

Party Competition, the Catholic Church, and Moral Gender Policy in Mexico

By

Camilla S. Reuterswärd

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The dissertation is approved by the following members of the Final Oral Committee:

Aili Tripp, Professor, Political Science and Gender and Women's Studies

Erica Simmons, Associate Professor, Political Science and International Studies

Rikhil Bhavnani, Associate Professor, Political Science

Christina Ewig, Professor, Public Policy

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For Alexandra and Isabella Reuterswård

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LIST OF ABBREVIATIONS

- ALDF:** Asamblea Legislativa del Distrito Federal—the Federal District’s Legislative Assembly
- CFW:** Coalición de Mujeres Feministas—Coalition of Feminist Women
- CODHEY:** Comisión de Derechos Humanos del Estado de Yucatán—the State of Yucatán’s Human Rights Commission
- EEPEMEX:** Encuesta a expertos en política estatal en México—survey for experts of state politics in Mexico
- FDN:** Frente Democrático Nacional—National Democratic Front
- FSLN:** Frente Sandinista por la Liberación Nacional—Sandinista National Liberation Front
- OECD:** Organization for Economic Co-operation and Development
- GIRE:** Grupo de Información en Reproducción Elegida—Information Group on Chosen Reproduction
- IMUG:** Instituto de la Mujer Guanajuatense—Institute for the Guanajuatense Woman
- IPEPAC:** Instituto de Procedimientos Electorales y Participación Ciudadana—Institute for Electoral Procedures and Citizen Participation
- LGBTQ:** Lesbian, Gay, Bisexual, Transgender and Queer
- PAN:** Partido Acción Nacional—the National Action Party
- PANAL:** Partido Nueva Alianza—The New Alliance Party
- PRD:** Partido de la Revolución Democrática—the Democratic Revolution Party
- PRI:** Partido Revolucionario Institucional—the Institutional Revolutionary Party
- PT:** Partido Trabajo—the Worker’s Party
- PVEM:** Partido Verde Ecologista de México—the Green Ecologist Party
- PYN:** Red-Pro Yucatán—The Pro-Yucatán Network
- VIFAC:** Vida y Familia—Life and Family
- UNPF:** Unión Nacional de Padres de Familia—The National Union of Parents of the Family

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ABSTRACT

This dissertation examines the political determinants behind variation in moral gender policy. Focusing on abortion and same-sex policy in subnational Mexico, it presents a new theory about the role of party competition, predominant voter linkages, and Catholic Church strength in shaping the prospects for policy reform and the direction of change. To develop this theory, I draw on over one-hundred semi-structured interviews as well as archival research carried out in four different states. Specifically, I argue that a combination of two factors compels parties to pursue moral gender policy reform: party competition—the intensity of electoral competition and the ideological positions of party rivals—and the strength of Church hierarchies in a given context. Party competition determines the extent to which incumbents (or strong opposition parties) need the support of Catholic authorities. Aligning party positions with religious doctrine can provide not only much-needed legitimizing support, but also access to business elites critical for effective governance and may usher in the vote of religious constituencies. The extent to which competition and Church strength shapes party positions however depends on whether or not ideological foundations determine a particular stance on moral gender policies (programmatic parties) or if such principles are absent (non-programmatic). I also find that conservative-religious mobilization tends to overpower progressive organizing in more rural settings. Activists seeking to expand reproductive and sexual minority rights have difficulty recruiting members and finding political allies beyond large liberal capitals where they tend to cluster. Conservative groups by contrast often have stronger policy influence due to their connections to political elites and can mobilize support via religious authorities.

To explain differences among moral gender policies, I develop a framework that centers on issue characteristics, salience, and pre-existing legal frameworks. Configurations of these factors shape issue differences and the likelihood that a policy will undergo change. This

framework helps explain differences between issues within the moral gender policy category, and combined with the findings outlined above makes a contribution to scholarship that focuses on party political side of policy reforms and delves explicitly into the mechanisms of the Catholic Church's contemporary political influence.

Chapter 1. From Policy Stasis to Rapid Uneven Reforms

The Politics of Moral Gender Policies

On April 24 2007, Mexico City's legislative assembly—the Asamblea Legislativa del Distrito Federal (ALDF)—legalized abortion on demand up until the third trimester of pregnancy. Spearheaded by the leftwing majority of the Democratic Revolution Party (PRD), the reform passed with a vote of 46-19 and made the Mexican capital the first Latin American jurisdiction to legalize abortion after Cuba in 1965.¹ After decades of policy stasis, the reform sent a shockwave through the predominantly Catholic country and reverberated throughout the region, known for its restrictive and persistent abortion policies. The new law was celebrated as a victory for the national capital's feminist movement that for decades had lobbied to expand the city's limited reproductive rights. Conversely, the legalization represented a crushing defeat for the Catholic Church that vehemently opposed the reform, and Archbishop Norberto Rivera called for all Mexican Catholics to boycott any party that supported the policy change. In addition to Catholic hierarchies, the watershed policy liberalization elicited strong opposition from conservative sectors led by newly elected President Felipe Calderón of the center-right National Action Party (PAN). Calderón challenged the bill's constitutionality before the Supreme Court via two public agencies, the National Human Rights Commission and the Federal Attorney General's Office. Despite pressure from conservative and religious sectors, the court upheld the law in May 2008. The verdict reinforced the Church's defeat and highlighted the PRD's progressive gender politics in the context of a deeply polarized post-election climate in which the PAN's Calderón narrowly defeated left candidate Andrés Manuel López Obrador (Lamas 2015; Ford 2010).

¹ Cuba decriminalized abortion in 1965 and passed legislation in 1977 to make the procedure more accessible.

Two years later, the PRD majority once again put the national capital—at the time known as the Federal District—at the forefront of gender equality policy in the region by extending marriage and adoption rights to sexual minorities. As the first Latin American jurisdiction to allow marriage and adoption equality, the reform was a victory for the historically marginalized LGBTQ (Lesbian, Gay, Bisexual, Transgender and Queer) community, and a second major defeat for the Catholic Church. Similar to the watershed abortion reform, the new legislation constituted unprecedented change in a predominantly Catholic region where extending reproductive and sexual minority rights challenge the principled beliefs of the region’s dominant religious institution (Htun and Weldon 2010).

Mexico City’s reforms thus signified a major shift towards more liberal legislation concerning moral gender policies in which strong reactions from conservative-religious sectors were nothing but expected. Nevertheless, feminists, LGBTQ activists and their progressive political allies did not anticipate the reforms’ effects on legislation elsewhere in the federation, where state-level authorities have jurisdiction over the civil and penal codes that govern abortion and same-sex policy. Barely a year after Mexico City’s legalization of abortion, a wave of subnational reforms swept across Mexico.² Seventeen out of its thirty-two states in rapid succession enacted amendments to enshrine the “right to life” in local constitutions to pre-empt future policy liberalizations (Lopreite 2014).³ Rather than the socially conservative PAN however, the Institutional Revolutionary Party (PRI) that for long fiercely fought against the Church’s involvement in politics and lacked a particular ideological stance on moral gender policies surprisingly supported—and in some states singlehandedly enacted—these reforms. By contrast, less than a handful of subnational

² Seventeen states reformed their constitutions to protect life from the moment of conception. Four of these were PAN-governed, nine PRI-governed, one PRD-governed and three PAN-PRI coalitions (Lopreite 2014).

³ The abortion restrictions that took place across Mexico did not change penal codes but instead changed legislation through constitutional amendments. I explain this strategy and its implications in greater detail in Chapter 3.

legislatures attempted to restrict same-sex marriage and adoption although such legislation also challenges Catholic doctrine. In sharp contrast to abortion policy, two states also followed Mexico City's example and legalized marriage equality and gay adoption.⁴

The reforms enacted in the aftermath of the national capital's policy liberalizations transformed the landscape of moral gender policies across the Mexican states in a highly uneven fashion. After years of policy stasis, rapid reforms created sudden and significant variation in abortion, same-sex marriage, and same-sex adoption policy. But despite the similar characteristics that define moral gender policies in a region with a deeply rooted Catholicism and a generally strong Church, same-sex policy underwent little change in the aftermath of Mexico City's watershed reforms. Pushback in the form of attempted restrictive change in the wake of the policy liberalization was also largely absent. The expansion of sexual minority rights thus elicited remarkably less opposition than abortion, and with few exceptions, policies remained in status quo.

Mexico's subnational moral gender policy reforms mirror Latin America's broader pattern of change over the past two decades. While abortion remained in policy stasis until the end of the century, reforms in post-millennium Latin America have ranged from the lift of Colombia's complete abortion ban in 2006 to Uruguay's decriminalization of first trimester abortions in 2012 and the approval of therapeutic abortions in Chile in 2017. These landmark reforms changed the landscape of reproductive rights in the region. At the same time however, the Dominican Republic and Nicaragua completely outlawed abortion in 2009 and 2006 respectively, creating a pattern of uneven change across the region. Same-sex policy similarly underwent contradictory reforms. While Argentina, Brazil and Colombia as early adopters enacted some of the world's most progressive marriage and adoption legislation,

⁴ This dissertation focuses on policy reforms achieved through the legislative branch. While the expansion of same-sex rights have occurred through the judiciary in many parts of Latin America—subnational Mexico included—such change is not the focus of the present study.

Bolivia, Ecuador, and Honduras and instituted constitutional bans on same-sex marriage (Cabrales Lucio 2014; Brocchetto 2017).

Beyond the unevenness of reforms, empirical observations of the patterns of policy change also suggest that there are differences among issues within the moral gender policy category. While abortion policy underwent change in some countries following the turn of the century, decades of feminist mobilization and legislative debate preceded progressive reforms, and many attempts at policy liberalization failed.⁵ Despite the “pink tide” that ushered in left governments across the region, the expansion of abortion rights advanced at a slow pace, often followed by backlashes that reversed progressive legislation. Demands for marriage and adoption equality by contrast emerged in the late 1990s and onwards, and bills seeking expanded same-sex rights quickly climbed high on legislative agendas. Disregarding vocal resistance from religious-conservative sectors, legislators in Argentina, Colombia and Colombia among others approved same-sex marriage and adoption. Although sexual minority rights emerged on political agendas much later than abortion, attempts to liberalize family policy advanced much quicker than liberalizations of the region’s strict abortion laws and generally passed after little deliberation despite ecclesiastical opposition.

These empirical observations elicit intriguing policy puzzles that scholars at times have referred to as “Latin America’s rights riddle.”⁶ What accounts for the diverging patterns of legislative change among gender policies that share similarly controversial moral characteristics? Why did same-sex legalizations pass more easily than abortion in most of the region, or in the case of Mexico, ushered in far fewer restrictive counter-reforms? More broadly, what explains the region’s uneven pattern of moral gender policy change—what factors prompt governments to pursue controversial policy reforms and what determines the direction of change?

⁵ Feminist mobilization for expanded abortion rights in the region began in the 1970s (Lamas 2015).

⁶ See Encarnación (2018).

In this dissertation, I seek to answer these questions, presenting a new theory about the role of party competition, type, and Catholic Church strength in shaping the prospects for moral gender policy reform and the direction of policy change. Specifically, I argue that a combination of two factors compels parties to pursue moral gender policy reform: party competition—the intensity of electoral competition and the ideological positions of party rivals—and the strength of Church hierarchies in a given context. The extent to which competition and Church strength shapes parties’ policy positions and strategies is however contingent on party type—whether or not ideological foundations determine a particular stance on moral gender policies (programmatic parties) or if such principles are absent (non-programmatic). These variables interact to create the conditions under which parties benefit from liberalizing, restricting, or leaving moral gender policy in status quo and shape the relationship that party leaders seek out with Catholic bishops.

Party competition determines the extent to which incumbents (or strong opposition parties) need the support of Catholic authorities. Aligning party positions with Catholic doctrine can provide not only much-needed legitimizing support, but also access to business elites critical for effective governance and may also add to vote totals by ushering in the vote of religious constituencies—the confessional vote—for parties seeking to defeat threatening rivals. In other words, clergy members can act as electoral mobilizers for parties in need. However, the extent to which parties can ally with clergy depends on their type. Parties with non-programmatic linkage mechanisms are free to assume a variety of positions on moral gender policies whereas programmatic parties are constrained by their ideological foundations and have little room to shift their stances.

The bulk of gender policy scholarship contends that strong, autonomous feminist and LGBTQ movements positively impact the prospects of liberalizing change. While I confirm the importance of these groups, I find evidence that conservative-religious mobilization tends

to overpower progressive organizing in more rural settings. Activists seeking expanded reproductive rights and sexual minority rights have difficulty recruiting members and finding political allies beyond large, liberal capitals and metropolitan zones where they tend to cluster. By contrast, conservative-religious grassroots often have a stronger policy influence in more peripheral, rural states due to their connections to political elites and the ease with which support can be elicited and organized with the help of religious authorities. I therefore argue that not only social movement strength but also the type of mobilization and the geographical location of the struggle over policy change must be considered to explain civil society's impact in processes of moral gender policy change.

To explain differences among moral gender policies and how they shape policy trajectories, I develop a framework that centers on three interrelated factors: issue characteristics; salience; and pre-existing legal frameworks.⁷ As I return to in detail below, issue characteristics primarily revolve around the degree to which a given policy challenges Catholic doctrine whereas salience concerns the extent to which an issue generates national attention and thereby captures the general public's attention and scrutiny. Finally, pre-existing legal frameworks refer to the status of legislation and its openness to change in any direction. Configurations of these factors shape issue differences and determine the likelihood that a policy undergoes change. This framework helps explain the differences between abortion and same-sex policy and contributes to scholarship that has yet to comparatively analyze issues within the moral gender policy category.

In turn, the theoretical framework elaborated in Chapter 2 sheds light on the specific politics of moral gender policies, zooming in on the factors that shape party strategies vis-à-vis reform, and the dynamics of the Catholic Church's political influence. While reports of its

⁷ While abortion, same-sex marriage and same-sex adoption are technically three different policy issues, adoption rights automatically follow with marriage rights in Mexico (as in most of Latin America). Thus, effectively, I analyze two, rather than three policy issues.

waning sociopolitical power have dominated popular and scholarly press in recent years (see e.g. Hagopian 2008; *The Economist* 2013; Pew Research Center 2014), I find that clergy have strengthened their positions in the context of political institutions' legitimacy crises. Religious and political elites' mutual interest in institutional survival has resulted in a convergence of interest that provides religious authorities—primarily Catholic hierarchies—with increased bargaining power. Emphasizing these actors and relationships, this dissertation fills an important gap in our knowledge of the politics of reproductive and sexual minority rights in Latin America. As I return to below, previous scholarship has provided important insights into the dynamics of moral gender policy change. Few studies however focus on the party political side of policy reforms or delve explicitly into the mechanisms of the Catholic Church's contemporary political influence. While part of the analysis also considers the impact of civil society mobilization, this dissertation centers primarily on political parties and religious institutions in policymaking processes. As such, it contributes a new perspective influenced by economic, interest-based theories that probes deeper into religious influence and party politics, and builds on previous explanations of policy reform.⁸

Finally, this dissertation's focus on processes leading to policy liberalization, restriction and status quo at the subnational level, as opposed a single focus on progressive national-level policy change, makes a contribution towards our understanding of variation in moral gender policy and the determinants behind Latin America's uneven patterns of change.⁹ As I return to in the methodological section, examining cases within the same national polity and society holds variables such as political and religious institutions constant and helps isolate the political determinants behind a variety of policy outcomes.

⁸ For examples of economic, interest-based theories, see for example Gill (1998) and Koesel (2014).

⁹ While most research focuses on national-level, single cases of policy reform, scholars have also carried out cross-national comparative studies of abortion and same-sex policy reforms. See for example Htun 2003; Blofield 2008; Díez 2015.

Understanding the politics of moral gender policy and the determinants behind the region's uneven pattern of policy reform is far from a mere theoretical concern however. As some of the most contentious political issues in contemporary Latin America, the expansion of legal grounds for abortion and the legal recognition of sexual minority rights is a contested development, yet one that affects many people across the region. Latin America's wide variation in reproductive health and family policy affords citizens in some jurisdictions greater access to reproductive and sexual rights than others. Such inequality has tremendous consequences for women and individuals identifying as LGBTQ (lesbian, gay, bisexual, transgender and queer) in a region that suffers from the world's highest number of deaths from clandestine abortions and a steady increase of hate crimes based on gender identity or sexual orientation (Encarnación 2011; Center for Reproductive Rights 2015).

Moral gender policies ultimately concern the reach of the state's regulatory power and in Latin America, the extent of religious involvement in lawmaking. These policies govern some of the most intimate aspects of citizens' lives—reproduction, full body autonomy, and the right to have relationships legally recognized. Tensions between expanded individual liberties and advances toward equal citizenship on the one hand and more restrictive state regulation, often attributed to the influence of organized religion, on the other are nowhere as evident as in Catholic Latin America. As such, the politics of abortion and same-sex policy also have profound implications for democracy and citizenship.

EXPLAINING ISSUE DIFFERENCES WITHIN THE MORAL GENDER POLICY CATEGORY

Policies such as abortion, divorce, equal employment and gender quotas were long considered part of a large block of issues whose common denominator was their impact on women's

private and public lives and promotion of gender equality.¹⁰ As gender policies emerged on legislative agendas in the past few decades, scholars observed that issues within this broad category engendered distinct types of politics. The actors involved and the activated cleavages and conflicts differed depending on the ideas at stake and shaped policy-making processes (see e.g. Htun 2003; Htun and Weldon 2010). While some gender policies underwent liberalizing change quickly, endorsed by legislators of all party colors and without triggering much resistance from civil society and religious institutions, others struck controversy, prompting heated inter-and intra party debates and deep antagonism between activist groups.

To reveal the different causal dynamics at work, scholars have disaggregated issues into subsets of gender equality policy (see e.g. Mazur 2002). Htun (2003) coined the terms “doctrinal” and “non-doctrinal” policies to describe the characteristics of issues that triggered charged public debate and vehement resistance on behalf of religious authorities-conservative actors, and those that elicit less opposition.¹¹ While the doctrinal (religious or moral) nature of issues such as abortion, divorce, same-sex rights, in-vitro fertilization and other forms of assisted reproduction challenge organized religion or codified cultural traditions of major groups, other gender policies such as quotas, family and work equality, and measures to combat gender-based violence trigger less opposition (Htun and Weldon 2010).¹² In Latin America, liberalizing reform of issues such as abortion, divorce, and same-sex marriage threaten core Catholic principles and prompt the involvement of hierarchies that seek to

¹⁰ Defined broadly, gender equality policies refer to laws and regulations that seek to improve or advance women’s rights or conversely reduce or eliminate gender-based hierarchies in areas including reproductive and sexual rights (Mazur 2002).

¹¹ Throughout this dissertation, I use the term “moral gender policy” to describe what Htun and others refer to as “doctrinal” policies. While I agree with the definition, a substantial body of literature already refers to these issues as “moral” or “morality” policies, especially in European and U.S. scholarship (see e.g. Engeli, Green-Pedersen, och Larsen 2012; Kreitzer 2015). I use “moral gender policies” to signal that my work is related to previous studies, but emphasize my analysis of those with a gender component.

¹² This is not an exhaustive list. In addition, prostitution, pornography, and gender identity laws also challenge principled religious beliefs. Moreover, there are moral policies that lack a gender component, that is, do not touch upon aspects of gender such as identity, roles, sexuality or reproduction. These issues include (but are not limited to) euthanasia, marijuana and other forms of drug use, stem-cell research, capital punishment, sodomy laws and gambling (see e.g. Knill, Adam, och Hurka 2015).

defend Church values in the public sphere. Confirming the disaggregated approach's analytical usefulness, Catholic officials opposed policy change on divorce and abortion, but did not contest—and sometimes even supported—laws that advance gender equality within the family (Htun 2003). Similarly, while clergy did not fight gender quotas, they hotly contested the recognition of sexual minority rights.

All moral or “doctrinal” gender policies are not created equal however. While the liberalization of any issue within this category undoubtedly triggers opposition from religious institutions and conversely, support from progressive sectors—commonly feminist and LGBTQ activists and their allies—empirical observations suggest there are substantive within-group differences. The strength of resistance to policy change and the extent to which legislators take the opposition in consideration varies across issues, manifested in the ease with which some bills pass and their legal aftermath, that is, whether or not attempts to reverse liberalizing reforms occurred. As noted above, abortion liberalizations have generally been difficult to achieve in Latin America whereas bills seeking to expand same-sex rights have advanced comparatively quickly despite being issues of more recent political genesis. Similar to the case of same-sex policy, the Church lost the struggle over divorce in the region already in the 1980s, and the issue has not re-emerged on political agendas (Htun 2003).¹³ More recent issues such as in-vitro fertilization and other forms of reproductive assistance as well as gender identity laws have generated debate, but have resulted in fewer public clashes between legislators and Catholic clergy than abortion although the prospect of policy liberalization similarly infringe on doctrinal principles. What explains differences among moral gender policies? Why do some strike significant controversy, clashes between opposing groups and recurring debate whereas others pass relatively quickly with little conflict?

¹³ Chile is an exception in the region and did not legalize divorce until 2004.

In what follows, I propose a framework that explains differences within the category of moral gender policies based on a combination of three factors—issue characteristics; degree of salience; and pre-existing legal frameworks. These features set moral gender policies apart, and their various configurations shape the likelihood of reform. To create a generalizable framework for cross-policy comparison, I keep these factors broad, which means that they are not completely separate from the specific political variables that I discuss in detail below.

Issue Characteristics, Salience and Pre-Existing Legal Frameworks

Similar to the distinction between “doctrinal” and “non-doctrinal” gender policies, the particular characteristics of issues within the moral gender category set them apart. While all contain a moral element that triggers value clashes and resistance on behalf of organized religious-conservative sectors, some issues strike more controversy than others.¹⁴ Divorce generates less conflict than abortion, whereas forms of reproductive assistance provoke more strife than the gender identity laws that recently emerged on legislative agendas in Latin America. This unevenness creates a hierarchy among moral gender policies that I identify along the lines of the features that challenge Catholic doctrine and the group (or body) they primarily target.

Abortion is commonly identified as the quintessential moral gender policy that invokes a “clash of absolutes” and immutable, irreconcilable positions. While moral gender issues may differ across national contexts, abortion is almost universally controversial, at least across Western Europe, the U.S. and Latin America (Kreizer 2015). Two particular traits produce its controversy and are similarly observable in relation to contraception and assisted reproduction: A life/death dichotomy that concerns the status of unborn life and therefore renders abortion legislation highly significant to religious institutions; and a reproductive

¹⁴ By controversy, I refer to public and political debate and clashes between groups that mobilize in support of or against prospective policy change.

aspect that results in a focus on the female body.¹⁵ Abortion touches on central aspects of Catholic doctrine. Church teachings consider life to begin at conception and therefore consider the embryo and fetus to have the same rights as full-grown adults. The termination of pregnancy is therefore considered the murder of an innocent human life (Belgrano Rawson 2012; Vaggione 2014). It follows that the legalization of abortion constitutes more than simple statutory change. Rather, it symbolizes life and death but also a transformation of gendered ideas of motherhood and female sexuality—all of which threaten fundamental Catholic principles (Htun 2003). Second, the explicit connection to the female body as the bearer of life has motivated and legitimated state control over women's bodies via restrictive abortion policies. As Blofield (2006) notes, feminist activists have fiercely protested religious involvement in abortion policymaking, leading to polarized relations between the Catholic Church and women's rights advocates that contribute to its controversy.

Different forms of assisted reproduction and contraception are similarly related to the reproduction of sacred life and unacceptable given their inherent challenge of the "natural order." Technologies to assist reproduction such as artificial insemination and in vitro fertilization are rejected since they do not originate from a (within-marriage) human act. Church guidelines follow Pope Pius XII's 1956 proclamation that defined artificial reproduction as immoral and illegal (Sallam and Sallam 2016). The use of contraception is similarly considered a mortal sin since it disrespects God's design of human life that allows the origin of new life. By separating the conjugal act from its procreational purpose, contraceptive methods alter the nature and proper meaning of the conjugal act and go against the openness to life, with consequences such as a greater spread of infidelity and society's

¹⁵ There is certainly a feminist debate on why men are not involved in or subject to abortion legislation. Engaging in such a debate is however beyond the scope of this study.

general moral degradation (Villa 2018; Pascual n.d).¹⁶ While grave, the use of contraception or assisted reproduction does not involve the "termination of life" and therefore differs from abortion.

By contrast, divorce, same-sex marriage and adoption are removed from the life/death dichotomy and the explicit focus on the female body.¹⁷ Nevertheless, the liberalization of these issues threatens Catholic doctrine because they involve fundamental conceptions of gender roles, boundaries of sexuality, and the institutions that regulate family life. The Church defines marriage as a sacrament bound by God that humans simply cannot dissolve and consequently vehemently opposed its legalization (Blofield 2006:6). While struggles over divorce revolve around maintaining a holy bond, same-sex marriage and adoption threaten the foundation of heterosexual marriage and thereby, the "natural" order of (family) life. Same-sex marriage challenges the nuclear family by not fulfilling the reproductive function of heterosexual marriage and according to Catholic doctrine, undermines the cohesion and stability of the institution (Htun 2009).

Further, permitting same-sex couples to adopt children threatens the essential role that procreation plays in heterosexual marriage and consequently, the continued reproduction of the human race. Allowing same-sex adoption threatens the fundamental nucleus of the traditional family, that is, a family composed of a mother and a father, and thereby facilitates society's degeneration. Moreover, the Church argues that same-sex adoption violates

¹⁶ Contraceptive use is obviously also linked to sexuality. In contrast to abortion, Catholic opposition does not explicitly target the female body but rather, both sexes. Nevertheless, clergy have tried to control and suppress female sexuality to a greater extent. As Htun and Weldon (2010:210) note, religious doctrine often "endorses male dominance and female submission, particularly in the areas of family law, reproduction, and sexuality."

¹⁷ Worth noting here is that while the Church's line on abortion has hardened, its positions on same-sex policy have softened. The reasons for this are highly debateable. Towns (2010) suggests that women's rights have been acknowledged and accepted worldwide as issues of modernity and human rights, and countries therefore gain status by passing laws that give women suffrage, institute national machineries for women's rights, and quota laws. I suggest this argument can be expanded to encompass same-sex policy. Growing social acceptance and successful human rights framing makes it more costly for religious institutions to oppose same-sex marriage and adoption. Abortion in contrast continues to symbolize (and be portrayed as a question of) life or death. Thus, while many of the differences between the two policies are attributable to abortion's more polarizing nature, some of it is undoubtedly due to successful framing.

fundamental human rights as it denies children the right to a mother and a father and therefore risks exposing them to life-long discrimination (de la Dehesa 2010). In short, marriage and adoption equality expand the idea of the family, including gender roles, and threaten the salience of the heterosexual family that is central to Catholic values and even considered the bedrock of society (Vaggione 2014; Díez 2015). While abortion, same-sex marriage and same-sex adoption all challenge absolutist Catholic notions of family and sexuality and spark debates over morality, marriage and adoption remains less controversial than abortion as it ultimately does not challenge the fundamental right to life and the status of the unborn (Belgrano Rawson 2012).

Other moral gender policies such as prostitution and gender identity laws have a slightly different focus. Prostitution, while involving the grave sin of engaging in extramarital sexual relations without reproductive end, does not touch on the life/death dichotomy or respect for human life or the dignity of procreation (*Revista El Observador* 2010). While an immoral act, it is not comparable to murder. Neither do the gender identity laws that recently emerged on agendas in Latin America challenge core religious principles.¹⁸ These policies challenge the idea of a God-given natural order, manifested in the normative alignment between biological sex and gender identity, but do not touch upon life/death aspects or reproduction. As the table below suggests, these issues trigger least conflict out of the policies detailed here.

¹⁸ Argentina approved the full recognition of self-defined gender identity in 2012 and Bolivia and Chile followed with similar laws in 2016 and 2018 respectively. Uruguay legalized the right for transgender people to receive state-funded surgery that matches their sexual identity in 2018, among a range of other measures that included a reservation of 1% of public jobs to transgender people.

Table 1.1. Issue Differences within the Moral Gender Policy Category

<i>Issue</i>	<i>Challenges</i>	<i>Targets</i>	<i>Controversy</i>
Abortion	Doctrine of life; human reproduction; the “natural order”	Female body	Very high
Assisted Reproduction	Doctrine of life; human reproduction; marriage; the “natural order”	Mostly female body	Very high
Contraception	Human reproduction; marriage; the “natural order;” sexuality	Female and male body	High
Divorce	Marriage	Heterosexual couples	High
Same-sex marriage & adoption	Marriage; human reproduction; the “natural order;” sexuality	Non-heterosexual couples	High
Prostitution	Sexuality, marriage; human reproduction	Mostly men (as the main buyers of sex)	Low
Gender identity	The “natural order”	Non-binary people	Low

Issue characteristics determine the controversy a given policy will generate based on the extent to which it challenges Catholic doctrine. High(er) controversy means that progressive reforms will meet strong resistance and that achieving long lasting change will be difficult as actors with a stake in reform will challenge it at every turn. However, issue characteristics are necessary but not sufficient to explain differences among moral gender policies. For example, they cannot explain why some issues emerge on legislative agendas while others do not. The potential electoral costs of raising controversial issues means that legislators prefer status quo, and take a stance or pursue reform only when they are pressured to or when doing so can provide political support. For change to come about, an issue must also be salient.

Salience refers to the extent to which an issue generates national attention and thereby captures the general public’s attention and scrutiny (see e.g. Beer 2017). The degree of salience matters because it affects the possibility that an issue will be subject to legislative treatment. Issue characteristics shape salience to some degree, as controversial policies are more likely to generate public debate. However, a scandal, unprecedented court decision, large-scale protest or other events that capture media attention and propel an issue to the top

of national debate can also give an issue high salience. Despite reluctance to touch controversial moral gender policies, high salience will pressure legislators to take action since national-level attention will trigger not only the general public's interest but also the mobilization of groups seeking to impact legislation via advocacy and lobbying.¹⁹ Thus, high salience forces parties to engage with a given issue. By contrast, low salience issues are less likely to receive the public attention required for legislative treatment. Therefore, they will also attract little political interest and reform in any direction is unlikely.²⁰ Abortion's controversy has given it a generally high salience, compounded by scandals such as the Paulina case in Mexico or Rosa in Nicaragua—both cases of underage girls unlawfully denied abortions after rape—that generated public uproar and caused national-level debates of previously taboo issues (see e.g. Taracena 2002). By contrast, issues such as gender identity laws have lower salience and have only in a few cases made to legislative agendas.

Finally, pre-existing legal structures matter because they determine the possibilities for policy change in both restrictive and liberalizing directions. The content and location of the codes that govern a given policy shape potential responses to issue controversy and salience, including the legal strategies available for actors seeking change. For example, pre-existing *liberal* frameworks are open to both progressive and restrictive change, which invites actors of both sides to seek reform. Restrictive legislation on the other hand generates pressure for change on behalf of progressive politicians, feminist groups and LGBTQ activists (if they exist) but little conservative mobilization as it is unrequired unless the threat of policy liberalization becomes threatening. Moreover, the location of legal codes is an indicator of the ease with which policies are subject to change. Penal or civil codes are generally easier to

¹⁹ Issues can also become highly salient through the mobilization of groups in civil society.

²⁰ Low issue salience might mean that legislators have more flexibility to enact their preferred policies without interference from groups with a stake in reform (Beer 2017). This might be true for moral gender policies that elicit little controversy. Generally however, I contend that low salience indicates that a policy is less likely to be legislated or reformed since legislators fear the electoral costs of moral gender issues at large.

change than state-level or federal constitutions that often require super majorities to pass. The location of codes that govern moral gender policies in the legal hierarchy therefore indicates how easily policies may change, and in turn determines the mobilization by both conservative and progressive forces and the strategies employed to achieve reform.

Legal provisions for example shaped the diverging reactions to Mexico City's policy reforms. In relation to abortion, constitutional amendments became the main strategy to preempt future liberalizations. While penal code restrictions would limit already minimal grounds for legal abortion in place in a majority of states and trigger public outrage, to enshrine "the right to life" in local constitutions was a strategy designed to limit controversy. These amendments did not directly restrict policy, but rather, put abortion in legal limbo since the direct implications were—and remain—largely unknown.²¹ Importantly however, this type of constitutional reform made future liberalizations difficult to achieve and were widely interpreted to outlaw abortion.²²

By contrast, most Mexican states already defined marriage as between a man and a woman. Given the status of local constitutions, conservative actors had few incentives to attempt restrictive change—it was not in fact possible to enact more restrictive legislation. Indeed, the only states that outlawed same-sex marriage and adoption—Baja California, Sinaloa, and Yucatán—were exceptions in that their civil codes did not establish marriage as an exclusively heterosexual institution. In sum, as I will show, issue characteristics, low salience and already restrictive legal frameworks in place rendered any expansion of marriage and family rights to sexual minorities unlikely in Mexico. Despite its controversial nature, no major scandals propelled same-sex marriage and adoption to the top of the national debate. Rather, its low issue salience beyond Mexico City and restrictive framework that already

²¹ Personal interview, GIRE representative, Mexico City, May 2016.

²² To change a local constitution requires more than two-thirds of the legislature vote in favor as well as a similar outcome in a municipal vote.

limited marriage to heterosexual couples led to policy status quo. Thus, combined, issue characteristics, salience, and pre-existing legal frameworks help explain differences across moral gender policies and the variation in patterns of policy change.

THE ARGUMENT: THE POLITICS OF MORAL GENDER POLICIES

The determinants behind the politics of moral gender policies—primarily abortion—have been the topic of study for a large body of literature (see e.g. Mazur 2002; Blofield 2006). These studies highlight a set of variables that impact the prospects of policy liberalization, including left majorities and strong, autonomous feminist organizing. In the context of contemporary Latin America, scholars have confirmed most of these findings, emphasizing the key role that the region's dominant religious institution, the Catholic Church, plays in policymaking processes (see e.g. Htun 2003, Díez 2015).

This study draws on the extensive previous scholarship, but develops a new argument that builds on existing explanations in several ways. First, it focuses on the party politics of moral gender policies and examines not only the politics of left parties but also that of right-leaning ones and importantly, the motivation and strategies of centrist, non-programmatic parties that lack ideologically driven positions on abortion and same-sex policy. This overall focus on party politics that extends beyond ideology has been missing from previous studies. I argue that a combination of two factors compels parties to pursue moral gender policy reform: Party competition, defined as the intensity of electoral competition and the ideological positions of party rivals, which determines the extent to which incumbents (or strong opposition parties) need the support of Catholic authorities; and the strength of Church hierarchies in a given context. These variables interact to create the conditions under which parties benefit from liberalizing, restricting, or leaving moral gender policy in status quo and shape the relationship party leaders seek out with Catholic bishops.

Party competition constitutes the foundation for parties' desire to receive support from religious authorities, and their positions and strategies are in turn mediated by party type.²³ Incumbents or strong opposition parties that face medium to high levels of competition have incentives to forge close relations to bishops and pursue strategies vis-à-vis moral gender policies that align with principles of Catholic faith. Such strategies can provide not only much-needed legitimizing support, but also access to business elites critical for effective governance and may add to vote totals by ushering in the vote of religious constituencies—the confessional vote. By contrast, in contexts of low competition, parties generally have few incentives to pursue controversial moral gender policy reforms. Moreover, the location of competition shapes party strategies. Parties that face competition from actors to the center-right of the political spectrum that are more likely to receive clergy support have greater incentives to pursue policy restrictions than those competing with the political left whose ideology sharply contrasts Catholic doctrine in relation to moral gender policy.

The extent to which competition shapes a party's policy position and strategies however depends on party type—whether or not ideological foundations determine a particular stance on moral gender policies (programmatic) or if such principles are absent (non-programmatic). Parties with non-programmatic linkage mechanisms are free to assume a variety of positions on moral gender policies whereas those with particular ideologically derived stances that compete based on programmatic appeals are more limited. While party competition and Church strength also affect programmatic party strategies, they cannot stray too far from their foundational statutes for the risk of alienating voters.

Religious authorities' perceived ability to provide parties with goods that enhance their

²³ I use the term “party competition” throughout this dissertation to refer to the definition laid out above—the intensity of electoral competition and the ideological positions of party rivals. However, in the next chapter where I detail the theoretical foundations of the study, I follow the social policy literature that I refer to and use “electoral competition.”

competitiveness is what makes moral gender policy restrictions electorally profitable.²⁴

Indeed, it is in the context of a dominant religious institution with significant public influence that moral issues gain indirect electoral weight. I argue that Catholic bishops act as electoral mobilizers for parties that need Church support to defeat their competition. In return, clergy members receive financial benefits required to maintain their herd of faithful as well as reforms that enshrine Catholic principles in law. This argument draws on economic, interest-based theories that proceed from the assumption that parties seek to maximize votes to gain office or remain there, whereas religious authorities aim to safeguard their dominance in the spiritual realm—all in a context of growing electoral and religious competition that threatens institutional survival (see e.g. Gill 1998; Koesel 2014). In so doing, this dissertation bridges two previously separate literatures and suggests that when the interests of political and religious elites converge, moral gender policies become trading cards or currency in strategic exchanges that seek to maintain the hegemony of both actors. These exchanges suggest that reforms are negotiated within high-level elite circles that progressive civil society actors generally have little access to—and low capacity to influence. I return to this below.

Third, the theoretical framework builds on literature that emphasizes the impact of progressive social movements in policymaking processes. Current work focuses primarily on the impact of feminist and sexual diversity movements in lobbying for the liberalization of abortion and same-sex rights. I confirm the importance of these groups, but find that those fighting for expanded reproductive and sexual diversity rights have little political influence outside of large liberal cities or metropolitan zones where they tend to cluster. They are few and far between in more rural areas, at subnational and local levels, where religious-conservative actors by contrast are at their strongest (see e.g. Koesel 2014). In such settings,

²⁴ To be clear, where Catholic clergy is perceived to be weak and unable to usher in electoral benefits, most parties—both programmatic and non-programmatic—refrain from pursuing restrictive reforms to avoid the controversy that policy change entails.

conservative-religious groups influence policymaking to a greater degree due to their connections to religious and political elites. Moreover, they can mobilize quickly through their access to the Catholic Church's vast networks. Thus, beyond liberal capitals, religious-conservative groups tend to overpower progressive civil society actors. Building on previous work, I analyze the linkages and impact of conservative-religious grassroots movements and propose that the strength of such groups must also be taken into account.

I hypothesize that the variables included in my argument determine the prospects and direction of moral gender policy reforms and interact equally to shape policy variation. However, as stated above, the impact of civil society mobilization differs depending on region or area. As such, while the arguments focused on party competition and religious institutions apply to both national and subnational levels, the specific aspects that relate to civil society mobilization must be considered within a regional or area-focused context. Social movement impact thus depends not only on type of organization (progressive or religious-conservative) and its strength, but also on the geographical location of struggles over moral gender policy. In what follows, I lay out the main variables highlighted by previous work and show how my argument differs from and builds on existing explanations of moral gender policy reform.

DOMINANT EXPLANATIONS OF MORAL GENDER POLICY REFORM

At present, scholars have identified several factors that when combined create favorable conditions for the liberalization of moral gender policies. Based on detailed analyses of policymaking processes behind abortion scholars of Western Europe, United States and Latin America attribute liberalizing reforms primarily to left parties in power, conflicted Catholic Church-state relations and strong, autonomous women's movements (e.g. Mazur 2002; Htun 2003; Haussman 2005; Blofield 2006; Haas 2010). While LGBTQ policies have not been explicitly situated within the moral gender policy framework despite their similarly

controversial nature in the Latin American context, recent scholarship on same-sex rights policy in the region similarly relies on the impact of left rule, Church-state relations and in particular, social movement mobilization, to explain policy outcomes (de la Dehesa 2010; Díez 2015; Encarnación 2016).

The Role of Left Parties

Scholars identify left parties as agents of social reform whose support has been critical for putting moral gender policies on legislative agendas in Europe, Latin America and the U.S. The progressive nature of left ideology that embraces reproductive rights and the legal recognition of sexual minorities renders these parties more open to liberalizing reform than parties elsewhere on the political spectrum. Yet the record of left support for greater abortion access has been uneven in Latin America (Friedman 2009; Lind 2012). In Chile, El Salvador and Nicaragua among others, the left has been far from consistent in supporting abortion rights—at times even promoting restrictive policy change (Kampwirth 2008; Haas 2010; Viterna 2012). Recent research suggests that whether or not left incumbents promote policy liberalization depends on the type of left in power. An institutionalized partisan left is more likely to pass liberalizing reforms whereas a populist left will impede the influence of feminist mobilization in policymaking (Blofield and Ewig 2017). In contrast to abortion, left legislators have more consistently supported the expansion of sexual minority rights in the region—although not without reluctance (Encarnación 2011; (Díez 2015).

In Mexico, existing explanations would expect the socially conservative, center-right PAN, whose party statutes spell out the defense of life and traditional family values to spearhead an offense against liberalizations propelled by the center-left PRD. Surprisingly however, the non-programmatic PRI governed the majority of states that enacted conservative reforms—both in relation to abortion and same-sex rights. The party's willingness to promote

“right-to-life” amendments is puzzling given its lack of ideology pertaining to moral gender policies and even more so given that most legislators are reluctant to engage in polarizing debates on abortion and same-sex rights. Nevertheless, in several states, the PRI also refrained from advancing initiatives seeking to restrict abortion rights and supported attempts to recognize same-sex rights—for example in the northern state of Coahuila, which remains a PRI stronghold where the party controls both the governor’s office and Congress (Lozano 2013). Yet in others, such as Aguascalientes, Hidalgo and Guanajuato, legislators of the previously hegemonic party kept abortion and family policy in status quo or sent bills to linger in legislative committees without reaching a vote (e.g. Díez 2015). The programmatic PAN and PRD similarly displayed unexpected behavior at the subnational given their respective party ideologies. In several states, the left-leaning PRD voted in favor of “right-to-life” reforms and against same-sex rights whereas legislators of the socially conservative PAN did little to oppose initiatives seeking to recognize same-sex rights, suggesting that factors beyond ideology also matter (Lozano 2013, Díez 2015).

Beyond the narrow (and incomplete) focus on the left, few studies detail the politics of center or right-leaning parties in relation to moral gender policies. Knowledge is particularly scarce in relation to the determinants behind the positions and strategies of parties that lack a coherent political program or ideology vis-à-vis moral gender issues. Scholars of party politics have shown that parties may compete for votes by strategically taking ownership of issues that belong to a rival party during times of intense partisan competition. Existing work focuses on programmatic party competition, in particular between mainstream center-left and right parties and Green or Radical right niche parties (Meguid 2005; Tavits 2008). For programmatic parties, change in positions related to “principled” value-based issues such as abortion that represent core ideological beliefs can have negative effects on parties’ vote shares (Tavits 2007). Yet no studies have to date analyzed the politics of non-programmatic

parties in relation to moral policies, nor examined the relationship between party competition and party behavior in relation to abortion or same-sex policy.

This dissertation aims to fill this gap by identifying the variables beyond ideology that shape party behavior and why and how party strategies differ between moral gender policies. By introducing electoral competition as a variable that affects policy change, thus paying attention to inter-party dynamics across the full spectrum of parties, this study moves beyond the focus on the left towards a systematic analysis of all main party players and the effects of broader party dynamics on policy reform. Using the distinction between programmatic and non-programmatic parties (see Kitschelt 2000), I focus primarily on the understudied politics of the latter category. I show that non-programmatic parties assume positions close to those of their main programmatic competitor in contexts of high competition to gain votes. By showing that strategic aims for vote gains shape non-programmatic party behavior, this thesis moreover yields insights into the determinants of party behavior vis-à-vis moral gender policies. Empirically, it takes a step towards increasing our insight into the politics of Mexico's PRI, whose stances on moral gender policies remain understudied.

The Influence of the Catholic Church and Church-State Relations

Evidence from Latin America further suggests that the dynamics of Catholic Church-state relations shape the possibilities of moral gender policy liberalization (see e.g. Htun 2003; Blofield 2008; Kampwirth 2008; Haas 2010). Historically close relations in the region have provided the Catholic Church with political leverage that derives from its legitimizing support of governments and above all, its moral authority (Gill 1998). The benefits of allying with the Church have provided incumbents with incentives to adopt policies that conform to Catholic doctrine, making moral gender policy liberalizations possible only at times of conflicted relations (Htun 2003). Beyond its legitimizing function however, the specific

mechanisms of the Catholic Church's political influence remain unclear. Little empirical work examines how these interactions take place in a systematic, comparative manner. The question of what determines continuity and change in Church-state relations, and in particular the precise mechanisms of the Church's contemporary impact over policymaking processes is largely missing.²⁵ Importantly, while the Catholic Church's weakening position in Latin America is widely recognized, scholars have yet to account for how the region's growing religious diversity and secularity affect Church-state relations and ultimately, its political influence (Levine 2014).

Questions also remain concerning the dynamics of Church-state relations in Mexico—the second largest Catholic country in the world (Blancarte 2009; Trejo 2012). Previous explanations apply with difficulty to the Mexican case, where no clear Church-state rupture has existed since the elimination of anti-clerical laws in the late 1980s (Gill 2002; Hagopian 2009). Yet contrary to expectations, we still see reforms that defy Church doctrine.²⁶ Building on insights from previous work, I argue that the Catholic Church's influence derives from three specific mechanisms that provide leverage over incumbents as well as opposition parties seeking office: legitimizing moral support; access to and backing from conservative local elites; and the confessional vote.²⁷ Part of the Church's political power originates in its perceived ability to usher in votes through clergy members' influence over predominantly Catholic populations.²⁸ This belief derives from its mobilization capacity and is precisely

²⁵ An important exception here is Grzymala-Busse (2015) who comparatively studies the impact of the Catholic Church across policies and national boundaries in Eastern Europe. See also Karrie Koesel's (2014) study of the relationship between religious institutions and authoritarian rulers in China and Russia.

²⁶ Viewed from a different perspective, Mexico's long history as an official secular state might indicate that reforms that challenge Catholic principles would pass without much difficulty and Church interference. I however contend that liberalizing reforms are surprising in the light of recent history. In the early 1990s, the Church regained many of the privileges it enjoyed prior to the Mexican Revolution. As I return to below, its recovered status has strengthened the institution and contributed to clergy taking on a greater public and political role.

²⁷ The confessional vote refers to the vote of the faithful—votes that churches may mobilize by encouraging its believers to vote for a specific party or candidate during mass or other religious activities.

²⁸ Since policymaking is an elite activity, this observation draws on ideas of elite perceptions of the Church's powers (conversation with scholar Roberto Blancarte, Colegio de México, Mexico City, April 2016).

what provides the Church with a role in party competition. Parties that need legitimacy to boost votes seek alliances with Catholic Church officials, who are key providers of this attractive electoral good (Camp 1997; Gill 1998). To bolster public trust via clergy endorsement is a particularly useful strategy for non-programmatic parties with their flexible positions on moral gender policies that allow for switching stances without alienating voters. In return for its legitimizing support, parties introduce policy reforms that align with Catholic doctrine and provide much-needed financial benefits that allow clergy to uphold the Church's religious dominance through religious services and maintenance of Church buildings (cf Gill 1998).

Catholic hierarchies strategically build relations with incumbents or leaders of the party most likely to gain office and hence, are most capable of providing the Church with resources. In other words, the relationship between parties and dominant religious institutions constitute pragmatic alliances shaped by the extent to which the two actors need each other's support and the benefits that close relations may provide. The Church's function as an indirect voter link is reminiscent of the strategies of elite parties in India that outsource recruitment to non-party affiliates that provide basic services to appeal to poor communities and builds on work focusing on the role of non-electoral institutions in party competition (see Thachil 2014).

This mutually beneficial relationship has become increasingly important in contexts in which both political parties and the Catholic Church face crises brought by losses of followers. In Mexico, the Church's legitimizing function plays a particularly important role in the context of parties' ongoing public confidence crises (World Values Survey 2009, 2014). The non-programmatic PRI is a particularly relevant case. As the party sought to bolster legitimacy and revive its reputation tarnished by allegations of fraud and corruption to reconquer both the presidency and governorships from PAN, its relationship to Catholic clergy

has taken on increased importance.²⁹ Indeed, the PRI has historically relied on the Catholic Church in times of crisis (Gill 1998; Blancarte 2002). In states where the party needed Church support to defeat the socially conservative PAN, the party initiated restrictive “right-to-life” reforms and in some states also attempted to pre-empt advances in same-sex rights by changing the definition of marriage. In those states, intensified Church-party relations maintained or even increased Catholic hierarchies’ political influence.

Thus, contrary to what one might expect given recent reports of the Catholic Church’s declining powers in Latin America (see e.g. Levine 2014), I find that the Mexican Church has strengthened its political influence in some states. Parties’ ongoing legitimacy crises in Mexico have provided the Church with an increasingly relevant role as partisan supporter. The Catholic Church’s declining powers does however play into this scenario. The Church has gone through a period of historical transformation in Latin America, losing faithful not only in Mexico but also elsewhere to what *The Economist* describes as “Central America’s feel-good Evangelical mega-churches” (2013). Under pressure from increasing religious competition, Church officials have intensified their attempts at establishing close relations with incumbents and/or parties likely to win office and gain the benefits outlined above—enshrining Catholic principles in legislation and obtain financial resources to maintain its religious monopoly. These findings suggest that dominant religious institutions can maintain or even increase their political influence if they are able to provide a critical good—in this case electoral benefits such as legitimacy—to political parties and builds on scholarship analyzing the effects of religious competition in the region (see Trejo 2012).

The reforms examined in this dissertation illustrate how recent trends affect Church-party relations and ultimately, impact the politics of moral gender policies. By providing a detailed window into the politics of contemporary Catholic Church-party relations, it takes an

²⁹ I explain the relationship between declining Church legitimacy and its ability to still provide parties with the same good in detail in Chapter 3.

empirical and theoretical step toward providing a more systematic understanding of what shapes the complex relationship between religious and political authorities. In the process, it highlights the conditions that determine the degree of collaboration between religious and political actors and the changing boundaries of these interactions in the context of the growing secularity and religious diversity in the region.

Feminist and Sexual Diversity Mobilization

Prior scholarship further identifies feminist and sexual diversity movements as central actors driving moral gender policy liberalizations in Latin America (see e.g. Htun 2003; Blofield 2008; de la Dehesa 2010; Díez 2013; 2015). Together with their allies to the left, progressive social movements have been key to putting abortion and same-sex rights on the political agenda. Lobbying efforts through strategic alliances with legislators as well as lawyers, journalists and medical doctors have succeeded in achieving liberalizing change (see e.g. Htun 2003).

Yet the emphasis on women's and gay rights movements has difficulty explaining policy outcomes across the Mexican states. Scholars generally perceive social movements to have a weak capacity to influence legislative processes, and in particular beyond the national capital (see e.g. Lozano 2010; Acosta 2012; Mattiace 2012). While activism is indeed lower outside of Mexico City, it is also true that the effects of progressive mobilization have been ambiguous elsewhere across the federation. Strong organization in favor of advancing sexual minority rights in Mérida, Yucatán, did not succeed in liberalizing policy. Rather, the attempt to advance same-sex legislation resulted in a counter mobilization that ultimately restricted policy. Conversely, in Coahuila—one of the very few states that legalized same-sex marriage following Mexico City's reforms—gay mobilization was practically non-existent (Lozano 2013:152; Díez 2015). This suggests not only that progressive mobilization might trigger powerful counter-movements but also that such mobilization is not always necessary to achieve policy change. Rather, liberalization

might depend on other factors. But while undoubtedly important, the emphasis on progressive social movements has also diverted attention away from conservative-religious organization and how these actors—who often enjoy greater access to resources through their links to the Catholic Church (Blofield 2008)—influence politics. To understand the role that both sides play in policymaking processes and their impact on outcomes, this dissertation comparatively examines the mobilization and impact of progressive *and* conservative-religious civil society groups.

Indeed, part of the Church's political power also lies in the vast networks of associated movements and groups that can be mobilized to protect Catholic values. These networks are often closely connected to local political and economic elites whose influence over state politics widely exceeds their counterparts seeking to advance reproductive and sexual rights. Yet previous research has primarily focused on the impact of progressive movements (see for example Blofield 2008; Díez 2015). This dissertation puts emphasis on conservative-religious mobilization in addition to women's and LGBTQ movements, which makes an important contribution showing that not only progressive civil society actors but also their counterparts should be considered in processes of policy change.

The combination of factors outlined above—left rule, distant Church-state relations and strong, progressive social movement mobilization—have provided important insights into the factors that help account for Latin America's moral gender policy liberalizations. Yet previous scholarship has difficulty explaining the policy variation observable across the region, and in particular the uneven patterns of policy reforms across federal Mexico, where states share history and dominant political and religious institutions. In particular, current literature has difficulty explaining the politics of parties beyond the left, and the implications of broader party dynamics. Similarly, conventional explanations provide little insight into why patterns of change differ across issues within the same policy category. This dissertation makes a contribution to existing work by creating a typology of issues within the moral

gender policy category based on issue characteristics, salience, and pre-existing legal frameworks. The configuration of these factors helps explain within-category differences and thus serves as a tool for understanding why some policies emerge on legislative agendas and others do not.

METHODS, RESEARCH DESIGN, AND CASE SELECTION: COMPARING POLICIES AND STATES

In the chapters that follow, I give a process-oriented account of moral gender policy reforms in four Mexican states with the aim of explaining Latin America's uneven pattern of change in relation to abortion and same-sex policy. I draw on qualitative methods to uncover the causal mechanisms that drive processes of policy change, and use descriptive statistics where possible to support my claims. I examine the politics of moral gender policies through an empirical focus on subnational Mexico from the early 2000s up until 2015. I employ process-tracing methods to develop the theoretical framework elaborated in Chapter 2. Process-tracing is a particularly useful tool for examining the questions advanced in this project since it aims to identify causal mechanisms by carefully tracing each sequence of a political process (George and Bennett 2005). Using this method, I reconstruct the processes that culminated in policy liberalization, restriction or status quo across the four selected cases, which helps identify how party competition, type and Church strength influenced moral gender policy reforms, as well as the impact of progressive and religious-conservative civil society mobilization.

I draw on original interview data from over one hundred semi-structured interviews with legislators, bureaucrats, health professionals, scholars and Church officials as well as with representatives from both progressive and conservative civil society organizations.³⁰ I

³⁰ Progressive organizations refer to feminist and LGBTQ groups that seek to advance reproductive and sexual diversity rights and advocate for policy liberalization. By contrast, religious-conservative associations refer to

collected this data during twelve months of fieldwork divided between the four state capitals of Guanajuato (Guanajuato City), Hidalgo (Pachuca de Soto), Yucatán (Mérida) and Mexico City. I also analyze extensive archival material. In each state, I collected news clippings from the two daily newspapers with largest distribution, whenever possible selecting one conservative and one liberal-leaning newspaper for a balanced account of events. Specifically, I draw on coverage from *Por Esto!* and *Diario de Yucatán* (Yucatán); *AM* and *Correo* (Guanajuato); and *El Sol del Hidalgo* (Hidalgo) as well as online archives from Mexico's largest newspapers with national coverage, *El Universal*, *Proceso* and *La Jornada*. I gathered over 2,500 local newspaper articles in addition to online articles, transcripts of legislative debates (available for all states but Hidalgo), Catholic Church declarations (including articles in its publication *Desde la Fe*, distributed nation-wide) and local and national civil society reports. For the dependent variable, policy outcome, I gathered data from the websites of state legislatures, local and national media reports on reform initiatives, scholarly work and reports from *GIRE*, Mexico's largest reproductive health NGO, which has documented the states that enacted "right-to-life" amendments.

The dissertation also draws on an original database of subnational party competition and legislative initiatives related to moral gender policy across Mexico's thirty-two state Congresses. This database includes party competition at the time reform initiatives were introduced and the outcome of floor votes on proposed bills. I calculated the degree of subnational electoral competition using CIDAC's gubernatorial elections data 2000-2012. While electoral competition can be measured in many ways, I follow recent scholarship that calculates victory margins, which refers to the percentage point difference between the first and second placing candidate in gubernatorial elections to assess the degree of subnational electoral competition across Mexico (see e.g. Cleary 2007).

those with the opposite goal that lobby for policy restrictions or status quo, and includes Church-affiliated groups and organizations explicitly against liberal abortion policies.

Beyond the quantitative indicator of electoral competition, I rely primarily on qualitative measures in this dissertation and wherever possible, corroborate my evidence with descriptive statistics. There are several reasons for this choice. First, the relationship between Catholic hierarchies and incumbents (as well as other party actors) and the general strength of the Church in a given state are central variables in this study, yet ones that are difficult to quantitatively measure. Relations between the main actors—governors and archbishops—are largely informal and clandestine. They depend not only on micro-level individual factors but also on historical patterns that have shaped the foundation for interactions between religious and political authorities in the subnational entities under study. The most common measurement of Church strength, the number of people who identify as Catholic, is not necessarily captured in Mexico where most citizens call themselves Catholic but far from all attend mass or observe religious holidays.³¹ Nevertheless, as I return to below, I draw on these numbers initially to demonstrate variation in the independent variables. In addition to evidence uncovered through process tracing, I draw on expert surveys of the Catholic Church's political impact; the density of clergy; and records of the number of religious associations. However, high-ranking clergy's links to political elites are by far the most significant indicators of the Catholic Church's political influence.

Quantitative measures are also limited and unreliable in relation to social movements. Available documentation of civil society associations across Mexico does not conform to my empirical observations. The number of registered organizations widely exceeds those I found to be active in the four selected states, especially in relation to women's rights organizations (see SEGOB 2018).³² Some of the most important state-level associations such as *Centro Las*

³¹ To my knowledge, no data exists on subnational Church attendance in Mexico. Beyond INEGI measures of which religion the population identifies with, subnational data on religiosity is largely inexistent.

³² See http://www.organizacionessociales.segob.gob.mx/en/Organizaciones_Sociales/Directorio_de_OSC The available data includes all kinds of organizations registered in civil society, and is updated as of 2018, which means that current numbers are likely to be higher than they were between 2000 and 2015. However, as these numbers are only used as for descriptive statistics, the overprediction does not impact the result of the study.

Libres in Guanajuato and *Cihuatl* in Hidalgo are also missing from records. Moreover, in relation to LGBTQ organizations specifically, data on subnational Mexico from the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) in addition to SEGOB records also fails to match my fieldwork records, although I use them for descriptive purposes.³³ In relation to public opinion, systematic state-by-state polls concerning support for more liberal or restrictive moral gender policy legislation have not been carried out.³⁴ I return to these measures in Chapter 3.

Research Design

This dissertation employs a comparative subnational research design and leverages a cross-policy framework to explain the factors that shape legislative processes and lead to distinct policy outcomes across states within the same federation. Through an empirical focus on diverging policy trajectories in subnational Mexico, the analysis centers primarily on party politics and the Catholic Church in processes of policy reform (and lack thereof). Mexico as a case offers several advantages, in particular the benefits of a subnational research design and the opportunity to leverage a cross-policy framework within the same national polity and society. While dominant approaches to moral policy reforms focus on national-level reforms (e.g. Htun 2003), this study takes advantage of Mexico's subnational policy as well as cross-policy variation, and uses its state-level autonomy over abortion and same-sex policy to analyze the puzzles addressed in this dissertation.

The advantages of “scaling down” to the subnational level are many and well documented. Following Snyder's (2001) comparative state politics approach, this dissertation

³³ Many thanks to Caroline Beer for sharing the ILGA data.

³⁴ One exception is Mexico City, where public opinion polls were carried out ahead of the abortion reform in 2007 and in the two following years. The results show that only 38.4% of polled residents favored the legalization in 2007 but the number grew substantively in the following years. By 2009, the percentage favoring the reform had almost doubled, landing at 73% (Population Council 2009; see also GIRE 2008 for an overview of surveys related to abortion in the national capital).

employs a subnational comparative method based on controlled case comparisons of state-level political institutions and processes. Mexico's federal structure in which subnational entities have jurisdiction over the civil and penal codes that govern abortion and same-sex policy provides an opportunity to study subnational policy variation within the same national polity and society, which increases the probability of obtaining valid causal inferences (see also King, Keohane, and Verba 1994). A comparative subnational approach highlights variation across subnational units, which facilitates a better understanding of how spatially uneven political processes play out and allow for controlled case comparison within a single national polity and society. By holding constant variables such as political institutions and culture as well as history and religious beliefs, a comparative subnational design helps reveal the mechanisms at work by isolating the causal factors behind policy variation (Snyder 2001).

The advantages of a subnational approach are also evident in relation to understanding the Catholic Church's political influence and its relationship to incumbents. These relations cannot be understood through an analysis of Mexico City alone, which at times is mistakenly considered to be representative of the whole country given its national level status as the capital and location of the Mexican Federal Congress and Senate. As an interviewee described it: "There are as many Church-state relationships as states in Mexico."³⁵ It follows that these are easiest to observe at the subnational level, as Church-incumbent relations are largely determined by interactions between governors and (arch)bishops (Camp 1997).³⁶ Hence, while previous studies refer to "Church-state relations," I label these "clergy-party" relations to move away from the idea of a unitary state with a relationship to a unitary Church when both are diverse, multi-layered institutions comprising different actors and agendas.³⁷ Clergy

³⁵ Personal interview with scholar, Mérida, Yucatán, October 2015.

³⁶ Mexico has eighteen ecclesiastical provinces headed by an archbishop. These, in turn, comprise eighteen archdioceses, each headed by a bishop. This means that some states do not have their own archbishops, but share one with another jurisdiction. The bishop of a given capital city might therefore have a closer relationship to party leaders than the actual head of the Church in that region, the archbishop.

³⁷ The Catholic Church's agenda in relation to moral gender policies however remains the same across churches.

refers to high-ranking Catholic officials whereas the term “party” refers to incumbent governors and party elites close to them, and the leaders of strong opposition parties.

While the President maintains a relationship with the highest of Catholic hierarchies, the cardinal, Church-incumbent relations are also determined at the subnational, and even local levels where the influence of religious hierarchies oftentimes is stronger. At the subnational, governors and archbishops set the tone of the relationship between the state and the Catholic Church and it is where governors determine state funding for the construction and restoration of churches and temples, and where “religion is most embedded in the community, the distance to those in power is reduced, and religious actors have an increased possibility of becoming important political players” (Koesel 2014:9). Similarly, a subnational approach uncovers important differences in party strategies vis-à-vis moral gender policies. While the same three parties dominate political life across Mexico—the PRI, PAN and the PRD—their approaches to moral gender policies vary depending on state context. In other words, a subnational approach to partisan politics and Church-incumbent relations is critical for understanding the processes examined in this dissertation.

While this dissertation focuses on the subnational politics of moral gender policies, it also to some extent adopts a multilevel approach. Political parties in Mexico operate on a national and subnational level, meaning that the majority of parties that exist at the subnational level also have a national party organization located in Mexico City. Party directives emerge from the national rather than the subnational level.³⁸

In addition to the subnational research design that helps identify the variables behind policy variation, this dissertation also leverages a cross-policy framework to examine the ways in which moral gender policies differ from one another and how such differences shape

³⁸ As I point out in chapter 3 however, Mexico is nowhere near as centralized as it used to be. Greater powers have been afforded to governors and local Congresses. The decentralization process however relates primarily to the powers of the president, and less to political parties.

policy trajectories. As noted in previous sections, abortion and same-sex policy are particularly useful for this endeavor as both threaten core Catholic teachings related to family, reproduction and sexuality. The policies under study are therefore selected based on their moral nature that also includes a gender component (Htun and Weldon 2010). Moreover, these policies are suitable for comparison since the civil and penal codes that govern them all fall under subnational jurisdiction. The variation in these policies can take on three values: liberalization; restriction; and status quo. Among these three outcomes, there is also cross-policy variation. In some states, policy restrictions sought to pre-empt the legalization of abortion but also advances in same-sex rights, whereas in others, parties only undertook reforms that restricted abortion. Yet in others, both policies were liberalized, or further, no attempts to pre-empt policies occurred or such attempts failed, leaving policy in status quo.

Case Selection

To select cases among these scenarios and gain analytical leverage over the hypothesized impact of electoral competition (and party type), Church strength and civil society mobilization, I selected four cases with variation on these independent variables—Guanajuato, Hidalgo, Mexico City and Yucatán. To draw valid inferences from a subnational study however, the units under analysis must be appropriate for comparison. Subnational entities can be more diverse than national and therefore display greater variation in the variables of interest. Moreover, they may be interconnected and therefore not constitute independent tests of theory (King et al. 1994; Snyder 2001). This requires careful case selection and attention to the interplay between subnational entities. In addition to sharing political institutions, a dominant Catholic Church, and overall culture, the selected states have comparable levels of economic development, although Mexico City, as the national capital, is an outlier in terms of Gross Domestic Product and Guanajuato with its large industrial

corridor differs slightly from Hidalgo and Yucatán. The selected states had virtually identical provisions in place in relation to abortion and same-sex rights. At a minimum, all states allowed therapeutic abortion and with the exception of Yucatán, established marriage as an institution between a man and a woman (Vela 2010; Cabrales Lucio 2014). Moreover, the states are geographically dispersed. While Mexico City is located in the southeast of the country, Guanajuato is centrally located in the heart of Mexico, Hidalgo, slightly to the northeast of the national capital, and Yucatán approximately six hundred miles southeast of the national capital.

While sharing basic structures, the selected states show variation in regards to the intensity and location of party competition, the measurable strength of Catholic hierarchies and civil society, as well as in terms of party type. I also chose to focus on these particular states due to their significant variation in policy outcomes. The case selection represents the full spectrum of possible policy reform—liberalization, restriction and status quo and also includes variation among the selected policies.³⁹ As such, they provide an opportunity to examine the causes behind policy variation and a possibility to test the hypothesized mechanisms laid out above. I return to the case selection in more detail in Chapter 3.

Table 1.2. Case Selection

<i>State</i>	<i>Policy Reform</i>	<i>Party Type</i>
Guanajuato	Abortion Restriction; Same-sex Status Quo	Programmatic, Center-Right (PAN)
Hidalgo	Abortion Status Quo; Same-sex Status Quo	Non-programmatic, Centrist (PRI)
Mexico City	Abortion legalization; Same-sex legalization	Programmatic, Leftwing (PRD)
Yucatán	Abortion Restriction; Same-sex Status Quo	Non-programmatic, Centrist (PRI)

³⁹ I define status quo as the nonadoption of reform, which can occur through two different processes: either bills fail to be approved in voting sessions or they are sent to committees for further analysis without reaching a vote.

Figure 1.1. Map of Case Selection



The dissertation is structured as follows. The first part, Chapter 1 and 2, develops the theoretical framework that seeks to explain moral gender policy variation in Mexico and beyond. The second part, Chapters 3 through 7, is empirical and uses process tracing to analyze successful and unsuccessful attempts to liberalize and restrict abortion and same-sex policy in subnational Mexico. The final chapter, Chapter 8, offers concluding remarks on the dissertation's central findings, suggests directions for future research, and identifies the study's implications for research in comparative politics more broadly.

Chapter 2. Explaining Moral Gender Policy Reforms and Patterns of Change

The Role of Party Competition, Type, and Religious Institutions

“All of these [human] rights, including reproductive rights, become a political game. There are many agreements made within groups in the domes of power in the capital—‘if I approve this, you give me that.’”

— Scholar, Mérida, Yucatán⁴⁰

The push for more inclusive policies related to reproduction and the family swept most of the globe in the past few decades. Feminists began to mobilize for expanded abortion rights in the 1960s and onward in most of Western Europe and the U.S. (McBride Stetson 2001). Spurred by ongoing debates and the emergence of reproductive rights movements at global, regional and national levels, feminists continued to voice their demands in the 1980s and onwards (Htun 2003). Feminist organizing in many parts of Latin America as well as in Ireland, Portugal, Poland and Spain—for long laggards in the area of reproductive rights—grew during the 2000s, egged on by the slow pace of change and recurring threats to existing, often limited rights (see e.g. Tremlett 2007).

Sustained mobilization for same-sex rights emerged more recently across the globe. While activism in for example the U.S. and parts of Latin America began in the 1970s and continued during the onset of the AIDS crisis that disproportionately affected gay communities (see e.g. Díez 2015), cohesive sexual diversity movements emerged primarily in the 1990s and onwards, seeking full citizenship rights and the end to discrimination. In particular, LGBTQ activists sought legal recognition and inclusion through the expansion of marriage and family rights to same-sex couples (see e.g. de la Dehesa 2010; Tremblay, Paternotte, and Johnson 2011). Feminist and sexual diversity movements alike advanced demands for policy change that challenged normative ideas and beliefs concerning reproduction, marriage and the family, often underpinned by religious principles. Reforms in these areas have been uneven

⁴⁰ Personal interview, October 2015.

however, providing citizens in some countries and regions with expanded reproductive freedoms and/or the possibility of formalizing relationships and families outside of the conventional boundaries of heterosexual relationships. For others however, such liberties have remained distinctly out of reach.

This is especially true in Latin America, where patterns of reproductive health and family policy have been highly uneven. While groundbreaking liberalizations in Colombia and Uruguay eased the region's restrictive and persistent abortion laws, the Dominican Republic and Nicaragua limited already restrictive policies by outlawing abortion under all circumstances. Similarly, while Argentina, Brazil, Colombia, and Uruguay legalized same-sex marriage, constitutional reforms in Bolivia and Honduras made the right to enter into matrimony exclusive to heterosexual couples. What accounts for Latin America's puzzling variation in moral gender policy—why did some states legalize abortion, same-sex marriage and adoption in watershed policy liberalizations whereas others moved to ban abortion, limit marriage rights to heterosexual couples, and enact bans to ensure gay adoption would not become legal? Still others let policies remain in status quo—all in a context dominated by a religious institution that opposes policy change. A comparison across these policy areas yields additional questions. With a few important exceptions, abortion policy remained in status quo across the region. Despite decades of feminist mobilization, attempts to expand the legal grounds for abortion failed repeatedly, and where liberalizations passed, they did so with a strikingly narrow margin. Moreover, backlashes in the wake of reforms occurred frequently, seeking to return legislation to its previous restrictive state. Same-sex policy on the other hand advanced quickly across the region once bills seeking to expand rights emerged on legislative agendas, with few backlashes in the wake of reform. These empirical observations suggest another puzzle: Why does the politics of moral gender policies differ among issues that should arguably invoke similar levels of resistance?

This chapter introduces a theoretical framework that seeks to answer these questions, emphasizing how the interaction between party competition, type of linkage mechanism, and strategic exchanges between religious authorities and party incumbents shape the prospects of reform and the direction of policy change. It draws on economic, interest-based theories that proceed from the assumption that parties seek to maximize votes to either gain office or remain there, whereas religious authorities aim to enhance the number of faithful to safeguard their dominance in the spiritual realm. Political and religious elites' desire to maintain political and spiritual hegemony before increasing electoral and religious competition determines the variation in policy change examined in this dissertation. When the interests of these two actors converge, moral gender policies become trading cards due to their importance to religious authorities and the mostly low cost of restrictive reform for political elites who rarely face strong resistance from progressive civil society. Clergy members act as electoral mobilizers for parties in need of their support to attract voters, in return, party actors with control over policymaking agendas pursue reforms that safeguard Church interests.

Two factors compel parties to pursue moral gender policy change: the intensity of electoral competition and the ideological positions of their rivals—party competition; and the strength of the dominant religious institution in a given context. These two variables interact to create the conditions under which parties benefit from liberalizing, restricting, or leaving moral gender policy in status quo. The extent to which they shape policy positions and strategies is however contingent on party type—whether a party's foundational statutes dictate a particular stance on moral gender policies (programmatic parties) or ideological principles are absent (non-programmatic parties).

Party competition constitutes the foundation for parties' desire to receive support from religious authorities. Incumbents or strong opposition parties that face medium to high levels of competition, especially from center-right parties who are likely to receive clergy support

given their socially conservative stances that coincide with Catholic principles, have incentives to forge close relations to religious hierarchies and promote restrictive reforms that align with principles of faith. Such strategies can provide not only much-needed legitimizing support, but also backing from business elites critical for effective governance. Moreover, support from high-ranking clergy members might add to vote totals by ushering in the vote of religious constituencies—the confessional vote. In contexts of intense competition, a party might therefore benefit from pursuing restrictive reforms—not only those with socially conservative foundations, but also parties that appeal to voters based on non-programmatic appeals and can modify positions as they see fit.

Religious authorities' perceived ability to provide parties with electoral goods is what makes policy restrictions potentially profitable for incumbents or opposition parties. In the absence of a strong religious institution however, parties have few incentives to pursue restrictive reforms that generally spark controversy and negative publicity, and prefer to leave policy in status quo—even those whose ideology aligns. Thus, while electoral competition determines the extent to which parties can benefit from the support of religious authorities, the strength of the institution in a given context will shape the relationship that party leaders seek out with high-ranking clergy members and bishops. In turn, Church officials have incentives to seek out close relations to governing party leaders or those with a chance to win office. Also a strategic actor, close relations increase chances of financial benefits and policy change that aligns with religious principles—goods that help maintain religious hegemony.

Most studies of moral gender policy contend that strong, autonomous progressive social mobilization positively affects the prospects of liberalizing change. While I confirm the key role feminist and LGBTQ organizing plays in advancing abortion and same-sex rights at the national level, I find that conservative-religious mobilization tends to overpower liberal groups in more rural settings. Beyond national capitals and the metropolitan areas of large

cities where progressive groups tend to cluster, feminist and LGBTQ activists have scarce resources to build organizational capacity and difficulties finding political allies that can help channel their demands into the legislative arena. Their counterparts—religious-conservative grassroots—are by contrast at their strongest in more peripheral subnational and local environments, much due to the strength of religious institutions in such settings (Koesel 2014). Whereas progressive groups are few and far between, “pro-life” and “pro-family” associations can recruit, organize, and mobilize members via the vast networks of dominant religious institutions that share their socially conservative positions. Moreover, through their links to ecclesiastical elites, religious-conservative grassroots can more easily forge ties to likeminded political actors or simply those seeking close relations to high-ranking clergy. These channels and connections allow religious-conservative groups to influence policy-making processes to a greater degree than feminist and LGBTQ organizations that lack access to similar organizational resources.

My argument therefore differs from previous work in that not only the strength and autonomy of civil society groups must be considered, but also the location of policy struggles. Progressive movements have policy influence in settings where they have the capacity to mobilize and find political allies—commonly national capitals and other large, liberal cities. By contrast, the influence of conservative-religious groups corresponds to the opposite type of environment—more rural, peripheral states and smaller cities. In other words, civil society’s ability to impact reform processes depends not only on the strength of the type of mobilization lobbying for a specific outcome (progressive, that is, feminist and/or LGBTQ, or conservative-religious) but also on the spatial setting of struggles over moral gender policy. Geographical location helps predict the strength and impact of the type of mobilization in question. As such, while the theoretical framework in general applies to both national and subnational levels, the civil society aspect specifically concerns the subnational—where it is

more predictive given that progressive social mobilization tends to be weaker at this level.

The next section turns to an in-depth discussion of the variables that I argue are key for explaining when and why political parties choose to liberalize, restrict, or leave moral gender policy in status quo.

PARTY TYPE, COMPETITION, AND CATHOLIC CHURCH-PARTY RELATIONS

Party Type

A virtual consensus among scholars of moral gender policy suggests the importance of party ideology in determining the prospects of policy reform and the direction of change. Most scholars note that leftwing parties, given their ideological openness to policies that extend reproductive freedoms and recognize sexual minority rights, are more likely to enact liberalizing change than parties located on the opposite side of the political spectrum (Mazur 2002; Htun 2003; Blofield 2008). Center-right parties based on socially conservative, oftentimes religious foundations on the other hand usually oppose liberalizing change and actively promote policy restrictions or maintaining the status quo. Empirically, these ideological predictions have held largely true in Latin America where leftwing or center-left parties in for example Uruguay and Mexico City promoted abortion liberalizations and the extension of marriage and adoption rights to non-heterosexual couples. By contrast, center-right parties have commonly opposed such change and at times introduced bills seeking restrictive reforms.⁴¹ Given these ideologically prompted attempts at policy change, gender policy scholars have indirectly emphasized the role of programmatic parties, focusing primarily on the political left as the driving force behind liberalizing change, with a secondary focus on center-right parties as their conservative counterparts seeking to slow down change.

⁴¹ However, as I return to in the section on Church-party relations, left leaders in Latin America have also unexpectedly shifted their positions on abortion in moves attributed to their relationship to Catholic hierarchies. (see for example Kampwirth 2008; Viterna 2012). These ideological shifts suggest far from uniform support of extended abortion rights and indicate that the political left it might abandon its ideals for Church support.

Ideology on its own cannot however explain party positions and strategies vis-à-vis moral gender policy. While programmatic foundations shape initial policy positions and create expectations of party politics, ideological principles are no guarantee for consistent behavior—especially not in Latin America where parties are “renowned for their inchoate and undisciplined character” (Pribble 2013:30). Indeed, while the political left in general has traditionally supported gender equality policy, the record is more uneven in Latin America (Friedman 2009; Lind 2012). In Ecuador and Uruguay, proposals seeking abortion liberalizations failed under left Presidents, and in El Salvador and Nicaragua, left majorities enacted highly restrictive reforms (Blofield and Ewig 2017).⁴² Left inconsistency in relation to moral gender policy in some cases also extends to marriage equality. For example, in Nicaragua, the formerly revolutionary leftwing Sandinista National Liberation Front [*Frente Sandinista por la Liberación Nacional*], FSLN, ratified a family code in 2013 that explicitly excluded non-heterosexual family constellations (McGee and Kampwirth 2015; Ibid 2017). Center-right parties, conversely, do not always seek policy restrictions. In Chile, conservative Prime Minister Sebastian Piñera fully supported and proposed civil unions between same-sex couples in a move that propelled gay rights to the top of the national agenda during the electoral campaigns of 2009 (Díez 2015). This behavior in relation to abortion and same-sex policy does not conform to programmatic expectations and suggests that ideology, while important, does not imply static or fixed positions on moral gender policy. Rather, stances may shift—at least slightly—even for programmatic parties.

The emphasis on party ideology also ignores the role of parties without an ideological foundation and how the dynamics between different party types affect the prospects of policy reform and outcomes. Yet in many parts of the world, and especially outside of Western

⁴² Recent research attributes left inconsistency in relation to abortion policy to the type of left party in power, arguing that an institutionalized left is more likely to pass liberalizing reform than a populist. Indeed, Ecuador and Nicaragua are considered cases of a populist left and populist machine left, respectively (see Blofield and Ewig 2017).

Europe, party systems entail not only parties that compete based on programmatic appeals but also those devoid of ideological content. By definition, in contrast to programmatic parties that appeal to voters by offering alternative policy programs that include specific issue positions, non-programmatic parties build voter-elite linkages through clientelistic, charismatic or incorporative appeals (Kitschelt 2000; see also Aldrich 1995). As a result, these parties do not fall easily on a left-right political spectrum and the absence of a particular ideology or platform makes their strategies unpredictable.⁴³

A significant body of scholarship is devoted to examining the linkages between non-programmatic parties and voters, focusing on clientelism or the charismatic features of leaders that make these parties attractive to voters (see for example Kitschelt et al. 2010). But although non-ideological parties compete for office based on for example clientelistic exchanges, such practices do not necessarily explain their legislative behavior, that is, the positions that affiliated legislators adopt on various policy issues, and the reasons behind their choices. I propose that the type of party (programmatic or non-programmatic) in office and its main competition for votes matters for the politics of moral gender policy. Party type shapes behavior by determining the extent to which parties are flexible in their positions vis-à-vis contentious policy issues. Parties with ideologically determined positions that appeal to voters based on policy platforms must stay true to their foundations as to not disappoint loyal followers and rank-and-file members. They have limited possibilities to shift positions as sharp changes might alienate voters, especially on value-laden moral or “principled” issues such as abortion and same-sex policy that represent core ideological beliefs and define party identity. For programmatic parties, policy shifts on “principled” issues signal inconsistency or

⁴³ In this dissertation, non-programmatic parties refer to all parties that are not easily identifiable on the left-right spectrum and do not have defined positions on moral gender policies such as abortion and same-sex policy. To generate a parsimonious framework, the definition of non-programmatic parties includes both clientelistic, charismatic, and those based on interest incorporation (see Kitschelt 2000).

disloyalty to voters that undermines the credibility of a party and might lead to electoral punishment, whereas shifts in pragmatic, welfare-maximizing issues such as the economy are associated with responsiveness to a changing environment and signal positive adaptability (Tavits 2007). By contrast, non-programmatic parties are free to assume any positions they see fit. Lacking the constraints of a programmatic base, these parties can take on a range of policy positions and adjust their stances depending on strategic calculations of what will benefit the party in a given context. This distinction between party types and their flexibility in relation to moral gender issues has important implications for policy trajectories.

To explain party behavior vis-à-vis moral gender policies beyond the narrow confines of ideology, I turn to party competition. Building on ideas of strategic party interactions (e.g. Downs 1957), I contend that the type and degree of electoral competition shape party positions on contentious topics such as abortion and same-sex policy—and in particular those of non-programmatic parties. Departing from previous studies that conceptualize governing party strength in terms of legislative majorities, that is, on the basis of the number of seats in the legislature, I consider it in terms of electoral strength. This includes not only voter support translated into congressional seats but also the degree, or intensity, of competition and the location of a given party's main rival on the left-right ideological spectrum. Existing work uses legislative majorities as a proxy for the likelihood that progressive legislation will pass, such as the number of seats held by a leftwing party versus those occupied by a center-right, conservative party. However, I contend that the strategies that parties employ in relation to controversial moral gender policies depend not only on ideological foundations and seat shares but also on electoral concerns. I expand on this idea below, drawing on studies that examine the politics of gender policies without moral components, and scholarship on social policy in Latin America.

Party Competition

A variety of studies conclude that electoral competition matters for policy trajectories and outcomes. Scholars of social policy have noted the impact of electoral competition in reform processes related to health care, education, and social security benefits (see for example Pribble 2013; Ewig 2016; Garay 2016), and recent gender policy scholarship have begun to consider the role that inter-and intra party competition play in outcomes related to gender quotas and the evolution of female suffrage (Catalano Weeks 2018; Teele 2018). Scholars of moral gender policy have by contrast not engaged with party competition as a variable creating impetus for change.

Party competition refers to the intensity of electoral competition, especially the extent to which incumbents are threatened by the opposition in a given state. It also refers to the ideological positions of a party's rivals, that is, whether incumbents face competition from left, right or non-programmatic parties that do not fall neatly on either side of the political spectrum. Competition is intense, or high, in contexts where elections are hotly contested and won by a narrow margin. By contrast, competition is low in settings where the opposition is weak and incumbents face little to no threat of losing office. The degree of contestation for office also determines how important it is for parties to draw on ideology to differentiate themselves from their opponents. Ideology is indeed inextricably linked to party competition. To win public office, parties strategically develop ideologies and formulate policies to distinguish themselves from other parties. Partisan elites—aspiring office holders and successful incumbents—use programmatic appeals that include specific policy positions to attract the greatest number of voters to maximize political support (Downs 1957; see also Aldrich 1995). As mentioned above, programmatic parties appeal to voters based on policy achievements and by offering alternative policy programs and platforms, whereas non-programmatic parties build voter-elite linkages through clientelistic exchanges of material

goods and services, charismatic leaders or interest incorporation (Kitschelt 2000, Kitschelt and Wilkinson 2006; Morgan 2011).

Policy positions constitute direct tools for parties to influence vote totals and thus play important roles in electoral competition. Particular policy stances might bring new voters to parties or conversely result in a loss of followers. Downs (1957) classic argument suggests that parties maintain relatively stable policy positions over time to minimize voter uncertainty. More recent research however suggests that parties may compete for votes by strategically taking ownership of issues that belong to a rival party during times of intense partisan competition. Existing work focuses on programmatic party competition, in particular between mainstream center-left and right parties and niche ones such as Green or Radical right parties (Meguid 2005; Tavits 2008). By adopting either a accommodative strategy, which suggests movement towards a specific competitor in a given policy space, or the opposite—increasing the distance—and thereby altering issues salience and ownership, mainstream parties determine niche party success. Until now however, no studies have considered how the policy convergence strategy might apply to non-programmatic parties or those located at the center of the political spectrum.

I draw on Meguid's (2005) accommodative strategy and argue that it can help us understand non-programmatic parties' strategies and positions vis-à-vis moral gender policies. Rather than having bearing only on programmatic parties, I suggest that the policy convergence strategy is relevant for understanding the policy choices of non-programmatic parties that compete with programmatic parties on the left-to-right spectrum. Parties without ideological foundations are reluctant to commit to specific positions on controversial, value-laden issues such as abortion and same-sex policy. Instead, they assume stances close to those of their main programmatic contenders in contexts characterized by intense competition. Party leaders assume that voters are opinionated on contentious moral gender policies—especially

those of high salience that have received extensive media attention. By moving close to their main programmatic competitor on these particular issues, non-programmatic parties minimize the risk of losing votes (or as I return to, Church support) to a rival based on their stances on abortion and same-sex policy. By contrast, in contexts of low competition, parties without ideological foundations will ignore contentious issues and silence debate to avoid the controversy that abortion and same-sex policy trigger. In other words, party leaders take a pragmatic approach to moral gender policy based on strategic calculations of the positions they believe will most benefit the party in a given context.

The Logic of Competition: Political Parties and Moral Gender Policy

The previous section suggested that party type matters for policy trajectories because programmatic and non-programmatic parties vary in their flexibility towards moral gender issues, and that party competition shapes policy positions and strategies. Indeed, if policy positions constitute a way for parties to capture votes, we would expect these stances to shift depending on the levels of competition. The degree of electoral competition however shapes non-programmatic party strategies to a greater extent than programmatic since these parties are not constrained by ideological boundaries. Moreover, non-programmatic parties have few concerns about shifting positions on value-laden, principled issues such as abortion and same-sex rights since these do not represent core ideological beliefs. In contrast to parties with programmatic appeals, those with clientelistic or charismatic linkage mechanisms do not run the risk of disappointing or alienating voters by shifting their stances on abortion or same-sex policy since their positions on these issues were never clearly spelled out in party statutes.

In the context of Latin America's many non-programmatic party systems, party type and competition impact policy trajectories in several ways. Programmatic parties that cater to particular constituencies through ideology or particular policy platforms have little room to

shift their positions—only minor, infrequent changes are possible as party leaders fear electoral punishment from voters alienated by sudden strays from ideological foundations.⁴⁴ Parties with programmatic appeals will therefore to act in line with ideology and the expectations of their support base in contexts of both high and low competition. A programmatic party that faces high levels of competition from another programmatic party but at the opposite side of the left-right spectrum will become more moderate without straying far from ideology. In such contexts, both will refrain from introducing bills to reform abortion and same-sex policy to avoid making controversial moral gender issues into electoral issues both might lose voters over.

By contrast, a programmatic party in office that faces little competition will take advantage of its strong position and enact policies in line with ideology. However, only parties competitive enough not to fear a backlash against proposed and enacted policy change will fully legalize or further restrict moral gender policies. A weak programmatic party in a position of opposition will also push for reforms that align with ideology when it has nothing to lose by proposing policy liberalizations or restrictions and only caters to a small group of core voters, despite the low probability of achieving reform. For example, leftwing PRD legislators in some Mexican states introduced initiatives to liberalize abortion although the likelihood for such bills to pass were practically non-existent. At the same time however, both PRD and PAN legislators refrained from initiating policy reforms in contexts where such attempts threatened to further diminish voter support. Moreover, since ideology is the primary determinant of programmatic party positions on moral gender policies, such parties will make

⁴⁴ While I do not expect moral gender policies to become direct electoral issues in the traditional sense, that is, to figure at the heart of electoral campaigns and debates since parties fear the Catholic Church's electoral punishment, I still expect parties and their leaders to worry about the potential impact of their politics vis-à-vis abortion and same-sex rights on vote totals, that is, to be concerned with how voters perceive party behavior (the bills legislators introduce and how they vote on policy proposals). Although abortion and same-sex rights might not become electoral issues per se, alert voters will keep track of parties' positions and behavior. This is partially related to the contentious nature of these issues—proposed or enacted change in moral gender policies will receive media attention.

few changes in their approach to abortion and same-sex policy when they compete with non-programmatic parties regardless of the degree of competition.

Unconstrained by ideology, non-programmatic parties on the other hand face a different scenario. By definition, these parties lack ideology vis-à-vis moral gender policies and do not fear a loss of voters by assuming different policy positions in different contexts. The flexible stances of non-programmatic parties mean that they can shift towards more liberal or conservative positions on value-laden issues without disappointing voters. Given the controversy surrounding abortion and same-sex marriage in Latin America, I expect non-ideological parties to adopt policy positions close to those of their main programmatic rivals in contexts of intense electoral competition. Party leaders anticipate voters to align with the particular, well-known stances of their programmatic rivals on these specific issues, and deem policy convergence the least electorally risky strategy in contexts of intense competition. The predisposition towards adopting policy positions close to their main contenders has varying effects on reform. Facing competition from a left-wing party, a non-programmatic party will assume a moderately progressive stance and be open to policy liberalization (or at minimum refrain from attempting policy restriction). By contrast, facing center-right competition, a non-programmatic party will instead adopt a conservative position and promote restrictive change.

As noted above, the flexible stances of non-programmatic parties mean that they generally take a pragmatic approach to moral gender policies and adapt their positions based on context-driven calculations of what will be most beneficial to party interests. It follows then, that in contexts where a non-programmatic party holds office and faces low electoral competition and weak opposition from programmatic parties, it will remain passive in relation to moral gender policies to avoid stirring up contentious debate. Under such conditions, a non-programmatic party will leave policy in status quo to remain on good terms with all

actors who have stakes in policy change, including dominant religious institutions and associated movements, as well as progressive civil society groups.

But how and why does party competition matter for contentious moral policies such as abortion and same-sex marriage and adoption that rarely figure at the heart of electoral campaigns in Latin America? Recent research on gender policies such as quotas and female suffrage suggests that the dynamics of partisan competition matter for policy outcomes (see e.g. Catalano Weeks 2018). By extending voting rights to women or increasing their political representation via institutional rules, parties may increase their voter pool and defeat threatening opposition. In other words, strategic calculations related to potential vote gains shape these processes in which party elites figure at the core. Other institutions or actors play marginal or case specific roles in these explanations. Importantly, for good reasons existing studies do not consider the influence of religious institutions in policymaking. High-ranking clergy members and bishops rarely intervene in legislative processes related to issues that do not have moral aspects that might challenge religious doctrine. By contrast, religious authorities engage intensely with issues that threaten core principles and seek to interfere in policymaking processes to influence outcomes in ways that protect their institutional interests (Htun 2003). Indeed, it is precisely here that the disaggregated approach discussed in the previous chapter matters—abortion and same-sex policy differ from gender issues without a moral aspect by way of the role dominant religious institutions play in policymaking processes.

In Latin America, where a single religious institution for centuries dominated the spiritual realm, or in the words of Trejo (2012), enjoyed a “religious monopoly,” state actors and Catholic Church hierarchies have a long history of interaction—and more often than not, collaboration (Gill 1998). It is in the context of a dominant religious institution that prefers policy restriction or status quo that moral gender policy reforms become trading cards for

parties that seek the Church's support for its perceived electoral benefits. Whereas party competition combined with the interest alignment between politicians and suffragists help explain the advancement of for example female suffrage (see Teele 2018), to explain how electoral competition affects the politics of moral gender policy, the influence of dominant religious institutions must also be considered. The next section turns to the role of the Catholic Church, the sources of its political influence, and the incentives for both political and religious elites to forge close relations.

The Influence of Religious Institutions and Church-Party Relations

The bulk of moral gender policy scholarship contends that the influence of organized religion is critical for the prospects and direction of reform. Specifically, attempts to extend the legal grounds for abortion and advance same-sex rights are unlikely to succeed where Catholicism and fundamentalist Christianity retain sociopolitical influence. This is especially true in Latin America, where the Catholic Church has dominated the religious sphere and its historically close relations to state actors have provided high-ranking clergy members with significant political influence. The benefits of allying with the Church have in turn given governments incentives to adopt policies that align with Catholic doctrine. As a result, liberalizing change has only been possible at times of conflicted relations when incumbents have little to lose by challenging religious doctrine (Htun 2003; Blofield 2008; see also Ewig 2006). The specific determinants of Church-state relations and the precise mechanisms that render religious authorities powerful in the political sphere however remain understudied.⁴⁵

I argue that when the interests of political and religious authorities converge, moral gender policies become trading cards in strategic exchanges that revolve around institutional

⁴⁵ While pioneering rational choice-based studies such as those authored by Gill (1998) and Koesel (2014) have considered Church-state dynamics in detail, they have for the most part refrained from analyzing the policy implications of these interactions.

survival. For incumbents or leaders of strong opposition parties who desire the real and imagined electoral benefits that trusted dominant religious institutions can offer, moral gender policies become bargaining chips. The potential profits from such bargaining become particularly important in contexts of high electoral competition and motivate parties to forge close relations to Catholic officials. In return, moral gender policies are restricted or kept in their limited status quo, which helps retain increasingly threatened religious authorities' sociopolitical influence—and in particular, facilitate the maintenance of a religious monopoly in a context of growing secularization and competition.

Economic theories of the interaction between government officials and religious leaders have taught us that political elites and ecclesiastical authorities share common goals. Both are rational and strategic actors that seek to “ensure survival and expand influence” in contexts of uncertainty (Koesel 2014:13). While political actors wish to maximize votes to gain or remain in office, religious authorities similarly seek to establish and maintain a large number of parishioners and acquire the resources that can ensure continued dominance in the spiritual realm. Their mutual interest in institutional survival provides incentives for collaboration at national, subnational and local levels that may take several forms but consistently revolve around strategic exchanges of material and immaterial goods (Gill 1998).⁴⁶ To understand how these interactions shape the politics of moral gender policies however, political and religious authorities' incentives to collaborate must first be considered. In what follows, I turn to the specific motives of each actor.

Party Incentives: The Real and Imagined Electoral Benefits of Church Support

⁴⁶ As I return to below, I also acknowledge Hagopian's (2008) argument that some Catholic Church interests are not primarily concerned with institutional survival, but rather, safeguarding public morality. I however consider this self-imposed task to be part of the Church's institutional interests—by conceptualizing itself as the guardian of the nation's moral conscience, the Church also serves its own interests: Maintaining public morals also means protecting Catholic values and hence, maintaining the institution's sociopolitical relevance.

Support from a religious institution can provide party incumbents or opposition leaders with both material and non-material goods. I identify three specific benefits that religious institutions can provide to parties, all of which revolve around electoral support. These three goods consist of legitimizing support, a key non-material benefit; access to business elites with significant economic influence; and the added votes of religious constituencies—the confessional vote. These benefits together become part of the strategic exchange in which party actors in turn offer up legislation on moral gender policies—a highly valuable good for clergy that not only helps protect doctrinal values but also inscribes them in state policy.

Support from religious institutions can legitimize rulers and their policies—an ability that translates into substantial political capital (Gill 1998). As trusted moral authorities, religious institutions commonly have high credibility among citizens. When political institutions go through public trust crises, the legitimizing support of religious leaders—who are often considered to be above politics—“may be particularly effective because their motivations are seen as more altruistic and less corrupt than regime representatives” (Koesel 2014:18). Religious leaders’ support for incumbents and/or their policies, or endorsement of certain candidates for government positions can therefore enhance the trustworthiness of governors or opposition leaders in the eyes of citizens, who are potential voters. Ecclesiastical authorities are especially well suited to bolster the legitimacy of political actors because they are often considered “trustworthy pillars of society and above politics”—in particular among the faithful who are more likely to confide in religious authorities (Ibid 2014: 23).

To bolster the legitimacy of trust-deficient political elites however requires the capacity to persuade the masses—believers and non-believers. Only religious institutions that represent the faith of a majority of the population and who themselves enjoy widespread popular support can sway large segments of the public. Political elites are therefore more willing to bargain with leaders of large ecclesiastical communities who control religious monopolies

than with those that do not represent a large share of the citizenry (Koesel 2014). In Latin America, local and national party leaders have relied on the legitimizing support of the dominant Catholic Church to bolster public trust and popularity (see e.g. Camp 1997; Gill 1998). Religious notions of hierarchy, authority and obedience have historically operated to reinforce existing sociopolitical arrangements (Levine 2014:29). A positive association with the Church and in particular, religious authorities' endorsement of political leaders has helped reduce the costs of rule and enhanced governments' legitimacy. For example, in Perón's Argentina, where roughly 94 percent of the population identified as Catholic, episcopal endorsement provided a significant electoral advantage that the populist leader was not afraid to use in his early career. The closeness between Catholic clergy and Perón was brief however. After winning office, the President began to build popular support and implement methods that consolidated his rule, which "lessened the need for Church legitimation" (Gill 1998:157).

Dominant religious institutions commonly forge relationships with both political and economic elites. In states where a single institution has dominated the religious sphere, clergy members' moral authority and ability to safeguard a place in the afterlife for the pious, the depth of personal faith and close relations with religious authorities denotes a particular status. The prestige inherent in such relationships derives not only from the status that powerful religious institutions enjoy, but must also be understood in relation to religious education and specifically, the segment of the population that receives training in private religious schools. Education constitutes an important tool for religious institutions to influence elite group formation. Middle-and upper class, primarily wealthy, individuals receive a religious education from a very young age. The early formation in the "right" moral values means that many remain deeply religious over the course of their lifetimes (see e.g. Hagopian 2008, 2009; Klaiber 2009). Indeed, as Gill and Keshavarzian (1999) note, early

socialization is a very successful mechanism for ensuring loyalty to a specific faith. As a result, elites with instilled religious morals tend to support legislation that aligns with doctrine, especially on moral gender policies. It follows that they might also support parties that propose restrictive reforms or seek to maintain limited policies in status quo, and moreover, incumbents or candidates running for office that religious authorities endorse. In other words, by maintaining close relations to high-ranking clergy members and pursuing legislation that aligns with religious principles, parties can obtain support from elites. In this context, the support of economic elites is particularly important, since they can provide incumbents with financial benefits. Business magnates are often critical for effective governance since they control important resources and can contribute to state finances by for example bringing in new investments. For opposition parties, elite support can help fund electoral campaigns to sway voters and remove incumbents from office.

In Latin America, Catholic Church leaders “slipped into easy, historic alliances with wealthy, conservative elites that could support the church financially” (Hagopian 2008:154), and as Trejo (2009:324) notes, “having sided with local economic elites for centuries” made the Church unpopular and susceptible to religious competition in certain regions. Although the extent of Catholic education in public schools varies across the region, the Church remains influential in present times through its elite education.⁴⁷ Catholic private preparatory schools and universities educate a small but influential leadership community (Klaiber 2009; see also Camp 1997). As Gill (2002:105) notes, Catholic bishops in parts of the region have preferred to “inculcate politicians and future leaders with the proper Christian spirit” rather than engaging in political partisanship. Indeed, elite education constitutes a different form of

⁴⁷ In Cuba, Mexico, and Uruguay, religious education is prohibited—much due to anti-clerical movements influence in the early 1900s, whereas in Argentina and Brazil’s federal system provides for some variation, with a few provinces that allow religious education (Cole Durham Jr 2013).

political influence that reaches a small but influential community. For political parties, then, closeness to religious institutions or adhere to key principles may also usher in elite support.

Dominant religious institutions can also provide parties with the votes of religious constituencies—the confessional vote. Peoples’ trust in religious institutions combined with clergy members’ ability to move the masses render ecclesiastical leaders potential non-partisan electoral mobilizers (cf Thachil 2014).⁴⁸ Indeed, while religious authorities’ ability to mobilize the masses presents a threat to state actors who fear that such power will be used against the regime, upper clergy’s influence over the devout also constitutes an opportunity to expand support bases for parties able to forge close relations to hierarchies. Religious authorities can promote a vote for the party they support and guide the faithful via sermons, documents and pamphlets that provide instructions on how to vote, and directly encourage support for a specific candidate. In contexts where trust in political institutions is low, religious elites’ endorsement of particular candidates might win over those that otherwise would have cast a vote for a different party. Those who attend religious services are especially likely to follow recommendations made by trusted religious authorities. The potential of broadening support bases via the additional votes of the faithful—the pockets of votes in parishes—provide incentives for party actors to forge close relations to dominant religious authorities. As Koesel notes, “...[...] if local authorities are seen as partners to, or at least accommodating of, religious communities, they may indirectly enhance their basis of support” (2014:18). Given the Catholic Church’s history of dominance in Latin America, it is hardly surprising that parties would ascribe religious hierarchies the ability to command parishioners’ votes and expect Church endorsement to affect vote totals. Recent research

⁴⁸ Here I refer to religious institutions as non-partisan electoral mobilizers in the sense of them *not being* political parties. However, in the process of supporting a specific party, for example by endorsing its candidate for office, religious leaders *become* partisan.

indeed finds evidence that clergy endorsement of candidates in Brazil matter for vote choice (Boas and Smith 2015).

The confessional vote's actual impact on electoral outcomes is debatable however. Scholars remain unsure of whether or not the Catholic vote exists, or the equivalent for other strands of Christianity (Barranco 2017). Indeed, religious authorities are not necessarily able to usher in electoral victories through their influence over believing masses, nor convince the faithful to vote for a specific candidate. But whether or not religious leaders are able to generate additional votes for a party is beside the point. Rather, of importance here is that widespread perceptions of religious authorities' powers make party actors believe that electoral benefits are available, and render subnational incumbents or opposition parties open to aligning their policies with Catholic doctrine. Thus, when considering Church-party cooperation, one must also consider the almost mythical abilities attributed to dominant religious institutions, carved out during decades of religious monopoly. As long as these beliefs of the Church's powers remain intact, its political influence will also persist.

These three factors—legitimizing support, access to elites with economic power, and perceptions of the added votes of religious constituencies—create incentives for incumbents and opposition parties to seek the support of religious institutions.⁴⁹ However, these perceived electoral benefits are only available where the dominant religious institution is strong. In most of Latin America, the roots of the Catholic Church's contemporary influence derive from history. In states where the Catholic Church arrived early and successfully established authority in the colonial period via the believing masses, it also forged linkages to governing authorities. State actors, who seek control over those who can mobilize large segments of the

⁴⁹ A reader might ask whether or not the Catholic Church is still able to provide a good such as legitimacy given the many child abuse scandals that have emerged in the past few decades involving Catholic priests. I would argue that despite these crimes, the Church still enjoys higher levels of trust than most political institutions in Latin America, especially at the local level where religious authorities have most influence and there are individual bonds between priests and parishioners. These personal attachments help maintain trust in the institution in the aftermath of scandals (see for example World Values Survey 2008).

population, saw the benefits of maintaining close relations to Church officials, who were soon imbricated in powerful elite networks. Thus, in states where the Church had a mass following, it also had close incumbent relations. Where the Church managed to maintain a hold over faithful as well as preserve elite linkages, religious authorities remain politically influential and are in contemporary times considered able to deliver the goods outlined above, which provides incumbents and opposition leaders with incentives to align politics with Church doctrine. Conversely, where the Church never managed to monopolize the religious sphere by establishing a large following as well as elite linkages, the Church remained irrelevant to state actors. In those states, political elites do not consider the Church able to provide material or immaterial goods and have few incentives to cooperate, meaning that Church interests and policy goals are not taken into account.

Church Incentives: The Material Benefits of Incumbent Support

Not only party actors need religious authorities for support however. Religious authorities also have incentives to seek out close relations to political elites, in particular to incumbents who can provide goods required for institutional survival. In exchange for electoral benefits, office holders can offer a range of resources that allow religious authorities to meet institutional goals. In addition to facilitating bureaucratic processes inevitable also for religious institutions, close ties to incumbents can provide important material goods that include access to land and real estate; government subsidies; interest-free loans and preferential legal status; as well as other special privileges (Gill 1998; Koesel 2014; Grzymala-Busse 2015). Perhaps most importantly, closeness to incumbents can secure resources that improve religious institutions' positions vis-à-vis other groups. Material resources can help expand the base of faithful by financing new spaces of worship and through laws and regulations pressure religious rivals. For dominant groups, close incumbent

relations can facilitate the maintenance of religious monopoly. Indeed, dominant religious institutions are likely to maintain linkages to incumbents to preserve their hegemonic position. Only actors with legislative abilities can enact laws that restrict religious liberty and privilege the dominant institution by making it difficult for new, competitive actors to enter the religious market. As Koesel notes (2014:28): "When a religious group establishes a monopoly, it is unlikely to walk away from such a privileged and powerful position."

Beyond strictly institutional survival however, religious institutions also seek to influence public policy. Policy goals tied to their own spiritual beliefs motivate religious institutions to influence political affairs, which also helps disseminate and enshrine religious values (Grzymala-Busse 2015; see also Hagopian 2008). For ecclesiastic leaders, preserving the social norms and values associated with its beliefs is part of maintaining religious hegemony. As part of this mission, laws and policies shaped by religious influence must also be kept intact, which constitutes yet another incentive to maintain close relations to strong political actors—the gatekeepers to policy change.

In Latin America, growing secularism and religious diversity began to threaten the Catholic Church's religious dominance over the past few decades. An increasing number of people now reject organized religion or have abandoned their membership in the Catholic Church to instead join the growing community of Protestant churches (Pew Research Center 2014). In the context of heightened uncertainty of institutional survival, Catholic clergy have become more eager to establish close ties to incumbents or strong opposition parties of varying ideological leaning to safeguard privileges and benefits. One way of maintaining hegemony is to preserve the traditional views and practices, as well as legislation related to reproduction, marriage and the family that the Catholic Church itself strongly shaped (Bárceñas Barajas 2011). Indeed, if material resources cannot stop the flight of the faithful, I expect Catholic hierarchies to use their policy influence to preserve Church hegemony via

legislation. Policy reforms that enshrine Catholic doctrine in civil and penal codes reinforce Church values and assert its dominance over competing groups.

Empirical evidence indeed suggests that pragmatic concerns related to the religious market structure determine Church strategies. During Latin America's era of military dictatorships, Catholic clergy actively opposed authoritarian regimes and sided with the urban and rural poor to prevent a further loss of followers where it faced a growing religious diversity, but refrained from challenging military regimes where it remained hegemonic (Gill 1998). In Mexico, Trejo (2012) argues that Catholic clergy ignored the needs of marginalized indigenous communities during times of unchallenged religious hegemony. Facing competition however, Catholic hierarchies begun to actively support indigenous causes to retain its membership. Perhaps it is no surprise then, that the Catholic Church elsewhere in the region has increased its activities in the political sphere over the past few decades. Threatened by the influx of Evangelical Protestant churches in particular, the region's growing religious pluralism has prompted the Catholic Church to take on a variety of strategies to sustain its hegemony.⁵⁰ As Hagopian (2008:150) notes, episcopal leaders in Argentina and Chile have sought strategic allies within the political right able to promote a policy agenda that aligns with central tenets of Catholic doctrine and thereby protect the Church's institutional interests. Regardless of clergy members' specific tactics, collaboration with political authorities or attempts to gain leverage over such elites has been a prominent strategy in the quest to maintain the religious monopoly the Church has long enjoyed in the region.

The previous sections lay out the incentives that motivate political elites and religious authorities to cooperate, and pointed to the material and non-material benefits that each actor can gain through collaboration rather than conflict. The relationship between incumbents (or

⁵⁰ This is not to say that there are not values that Catholic and Evangelical churches share and can cooperate on—for example their opposition against moral gender policy liberalization. The point advanced here merely suggests that Evangelicals constitute the Catholic Church's current main rival in Latin America, and the most prominent threat to its religious dominance.

strong opposition parties) and leaders of dominant religious institutions constitute pragmatic alliances shaped by the mutual benefits that close relations provide, and the extent to which both actors need such benefits for their continued survival in a given state. Given the nature of these exchanges, I propose that when the interests of the two actors converge, that is, when both face intense competition, they will turn to one another for support. While the mutual interest in survival occurs on a daily basis, these interests are particularly likely to coincide during periods of intensifying political and religious competition. Parties facing a legitimacy crisis, a loss of voters, an uncertain future in office or all of the above will want the dominant religious institution on its side for its perceived electoral benefits. In states where party leaders perceive religious authorities able to deliver such goods, they will seek out close relations to high-ranking clergy members and align its policies on moral gender issues with religious principles. Conversely, where Catholic officials perceive their power to be declining due to a loss of faithful, I expect authorities to seek out close relationship to incumbents to acquire the resources required to maintain its religious hegemony. In this process, moral gender policies become bargaining chips. The extent to which legislation is affected however depends on party type and for programmatic varieties, ideological leaning.

Interest Convergence: Strategic Exchanges and Party Type

The previous section outlined expectations related to the relationship between religious authorities and political elites. Hypotheses regarding party positions and strategies however also depend on party type and competition. The following sections lay out expectations of party behavior in contexts of varying competition and Church strength.

In contexts where party competition is low and the Catholic Church weak, only programmatic parties benefit from pursuing change in relation to moral gender policies. Programmatic parties will undertake policy reform in line with ideological agendas to please

voters—right leaning parties will propose restrictive policy reforms whereas leftwing parties will initiate bills seeking liberalization. In the absence of party competition and a strong Church, pursuing moral gender policy reform in any direction of change comes with few benefits for parties that do not rely on programmatic appeals to attract voters. To avoid debate on controversial topics such as abortion and same-sex rights will instead be the most beneficial strategy for a ruling non-programmatic party. In this scenario, a non-programmatic party will attempt to stay on good terms with both proponents and opponents of reform. Refraining from taking a specific stance will serve this purpose and importantly, prevent any potential loss of votes related to its stance on moral gender policies. I expect non-programmatic parties to draw on the same strategy in states where party competition is high and the Church is weak. In the absence of a strong Church that can provide electoral benefits to defeat rivals, steering clear of potentially costly debate is more beneficial. In a similar vein, I expect programmatic parties to downplay their ideologies and avoid debate on controversial policies in settings where competition is high and the Church is weak—especially if they face competition from other programmatic parties.

In contexts of a strong Church perceived able to provide electoral benefits to parties willing to pursue restrictive policy reforms and competition is comparatively high, party strategies look slightly different. Socially conservative, programmatic parties constitute ideal partners for religious authorities seeking to channel their beliefs into the political realm and transform faith-based values into concrete legislation. Given their shared beliefs concerning moral gender policies, center-right parties are likely to receive ecclesiastical elites' support should they pursue policy restriction. By contrast, religious authorities are less likely to favor left parties whose ideology clashes with religious principles. However, important to note is that although the left's commitment to expanding abortion and same-sex rights contradicts Church teachings, it does not make alliances with Catholic officials impossible as long as

party actors refrain from attempts to make their ideological aspirations reality. Worried about dominant religious institutions' political power, leftwing parties will hesitate to make ideological objectives reality via policy reforms, and instead downplay or ignore aspects of party programs or platforms that seek policy goals that challenge the religious principles.

In contexts of intense competition between two programmatic parties where the Church is also strong, I expect both parties to pursue their ideological agenda for fears of otherwise losing voters. Nevertheless, I anticipate left parties to be more careful in how forcefully they push for liberalizing change and the scope of reform. I expect them to only pursue reforms when party leaders' strategic calculations suggest that strong opposition from the Catholic hierarchies will not affect vote shares, that is, when inducing its wrath will not drive away voters—either because vote margins are large, or because the party had little chance to win office in any case since it caters to a small voter base. By contrast, non-programmatic parties will assume stances close to their main programmatic competitor in states where the Church is strong and party competition high. In contexts of high competition with right-leaning parties, I expect non-programmatic parties to assume similarly socially conservative positions and to introduce restrictive reforms in an effort to gain Church support ahead of its programmatic competitor. Similarly, when competing with a leftwing party, non-programmatic parties will take on liberal positions vis-à-vis moral gender policies—introducing reforms seeking policy liberalization or at minimum, support bills with the same objective during floor votes.

Figure 2.1. Theoretical Expectations

		<i>Catholic Church</i>	
		<i>Strong</i>	<i>Weak</i>
<i>Party Competition</i>	<i>High</i>	Non-prog. moves towards right; Center-Right follows ideology; Left stays moderate	Non-prog. depends competition ideology; Center-Right stays moderate; Left stays moderate or follows ideology
	<i>Low</i>	Non-prog. depends on competition ideology; Center-Right follows ideology; Left depends on competition ideology	Non-prog. leaves policy in status quo; Center-Right stays moderate; Left follows ideology

Finally, the impact of an additional variable—civil society mobilization—must be considered. As suggested above, moral gender policies become currency for parties seeking support from religious institutions because authorities in the spiritual realm desire limited abortion and same sex rights. They prefer legislative restrictions, or at the minimum, no change at all—policy status quo. For subnational incumbents or strong opposition parties, change in moral gender policies is relatively cheap, because as I return to below, the only ones to challenge non-liberal change is feminist and sexual diversity groups that in most states have difficulties achieving mass-mobilization.

Civil Society Mobilization and Influence in Policymaking

A virtual consensus among scholars of moral gender policy concludes that social movement strength is a key factor for the successful liberalization of abortion and same-sex rights. Feminist or sexual diversity movements' ability to mobilize members and issue networks, and forge alliances with reform-friendly parties or individual progressive legislators has influenced policymaking processes across Western Europe, the U.S. and Latin America (see

e.g. Stetson and Mazur 2010; Htun 2003; Halfmann 2011; Diez 2015). Most studies have focused on progressive (and largely successful) social movement mobilization, and less on other outcomes and actors. As a result, existing studies center primarily on feminist and LGBTQ mobilization in large, liberal capitals where activists tend to cluster, and where media outlets and political actors open to movement demands are present. Beyond the metropolitan areas of Mexico City, Buenos Aires or other bustling national capitals however, those seeking liberalizing change face a different reality. Yet little is known about the impact of feminist and sexual diversity mobilization in policymaking processes in less cosmopolitan and more conservative settings less conducive to progressive mobilization. Moreover, what role does conservative-religious movements play in such environments at the subnational level, where religious institutions tend to have greater sociopolitical influence?

In line with previous research, I contend that progressive social mobilization matters for policy outcomes. Strong, autonomous feminist and sexual diversity groups that ally with political actors at the subnational can also put policy reform on legislative agendas and successfully lobby for liberalizing change. However, state-and local level dynamics pose obstacles that render it more difficult for such movements to voice their demands and influence policy. In contrast to liberal national capitals, groups that challenge the limited nature of reproductive rights and narrow boundaries of traditional family formations in rural settings are often few, with difficulty to recruit new members, and scarce resources at hand. Large-scale progressive organization is in other words difficult to achieve, and I therefore refer to activist groups as “civil society mobilization,” defined as loosely organized groups seeking similar policy goals, rather than “social movements.” Finding political allies to channel civil society demands into policymaking arenas is also more difficult in peripheral, rural states where incumbents and opposition parties tend to be less open to change.

By contrast, conservative-religious organizations are oftentimes stronger at subnational (and local) levels, and able to overpower their progressive counterparts, both in terms of mobilization capacity and influence over policymaking processes. Conservative-religious actors whose objectives align with religious values often have links to dominant institutions that in turn can provide both financial and organizational resources for effective mobilization. Indeed, part of religious authorities' political power lies in the vast networks of associated movements and groups that can be deployed to protect religious principles and related legislation. Religious institutions function as mobilizing agents that can engage not only the faithful but also those who harbor conservative social beliefs without necessarily identifying as religious. In other words, access to dominant religious institutions' extensive infrastructures provides a possibility to reach a greater number of citizens. Moreover, because high-ranking clergy often have close connections to business elites whose influence over state politics widely exceeds their progressive counterparts, religious-conservative mobilization is not only easier to drum up (and sustain) but also has a stronger impact over subnational policymaking processes.

In Latin America, I expect conservative-religious actors to have a stronger capacity to mobilize and influence policymaking at the subnational level than progressive groups, with the exception of liberal capitals such as Buenos Aires and Mexico City. Indeed, domestic branches of the Catholic Church have been more successful than feminist organizations in forging ties with political actors (Blofield 2008:416). Given their linkages to the Catholic Church, I expect the influence and strength of conservative-religious groups to correspond to that of the Church, that is, to be influential in states where the Church is strong.⁵¹ Progressive civil society actors that organize autonomously, that is, who remain unassociated with parties

⁵¹ Note that influential or strong does not necessarily refer to numerical strength. The influence of conservative-religious grassroots movements lies equally in their linkages to elites as in their ability to mobilize a large number of people for their cause.

and religious institutions, and do not have access to similar mobilizing networks on the other hand have difficulty organizing and therefore little impact at the subnational level. Overall, I expect the politics of moral gender policies to be primarily an elite game, that is, dictated by the pragmatic interests of party elites and religious authorities.

The argument explored in subsequent chapters of this dissertation focuses on the role of party type, electoral competition and bishop-governor relations in shaping the politics of abortion and same-sex policy in subnational Mexico. The central argument revolves around the idea that these factors, in addition to civil society mobilization, help explain why we see such stark differences in patterns of policy reform across issues and states despite their shared history, political and religious institutions. Throughout the chapters, I also apply the cross-policy framework elaborated in the previous chapter to develop my theory of how issue differences shape the reform prospects. The next chapter turns to Mexico to provide background to the case studies that follow.

Chapter 3. The Uneven Pattern of Moral Gender Policy Reforms in Mexico

Party Competition, the Catholic Church, and Civil Society Mobilization

“Who are the most powerful people in this country? The politicians, the businessmen, the religious leaders—the ones that have political and economic power.”

—Véronica Cruz Sánchez⁵²

On October 23, 2008, Baja California’s State Congress amended its Constitution to spell out the state’s obligation to safeguard the right to life from the moment of conception. The reform established that “from the moment an individual is conceived, it enters under the protection of the law and is considered as born for all the corresponding legal effects, until its natural or uninduced death” (Animal Político 2011). Promoted by the socially conservative PAN and supported by the PRI, the bill passed with 21-3 vote. A mere month later, the state of Morelos passed an identical amendment. The following year, thirteen states in rapid succession enacted reforms that replicated the first law down to the exact words. In Aguascalientes, Baja California Sur, México, Hidalgo, Michoacán, Sinaloa, Tabasco, Tlaxcala, Veracruz and Zacatecas, legislatures debated identical bills between 2009 and 2013—in some cases more than once. The wave of reforms continued up until January 2016 when the state of Veracruz, in a second attempt to enshrine the right to life in the local constitution, passed a duplicate of the amendment. PRI governor Javier Duarte, who less than three years later would flee to Guatemala and later be captured and indicted on corruption charges, presented the bill that made Veracruz the eighteenth Mexican state to amend its local constitution to guarantee “the right to life from the moment of conception” (Zavaleta 2016).

Supported by legislators of all party colors, the reforms constituted a well-orchestrated counter-reaction to Mexico City’s abortion legalization in 2007. The amendments were designed to preempt future policy liberalizations by elevating the right to life to constitutional

⁵² Personal interview, Guanajuato, Gto. November 26, 2015.

rank and thereby limit the possibility to establish abortion as a legal right and public health service in the future. Prior to Mexico City's reform, abortion was illegal under nearly all circumstances across the federation. No federal regulation exists beyond article IV of the Mexican Constitution that guarantees reproductive freedom and does not explicitly prohibit abortion. Instead, most states follow the example of the Federal District's 1931 Penal Code (prior to its 2000 and 2007 amendments), which allowed abortion in cases of rape as the only exception to its criminal status (Kendrick 2003; Lamas 2015). Most states also permit abortion in the case of fetal malformation or when the survival or health of a woman is in danger, creating roughly similar criminal codes across the federation (Kulczycki 2011).⁵³

The wave of "right-to-life" reforms constituted the culmination of fifteen years of abortion debate following the democratic transition. After some debates that were largely confined to specific states in the 1980s, the issue resurfaced dramatically in the run-up to the landmark presidential election in 2000.⁵⁴ From January to August of the same year, the Paulina case made headlines across Mexico and triggered unprecedented national debate on abortion. Paulina, a twelve-year old girl in Baja California, was raped in her home during a burglary and unlawfully denied an abortion by authorities linked to Catholic clergy.⁵⁵ As the debate was cooling down in August, PAN legislators in newly elected President Vicente Fox's home state Guanajuato approved a bill that completely outlawed abortion. The new policy removed the clause that allowed abortion after rape and fueled such public outrage and protest that interim governor Ramón Huerta vetoed the new law and Fox distanced himself from PAN representatives in the state (Kendrick 2003; Kulczycki 2007).⁵⁶ Two weeks after

⁵³ Besides the rape exemption that is valid in all of Mexico's 32 states, abortion is permitted when the life of a woman is at risk in 27 states, in cases of severe fetal malformation in 13 states, and when the health of a woman is at risk in 12 states, in addition to a few other minor legal clauses. For example, abortion is permitted for economic reasons in Yucatán (Becker and Díaz Olavarrieta 2013).

⁵⁴ For an overview of abortion debates in Mexico 1970s-2000, see Kulczycki (2007) and Beer (2017).

⁵⁵ See Taracena (2002) for in-depth analysis of the Paulina case. I return briefly to the case in Chapters 4 and 6.

⁵⁶ Kulczycki (2007) identifies six distinct phases in Mexico's abortion debates up until 2006. See Kulczycki 2007 for details.

Guanajuato's abortion ban passed, Mexico City mayor Rosario Robles signed an initiative that legalized therapeutic abortions in the national capital.⁵⁷

In the time period following the enactment of the Robles' Laws up until the ALDF's landmark decriminalization, debates on abortion were largely confined to the Federal District. The policy reform in 2007 however became a national affair that not only reverberated throughout the federation but also the region at large, and unleashed both religious-conservative opposition and support from progressive sectors. In this deeply politicized environment, Baja California, as the first out of eighteen states, passed a "right-to-life" amendment less than a year after Mexico City's watershed reform.

By contrast, Mexico City's legalization of same-sex marriage and adoption had little effect on state-level legislation. Three years after the national capital's enactment of civil unions in 2006, the ALDF legalized same-sex marriage and adoption. The move towards affording gay couples the same rights as heterosexual couples once again put Mexico City at the forefront of gender equality policy in the region, and did not escape resistance. A year after its passage, five PAN-governed states—Baja California, Guanajuato, Jalisco, Morelos, Sonora, and Tlaxcala—challenged the reform's constitutionality in the Supreme Court in an attempt to hinder the new policy's implementation that ultimately failed.⁵⁸

Beyond the legal challenge however, Mexico City's reform elicited few reactions across the federation although extending marriage and adoption rights to sexual minorities—just as liberalizing abortion policy—threaten core Catholic principles. While many expected a wave of restrictive reforms equivalent to the "right-to-life" amendments that spread quickly following the national capital's landmark reforms, a mere handful of states pursued change in

⁵⁷ The reform extended the grounds for legal abortions to situations where a woman's health is in danger, fetal malformations, and in the case of non-consensual artificial insemination. It also reduced the maximum prison sentence for illegal abortions and clarified the procedure for rape victims to have an abortion within a maximum waiting period of 24 hours (Kulczycki 2007:52). I return to Robles' reforms in the next chapter.

⁵⁸ The governors' main claim revolved around the argument that Mexico City's new law infringed on state jurisdiction by making marriages enacted in the national capital valid across the federation. The Supreme Court rejected their claims as inadmissible and lacking legitimate interest (Cabrales Lucio 2014:99).

the area of family policy. The same year as Mexico City's reform, Yucatán modified its constitution to define marriage as a union between a man and a woman and outlawed same-sex adoption. Baja California similarly reformed its constitution in 2011 to preclude the possibility of a future legal recognition of same-sex couples, and in Sinaloa, a civil code reform in early 2013 limited marriage to heterosexual couples (Lozano 2013; *SDP Noticias* 2014). Only two states, Coahuila and Nayarit, followed Mexico City's trajectory and legalized same-sex marriage in 2014 and 2015, respectively.⁵⁹

Family policy, just as abortion, is regulated at the subnational level in Mexico. Civil codes, rather than penal, govern marriage and adoption policy. There is however less variation in family policy than in abortion. Up until 2015, at least twenty-four out of Mexico's thirty-two states explicitly defined marriage as an institution comprised of a man and a woman.⁶⁰ These explicitly heterosexual definitions derive from the Catholic Church's influence over legislation, which helped establish a nuclear, "natural" model of marriage in which the only legitimate form consisted of a man and a woman. The 1859 Civil Marriage Act, despite its exclusion of the Church based on revolutionary principles, still considered heterosexual marriage "the only moral means of family foundation, of preserving the species" (Bárcenas Barajas 2011:95). Widely reproduced at the subnational level, this definition of marriage remains mostly intact across the Mexican states.⁶¹ Rather than making their gendered civil codes neutral, states begun to pass civil union laws that afforded varying legal rights to same-sex couples following Mexico City's 2006 law that preceded the legalization of same-sex marriage and adoption.

In July 2012, Colima approved conjugal unions [*enlaces conyugales*] that provide same-

⁵⁹ Following the 2015 Supreme Court decision that local civil codes that prohibit same-sex marriage are unconstitutional, between 12 and 15 states have changed their codes accordingly (Alcocer Miranda 2018).

⁶⁰ The remaining seven (plus the Federal District) had more implicitly gendered provisions in their civil codes, such as recurring references to "husband" and "wife." Quintana Roo is the only state in which the definition of marriage has remained gender-neutral (Cabral Lucio 2014).

⁶¹ See Silveira (2016) for an in-depth analysis of the Civil Marriage Act and its incorporation in states' family law amidst struggles over national and state-level regulation and autonomy.

sex couples with identical rights and obligations as heterosexual, including adoption.

Elsewhere, however, laws have been more restrictive, containing fewer rights for same-sex couples. Jalisco's 2013 civil union law [*sociedades de convivencia*] does not for example grant social security benefits, and Coahuila's 2007 solidarity pacts [*pactos de solidaridad*] do not afford same-sex couples adoption rights, and it is unclear whether social security and other federal benefits are provided (Vela Barba 2015:78-79). While contentious debates at times preceded the enactment of these reforms, beyond the aforementioned states, same-sex policy received little attention. As opposed to abortion, marriage and adoption equality never gained national salience. Beyond Catholic hierarchies' fierce condemnation of Mexico City's policy reforms, no scandals propelled same-sex policy to the top of national agendas and sparked public outrage. While the national capital's legalizations undoubtedly made a splash in national media, debates were with few exceptions confined to the federal capital. Although legislators in a few states did introduce bills seeking policy liberalizations, substantive debates on same-sex policy related to citizenship rights were largely absent. If introduced, liberalizing bills commonly failed to reach the plenary, lingering in legislative committees, or were swiftly rejected. As noted above, policy remained in stalemate in most states.

Dominant theories of moral gender policy reform have difficulty explaining Mexico's puzzling policy variation across states that share history, political institutions and religious denominations. Conventional explanations also provide few insights into why Mexico City's abortion legalization triggered a wave of restrictive reforms whereas the recognition of same-sex marriage and adoption provoked a mere handful. Previous scholarship would expect the socially conservative PAN to spearhead an offense against policy liberalizations propelled by the center-left PRD. Surprisingly however, the non-programmatic PRI promoted and passed the majority of "right-to-life" reforms. The party did not uniformly promote restrictive change however—it also supported initiatives to legalize both abortion and same-sex policy in other

states. What explains this behavior?

Previous explanations focusing on how the dynamics of Church-state relations influence policy reform also apply with difficulty to the Mexican case, where no clear Church-state rupture has existed since the elimination of anticlerical laws in the early 1990s (Gill 2002; Hagopian 2009). Prior to the Revolution, the Catholic Church operated as the established state church in Mexico. Post-revolutionary governments' enactment of laws seeking to limit the influence of the Church that posed a threat to PRI hegemony however ushered in largely hostile Church-state relations (Loaeza-Lajous 1990). Time periods characterized by less rigid applications of laws that restricted religious institutions' public presence and political involvement however followed in the 1960s and onwards. Constitutional reforms in the 1990s largely restored the Church's lost status as well as reinforced its privileged position vis-à-vis other religious denominations (see e.g. Loaeza 2013). Additional reforms in 2012 further bolstered the Church's strengthened position. These quite dramatic changes over the past three decades have resulted in closer Church-state relations, which make liberalizing reforms that defy Catholic doctrine surprising and contradict expectations of existing research.

Finally, prior scholarship points to the influence of progressive social mobilization in processes of policy liberalization. In Mexico however, liberalizing same-sex policy reforms took place in states with virtually no civil society mobilization, and marriage and adoption policy was severely restricted where such organizing was comparatively strong (see e.g. Lozano 2010), which suggests that more needs to be understood about the policy impact of civil society mobilization.

This chapter provides an overview of party competition, the Catholic Church's influence and relationship to the state, and the development of civil society in Mexico. It focuses on national-level developments in the variables I argue shape the politics of moral gender policies—party competition, Catholic Church strength, and civil society

mobilization—and gives a broad background that sets the stage for the four subsequent chapters that focus on specific states.

The democratic transition ushered in multiparty competition for the first time in Mexican history. The PAN ousted the PRI from office in 2000, an event that launched full-fledged tri-party competition in which regional patterns of PRI-PAN and PRI-PRD competition emerged. Yet far from all states experienced alternation. The strengthening of subnational political actors provided an opportunity for the previously hegemonic party to hold on to power and eventually return to Los Pinos, the Presidential palace. The advent of electoral democracy did not however stop the erosion of public trust in political institutions that began under the hegemonic PRI rule. Instead, levels of confidence continued to erode under two consecutive PAN administrations (2000-2012). Already during the 1980s and onwards, the PRI used Catholic Church support to bolster party legitimacy. In exchange for Catholic hierarchies' support, the one-party regime enacted sweeping constitutional reforms that essentially returned the Church to its privileged pre-Revolution status and allowed for clergy's greater public and political role.

This exchange of material and non-material goods paved the way for the Catholic Church's contemporary role and illustrates the pragmatic nature that generally characterizes its relationship to incumbents, and at times, strong opposition parties. In a context of growing religious competition, the Church receives financial benefits and policies that align with Catholic principles in return for its partisan support. This background underpins one of the dissertation's central arguments that political and ecclesiastical elites establish alliances that help both actors maintain hegemony in their respective spheres. It also suggests that using the Church to bolster public support was not a new strategy for the non-programmatic PRI. Rather, the party continued to use clergy in the attempt to gain electoral advantages over its main rivals following the demise of its one-party rule. Finally, the analysis suggests why

defying Catholic teachings continues to inspire fear among parties despite the Church's waning status—its capacity to mobilize and influence a public that still places more confidence in the Church than in political parties, and its ties to powerful economic players.

Civil society in Mexico is still evolving. The hostile environment during the semi-authoritarian PRI rule generally impeded any form of social mobilization. Progressive movements grew and successfully impacted policymaking processes primarily in the national capital where resources and political allies were easier to come by. Feminist and LGBTQ activists had more difficulty organizing in rural areas, where conservative forces tend to have a stronger grip, which underpins the argument that conservative-religious actors have greater mobilization capacities, especially where they can access Catholic churches' networks.

The following sections analyze the time from the democratic transition in 2000 up until 2015—the period of greatest political debate on abortion, same-sex marriage and adoption. The emphasis is on the years leading up to Mexico City's reforms and subsequent subnational moral gender policy reforms through 2015, ending with the Supreme Court's decision that all states must accept same-sex marriage and adoption's legality. However, since many of the developments that shaped the evolution of party competition, Church-state relations, and civil society took place under the hegemonic PRI regime and dramatically changed following its demise, the chapter takes a longer historical view when necessary—for example in the case of the 1992 reform that restored clergy rights and paved the way for the Catholic Church's contemporary political role.

PARTY IDEOLOGY, ELECTORAL DYNAMICS AND PATTERNS OF POLICY REFORM

In 2012, the formerly hegemonic, non-programmatic PRI returned to the presidency after a twelve-year long hiatus. The young and charismatic former governor of the State of Mexico, Enrique Peña-Nieto, managed to unite the fragmented PRI and win the presidential elections

defeating both PRD and PAN candidates. Much had changed in the political sphere since the 2000 election that ousted the PRI from the presidency. But while the shift from one-party rule to multi-party democracy undoubtedly marked a watershed change in Mexico's political history, much also remained the same—especially at the state level. Despite the formerly hegemonic party's loss of the presidency, the PRI still controlled most states it governed prior to the transition. The shift to electoral democracy however had two implications for subnational politics: The PRI's transition from power sped up the transformation of the electoral landscape and the slow rise of competitive politics—ongoing since the 1980s—became full-fledged multi-party competition.⁶² Second, it ushered in a decentralization process in which hyperpresidentialism gave way to a gradual transfer of power to governors and local legislatures.

Under PRI hegemony (1929-2000), Mexico was a one-party state with a tremendously strong executive. Presidents uninterruptedly emerged from within party ranks and governed for single six-year terms, at the end of which power was transferred to a personally selected successor. Elections were held, but controlled by clientelism that combined with the hegemonic party's domination and an electoral system engineered to maintain its control secured PRI victories with large voter margins (see e.g. Levy and Bruhn 2006; Magaloni 2006). The party functioned as the center of the semi-authoritarian regime with an electoral base organized around three sectors, worker, peasant and popular organizations (Cornelius 1996, cited in Langston 2006). Founded as the National Revolutionary Party [*Partido Nacional Revolucionario*] (PNR), the PRI brought together regional power holders, *caciques*, under one central authority to put an end to armed conflicts and intra-elite struggles (Gibson 1997).⁶³ Born out of the Mexican Revolution, party discourse was based on a nationalist, strongly secular, rhetoric. Beyond these aspects, the

⁶² Important to note here is the uneven development of electoral competition across the Mexican states. While multi-party competition emerged quickly in some states following the democratic transition, others remained semi-authoritarian, PRI-dominated enclaves for years. See e.g. Giraudy (2010) and Hiskey and Bowler (2005).

⁶³ Following Gibson (1997), a *cacique* is a local political strongman (see Gibson 1997:348).

PRI lacked a clearly defined ideology, which permitted flexibility in adapting to economic and political pressures, as well as internal diversity. Over time, the party became a catch-all party that took advantage of conjunctures and social demands within a hegemonic party system (Torres Martínez 2012). While the PRI originally embraced revolutionary nationalist principles, the party had by the 1980s implemented neoliberal economic policies under Presidents Salinas de Gortari (1988-1994) and his successor, Ernesto Zedillo (1994-2000) (Klesner 2005). Thus, rather than competing based on programmatic principles and policy platforms, clientelist and corporatist voter linkages have come to characterize PRI politics (Hilgers 2005; Cantú and Desposato 2012). Often identified as centrist, and at times populist, the PRI of today oscillates between the left and center-right depending on the position that provides short-term benefits to the party (Langston 2006). Following the non-programmatic stance that its once revolutionary rhetoric morphed into, PRI leaders remain vague on the party's positions on economic or social issues (Langston 2017). As Klesner (2005:133) observes, "for the PRI, ideology has long ceased to matter or provide coherence."

Up until 1988, the PAN was the only opposition party that stood a chance against the omnipresent PRI. Founded in opposition to President Lázaro Cárdenas' (1934-1940) economic reforms of 1939, the PAN was originally an elite coalition comprised of conservative intellectuals, businessmen, and Catholic activists (Mizrahi 2003). Cárdenas, a well-respected general, established the foundation of the PRI's dominant rule and his reforms broadened the state's role in the economy, which sharply contrasted PAN founders' belief in private property and a limited state (Lawson 2000).⁶⁴ Besides opposing central government expansion and advocating for electoral democracy, the PAN's primary goal was to defend religious freedom against the PRI's strictly anticlerical stance, which targeted the Catholic Church that prior to the Revolution had operated as a state Church (Loeza-Lajous 1990). The objective to fight for Catholics' right to

⁶⁴ The reforms included the nationalization of the oil industry, a large-scale agrarian reform, and the expansion of the state's role in regulating economic activity (Mizrahi 2003; Magaloni and Moreno 2006).

worship within the broader frame of religious liberty aligned well with the PAN's Catholic foundation (Magaloni and Moreno 2006).

Largely an umbrella protest party seeking to oust the PRI from power, the PAN long remained the only independent opposition party in Mexico. While smaller PRI-sponsored satellite parties created to provide a "token image of democracy" came and went, the PAN remained the single stable opposition party over the decades of hegemonic rule—perseverance that contributed to its steadily growing popularity (Magaloni and Moreno 2006:254). As Mizrahi (2003:6) notes, PAN's "persistence and survival eventually won it credibility as the most independent and consistent opposition party in the country." While the party only won a few municipal victories and a handful of congressional seats prior to 1979, the PAN's historic marginality began to reverse in the 1980s as voters grew increasingly discontent with the PRI. The violent clampdown on the peaceful student movement in 1968 that killed 200 students—the Tlatelolco massacre—as well as the national bankruptcy of 1982 and the regime's slow response to the Mexico City earthquake of 1985 all weakened the one-party rule and eroded its legitimacy in the eyes of broad sectors of society (Lawson 2000). Voters began to abandon the party and as a result became more available to the opposition—a development that favored the PAN as Mexico's oldest and most efficient opposition party (Levy and Bruhn 2006). Despite a highly unequal playing field in which the PRI not only resorted to electoral fraud but also had access to immense financial and organizational resources, the PAN began to make electoral inroads during the mid-1980s, supported by an electorate that above all sought democracy (Mizrahi 2003). Nevertheless, besides a few municipal-level victories for the opposition, the PRI remained largely uncontested, and not until 1989 did an opposition candidate win a gubernatorial race.

While the PAN little by little encroached upon PRI dominance, a new movement emerged in the late 1980s that quickly became a serious threat to the hegemonic party. In contrast to the ideologically coherent elite group that formed PAN, the PRD began as a large, loosely tied

movement that incorporated a variety of left-wing social and political groups (Hilgers 2008).⁶⁵ In 1988, a group of *Priistas* calling for state-led, socially conscious alternatives to economic liberalization broke away from the dominant party. Led by Cuauhtémoc Cárdenas, son of revered President Lázaro Cárdenas, the group formed the National Democratic Front [*Frente Democrático Nacional*] (FDN) with the goal of ousting the PRI from power. Cárdenas, who emerged as the dominant leader, ran a widely successful presidential campaign ahead of the July 1988 elections that for the first time posed a serious threat to the hegemonic party. After a massive PRI-orchestrated fraud, ruling party candidate Carlos Salinas de Gortari was declared President (Hilgers 2008). Cárdenas was however widely considered the rightful winner and the fraud allegations further debilitated—if not collapsed—the party’s legitimacy that had been eroding steadily since the Tlatelolco massacre (Lawson 2000:272).

Following the loss, Cárdenas and his supporters decided to consolidate their movement into a formal party structure. A year later, on *Cinco de Mayo* 1989, the PRD was born as a permanent institution before a massive crowd at the Zócalo, Mexico City’s Constitution Square (Bruhn 1997; Reveles Vázquez 2004). Cárdenas used the national holiday to declare the new party’s agenda to the 80,000 supporters present: “We will recover the Mexican Revolution’s historical ideals, the full observance of the Constitution, and the legitimacy of our government and our leaders” (Mossige 2013:77). Intent on peacefully removing the PRI from power and ending poverty and inequality, the PRD offered an alternative to millions of citizens angered by the prolonged economic crisis and authoritarian rule (Levy and Bruhn 2006). Conflicting ideological and organizational visions however quickly emerged to prevent unity among the diverse groups and individuals within the party, and difficulties to reconcile such differences would continue to mark the PRD’s political and organizational development (Hilgers 2008; Mossige 2013). Moreover, while the PAN formed during a period of low competition and gradually adjusted to rising levels,

⁶⁵ The movement included communists, left-wing nationalists, social democrats, clandestine revolutionaries and former PRI members (Hilgers 2008).

the PRD's birth coincided with and contributed to a period of increased competition. Combined with ongoing internal struggles, difficulties to establish the party as a strong electoral force amidst the PRI's dominance and an expanding PAN impeded the PRD's growth (Levy and Bruhn 2006).

Although the PRD's attempt to win the presidency failed, the PRI did not emerge unscathed from the 1988 elections. For the first time, the hegemonic party lost its two-thirds majority in the federal Congress. Suddenly facing the need for legislative allies, PRI deputies began to cooperate with the opposition—the PAN. New president Carlos Salinas de Gortari needed votes to carry out its economic reform agenda that required constitutional changes. In exchange for its support, PAN pressures forced the party to enact electoral reforms that opened up for more free and fair elections (Magaloni and Moreno 2006; Aguilar 2012; Garay 2016). While the electoral system previously protected PRI interests and largely guaranteed victory, the reforms established more equal grounds for party competition and greater protections against fraud (Levy and Bruhn 2006). Moreover, the reforms facilitated opposition victories by creating career opportunities for PRI politicians who for the first time could switch party and still have a chance at electoral success. As a result, the PAN significantly strengthened its position at local and state levels.⁶⁶ These developments culminated with the PRI's loss of its super majority in the federal Congress in 1997. Thus, by the end of the 1990s, the one-party system had begun to erode in response to declining popular support for the PRI and intensifying electoral competition (Greene 2011).

Post-Transition Politics: PAN Presidents and Subnational PRI Hegemony

By 2000, the PRI faced significant electoral competition in all regions of Mexico. Opposition inroads had eroded the party's hegemony to the extent that an uncontested victory seemed far

⁶⁶ During the 1990s, the PAN expanded significantly, winning important elections at the local and state levels. By 1997, PAN captured, 26.1% of the national vote in the federal midterm elections. By February 1999, it controlled 287 municipal governments, among them 13 of the 20 most populated cities and 12 capital cities. Moreover, the party held governorships in Chihuahua, Baja California, Guanajuato, Morelos, Querétaro, Jalisco, Nuevo León, and Yucatán (Magaloni and Moreno 2006).

away. In the 2000 presidential race, PRI candidate Francisco Labastida stood little chance against Vicente Fox, the former governor of Guanajuato who represented the *Alliance for Change [Alianza por el Cambio]*, composed by the PAN and the Green Ecologists [*Partido Verde Ecologista de México*] (PVEM). The alliance's campaign successfully portrayed Fox as the only candidate capable of defeating the PRI and downplayed the PAN's socially conservative, Catholic-based ideology that many feared would be too sharp of a contrast to the decades of non-programmatic, secular, rule. In a society exhausted by PRI control and corruption, Fox's landslide victory represented to many the end of seventy-one years of authoritarian one-party rule (Zechmeister 2008).⁶⁷ Felipe Calderón's victory in the subsequent 2006 presidential election confirmed the PAN's winning streak and secured center-right rule until 2012. The PRD's Andres Manuel López Obrador however narrowly contested the center-right's victory and his supporters for months paralyzed the national capital in protests against the alleged electoral fraud that propelled the PAN into office.⁶⁸

But even after the democratic transition, the PRI continued to dominate state and local level politics. After losing the presidency in 2000, the party still controlled nearly two-thirds of state legislatures and the majority of municipal governments—all of which it continued to govern uninterruptedly (Hiskey and Bowler 2005). While many expected the former party hegemon to continue to bleed votes in subsequent state-level and municipal elections, the PRI remained a powerful political player. In the 2003 federal elections—the first major elections following the transition—the PRI won more seats than any other party alone. At the national level, PRI deputies' cooperation became vital for President Fox to secure the majorities required to pass legislation and the two parties collaborated frequently.⁶⁹ At the state level, the PRI won 50 percent of gubernatorial elections and 57 percent of mayoral races in the six years following its initial

⁶⁷ Fox gained 43.5% of the vote whereas Labastida obtained 36.9% and Cuauhtémoc Cárdenas, who once again ran for the presidency, obtained 17% (Magaloni and Moreno 2006).

⁶⁸ PRI candidate Roberto Madrazo lagged behind, obtaining 22.3% of votes.

⁶⁹ The PRI ended up with 223 legislative seats to the PAN's 150 (Levy and Bruhn 2006:94).

defeat. While far from its previous dominance, such outcomes were not substantially below the 68 percent of mayoral elections the party won 1994–2000 (Hecock 2006). Although the PRI governed only 16 out of 31 states (plus the Federal District) at the beginning of 2004, the party made a strong electoral comeback in following years, retaining most of previously held governorships and winning back those lost, including PAN-leaning or materially important states such as Chihuahua and Nuevo León with their large industries and high manufacturing GDP (Bravo Ahuja 2009; Wuhs 2012).

After two terms out of office, the PRI returned to the presidency in 2012 in a victory largely attributed to the young, telegenic Enrique Peña-Nieto, former governor of the state of México.⁷⁰ In contrast to his predecessor, Roberto Madrazo, Peña-Nieto was able to unite the PRI and many of its internal struggles calmed down as group leaders realized the party had a chance to retake the presidency under his leadership. Peña-Nieto therefore came to represent the hope and ambition of the PRI and critical to its electoral success (Langston 2017:99).⁷¹ Indeed, with 38 percent of the vote, Peña-Nieto beat both the PRD's Andrés Manuel López Obrador and PAN's Josefina Vázquez Mota and returned the PRI to power.⁷² In addition to the presidency, all seats in the Congress of the Union as well as governorships in Chiapas, Guanajuato, Jalisco, Morelos, Yucatán, and the Federal District were up for grabs.

The electoral results repeated the pattern of partisan competition ushered in by the democratic transition—two-party competition pitting the PRI against one of the two main opposition parties and a geographical division in which PAN dominated most of the north and the PRD the south. With the PRI present in most states but the opposition geographically concentrated, two parallel two-party systems emerged following the establishment of multiparty elections that created competitiveness along regional lines. The north and central-west is

⁷⁰ Peña-Nieto governed the state of Mexico 2005-2011.

⁷¹ For a detailed account of the effects of electoral competition on the PRI's internal workings, see Hernández Rodríguez (1998) and Langston (2017).

⁷² AMLO received 32 percent of the vote total and Vázquez Mota 26 percent (Flores-Macias 2013).

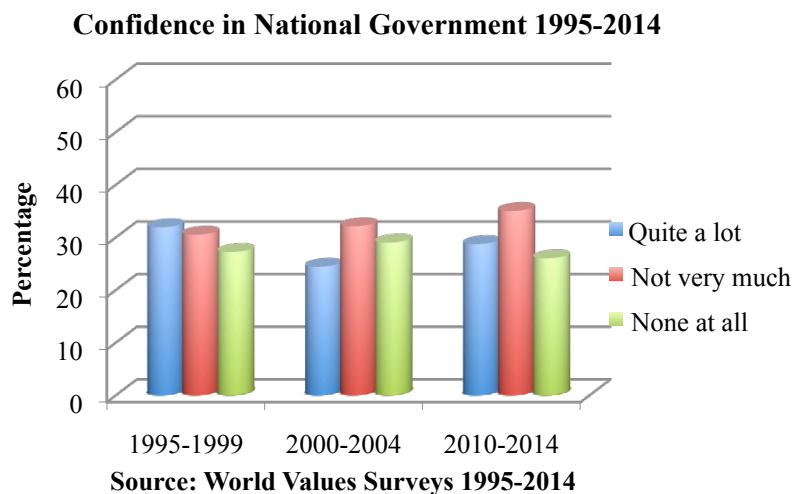
characterized by PRI-PAN competition, whereas the PRI competes with the PRD in the poorer southern states such as Guerrero (Klesner 2005; Hecock 2006). Due to the left's declining role since 2006, much attributed to its internal strife, PAN-PRI competition dominates the subnational arena (Langston 2012; Mossige 2013). By 2012, the PRI governed 20 of the country's 31 states plus the Federal District and held more gubernatorial seats than the PAN and PRD combined (Langston 2012; Flores-Macias 2013). As Langston predicted, the strengthening of state-level politics in the wake of the democratic transition significantly contributed to the PRI's continued survival (Langston 2006:397). Greater political resources afforded to governors such as fiscal transfers and stronger control over local party candidates as well as the party's incumbent advantage over the opposition that remained weak in many parts of Mexico when the transition occurred combined allowed the PRI to maintain its grip on power via governorships (Langston 2017).

The demise of the one-party rule and rise of electoral competition entailed a shift towards a new federalism in which governors and state legislatures gained a more prominent role. Under PRI rule, Mexican politics was highly centralized with vertical networks of patronage and career advancement. The president's strong powers, *presidencialismo*, dominated federal relations and kept subnational autonomy at a minimum (Ward and Rodríguez 1999). State governors depended on the President for initial appointment and continued incumbency, which gave the President control over the subnational political arena and in particular over governors' future career prospects (Snyder 2001; Díaz-Cayeros 2006). The transition from the hyperpresidentialist system shifted the balance of power towards governors and local congresses, transforming the system from one of the world's most centralized to one of the most decentralized (Levy and Bruhn 2006). Electoral competition empowered subnational political interests by strengthening incentives for political careers rooted at the state level rather than the national (Langston 2006; Cantú and Desposato 2012). As a result, governors "emerged as key power brokers in an increasingly

fragmented system” following the transition (Flores-Macias 2013:137).

In the context of two consecutive PAN administrations and the return to PRI rule within the confines of multiparty competition, the loss of public trust and political institutions’ legitimacy continued, fueled by economic crises, corruption scandals and deteriorating public security (see e.g. Morris and Klesner 2010). While Vicente Fox had won the Presidency mainly due to public distrust of the PRI (Amuchástegui et al. 2010), the two consecutive PAN administrations were unsuccessful in bolstering confidence in political institutions. Felipe Calderón’s time in office in particular continued to erode public confidence in the government and political institutions at large. Sharply contrasting Calderón’s main campaign promise, unemployment rates rose, and a dramatic escalation of drug-related violence followed by a failed militarized strategy in addition to economic problems further eroded public trust (Flores-Macías 2013). The tables below show the evolution of confidence in the national government and political parties. Table 1 displays small, primarily negative fluctuations in confidence in the national government.

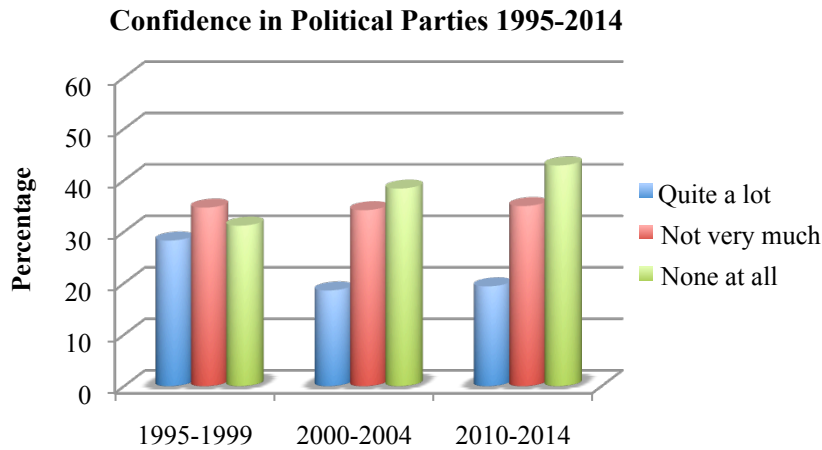
Figure 3.1



Changes in public confidence for political parties were more dramatic. From the 2000-2004 cycle, those with a great deal of confidence in political parties halved from 5,1 to 2,6 percent (not pictured). By the 2010-2014 survey, a staggering 42.9 percent of polled Mexicans declared that

they had “no confidence at all” in political parties—an increase by more than ten percentage points from the 1995-1999 cycle.

Figure 3.2



Source: World Values Surveys 1995-2014

The next section turns to the role of the Catholic Church, the sources of its political influence, and the incentives for both political and religious elites to forge close relations in Mexico.

GUARDIAN OF THE NATION’S MORAL CONSCIENCE: CHURCH-STATE RELATIONS 2000-2015

While party competition and type certainly help explain variation in moral gender policy, they do not operate alone to shape the politics of abortion and same-sex policy. Rather, the reason why party positions on these issues indirectly become part of electoral strategies must be understood in relation to the influence of dominant religious institutions and their absolutist positions on moral gender policy. In Mexico, Church-state relations have oscillated between deep hostility and close collaboration. The Revolution in the early 1900s ushered in a deep split between the Catholic Church and the one-party state, and the anticlericalism of PRI predecessors severely limited Church hierarchies’ participation in public and political spheres. Church-state relations remained deeply fractured until the 1980s but underwent significant change with the formal recognition of the Church in 1992. Since then, its public and political role has expanded, triggered by the threat posed by Evangelical churches, and permitted by its

legitimacy in a society where the Church, as a central institution, has functioned as one of the pillars of social organization and transmitter of cultural values (Loaeza 2013).

The Catholic Church derives its political weight from its influence over vast sectors of the population. Most Mexicans identify as Catholic and the Church has played an important role in shaping social norms and values pertaining to reproduction and the family (Loaeza 2009; Ortiz-Ortega 2007; Bárcenas Barajas 2011). Established under the Spanish colonization, the Church has dominated the religious landscape since the Mayan civilization of the Yucatecan peninsula—the last to resist the conquest—was overpowered by Francisco de Montejo the Younger in the 1540s (Davis 2002:2). At times referred to as the last Catholic bastion in Latin America, Mexico remains the world's second largest Catholic country (after Brazil) with approximately 84% of the population identifying as such (Pew Research Center 2014). As in most countries in the region however, reports of Catholics abandoning their faith or switching to other religious denominations have not escaped Mexico. But while a growing secularity and religious competition ushered in changes in the spiritual realm that have weakened the Church's public position, Catholic hierarchies have strengthened their political influence. The formal recognition of the Church in 1992 permitted clergy to expand their public role and the delegitimization of political institutions have led political elites of all party colors to seek clergy support in exchange for benefits that safeguard its institutional interests.

The following sections analyze changes in the national-level relationship between Church and state with an emphasis on the post-transition period.⁷³ It shows how a relationship shaped by pragmatism and mutual benefits has shifted depending on the bargaining position of each actor. When state actors—primarily Presidents—have needed the Catholic Church's

⁷³ Subsequent empirical chapters examine the subnational dynamics of Church-party relations in the four selected states. Tracing the relations between religious and state actors across all thirty-two Mexican states is beyond the scope of this study.

legitimizing support, clergy have used their dependency to re-negotiate the terms of the Church's public presence and political involvement to gain greater space and influence.

Revolutionary Legacies and the Modus Vivendi: Church and State 1857-1992

Until Mexico's first civil war in 1857, the Catholic Church operated as the established state church. Liberal governments pursuit of openly anti-clerical policies in the quest for purely secular governance however severely limited Church influence in society (Davis 2002).

Following the Mexican Revolution (1910-1917), PRI predecessors inscribed some of the severest restrictions against religion ever included in an official political document in the 1917 Constitution (Camp 1997). Fearing the Church's intrusion in political affairs, the Constitution stripped religious organizations of their legal status, prohibited religious hierarchies' participation in public affairs, expropriated Church properties and banned parties from having religious or denominational references—even prohibiting priests or nuns from voting or wearing religious clothing in public (Kendrick 2003; Razavi and Jenichen 2010).

The violent backlash to the post-revolutionary government's secularization efforts resulted in the Cristero War, a bloodstained confrontation between devoted Catholics and the state. The defeat of the Cristero rebels in 1929 ushered in a new phase in Church-State relations referred to as the *modus vivendi*—an informal pact in which the authoritarian state did not enforce most of the Constitution's anticlerical provisions whereas the Church kept clear of political engagement (Blancarte 2012). The Cristero War ended as the official party formed and Church-State agreements between formed part of a general stabilization policy in which the Church helped maintain social order (Loeza-Lajous 1990).⁷⁴ From then onwards, Church-state relations evolved within the *modus vivendi* framework of mutual tolerance in which clergy learnt to operate within the boundaries of state restrictions (Gill 2002).

⁷⁴ For details on the Cristero War, see e.g. Gómez Peralta (2012).

Church-state relations began to gradually change from the 1970s and onwards, prompted by an emboldened clergy on the one hand, and a regime that had become more reliant on its support and therefore more permissive. The Church slowly regained privileges and social influence such as the ability to perform outdoor masses (Godínez-Valencia 2011; Hernández Vicencio 2014). Empowered by its enhanced autonomy, a restorative force within the Catholic hierarchy became visible in the early 1980s. Clergy assumed a greater public role and made their decision to assume the duty of “highlighting and denouncing” societal problems official. The new agenda broadened Church interests to include all spheres of life, from economic to political issues, and a more open involvement in guiding voters. Bishops fully assumed the leadership role they had sought for years and established links with various political forces. In poorer regions of the country, bishops supported left-wing political organizations and became associated with right-leaning groups and organizations in richer states, all with the aim of fighting the PRI regime in the quest for electoral democracy (Loeza-Lajous 1990:294).

The 1982 economic crisis exacerbated already declining voter support for the hegemonic party and boosted the opposition, triggering more PRI-orchestrated electoral fraud. As bishops increasingly denounced the regime’s authoritarian ways, Church leaders were drawn into party conflicts as vocal regime critics in the North, South, and West of Mexico (Camp 1994:70). By positioning themselves as advocates for democracy, clergy directly and indirectly supported a PAN vote. In this context of a more outspoken Church, Pope John Paul II, a strong human rights advocate, emboldened bishops through five visits to Mexico during his papacy (Kulczycki 2007). The PRI, the party most affected by the growing political competition, saw statements supporting electoral democracy as bold attacks on the regime (Gill 2002). At times, clergy went further than written declarations. In 1986, bishops in Chihuahua threatened to cancel Sunday mass in protest against the PRI-orchestrated fraud

committed against the PAN opposition during the gubernatorial elections. Although the Pope's representative in Mexico, Girolamo Prigione, vetoed the action, the possibility of similarly assertive future clergy interventions loomed large (Loaeza 1996). The emergence of largely adversarial political Catholicism within a formally hostile institutional context shook the pact between Church and state and alarmed the ruling party (Mantilla 2016).

As the PRI regime felt its hegemony crackling under the weight of the opposition's electoral inroads and growing voter detachment following the fraudulent 1988 presidential election, Salinas de Gortari desperately sought for a way to boost public confidence. He found the solution in the legitimizing support of Mexico's most cherished non-governmental institution—the Catholic Church (Gill 2002). In exchange for its support, Salinas de Gortari enacted a comprehensive religious reform that restored clergy rights and, as Soledad Loaeza-Lajous (1990) anticipated, ushered in a new phase in Church-state relations that paved the way for contemporary interactions between high-ranking clergy and party leaders.

The Catholic Church's Changing Role 1992-2000

President Salinas de Gortari's removal of the Constitution's anti-clerical restrictions established new relations in which the Church's participation in sociopolitical arenas increased significantly. The reforms restored the Church's full legal status; allowed religious teaching in private schools; public worship outside temples; ownership of property; gave priests voting rights; and recognized the legal existence of religious associations. In addition, the reform reinstated official diplomatic relations between Mexico and the Vatican (Blancarte 2002:58). Six months later after the reform, the Salinas administration established a new legal framework to regulate Church-state relations. The Law of Religious Associations and Public Worship [*Ley de Asociaciones Religiosas y Culto Público*] deregulated the religious market and allowed for greater competition and less government interference, providing considerably

more freedom to religious groups (Davis 2002). As Gill (2002) notes however, the PRI regime did not take a *laissez-faire* approach to the Church overnight. Rather, its control over religious organizations shifted to meet new constraints that revolved around the party's need for new sources of support in the face of growing electoral competition. The new law specifically benefitted the Catholic Church that with alarm had watched the growth of Evangelical Protestants. By freezing religious competition through a ban on the entrance of new religions into the marketplace and enforcing it with strict control, the government made a major concession to the Church (Gill 2002:102).

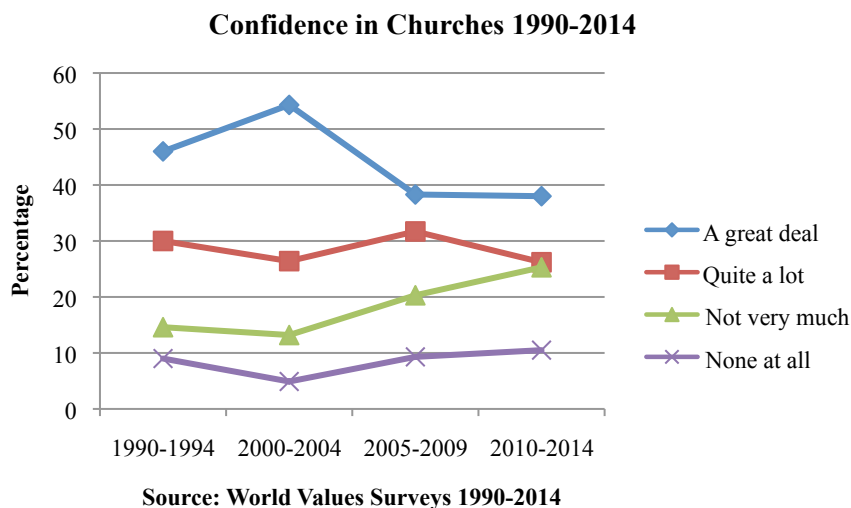
Salinas de Gortari's move was widely attributed to an attempt to bolster the PRI's weakening hegemony via the Church's legitimizing support. With strong indications that the party was losing power, Salinas used his inaugural speech in 1988 to outline reforms that would modernize Church-state relations. Already during the presidential campaign, the PRI candidate realized that something must be done to boost the party's waning support. With massive privatizations on the horizon, the PRI machinery's reliance on patronage networks to secure party loyalty could no longer safeguard an electoral victory. Neither could the regime rely on increasing repression since such a move would jeopardize Mexico's aim of joining the Organization for Economic Co-operation and Development (OECD) (Gill 2002:92). Similar to his predecessor, Luis Echeverría (1970-1976), Salinas came to the conclusion that the Church had be part of the solution and began a series of acts that led to the end of the regime's anticlerical sentiments.⁷⁵ Clergy's presence at Salinas' inauguration marked the first time in sixty years that Church hierarchies officially attended such a state event (Davis 2002).

Few institutions were better suited to bolster the PRI's legitimacy than the Catholic Church. As Mexico's most esteemed non-governmental institution, it enjoyed tremendous

⁷⁵ Echeverría tried to gain the Church's legitimizing support by improving the state's relation to Catholic hierarchies. He met frequently with bishops, eliminated references to contraceptives in Mexico's population control policy, contributed funds for a new Basilica de Guadalupe, and was the first president to visit the Vatican while in office (Gill 2002:92).

legitimacy and trust in the eyes of citizens—far greater than political institutions (Camp 1994:72; Blancarte 2002).⁷⁶ The Church could therefore act as a legitimizing agent of the state and the existing order (Ortiz-Ortega 2007; Loaeza 2009). But while this function enormously benefitted PRI governments, it was also a source of tension deriving from deep historical rivalry. During the years of *modus vivendi*, PRI leaders sought to control the Church’s social power to neutralize “the most organized threat to their rule” whereas bishops in turn used their power to maximize institutional autonomy in the attempt to regain the privileged status of colonial times (Gill 2002:89). In the battle over citizens’ minds, periods of weakened PRI hegemony encouraged the Church to fill the void. As the hegemonic party began to face a trust deficit manifested in declining public support in the late 1960s, Church influence increased correspondingly (Camp 1997:12). The 1990s were no exception—the state’s growing delegitimization strengthened the Church’s bargaining position and the political influence of clergy (Gill 2002).

Figure 3.3



⁷⁶ I use past tense here to emphasize that the Church enjoyed high legitimacy during the time period discussed in the paragraph. While these levels have diminished slightly, as I return to later in the chapter, Catholic clergy still enjoy high rates of public trust—much higher than political institutions.

Although the table above shows a downward trend in confidence for churches, religious authorities still instilled more public confidence than political parties.⁷⁷ Confirming the Church's importance at times of weakening trust in political parties, the graph demonstrates that confidence in churches increased during the time leading up to democratic transition, but decreased afterwards, especially in the time between the 2000-2004 and 2005-2009 surveys. This downward trend however seems to have largely evened out after 2009.

The 1992 reforms were the reward for the Church's loyal collaboration in bolstering PRI legitimacy. In exchange for eliminating anti-clerical measures, the Church supported various government programs and silenced PRI critics within its ranks (Gill 2002). The Church's newfound recognition provided it with a stronger voice in political affairs and a public presence greater than in the preceding sixty years (Blancarte 2002). Clergy began to voice its opinions on a variety of issues in blunt violations of the remaining constitutional restrictions on religious involvement in politics.⁷⁸ While the Church for nearly two decades remained silent as the government pursued new contraception policies, it promptly enacted large-scale media campaigns in opposition to the state-sponsored family planning program (Kendrick 2003). Thus, from the 1990s and onward, in the context of its newfound institutional privileges and the ruling party's eroding legitimacy, the Church became increasingly vocal to the dismay of politicians—primarily *Priistas*—who were suddenly forced to legitimate their decisions before religious authorities (Amuchástegui et al. 2010).

PAN Rule and a PRI Allegiance Shift: Church-State Relations 2000-2015

⁷⁷ Note that these numbers do not refer solely to the Catholic Church but churches in general and therefore includes other religious denominations.

⁷⁸ Article 14 states that religious ministers cannot endorse a candidate, party or political association; conduct meetings of a political character in churches; or convert religious acts into political (Metz 2002). It was designed to prevent hierarchies from endorsing opposition parties, especially PAN (Gill 2002:104).

If the formal recognition of the Church began to erode previous taboos such as public officials' religious preferences, the PAN's ascendance to the presidency in 2000 facilitated the Church's involvement in political affairs (Hagopian 2009; Loaeza 2009). The election of Vicente Fox installed an openly practicing Catholic president in Mexico for the first time since 1910 and opened up for a more accepting climate for Catholic-influenced political discourse that also justified the Church's growing public presence. The new president began his inauguration day with a highly publicized visit to Mexico City's *Guadalupe* basilica. As Davis (2002:13) notes, given that "all previous Mexican presidents since the 18th century had shunned religious displays," Fox's first official act was highly symbolic and marked a new phase in Church-state relations. The shared Catholic values among PAN and clergy members created a new closeness that began to blur the previously closely guarded separation between secular and religious spheres (Hernández Vicencio 2014).

The PAN's conservative agenda and ideological foundation introduced Catholic references into political debates and generated unprecedented partisan confrontations concerning moral gender policies (Gill 2002). But despite Fox's personal promises to religious leaders, his administration did not pursue a distinctively Catholic agenda. Beyond appointing a few devout Catholics to ministerial posts, performances of commitment to the Catholic faith were limited to Fox himself rather than the PAN as a whole. While the photo of the President kissing the Pope's ring during a visit to the Vatican made headlines, as did Fox's emotional visit following the death of John Paul II, those performances were gestures of an individual Catholic rather than an administrative policy shift (Mantilla 2016). Indeed, Fox's administration challenged Catholic values by for example permitting the use of the morning after pill in state-run clinics, much to the dismay of Church leaders that consider emergency contraception "tantamount to abortion" (Camp 2008:59).

By the time the second PAN administration, headed by Felipe Calderón (2006–2012), reached its midterm in office, the PRI's growing strength and intensifying religious competition triggered a switch in Church allegiances. By 2009, a shift in the two main parties' electoral fortunes had become increasingly obvious. The federal government was severely questioned for its failed war on drugs and unsuccessful attempt to create jobs amidst a pressing economic crisis. The ruling PAN lost its main regional bastions in the midterm elections and the PRI picked up where *Panistas* were defeated. As PAN's electoral outlook grew bleaker, the PRI began to appear as the most viable electoral option with its extensive governance experience and capacity to negotiate agreements among key national actors. Anxiously reading the electoral times, Catholic hierarchies began to rethink their strategy—in particular the Archdiocese of Mexico City that until then had served as an important ally of the Calderón administration (Hernández Vicencio 2014). In fact, Catholic activists had been on the defense during the twelve years of PAN rule. President Calderón and the second PAN administration had demonstrated that the party's limited capacity to safeguard Church interests was not only a feature of the Fox era. Although Calderón was a self-professed Catholic with credible commitments to key principles manifested in for example his challenge of Mexico City's abortion and same-sex reforms, the PAN government, as Mantilla observes, “once again displayed a limited ability to articulate distinctively Catholic coalitions and performances, and alienated many conservative Catholics by its ineffectiveness.” By the end of Calderón's term, clergy members were not opposed to working with another PRI government (Mantilla 2016:244).

The need for close incumbent relations in the face of growing levels of secularization and religious diversity also prompted the Church's allegiance shift. Although the erosion of its religious hegemony had been ongoing since the 1980s, the process accelerated by the first

decade of the 2000s.⁷⁹ The number of faithful switching to primarily Protestant churches or giving up their religious affiliations had begun to reshape the religious landscape.⁸⁰ Driven by the desire to secure institutional survival, Church officials had to rely more heavily on linkages to incumbents and other political elites for funding as citizen donations dried out. Funds for religious institutions are however determined and distributed at the state level in Mexico, as are policies of immediate significance for the Church such as abortion and same-sex rights. Thus, while relations to national-level actors undoubtedly remained important, Catholic clergy increased their efforts to forge close relations to subnational elites—governors, businessmen and former *caciques*—and for reasons outlined above, were often met with reciprocity. In Coahuila, Colima, Guanajuato, México, and Nuevo León among others, governments donated lands worth hundreds of millions of pesos to mostly Catholic churches (Roldán 2015; 2016). Thus, while principled beliefs guided Catholic officials' support for PAN in the 1980s, its support began to revolve around pragmatic concerns, based on strategic calculations of the party most likely to gain office and thereby provide funding.⁸¹

Stronger ties between Catholic hierarchies and political and economic elites have been the result of the Church's need for financial support. Its ability to influence this segment of the population remains strong through the Church's elite education. Through Catholic private schools and colleges educate a small but influential community (Klaiber 2009). As Camp (1997:6) notes, Jesuits and Franciscans have educated many of Mexico's most prominent politicians—from Vicente Fox to Peña-Nieto. The early formation of elite groups “inculcate politicians and future leaders with the proper Christian spirit” (Gill 2002:105) and suggests

⁷⁹ Important to note here is that although the number of Catholic has dropped generally, this process has been uneven across the Mexican states (INEGI 2010).

⁸⁰ Between 1970 and 2014, the percentage of Catholics declined with 15 percentage points. Although Mexico is still heavily Catholic (81%), Protestants now make up a significant minority with 9%, whereas the number of unaffiliated has reached 7% (Pew Research Center 2014).

⁸¹ This is not to say that the Catholic Church in Mexico was not an elite church prior to the growth in religious competition (see e.g. (Trejo 2012). Rather, my point is that elite relations have become *even more* important for Catholic clergy that relies increasingly on such linkages for institutional support.

that elites often remain highly Catholic. The quiet support of such elites constitute an important additional source of Church influence beyond its capacity of mass mobilization and legitimizing support (Camp 1997). Business magnates such as Lorenzo Servitje and Carlos Slim—two of the richest men in the world—make significant financial contributions to Catholic organizations explicitly against abortion and same-sex rights (Díez 2015). Their financial power provides leverage over state authorities and has particular influence in relation to moral gender policies. Catholic businessmen joined forces to pressure governors to pass "right-to-life" amendments in several states and opposed the recognition of same-sex rights. As Masferrer Kan (2014:8) notes, "the Catholic hierarchy maintains its alliance with the Catholic right and the big businessmen, this implies money, but not faithful, presence in the media, and solitude in the temples."

The Partisan Church

As a result of its greater autonomy and reliance on incumbents, the Church became bolder in expressing support for partisan allies. While Catholic officials engaged in more or less subtle forms of electoral advocacy from the 1980s and onwards, efforts to influence citizen votes continued after the ousting of the authoritarian PRI. Clergy members reminded faithful of their responsibility to participate in elections, vote responsibly, and keep well informed about candidates' positions on key economic, social, and moral questions. Such calls, while directed towards consolidating democracy by asking citizens to vote responsibly and analyze candidate proposals and campaigns, quickly turned into support for certain party candidates and the rejection of others. Specifically, bishops reminded citizens that they should not vote for politicians that do not respect the dignity of human life, marriage, or the family (Hagopian 2008:164). The Bishop of Queretaro's circulation of the Pastoral Instruction "A Catholic Votes Like This" [*Un Católico Vota Así*] in April 2003 caused intense controversy. Reactions

ranged from its defense to a criminal complaint, yet it was neither the only clergy-issued document nor the only one accused of violating electoral laws. A dozen other Church releases guided voters ahead of the midterm elections (Díaz-Domínguez 2006).

Three years later, ahead of the 2006 presidential elections, parishes handed out pamphlets reminding the laity of their right to vote independently and the Conference of Mexican Bishops ran national newspapers ads encouraging electoral participation to consolidate democracy. Although the head of the Mexican episcopate, Bishop José Guadalupe Martín Rábado, declared that the Church would not intervene in the electoral process, it released a detailed description of its ideal candidate. Beyond a clean record in relation to organized crime and commitment to the common good, he or she should promote human rights, especially for the most vulnerable groups, and in particular promote respect for the right to life (Camp 2008:65). In a striking resemblance to the phrasing of the “right-to-life” amendments that had passed in the preceding years, the First Archdiocese of Mexico’s voting guidelines released ahead of the 2012 presidential election pointed out that Catholics must take into account whether or not candidates are committed to “respecting life from the moment of conception to the natural death.” Alluding to moral gender policies and abortion in particular, the document sternly declared that “faithful Catholics should be clear that it is impossible to elect candidates who support or promote false rights and freedoms that undermine Church teachings” (Animal Político 2012). Clearly partisan and with the purpose of diminishing votes for candidates who promote reproductive and same-sex rights, such statements do not however necessarily support a PAN vote. Rather, the PRI’s return to the presidency in 2012 is attributed to the Catholic Church’s support in exchange for enacting “right-to-life” amendments (Razavi and Jenichen 2010; Amuchástegui et al. 2010), and its loss in subsequent elections to clergy’s refusal to support the party following Peña-Nieto’s proposal to legalize same-sex marriage throughout the country (Animal Político 2012).

The 2012 Religious Reform: Reinforcing the Church's Privileges

Mexico's most recent reform of Church-state relations captured the past two decades' convergence of political and religious interests. In March 2012, two days after Pope Benedict XVI left Mexico, senators in the Congress of the Union approved an amendment to the Magna Carta's article 24 on religious freedom. Presented in 2010 by then-PRI deputy José Ricardo López Pescador and approved by the Chamber of Deputies in December 2011, the reform permitted the celebration of religious acts in public as long as such practices serve no political ends. Specifically, it included the right to individual or collective participation in public or private ceremonies and other acts of worship (*Expansión* 2013). Reflecting the Senate's partisan composition, the reform passed with 72 votes in favor from the PRI, PAN, and Green Ecologist Party (PVEM) whereas 35 senators, mostly from the PRD, voted against (*El Informador* 2012).

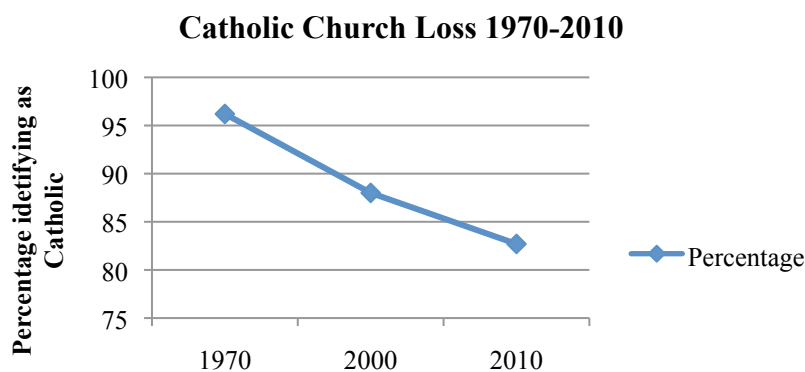
The reform triggered significant controversy in the year and a half between its introduction and passage. Left legislators considered the initiative to be an attack on the secular state that would disproportionately privilege the Catholic Church. Indeed, as the most popular religious institution in Mexico, any public worship or celebration would most likely be of Catholic origin and benefit its interests. Academics and civil society organizations expressed concern over the lack of transparency in the process of preparing and approving the initiative, and moreover, that the reform would recover Church privileges in the area of public education and mass media control. Other religious institutions were predictably unhappy. Officials of *Luz del Mundo* and other Evangelical churches protested the reform's blurring of the Church-state separation and mobilized thousands in street protests (Taniguchi 2012; Barranco 2016). The necessity of the religious reform was questioned even among PRI ranks. Senator María de los Ángeles Moreno asked why such an historically sensitive issue was processed at full speed at the apparent demand of no one (Guillén 2012).

The initiative must be considered in the context of pragmatic elite negotiations ahead of the upcoming 2012 elections. The religious reform was part of the PRI's electoral strategy in the quest of winning back the presidency through the implicit and explicit support of high Catholic hierarchy. Although the 2010 reform emerged on the political agenda under very different political circumstance than in 1992—the PRI was no longer in power and faced multi-party competition—the party's motivation for a religious reform remained the same. It served as exchange currency in a strategic calculation of what would benefit the party's short-term electoral interests (Arias Marín 2012). In return, Church hierarchies threatened by the gradual loss of faithful regained more public ground. Indeed, after unsuccessfully trying their luck during two PAN administrations, Catholic officials turned to the PRI to advance the reform (Hernández Vicencio 2014). Not even the PRI could make reality all of the Church's demands however—an initiative in 2011 that included religious instruction in public schools, clergy participation in politics, the installation of chaplaincies in the Army and Navy and state subsidies for salaries of religious ministers among others was voted down in 2011 (Guillén 2012). The PRI's desire for Church support ahead of the election nevertheless created favorable conditions for clergy to partially safeguard institutional interests.

The most recent milestones in Church-state relations demonstrate the extent to which relations between Catholic clergy and party elites are pragmatic exchanges of political goods driven by mutual benefits. Largely, the evolution of these relations illustrates change over the past decades that encouraged a stronger Church presence and involvement in both political and public spheres. Obtaining clergy support has become more relevant for parties seeking electoral benefits in the midst of debilitating public trust deficits. At the same time, the Church's dependence on state-provided financial resources that help promote and safeguard its interests has deepened amidst accelerating rates of secularization and religious diversity. Under such circumstances, it is not surprising that deep rivalry has turned into

pragmatic cooperation for mutual institutional survival.

Figure 3.4



Source: Author's calculation based on INEGI 2010

As the table shows, the Catholic Church has steadily lost followers in Mexico since the 1970s. While 96,2% of polled citizens identified as Catholic in 1970, 88% identified as such in 2000 and 82,7% in 2010. The loss seems to have been accelerating in the past decade. While the Church lost 8,2% between 1970 and 2000, it lost 5,3% in the decade between 2000 and 2010 (INEGI 2010).

FEMINIST AND LGBTQ MOBILIZATION FROM THE DEMOCRATIC TRANSITION UP UNTIL 2015

In addition to the left-wing PRD, Mexico City's watershed moral gender policy reforms were largely attributed to the impact of progressive social movements. The national capital has a long history of feminist activism, dating back to the early 1970s, and a more recent one in relation to LGBTQ rights. Prior to the democratic transition, but mostly afterwards, the national capital served as a fertile ground for the emergence of progressive civil society groups and associations. Highly urbanized with generally liberal governments regardless of incumbents, a vibrant civil society developed in the 1990s and onwards that included not only feminists but also human rights advocates, intellectuals and organized middle-class and popular sectors (Amuchástegui et al. 2010:995). Elsewhere in the federation however, the development of progressive civil society has been slower and the general capacity to mobilize

weak. By contrast, conservative-religious actors are at their strongest outside of liberal capitals and metropolitan zones, which creates important differences across the subnational entities where the struggles over moral gender policy take place.

Despite the hostile environment for any kind of mobilization that potentially threatened the one-party rule, a feminist movement formed in the context of Mexico City's liberal climate in the 1970s. Aided by the successes of movements in the U.S. and Western Europe and within a broader framework calling for women's full rights and autonomy, feminists began to focus on the advancement of reproductive rights (Lamas 2009; 2015; Kendrick 2003). Abortion emerged on the political agenda through the efforts of the feminist movement that in 1976 formed the Coalition of Feminist Women [*Coalición de Mujeres Feministas*] (CFW). The subsequent year, the CFW presented an initiative to liberalize abortion in the Congress of the Union. The project however lingered in legislative committees and neither came to a vote nor received an official response. The creation of the National Front for the Fight for Women's Liberation and Rights [*Frente Nacional de Lucha por la Liberación y los Derechos de las Mujeres*] in 1979 provided the CFW with important allies among syndicalists and the political left (Lamas 2015). The following year, the CFW and the Communist Party jointly presented a bill to legalize abortion up until the third trimester. The initiative caused strong backlash from Catholic clergy and associated organizations that launched a counter-campaign that traveled well beyond Mexico City. Physical and verbal attacks on feminists took place in for example Jalisco (Kulczycki 2007; Lamas 2015). Throughout the 1990s and onwards, issue networks comprised of feminists, left legislators, intellectuals, lawyers and health personnel successfully lobbied for penal code modifications across the federation—efforts that culminated with Mexico City's abortion legalization in 2007 (Sánchez Fuentes, Paine, and Elliott-Buettner 2008).⁸²

⁸² For a detailed overview of feminist activism in relation to reproductive rights, see Lamas (2015).

Activism on behalf of sexual diversity movements does not share feminist mobilization's long history in the national capital and has been somehow less consistent over time (see Díez 2013). Nevertheless, Mexico City's LGBTQ movement is one of the region's oldest and most active. Members of the gay and lesbian community began to informally organize in the early 1970s and took their demands to the streets a decade later. The onset of the HIV/AIDS epidemic in addition to the 1982 economic crisis however impeded activism and political activities did not resume until the late 1990s. Mobilization grew stronger in the years that followed, much thanks to the increased financing of LGBTQ activism that institutionalized and professionalized the movement. Harassment on behalf of the police and other authorities however continued despite governmental discourses that increasingly embraced human rights and the establishment of a national human rights commission in the early 1990s (Díez 2011, cited in Díez 2013). The election of lesbian activist Patria Jiménez to the Chamber of Deputies in 1997 marked a symbolic turning point in activists' participation in the political sphere (de la Dehesa 2010).

The democratic transition opened up new spaces and resources for LGBTQ mobilization. Yet despite the new political context, the recognition of same-sex rights proceeded at a slow pace that created frustration among activist circles and fueled mobilization efforts. By the early 2000s, issue networks consisting of activists, lawyers, and intellectuals born out of this context began to lobby for policy reform. Their efforts bore fruit six years later, when the ALDF adopted same-sex unions.⁸³ As Díez (2013:222) notes: "...such lobbying was largely possible because of the resources and allies LG [Lesbian and Gay] activists possessed." Three years later, following similarly strong lobbying facilitated by progressive political allies in the local Congress, same-sex marriage and adoption was legalized. But although the civil codes that govern family policy are adopted at the state level,

⁸³ For a comprehensive overview of the process of legalizing same-sex unions in Mexico City, see Díez (2013) and de la Dehesa (2010). See also Chapter 4 for an analysis of Mexico City's policy reforms.

“opportunities to push for policy change have been mostly limited to Mexico City, where gay and lesbian activism has been strongest” (Díez 2015:153).

Indeed, the development of a progressive civil society has been significantly weaker outside of the bustling national capital. Decades of hegemonic one-party rule impeded the growth of an autonomous civil society by co-opting interest groups—particularly labor and peasant organizations and to some extent business sectors—and by posing an ever-present threat of violence (Olvera 2010:93). The general weakness of civil society is also attributed to the lack of resources for participation as well as cultural attitudes that have oriented individuals towards the family rather than the political community at large (Levy and Bruhn 2006:68). Although a unified human rights movement emerged in the early 1990s and produced a host of advocacy organizations in the struggle for electoral democracy, civil society remains thin and uneven outside of Mexico City (Acosta 2012). While movements have grown increasingly independent over time, activists generally lack the strength and tools to impact public policy, especially in rural Mexico (Levy and Bruhn 2006; Mattiace 2012).

Activity in relation to reproductive rights has remained relatively low across Mexico. Beer (2017:50) notes that, “in the 1970s, feminist groups had very little influence outside of Mexico City. There was almost no feminist advocacy for abortion rights between 1979 and 1989.” The aforementioned controversies in the early 2000s such as the Paulina case and the state of Guanajuato’s complete ban on abortion however triggered feminist mobilization in multiple states in protest against the blatant violations of reproductive rights (Lamas and Bissell; Kulczycki 2007). At present, feminist groups exist in most states, although some subnational entities lack active organizations altogether.⁸⁴ Presence does not however signify impact. As I return to below, reproductive rights advocacy groups are fragmented and subnational authorities pay little attention to progressive civil society groups. Mobilization to

⁸⁴ Personal interview, GIRE representative, April 2016, Mexico City.

advance sexual diversity rights is also difficult beyond Mexico City. The discrimination and marginalization that members of the LGBTQ community have been subjected to historically combined with the taboo that still surrounds sexual diversity has severely impeded activism. These dynamics pose obstacles for effective LGBTQ mobilization that in addition tends to be more recent and less rooted in civil society than feminist activism.

Mobilization difficulties, lingering authoritarian legacies, and impenetrable elite circles have created obstacles for progressive groups to influence politics. During the one-party regime, women's movements were either co-opted by the PRI or heavily marginalized. Problems in forging cross-class linkages also meant that women's organizations were unable to build a unified movement and have largely remained fragmented (Franceschet and Macdonald 2004:15). Beyond Mexico City, reproductive health organizations are few and for existing ones, new member recruitment is no easy task. Feminist groups are often perceived with fear by the rest of society and have been unable to reach out broadly to other civil society actors to raise awareness.⁸⁵ Moreover, existing organizations have been unable to pass the torch to new generations of activists. As a journalist and feminist activist in Hidalgo expressed: "We have been fighting for many years here, but the achievements are small. One of our greatest failures has been that we have not been able to connect younger women to the cause because we are so split among us. This fragmentation is costing us a lot of work."⁸⁶ Women's rights organizations, where they exist, are mostly dedicated to preventing gender-based violence. As one of Mexico's most well-known feminist activists, Marta Lamas, somewhat sarcastically remarked, "they do not want to associate themselves with the dirty abortionists." Indeed, reproductive rights are still surrounded by a stigma in many states.⁸⁷

Attempts to advance LGBTQ rights meet similar obstacles that prevent the emergence

⁸⁵ Personal interview, PRI regidora and feminist activist, Guanajuato, Nov 25, 2015.

⁸⁶ Personal interview, scholar and activist, Pachuca de Soto, Hidalgo, April 2016.

⁸⁷ Personal interview, feminist activist and scholar Marta Lamas, Mexico City, August 2016.

of a unified movement.⁸⁸ Sexual diversity organizations also remain dispersed and generally do not exist within a cohesive community.⁸⁹ While groups and collectives emerge that organize gay pride marches and other events, they often cease to exist due to the lack of resources. Conflicts over scarce resources, internal divisions and diverse interests further impede the creation of a common movement agenda.⁹⁰ As one activist phrased it: “There has been a bit of a struggle within the community, it is difficult to organize. But if we as civil society cannot have a dialogue, how are we going to have one with decision makers?”⁹¹ Indeed, most feminist and LGBTQ organizations have low organizational capacity and ability to lobby governors and local legislators.⁹²

The mobilization of activist networks is not only impeded by civil society organizations general weakness and the taboos that still surround moral gender policies. Lingering authoritarian legacies complicate efforts to voice demands and attempts influence legislative politics. The continued practice of co-opting civil society organizations and using violence to prevent and disperse social protest render the potential for large-scale mobilization low. As McGee and Kampwirth note (2015:69), “parties have sought to divide social movements and co-opt some of their members through a modern version of clientelism.” Moreover, activists bear witness of a continued threat of violence and control. As a legislator and women’s rights advocate in Guanajuato explained: “Society is controlled by politics. Those with visions aligned with progressive values have been detained and punished, controlled and silenced—even academics.”⁹³ In relation to abortion, feminist activists fear state repression if they bring up the topic. In Yucatán, an activist in a local feminist group in Mérida shared her experience:

⁸⁸ Personal interview, representative of Redefinx, and with a representative of the Attorney General’s Gender office, both in Guanajuato, November 2015.

⁸⁹ Personal interview, representative of UNASSE, Mérida, Yucatán, October 2015.

⁹⁰ Personal interview, representative SEIINAC, Pachuca de Soto, Hidalgo, March 2016.

⁹¹ Personal interview, representative of Redefinx, and with a representative of the Attorney General’s Gender office, both in Guanajuato, November 2015.

⁹² Personal interview, director of *Letra S*, Mexico City, May 2016; and with representative, *Closet de Sor Juana*, Mexico City, May 2016.

⁹³ Personal interview, PRI legislator, Guanajuato, November 2015.

“We were invited to a fair organized by a reproductive rights group, but they did not dare to talk about abortion. How is it possible that a reproductive rights organization only speaks of *certain* rights?”⁹⁴

Perhaps most importantly, incumbents generally have little interest in promoting reproductive and LGBTQ rights and often ignore the demands of progressive civil society groups. Most governors shut out or tried to disperse protests against “right-to-life” amendments across Mexico. In various states, including in Puebla and Querétaro, feminist activists were not allowed to enter legislative buildings. In Veracruz, such mobilization succeeded in preventing the passage of a “right-to-life” initiative in 2009. A few years later however, PRI governor Javier Duarte reintroduced the bill that was passed in January 2016. Responding to the question of whether or not civil society has the capacity to influence politics, an activist in Veracruz responded: “I think we are playing with what is convenient for them [political authorities]. They care about civil society mobilization when it suits them.”⁹⁵ Other activists share this idea, pointing to the generally low political impact of progressive mobilization. As a particularly vocal activist-academic explained: “In Mexico, civil society is growing, it is in process. Every day more organizations work on citizen participation and other issues. A civil society exists that opines, *does things*, but it seems to serve for nothing. Structures are not changing, public policies are not changing—if they are, it is due to dynamics unrelated to civil society. Civil society can claim all day there is corruption and impunity, but nothing changes. It is like a dialogue of the deaf.”⁹⁶

Conservative-Religious Grassroots Mobilization

⁹⁴ Personal interview, representative *Le Puuta*, Mérida, September 2015.

⁹⁵ Personal interview with representative of Equifonía, Skype, April 29th 2016.

⁹⁶ Personal interview, activist and scholar, Mérida, Yucatán, October 2015

Civil society's policymaking impact concerns not only progressive organizations' low capacity to mobilize and to capture political audiences, but also the competition they face from conservative-religious groups. Already in 1978, in response to bills seeking abortion legalization, the Archbishop of Mexico City facilitated the establishment of the Pro-Life Committee [*Comité ProVida*], perhaps the most notorious, currently active anti-abortion and abstinence-only promoting organization in the Americas (Kulzycki 2007). ProVida has networks in several Mexican states, much thanks to Church. Clergy members in the 1980s retained Church influence by developing a network of lay organizations, such as the *National Union of Parents*, and revitalizing conservative elite orders, including the *Legionaries of Christ* and *Opus Dei*. The Church's increased public presence following the restoration of clergy rights in 1992 facilitated its ability to expand already existing networks of parishes, schools, associations and charities that can be mobilized to protect its interests (Loeza-Lajous 1990). It also promoted a more assertive stance against abortion and same-sex policy (Kulczycki 2007; Hagopian 2008). In response to mayor Rosario Robles' bill that preceded Mexico City's abortion legalization, *ProVida* called in experienced anti-choice activists from the U.S. and Canada to lead public protests in the national capital's main square and rally outside an alleged illegal abortion clinic. They also protested in front of a recently opened legal abortion clinic in Yucatán (Lamas and Bissell 2000).

Other networks with similar goals to "defend life" and the "natural order" by preserving traditional family formations, such as Life and Family [*Vida y Familia*], VIFAC, have wide-reaching horizontal networks that can be mobilized to lobby for initiatives that defend traditional family values. Openly Catholic and present in twenty-six out of Mexico's thirty-two states, the organization is part of a network of associations with similar goals, including Church groups, and linked to political, economic and religious elites in various states.⁹⁷ The

⁹⁷ Founded in 1985 by Marilú Mariscal de Vilchis to honor maternity, Vifac's mission is to protect life by

organization behind the march against the extension of same-sex rights to all Mexican states in the fall of 2016 is representative of how these networks operate. The umbrella organization National Front for the Family [*Frente Nacional por la Familia*] emerged in response to President Peña-Nieto's proposal to legalize same-sex marriage and adoption in all of Mexico. To protest the initiative, the Front coordinated marches in more than one hundred cities on September 10. In Yucatán, where VIFAC helped lobby for a "right-to-life" reform through the conservative Pro-Yucatán Network, it also helped organize the march against marriage equality.

The Catholic Church's vast networks and elite connections provide conservative-religious mobilization with resources that widely exceed those of feminist and LGBTQ activists. The Church hierarchy in Mexico can afford to place costly full-page newspaper advertisements and buy television and radio airtime. Moreover, thanks to its alliances with important media entrepreneurs in the Yucatán peninsula, as well as elsewhere in Mexico, it has access to free airtime (Lamas and Bissell 2000:21). Such resources combined with the mobilizing capacity of Church networks result in a vastly unequal playing field. In the state of Chihuahua, conservative groups collected 26,000 signatures in two months to stop an *amparo* filed by GIRE lawyers to allow same-sex marriage in the state.⁹⁸ Similarly, in Yucatán, Church-allied groups seized the idea of a popular initiative and used it for their "pro-family" agenda. While LGBTQ activists failed to gather the required number of signatures, their counterparts collected twice the amount—almost 7,000 signatures—in two months. Such feats

reaching out to pregnant, vulnerable women and offer what they might need in preparation for a good birth and to make them better mothers – essentially ensuring that women do not have abortions. According to the organization, it has saved the lives of thirteen thousand babies (Carrasco Azcuaga 2015).

⁹⁸ Personal interview, GIRE lawyer Alex Ali Mendez, Mexico City, May 3 2016. A writ of *amparo*, is a legal procedure that serves to protect individual rights, and is often used to challenge authorities whose acts are considered to oppose fundamental Constitutional rights.

are only possible if the vast infrastructure of the Catholic Church—the physical space of churches and services in all municipalities—is at your disposal.⁹⁹

Other financial resources also come with elite linkages. Conservative groups have more resources, obtained from private donors, religious institutions and businesses. Middle or upper classes individuals—spouses of government officials or large businesses—have important influence over political decisions despite their minority.¹⁰⁰ Finally, conservative-religious groups tend to be highly organized and cohesive. Whereas progressive groups often are highly diverse and the process of uniting a diverse, horizontal movement slow and complicated, conservative Church-led groups are hierarchal and share a common ideology. The Church, in the face of the crisis of faithful and social change, has generated new mechanisms to retain influence, for example through civil associations.¹⁰¹ When feminist or LGBTQ organizations run up against more solid and unified Church-led groups that advocate for “traditional family values” or with similar agendas, it is difficult for progressive groups to countermobilize.¹⁰²

The next section turns to a discussion of the highlighted variables, this time at the state level. I present some descriptive statistics that show levels of party competition, Church strength, and civil society mobilization across the Mexican states with the purpose of demonstrating some general patterns concerning the relationship between these variables and policy reform. Before turning to the case studies, I delve deeper into the case selection.

PARTY COMPETITION, CHURCH STRENGTH, AND CIVIL SOCIETY: PATTERNS OF POLICY CHANGE

Mexico City’s landmark abortion reform in 2007, and to a lesser degree its legalization of same-sex marriage and adoption two years later, created a wave of subnational policy change across the

⁹⁹ Personal interview, Jorge Mendiburu, Mérida, Yucatán, October 2015.

¹⁰⁰ Personal interview with director of *Letra S*, Mexico City, May 2016.

¹⁰¹ Personal interview with representative, *Closet de Sor Juana*, Mexico City, May 2016.

¹⁰² Personal interview, representative of Derechos Cultura y Diversidad Sexual, Mérida, Yucatán, September 2015.

federation's thirty-two states. The following sections present state-level descriptive data that provides background to the subsequent chapters that focus on state-level change in the civil and penal codes that govern abortion and same-sex policy. The time period under study is 2000-2015, in which the majority of policy reforms occurred between 2006-2009. The party competition variable is calculated over time from 2000 up until the last gubernatorial elections prior to the introduction of policy reform, which in most states encompassed two elections. By contrast, indicators of Church strength and civil society mobilization only constitute snapshots of associations in particular years and do not account for change over time.

Party Competition and Moral Gender Policy Reform

Moral gender policy reforms across the Mexican federation 2007-2015 largely followed patterns of party competition on the issue of abortion, and to a lesser extent, same-sex policy.¹⁰³ In general, programmatic parties generally acted in line with their ideological foundations in relation to moral gender policy, in particular the socially conservative PAN—the most ideologically consistent out of Mexico's three main electoral forces (Cantú and Desposato 2012). PAN-dominated states such as Jalisco, Guanajuato and Sonora adopted restrictive abortion reforms and tried to prevent marriage and adoption equality unless their constitutions already precluded gay couples from entering into matrimony. As mentioned in the introduction, the majority of civil codes build on the heterosexual definition of family policy from 1859. By the end of 2009, PAN governed seven states, the majority of which already defined marriage as between a man and a woman.¹⁰⁴ In the few states that did not, such as the northwestern state of Baja California, PAN majorities amended

¹⁰³ The reason why same-sex marriage and adoption policy does not square with the pattern of party competition to the same extent as abortion has to do with issue differences—for a detailed framework see Chapter 1. I return to the implications of variation in issue controversy, salience and pre-existing legal frameworks in subsequent chapters.

¹⁰⁴ PAN governed Baja California, Baja California Sur, Sonora, Sinaloa, Guanajuato, Puebla and Jalisco. Out of these, five already defined marriage as between a man and a woman. Although the civil code in Guanajuato does not include a heterosexual definition of marriage, other provisions deny unions that do not further the perpetration of the species.

the local constitution to restrict marriage and adoption to heterosexual couples—an anticipated move given the party’s Catholic foundation that spells out the defense of “traditional family life” (Mizrahi 2003; Cabrales Lucio 2014).

Left-dominated subnational entities, such as the traditional PRD strongholds of Michoacán and Guerrero, mostly refrained from approving restrictive reforms. Following its ideological foundation with liberal positions on reproductive health and family policy, the center-left has been the main promoter of initiatives to legalize abortion, same-sex marriage and gay adoption across Mexico. Following Mexico City’s landslide reforms, PRD legislators in Guanajuato, Yucatán, and Sinaloa among other states promoted identical reforms—albeit mostly unsuccessfully.¹⁰⁵ The possibility of additional policy liberalizations has however been limited by the left’s weak presence beyond the national capital.¹⁰⁶

The PRI’s strength at the subnational level between 2007 and 2015 gave the party a decisive role in shaping abortion and same-sex policy. Governing nineteen out of Mexico’s thirty-two states by the end of 2009, the PRI dominated the subnational political landscape—the most important policymaking arena given federal entities’ autonomy over the civil and penal codes that govern moral gender policy. In contrast to the programmatic center-left PRD and socially conservative PAN however, the PRI lacks an ideologically determined position on moral gender issues, and exhibits a mixed voting record on bills seeking policy change across Mexico. The party initiated or supported policy restrictions in states where it competed with PAN, but refrained from pursuing such reforms in entities where electoral competition involved the left-leaning progressive PRD with its liberal agenda versus moral gender policy. In Mexico City, where the PRD has dominated the electoral arena since 1997, the PRI preceded the left in introducing a bill

¹⁰⁵ While Mexico City legalized same-sex marriage and adoption in late 2009, other PRD-governed states have lagged behind and little change occurred up until 2015.

¹⁰⁶ Similar to other left parties elsewhere in Latin America however, the PRD has at times displayed inconsistency in relation to moral gender policies. For example, a “right-to-life” reform passed in Chiapas despite a PRD majority (GIRE 2012). Moreover, while *perredistas* in Mexico City legalized marriage and adoption equality under Marcelo Ebrard’s leadership, the party stalled the passage of civil unions for more than six years under Andrés Manuel López Obrador (Mossige 2013; Díez 2015).

seeking abortion legalization, effectively taking over the issue in a move seemingly designed to please left-leaning voters in the liberal capital. This move indicates that factors beyond ideology matter for policy reform. Unlike the PAN and PRD whose clearly defined ideological foundations prevent shifts in policy positions, PRI deputies have assumed varying positions on moral gender policies without necessarily disappointing voters. For example, while the party restricted abortion and same-sex policy in Yucatán, it legalized marriage and adoption rights in Coahuila and introduced an initiative to legalize abortion in the then-Federal District.

Table 3.1. Party Competition and Moral Gender Policy Reforms

State	Margin victory	Competitiveness	Competing parties	Abortion	Same-sex policy
Aguascalientes	12,57	Medium	PRI vs. PAN	No	No
Baja California	9,71	High	PAN-PRD vs. PRI coalitions	Yes (2008)	Rest. (2011)**
Baja California Sur	7,75	High	PRI vs. PRD coalitions	No	No
Campeche	4,69	High	PRI vs. PAN	Yes (2009)	No
Chiapas	18,69	Medium	PRI vs. PRD coalitions	Yes (2009)	No
Chihuahua	13,54	Medium	PAN-PRI	Yes (1994)	No
Coahuila	21,66	Low	PRI vs. PAN coalitions	Yes (1989)	Leg. (2014)***
Colima	4,75	High	PRI vs. PAN coalitions	Yes (2009)	No
Federal District	12,32	Medium	PRD coalition vs. PAN	Leg. (2007)	Leg. (2009)
Durango	11,82	Medium	PRI vs. PAN-PRD coalition	Yes (2009)	No
Guanajuato	28,78	Low	PAN vs. PRI coalitions	Yes (2009)	No
Guerrero	12,94	Medium	PRD vs. PRI coalitions	No	No
Hidalgo	13,72	Medium	PRI vs. PAN-PRD coalition	No	No
Jalisco	3,18	High	PAN vs. PRI	Yes (2009)	No
México	31,93	Low	PRI vs. PRD coalitions	No	No
Michoacán	4,97	High	PRD vs. PAN coalitions	No	No
Morelos	18,02	Medium	PAN vs. PRI coalition	Yes (2008)	No
Nayarit	5,61	High	PRI coalition vs. PAN	Yes (2009)	Leg. (2015)
Nuevo León	14,25	Medium	PRI coalition vs. PAN	No	No
Oaxaca	5,7	High	PAN-PRD vs. PRI coalitions	Yes (2009)	No
Puebla	12	Medium	PAN-PRD vs. PRI coalitions	Yes (2009)	No
Querétaro	4,48	High	PRI-PANAL vs. PAN	Yes (2009)	No
Quintana Roo	16,21	Medium	PRI vs. PRD coalitions	Yes (2009)	No
San Luis Potosí	4,18	High	PAN vs. PRI coalitions	Yes (2009)	No
Sinaloa	3,37	High	PAN-PRD vs. PRI coalitions	No	Rest. (2013)
Sonora	2,6	High	PAN vs. PRI coalition	Yes (2009)	No
Tabasco	7,27	High	PRD vs. PRI coalitions	No	No
Tamaulipas	28,74	Low	PRI coalition vs. PAN	Yes (2010)	No
Tlaxcala	4,27	High	PRI vs. PAN coalitions	Lib. (2013)*	No
Veracruz	2,48	High	PAN-PRD vs. PRI coalitions	Yes (2016)	No
Yucatán	6,77	High	PRI coalition vs. PAN	Yes (2009)	Rest. (2009)
Zacatecas	16,43	Medium	PRI-PRD coalitions	No	No

*Lib. refers to liberalization.

**Rest. is short for restriction.

***Leg. is short for legalization.

The table above shows the degree of competition and the main parties involved during the years leading up to moral gender policy reforms. It shows the mean margin of victory in gubernatorial elections, for most states over two consecutive elections, from 2000 and onwards. “Abortion” refers to the “right-to-life” amendments that passed in a majority of states, whereas “same-sex” refers to changes in marriage and adoption policy. As the table shows, abortion reforms passed primarily in states with medium to high competition between the PRI and the PAN, or coalitions in which the two parties were involved. By contrast, where competition played out between the leftwing PRD and the PRI, policy remained in status quo. The pattern is slightly less obvious in relation to same-sex policy, where two states—Sinaloa and Nayarit—either restricted abortion and liberalized same-sex marriage and adoption, or vice versa, under conditions of high competition.

Catholic Church Strength

At the subnational level where religious institutions tend to be stronger than in national capitals, the relationship between ecclesiastical authorities and political elites take on greater importance. The table below presents some descriptive statistics related to the Church’s strength in each of Mexico’s thirty-two states. It shows the density of religious associations and ministers of worship as well as the population in each state that identified as Catholic in 2010. It includes the EEPPEMEX [*Encuesta a expertos en política estatal en México*] index of Church strength, which is based on evaluations by local experts. As the table indicates, it is difficult to draw conclusions on clergy’s political influence based on descriptive statistics. A higher percentage of Catholics in a given state does not necessarily equate a higher score in the expert survey and vice versa, nor is the density of religious associations and ministers of worship necessarily related to Church power, although it is important to note that these two measurements are not reflecting only Catholic associations and ministers of worship but

includes all religious groups in a given state. While these combined give an indication of the Catholic Church's strength across states, I contend that the links between Catholic clergy and political and economic elites constitute the main source and determinant of the Church's political influence. Such connections can only be traced through in-depth fieldwork. The table therefore only provides a general overview of factors that combined with elite linkages indicate the Church's strength in a given state.

Table 3.2. Catholic Church Strength

State	Religious Assoc.*	Min. of Worship*	% Catholic Pop.	EEPEMEX Index**
Aguascalientes	56	239	93	2,80
Baja California	403	962	72,1	2,14
Baja California Sur	26	77	81,3	2,8
Campeche	77	260	63,1	2,5
Chiapas	464	1600	58,3	0,57
Chihuahua	240	857	76,7	1,89
Coahuila	485	762	80,4	1,25
Colima	20	150	87,9	2,14
Federal District	1291	1985	82,5	1,6
Durango	156	383	86	2,13
Guanajuato	439	558	93,8	3,67
Guerrero	267	617	86,4	1,29
Hidalgo	233	581	86,9	1
Jalisco	342	1521	92	3
México	630	3195	85,4	1,14
Michoacán	153	929	92	1,63
Morelos	131	626	78	2,67
Nayarit	120	167	88,3	1,83
Nuevo León	639	1096	82,4	1
Oaxaca	249	925	80,6	1,67
Puebla	240	112	88,3	2
Querétaro	218	171	91,9	2,8
Quintana Roo	121	252	63,3	1,6
San Luis Potosí	307	533	88,9	2,25
Sinaloa	112	438	83,8	1,86
Sonora	138	365	82,3	3,43
Tabasco	223	485	64,5	1,44
Tamaulipas	573	1408	72,9	1,5
Tlaxcala	29	195	90,8	1,63
Veracruz	551	2375	78,7	2,67
Yucatán	173	583	79,5	1,71

Zacatecas	179	159	93,5	1,86
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Sources: INEGI 2010; EEPPEMEX 2014; SEGOB 2018.

*Includes *all* religious associations and Ministers of worship in each state. No data is to the author's knowledge available that separates associations and ministers into different religious denominations in each state.

**In the EEPPEMEX expert survey, strength is evaluated on a four-point scale. Question: Please tell me how much power the Catholic Church has in determining public policy: 0=None. 1=A little. 2=Some. 3=Quite a lot. 4=A lot.

Civil Society Mobilization

As mentioned in the introductory chapter, I draw on SEGOB records from 2018 that list the registered civil society organizations in a given state.¹⁰⁷ The number of organizations in the table below refers to all existing, registered civil society organization across the Mexican states. The number of women's rights organization is calculated based on the quantity of organizations whose formal name includes "women" [mujeres] as well as my own fieldwork estimates.¹⁰⁸ Data for LGBTQ organizations are drawn from ILGA and also based on fieldwork estimates for the four states in which I conducted interviews. These numbers, while providing a rough idea of what the civil society landscape looks like across the Mexican states, are only an approximation. It is unclear whether or not these groups are active.

Table 3.3. Civil Society Organizations

State	# Civil Society Orgs.	Women's Rights Orgs.	LGBTQ Rights Orgs.
Aguascalientes	154	3	1
Baja California	250	1	2
Baja California Sur	78	0	1
Campeche	56	0	-
Chiapas	221	5	4
Chihuahua	297	1	-
Coahuila	246	5	-
Colima	121	0	1
Federal District	2353	32	53
Durango	182	4	-
Guanajuato	480	1	5
Guerrero	388	17	1
Hidalgo	44	2	2

¹⁰⁷ I thank Adrián del Río Rodríguez for assistance in scraping civil society data from the SEGOB website.

¹⁰⁸ This is obviously a crude measure, but it is to my knowledge the best available strategy to provide a rough idea of the number of women's rights organizations in a given state. Since the names of associations can be somewhat misleading in the Mexican context where many "pro-life" groups tend to use names that at a glance appear related to women's rights I have tried to be as careful as possible in assessing the nature of organizations.

Jalisco	1203	6	6
México	430	9	5
Michoacán	132	3	-
Morelos	442	5	3
Nayarit	470	5	-
Nuevo León	120	1	7
Oaxaca	370	4	2
Puebla	67	2	3
Querétaro	76	2	4
Quintana Roo	147	1	3
San Luis Potosí	113	0	1
Sinaloa	355	7	-
Sonora	323	9	-
Tabasco	99	0	1
Tamaulipas	108	0	1
Tlaxcala	68	2	-
Veracruz	399	7	1
Yucatán	542	5	8
Zacatecas	208	5	-

Sources: SEGOB (2018) and ILGA.

As the above tables show, the number of women's and LGBTQ rights organizations is quite low in Mexico. It ranges from zero to thirty-two in relation to women's rights, and up to fifty-three in the case of LGBTQ groups. Mexico City is clearly the outlier, with a significantly larger number of associations than the rest of the states. While the general number of civil society organizations is roughly on par with religious associations, the latter by far outnumber organizations seeking to advance women's or LGBTQ rights.

Case Selection Specifics

The data in the tables above provide greater insight in the four selected states—Mexico City, Guanajuato, Hidalgo, and Yucatán. In what follows, I provide an overview of the key variables—party competition, Church strength, and civil society mobilization—in relation to policy reform in each state.

Mexico City and Guanajuato were both governed by programmatic parties at opposite sides of the political spectrum— the leftwing PRD and center-right PAN. While Mexico City is a case of policy liberalization under a programmatic left party, Guanajuato constitutes an

expected case of abortion restriction under conservative PAN rule, but a puzzling absence in relation to same-sex policy. While Mexico City's PRD government faced high level of electoral competition in 2000, it fell substantively to medium and low levels until the last election this study covers in 2012.¹⁰⁹ By contrast, the pattern was largely the inverse in Guanajuato. The PAN began to face medium competition from the PRI in 2000, dominated the electoral sphere 2006-2012, and faced stronger competition from a PRI-PVEM coalition from 2012. The two states also differ in the number of citizens that identify as Catholic. Mexico City places in the lower strata with 82,5% whereas Guanajuato is among the states with the highest proportion of Catholics—93,8%—in 2010. Data from a survey of experts in Mexican state politics (EPEMEX) identifies Catholic clergy to have “some” influence in Mexico City, scoring 1.60 out of a scale of 4, whereas in Guanajuato it is considered to have significant influence—scoring a 3.67 out of 4, the highest in all of Mexico (Loza and Méndez 2014). In terms of civil society mobilization, the difference is astonishing: the national capital had by 2018 a total of 2,353 organizations registered whereas Guanajuato had 480 (SEGOB 2018).

I also chose two states that represent another type of party—a non-programmatic, centrist one that lacks ideologically driven positions on moral gender policy. The states of Hidalgo and Yucatán were both governed by the non-programmatic PRI, that in contrast to the center-right PAN and leftwing PRD does not have foundational statutes that specify its politics in relation to abortion in same-sex policy. Nevertheless, policies in these states

¹⁰⁹ Following previous measurements of electoral competition in Mexico (see e.g. [Hecock 2006](#); [Cleary 2007](#); [Berliner och Erlich 2015](#)), I use marginal victory in gubernatorial elections as the key indicator of competition levels. Drawing on CIDAC data, I calculate marginal victory as the difference in vote shares between the winner of the election and the second runner-up. To capture the varying levels of competition from the democratic transition up until 2015, I calculate the average margin of victory in each state (most had two gubernatorial elections throughout this time). The focus on governor elections makes most sense for this study given not only the substantive power that governors wield over state legislatures, but also because of Mexico's mixed-member electoral system in which state legislatures are elected via majority and proportional vote, which makes party vote shares a complicated alternative (Berliner and Erlich 2015:119). I split this index into three categories, low, medium, and high levels of competition.

remained in status quo or were restricted, respectively. While Yucatán constitutes an unexpected case of restrictive reforms enacted by a non-programmatic party, Hidalgo offers a second perspective on PRI rule and an additional policy outcome—status quo.

These states also faced different levels and location of party competition. Whereas the PRI in Hidalgo enjoyed a virtually hegemonic position in 2005, it faced low-to-medium competition by 2010 when a coalition of PAN, PRD, and smaller parties joined forces to try to oust the dominant party from power. By contrast, the PRI in Yucatán captured the governorship in 2007, and just as its predecessor in power, the PAN, continued to face high competition levels, primarily from the center-right. These states also differed in religious numbers. While a mere 79,5% of citizens identified as Catholic in Yucatán, 86,8% of the *hidalguenses* polled identified as such. EEPPEMEX data in addition suggests that the Church has little influence in Hidalgo with a score of 1 out of 4, and some in Yucatán (1.71 out of 4) (Loza and Méndez 2014). The extent of civil society mobilization also varies. As of 2018, 542 organizations were registered in Yucatán, whereas in Hidalgo, a mere 44 (SEGOB 2018).

Table 3.4. Case Selection and Variables

<i>State</i>	<i>Policy Reform</i>	<i>Party Competition</i>	<i>EEPEMEX</i>	<i>Civil society</i>
Guanajuato	Abortion Restriction; Same-sex Status Quo	Low; PAN vs. PRI, PRD	3.67, High	480 general vs. 439 religious
Hidalgo	Abortion Status Quo; Same-sex Status Quo	Medium; PRI vs. PRD, PAN	1 Low	44 general vs. 233 religious
Mexico City	Abortion legalization; Same-sex legalization	Medium; PRD vs. PRI, PAN	1.60 Medium	2352 general vs. 1291 religious
Yucatán	Abortion Restriction; Same-sex Status Quo	High; PRI vs. PAN	1.71 Medium	542 general vs. 179 religious

CONCLUSION

The transition to democracy in 2000 dramatically transformed Mexico's political, social and religious landscape. Multiparty competition, a strengthened Catholic Church, and a growing civil society comprising both progressive and conservative actors ushered in changes that not only created fertile ground for liberalizing moral gender policy reforms, but also the conditions for backlashes against newly enacted legislation and policy status quo.

This chapter provided an overview of the development of party competition, Catholic Church influence and relationship to the state, and civil society mobilization. It began by focusing on the differences between abortion and same-sex policy, thus applying the framework advanced in Chapter 1 to the case of Mexico. While abortion has been an issue of high salience since scandals propelled it to the top of national agendas in 2000, and contentious debates continued to attract media attention, marriage and adoption equality have taken on a much less prominent role. Only in a very limited number of states were same-sex marriage and adoption debated in the legislature up until 2015 when all states were ordered by the Supreme Court to modify their definitions of marriage. Existing legal frameworks also contributed to the silence surrounding same-sex policy, as the majority of states already had heterosexual definitions in place. In other words, there was little need to change civil codes to pre-empt the spread of Mexico City's 2009 reform.

The advent of electoral democracy ushered in multiparty competition across Mexico. While ousted from the presidency, the PRI continued to maintain its grip over the subnational arena and had by 2012 regained the states lost following the democratic transition. The party dominated state-level politics during the wave of "right-to-life" reforms and abortion policy change—as well as the few changes in same-sex policy—largely followed regional patterns of competition. Restrictions primarily occurred in states with medium to high PRI-PAN competition and to a lesser degree in states where the non-programmatic party, or coalition

varieties, competed with the leftwing PRD.

The transition to electoral democracy did not however stop the erosion of public trust and confidence in political institutions that began during the decades of hegemonic PRI rule. continued under two consecutive PAN administrations. This chapter showed how the PRI used Catholic Church support to bolster party legitimacy already during the 1980s and onwards. In exchange for Catholic hierarchies' support, the PRI regime enacted sweeping constitutional reforms that essentially returned the Church's privileged pre-Revolution status and allowed for its greater public and political role. This exchange of material and non-material goods paved the way for the Catholic Church's contemporary role and illustrates the pragmatic nature that generally characterize its relationship to incumbents.

The hostile environment during the semi-authoritarian PRI rule generally impeded any form of social mobilization. In the liberal national capital however, progressive movements grew and successfully impacted policymaking processes where resources and political allies were easier to come by. Feminist and LGBTQ activists had more difficulty organizing in rural areas, where conservative forces have a stronger grip, which underpins the argument that conservative-religious actors have greater mobilization capacities, especially where they can access the networks of the Catholic Church and have links to economic and political elites.

The argument explored in the following chapters focuses on the role of party competition, type, and Catholic Church strength in shaping the prospects and direction of moral gender policy reform, with an eye to civil society mobilization. The next chapter turns to the process of legalizing abortion, same-sex marriage and adoption in PRD-governed Mexico City where initial but diminishing competition with the non-programmatic PAN, a strong but weakening Catholic Church, and progressive mobilization shaped the road to reform.

Chapter 4. Growing PRD Dominance and a Weakening Catholic Church

The Legalizations of Abortion and Same-Sex Policy in Mexico City

“What would happen [if the PRD in Mexico City legalized abortion]? There would be a differentiation between [the political] left and right.”

—Marcelo Ebrard, Mayor of Mexico City¹¹⁰

“In the case of [Archbishop] Rivera, the boundaries between politics and pastoral work are erased, moreover, the political appears to subsume the pastoral.”

—Bernardo Barranco (2017)

On April 24, 2007, Mexico City’s Legislative Assembly voted to decriminalize first trimester abortions. The reform dramatically changed the national capital’s legislation that had been one of Mexico’s strictest, and echoed across Latin America where no country had enacted such a dramatic policy liberalization since Cuba’s legalization of abortion in 1965 (Ford 2010; Lamas 2015).¹¹¹ While the reform’s passage was attributed to the left-wing PRD majority, the initiative originated within the non-programmatic PRI that despite the party’s reluctance to take a public stance on controversial moral gender policies had assumed a surprisingly progressive position in Mexico City—at the time known as the Federal District. Two years later, the PRD-dominated ALDF once again made headlines when it legalized same-sex marriage and adoption. But while scandals such as the Paulina case in 2000 had propelled reproductive rights to the top of national debates, same-sex policy had only recently emerged on the region’s legislative agendas as a question of fundamental human rights and

¹¹⁰ Cited in Lamas (2015).

¹¹¹ Mexico City’s policy prior to 2007 only allowed therapeutic abortion, that is, when the pregnancy resulted from rape, threatened the woman’s life, or when the fetus suffered severe malformations. The 2007 reform also ensured that women did not face obstacles in accessing abortion services. Among others, it included a provision that made abortion services available free of charge to Mexico City residents at all Health Ministry facilities and on a sliding fee scale for those outside (Ford 2010; Lamas 2015).

democracy.¹¹² While countries such as Argentina and Brazil had approved civil unions by 2009, few had taken the steps towards full marriage and adoption equality. As the first Latin American jurisdiction to grant same-sex couples the same rights as heterosexual, the national capital cemented its reputation as a vanguard of gender equality policy in the region.

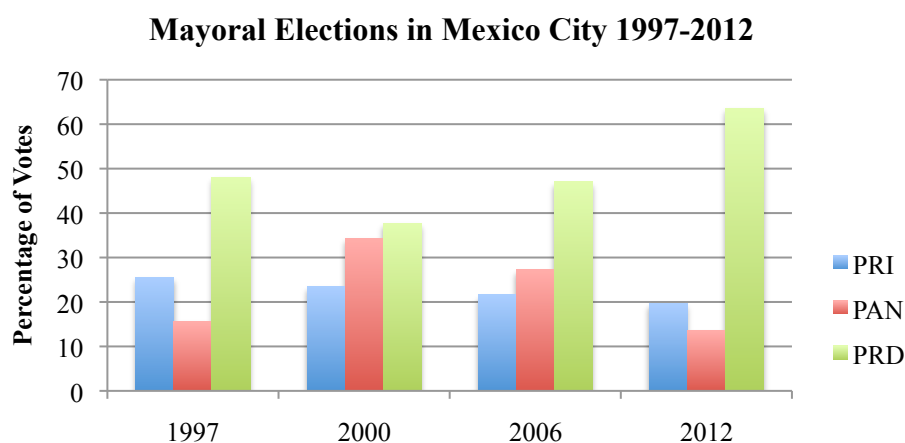
Mexico City's abortion and same-sex policy reforms were ideological victories for the leftwing PRD. The party's legislative majority allowed it to pass legislation that defeated the socially conservative agenda of its programmatic rival, the center-right PAN, and challenged core Catholic principles in the national capital—home to the high seat of the Mexican Church. While the story of Mexico City's watershed reforms confirms previous explanations that emphasize the key role of reform-friendly left majorities in passing policy liberalizations, the case of the PRD suggests that other factors also matter. The party had plenty of opportunity to pass liberalizing change from 1997 and onwards when it first obtained an ALDF majority (in addition to the mayoral post). Yet Cuauhtémoc Cárdenas, inaugural mayor of Mexico City, reneged on his promise to hold a referendum on abortion. Interim governor Rosario Robles modified the law in 2000, but the left did not actively pursue full abortion legalization until Marcelo Ebrard entered into office in late 2006. What explains the PRD's politics in Mexico City—why did the party refrain from passing policy reforms until 2007 and 2009 when it had opportunities during previous terms? Moreover, while PAN legislators acted in line with ideology and challenged both reforms, what accounts for the politics of the non-programmatic PRI? Why did the party promote a controversial abortion reform in the national capital when PRI leaders had previously avoided taking public stances on moral gender policies?

In line with previous research, this chapter finds that a left majority was critical for the successful liberalization of abortion and same-sex policy. Drawing on the central thesis of this

¹¹² As previously mentioned, an intruder attempting to rob her family's house raped thirteen-year Paulina in Baja California in 1999. Authorities denied her an abortion despite its legality under such circumstances, which caused a massive public uproar and media debate that lasted for months.

dissertation, it shows that the PRD passed reforms at the height of its electoral dominance, but also that party competition and the Catholic Church's strength shaped party politics. Between 1997 and 2006, the leftwing PRD faced medium competition from its programmatic rival, the PAN, in a context of a strong Church.¹¹³ Fearing the Church's wrath, the PRD refrained from pursuing liberalizing change. By 2006 however, the left had secured its advantage over the center-right. Polarization in the aftermath of the contested 2006 presidential election further fuelled PAN-PRD competition and prompted policy reforms in Mexico City—now shared by a center-right President and left mayor.

Figure 4.1



Source: CIDAC 2012; Instituto Electoral del Distrito Federal 2012

During the years of PAN competition, PRD leaders refrained from challenging the strong Church in the national capital. In the context of nascent party competition, Mexico City's first mayor-elect, Cárdenas, silenced debate on abortion fearing the Church's electoral punishment despite a legislative majority and favorable public opinion (GIRE 2008; Lamas 2015). His successor, Andrés Manuel López Obrador, enjoyed close relations to Norberto Rivera, the Archbishop of Mexico, and was reluctant to challenge the Church in a context in which the

¹¹³ See the methods sections in Chapters 1 and 3 for more details concerning competition levels.

PRD had only narrowly defeated PAN in the 2000 mayoral elections.¹¹⁴ By the time Marcelo Ebrard entered office and the PRD's electoral dominance meant that the party no longer feared the electoral costs of challenging Catholic doctrine, child abuse scandals and a loss of followers had already weakened the Church in the national capital (Díez 2015).¹¹⁵

Seeking to ride the wave of the left's electoral victories in the national capital, non-programmatic PRI legislators took stances on moral gender policies that largely mirrored those of its main competitor—the incumbent PRD. In line with the dissertation's central argument, the PRI assumed positions based on calculations of the stance most likely to provide short-term benefits. Far from its previous reluctance to take a stand on controversial moral gender policies, the “chameleon-like” PRI lived up to its reputation by taking a position identical to that of the PRD in the liberal national capital, and even preceded the left in introducing a bill to decriminalize abortion.¹¹⁶

In contrast to the other cases examined in this dissertation, Mexico City politics cannot as easily be separated from federal level dynamics. The mayor's office, Congress of the Union, and Los Pinos—the presidential palace—are all located in the national capital. As the center of political, economic and religious life in Mexico, the national capital has immense electoral relevance and its mayor is the second most powerful elected official after the President (Mirón Lince 2006; Uribe Moreno 2012). Subnational *and* national electoral dynamics and competition between two programmatic parties with diametrically opposed positions on moral gender policies therefore created an environment that differed vastly from

¹¹⁴ Moreover, López Obrador harbored presidential ambitions and believed that Rivera's support could bolster his campaign. Indeed, a shared feature of Mexico City governors has been their presidential ambitions. Individual career aspirations can therefore also help explain Cárdenas and López Obrador's reluctance to liberalize moral gender policies, which would have diminished Church support for their candidacies. This argument does not however hold for Marcelo Ebrard, who liberalized abortion policy despite harboring presidential ambitions (see Lamas 2015).

¹¹⁵ The Federal District ranked fifth in states that lost most Catholic-identifying citizens 2000-2010, with eight percentage points. Tamaulipas ranked first with ten percentage points followed by Quintana Roo (9,9); Baja California (9,3); and Campeche (8,2) Author's calculations based on INEGI 2000 and 2010.

¹¹⁶ The description of the PRI as “chameleonlike” is borrowed from Hilgers (2008).

other states. Elsewhere in the federation, where the leftwing PRD was much weaker, and the non-programmatic PRI competed with the PAN for office, the politics of moral gender policies mostly took place behind closed doors. Moreover, civil society actors in Mexico City successfully influenced policymaking processes by lobbying progressive legislators and via their own legislative seats introducing bills. Thus, in contrast to the other case studies, conservative-religious grassroots mobilization did not overpower feminist and LGBTQ organizing in the national capital. Rather, progressive civil society facilitated the process of policy change, which also attests to the Church's weakening position.

The following sections analyze the processes leading up to the decriminalization of abortion in 2007 and the legalization of same-sex marriage and adoption two years later. I trace party politics and debates on policy reforms chronologically, focusing on the leftwing PRD, starting from 1997 when elections for Mexico City mayor took place for the first time.

THE PRD IN OFFICE: CÁRDENAS AND ABORTION DEBATES IN MEXICO CITY 1997-2000

On July 6, 1997, opposition leader Cuauhtémoc Cárdenas of the left-wing PRD became Mexico City's first directly elected mayor or *Jefe de Gobierno*. Cárdenas won 47% of the popular vote in the Federal District—almost the double of PRI candidate Alfredo del Mazo—and his party a majority of ALDF seats (Ward and Durden 2002).¹¹⁷ The 1997 competition over the national capital's mayorship—the second most important position in Mexican politics after the President—was one of the most important non-federal elections in history. The first direct mayoral election in the bustling national capital, one of Latin America's largest cities, was broadcast nationwide. The PRD's overwhelming victory ushered in a power shift in which the PRI—still hegemonic at the national level—for the first time became a

¹¹⁷ With 47% of the vote, Cárdenas triumphed over PRI's Alfredo del Mazo's 25% and PAN's Carlos Castillo Peraza's 15%. The PRD held a majority in the ALDF with 38 out of 66 seats whereas the closest competitor, PAN gained 11, as did the PRI. The Worker's Party (PT) obtained three seats, as did the Green Party (PVEM).

minority player in Mexico City politics and set the dominant party on a path of low presence in the ALDF (Ibid 2002). Mexico City's new mayor, Cárdenas, had established the country's largest left-wing political party in 1989 in opposition to PRI dominance. The newly established PRD also sought to provide an alternative to the center-right PAN that became its main competitor in the Federal District (Hilgers 2008; Mossige 2013). Mexico City would be one of the few states in which the two programmatic parties competed for votes, and their stark ideological differences would shape the politics of moral gender policy in the national capital.

The newly created mayoral post was the result of debates harkening back to the 1980s. Rulers of varying titles had governed Mexico City since its foundation in 1823, always directly under the command of the President, who for most of the 20th Century appointed a Head of the Federal District Department known as *Regente*.¹¹⁸ This practice gave Presidents and the PRI at large absolute control over the capital—a source of constant resentment for the disenfranchised residents. The Federal District's political autonomy and legislative capacities emerged at the center of debates on political reforms in the 1980s. Under President Zedillo, a negotiation process commenced that culminated in reforms implemented ahead of the 1997 federal and local elections.¹¹⁹ The electoral reforms signified the emergence and consolidation of new political forces as well as growing party competition in the national capital.

The left's landmark victory was attributed to Cárdenas, who campaigned on being the voice of the democratic opposition in Mexico City. In contrast to the PRI, the PRD opposed an economic politics designed to protect elite interests, and promoted a politics of social responsibility focused on the most marginalized sectors (Chihu Amparán 2005). Inaugurated in December 1997, Cárdenas became the first in a long series of left leaders to rule the

¹¹⁸ For example, the governor of the Federal District; the governor of the Mexico Department, the Council of Mexico City and governor of del Valle de México

¹¹⁹ For a detailed overview of the Federal District's electoral reforms 1987-1996, see Reyes García (2011).

Federal District, that would go on to be the PRD's most important electoral stronghold (Salinas Hernández 2013). Cárdenas' administration (1997-2000) established a variety of programs in which gender equality, in particular the elimination of gender-based discrimination, formed part of the PRD's social development agenda.¹²⁰ The government set out to advance this goal by for example creating support centers for women (Ward and Durden 2002). Cárdenas' focus on gender equality was not unexpected— during the 1988 campaigns, he became the first presidential candidate to include feminist demands in his agenda (Amuchástegui et al. 2010).¹²¹

Cardenas' campaign platform in 1997 did not include an abortion reform, however, it did express support for voluntary motherhood—a concept the feminist movement had employed since the 1970s. Already in 1991, the PRD unanimously adopted a resolution to support the decriminalization of abortion as part of its overall agenda (Kendrick 2003). Responding to the party's stance on reproductive rights, feminists in the capital worked with legislators to incorporate four claims derived from voluntary motherhood in the party agenda: comprehensive sexual education; inexpensive and reliable birth control; strictly consensual sterilization; and legal abortion. In May 1997, at the height of Cárdenas campaign, groups belonging to the Network for Women's Health in Mexico City [*Red por la Salud de las Mujeres del Distrito Federal*], a current of the feminist movement, met with the PRD candidate who signed a letter committing to advance a public referendum on abortion if elected mayor (Lamas and Bissell 2000; Lamas 2015).

The inclusion of voluntary motherhood in the PRD's party program was a strategic move on part of the feminist movement. Regardless of winner, legislators that assumed office in December 1997 would be responsible for drafting the Federal District's new penal code—a

¹²⁰ These programs focused on five policy areas: public administration and governance; public security; environmental policy; housing and urban development; and social development. While initially elected for a period of three years, the mayor post became a six-year mandate in 2000.

¹²¹ The 1988 elections ultimately brought PRI's Carlos Salinas de Gortari to power through widespread fraud.

task to be completed by the end of their three-year term.¹²² Although the 1931 Penal Code in effect at the time had been amended multiple times over the years, its restrictive clauses on abortion remained intact. Mexico City's legislation was in fact more limited than most other states.¹²³ Feminists hoped the PRD would use its support for voluntary motherhood during the penal code revision to expand the legal grounds for abortion in line with other states' policies. Cárdenas' landslide victory and PRD majority made a policy reform possible (Lamas and Bissell 2000). To hold Cárdenas to his promise of an abortion referendum and push for policy liberalization, the non-governmental Information Group on Chosen Reproduction [*Grupo de Información en Reproducción Elegida*] (GIRE) drafted an initiative based on other states' legal exceptions to abortion's criminality—changes also consistent with the PRD's platform (GIRE 2008; Lamas 2015).

Once in office however, Cárdenas quickly got cold feet about raising the topic of abortion. Despite his campaign promises and feminist efforts to generate a consensus among left legislators, the PRD quickly withdrew its support for a public consultation. In response to GIRE's initiative in early 1999, left leaders declared it would be best to put the abortion issue aside during the penal code reform. Two interrelated factors contributed to the left's sudden change of heart: The Pope's visit to Mexico City in January 1999 that drew millions of faithful in a demonstration of the Catholic Church's strength; and the growing party competition at both subnational and national levels ahead of the 2000s elections in which Cárdenas for a second time hoped to usher in the first left presidency in Mexican history but also the mayoral elections—both held in July 2000.¹²⁴

¹²² Ultimately, the most relevant political reform during Cárdenas's time in office would be the creation of the Federal District's Electoral Code and Electoral Institute (Uribe Moreno 2012).

¹²³ Abortion was only legal in cases of rape, risks to the woman's life and spontaneous abortions, not in cases of risk to the woman's health broadly, fetal impairment and for socioeconomic reasons.

¹²⁴ Personal interview with Marta Lamas, scholar, activist and GIRE founder, Mexico City, August 2016.

Pope John Paul II arrived for a three-day visit to Mexico City on January 22 and was received by the masses in a grandiose public manifestation of Catholic devotion. Before an audience of over two million people in the enormous Metropolitan Cathedral, the Pope issued sharp words against abortion: “May no Mexican dare to infringe on the precious and sacred gift of life in the maternal womb” (Lamas and Bissell 2000:11). Undoubtedly informed about debates on initiatives seeking abortion liberalization, the Pope’s declaration reverberated in media outlets for weeks and influenced debates in the ALDF. The huge crowd eagerly awaiting the Pope served as a powerful reminder of the Church’s enormous mobilizing capacity, and made politicians of all party colors acutely aware of the potential electoral costs of challenging the Church by promoting a liberalizing abortion reform. Despite the Federal District’s liberal climate and public opinion that already in 1999 favored policy change, no one wanted to have Catholic hierarchies campaigning against them in a critical pre-election year.¹²⁵

The arrival of new Archbishop Norberto Rivera in the national capital in 1995 had ushered in a new phase of Church intervention on the terrain of moral gender policy.¹²⁶ As leader of the world’s largest diocese, Rivera knew how to convert his religious position into political influence. He cultivated relationships with leaders of the Legionaries of Christ, Opus Dei, Pro-Vida and the National Union of Parents and maintained close relations to business magnates such as Lorenzo Servitje, the multimillionaire owner of *Bimbo*—the world’s biggest bakery (Sinuhé García and Villagrana Velázquez 2007). The Archbishop soon began to intervene in the political sphere, a move that made him unpopular among leaders of the still-

¹²⁵ A poll commissioned by GIRE in April 1999 showed that if an abortion reform emerged on the agenda, the PRD would have the support of Mexico City residents: 24% said that abortion should be voluntary and 47% that it should be permitted under certain circumstances. Complete or partial support for permitting abortion under certain circumstances was manifested as follows: 72% in the case of rape; 73% in the case of risk to the woman’s life; 61% in the case of fetal impairment; and 63% in the case of risk to the woman’s health (Lamas and Bissell 2000).

¹²⁶ Rivera held the position as Archbishop of Mexico 1995-2017.

hegemonic PRI. A mere year after his installment, Rivera's call for faithful to reconcile political and religious life caused tension with the Zedillo government. In mass on October 20, 1996, Rivera declared: "Since the Church is the continuation of Jesus in history, we can conclude that [man] can and should get involved in politics, as Jesus did, that is, remembering Christians... [...] who must obey and respect [divine] authority in everything." The Ministry of the Interior responded with a sharp warning: if the Archbishop repeated his statements, closure of Catholic churches and registries awaited (Pastrana 2005). Rivera took a step back, yet his demonstrated willingness to use the Church's mobilizing powers to influence politics instilled fear among parties in the context of Mexico City's nascent party competition and upcoming elections.

Fears of electoral repercussions were especially strong among the left, the only party whose agenda could benefit from policy liberalization, and the PRD quickly backed out of its promise to promote a public referendum (Lamas 2015). The left, that had celebrated its first major electoral victory two years prior, was afraid to spur the powerful Church's wrath mere months before a mayoral (and presidential) election it hoped to win. An abortion debate was particularly undesirable since the PRD's main competitor, the PAN, took a diametrically different position and would undoubtedly gain Church support given its Catholic foundation. Fearing the result of a Catholic voter population forced to choose between the two parties, and influenced by Church hierarchies, the PRD remained silent. A referendum initiative was never introduced to the plenary and the question of abortion reform remained in silence during the rest of Cárdenas term (Lamas and Bissell 2000).

THE 2000 ELECTIONS, ROBLES' LAWS, AND THE RISE OF LÓPEZ OBRADOR

Cuauhtémoc Cárdenas did not finish his three-year term as Mexico City mayor. The left leader once again decided to try his luck as a presidential candidate and resigned in the fall of

1999. Cárdenas appointed Rosario Robles as his Secretary of Government to complete the term. Also a PRD founder, Robles became Mexico City's first female mayor—although not directly elected—from September 1999 to December 2000. Cárdenas, meanwhile, geared up to campaign for the 2000 presidential election, facing off with PAN candidate and previous governor of Guanajuato, Vicente Fox. Elections for the Mexico City mayor post and seats in the ALDF were also up for grabs on July 2, 2000. The results of the presidential election ushered in a seismic shift in Mexican politics as the PAN victory ousted the PRI from power. Cárdenas, meanwhile, found himself defeated for a third time.

Neither did the left fare well in the mayoral election. The PRD's nominated candidate, Andrés Manuel López Obrador, had emerged as the party's second strongman after Cuauhtémoc Cárdenas. López Obrador had built up the PRD's movement-organization in his home state Tabasco, which had impressed Cárdenas who wanted him to do the same at the national level (Mossige 2013). But López Obrador, with his visions of the party's future was not only a contentious internal candidate for a center-left torn over “the party's form, orientation, tactics and strategy,” he also failed to reach Cárdenas popularity (Ibid 2013:8). PAN candidate Santiago Creel challenged López Obrador “far beyond what the polls had indicated” and a mere 3,4 percentage points separated the two candidates (Ward and Durden 2002:33).¹²⁷ Although the left won the national capital for the second time, the narrow vote margin meant that the PRD lost its ALDF majority, gaining only 20 out of 66 seats.

While promoting abortion reform was a risky affair for the left during Cárdenas time in office, the political context had changed drastically a year later as two scandals propelled abortion to the top of national debate. In late 1999, a burglar raped and impregnated thirteen year-old Paulina del Carmen Jacinto Ramírez in her home in Baja California. When Paulina and her mother sought abortion services, legal under such circumstances, state authorities

¹²⁷ The PRD candidate received almost 37,7 percent of the votes, followed closely by Creel's 34,3 percent. PRI candidate Jesús Silva Herzog-Flores remained at a distant 22.7%.

denied the request facing pressure from medical personnel, Catholic clergy, and anti-abortion activists. Paulina was forced to give birth in early 2000. Enraged by the blatant rights violation, local feminist activists alerted media and the “Paulina case” soon made national headlines, causing overwhelming public outrage and support for her right to an abortion (Taracena 2002). Controversy continued when state authorities in Sinaloa initially denied abortion services to another underage rape victim (Kulczycki 2007).¹²⁸ By the time debates had died down in August 2000, PAN legislators in Guanajuato passed a bill that criminalized abortion under all circumstances—including after rape (Kendrick 2003; GIRE 2008).

The national outrage that followed put newly elected President Vicente Fox at the center of attention. Fox had resigned from the governor post in his home state Guanajuato to compete in the 2000 presidential race and the abortion ban was untimely for Fox, who had tried to tone down the PAN’s Catholic foundation and convince the public that his administration would continue to govern in the PRI’s secular mark. Passed one month after his inauguration, the conservative Catholicism that motivated the bill generated fears that the PAN would encourage similar legislation at the federal level. While Fox insisted that the ban was a strictly state-level affair and no plans existed for similar reforms, his promises rang hollow given his well-known personal opposition to abortion (Lamas and Bisell 2000). By the time Guanajuato’s interim governor Ramón Huerta vetoed the bill, the reform had grown into a scandal of national proportions and put a serious dent in PAN’s reputation.¹²⁹

Leaders of the PRD, the only party with openly progressive foundational principles in relation to abortion, were not blind to the public outrage over the Paulina case and the subsequent Guanajuato bill. While promoting an abortion reform had posed potential political costs prior to the elections, the left had by August 2000 already secured the mayorship but

¹²⁸ Authorities later retracted the decision to avoid media attention.

¹²⁹ Chapter 5 analyzes the politics of moral policy in the state of Guanajuato. It focuses on the PAN’s politics in the state and attempts to explain why its legislators enacted the controversial abortion ban in the aftermath of the Paulina and Sinaloa cases.

lost the presidency. In the context of abortion's new salience and the outrage over restrictive reforms, the PRD could use its liberal stance to differentiate itself from the socially conservative PAN.

A week after Guanajuato's PAN dominated legislature banned abortion, interim mayor Rosario Robles called an extraordinary session in the ALDF, where she presented an initiative to expand the grounds for legal abortion. Robles openly stated that the initiative responded to the Guanajuato bill "as PAN itself had opened the door to debate and the need for further legislation" (Lamas and Bissell 2000:19). The bill sought to legalize therapeutic abortion, reduce the penalties for illegal abortions, and clarify procedures for authorizing and administering abortion services (Kulczycki 2007).¹³⁰ The proposal elicited immediate opposition from the PAN and Catholic hierarchies. Following its party ideology, *Panistas* rejected the proposal.

The PRI, somewhat surprisingly, supported the proposed legislation. By 2000, the party had generally avoided to take an official stance on abortion and not expressed more than the need for a public consultancy (GIRE 2008). Abortion's new salience and the public outrage the Guanajuato controversy generated however made supporting a policy liberalization profitable for parties other than the programmatic PRD—and especially for those that could profit from projecting a more liberal image in Mexico City. For the non-programmatic PRI, a distant third electoral force in the national capital, siding with the PRD in support of a liberalizing bill not only positioned the party close to the left's timely progressive stance on abortion policy, it also entailed few political risks as the 2000 elections were already over. The PRD could thus count on the PRI to be an ally in passing the bill—an unlikely scenario

¹³⁰ Specifically, the bill legalized abortion in the case of fetal impairments; threats to the mother's life; and non-consensual artificial insemination. It also reduced the maximum penalty for illegal abortions from five to three years and clarified the procedure for rape victims to obtain an abortion within a maximum waiting period of twenty-four hours. For the first time in Mexican history, an initiative directly addressed the issue of access by laying out the procedure for authorizing and administering abortion services (Kulczycki 2007).

prior to the elections. While the PRD majority could pass the bill without support from other parties, the endorsement of PRI deputies demonstrated the reform's ample support and provided it with greater credibility (Lamas and Bissell 2000).

Supported by the PRI, the ALDF's PRD majority passed the abortion reform on August 18. Named after the interim mayor, the Robles Laws were approved with forty-one votes in favor and seven votes against—all of which came from PAN deputies (GIRE 2008).¹³¹ Unable to obstruct the reform's passage, fifteen PAN deputies and five PVEM legislators filed an unconstitutionality claim to the Supreme Court a mere month later, arguing that the Robles Laws violated the right to life as enshrined in the Federal Constitution. In January 2002, the Supreme Court upheld Mexico City's new policy in a decision widely interpreted as a major blow to the PAN and its conservative allies (Kulczycki 2007; 2011).

The Robles laws signified the beginning of an ideological battle between the PRD and the PAN in the national capital. The PRD used its legislative majority to pass a reform that aligned with left ideology, and at the same time, took a jab at the PAN's conservative position in the midst of the controversy in which PAN was under significant fire for its stance. In the aftermath of the 2000 elections, such reforms posed no electoral cost for the left. But while the political context in 1999-2000 put abortion at the center of national debates and provided the left with an opportunity to capitalize on its progressive stance against its competitor in the national capital, PAN, the coming few years presented the PRD with a less fruitful context for advancing reproductive health and family policy. Robles' successor, López Obrador, was more interested in establishing good relations to Catholic hierarchies than advancing legislation on contentious moral issues. Lacking a legislative majority and facing sharper competition from the PAN, the PRD once again toned down its position on abortion and

¹³¹ Thirty-three of the affirmative votes came from the PRD, five from the PRI and three from the Worker's Party. Three PAN deputies left the session prior to the voting whereas one abstained. Moreover, the three PVEM legislators, four PRD members and six from the PRI did not attend the voting session and one PRD member failed to register a vote for either side (GIRE 2008).

nascent debates on same-sex legislation. Political polarization at both federal and subnational levels increased as the PAN and PRD continued to compete not only for the mayorship but also for the presidency, which provided the backdrop to the legalization of abortion in 2007.

THE PRD UNDER LÓPEZ OBRADOR: POLICY STASIS AND IMPROVED CHURCH RELATIONS

López Obrador began his six-year term as mayor on less firm ground than his predecessor, Cárdenas. Indeed, the 2000 election results were highly unsatisfactory for the PRD. Far from its 1997 victory, the left had suffered a notably decreased vote share. López Obrador lacked both Cárdenas' popularity and a PRD majority in the legislature (Mossige 2013). As head of government, López Obrador expanded several programs initiated by Cárdenas' administration and used his position to “advance the interests of the poor, whose plight had always been his primary concern” (Hilgers 2008:132). López Obrador also created extremely popular social programs that his opponents frequently criticized as populist (Hilgers 2005; Uribe Moreno 2012).¹³² Beyond poverty-alleviation measures however, the new mayor had little interest in social policy. While the PRD at large identified with the international left that embraced liberal abortion policies and tolerance towards sexual diversity, López Obrador was of the opinion that moral gender policies should be decided via popular referenda rather than legislative debate. Rather than defending the PRD's platform, López Obrador evaded contentious topics by remaining neutral on these “very tricky” issues (Mossige 2013:60). With the recently approved Robles laws, the new mayor hoped to avoid contentious debate.

The Failed Civil Union Bill

Demands for advancing another moral gender policy soon emerged, however. Inspired by recently enacted civil union laws in Spain and France, LGBTQ activists in Mexico aimed to

¹³² The programmes for example subsidized nutrition for senior citizens; school supplies for children; and health care for vulnerable sectors, among many other causes.

similarly expand same-sex rights across the federation—starting with Mexico City (Díez 2013). Two openly gay candidates—Enoé Uranga and Arturo Díaz—had been elected on Social Democratic Party tickets in the 2000 ALDF deputy elections. Both active members in the LGBTQ movement, Uranga and Díez’ objective was to advance a civil union bill.¹³³ In early 2001, Uranga presented a cohabitation initiative [*Ley de Sociedades de Convivencia*] to the ALDF. The bill legalized civil unions between two cohabitating adults and sought to recognize inheritance and pension rights regardless of sexual orientation (Conapred 2009).¹³⁴

The PRD had included the recognition of sexual diversity rights in its platform in 1995 and various members including its party leader in the ALDF, René Bejarano, expressed support for the initiative. In July 2002, the bill was ready for a vote. At the last minute however, PAN deputy Francisco Solís Peón introduced a motion to suspend the vote and return the proposed bill to commissions.¹³⁵ The proposal was narrowly approved by thirty-one to thirty votes—a defeat in which the PRD itself was implicated. Minutes before the vote, PRD deputies quietly began to flee the chamber. While those remaining opposed Peón’s motion, they were one vote short, and the proposal was sent back for further analysis (de la Dehesa 2010:160). Two years later, in April 2003, legislative committees once again approved the bill and opened up for a new plenary debate. During the scheduled session, the bill was passed over multiple times and repeatedly sent to the last points of the day. At the end of the session, discussions on the bill were postponed to the last day of legislative sessions, which concluded before the proposal was discussed (de la Dehesa 2010).

In the 2003 elections for ALDF seats, the PRD regained its majority, winning a total of thirty-seven out of sixty-six seats. Yet despite the left’s restored legislative dominance, the

¹³³ Claudia Hinojosa, a longtime activist, also formed part of the group that originally conceived the proposal (Díez 2013).

¹³⁴ For a comprehensive view of the process of legalizing civil unions in Mexico City, see de la Dehesa 2010; Díez 2013, 2015.

¹³⁵ The PAN’s proposal was based on a technicality that left the bill without a legal basis (Díez 2013).

civil union bill continued to fall short of votes. In September, the PRD's René Bejarano once again committed to supporting the initiative, as did the PRI's Manuel Jiménez. On December 5, a new vote on the bill was scheduled. Two days later, López Obrador intervened to call for a public referendum, motivating the decision on the controversial nature of civil unions.

While PRD legislators generally opposed a popular consultancy, the mayor pressured deputies to halt the proposed vote and the bill once again failed to reach the plenary (Conapred 2009; de la Dehesa 2010). Although legalizing civil unions had been one of the left's campaign promises, the bill remained frozen during the remains of López Obrador's time in office.

Improved Church-PRD Relations Under López Obrador

López Obrador's reluctance to support civil union legislation derived from his broader political calculations (Díez 2013).¹³⁶ The PRD leader made no secret of his presidential aspirations and the opposition to the expansion of gay rights was undoubtedly related to his desire to build close relations with the Catholic Church and gain its support ahead of the 2006 presidential elections. To maintain a budding friendship with the highest Catholic clergy in Mexico—Archbishop Rivera—was particularly important, and López Obrador blocked the civil union bill after a meeting with the cardinal (de la Luz González 2005; *Proceso* 2006).

López Obrador's time in office ushered in a period of highly amicable Church-party relations. Catholic clergy praised López Obrador's opinion that same-sex marriage (and abortion) should be subject to popular consultation. The spokesman for the Archdiocese of Mexico, Hugo Valdemar, applauded the mayor for "defending the values of the family upon

¹³⁶ There is also evidence to suggest that López Obrador's reluctance to liberalize moral gender policies derived from personal and ideological beliefs. The left leader represented a more socially conservative faction of the PRD, associated with the more traditional ideological currents of the *National Democratic Left* faction (*Izquierda Democrática Nacional*). Moreover, López Obrador's underlying personal values appear to have more in common with the center-right than the left (Mossige 2013; Díez 2015). Often described as an Evangelical, López Obrador's conservative views on moral gender policy were widely attributed to his religious identity that nevertheless remained ambiguous. In a meeting with Catholic hierarchies ahead of the 2006 presidential elections, the left leader confessed to be Catholic "like his family" and said that for Church officials to only consider him a Christian would be "a misinterpretation" (Martínez García 2006).

which a healthy and correct society must be based” (*La Razón* 2015). López Obrador’s reluctance to pursue policy liberalizations undoubtedly facilitated his relationship with Rivera that developed far beyond the “frank and respectful” relations Cárdenas had maintained. The Archbishop himself characterized the relation to López Obrador as “a real friendship” (Barranco 2006)—one that undoubtedly served institutional interests. While Rivera always spoke well about López Obrador, the PRD leader donated three hectares of land for the construction of the Plaza Mariana in the Basilica of Guadalupe—terrain property of the Mexico City government (López Dóriga 2015). The donation was intended to buy the Archbishop’s support of López Obrador’s presidential candidacy (Barranco 2017). Thus, while López Obrador refrained from pursuing policy reforms that would challenge and ultimately undermine Church authority and donated land, Rivera supported the mayor. The Church indeed maintained “a magnificent relationship” with the PRD government under López Obrador’s rule, “perhaps the best Rivera had [with PRD incumbents] during his episcopate” according to spokesperson Hugo Valdemar (*La Razón* 2015; Aranda 2017).

THE PRI’S ABORTION BILL, PARTY POLARIZATION, AND THE 2006 PRESIDENTIAL ELECTION

Mere months before the civil union bill died on the legislative floor, another initiative seeking moral policy liberalization was introduced to the ALDF. In September 2003, PRI deputy Norma Gutiérrez de la Torre presented a bill that decriminalized first trimester abortions. The initiative re-opened the abortion debate in Mexico City three years after the 2000 scandals and demonstrated the PRI’s progressive agenda in the capital and a position on abortion so liberal it superseded the left. Abortion policy was not officially part of the PRI’s legislative agenda in Mexico City however—nor was it in any other states, including PRI-governed ones. The initiative was surprising given the non-programmatic party’s generally lukewarm stance on the topic and its legislative minority that made the proposal unlikely to prosper (GIRE 2008;

Lamas 2015). Promoting an abortion reform was however a clever strategy. The Federal District's transition to multiparty competition had signified a gradual loss for the PRI (Reyes García 2011). From 1997 and onwards, the PRI had faced a radically changing environment in Mexico City. The party had gone from hegemony to virtual political irrelevance in a few years with only a few seats in the ALDF and practically inexistent structure and presence. By 2003, the PRI was a distant third electoral force whose only impact came via coalitions with stronger players (Espinoza Toledo and Díaz 2011). The abortion bill allowed a PRI in crisis to promote itself as a center-left alternative to the PRD in the liberal capital, and put its rival on the spot during a time in which it struggled to stay true to its ideological foundation.

The abortion bill indeed posed a dilemma for the PRD. The PRI's initiative was close to co-opting the left's agenda and even promoted the bill using an almost identical discourse. Referencing the Robles' Laws, de la Torre emphasized that although the 2000 reforms significantly advanced women's rights, they did not decriminalize abortion in Mexico City, which was required to fully protect women's lives and health (González 2003; Romero Sánchez 2003). However, the progressive proposal would only pass with PRD support, making the left pay the price for its approval that would effectively end the party's close relation to the Church. Should the left on the other hand refrain from lending support to the initiative, the PRD would come across as reneging on its commitment to reproductive rights (Lamas 2015). Facing the PRI's challenge, the PRD came up with a new proposal.

Well aware that López Obrador would not support a decriminalization but was likely to accept other reforms, PRD deputy Maricela Contreras proposed an alternative bill. While moderate compared to the PRI's proposal, the initiative landed within the realistic boundaries of how far the PRD could advance legislation under López Obrador (Lamas 2015). The bill increased punishment for non-consensual abortions, especially if violence was involved; established public health institutions' obligation to perform abortions within five days in the

Federal District; and regulated medical personnel's conscientious objection to guarantee available services (GIRE 2008).¹³⁷ On December 26, the ALDF's PRD majority approved the bill with the support of PAN and Mexico Possible.¹³⁸ Far from a decriminalization, the reform largely flew under the radar as mere technical additions to the Robles Laws that even the PAN supported. The PRI's co-optation of the left's agenda in Mexico City would however repeat itself in 2007 and start the process that culminated in the legalization of abortion.

PRD-PAN Polarization and the Presidential Elections of 2006

The election of López Obrador as Mexico City mayor began a trajectory of increasing polarization between the PAN and the PRD that competed over votes in the national capital. As mayor, López Obrador had to build bridges with the federal PAN government, also located in the national capital. The new mayor however used Mexico City's PRD-headed government to attack Vicente Fox' administration (Ward and Durden 2002). From the beginning of his term, López Obrador sought to contrast Mexico City's left government with its ideological adversary at the federal level. His office maintained a permanent confrontation with Fox to distinguish their respective administrations, which was portrayed as a struggle of opposites manifested through hostility even in official political acts in which López Obrador and Fox barely exchanged greetings (*El Universal* 2005; Mirón Lince 2006; Uribe Moreno 2012).

At the beginning of 2006, few imagined that the already existing PAN-PRD polarization would become more acute (GIRE 2008). As candidates from both parties geared up for the

¹³⁷ Specifically, the new policy established that institutions under the Ministry of Health must have medical personnel that do not object to abortion permanently available, although individual doctors can still refuse to perform legal abortions based on personal beliefs as long as the life of the woman was not in danger (GIRE 2008:20).

¹³⁸ The Possible Mexico party [*México Posible*], integrated by former members of the Social Democratic Party also had a very short life. The party participated in the 2003 elections but shortly thereafter lost its registry. Several of its members became the principal founders of *Alternativa Social y Campesina* [*The Social and Peasant Alternative*] that in 2007 changed its name to *Alternativa Socialdemócrata y Campesina* [*The Socialdemocratic and Peasant Alternative*] and in 2008 to *Partido Socialdemócrata* [*The Socialdemocratic Party*].

presidential election—the first true ideological competition in Mexican history—conflict nevertheless grew (Greene 2011). While electoral campaigns since 1988 had been for or against the PRI regime, the democratic transition had ushered in competition over the presidency that had developed into a battle between left and right (Mossige 2013). Unlike prior elections in which PAN and PRD candidates downplayed their differences to challenge the dominant PRI with broad appeals to democracy, candidates in the first post-transition presidential election emphasized their ideological differences (Bruhn and Greene 2007).

López Obrador's popular social programs and "persona of a frugal man of the masses, unafraid to shake the establishment" made the Mexico City mayor the presidential hopeful for 2006 (Hilgers 2008:132). As the candidate of the left-wing Coalition for the Good of All [*Por el Bien de Todos*], López Obrador's main competitor was the PAN's Felipe Calderón, Vicente Fox's successor.¹³⁹ Whereas the socially conservative PAN did not mention reproductive or sexual minority rights, the PRD had included abortion in its 2006 electoral platform despite López Obrador's opposition. While the party did not commit to promoting decriminalization, it considered unsafe abortion a public health issue and promised to "revise the legislation" (GIRE 2008:26). Moral gender policies however remained far from the center of debate.¹⁴⁰

On the election night, Calderón and López Obrador both confidently announced their victories and the polarization in the national capital culminated as Calderón was declared winner with a razor-thin victory margin of 0.56%. López Obrador in turn rejected the results and staged protests that paralyzed Mexico City for weeks. His defeat dissolved into a street battle that provoked a national crisis (Bruhn and Greene 2007). Party competition at the

¹³⁹ Beyond the PRD the coalition also included the Worker's Party and the Convergence Party.

¹⁴⁰ Economic models instead constituted the main ideological cleavage and both candidates focused their campaigns on their respective capacity to achieve economic growth (Greene 2011). While Calderón emphasized free trade and private sector investment as the engine of growth, López Obrador stressed state-led economic development, in particular increased state spending on infrastructure and the expansion of social welfare programs (Bruhn and Greene 2007).

national level thus spilled over to the subnational and further polarized the conflicted PAN-PRD relationship, which provided the backdrop to the policy reforms of 2007 and 2009.

EBRARD, THE ENACTMENT OF CIVIL UNIONS, AND A WEAKENED CATHOLIC CHURCH

In contrast to the presidential election, the popular vote for Mexico City mayor carried out on the same day entailed few surprises. PRD candidate Marcelo Ebrard's victory in the national capital only confirmed what surveys had already indicated. With 2.2 million votes that translated into 47 percent of the popular vote, Ebrard gained the largest vote share a PRD candidate had ever obtained.¹⁴¹ Not only far ahead of PAN's Demetrio Sodi and the PRI-PVEM's Beatriz Paredes, the PRD also gained an absolute majority in the ALDF (Mossige 2013).¹⁴²

Ebrard's candidacy was endorsed by and largely articulated in relation to López Obrador. Throughout the campaign, Ebrard assured voters that he would continue his predecessor's popular social programs and even expand their scope (Uribe Moreno 2012). But while Ebrard was a loyal follower of López Obrador, the two *perredistas* differed on a key topic: moral policy. Unlike his predecessor, Ebrard was a social liberal with a reformist agenda that hinged on a human rights vision that led him to support the decriminalization of abortion and the recognition of same-sex rights (Lamas and Bissell 2000; Lozano 2013). The new mayor's position shifted the left's position vis-à-vis moral gender policy in the national capital. Legislators loyal to López Obrador were now forced to look to Ebrard for direction (Díez 2013:228).¹⁴³ The difference between the two leaders' positions on abortion and same-sex policy however went beyond personal beliefs. While the PRD had lost its majority during

¹⁴¹ Ebrard's votes were well above the 1.3 million cast for López Obrador six years prior and the 1.7 for Cuauhtémoc Cárdenas in 1997 (Mirón Lince 2006).

¹⁴² The PRD won 34 out of the ALDF's 66 seats.

¹⁴³ Under the Ebrard administration, the PRD in Mexico City also legalized a simplification of divorce procedures known as "express" divorce; Mexico's first hate-crime legislation; and a form of "passive" euthanasia (Díez 2015:164).

López Obrador's time in office, the party had never been as strong as in 2006. The diminished competition between the PRD and the PAN in the Federal District allowed the PRD to worry less about the political costs of challenging the Catholic Church. Its majority opened the door for policy change.

The Enactment of Same-Sex Unions in 2006

As Ebrard entered into office in December 2006, new legislation was already underway that cleared the path for the region's most progressive same-sex legislation at the time. Under the new mayor who personally embraced the public recognition of same-sex couples, proponents saw a chance to re-introduce the civil union bill frozen during López Obrador's time in office. Within a month of the election, and mere weeks after the ALDF initiated its session in mid-September, the Social Democratic Parliamentary Coalition introduced a modified version of the cohabitation law (Conapred 2009).¹⁴⁴ Deputy Jorge Díaz Cuervo presented the initiative in late October and once approved in committees, the bill was brought to a vote on November 9, when almost six years of discussion culminated in a five hour debate that resembled both past and future debates on moral gender policy in the ALDF: PRD-PAN polarization and a PRI that—although not uniformly—assumed left positions.¹⁴⁵

Following party ideology by rejecting anything that resembled marriage equality, PAN legislators immediately sought to postpone the discussion. Using the same strategy as in 2002, deputy Ezequiel Rétiz proposed a motion to return the bill to committees due to technical and procedural deficiencies. However, given the PRD's majority, his proposal was swiftly rejected. The mayor's office expressed support: "It is a campaign commitment," said Ebrard.

¹⁴⁴ The coalition consisted of deputies from the Worker's Party, Convergence, and the Social Democratic Party [*Partido Social Demócrata*], created in the late 1990s with respect for minorities as a central aspect of the party platform (Díez 2013).

¹⁴⁵ The bill proposed the union of two people of the same or different sex seeking to establish a legal bond based on mutual support and cooperation.

Again, the ALDF's four PRI deputies somewhat surprisingly supported the reform. Although the PRI had included a plank on sexual diversity ahead of the 2000 presidential election, the party remained reluctant to discuss same-sex policy and had refrained from assuming an official stance (McGee and Kampwirth 2015). Deputies in Mexico City however took liberal positions and voted in favor of the bill in exchange for some modifications.¹⁴⁶ In November 2006, the civil union law passed with forty-three votes in favor, seventeen against, and five abstentions. Enacted into law by the mayor, the new legislation, the first of its kind in Mexico, came into force on March 7, 2007 (Díez 2012).¹⁴⁷ But while undoubtedly progressive, the bill was still moderate. Cohabitation rights were far from a legalization of same-sex marriage.

The PRI's Abortion Bill

Not only on same-sex policy did PRI deputies in the Federal District take an approach to moral gender policy that differed starkly from the party's national leadership. While the party had only timidly proposed to improve adolescent pregnancy prevention programs as part of its electoral platform in 2006, *Priistas* in the national capital once again took the left's liberal position on abortion and made it its own (GIRE 2008).¹⁴⁸ On November 23, deputy Armando Tonatiuh González presented an initiative on behalf of the PRI's parliamentary group that decriminalized first trimester abortions. Just as in 2003, a bill seeking policy liberalization emerged from within the ranks of the non-programmatic PRI that once again preceded the PRD in introducing a progressive reform. Adapting to the local political context, the PRI

¹⁴⁶ *Priistas* for example wanted to replace the term “home” in the text to “place of co-existence” since the former usually refers to the heterosexual nuclear family and the party disagreed with stretching the concept beyond its traditional meaning (Notiese 2006).

¹⁴⁷ Sixteen of the seventeen *Panistas* voted against the bill along with Fernando Espino Arévalo of Partido Nueva Alianza (PANAL), a socially conservative party founded by the National Union of Education Workers and led by the PRI's former secretary general, Elba Esther Gordillo. The party lost its registry after the 2018 elections. Thirty-three out of the thirty-four PRD deputies voted in favor, only deputy Samuel Hernández abstained. The ALDF's three PVEM legislators and Gloria Cañizo, PANAL, also abstained.

¹⁴⁸ The move was attributed to the PRI's alliance with the PVEM—one of the few green parties in the world to openly oppose abortion (GIRE 2008).

sought to capitalize on the electorate's liberal leanings that had recently given the left a resounding victory in Mexico City and the reform positioned the PRI at the forefront of policy change.

A few days after the PRI presented its initiative to legalize abortion on demand, Jorge Díaz Cuervo and Enrique Pérez Correa of the Social Democratic Parliamentary Coalition introduced an alternative bill. Both bills proposed the decriminalization of first trimester abortions, but the PRI's proposal contained some clauses concerning medical personnel's conscientious objection that would impede women's access, and was moreover likely to have a long road to approval as it proposed an abortion referendum (GIRE 2008:53).¹⁴⁹ The two bills were turned to legislative committees for analysis and approval, but not only bill content was an issue—given its ALDF majority, PRD support was necessary for the legislation to pass.¹⁵⁰

A Conservative Crusade and Catholic Church's Weakened Position

With two bills seeking policy liberalization under analysis, the abortion debate resurfaced with vigor in Mexico City. Although the two initiatives arrived at the end of the legislative term and parliamentary activities were suspended shortly afterwards, a controversy of national proportions commenced. While the Church had put up a surprisingly weak fight against the civil union bill, reactions to the proposed abortion reforms were swift and strong (Diez 2012). The two issues indeed generated vastly different reactions. While clergy saw civil unions as threats to heterosexual marriage and the nuclear family, abortion challenged life itself—the most sacred of all issues according to Catholic doctrine.

¹⁴⁹ Specifically, the PRI bill proposed to eliminate the conscientious objection clause first included in the 2003 amendments to Mexico City's abortion policy. The clause recognizes health personnels' individual rights to refuse to perform abortion services but also contains a guarantee for women's access as it forces the Health Ministry to have permanent non-objecting providers at hand. It was therefore important to keep this aspect of the law intact (GIRE 2008:53).

¹⁵⁰ The fourth ALDF legislature was composed of sixty-six legislators from eight parties: Thirty-four of the PRD, seventeen from PAN, four from PANAL, four from PRI, and two deputies each for Alternative, the Green Party PVEM, the Worker's Party, and one deputy from the progressive Convergence.

Church hierarchies initiated a crusade against the proposed decriminalization with the hope of archiving the bill. The conservative uproar expressed itself through pilgrimages, chants and prayers in the streets, threats and blackmailing (Lamas 2015). Pope Benedict XVI urged legislators not to approve a liberalization and Vatican officials led demonstrations against the law, igniting protests that the Catholic Church interfered in state affairs (Ford 2010). Headed by Rivera, the Archdiocese of Mexico recovered the document drafted in 1999 that outlines its position on abortion and calls on Catholics to "not vote for political forces that do not respect or defend life" and continued to call on members to take to the streets (Hernández Vicencio 2007).

The Church was however severely weakened by its involvement in a sexual abuse scandal. In September 2006, it became official that Rivera faced charges of conspiracy to commit the crime of pedophilia in United States. Rivera was accused of attempting to cover up numerous cases of sexual abuse by posting the accused priest Nicolás Aguilar to California to protect him from the law—all with the consent of the Archbishop of Los Angeles, Roger Mahoney (Díez 2013). Rivera's own moral authority was suddenly questioned and the allegations debilitated Catholic hierarchies' public image. Indeed, the defense of the 'children in the womb' on the one hand, and the accusation of protecting a pedophile priest on the other did not favor Rivera in debates—neither over civil unions nor abortion (GIRE 2008:40). While opposition to the civil union bill had been vocal, with groups carrying signs with slogans such as "No to Ebrard's Gay Law," "Christ Lives" and "From the homosexual law to pedophilia" demonstrating outside of the legislature, their insinuations seemed almost ironic in the wake of the sexual abuse scandal in which the central figure was none other than the head of the Catholic Church, Archbishop Norberto Rivera.

Utilizing its common strategy to threaten those supporting progressive reforms with excommunication, the Church extended a warning to Ebrard, whose administration would be

in charge of implementing the law should one of the bills pass.¹⁵¹ In contrast to previous PRD leaders, the Church's aggressive discourse did not sway Ebrard who had just won a landslide electoral victory. Rather, its threats empowered bill supporters and projected an image of the PRD as defying old-fashioned Catholic hierarchies and defending the secular state in the liberal national capital. Ebrard declared: "My obligation is to govern for all citizens—'lay people' refers to believers and non-believers" (Amuchástegui et al. 2010:1001), and quickly became the most active promoter of an abortion reform. In a meeting in early March in Tequesquitengo, Morelos, the entire PRD faction voted to promote the decriminalization of abortion in Mexico City. In a symbolic move, Ebrard publicly announced his support for a reform a week later during an event commemorating the birth of Benito Juárez—the foremost Mexican symbol of the secular state (GIRE 2008).

CHANGING CHURCH-PARTY ALLEGIANCES AND THE ABORTION REFORM'S PASSAGE

If the enactment of civil unions had been suggestive of a growing distance between Church hierarchies and the PRD in Mexico City, the party's support for a liberalized abortion policy signified nothing but a complete rupture. While Ebrard, much like his predecessor, harbored presidential ambitions, he did not plan on winning elections based on Church endorsement. While moral policies took a back seat during López Obrador's time in office due to his desire to remain on good terms with Catholic clergy, Ebrard had little fear of the Church's wrath and relations quickly soured. While fears of the Church's sociopolitical power were enough to suspend debates on abortion in the late 1990s, the PRD's intimidation had waned at the same rate that its electoral fortunes in Mexico City grew.

The PRD's enactment of civil unions and support for abortion decriminalization sent a strong signal to Catholic hierarchies that negotiating with Ebrard's office would be fruitless.

¹⁵¹ Both Rivera and Valdemar later denied their statements related to Ebrard's excommunication (GIRE 2008:40).

To maintain a channel of direct political access to the ALDF and the Church's privileges before a growing secularity and religious diversity in Mexico City, Catholic hierarchies needed new party allies. The PRI's move to introduce a proposal to allow abortion on demand had ushered in a crisis between the tricolor party and Catholic hierarchies, whose cordial relationship as a result went through its worst moment.¹⁵² The initiative ruled the PRI out as a potential ally and as the distant third electoral force, the party was not the Church's first choice in any case. Hierarchies instead sought to establish relations to the national capital's second electoral force—the PAN—that conveniently shared the Church's objectives in relation to moral gender policy.

Catholic officials had begun to approach the PAN already in the wake of the 2006 presidential elections. Rivera initially believed that his close ally, PRD's López Obrador would win, but when it stood increasingly clear that the results were leaning towards the PAN, the Archbishop suddenly began to demonstrate support for Calderón.¹⁵³ Even before the Federal Electoral Institute (IFE) validated the outcome, Rivera, in his capacity as president of Mexico's Interreligious Council, called an urgent meeting with Calderón. Members of the ecclesial observatory criticized the meeting arguing that it contributed to the post-electoral uncertainty and potentially, to violence. While Rivera's action did not cause the polarization to explode in brute force, his friendship with López Obrador was over (Barranco 2006).

Rivera's endorsement of Calderón as the legitimate winner in the polarized post-election climate ushered in close relations to the PAN. Calderón, an outspoken abortion

¹⁵² In a letter directed to Jorge Schiaffino, the PRI's coordinator in the ALDF, the archdiocese declared that its deputies must show "deep repentance and pain" for the sin committed in proposing such as reform (Balboa 2007).

¹⁵³ It was not the first time that Catholic clergy in Mexico City shifted their allegiances. By the end of the PRD's first period in office, Rivera had also become close to the PAN, whose mayoral candidate, Santiago Creel, had a budding friendship with archbishop Norberto Rivera that only grew closer with time. In 2003, Catholic newsagency *Aciprensa* identified Creel as one of Rivera's closest friends. Together with other PAN elites such as Josefina Vázquez Mota, Creel attended the funeral of the archbishop's father in 2003 and maintained a close relationship with Rivera until his resignation as archbishop in 2017 (*Aciprensa* 2003; *Milenio* 2017). Keeping a close relationship to the national capital's second electoral force was a strategic move on behalf of Church hierarchies. Given the PRD's stance on abortion under Robles, left incumbents were no longer potential allies and the clergy had to find another party through which to channel its demands and safeguard its interests.

opponent, unequivocally supported the Church's mission to halt the now PRD-sponsored decriminalization bill in the Federal District. Rivera also forged relations with other PAN leaders in Mexico City—in particular, deputy Secretary and former Secretary of the Interior, Carlos Abascal. Described as very close to Norberto Rivera both in private and in public, Abascal would later urge medical doctors to exercise civil disobedience and refuse to perform abortions despite their legality in Mexico City (GIRE 2008; Martínez 2008).¹⁵⁴ Regardless of Church support however, PAN faced a strong progressive alliance in the ALDF and when its legislators proposed a referendum on abortion in April 2007, the bill was swiftly rejected (Hernández Vicencio 2007).

The Church-PAN alliance fueled the already existing ideological polarization in the national capital. Ebrard was the only high-ranking official not to recognize Calderón's government as legitimate and by 2007, there was still no dialogue between his office and President Felipe Calderón's (GIRE 2008; Camarena 2012). Party polarization grew in the aftermath of the presidential election and manifested itself in the abortion debate. Ebrard's declaration in support for the abortion reform in March responded to Calderón's statement one day earlier that emphasized his personal conviction "in defense of life" (Ford 2010). The PRD used Calderón's announcement to highlight its opposition against the PAN's old-fashioned conservative and religious doctrine. In an interview, Ebrard framed his decision as an opportunity to distinguish the PRD from PAN: "What could happen [if the PRD legalized abortion]? There would be a clear differentiation between left and right. Well, is that not what the government is about?"¹⁵⁵

Pressure from Catholic hierarchies meanwhile continued. In late March 2007, the Archdiocese of Mexico, the National Union of Parents of the Family [*Unión Nacional de*

¹⁵⁴ Abascal also argued "there may be a right to conscientious objection when in a person's judgment the natural order is violated and the moral order altered by means of written law"—a surprising statement from one of the highest officials responsible for compliance with law and order in Mexico (Pastrana 2005).

¹⁵⁵ "Bueno, pues ¿qué no se supone que de eso se trata el gobierno?" cited in Lamas 2015:164.

Padres de Familia] (UNPF), Protestant groups and the organization We Are Life [*Somos Vida*] carried out the first “pilgrimage for life,” marching to the Basilica of Guadalupe in the heart of Mexico City to demonstrate their rejection of the bill. Calls for a new pilgrimage came just days before the April 22 voting session. Representatives of the Archdiocese, the UNPF and about twenty associated organizations attended the march, as did PAN and PVEM members (Hernández Vicencio 2007). The second “pilgrimage for life” invoked the words of John Paul II during his 1999 visit to Mexico and used them as the event’s slogan: “That no Mexican dare violate the precious and sacred gift of life that arises from the womb” (Sinuhé García and Villagrana Velázquez 2007:15). Such a manifestation had been unthinkable for years given the process of secularizing Mexican society and its institutions (Hernández Vicencio 2007). On top of alarming reports of its loss of followers in Mexico, sexual abuse scandals, and growing religious competition, a decriminalization of abortion would further undermine the Church’s position and inscribe its defeat in law. The Church therefore orchestrated public manifestations to demonstrate its mobilizing capacity and what politicians had always feared—its sociopolitical influence translated into votes.

The day the ALDF voted on the abortion bill was the first time a legislative debate was publicly broadcast in Mexico City. Two giant screens were installed in front of the white pillars of the Juárez Hemicycle—the monument paying tribute to Mexico’s greatest secular symbol—to directly broadcast the debate (GIRE 2008). After five months of deliberation, the ALDF approved the decriminalization of first trimester abortions on April 24 with forty-six votes in favor from the PRD backed-up by the Social Democratic Alliance and the PRI.

Nineteen votes against the reform came from the PAN and PVEM.¹⁵⁶ The new policy allowed

¹⁵⁶ The distribution of affirmative votes was thirty-four from the PRD; four from PANAL; three from the PRI; two from the Worker’s Party and from Alternative (Social Democrats), and one from Convergence. The only legislator that abstained from voting was PRI’s Martín Olavarrieta. Close to Beatriz Paredes, PRI president during the wave of legislation criminalizing abortion across Mexico, it is not unlikely that Olavarrieta was urged to abstain by Paredes. As I return to later, Paredes encouraged PRI deputies to not vote on the same-sex marriage bill in 2009 to avoid taking a stance on a controversial moral policy ahead of state elections.

sent shockwaves across Mexico and the region at large. Not since Cuba in the 1960s had a country in Catholic Latin America allowed abortion on demand up until the 12th week of pregnancy and reproductive health advocates across the region applauded the decision (Ford 2010).¹⁵⁷

For conservative sectors, the reform's passage constituted an enormous defeat. The legalization of abortion overrode Catholic doctrine and symbolized the Church's waning influence in the national capital. After the reform's passage in April, Mexico City's Auxiliary Rodrigo Aguilar and the bishop of Tehuacán, Jonas Guerrero, jointly stated that the Catholic Church did not rule out the possibility to file a constitutional dispute before the Supreme Court and threatened to challenge the decision by means of its pastoral regions, dioceses and parishes (Hernández Vicencio 2007; Ford 2010).¹⁵⁸ From Mexico City, Cardinal Rivera asked Catholics to not recognize the Federal District's "morally unlawful" policy change (Garcia and Velázquez 2007:16).

The approval of the abortion reform also symbolized the defeat of conservative *Panismo*. A day after the bill's passage, the PAN fraction in the ALDF formally asked Ebrard to veto the new law. The mayor proceeded to immediately sign the bill into law and published the decree in the Official Gazette, a requirement to make new legislation public. Without the required number of legislators to pursue an unconstitutionality action in Mexico City, PAN leaders asked the Federal District's Human Rights Commission (CDHDF) to file a constitutional challenge before the Supreme Court.¹⁵⁹ The head of the commission, Emilio Álvarez Icaza, refused. Instead, in an unprecedented event, the Ombudsman of the National Human Rights Commission (CNDH), José Luis Soberanes, and the head of the Federal

¹⁵⁷ Moreover, the bill established the government's obligation to provide free medical and counseling services in matters of sexual and reproductive health care; reduced punishment for women who abort after the gestational period and required the Mexico City Ministry of Health to provide free abortion services to women living in the capital and to those from other states and foreigners for a moderate rate.

¹⁵⁸ The Church reportedly collected 70,000 signatures supporting a referendum but nothing more was heard of further legal action.

¹⁵⁹ An unconstitutionality action requires the support of thirty percent of the legislature.

Attorney General's Office, Eduardo Medina Mora, announced their willingness to support the PAN and its Catholic allies (Lamas 2015).¹⁶⁰ On May 25, 2007, the two public agencies jointly challenged the bill's constitutionality before the Supreme Court. Little more than a year later, after holding six public hearings to receive input from activists, lawyers, doctors, government officials and religious groups, the Supreme Court upheld the law in a eight to three vote on August 27.¹⁶¹

While the controversy surrounding abortion gained national salience in the early 2000s and continued to capture public attention through consecutive legislative debates, same-sex policy remained largely in the shadow. Not until after the abortion debate culminated with the passage of the reform and died down following the Supreme Court decision in August 2008, did marriage and adoption rights emerge on legislative agendas.

All Rights, No Limitations: The Legalization of Same-Sex Marriage and Adoption

In the elections of 2009, David Razú, a young economist, had gained a seat in the ALDF on the Social Democratic Party (PSD) bill.¹⁶² Although the PSD had won a few legislative seats, the party did not obtain sufficient votes to keep its national registry and was not allowed to maintain parliamentary group with its name. Suddenly an independent deputy, Razú began to negotiate with the PRD in an effort to build an alliance to advance a same-sex marriage bill and accepted an offer to join its faction in exchange for an endorsement of his legislative agenda. The former PSD deputy and the PRD agreed on twenty-seven policy items as part of a progressive platform that included marriage equality (Salinas Hernández 2013; Díez 2015).

¹⁶⁰ The challenge comprised several arguments, for example that the Mexican Constitution guarantees the right to life from conception, and that the ALDF lacked the authority to create new health laws in the Federal District.

¹⁶¹ The Supreme Court argued that the decriminalization of abortion did not violate the Mexican Constitution, nor any international agreements. The verdict further considered authorities' obligation to guarantee abortion services free of charge and in adequate medical and sanitary conditions valid (Ford 2010; Hernández Vicencio 2011).

¹⁶² The fifth ALDF legislature consisted of thirty-four PRD deputies, fifteen from PAN, eight from the PRI, five from the Worker's Party (PT), three from the Green Party (PVEM) and one from PANAL (Nueva Alianza).

The mayor's office extended its unqualified support for the initiative that modified the definition of marriage from heterosexual to a gender neutral union between two people (Vizcaíno de la Torre 2018). Ebrard's support reinforced the PRD's progressiveness in the national capital. Activist Enoé Uranga, who opposed the initiative on the basis of it being incomplete and without support from the LGBTQ community, urged Ebrard to stop the bill: "He ignored me. Ebrard wants to show himself as an advanced ruler to distance himself from the very conservative López Obrador" (Grajeda 2009).

Not all PRD legislators initially supported the reform. While Ebrard's progressive wing strongly pushed for marriage equality, legislators that identified with López Obrador's more conservative stance generally opposed the initiative. By the time the ALDF began its first session in September however, reform advocates had managed to convince those left legislators that were initially reluctant. Thirty-four out of the legislature's sixty-six deputies supported the reform, including the Worker Party's five deputies and the single New Alliance deputy (Salinas Hernández 2013; Lozano 2013). Given the majority in favor, the proposal was likely to succeed. A civil code change would go beyond allowing same-sex marriage, however. By Mexican law, such a modification would also automatically extend adoption rights to married couples and thus, in effect grant same-sex couples the same.¹⁶³

Reactions to the proposed reform were predictable. The strongest opposition came from PAN leaders and Catholic Church hierarchies who sought to detain the reform, well aware that adoption rights would follow same-sex marriage. And if the legalization of abortion threatened the sanctity of life, marriage and adoption equality suggested a similarly immoral law that would undermine holy matrimony and destroy the heteronormative nuclear family (Vizcaíno de la Torre 2018). The same day the PRD announced its intention to advance a same-sex marriage bill, PAN deputies declared the proposal "populist" since gay couples

¹⁶³ Personal interview, GIRE lawyer Alex Ali Mendez, Mexico City, May 2016.

already enjoyed the same rights as heterosexual via civil unions. PAN's leader in the ALDF, Mariana Gómez del Campo declared her intention to prevent the bill from proceeding and national level directions ordered all PAN deputies to oppose the bill (Díez 2015). To avoid a vote that the socially conservative block was bound to lose given their minority, PAN legislators suggested alternatives—primarily, they proposed a popular referendum, arguing that a radical change to the definition of marriage should be determined by a public consultancy rather than legislative decision making. A truly democratic reform would not deny the majority the possibility of making their voices heard. PAN leaders threateningly added: “if same-sex marriage is imposed by a minority, there will be a social rejection with subsequent political costs” (Salinas Hernández 2013:51). The referendum proposal was accompanied by a discourse focusing on the defense of the “victims” of the reform—children adopted by same-sex couples. Echoing Catholic officials’ statements about the consequences for “innocent third parties,” PAN legislators alluded in thinly veiled statements to how same-sex marriage would negatively affect adopted children psychologically and morally. The motion died on the legislative floor.¹⁶⁴

Foreseeing conservative reactions, the engineers behind the same-sex bill included a ban on adoption to avoid that the issue of same-sex marriage was used to incite opposition to gay rights. The original proposal therefore only contemplated civil marriage and added a paragraph to articles 146 and 391 of the Civil Code to prohibit gay adoption, seeking to achieve a greater parliamentary consensus as the project arrived to the plenary. The modified initiative stated that adoption could not proceed in cases where the spouses were of the same sex. With the adoption ban included in the bill, PRD deputies convinced hesitant legislators to allow the bill to proceed to committees for analysis. The strategy was mostly a pretending act that aimed to give the impression of a restrictive proposal—Federal District law already

¹⁶⁴ Another proposal from the conservative camp suggested a strengthening of civil union legislation—to make unions into marriage without calling it as such. It also failed.

allowed individual people adoption rights regardless of sexual orientation (Salinas Hernández 2013; Díez 2015). The ban nevertheless facilitated the initiative's passage to committees, where it was judged favorably and prepared for a plenary vote.

The impending same-sex reform threatened the Catholic Church with a second symbolic defeat in the national capital in barely three years. Catholic hierarchies launched a new offensive against Ebrard and the PRD in a highly public campaign that not only denounced the reform itself but also the PRD's performance in Mexico City. Despite being in the midst of yet another sex-abuse scandal—this time revolving around revelations of abuse by the then-deceased Catholic priest and founder of the Legion of Christ, Marcial Maciel—Church officials use all of their efforts to discredit the initiative as well as the PRD. Rivera used his Sunday sermons in Mexico City's Metropolitan Cathedral—located at the Zócalo in front of the ALDF in the national capital's most famous public square—to criticize PRD legislators for “attacking the sacrosanct institution of marriage” (Lozano 2013). The Archdiocese of Mexico, led by Rivera and its abrasive spokesperson Hugo Valdemar Romero, accused the PRD of human rights violations, of being an enemy to democracy, and for “ideological persecutions.” Valdemar declared that the national PRD “is the great enemy of the Church and a danger to the family” and repeatedly called on citizens to not vote for the “fascist” PRD. On the radio, Valdemar stated that the PRD was doing more damage to Mexico than the drug gangs and that the same-sex bill was evidence of Ebrard's “fascist calling.” Church officials even invited other religious communities to join them in the campaign against same-sex rights. In an unprecedented event, representatives from otherwise competing churches joined Rivera. During mass in the Metropolitan Cathedral, delegates from Orthodox, Evangelical and Catholic churches joined together to manifest against the reform (Salinas Hernández 2013).

Church officials' attacks against the proposed legalization of marriage equality sparked intense confrontation between Catholic hierarchies and the PRD. The confrontation lasted for

months, long after the reform had passed, and became the low point of PRD-Church relations in Mexico City. In early January 2010, Catholic officials announced a "suspension of dialogue" with the party. The PRD in turn declared that the Catholic Church violated the Mexican Constitution by meddling in political affairs and submitted a complaint to the Ministry of the Interior to stop the campaign against the same-sex reform. Not until Ebrard filed a slander lawsuit against Valdemar did the spokesperson calm his incessant rhetoric. The year following the enactment of marriage and adoption equality, Ebrard received the "Best Mayor in the World" award with the telling motivation: "Liberal reformer and pragmatist who has never shied away from challenging Mexico's orthodoxy" (Mossige 2013:255).

Tricolor deputies were internally divided over gay marriage. While Priístas in Mexico City had most often sided with the PRD, assuming leftist positions, they were suddenly less liberal on same-sex marriage. Two blocs formed in favor of and against the bill. After meeting with activists, deputy Alan Cristian Vargas Sánchez declared that he would work to have his parliamentary group support the bill. A second bloc of legislators led by Emiliano Aguilar however opposed the initiative (Díez 2015).

Party competition ahead of the 2012 presidential elections was the reason behind the sudden reluctance of PRI legislators to assume left-leaning positions.¹⁶⁵ Despite the internal divisions among Priístas on marriage equality in Mexico City, dynamics beyond the Federal District compelled most deputies to abstain from voting on the bill. As Díez notes, "according to one deputy, national leader Beatriz Paredes monitored the vote closely and urged legislators to abstain from voting" (2015:189). This strategy served party interests in Mexico City against the backdrop of the conservative offensive the PRI spearheaded at the time.

¹⁶⁵ Personal opinions also seem to have mattered. When a flyer with the image of three transgender men and the text "Legislator, would you like your children to end up like this? Do not promote homosexuality" suddenly circulated the halls of the ALDF shortly after the bill's introduction, the distribution of the leaflets was attributed to PRI deputy Aguilar. Other deputies, such as Octavio West, defined marriage by procreation and therefore did not support the bill (Cruz González 2009; Vizcaíno de la Torre 2018).

Already in the midst of enacting restrictive abortion reforms to gain the support of Catholic hierarchies and conservative elites across Mexico ahead of the 2012 presidential election, the PRI had strong incentives to reject policy change that clashed with the doctrine of its new ally. At the same time, voting against the reform would reveal its sudden conservative turn in the national capital. To abstain from voting and thereby avoid taking an explicit stance on same-sex marriage was a convenient middle road.

Following approval in commissions, the initiative proceeded to the plenary in mid December 2009. After a week's delay in which the blue and white PAN fraction claimed procedural irregularities that briefly returned the bill to committees for approval, the bill was up for vote on December 21. The issue of gay adoption however still loomed large. While the bill passed in committees only permitted marriage, many progressive legislators—among them the mayor—remained discontent with the adoption ban, which they considered discriminatory (Díez 2015). Simultaneously however, opposition against same-sex adoption was strong. Left legislators orchestrated a bold strategic move to get around the issue. After four hours of debate characterized by verbal confrontations between the PAN and PRD, legislators passed the initiative with 39 votes in favor and 20 against.¹⁶⁶ Immediately after the project's approval, the PRD's Maricela Contreras presented a modification to the reform that removed the "padlock" that prohibited adoption. The last minute maneuver caught the opposition off guard and without debate, legislators proceeded to a second vote on the same bill—now with the adoption ban removed. The reform passed with thirty-one votes in favor, twenty-one against and nine abstentions (Salinas Hernández 2013).

PAN members who voted in bloc against the initiative in protest argued that the adoption clause was re-introduced in a misleading manner (Camarena 2009; Grajeda 2009; Llanos and González 2009). Some Priístas joined the PAN's call for Ebrard to veto the new

¹⁶⁶ The twenty votes against the bill came from PAN, PVEM and PRI members Emiliano Aguilar and Octavio West.

law. As foreshadowed by the party's internal divisions prior to the vote, the PRI was split on both fronts. On the first vote, five deputies abstained, two voted against, and one failed to cast a ballot. On the second, unexpected vote, six voted against, one abstained and one deputy voted in favor. Even some progressive legislators abstained from casting an affirmative vote for the initiative that included adoption. Yet facilitated by the left majority, the ALDF approved the bill that allowed same-sex couples the right to marry and adopt children. Entering into force in March 2010, the reform made Mexico City the first Latin American jurisdiction to grant gay couples the same rights as heterosexual (Cabral Lucio 2014).

Following the ideological battle between the PRD and PAN, legislators of the socially conservative party filed a constitutional challenge before the Supreme Court in the aftermath of the reform, arguing that the Federal District lacked faculties to decide over marriage and adoption laws. The Supreme Court upheld Mexico City's law in a 9-2 decision a year later and moreover ruled that same-sex marriages enacted in the national capital must be recognized across the federation, effectively extending marriage equality to the whole country (Salinas Hernández 2013; Beer and Aceves 2018). Marcelo Ebrard was the guest of honor for the first four same-sex marriages to take place in the Federal District's City Hall in March 2010 (Lozano 2013).

CONCLUSION

Mexico City's decriminalization of abortion in 2007 and legalization of same-sex marriage and adoption two years later constituted watershed reforms in a Catholic-dominated country. The PRD majority in the ALDF followed its liberal party foundations legalized abortion, same-sex marriage, and same-sex adoption, at the height of its electoral support. While conforming to scholarly expectations, a closer look into the long process of attempted policy change in the national capital over three periods of left rule 1997-2012 also reveals that party competition had a moderate impact on the PRD's politics vis-à-vis abortion and same-sex policy. During the late 1990s and early 2000s, the party faced medium-level competition from its ideological adversary, the PAN, which made it refrain from engaging in major reforms.

Instead, the non-programmatic PRI introduced initiatives that allowed the non-programmatic party to assume the role as vanguard of progressive abortion politics in the liberal national capital. A minority player in the legislature with few incentives to compete with the socially conservative PAN, the centrist PRI could benefit from the left's growing support in the liberal national capital. Introducing a landmark abortion reform—albeit one that required PRD votes—positioned the party close to the center-left, a strategic choice for a pragmatic, flexible party seeking to return to its former position of strength in Mexico City.

Party leaders faced a strong but weakening Catholic Church in the national capital. While the PRD was reluctant to challenge the Church in the late 1990s, by 2006 numerous child abuse scandals—including one that specifically involved Archbishop Rivera—had weakened its public position. The Church's perceived power loss also meant that the PRI, well aware of the controversy a proposal to liberalize abortion would trigger, did not fear its wrath. Instead, the party introduced a bill that defied Catholic doctrine and through its passage became a major defeat for the Church in Mexico City. Illustrative of the argument that high-ranking clergy seek out relations to those parties perceived able to provide goods that secure

the Church's institutional survival, Archbishop Rivera switched his party allegiance in the Federal District over time. During the time in which the PRD and PAN competed over the capital (and the presidency), Catholic clergy oscillated between the two parties. The election of Marcelo Ebrard and his refusal to please the Church by continuing López Obrador's path of silencing debate and freezing bills seeking policy liberalization however ended the previously amicable relations between the left and the Church, Archbishop Rivera included.

Mexico City's moral gender policy legalizations differed in important ways from the other cases of reform examined in this dissertation. Not were policies liberalized in a context of dual and interacting electoral dynamics at both federal and subnational levels but also because the Federal District was one of the few entities in which party competition played out between the left-wing PRD and center-right PAN. In nearly all other states, the non-programmatic PRI competed for votes with the socially conservative PAN, and the politics of moral gender policies took place behind closed doors rather than in public. Moreover, both abortion *and* same-sex policy underwent change in Mexico City, in contrast to most other states where only abortion was reformed. Issue characteristics, salience, and pre-existing legal frameworks created substantial differences between the two, however, the presence of a reform-friendly left majority and civil society mobilization diminished those distinctions.

Same-sex policy generally triggered less resistance to reform than abortion, much due to its lack of a "life or death" aspect. While the Church certainly opposed marriage and adoption equality, its resistance was less vehement—especially to civil unions that do not threaten core Catholic principles to the same extent as marriage and adoption equality. Same-sex policy, in contrast to other states, became salient in Mexico City because of the PRD's initiatives and civil society actors that advocated for the legal recognition of sexual minorities. Finally, Mexico City's restrictive marriage policy indeed produced little conservative-religious mobilization compared to reactions against the abortion legislation that was more open to

change. Regardless of mobilization however, the presence of a strong left diminished differences between the two policies and allowed for reforms. Thus, in contrast to most states examined in this dissertation, both abortion and same-sex policy underwent reform in Mexico. The political determinants of uneven reforms, what Díez (2015) refers to as “policy fragmentation,” is what that we turn to in the next chapter that examines moral gender policies in Yucatán’s context of intense PAN-PRI competition and a strong Catholic Church.

Chapter 5. Intense PRI-PAN Competition and a Strong Catholic Church

Abortion and Same-Sex Policy Restrictions in Yucatán

“These are forces with lots of economic power and influence here, through media channels, and how are you, as a politician, going to fight against these? Of course you will not.”
—Official, CODHEY¹⁶⁷

“They [Church and state] are sleeping in the same bed. You only have to check the facts: How much does the state give to the Church and vice versa? You will find that lots of resources are given to the Church, and to “religious groups” in general. Look at how much is given, and at what time.”

—Sandra Peniche Quintal¹⁶⁸

In mid-July 2009, the southeastern state of Yucatán passed three restrictive moral gender policy reforms in one single voting session. The first reform made Yucatán the fourteenth state in rapid succession to enshrine the right to life from the moment of conception in the local constitution. The second reform converted its previously gender neutral definition of marriage into a explicitly heterosexual that in effect prohibited same-sex marriage.¹⁶⁹ The third and related reform banned adoption for those outside of heterosexual marriage and made Yucatán the only state to circumscribe single households’ possibility to adopt children. All three reforms sought to hinder future attempts to legalize abortion and same-sex rights in the state by complicating policy liberalizations.¹⁷⁰ Spearheaded by the PRI majority that introduced the initiatives and supported by the PAN, the legislature approved the reforms in a fast-tracked process that only the Congress’ single PRD deputy protested.

The Yucatecan Congress’ virtually unanimous move to restrict abortion and outlaw same-sex marriage and adoption was surprising for a state known for its history as a vanguard of women’s rights and comparatively large and vibrant LGBTQ (Lesbian, Gay, Bisexual,

¹⁶⁷ Personal interview with member of the State’s Human Rights Committee, Mérida, Yucatán, October 2015.

¹⁶⁸ Personal interview, Sandra Peniche Quintal, obstetrician and activist, Mérida, Yucatán, September 2015.

¹⁶⁹ While most Mexican states define marriage as between a man and a woman, Yucatán’s civil code did not entail a specific gendered definition prior to 2009.

¹⁷⁰ A constitutional reform requires two-thirds of Congress vote plus the approval of all municipalities, which is difficult to achieve for a party that does not hold an absolute majority of legislative seats.

Transsexual and Queer) community and associated civil society organizations. During the brief period of Socialist rule in the early 20th Century, the capital of Yucatán—Mérida emerged as the center for Mexico's growing women's movement and the state enacted one of the republic's most liberal abortion policies.¹⁷¹ Decades later, LGBTQ organizations in the state launched the nation's first popular initiative to legalize gay marriage and adoption in a move that preceded Mexico City's watershed reforms of 2009. In this context, why did the non-programmatic PRI, otherwise reluctant to take a stance on moral gender policies, promote and pass not only a "right-to-life" reform but also Mexico's most restrictive same-sex policy in Yucatán? Why did the center-right PAN refrain from introducing such reforms when conventional explanations expect socially conservative parties to lead attempts at restrictive change? Finally, while the case of Yucatán seems to fit explanations focusing on the impact of progressive mobilization in promoting policy liberalization, why was the presence of a strong LGBTQ coalition unable to hinder the passage of restrictive reforms?

This chapter focuses on the non-programmatic PRI and its strategies vis-à-vis moral gender policies in the southeastern state of Yucatán. It argues that the interaction between party competition, type, and Catholic Church strength shaped prospects of policy reform and the direction of change. In Yucatán, the incumbent, non-programmatic PRI faced intense competition for office from the programmatic PAN in a context of a strong but weakening Catholic Church. Facing competition from a party whose socially conservative positions on abortion and same-sex rights aligned with Catholic doctrine, the PRI assumed positions close to its party rival. By promoting restrictive reforms originally initiated by a conservative-religious civil society organization, the Pro-Yucatán Network (PYN), the PRI also received the electoral benefits of clergy support: legitimizing moral support to bolster public trust

¹⁷¹ Yucatán is the only state to allow abortion on the grounds of poverty, that is, if a woman has four or more children—which remains the most liberal abortion policy beyond Mexico City. While the 2009 reform enshrined the right-to-life in the constitution, which makes future liberalization difficult, it did not modify the penal code.

among corruption allegations; access to and backing from influential business elites critical for effective governance; and the confessional vote. The Church's weakening public position in turn created incentives for clergy to seek out close relations to incumbents, to receive financial support and reforms that enshrined Catholic doctrine in the local constitution. Thus, Yucatán's restrictive moral gender policy reforms were the outcome of an interest convergence between the PRI and the Church that served to uphold their political-religious hegemony in a context of increasing electoral and religious competition.

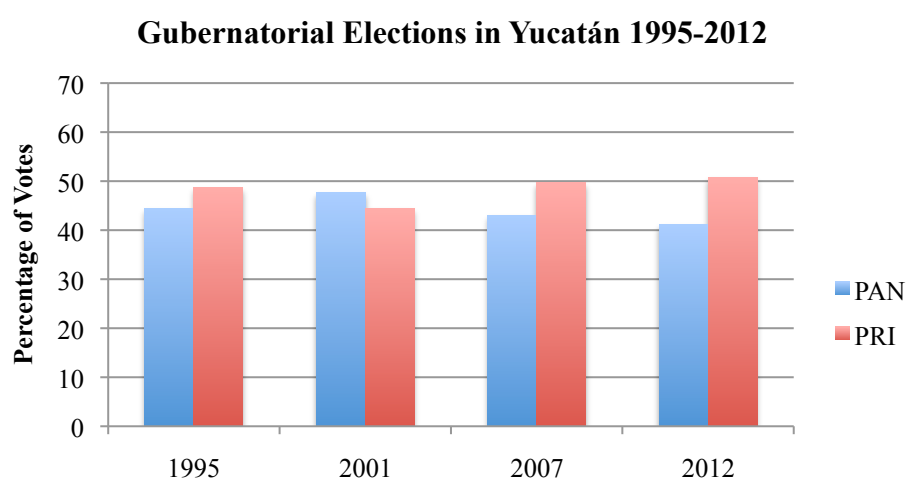
In contrast to the PRI in Mexico City, *Priistas* in Yucatán competed with the PAN rather than the PRD. As the table on the next page shows, only a few percentage points separated the two parties in the gubernatorial elections 1995-2007. While the PAN defeated the PRI in the 2001 elections, the non-programmatic party won back the governorship with merely six percentage points. In this competitive context far from the national capital's progressive politics, the PRI assumed the PAN's socially conservative positions to gain the electoral benefits of Church support than the socially conservative party would otherwise would receive and safeguard already amicable relations to high-ranking Catholic clergy. By contrast, the programmatic PAN and PRD largely acted in line with ideological expectations. PAN legislators supported the PRI's proposed policy restrictions whereas the leftwing PRD was the only party to protest the reforms, but could do little given its weak presence in the state, which also explains why the party never attempted policy liberalization.

Despite a relatively strong set of LGBTQ organizations in the state, progressive civil society actors in Yucatán did not succeed in their pursuit to advance same-sex rights via a popular initiative. The rapid counter mobilization on part of religious-conservative grassroots widely overpowered progressive groups and paved the way for the restrictive reforms. In line with the argument advanced in relation to civil society, I find that conservative-religious organization, through leaders links to business elites and religious authorities, had a stronger

influence over policymaking than liberal groups. As this chapter shows, the Catholic Church played a fundamental role in facilitating the mobilization of conservative-religious grassroots. Access to its vast infrastructure helped recruit and organize members, and clergy's ties to influential business elites provided additional political leverage. By contrast, feminist and LGBTQ activists had scarce resources at hand to build organizational capacity and few opportunities to forge links to political allies that could help channel their demands into the legislative arena.

The following sections trace the processes leading up to Yucatán's restrictive moral gender policy reforms, drawing on archives, semi-structured interviews and a quantitative analysis of electoral competition. The next section turns to the beginning of PAN-PRI competition in Yucatán. I show how intense competition between the PAN and the PRI in the state from the late 1980s and onwards and the Church's political involvement and ties to the state's politically influential business oligarchy created a scenario in which the close battle over votes unfolded on moral terrain and paved the way for the 2009 reforms.

Figure 5.1.



Source: CIDAC 2012

PARTY COMPETITION, THE CATHOLIC CHURCH AND THE LOCAL OLIGARCHY

The PRI government's widespread corruption and the crisis of the state's main source of revenue—the agave fiber production—facilitated the development of an opposition movement in Yucatán already in the early 1960s. The opposition took advantage of the official party's legitimacy deficit and after PAN's landslide victory in Mérida's municipal elections of 1967, the ruling party had no choice but to pronounce opposition candidate Manuel Correa Racho the winner. PAN's unprecedented success in Yucatán under the still hegemonic PRI was attributed to its critique of the dominant party's corrupt practices and its support among Mérida's urban middle class, bolstered by the extensive coverage of the peninsula's most widely read newspaper—the conservative *Diario de Yucatán*—a supporter of the opposition closely linked to Catholic clergy (Montalvo 1996; Ortega and Fajardo 1997; Quezada 2009).¹⁷²

Through widespread fraud and violence wielded against the opposition, the PRI regained the capital two years later. To protest the undemocratic regime and demonstrate the high moral principles that motivated PAN's political aspirations—as opposed to the PRI's simple aim to remain in power—the opposition refused to participate in local elections (Watanabe 2008). Abstaining from elections brought PAN's defining characteristics to the fore and demonstrated the party's belief that governing requires a moral quality that originates in Catholic values. Indeed, to resolve Mexico's main problem—corruption—honest, law abiding PAN representatives had to replace the corrupt PRI (Montalvo Ortega 1996).¹⁷³ As PAN returned to elections and conquered terrain in the state throughout the 1990s, its candidates increasingly utilized a discourse embedded in socioreligious, moral values to distinguish themselves from the PRI (Ortega and Fajardo 1997).

¹⁷² The newspaper fueled the moral terrain upon which electoral competition played out in the late 1990s, and eventually acquired so much influence that its support or critique of candidates in its coverage of Mérida's municipal elections affected PAN's selection process

¹⁷³ Personal interview with scholar #4, Autonomous University of Yucatán, Mérida, Yucatán, September 2015.

The moral discourse of the opposition originated in the conservative traditions and practices of the Yucatecan oligarchy, formed during the 19th Century. Through its control over the agave production that ushered in Yucatán's "golden era" due to the worldwide demand for the fibers extracted from the plant, the oligarchy dominated the state, and its closeness to Catholic hierarchies imposed conservative values on society (Ortega and Fajardo 1997). Yucatecan elites strongly opposed the Mexican Revolution, and the Catholic Church, also eager to maintain the pre-revolutionary social order, grew in the shadow of the oligarchs, closely imbricated in their interests (Montalvo Ortega 1996:107). The Church's capacity to disband worker insurgencies and channel their disagreements through spiritual demands while simultaneously imposing rigid norms of conduct served the interests of local oligarchs.

As the golden era ended during the second decade of the 1900s, business elites remained close to Catholic hierarchies as leaders of apostolic movements or as administrators of Church property, forming a critical part of the clergy's economy (Montalvo 1996:97). Middle and upper classes maintained a Catholic identity that allowed the legacy of 19th Century conservatism to continue dominate the state as business elites retained significant political influence through their control of the state's economy—no party can govern without elite support (Sabido Méndez 1995; Ortega and Fajardo 1997).

The Catholic Church in Yucatán became influential not only through its relationship to powerful business elites, but also via its ties to the political class. An alliance between conservative governor Olegario Molina and Catholic clergy in the early 20th Century laid the foundation for the Church's sociopolitical influence in Yucatán. The Molina government (1902-1906; 1906-1907) multiplied the number of Catholic churches and schools in the state and created a religious infrastructure that not even Socialist general Salvador Alvarado (1915-1917) and his successor Felipe Carrillo Puerto (1922-1924) could successfully dismantle—despite leading the most far-reaching anticlerical project during the Mexican Revolution.

Indeed, the Catholic Church's strength remained intact and following the assassination of Carrillo Puerto, counter-revolutionary forces reversed the most radical laws enacted under the Socialist rule (Montalvo and Fajardo 1997). Church hierarchies were largely muted under the hegemonic PRI rule but established close relations to the opposition already in 1967 when the PAN for the first time gained control over Mérida. Catholic officials and PAN representatives jointly sought to end PRI hegemony, and high-ranking clergy intervened in politics with greater frequency to confront the ruling party (Franco 2009:88). As party competition intensified in the 1990s, Catholic clergy's support for the PAN and electoral democracy fueled the Catholic morals that figured at the center of debates.

Party Competition on Moral Terrain 1990-2000

In response to the growing electoral competition, PRI officials adapted PAN's moral discourse. PRI governors presented themselves as supporters of the conservative project and intensified their efforts to gain Church support by hosting Apostolic congresses and publicly demonstrating their Catholic beliefs before the electorate (Montalvo 1996; Ortega and Fajardo 1997). Candidates from both parties manifested their active belonging to the Church through participation in Catholic rites, posing in pictures exiting mass with their families or with priests to demonstrate their religiosity. Interim PRI governor Dulce María Sauri Riancho (1992-1994) as well as the mayor of Mérida, PAN's Ana Rosa Payán, begun to publicly utilize Catholic discourse and attended the mass celebrating the capital's 450th anniversary in 1992 (Ibid 1996; Ibid 1997; Franco 2009).¹⁷⁴

Well aware of his rivals' use of Catholicism as an instrument in party competition, PRI governor Víctor Cervera Pacheco sought to establish amicable relations with broad Catholic sectors during his second governance period 1995-2001. Most Catholic leaders however

¹⁷⁴ Personal interview with ex-PRD deputy and former director, Instituto para la Equidad de Género Yucatán, Mérida, Yucatán, September 2015.

scorned Cervera Pacheco, who was considered an illegitimate authority due to the widespread electoral fraud that ushered in a PRI victory in the 1995 gubernatorial elections by a mere four percentage points. To receive the legitimizing support of clergy, Cervera Pacheco launched an intense lobbying effort towards the religious sphere. He met with Catholic hierarchies, launched projects to reconstruct churches and established a Museum of Sacred Art. The PRI-orchestrated, intensely media-covered celebration of the *Virgen de Izamal* as Yucatán's patroness in 1999 corresponded to the urgency of legitimating a government questioned by broad Catholic sectors (Franco 2009:34).

Ahead of the intensely competitive gubernatorial elections of 2000, a group of PAN-supported organizations filed a police report against an alleged illegal abortion clinic in Mérida's southern *Cortés Sarmiento* neighborhood. The scandal, attributed to the intense competition between PRI and PAN, targeted the governor and sought to imply that Cervera Pacheco supported abortions.¹⁷⁵ As activist and obstetrician Sandra Peniche recalled: "The whole word knew about *Clinica Peninsular* and nothing happened until a PAN-associated pro-life group called Responsible Parenthood [*Paternidad Responsable*] began to carry out manifestations against the governor, who had a friendly relation to doctor Costa—the now-deceased clinic director. They did not find any evidence, but it was a scandal sufficient enough to induce political sympathies in favor of PAN and against the PRI."¹⁷⁶ While the accusations against the clinic could not be substantiated, the scandal forced it to close (Chan Caamal 2009). If Cervera Pacheco's attempts to improve the party's relation to the Catholic Church to bolster its popularity had hitherto been unsuccessful, the scandal did not improve the PRI's possibilities to get closer to high-ranking clergy and their associated groups,

¹⁷⁵ Personal interview with Dulce María Sauri Riancho, former governor of Yucatán, Mérida, Yucatán, September 2015.

¹⁷⁶ Personal interview with Sandra Peniche Quintal, obstetrician and activist, Mérida, Yucatán, September 2015.

including the powerful oligarchy.¹⁷⁷ For the first time in fifty years, the party lost the governorship to PAN and its candidate Patricio Patrón Laviada with a margin of eight percentage points.¹⁷⁸

Improved Archbishop-PRI Relations, and the Return to PRI Rule

Despite governor Cervera Pacheco's failed attempts to gain support from the powerful Catholic Church, a new, PRI-friendly Archbishop had arrived in Yucatán in 1995 to counter the forces that allied against the PRI and increasingly threatened its hegemony. Appointed by Pope John Paul II and the PRI at the national level, Emilio Berlié arrived in Mérida with a specific mission: To stop the growth of the local Catholic movement that favored PAN and its democratizing agenda. Berlié sought to corner the Church's progressive sectors, lower the "militant political tone that media, parties, leaders and citizens had given to Catholicism in the region," disband Catholic movements linked to PAN and instead establish ties to PRI business sectors (Franco 2009:15). The archbishop began to construct networks of support within the local universe of organized Catholics, established links to local businesses and media in conflict with the PAN-supporting *Diario de Yucatán* and distanced himself from PAN-associated groups and movements (Franco 2013). Yet the goal of obtaining PRI support from Catholic sectors that for long had resented the party's corrupt ways was not achieved overnight, and Berlié did not succeed ahead of the 2000 gubernatorial elections.

Unsurprisingly, the new PAN governor did not succeed in establishing cordial relations with Archbishop Berlié, who attended the inauguration of government programs that benefitted the Church but otherwise kept his distance from Patrón Laviada and other PAN authorities (Franco 2009:66). Laviada however had strong support among other influential

¹⁷⁷ Personal interview with scholar #2, Autonomous University of Yucatán, Mérida, Yucatán, September 2015.

¹⁷⁸ PAN's Laviada won with 53,5 percent of the votes whereas PRI's Orlando Paredes Lara obtained 45,5 percent.

Catholic sectors and joint with PAN-linked clergy constant appeared in Catholic ceremonies. Berlié's attempt to create distance between the Church and PAN-allied groups within its structure however succeeded gradually. As former interim governor Dulce María Sauri Riancho recalled: "The priests were very prone to supporting PAN when I was governor—an important group helped the opposition. This group practically disappeared."

Corruption was another reason for the rapidly diminishing support for Patrón Laviada, who continued the PRI practices his party had so fiercely critiqued. His behavior upset the same business elites and Catholic sectors that had previously joined forces to oust the PRI from office, and when Laviada's brother was caught with a pocket full of cash the day before the 2007 gubernatorial elections, it was considered evidence of the governor's fraudulent ways (Watanabe 2008; Quezada 2009).¹⁷⁹

Facilitated by businesses that abandoned their old PAN sympathies, Berlié's efforts, and the youthful and energetic image of the PRI's gubernatorial candidate—Ivonne Ortega Pacheco—the party defeated the PAN in the 2007 elections (Franco 2009:76). Given Archbishop Berlié's political leanings toward the incumbent party, Ortega Pacheco's victory signaled closer relations between the Catholic Church and the PRI after decades of clergy supporting its programmatic rival, the PAN. Well aware of the benefits of maintaining amicable Church-party relations, Ortega Pacheco, just like her predecessor, took a pragmatic approach to her relationship to clergy and publicly declared herself Catholic (Franco 2009:71). The new affinity manifested itself in numerous public events where the governor and Berlié appeared together, praising one another's work.¹⁸⁰ As Ana Rosa Payán, municipal president of Mérida 1990-1993 and 2001-2004 recalled: "Everyone saw archbishop Berlié as a Priista of the Priistas. If the [PRI ruled] state organized an event, Berlié went himself. But if

¹⁷⁹ Allegedly, Laviada's brother was ready to buy votes in the Tixkokob municipality.

¹⁸⁰ Personal interview with Dulce María Sauri Riancho, former governor of Yucatán, Mérida, Yucatán, September 2015.

the [PAN ruled] Mérida government organized an event, he sent a representative. Berlié's relation to PAN was good, but it was not the same [as to the PRI]."¹⁸¹

The widely publicized commemoration of Berlié's twenty-fifth anniversary as archbishop of Yucatán in 2008 passed with pomp and circumstance and displayed not only close governor-Archbishop relations but also Berlié's ties to the PRI machinery at large. In the weeks leading up to the celebration, PRI-linked corporations and civil associations showered the archbishop with public declarations of appreciation while most other parties remained silent. At the celebration, Ortega Pacheco held a speech filled with religious metaphors commending Berlié's work (Franco 2009:48). These acts, which compromised the Mexican Constitution's separation of Church and state must be seen in the light of the intense competition between the PRI and PAN in Yucatán and the former's ongoing legitimacy crisis.¹⁸²

Although Ortega Pacheco, who had made a meteoric political career within the PRI, managed to beat the PAN candidate in 2007, it was with a mere 6.7 percentage points and party competition remained intense (Watanabe 2009). While the PRI had regained control over the governor post in the closely fought elections, PAN still ruled the capital, Mérida—under its control since 1990 (Quezada 2001; Macias Flores 2008).¹⁸³ In 2009, the PRI was eager to win back the capital in the municipal elections of early 2010. Yet the same issues loomed large—to defeat the opposition, the PRI needed to bolster its legitimacy.¹⁸⁴ Promoting restrictive moral gender policy reforms to cater to the Catholic Church as well as the state's

¹⁸¹ Personal interview with Ana Rosa Payán, former PAN mayor of Mérida, Mérida, Yucatán, October 2015.

¹⁸² Throughout her time in office, Ortega Pacheco participated in numerous Catholic rituals and hosted Church events at state-owned venues. In late October 2010, the governor opened and closed the national meeting of Catholics, *XXI Ultreya Nacional del Movimiento de Cursillos de la Cristiandad* in Mérida, accompanied by Berlié as well as religious authorities from the Holy See and PRI-linked Catholic hierarchies from dioceses across Mexico. A week later, the government-owned convention center hosted the regional meeting of the Catholic Church's southeast dioceses (Franco 2013:48).

¹⁸³ In the 2007 gubernatorial elections, the PRI received 49.7 percent of the votes and PAN 43 percent.

¹⁸⁴ Personal interview with ex-PRD deputy and former director, Instituto para la Equidad de Género Yucatán, Mérida, Yucatán, September 2015.

powerful Catholic oligarchy could provide the party with precisely the type of electoral good needed to defeat the PAN. But just like its fellow party representatives in other states, non-programmatic PRI legislators preferred to keep the controversial issues of abortion and same-sex policy under wraps and avoid a debate that would force it to take a public stance. The popular initiative of 2008 and the counter-mobilization against the attempted legalization of same-sex marriage and adoption, which also included abortion restrictions, came to the party's aid.

LGBTQ MOBILIZATION, COUNTERMOBILIZATION, AND THE CHURCH'S INVOLVEMENT

Civil society actors in Yucatán were the first in Mexico to launch a public initiative to legalize same-sex marriage and adoption. Discussions about marriage equality in the state had started already in 2008. Inspired by the growing attention to same-sex rights across the region national-level developments such as Mexico City's 2006 legalization of civil unions [*pacto civil*], shortly followed by Coahuila's passage of cohabitation partnership [*sociedades de convivencia*], LGBTQ organizations in Yucatán begun to discuss strategies to legalize same-sex marriage and adoption in 2008. Unlike most Mexican states, Yucatán's civil code did not define marriage as contract between a man and a woman, but neither did it explicitly allow same-sex marriage and adoption. In November 2008, a coalition consisting of the most active sexual diversity organizations in the state, among them *Equipo Indignación*, *Oasis de San Juan de Dios* and *Grupo Multi-sectorial Ciudadano en VIH-SIDA*, launched a public initiative to legalize same-sex marriage and adoption by reforming parts of the constitution and civil code (Mis Cobal 2008).¹⁸⁵ United in the attempt to diminish hate crimes and the

¹⁸⁵ Yucatán's popular initiative law, adopted in 2006, sought to enhance political participation in the state by allowing citizens to submit legislative proposals to Congress (Vargas Aguilar 2008). To be considered, the law required at least 2,600 signatures in favor of an initiative to be delivered to IPEPAC. The electoral institution in turn submit the initiative to Congress, which must analyze the content but is not obliged to approve any proposal.¹⁸⁵

discrimination that for years had plagued Yucatán, the coalition sought to ensure same-sex couples the legal recognition of marriage and open up a human rights centered dialogue that obliged Congress to discuss LGBTQ rights (Mis Cobal 2008).¹⁸⁶ Rather than seeking legal substitutes to marriage, such as civil unions, the explicit goal of the campaign was to make same-sex marriage and adoption reality on the same grounds as heterosexual. Aware of legislators' general unwillingness to promote same-sex rights, the coalition utilized the newly approved Popular Initiative Law, which provided an opportunity to change state policy without engaging in fruitless lobbying attempts.¹⁸⁷

The active presence of a few but vocal LGBTQ organizations in Yucatán despite the general weakness of progressive civil society in Mexico derived from the mobilization of groups in the state in response to Mexico's HIV/AIDS crisis of the 1980s.¹⁸⁸ Yucatán was one of the states hit hardest by the epidemic that disproportionately affected gay men, which resulted in early activism on behalf of groups seeking information, medication and support to combat the disease.¹⁸⁹ Mérida's thriving gay life and the relatively high number of groups working to advance the rights of Mérida's increasingly visible LGBTQ population did not however lead to a strong movement, or rights awareness.¹⁹⁰ Besides the coalition organizing the popular initiative, most groups had low organizational capacity, exacerbated by the tendency of the two dominant parties to co-opt civil society organizations.¹⁹¹ The lack of autonomous mobilization impeded group cohesion and hindered the emergence of a strong

¹⁸⁶ Personal interview with Jorge Fernández Mendiburu, Equipo Indignación, Mérida, Yucatán, October 2015.

¹⁸⁷ Personal interview with Jorge Fernández Mendiburu, Equipo Indignación, Mérida, Yucatán, October 2015.

¹⁸⁸ While no census exists, the common belief is that a high number of LGBTTTQ people live in Yucatán.

Interview with scholar #4, Autonomous University of Yucatán, Mérida, Yucatán, September 2015.

¹⁸⁹ Personal interview with Alejandro Brito, director, Letra S, Mexico City, May 2016; and with Carlos Mendez Benavides, director of Oasis de San Juan, Mérida, Yucatán, October 2015.

¹⁹⁰ For example, arranged since 2002, the annual pride march in June is often accompanied by a whole week of events that in the past have included fashion shows and film festivals that each year attract more visitors (Gómez Chi 2008a; Lara Martínez 2008; Por Esto! 2008); personal interview with Alfredo Candini, president Derechos Cultura y Diversidad Sexual, Mérida, Yucatán, September 2015.

¹⁹¹ Personal interview with Jorge Fernández Mendiburu, Equipo Indignación, Mérida, Yucatán, October 2015; and with Scholar #1, Autonomous University of Yucatán, Mérida, Yucatán, September 2015.

LGBTQ movement.¹⁹² Despite these weaknesses, the large sexual diversity community made Yucatán one of the few states in which a popular initiative had potential to succeed. Indeed, the initiators of the campaign were convinced that gathering signatures would be a quick and easy task. Instead, the initiative failed to receive enough support. As Jorge Fernández Mendiburu of *Equipo Indignación*, one of the organizers behind the campaign, recalled: “...we realized that the LGBTQ community in Mérida was not in a mindset of fighting for their rights. Rather, they had internalized discrimination and exclusion—there was no consciousness of equal rights. Ultimately, more heterosexuals than members of the LGBTQ community signed.”¹⁹³

LGBTQ leaders in the late 2000s however felt supported by the incumbent governor, PRI’s Ivonne Ortega Pacheco. Many people considered one of the main leaders of Mérida’s sexual diversity community, Mami Blue (Gonzalo España España), an ally to the PRI regime due to his close relationship to governor Ivonne Ortega Pacheco.¹⁹⁴ Although her government never officially endorsed same-sex rights, Ortega Pacheco was known to be close to the LGBTQ community and her behavior suggested a certain, publically manifested, acceptance. Ortega Pacheco always came down from the governor’s palace to greet those marching in the pride parade.¹⁹⁵ Indeed, news coverage of the parade in 2008 pictures Ortega Pacheco smiling and posing in pictures with dressed-up participants against the backdrop of a sea of balloons. At the occasion, the governor held a speech declaring the liberty of all *Yucatecos* to manifest

¹⁹² Personal interview with member of the State’s Human Rights Committee, Mérida, Yucatán, October 2015; with representative of UNASSE, Mérida, Yucatán, September 2015; and with Carlos Mendez Benavides, director of Oasis de San Juan, Mérida, Yucatán, October 2015.

¹⁹³ The lack of rights awareness derives primarily from the LGBTQ community’s history of marginalization in Yucatán, which must be understood in the context of the elite-driven conservative culture that has permeated the state.¹⁹³ Despite the visibility of Mérida’s historically active sexual diversity community, the state’s dominant *buenas costumbres* created a taboo and double standard around the topic of sexual diversity. In the words of the leader of one of the most prominent same-sex rights organizations: “People always knew about gay couples in the state, but they were never accepted or acknowledged. Yucatán is famous for its social politics of ‘do what you want but do not talk about it.’”

¹⁹⁴ Personal interview with Sandra Peniche Quintal, obstetrician and activist, Mérida, Yucatán, September 2015.

¹⁹⁵ Personal interview with Alfredo Candini, president Derechos Cultura y Diversidad Sexual, Mérida, Yucatán, September 2015.

their sexual preferences and her government's intention to pursue reforms to guarantee such rights (Gómez Chi 2008b).

In reality however, there was little political will to promote same-sex rights on part of the main parties. Neither the PRI nor the PAN wanted a public debate on marriage and adoption equality. In response to the popular initiative, the PRI suggested that a public consultation would be the most appropriate way to resolve the legality of same-sex marriage and adoption. In line with their programmatic foundations, PAN representatives rejected the initiative, and the PRD declared itself willing to support civil unions (Mis Cobá 2008).

Countermobilization: The Pro-Yucatán Network and its Elite Linkages

Four months after the LGBTQ initiative's failure, another coalition gathered enough signatures to submit two legislative proposals to the state Congress. While the Pro-Yucatán Network [*Red Pro Yucatán*] (PYN) replicated the LGBTQ coalition's strategy of using the state's popular initiative law to advance its initiatives, it sought a fundamentally different goal: to outlaw same-sex marriage and adoption in the state and reform Yucatán's vanguard abortion policy by increasing the penalties for illegal abortions.¹⁹⁶ On March 8 2009, the PYN's lawyer Jorge Carlos Estrada Áviles presented 9,703 signatures—almost three times the required amount—in favor of the two initiatives to the Institute for Electoral Procedures and Citizen Participation [*Instituto de Procedimientos Electorales y Participación Ciudadana*] (IPEPAC). The proposed reforms sought to protect the family and above all, “children's' right to grow up in a family composed by a mother and a father” (González Rivero 2009).¹⁹⁷ PYN leaders were less vocal about its second proposal to restrict Yucatán's abortion policy.

¹⁹⁶ Personal interview with ex-PRD deputy and former director, Instituto para la Equidad de Género Yucatán, Mérida, Yucatán, September 2015; Ligia Vera, scholar and activist, Mérida, Yucatán, October 2015.

¹⁹⁷ Specifically, the reforms sought to modify Constitutional article 94 and articles 54 and 316-A of the civil code.

The PYN had formed in direct response to the proposed same-sex rights initiative in 2008.¹⁹⁸ Consisting of forty-six organizations united in the defense of traditional values concerning life, marriage and the family, the network sought to shape peoples values and influence public policy.¹⁹⁹ Alarmed by the potential legalization of same-sex marriage and adoption and keen to safeguard Yucatán’s morals, the loosely knit network acted fast and found support quickly. The official signatories of the two initiatives included professional organizations such as *Asociación Católica de Abogados*, *Asociación de Médicos Católicos*, *Médicos a Favor de la Vida*, “pro-life” groups such as *Ayuda a la Mujer Embarazada*, *Vida y Familia A.C.* (VIFAC), Catholic organizations with links to *Opus Dei* including *Caballeros de Colón*, and civic organizations such as *Lions Club*.²⁰⁰

The outpouring of support for the initiatives came from the PYN’s extensive connections in the state. The leaders of the Pro-Yucatán Network belonged to the state’s deeply Catholic business elite with close professional and intrapersonal links to high-ranking clergy and the political class. Ivette Laviada Arce, Margarita Rubio de Ponce and Alicia García Gamboa were all spouses or close relatives to prominent businessmen and media owners with close links to Yucatán’s political class—in turn a set of families that have dominated political life for decades (*Diario de Yucatán* 2009a).²⁰¹ For example, Rubio de Ponce was the widow of multi-millionaire Fernando Ponce García who created Yucatán’s most prominent business enterprise that encompasses a brewery producing Coca-Cola products and various automobile-producing companies (*Mérida de Yucatán* 2010; *Yucatán*

¹⁹⁸ The headline of the first blog post published on the PYN’s website, barely two months after the failed LGBTQ initiative in 2008, entitled “*Same-sex unions, a social necessity? A proposal without legal support*” conveys its opposition to same-sex marriage and suggests its foundation in response to the proposal. The Network’s president, Ivette Laviada Arce, however claims that the Pro-Yucatán Network was founded in 2006. Interview Ivette Laviada Arce, president, Pro-Yucatán Network, Mérida, October 2015.

¹⁹⁹ Personal interview with Bernardo Laris, media owner, Mérida, Yucatán, September 2015; and with Margarita Buenfil, director, Ayuda a la Mujer Embarazada, Mérida, Yucatán, September 2015.

²⁰⁰ <http://www.redproyucatan.org/adhesiones-a-la-iniciativa-por-la-familia/> Accessed October 3, 2015.

²⁰¹ Personal interview with Ligia Vera, scholar and activist, Mérida, Yucatán, October 2015.

Ahora 2016). Alicia García Gamboa's family owned *Grupo SIPSE* that operates newspapers in several Mexican states as well as media outlets in the Yucatán peninsula.

These prominent business families formed part of Yucatán's oligarchy, whose connections to the political class go decades back in time. Andrés García Lavin, the founder of *Grupo SIPSE*, and Fernando Ponce García were the PRI's main support during the early 1980s and onwards (Sabido Méndez 1995). Indeed, PRI governor Víctor Cervera Pacheco (1984-1988; 1995-2001) integrated Ponce García and other prominent business leaders into his cabinet in the attempt to further Yucatán's economic development via foreign investment—making the already co-dependent relation between governors and business elites closer (Quezada 2001:244). The support of the local oligarchy was so critical for incumbents in the state that both the PAN and PRI during their time in office pursued a politics that catered to elite interests, for example by refraining from carrying out major redistributive projects in the state (Montalvo 1996; Ortega and Fajardo 1997).

Beyond familial links, the PYN had ties to the political class via women's organizations and directly through the PAN. Recognized by state authorities and recipients of honors and awards, women's organizations promoting traditional gender roles and family values such as the *Asociación Nacional Pro Superación Personal* and *Centro del Estudios y Formación Integral de la Mujer* formed part of the Network. These associations are structured as volunteer organizations in which wives of prominent businessmen give classes to “vulnerable women” in traditionally gendered work such as cooking and sewing.²⁰² These organizations were recognized for their work in Yucatán. In a celebration of women leaders in 2012, organized by yet another women's group that promotes similar ideals—*Asociación Mexicana de Mujeres Empresarias*—incumbent governor Rolando Zapata Bello gave PYN leader Margarita Rubio de Ponce an honorary mention for her “inspirational work in associations

²⁰² Personal interview with Bernardo Laris, media owner, Mérida, Yucatán, September 2015; and with Ivette Laviada Arce, president, Pro-Yucatán Network, Mérida, October 2015.

dedicated to personal improvement” before guests that included the mayor of Mérida, Renán Barrera Concha (Yucatán Ahora 2010).²⁰³

The closeness to the political class and potential impact via these connections were also visible through PYN leaders relations to PAN elites that undoubtedly shared the Network’s objectives. Jorge Carlos Estrada Ávilés, the Network’s lawyer, was one of PAN governor Patricio Patrón Laviada’s closest aides and the party’s candidate in the federal deputy elections of 2009. Ivette Laviada Arce participated in the commemoration of PAN’s 55th anniversary in México City, where she shared the podium with Mariana Gómez de Campo and Magali Cruz Nucamendo, party presidents in Mexico City and Yucatán respectively, and is known for her close relation to Mérida mayor Renán Barrera Concha (La Jornada 2009).²⁰⁴

Media owners with resources to reach the vast majority of *Yucatecos* also formed part of the PYN. Ivette Laviada Arce’s family owned *Milenio*, a major media outlet that together with the *Diario de Yucatán* constituted the peninsula’s most widely read newspaper. The owners of *Diario de Yucatán* in turn enjoyed close relations to PAN leaders in the state, whose electoral success is attributed to the newspaper’s extensive and favorable coverage (Franco 2009). *Diario de Yucatán* journalists were also involved in the PYN and extensively covered the politics of abortion and same-sex policy in Yucatán from a conservative viewpoint.²⁰⁵ Between 2008 and 2015, *Milenio* closely followed the PYN’s work and the *Diario de Yucatán* dedicated weekly columns to Catholic matters—providing critical channels

²⁰³ Examples of the PYN’s elite linkages abound. Two years earlier, Alicia García Gamboa received the Héctor Victoria Aguilar Medal of Honor from Congress recognizing her work “in defense of life and servant of the unprotected.” Governor Ivonne Ortega Pacheco attended the event celebrated in the legislative powers’ headquarters (Milenio 2012).

²⁰⁴ Personal interview with Frederick Santana, Centro de Estudios Superiores en Sexualidad, Mérida, Yucatán, October 2015.

²⁰⁵ For example, Marcia Lara Ruiz de Morenoi, whose opposition to marriage equality is well-known from her columns, accompanied Laviada Arce in a media conference announcing the PYN’s adherence to an initiative seeking to reform Article 4 of the Mexican Constitution to prohibit same-sex adoption at the national level (*Diario de Yucatán* 2015).

for influencing citizens in the state.²⁰⁶ These extensive links among Yucatán’s political elite as well as among business leaders and media conglomerates provided the PYN with an immense capacity to reach citizens and overall, access to resources that widely exceeded those of the LGBTQ coalition. Moreover, the network enjoyed the Catholic Church’s support, which facilitated the gathering of signatures and ultimately transformed the initiatives into law.

The Catholic Church’s Involvement

Beyond its intimate links to the local oligarchy as well as the political class, the Pro-Yucatán Network enjoyed the support of Catholic clergy. While the PYN and its associated organizations denied any links to organized religion, in particular to the Catholic Church, to project a secular image and avoided outright Catholic discourse, ties between the PYN and Catholic authorities suggest that access to Church support through its extensive network of apostolic movements and religious associations was key to the initiatives’ success.²⁰⁷

The strong professional and intrapersonal links between PYN leaders and archbishop Berlié confirm the connection between conservative elites and Catholic clergy in Yucatán and suggest that access to the Church’s infrastructure facilitated the collection of signatures in favor of the PYN’s initiatives. The García Gamboa family welcomed the new archbishop upon his arrival in Yucatán, and for several years Berlié ran a television show with Ana María García Gamboa—sister of the PYN leader—called *Dialoguing in family [Dialogando en familia]*, in which the two discussed various topics from a Catholic perspective. In the

²⁰⁶ Personal interview with Frederick Santana, Centro de Estudios Superiores en Sexualidad, Mérida, Yucatán, October 2015; and with Edgar González Ruiz, journalist, via Skype, September 2015.

²⁰⁷ Associations such as *Ayuda a la Mujer Embarazada* avoided an outright Catholic discourse and instead spoke of “human dignity and respect for life,” claiming to promote “human rather than religious beliefs.” Moreover, these organizations frequently utilized discourse of “human values” that denies any religious affiliation rather than language directly related to Catholic doctrine. Personal interview with Bernardo Laris, media owner, Mérida, Yucatán, September 2015; and with Margarita Buenfil, director, *Ayuda a la Mujer Embarazada*, Mérida, Yucatán, September 2015.

program broadcasted on March 18th 2008, archbishop Berlié expressed his gratitude to the now deceased SIPSE founder, Andres, for creating a space in media for him (Franco 2009:33). By 2015, Berlié still wrote a weekly column for *Milenio* and Jorge Carlos Estrada Áviles—the PYN’s lawyer—was the Yucatecan archdioceses’ legal coordinator under Berlié (Delgado 2016).

Leaders of the Pro-Yucatán Network were also closely linked to the state’s apostolic movements. Margarita Rubio de Ponce’s decades-long involvement with lay movements that sustained the elites that promoted electoral democracy and simultaneously revived the conservative project from the 1980s and onwards constituted a key access point to the Catholic Church’s vast infrastructure (Montalvo Ortega 1996; Gómez Chi 2012). These networks, in the form of apostolic movements, multiplied from sixty to almost eighty in the first decade of the 2000s under the direction of archbishop Berlié. Through its links to archbishop Berlié and apostolic movements, the PYN reached vast sectors of Catholics in Yucatán. Access to the Church’s enormous mobilizing structure facilitated the process of gathering signatures in favor of the initiatives and explains how the PYN collected almost three times the required amount in record time (Peniche Quintal 2009).²⁰⁸

PARTY COMPETITION, CHURCH-PRI RELATIONS, AND MAINTAINING HEGEMONY

By the time the Pro-Yucatán Network had submitted its initiatives to the state Congress in early March 2009, subnational legislatures across Mexico were debating abortion to an unprecedented extent. Prompted by Mexico City’s abortion legalizations, identical “right-to-life” reforms had been introduced by PRI and PAN legislators across the federation and were analyzed in a variety of legislative committees. Yet in Yucatán’s political climate where Catholic morals had become competitive terrain for political parties, debates on moral gender

²⁰⁸ Personal interview with Alfredo Candini, president Derechos Cultura y Diversidad Sexual, Mérida, Yucatán, September 2015; Carlos Mendez Benavides, director of Oasis de San Juan, Mérida, Yucatán, October 2015.

policies were largely undesirable for both the PRI and the PAN. Thus, while state legislatures across Mexico debated abortion from 2000 and onwards, propelled by the scandals of the Paulina case and the public outrage following Guanajuato's abortion ban in 2000, silence prevailed in Yucatán. Neither the PRI nor the PAN were willing to initiate a debate on moral gender policies.²⁰⁹ As one PRD representative commented: "Yucatán is a traditionalist, conservative state. It is not easy to talk about abortion here. At the voting hour, politicians do not want to be charged with the weight [of abortion]... Abortion would never be discussed in campaigns here—no one wants to touch it. No one wants to get into trouble."²¹⁰ However, with the PYN's initiatives submitted to Congress, the PRI could use the proposals to push for policy restrictions under the guise of a citizen's initiative and bolster legitimacy.

Partisan Strategies and Moral Gender Policy in a context of Intense Competition

The PAN on the other hand feared losing the little legitimacy it had. The party's defeat in the gubernatorial elections of 2007, attributed to the corruption allegations against Patrón Laviada, left the party anxious of losing more voters to the PRI, which impacted its politics of moral gender policies. Curiously, the Catholic principles embedded in the PAN's foundational statutes did not translate into attempts to restrict the state's abortion policy. In contrast to PAN legislators in other states, deputies in Yucatán did not introduce a "right-to-life" bill in the state prior to 2009.

The decision to pursue a less restrictive politics on abortion in Yucatán derived from the party's fear of being perceived as backward in relation to women's rights. During its time governing the state, PAN was accused of being a right-wing, reactionary party and its leaders were aware they had to be careful to not lose more legitimacy. A scholar explained the party's situation in Yucatán accordingly: "You lose legitimacy if you vote for backwards laws that

²⁰⁹ Personal interview with Jorge Fernández Mendiburu, Equipo Indignación, Mérida, Yucatán, October 2015.

²¹⁰ Personal interview with PRD member, Mérida, Yucatán, October 2015.

violate women's rights—primarily before liberal groups that support you.”²¹¹ Indeed, reforms aiming to restrict already highly limited abortion laws, such as PAN's attempt to ban abortion under all circumstances in Guanajuato in 2000 caused public outrage and left the party with a reputation as backwards on women's rights. Situated in a climate of intense electoral competition, PAN did not want to risk losing votes by pursuing a politics that could alienate less conservative voters. However, while the programmatic party could not compromise its socially conservative ideology, it could still refrain from pursuing the party's restrictive line. Moreover, with an already well-known stance on abortion and same sex-rights that aligned with Catholic doctrine, PAN did not need a restrictive reform to demonstrate its high morals. While the party was unlikely to receive additional electoral benefits by restricting moral gender policies, the PRI could potentially gain votes by pursuing a politics that aligned with Catholic doctrine.²¹²

Unable to get rid of its reputation as more corrupt than the PAN, the PRI in Yucatán aimed for the non-programmatic party's already well-proved method of obtaining Church support to bolster public trust in the party.²¹³ By introducing the proposed moral gender policy restrictions, the Ortega Pacheco government hoped to receive the legitimizing support that only Catholic clergy could provide (Baños Ramírez and Sabido Mendez 2008:9). As a scholar in Mérida described the logic: “Ivonne and her political group were losing the little legitimacy they had. They wanted to gain adepts within the middle class and media and appear as honest and decent people. By passing restrictive reforms, they believed they could wash their faces and be seen as a little better, a little more Catholic.”²¹⁴

The reforms indeed represented an electoral rather than ideological struggle for the PRI. Unconstrained by ideology, PRI representatives in Yucatán were free to pursue any politics

²¹¹ Personal interview with scholar #3, Autonomous University of Yucatán, Mérida, Yucatán, October 2015.

²¹² Personal interview with member of the State's Human Rights Committee, Mérida, Yucatán, October 2015.

²¹³ Personal interview with Ana Rosa Payán, former PAN mayor of Mérida, Mérida, Yucatán, October 2015.

²¹⁴ Personal interview with scholar #3, Autonomous University of Yucatán, Mérida, Yucatán, October 2015.

vis-à-vis moral gender policies that aligned with the party's main interests in the state—winning elections ahead of the PAN.²¹⁵ Pragmatism had indeed been the hallmark of PRI rule in Yucatán.²¹⁶ As a former PAN deputy described the opposition: “Some Priístas are suddenly very much to the right. They have support from the Church and certain actors, but when they feel popular complaint [reclamo popular], they change their position to remain on good terms with everyone.”²¹⁷ Importantly, pursuing restrictive moral gender policy reforms would usher in support not only from powerful business elites, but also the Catholic Church.

The PRI had important reasons to maintain amicable relations to Archbishop Berlié and the Catholic Church at large. Morals remained at the center of party competition in Yucatán and affinity to Catholic clergy could provide the PRI with much-needed legitimizing moral support to defeat the PAN in the municipal elections of 2010. With already amicable relations to Archbishop Berlié, passing the popular initiative restrictive reforms gave the PRI an opportunity to safeguard electoral support from the Church—support usually reserved for the socially conservative PAN whose opposition to abortion and same-sex rights coincided with Catholic doctrine.

Yet Church hierarchies could provide more than just legitimizing support for the PRI. Through their ability to influence the vote of the faithful, Catholic officials could also provide the party with additional votes. Obtaining the confessional vote was another reason for the PRI to promote and pass the PYN's proposed reforms. The power of the confessional vote was particularly relevant in the Yucatecan context where decades of elite-driven conservatism had left the “vote with Catholic meaning imprinted in the social conscience and politics of society” (Franco 2009:83). Much of the PAN's strength in the state is indeed attributed to the Catholic Church and priests that frequently ask faithful to vote for a specific candidate or

²¹⁵ Personal interview with Dulce María Sauri Riancho, former governor of Yucatán, Mérida, Yucatán, September 2015.

²¹⁶ Personal interview with GIRE lawyer Alex Alí Mendez, Mexico City, May 2016.

²¹⁷ Personal interview with former PAN deputy, Mérida, Yucatán, October 2015.

party, often using metaphors to disguise their violation of the Constitution. One interviewee explained the procedure in the following words: “PAN’s color is blue and the priests say in church: ‘before you vote, look at the sky’ [antes de votar, miren el cielo] to induce the vote to PAN.”²¹⁸ Others confirmed the occurrence: “The truth is that you can go to any Church to listen to mass and they will tell you who to vote for.”²¹⁹ Citizens indeed consult religious authorities on political matters in Yucatán. One interviewee explained Catholic hierarchies’ impact on popular thinking accordingly: “I ask myself, what do priests and social morals say in this respect? I will favor any politics that follow the *buenas costumbres* of the state that agree with my religion and education.”²²⁰ Another offered the following explanation for how priests influence perceptions of moral gender policies specifically: “During mass, where all people go, if a priest assures you that same-sex marriage is bad, you will end up believing it too because ultimately, a figure that represents your ideals is saying it.”²²¹

Catholic authorities’ potential to direct the votes of faithful toward a specific candidate or party provides it with enormous political power, especially over parties that compete with PAN whose Catholic foundation makes it a natural ally to the Church. The potential benefit of receiving the confessional vote and simultaneously ensuring that it was not directed towards PAN gave the PRI a strong reason to approve the restrictive reforms.²²² While the actual impact of the confessional vote is debatable, the PRI was motivated to pursue policy reforms through its perceptions of the Church’s power upheld by prevailing conceptions within the social imaginary.²²³

²¹⁸ Personal interview with ex-PRD deputy and former director, Instituto para la Equidad de Género Yucatán, Mérida, Yucatán, September 2015.

²¹⁹ Personal interview with former PRI deputy, Mérida, Yucatán, October 2015.

²²⁰ Personal interview with scholar #2, Autonomous University of Yucatán, Mérida, Yucatán, September 2015.

²²¹ Personal interview with Frederick Santana, Centro de Estudios Superiores en Sexualidad, Mérida, Yucatán, October 2015.

²²² Personal interview with ex-PRD deputy and former director, Instituto para la Equidad de Género Yucatán, Mérida, Yucatán, September 2015.

²²³ Personal interview with representative, Católicas por el Derecho a Decidir, Mexico City, May 2016.

The PRI's need for Church support was not a one-way relationship however. While Yucatecans, as most Mexicans, displayed higher levels of trust in the Catholic Church than in political parties by 2008 (Banos Ramírez and Sabido Mendez 2008; World Values Survey 2008), the strength of the Catholic Church in the state had around the same time weakened substantially. Threatened by Yucatán's growing religious diversity and the discredit that the archbishop's unabashed PRI-leaning politics had brought, the Church needed the benefits that incumbents could provide in exchange for its support: Financial privileges to maintain its herd and reforms that enshrined Catholic doctrine in the local constitution and thereby asserted its dominance over other religious denominations.

Church Politics Beyond Dogma: Maintaining Religious Hegemony

Beyond Berlié's political leanings and mission, his objective to stay close to PRI officials was also a pragmatic strategy in the face of an increasingly threatened religious monopoly.

Catholic hierarchies in Yucatán allied with the party that was most likely to win office and thereby able to provide the Church with the economic and political privileges needed to maintain its religious domination (cf. Gill 1998). In exchange for supporting the non-programmatic PRI in the state's closely contested electoral races, the Church received two critical benefits: Financial privileges to help maintain churches and services and thereby prevent the loss of additional followers in the state; and key religious principles safeguarded and enshrined in the local constitution to prevent the legalization of abortion and same-sex marriage and adoption that symbolized the Church's waning influence.

While the vast majority of Yucatecos identified as Catholic, religious beliefs in the state did not necessarily permeate society in the way it does in states such as Guanajuato and

Jalisco.²²⁴ In reality, religiosity is often described as “light” in Yucatán, whose population is known for being *mochos*—roughly translated as having a double standard in relation to the dominant Catholicism. As former PRD deputy Georgina Rosado explained: “In Yucatán, people say one thing and do another, which means they are not very conservative in practice. We call it *lengua pa’ afuera*—it’s just talk. In Michoacán, people take baths with clothes on so that the guardian angel cannot see them naked. In Jalisco, the whole family prays until midnight. In Yucatán, people remember they are Catholic on Sundays during mass.” Indeed, other interviewees describe how local elites project an image of Yucatán as a highly traditional state, which is not necessarily the case: “Many would say that Yucatecos are very conservative but I would argue that it is only discourse. Local economic and political elites are very traditional, but most people are not.”²²⁵

Religious diversity in Yucatán grew at the same time as the Catholic Church at large began to lose legitimacy due to its numerous child abuse scandals.²²⁶ Between 1970 and 2000, the Catholic population in Yucatán fell with eleven percentage points and the non-Catholic population grew with eight percentage points—both greater than the national average (INEGI 2000; 2010).²²⁷ The archbishop’s overt political interests contributed to the Church’s weakening status in the state. While the Yucatecan Church was always a church of the elites—which to a great extent explains its political incidence—it grew increasingly so under the direction of archbishop Berlié, who cared more about remaining close to the local PRI elite than his own parishioners (Franco 2009). To avoid challenging the PRI government, the Church showed little commitment to alleviating the state’s urgent social problems such as the

²²⁴ With a little more than 80% of citizens identifying as Catholic, Yucatán remains more or less in the middle of religious rankings. Guanajuato tops the national rankings with almost 96% identifying as Catholics whereas Tabasco with barely over 70% is among the lowest. Author’s calculations based on INEGI 2010.

²²⁵ Personal interview with scholar #3, Autonomous University of Yucatán, Mérida, Yucatán, October 2015.

²²⁶ Personal interview with representative, *Católicas por el Derecho a Decidir*, Mexico City, May 2016.

²²⁷ From 1970 to 2000, the Catholic population decreased from 95,3% to 84,3% in Yucatán. The non-Catholic population grew from 3 to 11% during the same years and the population with a religion other than Catholic with 3.1% (INEGI 2000:164).

ongoing HIV/AIDS crisis, and Berlié remained silent on the issue of a priest in the municipality of Conkal who made discriminatory comments about HIV-infected individuals, further exacerbating the institution's loss of credibility (Durán Yabur 2015).

While the Catholic Church invariably supports moral gender policy restrictions, the PYN-engendered reforms were particularly important for the Catholic hierarchies in Yucatán, which also explains its involvement. By enshrining Catholic doctrine in the local constitution in the form of restrictive abortion policy, such a reform demonstrated the state's adherence to Catholic faith and simultaneously asserted the Church's religious hegemony vis-à-vis other religious denominations in the state. Indeed, legislation that aligns with its core principles is a way for the Catholic Church to "fend off both secularization and competition" (Grzymala-Busse 2015:6). Financial support from the PRI also helped maintain churches and services for parishes throughout the territory—key for preventing the further loss of followers. Unsurprisingly, the financial resources provided to the Church have increased at times when the PRI has needed its support for electoral purposes. Indeed, the state invested millions of pesos in projects to renovate churches and temples across the state during Ivonne Ortega Pacheco's time in office—and in particular during 2009.²²⁸ Providing the Church with economic resources was another way to secure the continued electoral support of Catholic hierarchies. In the words of one interviewee: "In exchange for propelling support for the PRI, the gold on top of churches were changed to make them prettier."²²⁹

The PRI's willingness to provide the Catholic Church with economic resources and policy influence is indicative of the mutual need for support that characterized their relationship during Ortega Pacheco's years in office. The PRI promoted the popular initiatives

²²⁸ According to government budget reports, funds directed towards church maintenance were significantly larger in 2009 compared to 2008 and 2010. The government spent 21,653,040 pesos on Church maintenance in 2009 compared to 4,134,198 in 2008 and 17,219,679 in 2010 (Cuenta Pública Gobierno de Yucatán, 2008, 2009, 2010).

²²⁹ Personal interview with Carlos Mendez Benavides, director of Oasis de San Juan, Mérida, Yucatán, October 2015.

to maintain its close relationship to archbishop Berlié and receive the much-needed electoral benefits needed to defeat PAN in 2010. In return, the Church obtained the resources necessary to maintain its hegemony in a state characterized by a weak Catholic devotion and growing religious diversity.

The Passage of the Reforms and the PRI's Strategic Policy Replacement

On July 14 2009, the PRI's parliamentary group in Yucatán's state Congress fast-tracked the Pro-Yucatán Network's two initiatives concerning same-sex policy and without prior debate introduced them to the legislature for a vote. The first bill reformed the state's civil code, transforming its gender-neutral language into a definition of marriage exclusive to heterosexual couples. The second initiative outlawed adoption for individuals who had not entered into (heterosexual) matrimony. The PYN's third and last initiative that sought to reform Yucatan's vanguard abortion policy by increasing the penalties for illegal abortions, was however missing. In its place, the PRI majority proposed a bill as part of the reform package that added the recognition of "the right to life from the moment of conception to the natural death" to the local constitution—identical to the reforms that had previously passed in thirteen other states. The bill also modified penal code article 392, establishing the possibility for women to avoid penalties for abortion by "fully understanding the significance of human life, her criminal behavior and the suffering abortion leaves through integral medical treatment, with the purpose of reaffirming the human values of maternity, direct her reinsertion in society and ensuring in all moments the strengthening of the family, which is the basis of society" (Diario de Debates 2009:549). While this addition to the penal code partly coincided with the PYN's objective to enshrine family values and respect for life in the constitution, the amendment did not reform it in line with the initiative presented by the network a few months prior.

The PRI was indeed aware of the potential costs of restricting already limited legal grounds for abortion. While the party pursued restrictive moral gender policy reforms to obtain the electoral benefits of the Catholic Church's support as well as the approval of Yucatán's powerful oligarchy, leaders were also aware that restricting already punitive abortion policies was an unpopular move. As previously noted, PAN legislators' attempt to outlaw abortion in cases of rape had caused so much public outrage that the newly elected Vicente Fox pressured interim governor Ramón Martín Huerta to veto the new law (Márquez Murrieta 2013). Hence, to avoid potentially costly negative media attention, the PRI in Yucatán removed the initiative to further penalize abortion prior to the voting session and instead introduced the "right-to-life" amendment already familiar to legislators at the subnational level. While the party was eager to receive conservative votes, it also did not want to cause a nation-wide scandal and alike the PAN, be called backtrackers on women's rights. The party therefore exchanged the popular initiative's reform to one more moderate proposal.

Several factors indeed suggested that the PRI purposely fast-tracked the reforms to avoid potential media controversy. Despite its legal obligation to do so, officials at the electoral institution, IPEPAC, never announced that they had received the popular initiatives on April 1st, and neither did Congress. Instead, the proposals suddenly appeared on July 14—mere days before the end of the legislative period by which they, according to law, had to be analyzed. Even PAN deputies, who were arguably pleased with the reforms that aligned with the party's Catholic foundation reacted against quick procedure. Alba Elena de la Cruz Martínez Cortés told media: "From the start we [PAN] said there was too little time to analyze the initiative and asked to open up the debate to society." In a similar procedural critique, another PAN deputy, José Antonio Aragón Uicab, said that he received the Committee's opinion regarding the reforms a mere two hours prior to the plenary session, leaving minimal time to contemplate the bill (Vargas 2009b).

In line with party ideology however, all PAN representatives in Yucatán voted in favor of the reforms during the session. The only party to protest the fast-tracked reforms and vote against the restriction of abortion and same-sex policy was the Congress' sole leftwing PRD representative—also the only party to potentially profit from advancing a socially progressive agenda in Yucatán. Born into a political environment dominated by PAN and PRI, the PRD was from the start impeded from becoming a strong electoral current in the state. Internal conflicts, the party's incapacity to convert daily problems into a programmatic platform and the constant co-optation on part of the PRI had resulted in the left being nothing but an extension of the PRI at the polls (Quezada 2001; Poot Capetillo 2008).²³⁰ Represented by one single legislator in the Congress, the PRD could do little to hinder the reform's passage.

PAN deputy Alba Martínez Cortés congratulated everyone involved for fighting for the right to life that “from its beginning has been one of the PAN's sustaining ideological principles” (*Diario de Los Debates* 2009). In contrast, the PRI did not provide any ideological motivation or defense of the reforms during the session. Instead, responding to the critique that followed, the PRI coordinator in Congress, Jorge Carlos Berlin Montero, downplayed the party's agency in the process declaring that “it is important to highlight that this was a citizen initiative that we were obligated to pass judgment on” (Vargas 2009a; *Diario de los Debates* 2009). Leaders of the Pro-Yucatán Network and its associated organizations filled the front rows of the chamber (Vargas 2009a).

In the municipal elections carried out barely nine months after the reforms, the PRI for the first time in two decades regained control over the state capital, Mérida. While no direct evidence links the party's success to the approval of the popular initiative and the “right-to-life” reform, the policy changes most likely facilitated the PRI's electoral victory by ushering in support from two important electoral players in the state—the powerful local oligarchy and

²³⁰ Personal interview with Ana Rosa Payán, former PAN mayor of Mérida, Mérida, Yucatán, October 2015.

the Catholic Church. In a letter directed to its faithful in the aftermath of the reforms, the archdioceses of Yucatán referred to the reforms as an historical advance that not only recognized and consolidated the family as a fundamental social institution but also guaranteed the right to life from conception to natural death—fundamental Catholic principles. The letter expressed the Church’s gratitude towards the organizations and authorities involved in the process and in particular thanked “the group of faithful laymen committed to uniting Yucatán with the other thirteen federal entities that already changed their Constitutions to establish the fundamental principle of right to life” (*Diario de Yucatán* 2009b).

CONCLUSION

The virtually unanimous approval of the reforms that outlawed same-sex marriage and adoption and enshrined the “right-to-life” in the local constitution was unexpected in Yucatán given the state’s history of progressive women’s rights policies and vibrant LGBTQ population. Above all, the enactment of the reforms was a surprising move for the non-programmatic PRI that governed the state. In sharp contrast to its strategy in Mexico City, the PRI took a restrictive approach to abortion and same-sex policy in Yucatán.

Following the central argument of the dissertation, this chapter showed that in a context shaped by intense competition with the PAN—known for its restrictive positions on moral gender policies—the party introduced reforms that could very well have been advanced by its programmatic rival. By assuming center-right positions, the PRI could please conservative sectors in the state and did not risk losing any support to the PAN over abortion or same-sex policy. The socially conservative party on the other hand supported the restrictive reforms, but wanted to tone down its Catholic foundation in the wake of scandals that had given the PAN a reputation of being backwards on women’s rights, and therefore refrained from introducing a reform. The weak PRD in the state could do little to prevent the reforms from passing.

Moreover, the strong but weakening Catholic Church in the state played an important part in the process. Although the institution for long had enjoyed a religious monopoly in the state, a growing secularity and diversity was becoming more noticeable. The Church however had an important asset—its strong elite connections—that gave it significant political weight, especially in a context of intense PAN-PRI relations. Facilitated by a largely elite-composed civil society network most likely organized by the Church, the PRI introduced restrictive reforms that enshrined key doctrinal principles in state law, in addition to providing the Church with financial privileges, and in return received clergy’s electoral support over the

socially conservative PAN. In other words, Church-party relations in Yucatán were largely temporal and dependent on short-term institutional interests, ultimately seeking to maintain political and religious hegemony.

Similar to the case of Mexico City, both abortion and same-sex legislation underwent change in Yucatán. The restrictive initiatives emerged in response to the LGBTQ coalition's attempt to legalize same-sex marriage and adoption in the state. The pioneering initiative to gather signatures made sexual minority rights salient in the state and triggered counter-mobilization. The pre-existing legal framework surrounding marriage and family policy in turn motivated the unprecedented move to use a popular initiative law to advance gay rights. Yucatán's civil code did not explicitly outlaw same-sex marriage and adoption, but rather, only required a few modifications to extend heterosexual couples' rights to homosexual. The state of the legislation thus provided a possibility for progressive mobilization to succeed. On the other hand, the openness of the legal framework also created opportunities for restrictive change. Similarly, Yucatán's abortion policy was more liberal than most other Mexican states—for example it permitted abortion on economic grounds. The comparatively permissive legislation provided the Pro-Yucatán Network with an opportunity to also mobilize for a more restrictive law, although this proposal was ultimately substituted with a “right-to-life” reform.

The next chapter turns to the politics of the center-right PAN in Guanajuato. In contrast to Yucatán, the PAN faced low competition from the PRI and the PRD. Despite its majority however, the party needed opposition support to pass a “right-to-life” reform—a task that fell to deputies of the non-programmatic PRI given left opposition to such change. In contrast to Yucatán however, *Priistas* in Guanajuato generally opposed restrictive reforms. Facing few benefits from assuming the PAN's conservative position in a context where its attempted

policy changes caused outrage, the PRI in Guanajuato instead pursued moderately liberal positions on moral gender policy.

Chapter 6. Low Party Competition and Church-Party Fusion under PAN Rule

Abortion Restriction and Same-Sex Status Quo in Guanajuato

“After so many years of PAN government, they [party leaders] forgot about the secularity of the state”

—President, New Alliance Party, Guanajuato²³¹

Mere days after Mexico City’s legalization of abortion in April 2007, PAN legislators in Guanajuato introduced an initiative to protect the right to life from the moment of conception. The move on behalf of the dominant PAN came as little surprise. Socially conservative deputies had made headlines already in 2000, when the party passed a bill that outlawed abortion by removing the penal code’s rape exemption and increased the penalties for illegal abortions. Enacted in the wake of the Paulina case that triggered massive public outrage and propelled abortion to the top of national debates, the restrictive reform turned into a scandal that forced the interim governor to veto the law. In 2009, after years of debate on abortion, Guanajuato became the twelfth state in rapid succession to pass a “right-to-life” reform.

The following year, governor Juan Manuel Oliva joined several other PAN leaders in challenging Mexico City’s legalization of same-sex marriage and adoption in the Supreme Court. PAN legislators’ continuous attempts to restrict moral gender policy in Guanajuato and reactions to the national capital’s legalizations were largely anticipated. More than two decades of PAN dominance had reinforced the state’s conservative historical legacy and influence from the strong Catholic Church further reinforced its ideological elements that seek to protect traditional family values and life from the moment of conception.²³²

²³¹ Personal interview, January 20, 2016, Guanajuato City, Guanajuato.

²³² Located in the central-northern Bajío region, Guanajuato was at the center of the Cristero Rebellion (1926-1929) in which *campesinos* took up arms to fight revolutionary governments’ restrictions of religious practices, and the birthplace of the Catholic *sinarquista* movement that continued the fight against rulers’ secular projects. At a minimum, the geographical boundaries of the Bajío include the state of Guanajuato. More expansive definitions suggest that the Bajío covers the area from León, Guanajuato to Querétaro City, Querétaro (Valencia García 1998).

This chapter shifts the focus from the case of unexpected moral gender policy restrictions under the non-programmatic PRI to a highly expected case of abortion restriction under the reign of the programmatic PAN. It analyzes the politics of moral gender policies in a context of single-party domination that sharply contrasts Yucatán's climate of intense party competition. From the democratic transition in 2000 up until 2015, the center-right PAN retained a legislative majority in Guanajuato. In line with previous scholarship that emphasizes the difficulties of liberalizing moral gender policies under socially conservative governments, PAN-dominated legislatures continuously attempted to restrict abortion and challenged Mexico City's policy liberalizations. But while the PAN's legislative majority helps explain the "right-to-life" reform's passage, why did the party leave same-sex policy in status quo? Moreover, how did an electoral landscape dominated by a socially conservative party shape the politics of the PRI and PRD in relation to moral gender policy?

Evidence in this chapter suggests that that party competition and the strength of the Catholic Church shaped the politics of moral gender policies in Guanajuato. In a context of low competition, the PAN's socially conservative agenda dominated state politics and its legislators led recurring, mostly successful attempts at restrictive abortion reform. The party's electoral dominance permitted a conservative politics fueled by the strong Catholic Church. A shared interest in ousting the PRI from office in the 1980s established close PAN-clergy relations that became institutionalized over time. In sharp contrast to Yucatán, Church officials took openly active political roles in Guanajuato. The Archbishop and other Catholic hierarchies constantly interfered in state affairs and even formally collaborated with the state. PAN leaders in turn responded to Church demands, sought its advice, and refrained from reprimanding its repeated violations of Mexico's electoral laws. This mutually supportive relationship transformed into a fusion that blurred the boundaries between state and Church.

In a PAN-dominated political environment and a strong Church, but where restrictive reforms caused public outrage, the non-programmatic PRI's behavior differed sharply from Yucatán. Rather than promoting policy restrictions, the party took moderately liberal stances on moral gender policies to distinguish itself from the socially conservative incumbent. The PRI opposed PAN's attempted abortion reforms and introduced an initiative to legalize same-sex unions, moving towards the positions of its programmatic rival—the PRD—to capture the support of less conservative sectors. Moreover, the closeness between Catholic bishops and PAN leaders left the PRI with few opportunities to cultivate relations to high-ranking clergy. Without prospects of gaining the electoral benefits of Church support, *Priistas* had no incentive to seek policy restriction, which provides more evidence for the argument that non-programmatic parties base their strategies on strategic calculations of short-term benefits.

While the PAN's dominance also affected the politics of the leftwing PRD, it did so to a lesser extent. PRD legislators followed party ideology and sought policy liberalization despite the potential costs of promoting liberalizing change in a state characterized by PAN-domination and a strong Church. The party confronted PAN's proposals by attempting to legalize abortion and supported the PRI's same-sex union initiative, confirming that programmatic parties only moderately alter their positions depending on competition levels.

Progressive sectors within Guanajuato's generally weak civil society had little influence over policymaking. Fragmented and few, feminist and LGBTQ organizations could neither mobilize against abortion restrictions nor lobby strongly for same-sex liberalization. Groups of conservative-religious character were largely absent from the public eye in Guanajuato. Events such as the burning of biology books with information about contraception however suggest that such groups existed but operated largely clandestinely and could be mobilized, for example to support the 2009 abortion reform. The PAN majority and strong Church

however meant that mobilization for restrictive reforms was less urgent than in Yucatán—the dominant party blocked any attempt at policy liberalization.

Controversy, issue salience and pre-existing legal frameworks shaped differences between abortion and same-sex policy in Guanajuato. The state's abortion policy, at the center of scandals and with potential for further restrictions, became the focus of attempts to reform moral gender policy. The lower issue salience of same-sex policy combined with the state's heteronormative civil codes, never became a threat to conservative sectors in the same way as abortion, consequently, we see fewer attempts at policy restriction.

The following sections trace the multiple attempts at moral gender policy reform in Guanajuato 2000-2015. It examines the politics of the state's three main electoral forces—PAN, PRI and PRD—in a chronological fashion, highlighting the impact of party competition, the Catholic Church and opposing sectors of civil society. I also briefly turn to Guanajuato's history that fueled PAN's attempts to restrict moral gender policies in the state.

PARTY COMPETITION, THE ABORTION SCANDAL OF 2000, AND THE WEIGHT OF HISTORY

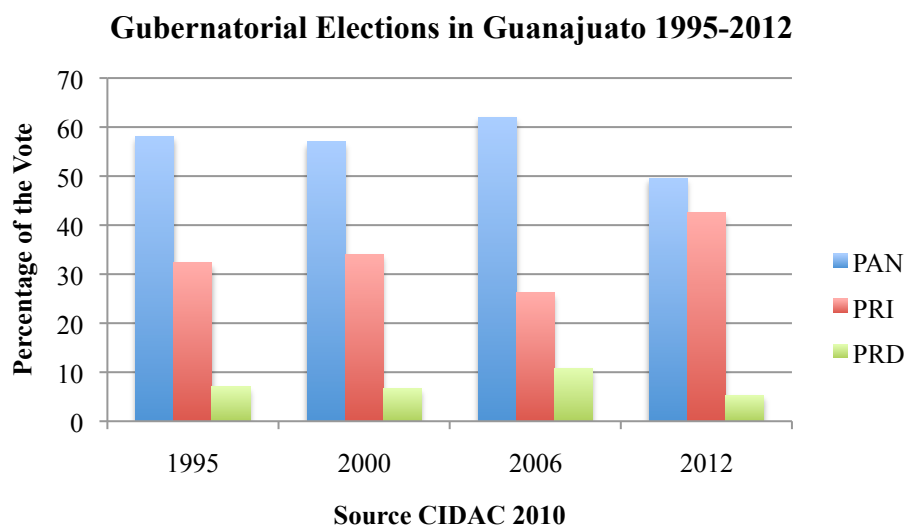
Guanajuato was the only state in which the PAN remained unchallenged in the years following the democratic transition. While the formerly hegemonic PRI regained ground in many states in the years post-2000, the PAN retained seven governorships in Guanajuato, an absolute majority of local Congress seats, and triumphed in the majority of municipalities until 2012 (Navarro Paredes 2012). Historically, the state was one of the most important grounds of PAN expansion, and topped national rankings in votes against the dominant PRI from the late 1920s and onwards (Valencia García 1998). The PAN defeated the official party in the state for the first time in 1964 when Luis Manuel Aranda Torres conquered the second district of León—the state's largest city and most important industrial hub. By the 1980s, the PRI had lost 60% of its constituents in Guanajuato (Martínez Assad 1997).

The significance of the PAN's advances in Guanajuato transcended the local. In August 1991, the intense competition between PAN and the official PRI candidate in the gubernatorial elections captured national attention and came to symbolize the hope of Mexico becoming an electoral democracy. Hundreds of PAN sympathizers took to the streets when the PRI candidate's victory was announced and *Panistas* in the state capital carried out a sit-in outside the Electoral Tribunal (Blanco et al. 2000). The losing candidate was none other than Vicente Fox Quesada, who would go on to become Mexico's first democratically elected President, in his first PAN campaign (Valencia García 1998). After a long dispute, President Salinas de Gortari named PAN's Carlos Medina Plascencia interim governor of Guanajuato. Medina Plascencia became the first non-PRI governor to take office in Guanajuato and the second non-PRI governor in Mexican history (Byrnes 2003; Beer 2006).

PAN became the major political force in Guanajuato following 1991. In the municipal elections in December, the PAN and PRI for the first time reached electoral parity.²³³ In the subsequent 1995 elections, PAN gained almost twice as many votes as the PRI—a total of 58 percent of the total vote (Valencia García 1998). By 1997, the PRI had lost its majority in the state legislature and PAN candidate Juan Carlos Romero Hicks won over the PRI candidate with a 22.6 percentage point margin in the 2000 gubernatorial race (Beer 2003; Mizrahi 2003; Cavero Pérez 2005). The newfound majority provided an opportunity to pass legislation without the support of other parties and thus pursue the PAN's ideology without restrictions.

²³³ The parties gained 45.2 and 45.1 percent of the votes respectively.

Figure 6.1.



The 2000 Abortion Scandal, President Fox, and Opposition Stances

Triggered by nascent debates over abortion liberalization in the PRD-governed Federal District and emboldened by its electoral victory, the PAN majority in Guanajuato passed a bill in early August 2000 that criminalized abortion under all circumstances. The reform limited the state's already restrictive policy by removing the exception that allowed abortion in cases of rape, in place since 1931, and increased penalties for illegal abortions with up to six years in prison plus fines. Supported by a Social Alliance Party [*Alianza Social*] deputy and an independent, the PAN dominated legislature approved the bill in a 17-16 vote where the main opposition came from the PRI and PRD.²³⁴

In the wake of the Paulina case, the reform re-ignited the abortion debate and provoked a massive scandal that reverberated throughout the federation. Approved a mere day after its former governor Vicente Fox was declared winner in Mexico's first democratic presidential election, the Catholic-conservative sentiments that implicitly motivated the reform were profoundly inconvenient for the PAN. The reform epitomized the worry many had harbored about casting a vote for the socially conservative party in the attempt to oust the PRI from

²³⁴ In addition to the PRI and PRD, the Labor Party [Partido Trabajo] and the Green Party opposed the reform.

office and protestors across Mexico sarcastically asked if the reform signaled the newly elected president's promised plurality and tolerance (Amuchástegui et al. 2014). A pressured Fox expressed discontent with the reform and reiterated his intention to maintain existing legislation. In Guanajuato however, legislators defended the reform in the name of party ideology. Ricardo Torres, coordinator of the PAN's parliamentary group, argued that defending life from the moment of conception without any exception was a party principle and newly elected governor Romero Hicks "for congruency" assured his agreement with the party's decision to prohibit and punish abortion even in cases of rape, supported by Catholic clergy (Espinosa 2000; La Jornada 2000).

The opposition in Guanajuato—the PRI and PRD that constituted the second and third electoral forces in particular—condemned the reform's double victimization of women and the "legislative barbarity" of penalizing abortion in rape cases. While the PRD followed party ideology, the scandal forced the PRI that in most states had remained mute on moral gender policies to take a public stand. In stark contrast to its politics in Yucatán, *Priistas* in Guanajuato took a human rights-approach and declared their belief that abortion should be legal for social justice and public health reasons.²³⁵ Framing the party as "representing vulnerable groups," PRI legislators emphasized the importance of women's rights and declared to be in favor of abortion in the case of rape and to preserve the health of the mother.²³⁶ Finding themselves in the middle of a scandal that negatively affected the dominant PAN, PRI legislators assumed a moderately liberal approach to abortion that distinguished the party from its socially conservative rival, and made the government's lack of a human rights perspective central to its critique.

Towards the end of August, interim governor Huerta issued a veto against the law citing a poll in which a majority of citizens in the state opposed the reform. Almost a year later, in

²³⁵ Interview with Irma Leticia González Sánchez, PRI deputy, Guanajuato, Gto. November 18, 2015.

²³⁶ Interview with PRI deputy Luz Elena Govea López, Guanajuato, Gto, November 10, 2015.

October 2001, it was annulled in a 32-1 vote and the penal code restored to its previous state (Márquez Murrieta 2013). PAN legislators' attempt to restrict abortion in Guanajuato must be understood in the light of the state's history and predominant Catholic-conservative culture that coincides with party ideology. Indeed, much of the PAN's electoral support in the state is attributed to the political struggles related to religious freedom, anti-centralism and the defense of traditional culture that played out in the state created a favorable electoral environment for the party (López Levi 2002; Navarro Paredes 2012). Guanajuato was the birthplace of counter-revolutionary movements linked to a deep Catholic religiosity and strong regionalism, and at the center of the Cristero Rebellion and the subsequent emergence of the Catholic *sinarquista* movement that continued the struggle for religious liberty and regional autonomy. PAN discourse has continued to reflect demands historically at the center of Bajío politics (Hernández Vicencio 2006)—battles that continue “to be a force in memory, in the collective identity and in politics” (Valencia García 1998:15; Rionda 2001).

Spiritual Battles: The Cristero Rebellion and the Sinarquista Movement

The Cristero Rebellion and the *sinarquista* movement were both born out of a rejection of the Mexican Revolution and the modernizing, secular projects of post-revolutionary governments. Above all, the movements reflected the difficulty of reaching a consensus on agrarian reform and religious politics—two themes fundamental to consolidating Mexico's post-revolutionary regime (Valencia García 1998; Blanco et al. 2000).

The defense of religious liberty had been a source of permanent conflict in Guanajuato since the 1870s. Anti-clerical politics were unpopular in a state characterized by deep popular religiosity and state persecution only strengthened the Church (Blanco et al. 2009). President Calles' creation of a Catholic Church independent of Rome in 1925 and application of the 1917 Constitution's anticlerical regulations were unpopular in the state, and the dismissal of

archbishop Mora y del Río in February 1926 for critiquing the Constitution marked the beginning of the Cristero Rebellion's armed phase. Discontent rapidly transformed into a violent revolt that extended across the Bajío (Rionda 2001). Demanding the return to a idealized past characterized by a deep Catholicism and family values, now perceived as violated, fifty thousand rebels rose in 1926. Their popular and clerical support made quelling the rebellion difficult, but peace was finally made three years later when Porfirio Díaz assumed the presidency. The Church agreed to surrender the Cristero army and resume religious services while the government vowed to apply anti-clerical laws in "a spirit of conciliation" (Valencia García 1998; Blanco et al. 2009:203).

Disagreement with the peace arrangement and the government's socialist project that included sexual education, Cristero rebels in the countryside fought a second *cristiada* throughout the 1930s (Rionda 2001). Guanajuato's government saw education as the best strategy for state consolidation and confronted Church's opposition by closing all religious schools in 1935. Priests across the state encouraged rebellion against the new policies, which led to new bloody confrontations. President Cárdenas however sought to end the conflict and Church-state relations improved in 1937. Following the end of the persecution of Catholic education, the archbishop allowed faithful to attend public schools and by 1938, churches across Mexico had re-opened (Blanco et al. 2009).

The Cristeros did not disappear from the Bajío overnight however. Other movements emerged to give voice to the social forces discontent with the peace agreement (Rionda 2001). *Las Legiones* formed clandestinely in 1931 to peacefully mobilize Catholics against the persecution of ex-Cristeros, the implementation of the regime's anticlerical laws and the socialist education project. Its members founded the *Unión Nacional Sinarquista* in León in 1937, which expanded rapidly across the Bajío seeking to institute a social Christian order and fight the governments' modernizing projects that threatened regional traditions.

Described as the “final weapon Catholics had to confront the Revolution,” the sinarquista movement brought groups together under a Catholic-patriotic identity (Valencia García 1998). The movement’s name, the “battle of the spirit” [*batalla del espíritu*], defined its objective, identity and presence in the Bajío—a region where the sinarquistas believed the true traditional, Catholic-conservative and nationalist spirit existed (Serrano Álvarez 1992:13). By 1938, León was known as “Sinarcópolis” and with 30,044 active militants at the end of 1939, Guanajuato sinarquistas distinguished themselves not only in sheer numbers but also for their hierarchic and disciplined organizational structure that frequently labeled them fascists (Blanco et al. 2009).

The Cristero Rebellion and sinarquista movement gave way to a particular local political identity imbricated in Catholicism and strong regionalism (Rionda 2001; Uribe 2008:40). Attempts by central forces to circumscribe state autonomy produced strong anti-centralist sentiments. The Cristero rebellion and the sinarquista movement were born out of a collective defense of traditional values perceived to be under threat, more specifically Catholicism, propriety and homeland. The defense of the entity as the essence of being Mexican translated into distrust of the center’s dominance of local life (Valencia García 1998; Rionda 2001). Manifestations of a regional conscience and hostility towards central orders can be found already in the mid-18th Century in the conflicts with powerful groups in the center that intended to subdue state autonomy, and in the state’s strong support for the federalist cause throughout the 19th Century (Ibid 1998; Ibid 2001). These notions remain alive today. As PRI deputy Irma Leticia González Sánchez explained: “We like to preserve our customs and our history in Guanajuato. We strongly defend them.”²³⁷

ABORTION DEBATES 2007-2009 AND THE PRD’S COUNTERREFORM

²³⁷ Personal interview, PRI deputy Irma Leticia González Sánchez, Guanajuato, Gto. November 18, 2015.

The day after the PRD-dominated ALDF legalized abortion in Mexico City in April 2007, PAN's parliamentary group in Guanajuato called for a press conference. Spearheaded by deputy Gerardo de los Cobos Silva, party leaders expressed their strong rejection of the new policy, perceived to directly violate the right to life. Triggered by the perceived attack on party ideology, PAN legislators within days presented two bills with the explicit objective to counteract the Federal District's reform (*AM* 2007). The first initiative proposed a "right-to-life" amendment that ensured fetuses the same protections as full-grown adults by reforming the state constitution. The second initiative, the "responsible fatherhood bill," aimed to make men assume their paternal responsibilities through mandatory DNA testing, and ultimately, to discourage women from seek abortions due to the absence of a supportive partner (García and Balderas 2007a; García and Balderas 2007b; Reyes 2007; Reyes 2007b). On April 26, PAN deputy Antonio Ramírez Vallejo presented the first proposal to protect "all that is conceived," including in cases of rape (Balderas 2007). Debate on the bill however stalled for months. Requiring the two-thirds majority of votes necessary for constitutional reforms, the PAN needed support from the opposition. Without reaching a consensus among the rest of the parliamentary groups, and in particular from the second electoral force, the PRI, the bill was put aside (Balderas 2008a).

In October 2008, the Supreme Court's presented its resolution of the unconstitutionality challenge filed against the Federal District's new abortion law in a decision that favored the PRD. In the wake of the verdict, the PAN reintroduced its initiative to protect life from the moment of conception (Balderas 2008; Balderas and Ledesma 2008). At the final hour however, the party withdrew the initiative from the day order. Although the center-right party's string of electoral victories had continued in the 2006 election when the PAN obtained its historically highest vote, it once again lacked the two-thirds majority required to reform

the constitution.²³⁸ With 23 out of 36 votes at its disposal, the party needed the votes of three opposition legislators to approve the initiative. Without any agreement or discussion among other parties, the reform was removed from the day order (Reyes Colin 2008a). To be able to pass the initiative in line with its ideological foundation, the PAN opened up for negotiations. The President of the Governance and Constitutional Points Commission [*Comisión de Gobernación y Puntos Constitucionales*], Fransisco Javier Chico Goerne, informed the Congress that the PAN was willing to negotiate with the opposition to achieve the reform. In exchange, PAN legislators promised to support initiatives important for the opposition (Balderas and Ledesma 2008).

The opposition did not receive the proposal with open arms. The PRI drew on a variety of arguments to reject PAN's proposed reforms, including that the modifications had a risky social impact; were unnecessary as the federal constitution as well as secondary states laws already protected the right to life; and that a reform would be unconstitutional as the Supreme Court had already declared Mexico City's abortion legalization valid (Reyes Colín 2008a; Reyes Colín 2008b). While there was little risk that PRD legislators would cross the sharp ideological line between the two parties, PRI leaders vowed not to approve the initiative and went out of their way to ensure that deputies did not vote in favor of the PAN's reform. PRI leader Miguel Angel Chico Herrera declared in the press that he had talked personally with all deputies to ensure that no one voted for the proposal and confirmed their understanding that the reform was related to PAN's—not the PRI's—ideological goals (Ibid 2008b). The PRI continued to invoke the 2000 reforms and the party's rejection of PAN's criminalization of abortion. On numerous occasions, *Priistas* declared that they did not support penalizing abortion in the case of rape to remind the public that the party did not share PAN's extreme positions (e.g. Balderas and Ledesma 2008).

²³⁸ In coalition with the PANAL, the PAN won 61.86% percent of votes.

The PRI's behavior was a far cry from its chosen course of action in Yucatán's context of intense competition. While the PRI spearheaded an identical reform in the southeastern state, the party in Hidalgo made sure that it did not facilitate the PAN's attempt to enact a restrictive reform. But while the PRI opposed abortion restrictions to distinguish itself from the PAN, the party took only a moderately liberal stance. The PRI struck a careful balance between positioning itself far from the PAN's conservative positions on moral gender policies but also from the leftwing PRD progressive stance, and refrained from introducing any bills seeking policy liberalization since it was not "a demand of society" (*Correo* 2007b).

The PRD's Failed Attempt to Legalize Abortion

Despite the potential electoral costs of promoting moral gender policy liberalizations in a state dominated by voters with a PAN preference and a strong Church, PRD legislators followed the party line on abortion. A week after the PAN revived its "right-to-life" reform following the Supreme Court's decision in October 2008, leftwing legislators presented an initiative to legalize first trimester abortion in Guanajuato. Identical to the PRD-sponsored bill that the ALDF approved in Mexico City a year earlier, the initiative aimed to make abortion legal on demand and to expand the humanitarian grounds by adding exemptions to the penal code (Reyes 2008; Balderas 2008b).²³⁹ The bill however never came to a vote.

The PRD had little to lose by promoting policy liberalization in a state where its progressive party program had little appeal to voters, attributed to the conservative climate that has made the growth of a left-wing party difficult (Rionda Ramírez 2001). In 2008, a mere 1.2% of the state's population identified with the PRD (Hernández García and Díaz Pérez 2013). A distant third electoral force and with few prospects of advancing in the state, the party still followed its programmatic foundation in the hopes of attracting the few voters

²³⁹ The bill sought to legalize abortion in the case of rape; when the mother's life or health is in danger; in the case of fetal malformations; and when the pregnancy is the result of non-consensual artificial insemination.

that opposed the PAN's restrictive stance. As one scholar described the logic behind the party's choice: "If you ask the PRD, they will always say that women have the right to choose because they have little to lose here."²⁴⁰ Not only the PAN's dominance made the party stick to its foundational principles however. The party had few chances of receiving the support of a major electoral player in the state—the Catholic Church. The strategy to pursue liberalizing reforms despite the potential costs was therefore a conscious decision on behalf of *Perredistas* in Guanajuato. When asked if the party had suffered electorally for pursuing its party program in the states, a PRD representative replied: "Of course. The party has proposed different initiatives to depenalize abortion in the state, promoting it as a women's rights issue. We have paid the costs every time."²⁴¹ Indeed, ahead of the 2015 elections, priests across the state were caught asking its faithful to not vote for the PRD during mass (García 2015).²⁴² A few months later, during the inauguration of Guanajuato's 63rd legislature in September, the single PRD deputy-elect, Isidoro Bazaldúa Lugo, declared that the party would prioritize reforms seeking to legalize abortion and guarantee marriage equality in the state (Escalante 2015).

CHURCH-PAN RELATIONS: UPHOLDING POLITICAL-RELIGIOUS HEGEMONY

Catholic bishops and PAN leaders grew closer from the 1990s and onwards. The Church favored the opposition during the disputed 1991 elections—the dioceses of León and Celaya circulated a document urging the population to resign the right to vote in protest against the PRI. During his candidacy for governor, PAN candidate Vicente Fox constantly invoked his Jesuit formation and the religious notion of working towards the common welfare [*bien común*]. At the end of his campaign in León, a speaker announced the Pope's blessing of Fox and his family (Valencia García 1998). The Church's growing presence in politics continued

²⁴⁰ Personal interview with scholar #1, Guanajuato, Gto. November 13, 2015.

²⁴¹ Personal interview with PRD representative, Guanajuato, Gto. January 27, 2016.

²⁴² Personal interview with Èrika Arroyo Bello, PRI federal deputy, Guanajuato, Gto. November 2015.

under interim governor Carlos Medina Plascencia (1991-1995), who made his personal Catholic belief and support of the Church public and each year attended the annual religious celebration on the hill below the massive *Cristo Rey* statue (Martínez Assad 1997). During this time, León bishop Rafael García González frequently appeared in political events and worked closely with various PAN municipal presidents on a range of political topics and made public declarations favoring PAN (Valencia García 1998:152).

In the extraordinary elections of 1995, prompted by the controversy surrounding the official candidates' fraud-ridden victory a few months earlier, the dioceses of León organized workshops of "faith and politics" to promote citizens' political reflections and encourage voter turnout. Leaflets created for the event utilized notions such as "the search for the common well-being" and "the legitimate autonomy of intermediary organisms" that thinly veiled a PAN preference. Unsurprisingly, Vicente Fox gained almost twice as many votes as the PRI in a victory largely attributed to Church support. His victory ushered in an era of PAN rule that lasts up until today (Blanco et al. 2009; Navarro Paredes 2012).

From the late 1990s and onward, the Catholic Church in Guanajuato took on an increasingly active political role. By 2007, it had transformed into a constant intervention in political affairs. The Church frequently spoke out on political matters through media declarations and Sunday mass and reacted swiftly to both local and national events, making few attempts to hide its political involvement and interests. The archbishop of León, José Guadalupe Martín Rábago, the archdioceses or local bishops constantly intervened on topics ranging from abortion to layoffs in the municipal administration, price increases, tax raises and public security (e.g. Chavolla 2009; Chavolla 2010). Beyond making general media declarations, the Church did not hesitate to target (and pressure) specific public servants. In a *Correo* interview concerning the selection of a new municipal police chief, the bishop of Celaya, Lázaro Pérez Jiménez noted that "a military as the new police chief would positively

indicate discipline in the force. Municipal president Rubí Laura López must evaluate this possibility and we hope that as the good Catholic she is, she will listen to what God dictates concerning the appointment” (Meneses 2009). The Church also used Sunday mass to convey political messages, commenting on current political events and asking parishioners to pray for specific outcomes. For example, at the height of the flu epidemic in 2009, archbishop Rábago asked the faithful to pray to Jesus for Mexico’s health (Nieto 2009).

Church interventions in Guanajuato however went beyond media declarations. The Church actively collaborated with the state, directing policy and other political action, particularly at the municipal level. Secretary of Public Security, Baltazar Vilches Hinojosa, met with the archbishop or lower-ranking Church officials to ask for advice related to public security and violence prevention multiple times between 2009 and 2010. When media questioned the consultations, Hinojosa declared that the ecclesiastic sphere is very important in making policy recommendations and that the Ministry is in touch with “all institutions that can help advance security” (Méndez 2010; Vega 2009). Indeed, in attending the celebration for the archbishop’s 50th anniversary, interim governor Héctor López Santillana thanked Rábago for his pastoral work and for his advice concerning the state’s security issues at critical times (Espinosa 2012). Religious authorities also trained public security personnel on ethics and humanism to better serve the community and avoid human rights violations (Ruiz 2009). In addition, Church officials also demanded state intervention and received quick response. In 2009, reports of rape and physical aggressions toward women in the Nuevo León neighborhood propelled archbishop Rábago to request intervention. The same day, mayor Ricardo Sheffield responded via media that cameras would be installed to enhance security in the vicinity (Chavolla 2009c).

Moral Gender Policy, the Catholic Church, and the PAN-state

The Church's deep involvement in local politics resulted in an outspoken support for PAN's attempts at policy restriction. Between 2000 and 2013, the Church supported and when needed, defended, the party's initiatives. Amidst the abortion scandal in 2000, Church officials declared themselves in favor of incarcerating raped women who have abortions and applauded subsequent attempts at policy restriction (*La Jornada* 2000a). Beyond the expected declarations against abortion and same-sex marriage, Church officials in Guanajuato involved themselves directly with politics and made declarations that showed significant political knowledge. Following Mexico City's abortion reform, the bishop of Irapuato, José de Jesús Martínez Zepeda, declared he would organize a protest march, and vicar Mojica correctly commented that the PRI originally presented the bill to legalize abortion in Mexico City and only afterwards the PRD, expressing fear that the two parties would join at the federal level to legalize abortion (Saucedo 2007). Similarly, a year later, the archdioceses' spokesperson Raúl Villegas declared the importance of impeding the spread of the national capital's same-sex policies and began to openly lobby social leaders and deputies. Villegas assured that the archdioceses had communicated its position to deputies and added that "...we are making a call to Catholics, for people to rethink this situation [the legalization of same-sex marriage and adoption]. If they really are faithful they will reflect upon it" (Saucedo 2007; AM 2010).

Church support of PAN initiatives did not pass unnoticed by other parties. While governor Oliva denied that the Church influenced government action, the opposition claimed that the PAN served Church interests (e.g. AM 2010b; Molinero 2010; Diego 2010). Some even suggested that the Church directed politics during Oliva's time in office (2007-2012). Irma Leticia González Sánchez, PRI deputy, recalled: "I was *regidora* of Irapuato—part of the town council. The municipal president is the highest authority and he always invited the archbishop to events. The archbishop was practically the president's sounding board. Church

and state are separated, but not for PAN.”²⁴³ Indeed, governors and other public servants with often accompanied the bishop in religious events.²⁴⁴ Not only the opposition noticed the strong Church influence in politics. Verónica Cruz Sánchez, director of *Centro Las Libres* noted that “Oliva’s time in office was the most regressive governance period in Guanajuato [in recent times], but you realize that it was not Oliva per se—it was the archbishop. Every Sunday, the bishop publicly announced his agenda and you could see how the state acted afterwards—it reacted to what the bishop said or incorporated it onto its own agenda. The Church dictated the government’s politics.”²⁴⁵

Evidence indeed abounds of the Church’s closeness to PAN. Not only was it involved in advising and training PAN-appointed officials and expressed support and appreciation for the government, religious authorities were particularly close to local PAN deputies. During one of his several visits to Guanajuato, the Vatican’s representative in Mexico, Christophe Pierre, met with local PAN legislators and encouraged them to act in accordance with their religious convictions. While no deputies from other parties attended the meeting, eleven PAN representatives were present and party coordinator Gerardo Trujillo highlighted the importance of opening a channel of direct communication from Guanajuato to the Vatican (Chavolla 2010b). In an earlier visit the same year, PAN mayor Miguel Àngel Flores Solís and five thousand citizens welcomed Pierre to *San Felipe* to celebrate the municipality’s tradition of training priests. Invited by Rábago, Pierre made plans with Flores Solís to carry out a project to establish a seminary in San Felipe and unsurprisingly, given the recent approval of same-sex marriage and adoption in the capital, gave a speech highlighting the importance of the nuclear family to parishioners (López 2010).

²⁴³ Personal interview, Irma Leticia González Sánchez, PRI deputy, Guanajuato, Gto. November 18, 2015.

²⁴⁴ Personal interview with scholar #2, Guanajuato, Gto. December 4, 2015.

²⁴⁵ Personal interview with the director of Las Libres, Verónica Cruz Sánchez, Guanajuato, Gto. November 26, 2015.

Despite the Church's constant interventions, the PAN never publicly criticized its political involvement. In the words of a PRD representative: "The Church made the right to abortion into a negative political issue, a politics of death, and argued that same-sex marriage is of the devil. PAN does not say it as openly, but its silence seconds this opinion. This is how you read them."²⁴⁶ The prevailing silence derived from the benefits PAN received via Church support. Catholic officials still organize workshops to encourage faithful to vote, widely considered to induce the vote for PAN (Navarro Paredes 2012). An event during the state elections of 2015 is indicative of how this support plays out. After a complaint made by *Movimiento Ciudadano* representatives, Guanajuato's Electoral Office audited thirty Churches across the state and encountered electoral propaganda in Celaya and Salamanca. In Celaya, priests asked faithful to abstain from voting for the PRI-PVEM-Panal coalition's candidate during mass, and leaflets were found urging Catholics to not vote for a coalition that "violates natural laws and principles of faith" (García 2015).

The opposition bears witness of how the Church actively supported PAN, at times by encouraging people to vote for the party that protects life in Guanajuato—obviously, the PAN—or simply said "please do not vote for PRD or PRI."²⁴⁷ The president of the New Alliance Party had a first-hand experience: "In mass on Sunday, June 7 2015, just before the elections, priests told churchgoers in the municipalities with the greatest voting turnout not to vote for the candidates of the PRI-Nueva Alianza-PVEM coalition. In the north of the state, where the poorest municipalities—*Tierra Blanca* and *Santa Catarina*—are located, they spread the idea that if people voted for non-PAN candidates, the resources of federal

²⁴⁶ Personal interview with PRD representative, Guanajuato, Gto. January 27, 2016.

²⁴⁷ Personal interview with Mónica Méndez, legal coordinator, Centro Las Libres, Guanajuato, Gto. November 16, 2015, and with Èrika Arroyo Bello, PRI federal deputy, Guanajuato, Gto. November 2015.

programs would end. And they did all of this through word of mouth [*boca a boca*] through Church congregations.²⁴⁸

The direct associations between the Catholic Church and PAN that constituents made in Guanajuato after the many years of Church-party fusion mattered for electoral outcomes. Pope Benedict's visit in March 2012, three months ahead of the gubernatorial elections, influenced the results. A poll conducted by the nation-wide daily *El Universal* on March 22, 2012 revealed that 28% of polled citizens confirmed that the Pope's presence in Guanajuato would make them more likely to vote for PAN (cited in Navarro Paredes 2012).

Maintaining the Herd: The State's Financial Support

While religious diversity grew in most states over the past few decades, the Catholic Church in Guanajuato remained largely unaffected by such competition. Distinguished for its religious fervor already in the late 1800s, the state remains at the top of national rankings of religiosity (García and Pérez 2014).²⁴⁹ Although the Church did not need to fend off religious competition by pressuring incumbents to enshrine Catholic doctrine in law, the dominant PAN ensured that the Church did have to worry about defending its values.

Beyond ideological motivations, the Church in Guanajuato was unlikely to shift its partisan allegiance in a climate of single-party dominance. PAN's post-transitional hegemony left little need for the Church to bargain with other parties for political and economic privileges. However, while the Church did not require the state to assert its religious hegemony, it needed financial resources to maintain its herd. The incumbent PAN happily complied—between 2008 and 2009, the municipality of León spent almost one million pesos

²⁴⁸ Interview with the State President of Nueva Alianza, Guanajuato, Gto. January 20, 2016.

²⁴⁹ The number of Catholic-identifying individuals dropped by eight percentage points across the federation 1970-2000, but it only fell with two in Guanajuato. Moreover, while the numbers of secular-identifying individuals almost doubled across Mexico, the number decreased in Guanajuato and by 2010, those identifying as Evangelical or Protestant remained at three percent (INEGI 2000; 2010). Hence, in contrast to Yucatán and Hidalgo, Catholicism in Guanajuato is firmly rooted in state history and culture. Catholic values have fundamentally informed society and continue to permeate broad sectors, helping the Church remain powerful.

restoring the Museum of Sacred Art, and more than four million pesos supporting the remodelling of Catholic facilities and projects linked to the construction of the *Plaza Templo Expiatorio* (Chavolla 2009b; Álvarez 2009).

To support their shared project to maintain political-religious hegemony in Guanajuato, state donations to the Church continued. After Nuevo León, Guanajuato is the second Mexican state to donate most property to the Catholic Church. In 2015, the state donated 18 municipal land properties to construct temples and parishes for a value of 103 million pesos and provided the Church with tax forgiveness and resource allowance for another 120 millions. Authorities justified the donations arguing that the new constructions on donated terrain bring social well being and “build service facilities to the community”—the service being mass. In the municipality of *Santa Cruz de Juventino Rosas*, the city council argued that the new facilities “attend to the community that due to the urban population development requires spiritual service and evangelizing formation.” Conversely, when asked why they received six lots in donation from the city council, the archdioceses of León replied that they solicited terrain to construct temples according to the community’s needs. In Guanajuato, there were already more parishes than health centers. For example, in the largest city, León, there were by 2016 90 Catholic organizational installations but only 79 medical units (Aquino 2016; Zona Franca 2016).

While little evidence suggested that the PAN and the Church were about to lose their political-religious hegemony in Guanajuato, the PRI’s advances in the state indicated somewhat weakening electoral support, which might have propelled political action. Some interviewees indeed suggested that the Church’s fear of losing power motivated its political involvement.²⁵⁰ Another observed that priests during Sunday mass had increased their efforts to persuade churchgoers: “Previously, priests did not involve themselves so much in

²⁵⁰ Personal interview with Attorney General gender coordinator and former director of León’s Instituto Municipal de la Mujer, Guanajuato, Gto. November 6, 2015.

evangelization, but current ones are part of this process. Most Church resources go to León, Irapuato and Celaya where bishops and priests have a strong public impact.²⁵¹

Despite Guanajuato's history as a strongly religious state and fusion with the PAN government, Catholic officials did perceive a growing threat that manifested itself in a strong promotion of religious principles related to moral gender policies. In contrast to Yucatán, the Church did not refrain from public displays of its positions against abortion and same-sex rights. In 2015, posters hanging from the black iron fences that surround the bright yellow *Basilica Colegiata de Nuestra Señora de Guanajuato* in the capital's city center informed bypassers that at six weeks, a fetus has developed a stomach and a heart. Another portrays a young woman holding a baby accompanied by the sentence "you will never regret loving it" in addition to messages such "all have the right to life." The posters visibly represented the Church's defense of life and the family. But despite the strong Catholicism in the state, the posters also sought to pre-empt a perceived threat. On a Friday afternoon, while constituents lined up outside the pastoral office for spiritual guidance, the Basilica's highest priest explained: "Our people are extremely religious, but we live in a plural world where the ideology of gender—a culture of death that defends abortion and homosexual marriage—exists. Church presence is strong, but anti-life and anti-holy marriage sentiments have grown."²⁵²

THE "RIGHT-TO-LIFE" BILL 'S PASSAGE, YUNQUE INFLUENCE, AND CIVIL SOCIETY

By spring 2009, the PAN had still not managed to pass the "right-to-life" reform, and no signs indicated that the party had managed to convince the opposition to vote in favor of the bill to gain the required two votes. In a surprise maneuver on May 8, the "right-to-life" bill re-appeared. The day before, the PAN majority had suddenly fast-tracked the reform in the

²⁵¹ Personal interview with the State President of Nueva Alianza, Guanajuato, Gto. January 20, 2016.

²⁵² Personal interview with priest, Basilica Colegiata de Nuestra Señora de Guanajuato, Gto. December 2, 2015.

Governance Commission. When legislators realized that the bill was coming up for a vote, the PRI continued its party line to reject the proposal, and prior to the voting session, legislative coordinator Antonio Chávez Mena announced that all seven *Priistas* had agreed to vote against the proposal. Together with the rest of the opposition—three PRD and two Green Party representatives—PRI representatives would leave the chamber prior to the vote. However, when the deputies rose to leave, the PRI's Rosario de la Vega and Anastasio Rosiles remained in their seats. The two deputies voted with the *Panistas* in a surprise move that resulted in the bill's approval. Designated to read the PRI's motivation to vote against the PAN's reform aloud in the plenary, de la Vegas decision to stay was particularly surprising. Moreover, the deputy had since 2000 consistently critiqued PAN's recurring attempts at reform. In a burst of outrage, fellow *Priista* Yulma Rocha crossed the chambers to throw money at de la Vega, shouting "You are a traitor, for how much money did you sell yourself?" Thus, in a dramatic turn of events that media described as a "dawn raid," the PAN's third attempt at a restrictive abortion reform succeeded with the help of two PRI members (Reyes 2009a; Reyes 2009c).

The two defections from the PRI's critical line were attributed to clandestine negotiations with PAN in exchange for powerful positions in the state. PRI deputies openly accused PAN of bribing the deputies, which did not appear far-fetched given the PAN's public and repeated declarations of its willingness to negotiate with the opposition to pass the reform (see e.g. Balderas and Ledesma 2008a). Regardless of the reasons for breaking the PRI's consensus, the party did not remain silent. In the aftermath of reform, PRI state leader Chávez Mena tried to expulse de la Vega and Rosiles from the party. The leader of the left-wing Labor Party [*Partido Trabajo*] (PT), Rodolfo Solís Parga, also announced that deputy Dulce María Badillo, who also voted with PAN, had already been excluded (Reyes 2009b).

The PRI however took the strongest action against its representatives. Four legislators sent a letter to Beatriz Paredes, the PRI's national leader at the time, accusing the deputies for betraying the party (Reyes 2009d). PRI's state leader José Luis González Uribe announced that de la Vega and Rosiles would be subjects of a party trial to determine their potential expulsion from the party (Escalante 2009b). On May 9, the party published a full page in *Correo*, one of the state's two largest newspapers, lamenting the decision of the two deputies and distanced the party from their action. Directed to "all women in Guanajuato" from PRI's Steering Committee, the communiqué expressed the party's solidarity with women in the fight for their rights and freedoms as well as the party's respect for women's rights enshrined in the Mexican Constitution. Signed by local party leaders, the page expressed its regret of de la Vega and Rosiles' "unworthy conduct" that has "have passed in history as a betrayal of the principles that the party defends." Before any action was taken however, both legislators announced their departure. A week after their support of the "right-to-life" reform, de la Vega and Rosiles resigned from the PRI by declaring themselves independent (AM 2009).

Prior signs had indicated that PRI deputies seeking to boost their votes had toned down their party's opposition to the PAN's recurring attempts to restrict abortion policy for fears of electoral punishment. Ahead of the elections for municipal president in León in 2009, PRI candidate Bárbara Botello Sántibañez announced in media that she did not support the "right-to-life" bill, arguing that it was an unnecessary reform. Echoing PRI discourse, she state that while being in favor of life, she opposed punishing women seeking abortions after rape (Albañil 2009). At the moment Botello Sántibañez had to cast a vote however, the deputy suddenly went missing and was the only PRI deputy absent from the floor vote on May 8. PAN deputy Obregón Torres immediately accused Botello of refraining from making her position public for fear of losing votes: "Why did she not attend? Because she is candidate for

municipal president for León and does not want to jeopardize her vote publicly” (Méndez 2009; Paniagua and Vásquez 2009; Balderas 2009b).

The highly public disciplinary action against the PRI deputies following their vote in favor of the “right-to-life” reform indicated the PRI’s need to demonstrate its disapproval of the members who endorsed the PAN’s conservative agenda and the importance of showing constituents that the party remained liberal, with a serious commitment to women’s rights. The president of PAN in Guanajuato, Fernando Torres Graciano, defended the defecting *Priistas* and noted that identical reforms had passed in PRI-dominated elsewhere in Mexico where PRI deputies that supported identical bills had not faced disciplinary action: “If you revise PRI statutes and principles, nowhere you will find a position that manifests against the right to life—there is no statute, rule or principle regarding on this topic” (Negrete 2009).

By approving a “right-to-life” amendment, PAN legislators remained true to party ideology but also to the state history and traditions that permitted its electoral dominance in Guanajuato, and the party used the reform to gain electoral leverage.²⁵³ The 2009 “right-to-life” reform passed in the context of federal deputy elections—a moment in which to, in the words of a local newspaper, “deploy the high ideological flags and religiosity of *Panismo* and make sure that neither allies nor adversaries see them without it” (*Correo* 2008). Official statements from the opposition indeed suggested that *Panistas* pressured Congress to pass the amendment prior to the elections. The PRI wanted to leave voting on the bill to after the elections and PVEM deputy Luis Alberto Camarena declared that PAN’s sole motivation behind the reform was to gain votes. PAN deputy Javier Chico Goerne implicitly confirmed this belief by stating that “we will observe in the urns” if the majority of Guanajuatenses favor the reforms. “I believe that the decision in relation to this topic is the easiest and clearest way in which citizens can demonstrate their rejection [of the party] and in this case, what the party

²⁵³ Personal interview with Mónica Méndez, legal coordinator, Centro Las Libres, Guanajuato, Gto. November 16, 2015.

has always promoted” (Balderas 2009; Correo 2009). Following the approval of the “right-to-life” reform in 2009, the Church showed its content arguing that life must be defended under all circumstances (Xicotenca 2009; Serrano and Chavolla 2009).

The PAN’s recurring attempts at policy restrictions were not only related to party ideology and its alignment with state history however, but also to the presence of the ultra-right wing Yunque brotherhood. While the semi-secret organization had operated in the state for decades, PAN’s dominance in Guanajuato allowed its influence to grow under governors Juan Carlos Romero Hicks and Juan Manuel Oliva (Delgado 2003). Strongly linked to the infamous Pro-Life Committee, Yunque influence likely contributed to the PAN’s politics vis-à-vis moral gender policy in Guanajuato.

¡Dios, Patria, Organización! The Birth and Development of the Yunque

Founded in Puebla in 1955, the semi-secret, ultra right-wing National Organization of the Yunque is a Catholic paramilitary organization that trains young adults in physical and ideological battle. Born with the objective to establish a “city of God” in Mexico in accordance with the gospel and save the country from communism, the group aims to evangelize state structures and institutions via strict obedience to Christian principles and Catholic hierarchies (Delgado 2003: 30). The Yunque spread across Mexico from Puebla, where highly conservative sectors of Catholic clergy and prominent businessmen who feared Mexico would become another Cuba financed the birth of its national organization. The Bajío’s religious roots were key for Yunque’s expansion to states where the Cristero Rebellion took place in the 1920s and paramilitary organizations such as *Las Legioneras* emerged in the 1930s. Open admirers of Franco’s fascist regime, the methods that members of the clandestine organizations it created to not reveal its true organization were so violent that the archbishop of Mexico, Miguel Darío Miranda, launched a public warning to Catholic

universities in 1963 that Yunqueistas recruited members and carried out acts akin-to-terrorism on campus grounds (Delgado 2003:44).

The Yunque initially used the Mexican Democratic Party [*Partido Demócrata Mexicano*], inheritor of sinarquismo's extreme Catholicism, as its cover. The PAN was however better suited for its purposes and Yunque leaders set out to infiltrate the party. The election of Luis Felipe Bravo Mena—an alleged Yunque leader—as the PAN's national president in 1999 was evidence of its success (Delgado 2003:169). Today, over fifty percent of PAN elites in primary decision-making positions across Mexico are directly linked to the Yunque or its affiliated associations such as the National Civic Feminine Association [*Asociación Nacional Cívica Feminina*] (ANCIFEM), the National Union of Parents of the Family [*Unión Nacional de Padres de Familia*] and the Pro-Life Committee [*Comité Nacional Pro-Vida*] (Hernández Vicencio 2006). In fact, Yunque member Jaime Aviña Zepeda founded the Pro-Life Committee, known for its extreme opposition to sexual education outside of the family, abortion, homosexuality and contraception, in 1974. The Pro-Life Committee was one of the many associations the Yunque created to conceal its leadership structure and increase civic participation (Uribe 2008:56). Its current director, Jorge Serrano Limón, has on numerous occasions visited Guanajuato to magnify the state's religious forces, including Panistas.²⁵⁴

Already in the 1960s, police investigations confirmed that Yunque-associated ultra right-wing groups operated in Guanajuato. The state became the breeding ground for the organization that regularly carries out training camps in its famous mountains and still holds its annual meeting in León (Delgado 2003). As elsewhere, the organization gained political power via members' high-ranking positions in PAN governments. The PAN's majority in Guanajuato's state Congress in 1997 marked the Yunque's entrance (Téllez Valencia

²⁵⁴ Personal interview with Iovanna Rocha, PRI regidora, Guanajuato, Gto. November 25, 2015.

2008:117). Indeed, all governors since Medina Plascencia have been identified as members, as have a growing number of government officials from Fox's victory in 1995 and onwards (Rionda 2001).²⁵⁵

Influence from the Yunque fuelled the socially conservative elements of PAN ideology related to moral gender policies. The controversial 2000 reform was widely considered a manifestation of Yunque's advancement within PAN (Márquez Murrieta 2013). A closer look at the PAN deputies active in the reform indeed reveals a link. Delgado (2003) attributes the anti-abortion initiative to Carlos Chico Sánchez, Yunque member and advisor to PAN's parliamentary group in Guanajuato 2000-2003. Police reports further identified the brother of PAN deputy Ricardo Torres Origel, another promoter of the 2000 initiative, as the Yunque leader and priest Juan Manuel Origel. Interim governor at the time, Ramón Martín Huerta was also considered part of the organization (Ibid 2003:66). Yunque influence was thus strong in Guanajuato in 2000 and the abortion veto encouraged by party leaders at the national level was perceived as a signal against its ultra right-wing members (Márquez Murrieta 2013:318).

By the time Juan Manuel Oliva was elected governor in 2006, the internal factions that hindered the PAN's turn towards ultra conservatism were gone (*Correo* 2007a) and the insistent attempts to pass a right-to-life amendment continued until they finally succeeded in 2009. In the aftermath, Green Party deputy Beatriz Manrique publicly attributed the reform's passage to the Yunque: "This is a perverse crusade of a small group of Yunqueistas. They finally achieved it [the right-to-life reform]" (Reyes 2009b). The reforms of 2000 and 2009 did indeed have one Yunque member in common: PAN deputy Gerardo de los Cobos Silva, who succeeded Oliva as PAN president in Guanajuato in 1999. Gerardo's brother, Yunque member Jorge de los Cobos, is the only legislator to have twice promoted and advanced an

²⁵⁵ The debacle of 1995 ended in an "extraordinary" gubernatorial election that Vicente Fox won and he remained in power until 1999 when he handed over the governorship to Huerta to run in Mexico's presidential elections.

anti-abortion reform in the state (Delgado 2003:158; Correo 2008; Escalante 2009).

Unsurprisingly, the attempt to overturn Mexico City's same-sex rights legalizations were also attributed to Yunque influence as all PAN governors involved, including Emilio González Márquez of Jalisco and Marco Antonio Adame of Morelos, are alleged members (AM 2010b).

Under governor Oliva's rule, the PAN government in Guanajuato strongly aligned public policy with the PAN's socially conservative agenda. In an interview, an employee of Guanajuato's *DIF Estatal*, the state agency dedicated to family development, recalled how government conservatism restricted the institution's work: "They [the government] told us we had to remove the word "sexuality" from our work, which is part of the topics we work on. We were asked to not use the concept, to not call things their proper name [no llamar las cosas por su nombre]."²⁵⁶ Oliva also appointed individuals with links to the Yunque and Pro-life groups to high-ranking positions. Described as part of "Guanajuato's ultra right" and assigned director of Guanajuato's Women Institute [*Instituto de la Mujer Guanajuatense*], (IMUG), Luz María Ramírez Villalpando supported the consecutive PAN initiatives to protect the "right to life" and spoke out in favor of prohibiting abortion in cases of rape. During the 2007 debates propelled by PAN's attempt to enshrine the right to life in the local Constitution, Villalpando declared that the number of women who become pregnant after rape are very few and "in that case, the body's defense takes care of it." In an interview with the local newspaper *Correo*, Villalpando commented that according to IMUG polls, women worry about jobs and their children's safety—not about their human rights, and especially not abortion: "Not a single woman has pronounced herself in favor of wanting to kill her child, born or unborn" (Balderas 2007; C. García 2008; Diego 2009). Villalpando was not only part of the PAN government however, she was also the leader of the state's conservative network.

²⁵⁶ Personal interview with DIF Estatal employee, Guanajuato, Gto. November 17, 2015.

The Yunque, ProVida, and Conservative Civil Society in Guanajuato

The virtual fusion between the Church and the incumbent PAN in Guanajuato produced an environment in which the restrictive status of legislation on moral gender policies remained largely unchallenged. The socially conservative party's majority in the legislature and the weakness of its ideological adversary—the PRD—meant that abortion and same-sex policy were unlikely to undergo liberalizing change. Mobilization on behalf of conservative-religious actors was therefore less visible and vocal in the state, although grassroots could certainly organize to protect Catholic interests. As feminist activist Véronica Cruz Sánchez explained: “Conservative groups have a different weight in society [in Guanajuato]. They don't need to do the work that we do—they don't need to take to the streets. They have everything – the church, the state, the money – they don't need to ‘move’ anything.”²⁵⁷

In early October 2009, groups associated with the organization Civic Coalition for the Family and Life [*Coalición Ciudadana por la Familia y la Vida*] (COFAVI) gathered to protest the content of biology books provided by the federal government. The group proceeded to burn the books in a manifestation against the sections on human reproduction that contained information about different forms of contraception. The president of COFAVI, Beatriz Rodríguez Moreno, justified her action arguing that the federal government, through its education on biology, encouraged premarital sex (C. García 2009). Another group that formed part of the coalition, *Suma tu Voz*, explained that parents should talk to their children about sexual education and criticized the Secretary of Public Education's lack of a “family perspective based in values” (Chavolla 2009a).

Luz María Villalpando was one of the most active members of the coalition that involved not only *Suma tu Voz* but also other groups, such as *Sumando Vida*, all of which had

²⁵⁷ Personal interview, Guanajuato, Gto. November 26, 2015.

the same leaders and mobilized for the same cause: protecting Catholic interests.²⁵⁸ Under the headline "A Death Pact, The UN in Guanajuato," Villalpando appeared with Yunque leader Mosqueda Martínez' daughter Miriam and Beatriz Rodríguez Moreno in the TV show *¡Dilo Bien!* Broadcasted by the Catholic channel *Mariavisión* on May 27, 2014. The group demanded that governor Márquez rescind the agreement between the government and the UNDP to generate a diagnostic of violence against women in the state, arguing that it clandestinely promoted abortion (Sin Embargo 2014; Hernández 2014). During the PAN's surprise maneuver to fast-track the "right-to-life" bill and put it to a vote, about twenty women belonging to various groups within the coalition attended the session to show their support and ask legislators to approve the reform (Escalante 2009a). A PRI official recalled the conservative mobilization: "I remember that in this moment [when the reform passed], several cars and buses with women from organizations I had never heard of arrived and defended the reforms, they applauded and legitimized the decision."²⁵⁹ Similar to Yucatán, the presence of *Vifac* and its resources also facilitated conservative organizing in Guanajuato and created mobilization networks that feminist activists had difficulties to counteract.²⁶⁰

The "right-to-life" initiative in 2009 had, just as previous initiatives to restrict abortion in Guanajuato, elicited protest from progressive civil society sectors. Feminist organizations declared their opposition to the bill and threatened to file an unconstitutionality challenge if it passed. Véronica Cruz Sánchez of *Las Libres* argued that "women have always been *moneda de cambio* and parties are always negotiating our rights" and called for national mobilization (Balderas 2009). But while almost 200 women from organizations inside and outside of Guanajuato had demanded women's rights not be violated ahead of the 2000 reform, the uproar did not stop the PAN from passing the bill, nor from continuing to pursue policy

²⁵⁸ Personal interview, director, Centro de Derechos Humanos Victoria Díez, 21 January 2016.

²⁵⁹ Personal interview, Iovanna Rocha, PRI regidora, Guanajuato, Gto. November 25, 2015.

²⁶⁰ Personal interview, scholar #3, Guanajuato, Gto. January 20, 2016.

restrictions in the wake of interim governor Huerta's veto (La Jornada 2000). Similar to 2000, feminist and human rights defenders arrived to Guanajuato to protest the initiative and more broadly, reproductive rights violations not only in Guanajuato but across Mexico, and partake in the march that ended outside of the state Congress on October 6 (Balderas 2009). Similar to 2000 however, their protests made little difference.

Unable to create a strong movement, the few existing groups in the PAN-dominated Guanajuato were unsuccessful in impacting public policy. While *Las Libres*, as I return to below, had some media incidence, it did not matter much politically.²⁶¹ While topics such as abortion begun to gain media attention thanks to organizations such as *Las Libres* that raised their voices for reproductive rights, they did not manage to influence legal change.²⁶² Besides the difficulty of establishing alliances with political actors in the state, activists faced obstacles in creating common agendas and reaching out to the broader public. Rather than organizing jointly, the lack of a common agenda produced isolated action with little impact.²⁶³

SAME-SEX POLICY, THE 2010 CHALLENGE, AND THE PRI'S 2013 BILL

Mexico City's legalization of marriage and adoption equality made same-sex marriage and adoption in late 2009 valid across the federation, including in Guanajuato (Díez 2015). In a state where political actors still sought to preserve traditional local values that aligned with PAN ideology and Church principles and defend subnational autonomy, reactions were immediate. In early February 2010, PAN Attorney General Carlos Zamarripa presented a constitutional controversy before the Supreme Court, challenging the Federal District's new laws. Representing Guanajuato, Zamarripa argued that the reforms violated the federal pact and infringed on state autonomy. Since the Mexican Constitution establishes that all civil acts

²⁶¹ Personal interview, Scholar #1, Guanajuato, Gto. November 13, 2015.

²⁶² Personal interview, PRI deputy Irma Leticia González Sánchez, Guanajuato, Gto. November 18, 2015.

²⁶³ Personal interview, Iovanna Rocha, PRI regidora, Guanajuato, Gto. November 25, 2015.

verified in one state are valid in any other, the Attorney General argued that the reforms constituted an invasion of sovereignty as Guanajuato's local law did not harmonize with Mexico City's (AM 2010a; AM 2010b; Reyes 2010). Drawing on the state's historical legacy, the controversy revolved around state sovereignty rather than ideological resistance against same-sex marriage and adoption.²⁶⁴ Indeed, Governor Juan Manuel Oliva assured that the constitutional controversy had nothing to do with ideology—it was merely a defense of state autonomy (Diego 2010; Correo 2010). The archdioceses of León supported the attempt to hinder Mexico City's same-sex reforms from gaining legal ground and congratulated the government on its action, declaring it constituted a model for how other states should demonstrate their disagreement with the new policy (Bárceñas 2010). Archbishop Rábago also stepped up to defend the decision, arguing that opposing same-sex unions neither violated the secular state nor constituted homophobia (Méndez 2010b).

Following the failure of the PAN's attempt to invalidate Mexico City's laws, the PRI in Guanajuato introduced an initiative to legalize civil unions in 2013. The non-programmatic party took a similar stance in relation to same-sex rights that it had with its opposition to the PAN's abortion reforms—it used a human rights-centered discourse. PRI deputy Èrika Arroyo Bello framed her initiative to legalize same-sex unions in early 2013 as a proposal seeking to guarantee rights for all and eliminate discrimination.²⁶⁵ The introduction of an initiative to legalize civil unions in 2013 demonstrated the party's moderately liberal approach to the topic of gay rights that by the time had gained rapid recognition across the region (Díez 2015). Nevertheless, the civil union bill had small chances of surviving a vote given the legislature's PAN majority, which PRI legislators were undoubtedly aware of.²⁶⁶ When interviewed on the topic of a potential counterreform against PAN's "right-to-life" initiative,

²⁶⁴ Add on PAN's fear of being perceived as backwards and discriminatory, in much caused by the 2000 abortion scandal, which partially explains its behavior across Mexico, especially in Yucatán.

²⁶⁵ Personal interview with Èrika Arroyo Bello, PRI federal deputy, Guanajuato, Gto, November 2015.

²⁶⁶ Personal interview with PRI deputy Luz Elena Govea López, Guanajuato, Gto, November 10, 2015.

PRI's Arnulfo Vázquez Nieto already in 2007 recognized the difficulties of advancing a policy liberalization in a PAN-dominated legislature (*Correo* 2007b). Thus, rather than expecting the civil union bill to pass, the PRI used the bill to showcase its comparatively liberal position on same-sex rights vis-à-vis the PAN, whose 2010 attempt to challenge Mexico City's reforms was quickly deemed invalid by the Supreme Court. During the controversy, the PRI publicly embraced human rights values—in particular tolerance and respect—to differentiate itself from PAN. Despite the PAN's official discourse defending subnational autonomy, most perceived the controversy as an attempt to hinder same-sex marriage and adoption from gaining legal validity in Guanajuato. In a statement aimed at the PAN, PRI deputy Luis Gerardo Gutiérrez Chico announced: “we have to coexist, respect preferences and legislate in favor of tolerance. Legislators should not create laws based on fear, prejudice or dogma but with consent and truth” (Crespo Arrona 2010).

Despite the moderate content of the civil union bill, the proposal triggered resistance that its initiator, Erika Arroyo Bello, attributed to the influence of the Yunque: “Many, many e-mails in the same format arrived to deputies [in the state legislature] the whole day, encouraging them to reject the initiative. The Yunque was behind this and orchestrated public protests against the proposal, and churches held prayers for the “lesbian legislators” who promoted the bill.²⁶⁷ The proposal's controversy explains why the PRI did not attempt to legalize abortion or same-sex marriage in the state despite the party's attempt to distinguish itself from PAN—pursuing such reforms would have been considered “extreme” in the light of Catholic-conservative Guanajuato's culture. In the words of Arroyo Bello: “We did not promote same-sex marriage because we knew we had to promote these issues little by little.”

LGBTQ organizations in Guanajuato supported the PRI's civil union bill, but could do little to lobby for its passage. While around seven organizations seeking expanded same-sex

²⁶⁷ Personal interview with Èrika Arroyo Bello, PRI federal deputy, Guanajuato, Gto, November 2015.

rights were active in the state, there was no cohesive movement or community.²⁶⁸ Similar to Yucatán, Guanajuato's LGBTQ mobilization largely consisted of a few organizations and strife over resources and different perceptions of the best strategies to advance same-sex rights characterized civil society groups.²⁶⁹ Without any unity among activists and absent greater participation within the fragmented LGBTQ community, existing organizations had difficulty to reach a common ground, which also prevented their ability to forge alliances with liberal-leaning political forces in the state.²⁷⁰

The 2010 Incarceration Scandal and the end of PAN Dominance

In the midst of the debate caused by PAN's attempt to introduce a "right-to-life" bill in 2007, Verónica Cruz Sánchez, director of the feminist organization *Las Libres* announced that at least three women in the state served prison sentences for illegal abortions. While denied by authorities, news soon broke that while women had not been prosecuted for clandestine abortions in Guanajuato—they had instead been sentenced to up to thirty years in prison for killing their newborns (Godoy 2007; Reyes and Saldaña 2007).

Ten years after the controversial 2000 reform, the news of the incarcerated women caused a scandal that peaked in 2010 when Alma Yareli Salazar Saldaña, detained for an abortion in November 2007 and sentenced to twenty-seven years in prison—a sentenced that multiplied the penalties for illegal abortions by nine—was released from prison (Gasca 2010).²⁷¹ The case dominated local media from July to September 2010, and just like the scandal of 2000, caused public outrage directed towards the PAN government's socially

²⁶⁸ These included, among others, Colectivo León Gay, Redefine, Colectivos de chic@s trans, and Colectivo Seres.

²⁶⁹ Personal interview with LGBTQ activist, Redefine, León, Gto, November 2015.

²⁷⁰ Personal interview with representative of Colectivo Seres, Guanajuato, Gto, December 2, 2015.

²⁷¹ Under the Oliva government, seven women were incarcerated and another 160 reported for aggravated homicide (Hernández 2014).

conservative stance on abortion.²⁷² As Verónica Cruz Sánchez explained: “It is one thing to be against abortion, another to put women in prison. When people heard the stories of these impoverished women, they said: “Enough! You put poor women in prison? Their crime is to be poor.”²⁷³

Not only the public reacted strongly against the incarcerations. PRI deputies lamented the Public Security Ministry’s decision to report women and demanded further investigations (Balderas 2010a). The bishop of Celaya declared that while abortion should be punished, it should not be with imprisonment and archbishop Rábago insisted that authorities had assured him that no women in the state were incarcerated for abortion (Meneses 2010a; Meneses 2010b).

The scandal was unfortunate for PAN, whose reputation as backwards on women’s rights loomed large after the abortion debacle in 2000. Visible in legislators’ fervent denials that the “right-to-life-reform” outlawed abortion, the party attempted to get rid of its label as extremely conservative in relation to moral gender policy in Guanajuato. While the PAN still enjoyed a legislative majority in the Congress, the party feared that the constant scandals in relation to women’s rights would affect the party’s dominance in Guanajuato—one of the PAN’s main electoral bastions. To mitigate the scandal, PAN leaders quickly initiated a bill to ease penalties for crimes related to aggravated homicide. In August 2010, the state legislature in a unanimous decision dramatically reduced the penalties for the crime from 25-35 years in prison to 3-8 years. The reform was one of the quickest enacted reforms in the state’s history. In September, the government liberated eight women sentenced for the crime (Balderas 2010b; Fuentes 2010).

²⁷² Personal interview with Mónica Méndez, legal coordinator, Centro Las Libres, Guanajuato, Gto. November 16, 2015.

²⁷³ Personal interview with the director of Las Libres, Verónica Cruz Sánchez, Guanajuato, Gto. November 26, 2015.

The scandal made it obvious that it was not beneficial for the PAN's competitiveness in the state to be perceived as backwards on women's rights. Nor was it profitable to be associated with the Yunque.²⁷⁴ In the gubernatorial elections of 2012, PAN candidate Miguel Márquez Márquez distanced himself from Oliva—who was discredited not only for his politics related to moral gender policies and alleged Yunque affiliation, but also for allegations of widespread corruption. Márquez openly declared that his government would have “more PAN than Yunque” (Diego Rodríguez 2012; Zona Franca 2012).²⁷⁵ The gubernatorial elections of 2012 showed a narrowing gap between PAN and PRI that indicated that the socially conservative party that for long had governed the state had begun to lose its hegemony (Monjaraz 2012). The party won over the PRI with a mere seven percentage points and lost several important municipalities (Navarro Paredes 2012; García and Pérez 2014).²⁷⁶ Aware of the need to confront the decades-long media crisis related to women's rights in the state, the newly installed Marquez' administration sought a new strategy, even inviting well-known feminist activist Marta Lamas to provide legislators with training on gender mainstreaming.²⁷⁷

²⁷⁴ Personal interview with Lourdes Gazol, Guanajuato, Gto. January 22, 2016.

²⁷⁵ Personal interview with scholar #2, Guanajuato, Gto. December 4, 2015.

²⁷⁶ PAN candidate Miguel Márquez Márquez received 48 percent of the vote while the PRI-PVEM coalition's candidate gained almost 41 percent. Importantly, PAN lost in León, the economic hub of the Bajío's industrial corridor and its important religious center, for the first time in 23 years.

²⁷⁷ Personal interview with anthropologist and feminist activist Marta Lamas, Mexico City, August, 2016.

CONCLUSION

Restrictive reforms were highly expected in Guanajuato, governed by the socially conservative, programmatic PAN that for decades dominated the electoral landscape. While this chapter showed that the party followed its ideological position in relation to moral gender policy, it also yielded new insights into the politics of the non-programmatic PRI. In line with the central argument of this thesis, the PRI took a strategic position vis-à-vis abortion and same-sex policy in Guanajuato based on calculations of party competition. Rather than competing with the PAN as in Yucatán, the PRI took a moderately liberal human rights approach to moral gender policy that distinguished the party from the conservative dominant party. However, while Priístas attempted some policy change—primarily in relation to civil unions that remain less controversial compared to abortion—it remained moderate. The PRD on the other hand followed its programmatic foundation and pursued bills seeking abortion legalization despite the potential electoral costs. With a small percentage of votes, the party had little to lose and attempted to gain votes by countering PAN's reforms.

Finally, the close relation between the Catholic Church and the PAN-ruled state shows how a strong Church and an electorally strong programmatic party can cooperate to maintain political-religious hegemony. Indeed, the close collaboration operated to uphold the Catholic-conservative culture in the state that underpins the two institutions' dominance. The shared ideology undoubtedly facilitated the creation of a powerful alliance that became institutionalized over time. The relationship differed from the temporal, mutually beneficial pact in Yucatán where a pressured PRI and weakened Church depended on each other to maintain a fragile political-religious dominance. In Guanajuato, both Church and incumbent party remained strong, sustained by the generalized conservative-Catholic culture that created a relationship based on mutual support rather than need. PAN dominated the state's electoral landscape and did not necessarily *need* the Church's legitimizing support to verify its high

morals or to gain access to local elite and the confessional vote. Conversely, PAN's electoral dominance meant that the pragmatic Church did not have to choose between parties to ally with the most likely winner of office to receive benefits. Rather, PAN's hegemony over more than two decades and the shared ideology institutionalized a close alliance in which Church and party-state upheld their dominance. A mutually supportive relationship developed in which the Church supported PAN policy, collaborated with government institutions and made demands on the state. In turn, the state responded to Church requests and maintained its financial privileges. The closeness between a socially conservative party with a legislative majority and an unthreatened Catholic Church created a powerful alliance that used policy restrictions to reinforce the state's conservative moral values and maintain their religious-political hegemony.

The next chapter turns to Hidalgo's electoral context in which low party competition and a weak Catholic Church left the politics of moral gender policies largely up to the dominant PRI that left both abortion and same-sex policy in status quo.

Chapter 7. Ni Para Dios Ni para el Diablo

PRI Dominance and Moral Gender Policy Status Quo in Hidalgo

“The politics of [moral gender] policies in Hidalgo is grey.
The history of reproductive and sexual rights is one of omission, because there is none”
—Tania Escorza Mesa²⁷⁸

By the time PAN deputy Yolanda Tellería introduced a bill to protect life from the moment of conception in the state of Hidalgo in late October 2011, the wave of “right-to-life” reforms that spread across the federation after Mexico City’s abortion legalization had already subsided. Seventeen out of Mexico’s total of thirty-two subnational legislatures had enacted restrictive abortion reforms, and less than a handful had changed their policies vis-à-vis same-sex marriage and adoption. In a few states however, both abortion and same-sex policy remained in status quo. The central-eastern state of Hidalgo was one of them. In 2007, just before Mexico City’s watershed abortion legalization, the local Congress approved a reform that expanded the legal grounds for abortion. Drafted and introduced by a PAN and PRD coalition, the proposal passed in the PRI-dominated legislature. While far from a policy legalization, the reform indicated Hidalgo’s liberal climate and many expected the state to follow in Mexico City’s footsteps and legalize abortion and same-sex policy. Yet neither abortion nor same-sex policy were debated in Congress.

The policy stasis was not due to a lack of initiatives, however. The state’s second and third electoral forces, the programmatic PAN and PRD, both attempted policy reforms in line with ideological foundations. The PRD introduced a bill to legalize abortion in 2011, and introduced a bill to allow cohabitation—a form of civil unions—in 2006. Shortly after the PRD’s abortion initiative, the PAN, introduced a “right-to-life” reform. Yet despite these initiatives, policy remained in status quo. The PRI-dominated legislature deliberately sent bills to linger in legislative committees, where they remained without reaching a vote. What

²⁷⁸ Personal interview Tania Escorza Mesa, Pachuca de Soto, Hid. March 14, 2016.

explains the politics of the non-programmatic PRI in Hidalgo? Why did the party, in contrast to most of their fellow party representatives, leave policy in status quo? Conversely, what hindered the party from legalizing abortion and same-sex rights when many expected Hidalgo, given its proximity to the national capital, to enact identical reforms?

Moving away from the politics of the programmatic, socially conservative PAN in Guanajuato, this chapter shifts the focus back to the non-programmatic PRI. In contrast to the other cases explored in previous chapters however, Hidalgo constitutes a null case in which abortion and same-sex policy remained in status quo. Following the central argument, I find evidence of how party competition and Catholic Church strength impacted the party's strategy vis-à-vis moral gender policies in Hidalgo. The chapter shows how low party competition combined with a weak Catholic Church and subsequently distant bishop-governor relations. Absent the factors that compel parties to pursue policy reform, the PRI had few incentives to stir up controversial debate and instead left abortion and same-sex policy in status quo. In contrast to Yucatán's political landscape of intense party competition, the incumbent PRI in Hidalgo did not face any substantive threat to its electoral dominance. The party had yet to lose a gubernatorial election in the state that remained one of the few in which political alternation had yet to occur and the programmatic PAN and PRD posed little threat.

The Catholic Church also remained weak. It arrived late to Hidalgo, known for its religious diversity and liberal ideas, and failed to establish itself as the dominant religious institution. Without a privileged status that could provide electoral benefits, the Church was unable to forge close links to the political and economic elites that provided Catholic hierarchies with leverage in Guanajuato and Yucatán. High-ranking clergy had merely distant relations to the non-programmatic incumbent and the opposition broadly. In the absence of party competition, the PRI did not need Catholic hierarchies' support to defeat the opposition—even so, the weak Church was unable to provide electoral benefits to the party in

exchange for restrictive moral gender policy reforms. Indeed, while Catholic clergy supported PAN's "right to life" initiative in 2011, it was unable to pressure the dominant PRI to pass the bill. While the Church indeed activated "pro-life" groups, its weak presence and lack of elite linkages failed to build up strong mobilization.

The Church's weakness also meant that the PRI did not have to fear the potential electoral costs of liberalizing moral gender policy. The dominant party however had few incentives to pursue any kind of policy change. Supporting liberalizations in line with the demands of the state's weak feminist and LGBTQ mobilization could have enhanced the image of Hidalgo as an extension of Mexico City's metropolitan area and champion of gender equality. However, such a move would undoubtedly stir national-level controversy and possibly trigger joint mobilization against the party on behalf of Hidalgo's diverse religious actors. The party instead pursued a "grey politics" by deliberately keeping abortion and same-sex rights in status quo and keeping contentious debate at minimum.²⁷⁹ This strategy avoided controversial policy reforms, and the PRI remained on good terms with both opponents of liberalizing change and the few but influential feminist activists that could legitimize the party's efforts to bolster Hidalgo's reputation as the vanguard of gender equality policy in Mexico. In the absence of party competition and a strong religious institution, local interests directed the strategy of the non-programmatic party.

In line with theoretical expectations, the programmatic PRD and PAN remained close to their foundational principles. In a context of low competition, the PRD introduced an initiative to legalize abortion and demonstrate its liberal ideology. In response, the PAN introduced a "right-to-life" bill. There was less activity in relation to same-sex policy. While a brief debate on abortion took place during the joint initiative in 2007, same-sex marriage and adoption remained in silence. While the PRD made some strides to advance sexual minority

²⁷⁹ Personal interview Tania Escorza Mesa, Pachuca de Soto, Hid. March 14, 2016.

rights by introducing a cohabitation law—a form of civil unions—the initiative was never debated. Similar to Guanajuato, the low salience of same-sex marriage and adoption made incumbents in Hidalgo dismiss them as public policies of little interest to the general public. As in most Mexican states, Hidalgo's Constitution established marriage as a heterosexual institution. Low issue salience and a pre-existing legal framework that limited marriage to heterosexual couples help explain differences across moral gender policies in Hidalgo. While neither policy underwent change, the framework still helps explain why there was more activity on abortion than same-sex policy.

This chapter begins by outlining party competition in Hidalgo and the strategies of the programmatic parties that initiated bills on abortion and same-sex policy. It then delves into the history and political impact of the Catholic Church before turning to the Church's involvement in the emergence of the "Yes to Life" movement. The chapter then analyzes the PRI's local party interests, showing how keeping abortion and same-sex policy in status quo was more beneficial than engaging in controversial debates. Before concluding, I briefly turn to the politics of same-sex policy in the state that largely remained in the shadow of abortion.

PRI DOMINANCE, COALITION POLITICS AND ABORTION POLICY 2007-2011

By the time PAN deputy Tellería introduced a bill to protect life from the moment of conception in late October 2011, the PRI remained unchallenged in Hidalgo, where it had successfully retained the governorship and a legislative majority for more than eighty years (Vargas González 2003). Hidalgo was one of the few Mexican states that had not yet to experienced state-level alternation. Until the late 1980s, the PRI won over ninety-five percent of the vote in all state-level and local elections and the party maintained its dominance throughout the 1990s (Beer 2003). Not until 1999 did an opposition party candidate win a single member district in Hidalgo, which led to municipal level alternation for the first time.

While gubernatorial elections grew more competitive from the 2000s and onwards (Beer 2001:428; Vargas González 2003), the increase in competitiveness was primarily due to the magnitude of the opposition—that is, the propensity of opposition parties to create coalitions to oust the PRI from power. The PRI's dominance in Hidalgo since the party's creation in the early 1900s signified almost complete control over state politics—including over the fate of bills that could be approved without the need for opposition support (Ingram 2012).

Unsurprisingly, in a political environment known as one in which the PRI maintains tremendous control, not only over the legislature but the political arena at large, Hidalgo lacked a strong opposition. Political groups in the states have historically emerged from under the PRI's banner, and for a long time, the PAN constituted the only organized political alternative in the state. The center-right party however remains electorally weak in the state, as is the center-left PRD. Other small opposition parties have operated as legitimizers of the official party, providing the PRI with support that have increased its vote totals with up to twenty percent (Gutiérrez 1990:63). The PRI's power monopoly weakened opposition in the state through its control and co-option. The apparatus that maintains the party's control in the state creates a difficult environment for officials elected on behalf of other parties.²⁸⁰ As the leader of Hidalgo's Labor Party stated: "The situation for the opposition is complicated when one party has control over the whole state apparatus and uses it to maintain power. It has resources, structures, and control. It is difficult to fight against this."²⁸¹ As members of civil society describe state politics: "In Hidalgo, the power lies in the hands of the governor. Governors propose something and legislators approve it. And since there is no opposition..."²⁸² "We know that the PRI candidate will always win, with very few exceptions.

²⁸⁰ Personal interview with journalist and activist Elsa Àngeles, Pachuca de Soto, Hidalgo, February 18, 2016.

²⁸¹ Personal interview with the leader of Hidalgo's Labor Party, Pachuca de Soto, Hidalgo, April 14, 2016.

²⁸² Personal interview with the director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

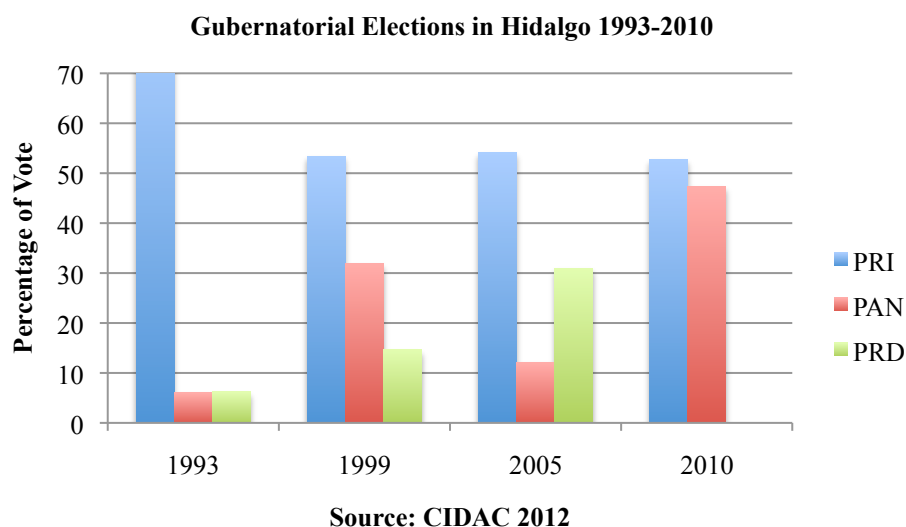
It's a fact. We always end up with the same people.”²⁸³ As the table below shows, the PRI has maintained its dominance in the state. Important to note here is that the apparent electoral inroads on part of the opposition, was due to coalitions. In 2010 in particular, PAN support also includes the PRD, since the two parties had a joint candidate running for governor.

The proximity to Mexico City historically shaped Hidalgo’s political and cultural life. Enhanced by the national capital’s growing metropolitan area, the exchange of activities between the two entities grew over time. Many residents of Hidalgo residents live in Pachuca de Soto and work in Mexico City or vice versa, and the state continues to be strongly influenced by the national capital.²⁸⁴ Hidalgo’s political life is indeed marked by its proximity to Mexico City, and above all by the desire to maintain an image of Pachuca as the progressive extension of the national capital.²⁸⁵ The proximity to Mexico City’s has dominated Hidalgo’s political life. Authorities from the state have historically figured at the federal level, and alliances between local and national levels have shaped state politics, which has been characterized by a submittance of local power to the national party order (Gutiérrez 1990:103; Vargas González 2003). The image of the state is particularly linked to former governors who continue to represent Hidalgo in their positions at the federal level. As is common in Mexican politics, former governors and other powerful actors retain influence over local political groups and particularly, the agendas of their successors.

²⁸³ Personal interview with the director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

²⁸⁴ Personal interview with the director of Fundación Arturo Herrera, Pachuca de Soto, Hidalgo March 9, 2016.

²⁸⁵ The PRI is eager to uphold Hidalgo’s reputation as a well-governed comparatively liberal state with a growing, modern capital city with services equal to Mexico City.²⁸⁵ Tuzobús, the much-critiqued transportation system identical to the fast-transit Metrobús of the national capital, exemplifies the lengths to which the party will go to uphold this image. Inaugurated in 2013, the system is constructed for a booming, large city such as Mexico City but has worked less well for a city of Pachuca’s size. Indeed, citizens agree that Tuzobús was created for the image, to make Pachuca come across as a great, big city. As interviewees are quick to add however, the Tuzobús it is not made for a [small] city and came at the cost of the population’s comfort.²⁸⁵ Indeed, with the Tuzobús, routes take a longer time and the expensive fare has generated abundant critiques and even protests that the PRI has been quick to quell (Rueda 2015; SDP 2015). Interview with scholar #1, Pachuca de Soto, Hidalgo, March 18, 2016, and with Ottilia Sánchez, Pachuca de Soto, Hidalgo Feb 26, 2016.

Figure 7.1.

An Unusual Coalition and Two Abortion Bills

The only opportunity for the opposition to break the cycle of PRI hegemony in Hidalgo was to join forces, which produced unlikely political alliances. In the hopes of winning more seats and achieve political alternation, a coalition emerged ahead of Hidalgo's municipal elections in 2010. The United for Hidalgo [*Unidos por Hidalgo*] alliance composed three opposition parties that usually competed from opposite ends of the political spectrum—the socially conservative PAN, the center-left PRD and the left-wing Labor Party. The two left parties—especially the PRD that was gaining political weight at the moment—and the PAN entered into coalition based on the agreement that their two candidates would run in different parts of the capital and thereby win different constituencies. The PRD's Sandra Ordaz Oliver and PAN's Yolanda Tellería pursued a successful campaign for the capital's two districts—Pachuca Oriente and Pachuca Poniente.

Puzzling from an ideological viewpoint, the coalition did not escape critique from both parties (see e.g. *El Sol Del Hidalgo* 2010 and 2010a). Given the fundamental differences between the left and center-right parties' positions on key electoral issues, such as economic issues, the alliance puzzled not only voters but also other opposition parties. Reminiscing of

the coalition, a Green Party representative pointed to the question that many asked themselves ahead of the election: “How are you going to be in alliance with someone that you always fought against? How will you get anything done?”²⁸⁶ Yet the alliance was illustrative of Hidalgo’s political climate in which the opposition’s only possibility to challenge PRI hegemony came through the creation of coalitions with unusual bedfellows.²⁸⁷

To register a partisan coalition however required a common platform. One of the proposals that the coalition advanced as part of its electoral agenda and subsequently presented before the state’s Electoral Institute aimed to guarantee women’s rights—more specifically, to defend reproductive health rights.²⁸⁸ Inspired by her fellow party members’ legalization of abortion Mexico City a few years prior and convinced of its importance from a perspective of state responsibility and democracy, deputy Ordaz Oliver drafted an initiative to legalize abortion in Hidalgo.²⁸⁹ Despite the ideological differences concerning abortion—especially between the PAN and PRD—the coalition’s diverse members agreed to promote the initiative and once in office, Ordaz Oliver introduced the initiative to Congress in early 2011 (*El Sol Del Hidalgo* 2011a).

It was not the first time that an ideologically crosscutting coalition sought to liberalize the state’s abortion policy—one such attempt had succeeded three years earlier. Inspired by her own party’s Robles law and nascent discussions of legalizing abortion in neighboring Mexico City, PRD’s Tatiana Ángeles introduced an initiative in 2007 that sought to allow abortion in cases of extreme poverty and to avoid social exclusion.²⁹⁰ The proposal revived a bill that Carmen Rincón of the Cihuatl Women’s Group [*Grupo de Mujeres Cihuatl*] had originally submitted to the state Congress in June 2001. Rincón, a well-known activist in

²⁸⁶ Interview with Green Party representative, Pachuca de Soto, Hidalgo, March 9, 2016.

²⁸⁷ Interview with ex-PAN deputy Alejandra Villalpando, Pachuca de Soto, Hidalgo, March 30, 2016.

²⁸⁸ Personal interview with ex-PRD deputy Sandra Ordaz Oliver, Pachuca de Soto, Hidalgo, March 4, 2016.

²⁸⁹ Personal interview with ex-PRD deputy Sandra Ordaz Oliver, Pachuca de Soto, Hidalgo, March 4, 2016.

²⁹⁰ For an overview of the Robles’ law in Mexico City, see Chapters 3 and 4.

Hidalgo had participated in the Cairo Conference of 1994 as an invited expert witness of reproductive rights violations in Mexico. The bill lingered in legislative committees for six years before Àngeles reintroduced it in 2007. The following year, the Congress unanimously voted to modify the penal code to broaden the grounds for legal abortion. The legal change was attributed to three deputies with human rights visions—PAN’s Irma Chávez Ríos, who convinced the conservative bancada to vote in favor, the PRI’s Julio Menchaca and PRD’s Tatiana Àngeles (*El Sol Del Hidalgo* 2008).²⁹¹

For a PAN deputy to support such an initiative was surprising given the party’s socially conservative position on abortion. The reform was however far from legalization, which permitted the unconventional move. Rather, the bill focused on public health and PAN leaders therefore allowed Chávez Ríos, a medical doctor, to vote in favor.²⁹² The dominant PRI’s support was also attributed to the bill’s human rights focused nature. Moreover, compared to Mexico City’s legalization, the reform was a moderate and while progressive, rather uncontroversial. Thus, while Hidalgo’s policy change in 2007 illustrated its comparatively liberal climate in relation to abortion relative to most Mexican states—few of which broadened the grounds for abortion during the first decade of the 2000s (Beer 2017)—the reform was a limited, human rights related liberalization that did not cause political controversy. Indeed, there was no opposition to the bill that also fit well with the PRI’s gender equality focus in the state.²⁹³

The consensus-based policy reform stood in sharp contrast to the PRD’s proposal to completely legalize abortion in Hidalgo in 2011. Four months after Ordaz Oliver introduced the initiative in line with the coalition’s platform, PAN deputy Yolanda Tellería proposed a counter-reform that sought to protect life from the moment of conception (Vera 2011). While

²⁹¹ Personal interview with journalist and activist Tania Escorza Mesa, Pachuca de Soto, Hid. March 14, 2016.

²⁹² Personal interview with Irma Chávez Ríos, former PAN deputy, Pachuca de Soto, Hidalgo, March 23 2016.

²⁹³ Personal Interview with Julio Menchaca, former PRI deputy, Pachuca de Soto, Hidalgo, March 2, 2016.

the bill, identical to the many initiatives seeking to enshrine the right to life from the moment of conception in local constitutions, aligned with PAN doctrine and largely expected in any other state, Tellería's move was surprising in the context of the coalition that had just won Pachuca. By explicitly countering the *Unidos por Hidalgo*'s electoral platform and defense of reproductive health rights, the counter-reform broke the pact between the PAN and the PRD.

The motives behind the bill's introduction came down to party ideology and Tellería's personal career ambitions. After decades of working within the PRI, Tellería had become a PAN member in 2006. Pursuing the "right-to-life" bill was a convenient way to defend PAN ideology and demonstrate party loyalty.²⁹⁴ Tellería herself attributed her move to the party's programmatic foundations: "There was a line within the party to fight for ["right-to-life"] amendments in states where they had not yet been introduced or approved. I was PAN's legislative coordinator in Pachuca and in our monthly meetings with groups in other states, the party asked us to pursue these bills."²⁹⁵ While Tellería signed letters supporting the legalization of abortion in Hidalgo during her years as a PRI deputy, as a newly elected PAN representative with aspirations to become Pachuca's municipal president, she quickly adapted to the ideological interests of her new party.²⁹⁶

Despite Hidalgo's political environment in which the best strategy to defeat the PRI came through cooperation—even across fundamental ideological divides—it was more important for PAN leaders to respond to the PRD's proposal and defend party ideology.²⁹⁷ Thus, to distinguish itself from the PRD's liberal proposal—already agreed upon within the coalition—the PAN introduced a bill that emphasized its opposition to abortion and the coalition quickly fell apart because of ideological differences in relation to moral gender

²⁹⁴ Personal interview with journalist and activist Tania Escorza Mesa, Pachuca de Soto, Hid. March 14, 2016.

²⁹⁵ Interview with ex-PRI deputy and current PAN municipal president of Pachuca, Yolanda Tellería, Pachuca de Soto, Hidalgo, March 31, 2016.

²⁹⁶ Personal interview with journalist and activist Tania Escorza Mesa, Pachuca de Soto, Hid. March 14, 2016.

²⁹⁷ Personal interview with ex-PAN deputy Alejandra Villalpando, Pachuca de Soto, Hidalgo, March 30, 2016.

policy. When asked if she was surprised by Tellería's violation of the pact, Sandra Ordaz Oliver shook her head: "Everyone went [into the coalition] for their own interests. The alliance was only for us to arrive in power, to gain office. The intention was to counterweight the PRI in the elections."²⁹⁸

Confronted by the two abortion bills seeking policy reform in opposite directions, the PRI majority sent both initiatives to linger in legislative committees to await analysis and neither the PRD's nor the PAN's proposal was ever debated in Congress. By 2011, it stood clear for the PRI in Hidalgo that passing a "right-to-life" initiative could be a potentially costly strategy. The rapid wave of reforms that enshrined the "right-to-life" in local constitutions across Mexico had not passed without controversy—particularly not in PRI-ruled states where governors lacked the Catholic foundation that justified PAN's pursuit to protect life from the moment of conception. The strategy of fast-tracking amendments late at night to avoid controversy had failed repeatedly, for example in Yucatán (Lara Martínez 2009), and progressive sectors—including liberal media outlets—considered the states that had approved identical bills to be backwards on women's rights (see figure 1 below).

Joining the states that had passed amendments would draw unwanted, controversial debate that *Priistas* in Hidalgo did not wish to make noise by approving such a reform. PRI leaders were eager to maintain Hidalgo's image as the progressive extension of Mexico City and maintain gender equality reputation. In fact, the party was so eager to avoid scandal that it wanted to get rid of the initiative. Tellería: "When the legislature ended, they asked me to withdraw the initiative from the list of proposals under analysis in committees for it to not be on the legislative agenda."²⁹⁹ Most of all however, the PRI's dominant position meant that it

²⁹⁸ Personal interview with ex-PRI deputy and current PAN municipal president of Pachuca, Yolanda Tellería, Pachuca de Soto, Hidalgo, March 31, 2016.

²⁹⁹ Interview with ex-PRI deputy and current PAN municipal president of Pachuca, Yolanda Tellería, Pachuca de Soto, Hidalgo, March 31, 2016.

did not need the support of the Catholic Church, which was also perceived unable to provide electoral benefits to parties in the state.

Figure 7.2. Illustration of the Implications of the Anti-abortion Laws



The illustration is suggestive of how liberal sectors viewed the “right-to-life” amendments. It portrays the governors of states that had already approved “right-to-life” bills as they pass judgment on a bleeding woman. As another governor joins, he or she is greeted with the words: “How great that you share our idea of the ‘modern’ state” (González de la Vega 2011).

RELIGIOUS DIVERSITY, DISTANT CHURCH-STATE RELATIONS, AND THE “YES-TO-LIFE” GROUP
Hidalgo’s large indigenous population and the influx of non-Catholic populations due to its mineral industry generated a religious diversity and liberal climate that made it difficult for the Catholic Church to establish itself as the dominant religious institution in the state. The Church arrived late to Hidalgo where mineworkers—North Americans, Armenians, French and especially the Cornish—who settled in the area in the 1800s were practicing Methodists

and Anglicans.³⁰⁰ The early migration in and out of the state led to a proliferation of religious beliefs beyond Catholicism that divided rather than united religious forces and created a plurality where no single faith dominated. Still today, the Methodist church remains more deeply rooted in Hidalgo than elsewhere in Mexico (INEGI 2000:17).³⁰¹ The historical fractionalization of the religious sphere and the presence of Masons, Mormons, Jehovah's Witnesses and a variety of other churches offered alternatives to the Catholic faith in Hidalgo.³⁰² The religious competition rendered the Church less active—even Catholics themselves describe it as “sleeping” [adormilada] in the state—and gave citizens a possibility to critically evaluate its teachings compared to others.³⁰³ Even professed Catholics agree: “Many Christian churches, including Mormons and the Last Days of Christ, are doing much in the region and they have a lot of money. They give classes, they teach people useful things. The Catholic Church does not teach people how to feed themselves or produce things.”³⁰⁴ It is not surprising that the Catholic Church in Hidalgo has lost followers due to a growing diversity and secularity.³⁰⁵

Methodists, in contrast to Catholics, were inspired by principles of individual liberty and Hidalgo became an important antecedent for liberal ideas in Mexico. In 1856, a group of citizens in the Jacala municipality spearheaded by its mayor Gabriel Mayorga, wrote the “Jacala Act” whose ideas concerning the separation of Church and state preceded Benito Juárez' strictly anticlerical Reformation laws (Meneses Llaguno 2006; Vergara Hernández 2011). The mining industry generated waves of migration that contributed to the proliferation

³⁰⁰ Personal interview with scholar #1, Pachuca de Soto, Hid. March 18, 2016.

³⁰¹ 96% of Hidalgo's population identified as Catholic in 1970, whereas only 90.8% in 2000. The percentage with a religion other than Catholic grew with 5.2% between 1970 and 2000 (INEGI 2000). Recall however that Catholic identity is a very blunt instrument to gauge the influence of the Catholic Church.

³⁰² Personal interview with the director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

³⁰³ Personal interview with male Catholic militant, Pachuca de Soto, Hidalgo, April 5, 2016.

³⁰⁴ Personal interview with female Catholic active in the Church, Pachuca de Soto, Hidalgo, April 12 2016.

³⁰⁵ 96% of Hidalgo's population identified as Catholic in 1970, whereas only 90.8% in 2000. The percentage with a religion other than Catholic grew with 5.2% between 1970 and 2000 (INEGI 2000). Between 2000 and 2010, the Church lost an additional, almost four percentage points, from 90.8 to 86.4%.

of religious diversity in Hidalgo and a generalized liberal mindset.³⁰⁶ Workers, travelers and others had to pass through Hidalgo, a “pueblo perdido” [lost village], to get to the national capital, which produced a cosmopolitan environment.³⁰⁷ Formed by its history as a migration hub, Pachuca de Soto saw the influx of Spaniards, Englishmen, Jews, Chinese, South and Central Americans, which created greater space for liberal ideas, in turn fueled by the proximity to the national capital.³⁰⁸

Hidalgo’s diverse religious sphere and the liberal current that took hold in the state made the separation between Church and state more important than elsewhere in Mexico. During the Cristero war, Hidalgo’s indigenous population and miners fought on the side of the anti-clerical revolutionary forces. As a sign of gratitude, President Benito Juárez offered the state, previously part of Veracruz, autonomy in 1869. Seeking to detain the Catholic Church’s power by separating the political high seat from the religious, Juárez named Pachuca de Soto—rather than Tulancingo, the next largest city where the bishop and cathedral is located—the capital of Hidalgo.³⁰⁹ The distance between the archbishop and the governor marked a symbolic separation between Church and state unusual in the Mexican context. Indeed, Pachuca is the only state capital in the country without a resident bishop and it lacks the typical New Spain architecture where the cathedral is located in front of the government palace. Still today, the Church’s sociopolitical influence is considered to be much stronger in Tulancingo than in Pachuca.³¹⁰

Prevailing liberal ideas also consolidated the belief that politics should be above ideology and religion—an idea that persists in the political imaginary up until today.³¹¹

³⁰⁶ Personal interview with journalist and activist Tania Escorza Mesa, Pachuca de Soto, Hidalgo, March 14, 2016.

³⁰⁷ Personal interview with activist Otilia Sánchez, Pachuca de Soto, Hidalgo. Feb 26, 2016.

³⁰⁸ Personal interview with director of Fundación Arturo Herrera, Pachuca de Soto, Hidalgo, March 9, 2016.

³⁰⁹ Personal interview with journalist and activist Tania Escorza Mesa, March 14 2016, and scholar #1, March 18 2016, Pachuca de Soto, Hid.

³¹⁰ Personal interview with journalist and activist Elsa Àngeles, Pachuca de Soto, Hid. Feb 18, 2016.

³¹¹ Personal interview with scholar #1, Pachuca de Soto, Hidalgo, March 18, 2016.

Politicians are well aware that closeness to the Catholic Church is perceived as bad [malvisto] and maintain their distance, for example by not attending mass publicly—behavior that sharply contrasts elected officials in Guanajuato and Yucatán. Routine Church-state politics, such as the governor attending the celebration of the anniversary of the Tulancingo cathedral or inviting the archbishop to the annual *informe*, prevail in Hidalgo just as elsewhere in Mexico. Politicians in the state however exhibit a certain awareness of treading the line between Church and state.³¹² As a Green Party representative noted: “I’ve never heard any candidate saying ‘I am committed to the Church’—Church and state are very much separate [in Hidalgo].”³¹³

The Catholic Church’s history of weakness in Hidalgo affected its political influence. Unable to establish itself as the dominant religious institution and thereby receive privileged status among governors, the Church could not forge links to political authorities in the state. Nor did it develop the strong links to business elites that provided Catholic hierarchies with significant political influence in (Guanajuato and) Yucatán. Rather, Church-party relations were characterized by a distance that must be understood in the context of the Church’s inability to provide electoral support for the PRI. The PRI’s hegemony over time reinforced incumbents’ lack of need for Church support, and bishop-governor relations remain distant.

Distant Bishop-Governor Relations

In Hidalgo, as in all Mexican states, incumbents maintained a relationship to Catholic hierarchies. The degree to which clergy impacted state politics was however significantly lower than in Yucatán or Guanajuato, primarily due to the historical factors outlined above. Largely unable to provide the electoral benefits that render Church support attractive to

³¹² Personal interview with ex-PRI deputy and current PAN municipal president of Pachuca, Yolanda Tellería, Pachuca de Soto, Hidalgo, March 31, 2016.

³¹³ Personal interview with Green Party representative, Pachuca de Soto Hidalgo, March 9, 2016.

incumbents, its weak status made it largely irrelevant for political elites. The Church's weakness in Hidalgo and the PRI's uninterrupted rule reinforced governors' critical and indifferent approach to Catholic clergy. Osorio Chong's predecessor, Manuel Àngel Núñez Soto (1999-2005), did not give the Church any room to influence politics during his time in office.³¹⁴ Pope Francis' recent visit to Mexico and meeting with Chong in 2016, who was still considered to represent Hidalgo, further indicated a careful treading of the separation between Church and state. Their meeting took place far from the public eye and Chong did not release any statement regarding their discussion, which suggests an attempt to give a public appearance of Church-state separation.³¹⁵

While the Catholic Church in other states received material benefits including vast donated lands from governors seeking their electoral support, clergy members in Hidalgo faced an intransigent PRI government. Neither did Catholic authorities' in the state have much luck in influencing the socially conservative PAN. In the early 2000s, Church hierarchies wanted to change the name of the *Samuel Carro* street that leads to the Basilica located in central Pachuca de Soto—the capital—to John Paul II, after the late pope.³¹⁶ The Church heavily lobbied the PAN-ruled Pachuca municipality heavily but citizens protested the proposal and the governor ultimately vetoed the initiative.³¹⁷ Even the small portion of Hidalgo's civil society associated with the Catholic Church indicated clergy's inability to influence state politics, and expressed frustration with the ruling PRI: "We went to Congress when the PRD introduced the bill to legalize abortion. The priest asked the Congress, 'how many are Catholic?' and the majority raised their hands. They are Catholic but they do not practice or study, they only participate in traditions such as baptism. If the Church had power

³¹⁴ Personal interview with journalist and activist Tania Escorza Mesa, Pachuca de Soto, Hidalgo. March 14, 2016.

³¹⁵ Personal interview with scholar #1, Pachuca de Soto, Hid. March 18, 2016.

³¹⁶ The most important church in Pachuca, which has no cathedral, is called the *Basilica menor* [the small Basilica].

³¹⁷ Personal interview with scholar #1, Pachuca de Soto, Hid. March 18, 2016, and with Otilia Sánchez, Pachuca de Soto, Hid. Feb 26, 2016.

here, the governor would ask us, ‘what do you need?’”³¹⁸ Others were more direct: “We have eighty years of PRI rule here and the party does nothing for us. We are a stone in the shoe of the government.”³¹⁹

High-ranking clergy’s fervent support for the opposition in Hidalgo further indicated the distant and far from amicable relations between the Church hierarchies and leaders of the dominant party. Through social media platforms such as the archdiocese’s Facebook page and blogposts on its website, Archbishop of Tulancingo, Domingo Díaz Martínez, bluntly promoted a vote for the opposition in a form of activism on par with that of the Yucatecan clergy in the 1980s. In a message from October 2017 entitled “Do not be afraid!” the Archbishop wrote: “Electoral times are approaching and the common good asks us to lose our fear. Do not be afraid to talk about the common good, this is part of politics. Do not be afraid to talk about the best candidate, it's good to do it. Do not be afraid to question or clarify, you are within your rights to do so. Do not be afraid to go out and vote, because that is a right and it is a citizen's duty.” A month later, the archbishop continued his anti-PRI campaign with barely concealed contempt: “The electoral process followed by candidates and parties during these fifty years has not convinced the vast majority. The way to govern that has favored their vote has not convinced the majority either; they have shown it in the absence at the time of voting, and to this evidence they have found an answer: offer money. When they do not have followers, they offer money to attend their events... Your vote is worth more than money, take care of it! We ask you with all our heart: do not sell your vote!”³²⁰

The outspoken way in which Catholic hierarchies discouraged faithful to vote for the dominant party went hand in hand with promoting a candidate with Catholic beliefs. On November 21, 2017, the archbishop wrote: “Tell your neighbor: ‘The best candidate is the one

³¹⁸ Personal interview with female Catholic active in the Church, Pachuca de Soto, Hidalgo, April 12 2016.

³¹⁹ Personal interview with Pro-Life male activist, Pachuca de Soto, Hidalgo, April 13, 2016.

³²⁰ <http://luzdeluz.org/solo-tienen-dinero/> Accessed November 15, 2017.

who works in favor of the poorest. The best should be in favor of life and in favor of marriage as God has instituted it.” Take your cell phone and send this message to your neighbor:

‘Neighbor, vote for whom defends and respects life, vote for who says no to abortion and accepts marriage between a man and a woman only.’³²¹ While the archdiocese’s website did not exist prior to 2015, it is unlikely that Church-PRI relations were significantly different prior. If anything however, one would expect such relations to have grown closer since the early 2000s given the increasing relevance of the Catholic Church in political life in Mexico, especially since the late 1980s and onwards when the Church regained some of its privileges removed by Juárez’ revolutionary laws (Camp 1997; Blancarte 2002).

The PRI’s reluctance to debate the “right-to-life” bill and bring it to a vote was symptomatic of the distant relation between the Catholic Church and the dominant party, and its weak status. As the director of a civil society organization noted: “We know that they [PRI politicians] have meetings with clergy before passing a law that concerns topics that interest the Church. If a theme such as same-sex marriage emerges, they ask the archbishop for his opinion but it has little impact.³²² Indeed, not even Catholic officials, who met with the governor to ask him to consider the “right-to-life” amendment, could help pass the reform.”³²³ The Church’s weak political impact cannot be separated from the PRI’s hegemony in Hidalgo, where the party never had to share power with Catholic hierarchies. Whereas a small clique of elites control political life in Hidalgo, just as in Guanajuato and Yucatán, the difference between the former state and the two latter lies in the historical weakness of the Catholic Church. “The state’s power is in the hands of a few territorial leaders, *caciques*, whose powers are reproduced within a handful of families of politicians. They have not

³²¹ <http://luzdeluz.org/dale-un-consejo-a-tu-vecino/> accessed November 15, 2017.

³²² Personal interview with director of Fundación Arturo Herrera, Pachuca de Soto, Hidalgo, March 9, 2016

³²³ Personal interview with ex-PRI deputy and current PAN municipal president of Pachuca, Yolanda Tellería, Pachuca de Soto, Hidalgo, March 31, 2016.

needed to negotiate their power with the Church.”³²⁴ Indeed, in the absence of a strong Church, the PRI in Hidalgo never had to share power with other political actors—and especially not with Catholic hierarchies. Moreover, in a state where the PRI had successfully maintained its hegemony over time, it did not depend on the Church’s legitimizing support to defeat the opposition. Consequently, clergy opinion mattered little.

Given its weak links to Hidalgo’s political class, Catholic hierarchies had little potential to convince the PRI majority to pursue a “right-to-life” amendment. In the attempt to channel its interests via civil society albeit under the image of autonomous mobilization, the Church facilitated the formation of the “Yes to Life in Hidalgo” [*En Hidalgo, Sí A La Vida*] group. But while its lobbying attempts possibly contributed to Tellería’s introduction of the “right-to-life” bill, the group was unsuccessful in creating strong mobilization.

The “Yes to Life in Hidalgo” Group and its Church Linkages

The “Yes to Life in Hidalgo” initiative emerged in reaction to deputy Sandra Oliver’s initiative to legalize abortion in 2011. Catholic churches began to put little signs in favor of the rights of the unborn in their buildings, and bumper stickers on cars and a few painted murals with the same message suddenly appeared across the state.³²⁵ Behind the mobilization was a loosely organized group of citizens who decided to take action to defend life when rumors began to spread about the PRD’s forthcoming initiative.³²⁶ The group created a network to see if there was any interest in collecting signatures for a law in respect for life. Allegedly, the group gathered more than one hundred thousand signatures in favor of the bill.³²⁷ Indicative of Hidalgo’s religious landscape, people from Protestant Christian churches

³²⁴ Personal interview with director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

³²⁵ Personal interview with Otilia Sánchez, Pachuca de Soto, Hidalgo. Feb 26, 2016.

³²⁶ Personal interview with Pro-Life male activist, Pachuca de Soto, Hidalgo, April 13, 2016.

³²⁷ Although efforts were made to gather signatures in support of the initiative, Hidalgo had yet to approve a popular initiative law.

in addition to Catholic signed, but also those without religious beliefs but agreed that life must be defended. As one activist described the process: “We said ‘are you from Hidalgo? Are you in favor of life? Join us! If you have an association, a job, if you own a company, if you have a religion, and are in favor of life, join us!’”³²⁸ The signatures were given to PAN’s deputy Tellería to accompany and support her initiative (*El Sol Del Hidalgo* 2011b).

Similar to the Yucatecan context, the Church functioned as a clandestine vehicle for mobilization. Yet in Hidalgo, the involvement of Catholic hierarchies was not a secret guarded by elites. Rather, members of the Catholic community in the state readily admit that the Catholic Church spearheaded the mobilization against the PRD’s initiative: “In Church, priests told the congregation: ‘let’s talk and show that we do not agree on legalizing abortion.’” An organization called “Yes to Life” emerged at that point and told us they were going to promote the right-to-life initiative.”³²⁹ Not only did Catholic hierarchies propel protests that ignited the group’s formation, priests actively encouraged people to get involved to submit signatures to help introduce the “right-to-life” initiative. “Certainly the church helped. There are people who dedicate their time to the protection of life—young and single people who are directly linked to the Church.”³³⁰ Although not formally on behalf of priests or the bishop, the movement had its base in churches, in their youth and family groups.³³¹ “The movement did not necessarily create formal, public groups or take to the streets but operated within churches, focusing on parishioners and not citizens in general.”³³²

Hidalgo’s generally weak civil society made the Church the best mobilization structure available, although it in itself also lacked strength. Few people actively belong to the Church in Hidalgo and it presides over few associated organizations. Indeed, the Yes to Life group is

³²⁸ Personal interview with Pro-Life male activist, Pachuca de Soto, Hidalgo, April 13, 2016.

³²⁹ Personal interview with female Catholic active in the Church, Pachuca de Soto, Hidalgo, April 12, 2016.

³³⁰ Personal interview with male Catholic militant, Pachuca de Soto, Hidalgo, April 5, 2016.

³³¹ Personal interview with ex-PAN deputy Alejandra Villalpando, Pachuca de Soto, Hidalgo, March 30 2016.

³³² Personal interview with representative, SEIINAC, Pachuca de Soto, March 22 2016.

the only known Church-affiliated “pro-life” organization. Even within the Church it was difficult to mobilize people in Hidalgo. Activist themselves were critical to the low mobilization capacity in the state: “When it was time to go to Congress and demonstrate, nobody could leave work to manifest in favor of life. Civil society does not want to commit to the Church and participate. It is difficult to reach residents. We are not organizing well.”³³³ Indeed, while many feminist activists expected a large manifestation in favor of life in the wake of Ordaz Oliver’s bill, a numerically strong crowd never emerged. As the director of a reproductive rights organization in the state recalled: “There was talk about a demonstration. We thought that they [Catholic hierarchies and faithful] would take over the streets completely, but it was a very small protest.”³³⁴ With few organizations linked to the Church, no real offensive could be mobilized and beyond signs and stickers, the *Yes to Life* movement remained largely invisible.³³⁵ Others active in civil society concurred: “There is a dormant religious movement in Hidalgo, but you do not see them in the street, in public. You only see stickers on cars.”³³⁶ Indeed, the April 23 march in 2011 was small: “It was about five cars. Normally in Mexico, these kinds of manifestations are large. There was a minimum participation in terms of people, which says something about the Church in Hidalgo.”³³⁷ As a journalist and activist in the state phrased it: “There is no conservative, ultra-right opposition in Hidalgo that seeks to prohibit abortion. The lack of counter-offensive [to the PRD’s initiative] in Hidalgo is unrelated to civil society—it has to do with the party [the PRI].”³³⁸

The absence of a strong mobilization against the PRD’s proposal was symptomatic of the Catholic Church’s weakness in Hidalgo. While some Catholic faithful could be mobilized from within the Church, there was little incidence beyond this sphere. Also contributing to the

³³³ Personal interview with female Catholic active in the Church, Pachuca de Soto, Hidalgo, April 12, 2016.

³³⁴ Personal interview with director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

³³⁵ Personal interview with Tania Escorza Mesa, Pachuca de Soto, Hid. March 14, 2016.

³³⁶ Personal interview with representative of SEIINAC, Pachuca de Soto, March 22 2016.

³³⁷ Personal interview with representatives from Colectiva Mujeres Diversas, Pachuca de Soto, Hidalgo, March, 2016.

³³⁸ Personal interview with Tania Escorza Mesa, Pachuca de Soto, Hid. March 14, 2016.

Church's low mobilization capacity was the absence of the organizations that spearheaded conservative-religious civil society groups in the Bajío region and in Mexico City, such as *Vifac* and *CEFIM* that helped lobby for a constitutional amendment in Yucatán.³³⁹ Indeed, *Vifac* had not established an office in Hidalgo.³⁴⁰ In the absence of a strong Church that could provide the PRI with electoral benefits—manifested in its inability to drum up strong protest against the PRD's proposal—the dominant party had few incentives to pursue a “right-to-life” reform in Hidalgo. Also absent the electoral interests that motivated policy restrictions in Yucatán, the PRI instead sought to protect other party interests that provided additional reasons for not approving the “right-to-life” amendment

PARTY INTERESTS, FRAGMENTED FEMINIST ORGANIZING, AND FEARS OF RELIGIOUS UNITY

Keeping abortion legislation in stalemate in Hidalgo was particularly important for Hidalgo's former governor, Miguel Ángel Osorio Chong (2005-2011).³⁴¹ Still closely associated with the PRI in Hidalgo but at the time Interior Minister in Peña-Nieto's cabinet and the political face of gender equality in Mexico, anything else but stalemate in relation to abortion would have inconvenienced Chong. During his time as Interior Minister in Peña-Nieto's cabinet, Chong over time became the face of gender equality in Mexico.³⁴² For example, Chong fronted the 2016 UN campaign “He for She” with the objective to advance gender equality and was responsible for several efforts to mainstream gender in Mexican legislation.³⁴³ Chong made women's rights a priority already during his time as governor. Hidalgo was one of the first Mexican states to adopt anti-discrimination and violence against women legislation—the “Access to a Life Free of Violence Act” in 2008 (*Cimac* 2008). The reform

³³⁹ Personal interview with scholar #1, Pachuca de Soto, Hidalgo, March 18, 2016.

³⁴⁰ See <http://vifac.org/directorio/> and

http://cefim.org.mx/index.php?option=com_wrapper&view=wrapper&Itemid=2

³⁴¹ Personal interview with Tania Escorza Mesa, Pachuca de Soto, Hidalgo, March 14, 2016.

³⁴² Personal interview with scholar #1, Pachuca de Soto, Hidalgo, March 18, 2016.

³⁴³ In Mexico, the campaign was called “Nosotros por Ellas.” See <https://www.gob.mx/nosotros/porellas>.

that broadened the grounds for legal abortions also occurred during Chong's administration that moreover gave the state's newly installed Women's Institute more autonomy.³⁴⁴ Osorio Chong's successor, Francisco Olvera, continued to promote Hidalgo as the progressive center of women's rights to bolster the PRI's reputation in the state.³⁴⁵

The selection of Pachuca as the headquarters of the 2014 conference on the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, known as Belém do Pará, was widely attributed to Chong's power and illustrative of PRI's attempt to signal its commitment to gender equality in Hidalgo.³⁴⁶ Representatives from the OAS's thirty-four member states arrived to the state capital, Pachuca de Soto, to participate in the conference. In her welcoming speech, Guadalupe Romero de Olvera—the governor's spouse and therefore in line with tradition assigned the role as the head of the state's Integral Family Development entity [*Desarrollo Integral de la Familia*—declared that “the work carried out by the state of Hidalgo to eliminate violence against women has received international recognition” (Suárez 2013). Against this background, joining the group of states that had already enacted “right-to-life” amendments was not only undesirable in relation to Hidalgo's reputation as progressive in relation to women's rights, but also in relation to Chong, who still yielded significant leverage over politics in the state.

Fragmented Feminist Organizing

As in most other Mexican states, feminist groups were few and fragmented in Hidalgo in 2011. In addition to the obstacles that progressive activist sectors faced across the country, including repression from state authorities, the concentration of social movements in Mexico City had resulted in less mobilization in neighboring states—among them Hidalgo.

³⁴⁴ Personal interview with director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

³⁴⁵ Personal interview with Otilia Sánchez, Pachuca de Soto, Hid. Feb 26, 2016.

³⁴⁶ Belém do Para is one of the earliest and most important laws to prevent violence against women in Latin America.

Nevertheless, a handful of feminist activists with high reputations for their decades of activism were present in Hidalgo.³⁴⁷ One of the activists, Elsa Àngeles, described the impact of activism related to gender equality in the state accordingly: “We do not take to the streets because we are few and we have been unable to pass the torch on to younger feminists. What we have been able to do is to negotiate. If we go to Congress, the deputies sit down with us to talk. We open forums, we have offices. I have a radio show, before I was at a newspaper... I have an audience. Otilia [Sánchez] has a high reputation—government officials call her to ask how she is. Carmen Rincón used to be a civil servant. We might not have much to play with but we know how to negotiate.”³⁴⁸

Feminist mobilization in Hidalgo was visible already in the liberalization of the state’s abortion policy in 2007. In the wake of nascent discussions of abortion legalization in Mexico City, PRD deputy Tatiana Àngeles had revived the initiative on behalf of Carmen Rincón, perhaps the most prominent feminist civil society leader in Hidalgo, to broaden the grounds for legal abortion for human rights reasons. Moreover, prior to 2011, Rincón, Àngeles and Sánchez saw the need for a political instance for women in the state and lobbied PRI authorities to create the Hidalgo’s Women’s Institute [*Instituto Hidalguense de las Mujeres*].³⁴⁹ Inaugurated in 2002, the Institute promotes women’s holistic development to guarantee their full participation in Hidalgo’s economic, political, cultural and social life.³⁵⁰ Remaining on good terms with the few but well-known feminist activists whose high reputations and connections that extended beyond state borders provided some political incidence mattered for the PRI in Hidalgo. The party needed their legitimacy to maintain its image as the vanguard of gender equality in Mexico, and approving a “right-to-life reform would not be a popular move.

³⁴⁷ Personal interview with Carmen Rincón, Cihuatl, Pachuca de Soto, Hid. Feb 23, 2016.

³⁴⁸ Personal interview with Elsa Àngeles, Pachuca de Soto, Hid. Feb 18, 2016.

³⁴⁹ Personal interview with Otilia Sánchez, Feb 26, 2016

³⁵⁰ <http://mujeres.hidalgo.gob.mx/?p=498> Last accessed May 12, 2018.

Indeed, in the wake of the PAN's introduction of the "right-to-life" initiative, Rincón, Sánchez and Àngeles arrived to the state Congress to address the deputies. The group declared that the reform's approval would imply electoral costs—a timely threat and gentle reminder of what was at stake for the PRI that had recently lost Pachuca, the state capital and seat of the government, in the municipal elections.³⁵¹ They also offered a workshop on reproductive rights, where the three activists distributed information about legal abortion as a human right.³⁵² While it was unlikely that the passage of the "right-to-life" initiative would have significantly impacted electoral results in a political environment still controlled by the PRI, the threat concretized the party's fears of a costly scandal. Passing such a reform in a state that had made gender equality its banner would have caused an embarrassing scandal for the PRI and effectively ruined Hidalgo's progressive image.³⁵³ The passage of an amendment in Chong's home state would also have damaged the former governor's reputation and rendered his efforts as the champion of gender equality less credible—a decidedly undesirable outcome for a politician with presidential ambitions.³⁵⁴

But although the PRI wanted to maintain its progressive image in Hidalgo and stay on good terms with feminist activists that could provide the government's gender equality project with legitimacy, the party was not willing to go as far as to legalize abortion. Such a move, while serving progressive interests, would replicate the nation-wide media debacle that the ALDF caused four years prior when it permitted abortion on demand in Mexico City and trigger unwanted, controversial debate that could wake up dormant actors on Hidalgo's diverse religious terrain. Indeed, while the PRI did not fear high-ranking Catholic clergy in the state, there was potential for greater, joint mobilization on behalf of religious actors.

³⁵¹ Personal interview with Otilia Sánchez, Feb 26, 2016 and Elsa Àngeles Feb 18, 2016, Pachuca de Soto, Hid.

³⁵² Personal interview with Elsa Àngeles, Pachuca de Soto, Hid. Feb 18, 2016.

³⁵³ Personal interview with ex-PAN deputy Alejandra Villalpando, Pachuca de Soto, Hidalgo, March 30, 2016 and with representatives from Colectiva Mujeres Diversas, Pachuca de Soto, Hidalgo, March, 2016.

³⁵⁴ Personal interview with director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

Fears of Joint Religious Mobilization

Keeping abortion policy in stalemate was a way to avoid upsetting groups that could otherwise jointly mobilize to threaten the PRI's dominance in Hidalgo. Despite the Catholic Church's historical weakness in the state, the dominant party still feared the impact of broad religious mobilization. Pragmatic *Priistas* were therefore eager to remain on good terms with religious actors in general to avoid a greater, joint mobilization against abortion (and same-sex policy). Despite Hidalgo's religious diversity, a common denominator of its many churches—albeit highly diverse in their approach to other issues—is the defense of life and traditional family life. The director of a reproductive rights organization phrased it as follows: “While the PRI does not need to negotiate with clergy, neither does it want to be cast as an enemy of the churches.³⁵⁵ Afraid of a joint mobilization against the party on behalf of Hidalgo's diverse religious sphere in the case of policy liberalization, the PRI chose to send the PRD's bill to the freezer. “Legislators recognize that legalizing abortion would wake up an important sector of society—a group that is not currently active, but can be mobilized to become a threat.³⁵⁶ Others concur: “They know that the issue of abortion, same-sex marriage and adoption are not just Catholic issues but issues for other religious currents as well. They know that in the moment they bring an initiative of this magnitude, not only the Catholic Church, but all churches—the whole religious elite—will react. Right now, leaders are not urging their followers to actively take on these issues, but they can do it. Obviously, there will be political costs.”³⁵⁷

While only a few people could be mobilized against the PRD's initiative to legalize abortion in Hidalgo, the PAN's Yolanda Tellería attested to the potential powers that can be mobilized via its vast networks: “The day they arrived at the Congress with the signatures,

³⁵⁵ Personal interview with the director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

³⁵⁶ Personal Interview with the director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

³⁵⁷ Personal Interview with the director of DDSER, Pachuca de Soto, Hidalgo, March 29, 2016.

they were fifty people at best. Six months later, when I introduced the initiative, I asked them not to be so many because they came in buses from all over the state, demanding that legislators listen and debate the initiative. They would have brought lots of people from the whole state if we had allowed them. These people are very, very devoted.”³⁵⁸ While no newspaper reporting corroborates Tellería’s story, it is possible that networks beyond Hidalgo’s state boundaries mobilized faithful to support the initiative.

To keep abortion policy in status quo was a strategy to avoid potentially costly controversy. Julio Menchaca, former PRI deputy in the Congress explained the PRI’s politics in Hidalgo as follows: “[As a politician] you can express your position in two ways: by action or omission. If you say something, you mark a line. If you say nothing, you also mark a line. In Mexico, abortion is a difficult topic and as a politician you would rather not touch it. The easiest way to stay on good terms with people is to not engage in debate. If you take a position, you have to prepare to deal with both positive and negative reactions. If I say I am in favor [of legalizing abortion], my community, my Church will say that they will not vote for me.”³⁵⁹ To not openly reject nor support either of the two abortion bills aimed to safeguard the PRI’s continued hegemony in Hidalgo. Above all, the party wanted to remain on good terms with all relevant actors—including citizens, civil society organizations and the federal government.³⁶⁰ The party believed that if it voted to protect life, it would lose voters. Yet if it voted to legalize abortion, it would also lose votes.³⁶¹ By not picking sides, the PRI sought to remain on good terms with actors on both sides of the issue and avoid electoral costs. The strategy was painfully obvious for those seeking a particular outcome. As a frustrated “pro-life” activist explained: “The government is neither left or right. To remain in power, it stays

³⁵⁸ Personal interview with ex-PRI deputy and current PAN municipal president of Pachuca, Yolanda Tellería, Pachuca de Soto, Hidalgo, March 31, 2016.

³⁵⁹ Personal interview #2 with ex-PRI deputy Julio Menchaca, Pachuca de Soto, Hidalgo, April 7, 2016.

³⁶⁰ Personal interview with journalist and activist Elsa Angeles, Pachuca de Soto, Hidalgo, Feb 18, 2016.

³⁶¹ Personal interview with ex-PAN deputy Alejandra Villalpando, Pachuca de Soto, Hidalgo, March 30, 2016.

in the middle and avoids picking sides. The PRI would rather leave policy alone than making abortion a political issue—they say “not for God nor for the devil” [*ni para dios ni para el diablo*] and do nothing.³⁶²

Same-sex marriage and adoption policy remained in the shadow of abortion in Hidalgo, as in most of Mexico. While moderate attempts to expand LGBTQ rights did occur on behalf of PRD legislators, attempts to restrict these rights were never on the legislative agenda in Hidalgo where the civil code already spelled out marriage as an institution exclusive to heterosexual couples and for purposes of reproduction (Cabrales Lucio 2014).

“WHAT IS NOT NAMED, DOES NOT EXIST”: SAME-SEX MARRIAGE AND ADOPTION

Same-sex rights emerged on the political agenda in Hidalgo in 2006, when a PRD-sponsored proposal to legalize cohabitation—a form of civil unions—was introduced to the legislature.³⁶³ The initiative, which sought to provide cohabitating, non-married couples with some of the legal privileges that entering marriage entail was supported by civil society organizations such as Hidalgo Transgender [*Transgénero Hidalgo*] whose representatives believed that the state was ready to approve cohabitation and had a strategy: “We are going to wait for this new law to be approved by the Legislative Assembly in the Federal District, then start promoting it in Hidalgo and throughout the country to boost an initiative at the national level” (Meza Escorsa 2006). Despite the relatively moderate initiative that was far from marriage and adoption equality, and Hidalgo’s civil code that guarded heterosexual matrimony, the PRD’s attempt was fruitless. The PRI sent the bill straight to the freezer, where it remained in 2015, just as the abortion bills would be a few years later.

³⁶² Personal interview with anonymous male Catholic pro-life activist, Pachuca de Soto, Hidalgo, April 5, 2016.

³⁶³ The initiative promoted cohabitation societies, *sociedades de convivencia*, that was not equivalent to same-sex marriage, but rather, opened up the possibility for two cohabitating individuals that are not necessarily blood related to share legal benefits, especially social security (Meza Escorsa 2006).

Coalition politics, with the aim of narrowing the PRI's victory margin, however impeded new PRD initiatives. Ahead of the gubernatorial elections of 2010, an alliance emerged between the PAN, PRD and Convergencia, similar to the United for Hidalgo [*Unidos por Hidalgo*] coalition that triggered the two abortion bills. The *Hidalgo Unites Us* [*Hidalgo nos Une*] coalition had the same peculiar ideological constellation with one center-right and two center-left parties. Again, potential voters and members of civil society in particular were curious how the coalition would reconcile their contrasting views on issues such as marriage equality. Rather unsurprising given Hidalgo's political context, the strategy consisted in not mentioning same-sex rights. Indeed, efforts on behalf of same-sex rights organizations were fruitless: "We had a private meeting with party leaders who informed us that the alliance would not mention gay rights and do nothing to advance them." Much of this political strategy came from the PAN-PRD candidate, Xóchitl Gálvez Ruiz, whose principal vision was derived from the socially conservative PAN.³⁶⁴ The president of the PRD in Hidalgo, Pedro Porras, on his part decided to postpone issues related to same-sex rights to instead focus his attention on the possible alliance between PRI, PVEM and PANAL that threatened the PRD's attempt to gain the governorship and ultimately won the elections (Ávila Huerta 2011). Indeed, the alliances between the PRD and PAN in Hidalgo—that continued well past 2011—rendered same-sex rights an unprioritized issue for the PRD, which was too caught up in coalition politics.

Similar to the PRD's politics of moral gender policies in Guanajuato and Yucatán, party politics in Hidalgo was driven by ideological foundations in a context of a weak party. In neither of the states was the PRD strong enough to pass a bill on same-sex policy. Needing allies to support a proposal, the PRD in Hidalgo refrained from additional attempts to legally recognize sexual minorities. In late July 2016, a decade after the cohabitation initiative,

³⁶⁴ Personal interview with representatives of Asociación 1791, Pachuca de Soto, Hidalgo, March, 2016.

deputy Imelda Cuellar Cano announced the PRD's intention to present an initiative to legalize marriage equality based on human rights. Ultimately however, the initiative was discarded for unknown reasons and never introduced to the legislature.³⁶⁵

The socially conservative PAN did not pose an obstacle to the expansion of same-sex policy in Hidalgo. Local Congress coordinator Irma Chávez Ríos argued in favor of the cohabitation law, considering the initiative to not exclusively target the gay community but to protect all cohabiting couples seeking benefits such as social security and inheritance, among others that married couples enjoy (*Proceso* 2006). While not in favor of same-sex rights in Hidalgo broadly, the PAN did not impede the passage of the cohabitation law, nor did the party introduce bills seeking to hinder the expansion of same-sex rights in later legislatures. Echoing the discourse of his PRI colleagues, the PAN president in Hidalgo, Gonzalo Trejo, said that same-sex marriage was not a priority for the party, rather, it was to combat corruption, poverty and address the most vulnerable sectors of the population (Ávila Huerta 2011). The party's stance can however be attributed to the overall absence of a real threat of policy liberalization. Not only did the co-habitation law fail under a continued PRI dominance that made future bills unlikely to pass, with a PRD more concerned about coalition politics than advancing same-sex rights, the PAN faced no real ideological threat in the state and consequently, had few reasons to pre-empt a potential policy change. An additional reason concerned the state's civil code. Hidalgo remains one of the many Mexican states that define marriage as an institution between a man and a woman (Cabrales Lucio 2014). The difficulty inherent in achieving constitutional reforms that require a super majority rendered a liberalizing policy change unlikely.

While attempts to legalize same-sex marriage and adoption were barely on the legislative agenda in Hidalgo, the PRI's fear of waking up dormant religious groups and

³⁶⁵ Personal interview with representatives from Colectiva Mujeres Diversas, Pachuca de Soto, Hidalgo, March, 2016.

alienating feminist organizations also led to a “grey” politics of marriage and adoption equality. Although the salience of abortion by far superseded the attention that same-sex rights had received in Mexico, the PRI perceived adoption and marriage equality to be similarly risky topics. The combined fear of costly scandal and the need to maintain a certain progressive façade by not openly rejecting same-sex rights led to a LGBTQ politics that similar to the case of abortion served to silence debate. Despite his human rights-oriented agenda, Osorio Chong made no declarations in relation to same-sex rights during his time as governor. Interrogated on whether or not same-sex adoption should be legal in the aftermath of the 2010 Supreme Court resolution that ruled all states must recognize marriages and adoptions entered in Mexico City, Osorio replied that “more than saying that we agree or disagree, what we have to do is to comply with the norm that the Court has defined” (Rico 2010a). Similarly diplomatic yet dismissive, PRI deputy Roberto Pedraza Martínez a few days later confirmed that Congress would not contemplate legislating same-sex marriage although theoretically, gay couples could solicit adoption in Hidalgo (Rico 2010b). Following the 2015 Supreme Court decision that asked states whose civil codes established marriage as between a man and a woman to immediately change their constitutions, PRI governor Francisco Olvera replied that such a reform was not on the agenda in Hidalgo given the public’s low interest in same-sex rights in the state.³⁶⁶

As government secretary in Osorio Chong’s administration, Francisco Olvera prevented Hidalgo's eighth sexual diversity march to access Plaza Juárez—the main square in central Pachuca—and avoided any rapprochement with LGBTQ groups. As Osorio Chong successor, 2011-2016, Olvera refrained from including the sexual diversity community in the list of vulnerable groups to be protected from marginalization in Hidalgo’s State Development Plan. When asked openly, the governor announced that same-sex rights are not a priority for the

³⁶⁶ Personal interview with journalist and activist Elsa Àngeles, Pachuca de Soto, Hidalgo February 18, 2016.

state and do not merit attention as other topics are of greater importance.³⁶⁷ As in many other states, Priistas justified the lack of political action arguing that more urgent issues must be dealt with prior to sexual diversity; society's alleged lack of preparation for the expansion of rights; the duty of representatives to consult the public or wait for citizen initiatives; and the need for slow progress given the delicate and complicated nature of same-sex rights (Àvila Huerta 2011). Arguing for the little relevance of same-sex rights was a way to legitimize the party's inaction around issues that would otherwise cause conflict.

The absence of mobilization in favor of same-sex rights did not increase parties' likelihood of lifting same-sex issues. Hidalgo's proximity to the progressive circles of Mexico City and its concentration of activism had drawn people to the capital and diminished mobilization in surrounding states. A handful of organizations including the Diverse Women's Collective [*Colectiva Mujeres Diversas*] and Asociación 1791 keep pushing for policy liberalizations in the state, but similar to their fellow activists in Yucatán and Guanajuato, had little success.³⁶⁸

³⁶⁷ Personal interview, representatives of Asociación 1791, Pachuca de Soto, Hidalgo, March, 2016.

³⁶⁸ Personal interview, representatives of Asociación 1791, Pachuca de Soto, Hidalgo, March, 2016.

CONCLUSION

This chapter showed how the absence of party competition and a strong Catholic Church impacted the politics of moral gender policies in Hidalgo. In contrast to Yucatán, the PRI in Hidalgo successfully maintained its dominance and kept its position as the party hegemon for over eighty years. Unthreatened by competition from opposition parties, the PRI did not need to build alliances with Catholic hierarchies to gain electoral benefits and defeat the opposition. Although both programmatic parties introduced abortion bills in different directions of change, the PRI sent both to linger in legislative committees. Testament to its pragmatic nature and general approach to moral gender policies, when it did not serve party interests to assume a specific position on abortion and same-sex policy, the PRI instead simply let initiatives linger without ever reaching a vote. The strategy of a passive, “grey politics,” allowed the party to instead protect other local interests.

The weak Catholic Church in Hidalgo had few possibilities to impact party politics. The dominant PRI did not need its support, nor could the Church provide electoral benefits to incumbents. The distant relations between clergy and PRI leaders were visible in the Church’s strong propaganda against the PRI regime and failed attempts to lobby for restrictive reforms. But the Church in Hidalgo also had difficulty to build ties to other political parties. No evidence suggests that high-ranking clergy instead focused on maintaining a close relationship to the PAN—the second, distant electoral force—in the PRI’s absence. While Catholic authorities and the PAN undoubtedly shared certain ideological features, for example the objective to protect life from the moment of conception, few indicators suggest that the Church had particularly strong relations to any party in the state. The Church’s weak status but also the absence of party competition helps explain why. Although the Church managed to mobilize a group to pursue a “right-to-life” initiative, this attempt was in vain. Lacking

strong elite connections as in Yucatán, and absent the party competition that triggered the party's need for clergy support, the PRI in Hidalgo let the proposal linger in committees.

However, neither was the party keen to pursue policy liberalizations. Although it sought the legitimacy of the few but influential feminist activists in the state to bolster its reputation as the vanguard of gender equality policy in Mexico, the PRI wanted to avoid potentially costly debate also in relation to liberalizing change.

Chapter 8. The Politics of Moral Gender Policy in Latin America and Beyond

Over the past two decades, moral gender policies underwent unprecedented change across Latin America. Chile, Colombia, and Uruguay among others liberalized their abortion policies in watershed reforms that profoundly transformed the region's restrictive and persistent penal codes and challenged core Catholic principles. In the same vein, several countries modified their civil codes to expand marriage and adoption rights to sexual minorities, moves that signified important steps towards equal citizenship rights and non-discrimination. Argentina, Brazil, Colombia and Uruguay legally recognized same-sex couples' rights to enter marriage and form families outside of the conventional boundaries of heterosexual relationships. These fundamentally democratic policy developments were not, however, uniform. The Dominican Republic, El Salvador, and Nicaragua enacted complete abortion bans, removing the rape exemptions common to penal codes in the region. Moreover, governments in Ecuador, Honduras and Bolivia enacted constitutional reforms to limit marriage (and often adoption rights) to heterosexual couples. The recent and notable diversity in moral gender policy reforms across the region created a puzzling empirical pattern that scholars at times refer to as Latin America's "rights riddle" (Encarnación 2018).

Beyond the observable variation in policy outcomes, mobilization for liberalizing change in abortion and same-sex legislation yielded varying results, manifested in the ease with which reform came about. Since the 1970s and onwards, feminist activists and their allies have sought to expand the legal grounds for abortion across most of the region. Several decades later, the struggle is still ongoing, and often contentious, with comparatively few advances. Mobilization for expanded sexual minority rights by contrast emerged later, primarily during the late 1990s and onwards. Similar to abortion liberalization, demands for marriage and adoption equality also challenged fundamental religious principles concerning

marriage and the family and were contested by religious-conservative sectors. Legislation extending marriage and adoption rights to same-sex couples nevertheless passed comparatively quickly once bills seeking reform emerged on legislative agendas. This uneven development suggests that there are important differences among issues within the moral gender category despite their shared characteristics that challenge fundamental Catholic principles—differences that remain largely unexplored by scholars.

This dissertation explored the puzzles of Latin America's uneven moral gender policy reforms, and developed a theoretical framework that sheds light on the question of why some countries in the region liberalized contentious moral gender policies whereas others restricted already limited policies, and yet others left policy in status quo. It also sought to understand what shapes differences among issues within this category, more specifically, why same-sex marriage and adoption policy passed with relative ease compared to abortion despite decades of struggles on behalf of feminist activists and their allies. Empirically, I drew on the case of federal Mexico, where each state has jurisdiction over the civil and penal codes that govern abortion and same-sex policy, and whose reforms in these areas mirror Latin America's broader pattern of change over the past two decades. Selecting state-level cases of policy reform and status quo allowed me to employ a subnational research design that held factors such as political and religious institutions constant, which permitted a controlled case comparison that cross-national comparisons cannot offer.

To explain variation in policy outcomes, the framework centered on the impact of three variables: party competition, the strength of organized religion (the Catholic Church) in a given context, and party type (programmatic and non-programmatic). The analysis of Mexico City, Yucatán, Guanajuato, and Hidalgo's policy reforms suggests that these variables interact to create the conditions under which parties benefit from liberalizing, restricting, or leaving moral gender policy in status quo. Specifically, the degree of party competition and the

ideological positions of rivals determine the extent to which incumbents (or strong opposition parties) need Catholic authorities' support. High-ranking clergy with capacity to influence populations that identify as Catholic, preside over a vast infrastructure of churches whose network can be used to mobilize citizens to protect institutional interests, and have ties to powerful economic players can provide parties with electoral benefits. In other words, a strong Church can act as an electoral mobilizer for parties in need, and perceptions of clergy's ability to provide electoral goods shape the relationship that party leaders forge with Catholic bishops. In exchange, the Church receives financial benefits and reforms that enshrine key doctrinal principles in legislation, which helps protect its institutional interests in a context of growing secularity and diversity.

The extent to which competition and closeness to Church hierarchies shape parties' policy positions and strategies is however contingent on party type—whether or not ideological foundations determine a particular stance on moral gender policies (programmatic parties) or if such principles are absent (non-programmatic). Programmatic parties such as the center-right PAN and the leftwing PRD had little room to alter their positions on principled issues such as abortion and same-sex policy. Straying from the positions laid out in party foundations—be it Catholic values or commitment to legally recognize women's and sexual minorities rights—was a risky strategy for the two parties whose voter linkage mechanisms primarily relied on policy platforms and other programmatic appeals. Only moderate alterations of party positions were therefore possible. The case studies confirm that party competition and Church strength had a moderate effect on programmatic party strategies vis-à-vis moral gender policies. Under pressure from medium to high competition and a relatively strong Church, the PRD refrained from pursuing potentially costly policy legalizations. In contexts where the socially conservative PAN could lose votes by attempting restrictions that invoked past scandals, the center-right party also abstained from engaging in policy reforms.

While programmatic parties largely conformed to the predictions of previous scholarship in which ideology shape behavior, this dissertation presented new findings to explain the politics of non-programmatic parties vis-à-vis moral gender policy. Mexico's PRI, the formerly hegemonic party ousted from office in 2000 after almost eighty years of one-party rule, has up until now never taken a public stance on abortion or same-sex policy. The PRI avoided these controversial issues and party leaders never articulated a clear national party line in relation to abortion or same-sex policy during the period of study. This dissertation provided evidence that party competition and the strength of the Catholic Church in a given context shaped PRI politics. The party assumed liberal positions in a context of an increasingly strong left and a weakening Church in Mexico City; restrictive reforms in intense competition with the center-right PAN and a strong (but weakening) Church in Yucatán; and a moderately liberal position to provide an alternative to the PAN's socially conservative stance and fusion with Catholic clergy in Guanajuato. In contexts of low competition and a weak Church, the party deliberately left policy in status quo, as demonstrated in the case study of Hidalgo. These findings suggest that party positions were shaped by pragmatism and strategic calculations of what would provide the party with short-term benefits in a given context, and align well with studies of parties with non-programmatic linkage mechanisms (see e.g. Kitschelt 2000).

The analysis of the four case studies in this dissertation also reveals the policy impact of civil society mobilization. The bulk of existing work contends that strong, autonomous feminist and LGBTQ mobilization positively impact the prospects of liberalizing change when activists can forge alliances with reform-friendly incumbents or a strong opposition. This dissertation confirms the importance of these groups (and the presence of potential allies), but suggests that scholars must account for not only for the strength and type of civil society mobilization but also the geographical location upon which the struggles over moral

gender policies take place. I find evidence that conservative-religious grassroots mobilization tends to overpower feminist and LGBTQ organizing in more rural settings. Much of the strength of “pro-life” or “pro-family” groups’ comes from the support they can amass from religious authorities who shared their objectives in relation to abortion and same-sex policy, and from their ties to economic elites. These linkages provide conservative-religious actors with leverage over incumbents and/or strong opposition parties, and a capacity to mobilize via the vast networks of churches that widely exceeds that of progressive civil society actors that have difficulty to sustain activism beyond liberal capitals and metropolitan zones.

The findings presented in this dissertation suggest that party competition, type, and Church strength are important variables that shape the prospects and direction of moral gender policy reform, as well as civil society mobilization. However, other factors might also influence policy change. Evidence from Chapters 4 through 7 suggests that state-level variables also affect the politics of moral gender policy. Historical legacies such as the impact of the *Cristero War* in a given entity, the formation of elite classes, and their relation to *caciques* and other political and religious authorities also shape subnational politics in Mexico. It might seem unlikely that events that took place decades, if not centuries ago, continue to impact contemporary politics. Yet in every state where I conducted fieldwork, legislators, bureaucrats, scholars, and civil society actors constantly invoked the past when explaining current political events. The persistence of history is a particular feature of Mexican politics that to a large degree can be attributed to the Catholic Church’s influence, but also to the diversity of the federation’s thirty-two states. The particular local identities that individual states developed over centuries—also a product of struggles between the center and periphery over subnational autonomy—shaped the debates on moral gender policies that played out in each state. This suggests that sociocultural variables and historical legacies also matter for understanding the particularities of the politics of abortion and same-sex policy.

Ultimately, it points to the great diversity within the Mexican federation despite the many similarities shared by its thirty-two states.

The analyses of Mexico City, Yucatán, Guanajuato and Hidalgo showed that there are differences among issues within the moral gender policy category. These differences broadly corresponded to theoretical framework elaborated in the introduction of this dissertation, which highlighted three specific factors: issue characteristics, salience, and pre-existing legal frameworks. Across the four case studies, same-sex policy—both civil union legislation and marriage and adoption equality—elicited less controversy than abortion. Even in the two cases in which family policy underwent change—Mexico City and Yucatán—controversy over initiatives to reform abortion legislation still overshadowed attempts to legalize same-sex marriage and adoption. Legislative debates, marches, signatures collected to protest policy change and other forms of mobilization revolved primarily around opposition to abortion liberalization, support for “right-to-life” reforms, or in favor of liberalizing change. The Catholic Church also responded more strongly to threats against the principle of life than challenges to the heterosexual institution of marriage and the family, for example in Mexico City.

Beyond issue characteristics, salience also contributed to the difference between abortion and same-sex policy. Several scandals propelled abortion policy to the top of national debate in the early 2000s and onwards, the latest in 2010 concerned women incarcerated for abortion-related crimes. These events made abortion a nationally salient issue debated in many subnational legislatures. Mexico City’s abortion legalization further contributed to this salience, which made abortion more likely to be subject to reform attempts at the state level. By contrast, marriage and adoption equality never gained national salience. While Mexico City’s legalization in 2009 undoubtedly made headlines across the federation, no scandals propelled the issue of same-sex policy to the top of national debate. Debates on

marriage and adoption policy with a few exceptions remained largely confined to the national capital. Only in Yucatán did same-sex policy gain some salience due to the attempt to legalize gay marriage on behalf of an LGBTQ coalition. This effort was motivated by the state's civil code that in contrast to most other states did not contain a specific gendered definition of marriage, which brings us to the third factor—pre-existing legal frameworks.

A critical determinant in the case of abortion and same-sex policy revolved around the “openness” of their legal frameworks, that is, the extent to which they could be reformed, which also largely shaped civil society mobilization. Most states had fairly restrictive abortion policies that opened up few possibilities for further limitations, and in the wake of scandals related to rape victims' access to the procedure, few party actors were inclined to further limit the grounds for legal abortion and potentially cause public outrage. However, in the aftermath of Mexico City's legalization and in fear of the national capital's reform spreading across the federation, the strategy of elevating the “right to life” to constitutional rank substituted penal code reforms, and was replicated in seventeen states. Thus, this was the only type of change possible given abortion's high salience and already restrictive legal framework. Using the same strategy in relation to same-sex policy was largely impossible—and unnecessary—since the majority of states already implicitly or explicitly prohibited marriage for gay couples. Mobilizations against an expansion of same-sex rights therefore rarely occurred, and as the above section suggests, only took place in states where marriage and adoption equality had become salient and legislation was open to change. In this way, pre-existing legal frameworks shaped differences between abortion and same-sex policy by determining whether or not and what kind of policy change that was possible, which was also related to salience.

The remainder of this chapter summarizes the dissertation's central findings and highlights its main theoretical and empirical contributions. It also points out possible future trajectories for scholars to continue inquire into the politics of moral gender policies.

Primary Findings and Implications

Party Competition, Type, Church Strength, and Civil Society Mobilization

The comparative analysis of Mexico City, Yucatán, Guanajuato and Hidalgo reveals how party competition and the strength of the Catholic Church in a given state influenced the behavior of Mexico's main electoral players—the PRI, PAN, and PRD. The degree of competition and the ideological positions of rivals shaped behavior, but the extent to which positions and strategies changed also depended on party type, that is, a given party's predominant linkage mechanism—programmatic or non-programmatic. Moreover, civil society mobilization also impacted policymaking processes, in particular in Mexico City and Yucatán. Their influence however pushed legislation in different directions. While progressive activism in the national capital largely followed the expectations of previous scholarship, religious-conservative grassroots mobilization in Yucatán demonstrated how organizing seeking the opposite goal that coincides with that of religious elites, can overpower feminist and LGBTQ groups.

Mexico's transition to democracy ushered in a new era of electoral democracy characterized by multiparty competition, primarily among the center-right PAN, non-programmatic PRI, and leftwing PRD. While the previously hegemonic PRI was ousted from the presidency in 2000, it largely continued to dominate state-level politics after initial electoral losses in the wake of the seismic political shift. By the time the party regained the presidency in 2012, it had also reconquered most of the states lost following the advent of electoral democracy. Between 2000 and 2015, the non-programmatic PRI competed with both the center-right PAN and the leftwing PRD in different parts of Mexico. This regional pattern of competition shaped party positions vis-à-vis moral gender parties, and in line with theory primarily those of the non-programmatic PRI. For the center-right PAN and the leftwing PRD, programmatic foundations largely dictated party behavior. In contexts and at times in

which strictly following ideology (that is, introducing bills to either liberalize or restrict moral gender policy) did not serve party interests, legislators took on more moderate positions by not pushing for legislative change. The non-programmatic PRI by contrast, assumed different positions in different states depending on the degree and ideological position of its competition and based strategies on calculations of what would provide the party with the greatest short-term benefits.

Mexico City

In Mexico City, the dominant PRD legalized abortion, same-sex marriage, and same-sex adoption, following its liberal party foundations at the height of electoral support. While conforming to scholarly expectations of left party majorities, a closer look into the long process of attempted policy reform in the national capital also reveals that party competition had a moderate impact on the PRD's approach to abortion and same-sex policy. During the late 1990s and early 2000s, medium-level competition from its ideological adversary, the PAN, propelled the party to pursue a slightly less progressive politics, in which it refrained from advancing major moral gender policy reforms although despite its legislative majority. Instead, the non-programmatic PRI introduced initiatives that allowed the party to assume the role as vanguard of progressive abortion politics in the liberal national capital. With a minority position in the legislature and few incentives to compete with the socially conservative PAN, the centrist PRI could benefit from the left's growing electoral dominance in Mexico City. Introducing a pathbreaking abortion policy reform—albeit one it could not pass without the PRD's support—positioned the party close to the center-left, a strategic choice for the pragmatic, flexible party seeking to return to its former position of strength.

Party leaders in the national capital, also the high seat of the Mexican Catholic Church, faced a strong but weakening religious institution. While the PRD in the late 1990s was

reluctant to challenge the Church, numerous child abuse scandals—including one that specifically involved Archbishop Rivera—had by 2006 weakened the Church's public position in Mexico City. Its waning status also meant that the PRI went ahead and introduced a bill that defied Catholic doctrine although party leaders were well aware that its proposal to liberalize abortion would trigger strong clerical opposition. Illustrative of the argument that high-ranking clergy seek out relations to those parties perceived able to provide goods that secure the Church's institutional survival, Archbishop Rivera switched his party allegiance in the former Federal District over time. During the time period in which the PRD and PAN fought over the capital (and the presidency), Church hierarchies went back and forth between the two parties. The election of Marcelo Ebrard and his refusal to please the Church by continuing López Obrador's path of silencing debate and freezing bills seeking policy liberalization however effectively ended the previously amicable relations between the leftwing party and Archbishop Rivera—and the Church at large.

Yucatán

By contrast, the PRI in Yucatán took a vastly different approach to moral gender policy. In a context shaped by intense competition with the PAN—known for its restrictive, socially conservative positions—the party introduced reforms that could very well have been advanced by its programmatic rival. By assuming center-right positions, the PRI could please conservative sectors in the state and did not risk losing electoral support to the PAN over abortion or same-sex policy. The socially conservative party on the other hand supported the restrictive reforms, but sought to tone down its Catholic foundation in the wake of scandals that had given the PAN a reputation of being backwards on women's rights. The party therefore refrained from introducing reforms that circumscribed reproductive and sexual minority rights. In Yucatán, the situation of the Catholic Church was somewhat similar to

Mexico City. Although the institution for long had enjoyed a religious monopoly in the state and largely remained strong, a growing secularity and diversity was becoming noticeable, and in particular, distrust in Archbishop Berlié. The Church however had an important asset—its strong elite connections—that gave clergy significant political weight, especially in a context of intense PAN-PRI competition. Facilitated by a largely elite-composed civil society network partially organized by the Church, the PRI introduced restrictive reforms that enshrined key doctrinal principles in state law, in addition to providing the Church with financial privileges, and in return received clergy's electoral support over the socially conservative PAN. In other words, Church-party relations in Yucatán were largely temporal and dependent on short-term institutional interests, ultimately seeking to maintain political and religious hegemony.

Guanajuato

In Guanajuato, the dominant PAN followed expectations concerning moral gender policy. The party passed restrictive abortion reforms—at times so controversial that they caused national outrage—and filed an unconstitutionality complaint to the Supreme Court to prevent Mexico City's same-sex reforms from gaining validity in the rest of the country. While the party's ideological adversary, the PRD, also followed its programmatic foundations, much of its passivity vis-à-vis moral gender policies can be attributed to its weakness in the majority of states beyond Mexico City. In Guanajuato, the party had virtually no power over legislative politics. With one or two seats in a PAN-dominated state Congress, left deputies refrained from introducing bills seeking legislative change. In a striking contrast to the party's behavior in Yucatán, the PRI assumed a moderately liberal approach to abortion in Guanajuato. This position derived from a strategy seeking to differentiate itself from the socially conservative PAN during a time in which its restrictive policies generated public outrage. Unable to compete by taking a conservative position, the non-programmatic party instead went for a

human rights-inspired stance that manifested a comparatively liberal position that could potentially draw in support from moderately conservative sectors.

Catholic Church-incumbent relations in Guanajuato had over time grown into something akin of a fusion between the dominant PAN and high-ranking clergy. The incumbent party and the Church supported each other, and even collaborated to provide training and education to local governmental officials. The coinciding ideology of both institutions helped maintain political and religious dominance and largely kept other parties out—both in terms of the electoral landscape and from maintaining closer relations to the Church. In this context of PAN dominance and distant Church relations, the PRI did not attempt to foster ties to high-ranking clergy as in Yucatán. Instead, the party promoted moderately liberal moral gender policy reforms, well aware that its only possibility to gain more support was to distinguish itself from the PAN and its Church-associated politics.

Hidalgo

The PRI-bastion of Hidalgo was one of the few states in which moral gender policies remained in status quo. Facing virtually no threat to its electoral dominance in the state, the non-programmatic party chose to leave bills seeking policy reform to linger in legislative committees. While both the PAN and the PRD introduced bills in line with their ideological foundations, the PRI preferred to avoid controversial debates. Testament to its pragmatic nature and general approach to moral gender policies, the PRI let initiatives linger without ever reaching a vote when assuming a specific position on abortion and same-sex policy did not serve party interests. The strategy of a passive, “grey politics,” allowed the party to instead protect other local interests—in this case its reputation as a vanguard of gender equality policy in Mexico.

The weak Catholic Church in Hidalgo had few possibilities to impact politics. The dominant PRI did not need its support, nor could the Church have provided electoral benefits to incumbents. The poor relations between Church and PRI leaders were visible in clergy's strong manifestation against the PRI regime and its failed attempts to lobby for restrictive reforms. The Church in Hidalgo also had difficulty to build ties to other political parties. No evidence suggests that high-ranking clergy focused on maintaining a close relationship to the PAN—the second, distant electoral force—in the PRI's absence. While Catholic authorities and the PAN undoubtedly shared certain ideological features, such as the objective to protect life from the moment of conception, no evidence suggests that the Church had particularly close relations to any party in the state. The Church's weak status but also the absence of party competition to propel parties' to seek its support helps explain why.

Mexico City is the classic case of strong progressive civil society, whose links to a leftwing party in power facilitated the passage of liberalizing policy change. Conservative-religious mobilization was comparatively weak, illustrative of the Church's weakness and inability to gather faithful in the streets. In the rest of the cases examined in this dissertation, feminist and LGBTQ organization was mostly weak. An exception is the attempt to legalize same-sex marriage and adoption via a popular initiative in Yucatán, where a coalition of LGBTQ and human rights organizations attempted to gather signatures. However, due to the internalized homophobia and lack of rights awareness, the community it would ultimately benefit did not mobilize. By contrast, most cases in this study show activity on behalf of conservative-religious actors. In Guanajuato, the Church-incumbent fusion largely made such mobilization redundant, although certain events such as the burning of books suggests that there are groups that can be mobilized if Catholic morals are threatened. In Yucatán, the counter mobilization to the LGBTQ initiative also indicated activity on behalf of conservative-religious actors with strong professional and intrapersonal links to political,

economic and religious elites. By contrast, in Hidalgo, faithful could be mobilized, yet their efforts made little difference.

Theoretical and Empirical Implications

The impact of competition on party positions and strategies vis-à-vis moral gender policies has important implications. In the case of non-programmatic parties in particular, it suggests that rather than a real commitment to reproductive health as well as equal marriage and adoption rights, parties such as the PRI use policies strategically to gain electoral advantages over their rivals. While such behavior is not necessarily uncommon or unequivocally leads to an infringement or violation of rights, it has particular consequences for historically marginalized groups. This is particularly important in the context of a dominant religious institution that challenges the expansion of reproductive and sexual minority rights. Indeed, party competition alone did not shape parties' positions and strategies versus abortion and same-sex policy however. These issues rarely figure at the center of electoral debates and campaigns. Rather, the reason for why moral gender policies matter for party competition revolves around the strength of the Catholic Church in Mexico and its vehement opposition against any form of liberalizing change. Religious authorities' perceived ability to provide parties with electoral goods that enhance their competitiveness is what makes moral gender policy restrictions relevant for party competition. Indeed, it is in the context of a dominant religious institution with significant public influence that moral gender policies gain indirect electoral weight.

The findings presented in this dissertation suggest that Catholic hierarchies can provide political parties with specific electoral benefits that derive from their influence over faithful and links to elites—both economic and political. The degree and type of party competition, determines the extent to which incumbents (or strong opposition parties) need the support of

Catholic authorities. Whether or not leaders will ally with the Church depends not only on the nature of party type but also on the strength of Church hierarchies in a given context. These variables interact to create the conditions under which parties benefit from liberalizing, restricting, or leaving moral gender policy in status quo and shape the relationship that party leaders seek out with Catholic bishops. While the number of faithful in a given state and Church-associated movements and groups creates the foundation for its impact, it is ultimately the relationship between governors (or mayors in the case of Mexico City) and high-ranking clergy that determines the Church's weight in politics.

Conversely, Catholic Church authorities also had strong reasons to maintain close relations to incumbents or strong opposition parties with a possibility to gain office. In return for their electoral support, clergy members receive much-needed financial benefits to maintain its herd as well as reforms that enshrine Catholic principles in law. This argument draws on economic, interest-based theories that proceed from the assumption that parties seek to maximize votes to gain office or remain there, whereas religious authorities aim to safeguard their dominance in the spiritual realm—all in a context of growing electoral and religious competition that threatens institutional survival (see e.g. Gill 1998; Koesel 2014).

The Catholic Church's strength relationship to political parties and subsequent policy influence has important theoretical and empirical implications that shed light on the dynamics of the Catholic Church's political influence. While reports of its waning sociopolitical power have dominated popular and scholarly press in recent years, findings from Mexico suggest that clergy have generally strengthened their positions in the context of political institutions' legitimacy crisis. Religious and political elites' mutual interest in institutional survival has resulted in interest convergence that provides religious— primarily Catholic hierarchies— with increased bargaining power. While the Church's public position have weakened slightly, political actors still conceive of Catholic clergy as powerful mobilizers that can bolster

parties' and their candidates' legitimacy. As they rely more on Church authorities for support, clergy in turn gain more policy influence.

These findings imply that moral gender policies are used as trading cards in pragmatic negotiations between religious and political elites. However, the perception that clergy members can act as electoral mobilizers for parties in need is not necessarily factual, but rather, derives from the Church's position in the social imaginary. Years of dominance in the religious sphere have created an image of the Catholic Church as incredibly powerful—a status that might not correspond to actual, real-life powers. No studies suggest that the vote of the faithful—the confessional vote—is actually able to usher in electoral victories for political parties. Rather, its importance hinges on the idea of the Catholic Church's power as it is produced in the social imaginary. As long as political actors perceive the Church as able to provide electoral benefits, parties will continue to remain close to high-ranking clergy and allow them influence in policymaking processes. In the attempt to hold on to its religious monopoly, Catholic hierarchies will welcome any opportunity to do so. As alluded to above, the consequences of religious institutions' interference in politics may be significant for targeted groups. Clandestine abortions and hate-crimes based on gender or sexual orientation are already public health issues in the region and risk exacerbation with growing religious influence.

An important contribution of this dissertation relates to the impact of civil society mobilization in processes of moral gender policy change. The bulk of existing work contends that strong, autonomous feminist and LGBTQ social movements positively impact the prospects of liberalizing change. Much less work has been dedicated to understanding the impact of their counterparts—conservative-religious grassroots. In this study, I confirm the importance of feminist and LGBTQ organizations, but I also find evidence that conservative-religious mobilization tends to overpower these groups in more rural settings. While those

fighting for expanded reproductive and sexual minority rights easily find political actors willing to channel their demands into the legislative sphere and other allies to help lobby for liberalizing change in liberal capitals and metropolitan zones where they tend to cluster, progressive organizations have little impact beyond these settings.

Feminist and LGBTQ organizations are few and far between in more rural areas, at subnational and local levels, where religious-conservative actors by contrast are at their strongest (see e.g. Koesel 2014). In such settings, conservative-religious groups influence policymaking to a greater degree due to their connections to religious and political elites. They can mobilize quickly and often many through their access to the Catholic Church's vast networks. Thus, beyond liberal capitals, religious-conservative groups overpower progressive civil society actors with both stronger and more influential mobilization. When understanding the impact of civil society mobilization in processes of policy change, scholars must consider not only the strength of organizing, but also the *type* (progressive, that is, feminist or LGBTQ mobilization, or conservative-religious) as well as the geographical location of the arena in which the struggle over moral gender policy play out.

The implications of these findings are several. First, conservative-religious mobilization appears to be weak where the Catholic Church is weak. Indeed, in most cases examined in this dissertation, evidence suggests that Catholic clergy were deeply implicated in attempts to introduce "right-to-life" amendments or other, similarly restrictive reforms to the legislature. The Church's infrastructure facilitated rapid organization and support for such initiatives or against proposed policy liberalizations. Second, although signatures could be gathered even where the Catholic Church was not particularly strong, these initiatives had little impact. Although the low party competition in Hidalgo perhaps mattered most—that is, the PRI did not need Church support to defeat rivals—Church mobilization in the state also suggest that elite support is key for political influence. Only where Catholic hierarchies could gather

signatures but also where it had political and importantly, economic elites on their side did attempts at restrictive change take place. This suggests that conservative-religious groups' elite linkages are key features of their success.

The framework advanced in this dissertation has theoretical implications for other countries in Latin America as well as for Catholic Europe. At its broadest, I suggest that the combination of party competition and Catholic Church strength are factors that shape the positions and strategies of political parties vis-à-vis moral gender policies broadly in countries where the institution historically had monopoly over the religious landscape. Although the Church's influence has waned, it remains the region's dominant religious institution. Parties still fear its electoral punishment and seek its legitimizing support. For example, in Argentina, President Cristina Fernández Kirchner hollowed out the reproductive health program Sexual Health [*Salud Sexual*] in exchange for the Church's support of her administration's contentious tax and agriculture reforms (Piscopo 2014:123). But while Kirchner has remained reluctant to liberalize reproductive health policy, she played a key role in approving same-sex marriage in 2010. In fact, Encarnación (2011:113) attributes Kirchner's liberal approach to same-sex policy to party competition: "President Fernández de Kirchner's conversion into a gay rights crusader did not happen until after her governing coalition lost its majorities in Congress and her popularity with urban voters took a dive, especially in the all-important province of Buenos Aires."

As the theoretical framework predicts, programmatic parties generally have little room to alter their positions on principled issues such as abortion and same-sex policy. More important is the role of non-programmatic parties and their flexibility in relation to moral gender policies. I expect such parties to be particularly volatile in their positions towards abortion and same-sex policy in countries where parties have a low degree of programmatic content and policy programs matter little in shaping party reputations, such as in Brazil,

Colombia, the Dominican Republic, Ecuador, and Peru (Kitschelt et al. 2010). Few countries however have a dominant non-programmatic party such as the PRI in power. I therefore expect these kinds of parties to impact the politics of moral gender policy to a lesser degree than in Mexico. However, since the non-programmatic category encompasses a wide variety of different parties, I still expect the theory to travel broadly. For example, in Uruguay, the small Independent Party that lacks a particular position on the left-right spectrum played an important role in determining the outcome of the vote on abortion in 2012. However, in the absence of a strong Catholic Church and an electoral landscape dominated by the Broad Front [*Frente Amplio*] (FA), the two Independent party legislators chose different directions—Iván Posada supported the FA's attempt at policy liberalization and came to play an important role in the process whereas Daniel Radio voted against expanding the legal grounds for abortion based on his own Catholic convictions (Reuterswärd, n.d.). Finally, I expect the theoretical framework to apply broadly to European countries with a history of a strong Catholic Church, in particular Poland, Spain, and Italy.

Issue Differences Framework

This dissertation also developed a conceptual framework to explore differences between issues within the moral gender policy category. More specifically, it sought to understand why abortion policy liberalizations have been more difficult to achieve than progressive same-sex policy reforms that passed with relative ease in much of the region. It focused on three broad factors: issue characteristics, primarily the degree of controversy and resistance a given policy elicited from the Catholic Church; salience; and pre-existing legal frameworks.

Evidence from the four case studies largely confirms the importance of these factors. Across the examined states, abortion struck most controversy, and the majority of introduced bills, and mobilization in favor or against legislative proposals revolved around the “right-to-

life” or other forms of restrictive change. Issue characteristics do appear to explain why, especially since civil union legislation did not trigger the same controversy. The process of legalizing same-sex marriage and adoption almost reached the same level of debate, which suggests that the hierarchy based on issue characteristics and the extent to which they challenge Catholic doctrine holds largely true. Salience also contributes to setting issues within the moral gender policy category apart. In Mexico, several scandals surrounding abortion legislation propelled the issue high on national agendas in the early 2000s. The national capital’s legalization further fuelled debate and media attention. By contrast, same-sex policy received little attention beyond the national capital following the legalization of marriage and adoption equality in 2009. No scandals triggered significant media attention and public outrage across the federation. Only in the few states where reforms were possible, for example in Yucatán, did same-sex policy reach some salience. Yet still, in most cases, civil unions, same-sex marriage, and same-sex adoption remained in the shadow of abortion. The lack of salience is in turn related to the last factor, pre-existing legal frameworks.

Abortion policies were generally restrictive across Mexico. To pre-empt future liberalizing change in the wake of Mexico City’s legalization, constitutional amendments became the main strategy. Enshrining “the right to life” in local constitutions was more ambiguous than limiting already restrictive policies, which could potentially generate a scandal similar to the Guanajuato bill in 2000. Thus, while there was room to restrict policy, there was also an available strategy via constitutional amendments. By contrast, most Mexican states already defined marriage as between a man and a woman. Given the state of existing legislation, conservative-religious actors had few incentives to attempt restrictive change—in effect it was actually impossible to enact further restrictions. Indeed, the states that outlawed same-sex marriage and adoption—Baja California, Sinaloa, and Yucatán—were exceptions in that their civil codes did not establish marriage as an exclusively heterosexual

institution. In this way, differences in legal frameworks also determined mobilization, in particular on behalf of conservative-religious actors.

In sum, lower controversy, salience and already restrictive legal frameworks rendered the expansion of marriage and family rights to sexual minorities unlikely in Mexico. In terms of the case studies, this framework helps explain why same-sex policy did not undergo change in Guanajuato and Hidalgo and led to policy status quo. By contrast, higher salience in Mexico City and Yucatán, and in the latter, a gender-neutral legal framework allowed for a restrictive reform. Thus, combined, issue characteristics, salience, and pre-existing legal frameworks help explain differences across moral gender policies and the variation in patterns of policy change.

The framework on issue differences should also be able to travel broadly and help shed light on the determinants behind the region's uneven patterns of reform. Across Catholic countries, the conceptual hierarchy of moral gender policies should apply. For example, as mentioned above, Cristina Fernández Kirchner in Argentina did not liberalize the country's strict abortion policy but by contrast, quickly approved a law that allowed for same-sex marriage and adoption (Lopreite 2014). Similarly, while Brazil enacted same-sex marriage into law, it continues to refrain from abortion liberalization (Encarnación 2018). Further detail on issue salience and pre-existing legal frameworks within these countries—as well as in Catholic Europe—however requires additional research.

Future Research

The findings in this dissertation raise several questions that should be explored by future research. These questions touch on several research different areas: The party politics of moral gender policies; Church-party relations and religious institutions' influence more

broadly; and the impact of civil society mobilization on reform processes—conservative-religious grassroots mobilization in particular.

Scholarship on moral gender policies has generally refrained from a broader focus on party politics beyond the emphasis on the political left and its ideology. This dissertation attempted to fill this gap, but more much remains to be understood about party dynamics and how they affect the politics of abortion and same-sex policy, as well as other, hitherto unexplored moral gender issues. The perhaps most pressing issue to explore relates to the politics of Latin America's many non-programmatic parties. While Mexico's PRI is certainly an important example in the region, other types of non-programmatic parties also impact policymaking. For example, do parties with predominantly clientelistic voter linkages pursue a politics vis-à-vis moral gender policy that differ from parties whose mechanisms for reaching voters are based on other non-programmatic appeals?

A related question concerns the impact of party dynamics in relation to more recent moral gender policies such as gender identity laws that emerged on legislative agendas in the region in the past few years. Other issues related to non-binary individuals, such as transgender policy, are likely to receive more attention in the future. Do the same ideological cleavages apply in relation to these issues, that is, will socially conservative parties protest more inclusive policies whereas leftwing parties will promote them? Moreover, what positions will non-programmatic parties take? Future scholarship will also have to evaluate whether or not the anticipated reactions to these policies align with the "issue difference" framework elaborated in this dissertation.

The Catholic Church's influence in Latin America and its impact over policy agendas have received much attention in recent years. Popular as well as academic press has emphasized Church strategies in adapting to a new environment in which it is rapidly losing its hegemony on the religious marketplace (see e.g. Hagopian 2008; Vaggione 2014). The

implications for policymaking are still ambiguous however, part of which can be attributed to the difficulties of tracing clergy impact in a context where Church-party relations remain largely clandestine. More research needs to be done to examine the specifics of these relationships. This dissertation attempted to explore the precise mechanisms of the Church's influence in terms of the goods clergy can provide incumbents. Future research should also deal with more conceptual aspects—how do we know when there is a fusion between the Catholic Church and the state, as opposed to a party in office that simply shares many of its values?

Attention to Latin America's growing religious diversity in the wake of the Catholic Church's gradual loss of followers has generated scholarship that focuses on other religious denominations, especially Evangelical Protestant churches that have made significant inroads into the region (see e.g. Boas and Smith 2014). The impact of Evangelical churches' growth on moral gender policy reforms remains largely unexplored, but is highly relevant as Evangelical churches tend to take stricter positions on abortion and same-sex policy than Catholics. Moreover, Latin America's growing religious diversity begs the question of whether or not joint religious mobilization in favor of or against policy change is a future possibility.

Finally, little is known about conservative-religious grassroots movements in Latin America. This dissertation provided evidence that suggested that the Catholic Church in many cases operates as a driving force behind mobilization against policy liberalization and more broadly, the idea of gender politics or gender ideology. It also suggested that clergy's links to political and economic elites contributed significant resources that facilitated mobilization. Systematic, comparative research is however lacking. Recent research on anti-gender mobilization has been largely confined to the European context (Graff 2014; Paternotte and Kuhar 2017). This topic should however be explored in Latin America, where there is a

pressing need to understand the emergence and spread of anti-gender ideology movements, for example in Brazil and Argentina.

APPENDIX. INTERVIEWS CITED

Personal interview, Sandra Peniche Quintal, obstetrician and activist, Mérida, Yuc., September 2015.

Personal interview, Scholar #1, Autonomous University of Yucatán, Mérida, Yuc., September 2015.

Personal interview, Scholar #2, Autonomous University of Yucatán, Mérida, Yuc., September 2015.

Personal interview, ex-PRD deputy and former director Instituto para la Equidad de Género Yucatán, Mérida, Yuc., September 2015.

Personal interview, Dulce María Sauri Riancho, former governor of Yucatán, Mérida, Yuc., September 2015.

Personal interview, Scholar #3, Autonomous University of Yucatán, Mérida, Yuc., September 2015.

Personal interview, representative of Unidad de Atención Sicológica, Sexológica y Educativa para el Crecimiento Personal (UNASSE), Mérida, Yuc., September 2015.

Personal interview, Bernardo Laris, media owner, Mérida, Yuc., September 2015.

Personal interview, Margarita Buenfil, director, Ayuda a la Mujer Embarazada, Mérida, Yuc., September 2015.

Personal interview, Edgar González Ruiz, journalist, via Skype, Mérida, Yuc., September 2015.

Personal interview, Alfredo Candini, president Derechos Cultura y Diversidad Sexual, Mérida, Yuc., September 2015.

Personal interview, Ana Rosa Payán, former PAN mayor of Mérida, Mérida, Yuc., October 2015.

Personal interview, Jorge Fernández Mendiburu, lawyer, Equipo Indignación, Mérida, Yuc., October 2015.

Personal interview, Carlos Mendez Benavides, director of Oasis de San Juan, Mérida, Yuc., October 2015.

Personal interview, Ivette Laviada Arce, president, Pro-Yucatán Network, Mérida, Yuc., October 2015.

Personal interview, Ligia Vera, scholar and activist, Mérida, Yuc., October 2015.

Personal interview, Frederick Santana, Centro de Estudios Superiores en Sexualidad, Mérida, Yuc., October 2015.

Personal interview, PRD member, Mérida, Yuc., October 2015.

Personal interview, Scholar #4, Autonomous University of Yucatán, Mérida, Yuc., October 2015.

Personal interview, former PAN deputy, Mérida, Yuc., October 2015.

Personal interview, former PRI deputy, Mérida, Yuc., October 2015.

Personal interview, member of the State's Human Rights Committee, Mérida, Yuc., October 2015.

Personal interview, Attorney General's gender coordinator and former director of León's Instituto Municipal de la Mujer, Guanajuato, Gto. November 6, 2015.

Personal interview with PRI deputy Luz Elena Govea López, Guanajuato, Gto. November 10, 2015.

Personal interview via Skype with Mónica Méndez, legal coordinator at Centro Las Libres, Guanajuato, Gto. November 16, 2015.

Personal interview, Èrika Arroyo Bello, PRI federal deputy, Guanajuato, Gto, November 2015.

Personal interview, LGBTQ activist from Redefine, León, Gto. November 10, 2015.

Personal interview, Scholar #1, Guanajuato, Gto. November 13, 2015.

Personal interview, Desarrollo Integral de la Familia (DIF) State employee, Guanajuato, Gto. November 17, 2015.

Personal interview, PRI deputy Irma Leticia González Sánchez, Guanajuato, Gto. November 18, 2015.

Personal interview, Iovanna Rocha, PRI regidora, Guanajuato, Gto. November 25, 2015.

Personal interview, the director of Las Libres, Verónica Cruz Sánchez, Guanajuato, Gto. November 26, 2015.

Personal interview, priest at the Basilica Colegiata de Nuestra Señora de Guanajuato, Gto. December 2, 2015.

Personal interview, representatives of Colectivo Seres, Guanajuato, Gto, December 2, 2015.

Personal interview, Scholar #2, Guanajuato, Gto. December 4, 2015.

Personal interview, State President of Nueva Alianza, Guanajuato, Gto. January 20, 2016.

Personal interview, Scholar #3, Guanajuato, Gto. January 20, 2016.

Personal interview, director of Centro de Derechos Humanos Victoria Díez, León, Gto. 21 January 2016.

Personal interview, Lourdes Gazol, former employee at the Women's Institute, Guanajuato, Gto. January 22, 2016.

Personal interview, PRD representative, Guanajuato, Gto. January 27, 2016.

Personal interview, journalist and activist Elsa Àngeles, Pachuca de Soto, Hid., February 18, 2016.

Personal interview, activist Carmen Rincón, Cihuatl Mujeres, Pachuca de Soto, Hid., February 23, 2016.

Personal interview, activist Otilia Sánchez, Pachuca de Soto, Hid., February 26, 2016.

Personal interview, representatives of Colectiva Mujeres Diversas, Pachuca de Soto, Hid., March, 2016.

Personal interview, representatives of Asociación 1791, Pachuca de Soto, Hid., March, 2016.

Personal interview, former PRI deputy Julio Menchaca, Pachuca de Soto, Hid., March 2, 2016.

Personal interview, former PRD deputy Sandra Ordaz Oliver, Pachuca de Soto, Hid., March 4, 2016.

Personal interview, Green Party representative, Pachuca de Soto, Hid., March 9, 2016.

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Personal interview, scholar #1, Pachuca de Soto, Hidalgo, March 18, 2016.

Personal interview, representative of SEIINAC, Pachuca de Soto, Hid., March 22, 2016.

Personal interview, former PAN deputy Irma Chávez Ríos, Pachuca de Soto, Hid., March 23 2016.

Personal interview, director of Red por los Derechos Sexuales y Reproductivos en México (DDSER) in Hidalgo, Pachuca de Soto, Hid., March 29, 2016.

Personal interview, former PAN deputy Alejandra Villalpando, Pachuca de Soto, Hid., March 30, 2016.

Personal interview, former PRI deputy and current PAN municipal president of Pachuca, Yolanda Tellería, Pachuca de Soto, Hid., March 31, 2016.

Personal interview, male Catholic militant, Pachuca de Soto, Hid., April 5, 2016.

Personal interview, female Catholic active in the Church, Pachuca de Soto, Hid., April 12, 2016.

Personal interview, male Pro-Life activist, Pachuca de Soto, Hid., April 13, 2016.

Personal interview, Roberto Blancarte, scholar, Colegio de México, Mexico City, May 2016.

Personal interview, representative of Católicas por el Derecho a Decidir, Mexico City, May 2016.

Personal interview, GIRE representative, Mexico City, May 2016.

Personal interview, GIRE lawyer Alex Alí Mendez, Mexico City, May 2016.

Personal interview, Alejandro Brito, director of Letra S, Mexico City, May 2016.

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