations and even political parties by pressure groups (initiating a manifest process of *feudalization*), the homogenizing massification of cultural life, and the supremacy of the media dedicated to "reality-fiction".¹¹

5. ...Et mancipiorum et animarum hominum

The American "success story" is rooted in three factors that Tocqueville had already identified as the keys to its vitality: liberal individualism, egalitarianism, and pluralism.¹² Pluralism, on the one hand, guarantees a place for the liberal mentality, which is centered on success and the right of all to unlimited consumption; on the other hand, it stimulates egalitarianism, which brings more and more participants *and consumers* into the market.¹³

Such a framework, constitutive of the "American ideology", has been explained institutionally by an acute analyst like Thomas Molnar on the basis of the centrality of a singular "civil society". And the fact is that although the United States appears at first glance

to be a nation, only larger and wealthier than others, this is only a superficial impression. The structure of this "non-nation" is given by an immense civil society, endowed with a State but only in a complementary way, while the churches are strictly private associations that benefit from some tax advantages. Neither the State nor the Church can elaborate projects which are reserved to civil society and, above all, to the world of business which is agitated within it.

In this context, liberalism has emerged as the ideology that civil society has used to free itself from the Church and the State: from the former by multiplying the number of groups that sign the social contract, all of them equal; from the latter by depriving it of its natural support in stable institutions and of the loyalty of its subjects. It seems normal that both have suffered a profound degradation as a result: the State is reduced to an instrument of administration in the hands of lobbies and a disembodied, but obligatory, democracy that conceals an increasingly opaque mode of governance; as for the Church, it is one interest group among others offering a spiritual product on the global market of ideas. In other words, liberalism tolerates the presence and participation of the State and of religion on the condition that they have neither the vocation of the State nor the evangelical mission of the Church, and that these two functions are absorbed by a liberal civil society that is self-organizing, if not autonomous, and that professes a so-called "humanist", "ethical-humanist" or frankly secular religion.¹⁴

This is the American model, since the United States is the Western country where the social contract, called the Constitution, sacralizes society and deliberately weakens the State and the churches. Liberalism is absolutely autochthonous and in the absence of a national and state conscience rooted in history (which is barely taught in schools anymore) and of a structured faith; a religion is established at one's pleasure, consisting of democracy, business and pluralism, which allows any radicalized lobby to occupy the terrain. In Europe, the Maastricht doctrine has combined the two errors of, on the one hand, a Jacobin-style super-bureaucracy and, on the other hand, a vast and amorphous American-style civil society, which dissolves the institutions and replaces them with ephemeral lobbies eager for immediate results, basically almost clandestine feudalities that appropriate the *res publica* and act at their whim with morality and culture. Finally, as far as the nations of Eastern Europe are concerned, they have also been attacked by a civil society, generally of the worst kind. This is logical, because in these countries there was

only a relatively narrow stratum, localized in the capitals, destroyed by the Soviet occupation and today often of foreign origin, which leads one to think of a neo-colonialism truffled with organized crime.¹⁵

6. ... Littera enim occidit

An outline of the political and legal culture of the United States cannot do without a reference to legal positivism. But neither can it do without a reminder, however brief, of the other features that define it.¹⁶

Let us begin with them. First of all, in the face of the (supposedly) "limited powers" of the national government, reality very early asserted its supremacy through a clause of a constitutional basis, developed by successive amendments and their judicial interpretation. Even then, far from an (impossible) "religious neutrality", a deep hostility to revealed religion led, once again in the Lockean line, to the subordination of religion to the power of the State. But we will return to this at the end of this paper. Third, a judicial tyranny has imposed itself on the will of the majority through judicial review of laws. Finally, the whole picture tends to unfold in the search for a moderation that is resolved in the "Newtonian equilibrium".

But without legal positivism, the above picture is not complete. Nor is it even comprehensible. For it is the framework of the system. It is not, once again, something accidental, but originary, in the constitutional development of the United States. It was founded not on Christian principles or on the tradition of natural law (unless we take the latter in its Lockean version, which, if I may use a pun, denaturalizes it), but on the postulates of political modernity. This can be seen to this day in "conservative jurisprudence", which resists any interpretation that implies an evaluation and sticks to either historicism or sociology. And it carefully sidesteps natural law.

Natural law, as is well known, is based on metaphysical and, ultimately, theological presuppositions: the permanence and intrinsic goodness of human nature, beyond the changes of time and despite the fact that the wound of Original Sin has weakened it. Evolutionism and Protestantism, on the other hand, deny these conditions. And Enlightenment evolutionism and Protestant theology were doctrines firmly entrenched on American soil when the federal republic took its first steps. This Newtonian constitution,

which, according to some, worked for a time, is now being undermined by a democracy based on a public opinion that despises natural law.¹⁷ One could say that a similar process has taken place in Europe. This is true. But even these systems, which are directly linked to Rousseau's totalitarian paradox, if not directly to Jacobinism or even to *the Terror*, have not been spared criticism. *Meanwhile, many respected interpreters continue to reserve the highest praise for the Anglo-Saxon Enlightenment and its political expressions.*¹⁸

7. Optavi et datus est mihi sensus

In these pages we have dealt primarily with Americanism in a fourth of its meanings mentioned at the beginning. However, elements related to the second meaning have appeared on some occasions. This is the one to which we will devote some final reflections, looking at it, in any case, from the political point of view, since a crystal-clear axis connects the theological premises and the political consequences.

If eminently theological issues such as activism are at the heart of the papal condemnation mentioned above, other more political issues (though no less theological in substance) are not without relevance, such as the separation of Church and State, as seen in the experience of the United States of America.

Indeed, one of the central theses of Americanism is to elevate this situation to an ideal.¹⁹ Often characterized as *laicism* as opposed to *laïcité*, and even described as inclusive or positive *laïcité*, a brief problematic examination of both aspects is necessary. First of all, *laicism* and *laïcité*.²⁰ Two related terms. With intertwined meanings. The first is denoted by the suffix "ism", associated with an ideology. An ideology, the liberal one, based on the marginalization of the Church from human and social realities. In fact, the rationalistic naturalism put into practice in the liberal revolution and condemned by the Magisterium of the Church received, among others, the name of laicism, generally translated into English as secularism. The second was initially related to a situation created by this ideology in France in the last third of the nineteenth century. Thus, *laicism* and *laïcité* are terms that express the same concept.

Today, on the other hand, it seems that there are sectors interested in opposing them. First of all, "clericalism" (taking the term in the sense given to it by Augusto del Noce,²¹ that is, the subordination of Catholic political and intellectual discourse to the

dominant one at any given time) and Christian Democracy. Aggressive *laicism* would thus be distinguished from respectful *laïcité*, and the pair "*laicism and laïcité*" would be interpreted disjunctively as "*laicism or laïcité*". But is such an opposition justified, or is it rather a simple nuance between two versions of the same ideology? One indication, among many and of singular relevance, leads us to this second possibility: the protest of the followers of *laïcité* to respect the "separation" between Church and State, with the consequent rejection of the thesis of the Catholic State. However, the Church cannot (without betraying her mission) fail to affirm that there is a natural moral law which she defends and to which the public authorities must submit.²² This is the core of the "Catholic State" (which is not the modern State but the classical political community), of what is called, with a terminology of Protestant origin, "the confessionality of the State" and, with a traditional denomination that presupposes a sociological majority, "Catholic unity".²³

When it is affirmed that "no (religious) confession will have a state character" - as is done, for example, in article 16 of the Spanish Constitution - one could think that one has not left the scope of this traditional thesis, since the Catholic State, far from nationalizing religion, submits to the moral invariant of the political order.²⁴ In practice, however, what is being postulated is a political agnosticism that cannot but end up demanding the submission of the Church (forgetting its mission as guarantor of this public orthodoxy) to the State: the "laicity of the State" always ends up in the "laicity of the Church",²⁵ that is, in the demand that the latter renounce its mission and limit itself to offering its "product" (pure choice) while respecting the rules of the "market". This has always been the logic of laicism, but now - after the heyday of "civil religions" - it is clearly evident. For the same reason, in the face of the false opposition between laicism and *laïcité*, it must be proclaimed that there is "neither laicism *nor laïcité*".

Finally, inclusive *laïcité* as opposed to exclusionary *laïcité*. A reflection, according to many, of the previous distinction between *laïcité* and *laicism*. Our dear colleague Professor Danilo Castellano has addressed this argument with great depth and precision.²⁶ Let me summarize it here.

First of all, the problem is presented - in effect - in new terms. Inclusive *laïcité* considers and includes the religious phenomenon, but as a right to the exercise of negative freedom, in such a way that it is not nature (of man, of things) that gives rise to juridical

institutions and rights, but - on the contrary - the juridical order becomes a condition of law. That is to say, properly speaking, juridical nihilism based on freedom of conscience, the latter understood as a vital principle.

We then find two paths, the French and the American. Although both refer to the present experience, the former corresponds to the old model of secularism (*laicism*), whose anti-religious militancy has been amputated, and inevitably suffers from the attraction of the latter, to which it inclines without being aware of it. In fact, the "French way" privileges the rights of collective identity, which is why it suffers tensions within itself when it proclaims, not without emphasis, freedom of conscience: the individual is free in the freedom of the State and within the State. But the State, to be truly secular, should be indifferent to every option and every project... The "American way" was introduced: it is the individual and not the State that would have the right to exercise negative freedom; the latter would be the institution at the service of the projects of civil society and even (in a radical version) of the individual. But the neutrality of the juridical order is impossible, so that even this path is not without limits and contradictions. Secularism thus ends up in a dead end. On the one hand, not only does it not solve any political or social problem, but it actually exacerbates them. On the other hand, inclusive *laicité* ends up being more absurd than excluding *laicité*, because it does not even seek an ideological pseudo-solution that still preserved some positive aspects, but enters directly into the realms of nihilism.

Reference

¹ REAL ACADEMIA ESPAÑOLA, *Diccionario de la Lengua Española*, 22nd ed., Madrid, 2011, "americanismo". The Royal Academy itself, together with the Association of Academies of the Spanish Language, has a specific *Dictionary of Americanisms*, Madrid, 2010.

² The tendency of historians has long been to disdain papal intervention, which would have been produced out of apprehension, since the heresy condemned either did not exist or had no weight in American Catholicism. As an example of this position, see the canonical book by Thomas MCAVOY, *The Great Crisis in American Catholic History (1895-1900)*, Chicago, Henry Regnery, 1957. More problematic, though not entirely convincing, is the approach of Thomas E. WOODS, *The Church Against Modernity: Catholic Intellectuals and the Progressive Era*, New York, Columbia University Press, 2004. For a view that I believe to be correct, see John C. RAO, *Americanism and the collapse of the Church in the United States*, Charlotte, Tan Books, 1994. The first edition was published in 1984.

³ Cf. for example, the synthesis of Augusto SALAZAR BONDY, *¿Existe una filosofía de nuestra América?*, 15th edition, Mexico City, Siglo XXI editores, 2001. The first edition dates from 1968.

⁴ The caution is due to the discourse that opposes Christendom and Europe, understanding the latter as opposed to the former, which in the centuries following the Protestant pseudo-Reformation would have been reduced (mainly) to the Church of Rome and the Hispanic Monarchy. I have developed it on several occasions, citing the most representative authors (Francisco Elías de Tejada, Rafael Gamba, Álvaro d'Ors or Francisco Canals, among others). Cf. for example, "Hispanidad contra Europa o como Europa", in Danilo Castellano (ed.), *Europa: definizioni e confini*, Naples, Edizioni Scientifiche Italiane, 2007, pp. 61 ff.

⁵ Frederick D. WILHELMSSEN, "Las raíces del protestantismo americano," *Nuestro Tiempo* (Pamplona), No. 64 (1959), pp. 404 ff.

⁶ Cf. id., "El alma norteamericana de hoy", Madrid, *O crece o muere*, 1960.

⁷ Id. "Las raíces del protestantismo americano", loc. cit., pp. 413- 414.

⁸ This enriched Whig property-owning oligarchy is the one that, having ruined the Tory gentry, would end up becoming Tory, according to a fatal law that has been fulfilled everywhere. England, strictly speaking, is an oligarchy presented as monarchical, and therefore, according to Donoso Cortés, "the decoy of all constitutional monarchies". Cf. Francisco CANALS, *Mundo histórico y reino de Dios*, Barcelona, Scire, 2005, pp. 82-84.

⁹ Cf. John C. RAO, "L'illusion américaniste," *Catholica* (Paris), no. 116 (2012), pp. 23-24.

¹⁰ Frederick D. WILHELMSSEN, «El derecho natural en el mundo anglosajón del siglo XX», en AA.VV., *El derecho natural hispánico. Actas de las I Jornadas Hispánicas de Derecho Natural*, Madrid, Escelicer, 1973, p. 220.

¹¹ Cf. Thomas MOLNAR, "Le modèle défiguré. L'Amérique de Tocqueville à Carter" (1978), Spanish version by Óscar Barahona and Uxoá Doyhamboure, Mexico City, *Fondo de Cultura Económica*, 1980, pp. 71-72 and 84-86.

¹² The reference can only be to his famous *De la démocratie en Amérique (1835-1840)*. With many editions in several languages to this day.

¹³ Thomas MOLNAR, *ibid.* p. 272.

¹⁴ Id., *L'hégémonie libérale*, Lausanne, L'Age d'Homme, 1992. In this book we find the thesis synthesized, otherwise scattered in dozens of minor texts. Cf. Miguel AYUSO, *¿Después del Leviathan? Sobre el Estado y su signo*, Madrid, Speiro, 1996, pp. 84 ff. for a commentary based on the amphibology of the concept of civil society.

¹⁵ Cf. Thomas MOLNAR, *The Emerging Atlantic Culture*, New Brunswick and London, Transaction publishers, 1994; id., *L'Europe entre parenthèses*, Paris, La table ronde, 1990.

¹⁶ Cf. Christopher FERRARA, "Las 'uniones del mismo sexo' y el problema del positivismo legal. Una perspectiva desde los Estados Unidos", Miguel Ayuso (ed.), *Estado, ley y conciencia*, Madrid, Marcial Pons, 2010, pp. 91 ff.

¹⁷ Very interesting is Wilhelmsen's, perhaps somewhat benevolent, explanation in loc. cit. pp. 221 ff.

¹⁸ Think of what the then Cardinal Joseph Ratzinger said (cf. *Faith, Truth, Tolerance*, Italian edition, Siena, Cantagalli, 2003, pp. 122 and 253-254) about how a liberal society "can remain free and open to a further path" and how "the idea of the rights of man is in this sense, and above all, a revolutionary idea: it stands against the absolutism of the State, against the arbitrariness of positive legislation. Thesis ultimately dependent on Locke and prisoner of the opposition to the modern state. For criticism, see Miguel AYUSO (ed.), *El pensamiento político de la Ilustración ante los problemas actuales*, Santiago de Chile, Fundación de Ciencias Humanas, 2008, specifically chapter 1, of my own authorship, pp. 11 ff, entitled "Empirismo, liberalismo y tolerancia en la obra de John Locke". Cf. also Danilo CASTELLANO, *La verità della politica*, Naples, Edizioni Scientifiche Italiane, 2002, pp. 89 ff. for an examination of Ratzingerian positions.

¹⁹ Here again, Cardinal Ratzinger has expressed himself in very questionable terms. In statements to Vatican Radio on the subject of comparing the European and American approaches to different religions, he affirmed: "I think that from many points of view the American model is better, while Europe remains based on Caesaropapism. People who did not want to belong to a state church went to America and deliberately created a state that does not impose a church and is not seen as religiously neutral, but as a space in which religions can move and enjoy organizational liberty without simply being relegated to the private sphere [...]. In this sense, we can certainly learn from the United States and the process by which the State gives space to religion, which is not imposed, but thanks to which it lives, exists and has a public creative force, which is certainly a positive path" (Joseph RATZINGER, "Il laicismo europeo tende ad un dogmatismo che minaccia la libertà religiosa", Agence Zenit, November 22, 2004). This, of course, is pure Americanism.

²⁰ Here I reprint the conclusions of my book *La constitución cristiana de los Estados*, Barcelona, Scire, 2008, pp. 117 ff. "Laicism" would be equivalent to "secularism," while "laïcité" is sometimes used as a synonym for the former, and at other times it is used as "secularity," giving it a positive meaning.

²¹ Augusto DEL NOCE, "Giacomo Noventa: dagli errori della cultura alle difficoltà in politica", *L'Europa* (Rome), núm. 4 (1970).

²² Pius XI, "Ubi arcano Dei" (1922), n. 18.

²³ In one of the last acts of his pontificate, on February 11, 2005, John Paul II addressed a letter to the French bishops on the centennial of the 1905 French law on the separation of Church and State, condemned by St. Pius X in *Vehementer nos* (1906). In the letter, he begins by affirming, on the contrary, that "the principle of laicism, to which your country is so closely linked, belongs, if it is well understood, to the social doctrine of the Church". An ambiguous phrase, especially considering that it is addressed to the Bishops of France on the occasion of a French law. But the ambiguity continues immediately afterwards with the reference to "the need for a just separation of powers". For the first time, it is not the "distinction" between the powers that is called for, but the "separation". This misunderstanding is aggravated by the fact that the 1905 law had precisely the term "separation" in its rubric. Finally, the letter goes one step further, stating that "the principle of the non-confessionality of the State, which is a non-involvement of the civil power in the life of the Church and of the different religions, as in the sphere of the spiritual, allows all the components of society to work at the service of all and of the social community". So we remain ambiguous in this area, even if one of the first acts of his successor, Benedict XVI, on the occasion of the presentation of his credentials by the French ambassador on December 19, 2005, was to discreetly correct such affirmations: "As my predecessor recalled [...] the principle of secularity consists in a healthy distinction of powers". In any case, the consequences are grave. For the Church does not succeed in reaffirming Christian public law.

²⁴ José GUERRA CAMPOS, "La invariante moral del orden político", vv.aa., *Hacia la estabilización política*, Madrid, Club Siglo XXI, 1983, vol. III, pp. 101 ff. I have dealt with this issue at the end of the first chapter of my book *El ágora y la pirámide. Una visión problemática de la Constitución española*, Madrid, Criterio, 2000.

²⁵ Francisco CANALS, "Por qué descristianiza el liberalismo", *Verbo* (Madrid), no. 439-440 (2005), pp. 817 ff. and, in particular, Jean MADIRAN, *La laïcité dans l'Église*, Versailles, Consep, 2005.

²⁶ Cf. Danilo CASTELLANO, *Orden ético y derecho*, Madrid, Marcial Pons, 2010, specifically Chapter II, "El problema de la laicidad en el ordenamiento jurídico", pp. 39 ff, which I adhere to closely.