

# Education as socialisation: a historical-legal revision of the Catholic influence on Colombian Religious Education\*

Educación como socialización: una revisión  
histórico-legal de la influencia católica en la educación  
religiosa colombiana

*Educação como socialização: uma revisão histórico-legal  
da influência católica na educação religiosa colombiana*

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## Artículo de reflexión

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## Abstract

The article addresses the influence of Catholicism in the configuration of the academic subject *Educación Religiosa* (Religious Education, RE) in the Colombian system of public education. As its core idea, it defends the argument that a positive curricular determination in this direction would be connected with the country's main tradition of nation-state building. To substantiate this claim, it offers a reconstruction of the political role of the Catholic Church in the country's main historical periods. This revision will correspondingly highlight the socialising role of Christian conservative morality as underlying the centrality of the Catholic church in the country's educational history, traversing both liberal and conservative administrations. This section is followed by a revision of the main legal sources structuring RE in Colombia after the 1991 Constitution. Here, conclusions will highlight the need to appreciate this curricular area as presenting a continuity of the aforementioned socialising role of Catholic doctrine and morality in Colombia, all despite the threshold of state secularisation brought about by the aforementioned Carta Magna. In particular, this function would be developed by RE via its legal configuration as a parental right of the spiritual and cultural determination of its offspring, framed and sealed by the concordats between the State and the main Christian organisations of the country. Similarly, the legal definition of the RE teacher will evidence an important margin of institutional influence exerted by the Catholic and the main Christian Evangelical churches. In the end, this academic subject could be seen as reflecting the constitutive historical tensions of the Colombian religious and educational cultures, especially in connection with the role performed by conservative Christianity in its state-building processes. In this regard, the harmonisation of this subject with constitutional provisions in terms of freedom of belief and state neutrality towards religions would exhibit important curricular space.

**Keywords:** Catholicism, church and education, church and state, freedom of religion, religious education, religious minorities.

**Descriptors:** Catholicism, Colombia, religious education, religious freedom.

## Resumen

El artículo aborda la influencia del catolicismo en la configuración de la asignatura académica *Educación Religiosa* (ER) en el sistema colombiano de educación. Como idea central, defiende el argumento de que una determinación curricular positiva en esta dirección estaría relacionada con la principal tradición nacional en materia de construcción como estado-nación. Con el fin de fundamentar esta afirmación, el artículo ofrece una reconstrucción del papel político de la Iglesia Católica en los principales períodos históricos del país. Esta revisión pondrá de relieve el papel socializador de la moral conservadora cristiana como subyacente a la centralidad de la iglesia católica en la historia educativa del país, atravesando administraciones liberales y conservadoras. A esta sección le sigue una revisión de las principales fuentes jurídicas que estructuran la ER en Colombia tras la Constitución de 1991. Aquí las conclusiones destacarán la necesidad de apreciar esta área curricular como la que presenta una continuidad del mencionado papel socializador de la doctrina católica y la moralidad en Colombia, todo a pesar del umbral de secularización del Estado provocado por la mencionada Carta Magna. En particular, esta función sería llevada a cabo por la ER a través de su configuración jurídica como derecho parental de determinación espiritual y cultural de sus descendientes, enmarcado y sellado por los concordatos entre el Estado y las principales organizaciones cristianas del país. Del mismo modo, la definición legal del maestro de ER evidenciará un importante margen de influencia institucional ejercido por la iglesia católica y las principales iglesias cristianas-evangélicas del país. Esta asignatura podría, entonces, ser vista como un reflejo de las tensiones históricas constitutivas de las culturas religiosas y educativas colombianas, especialmente en relación con el papel desempeñado por el cristianismo conservador en sus procesos de construcción del Estado. Al respecto, la armonización de este tema con disposiciones constitucionales en términos de libertad de creencias y neutralidad religiosa del Estado exhibiría un espacio curricular importante.

**Palabras clave:** catolicismo, educación religiosa, Iglesia y Estado, libertad religiosa, minorías religiosas, secularización.

**Descriptores:** catolicismo, Colombia, educación religiosa, libertad religiosa.

## Resumo

O artigo aborda a influência do catolicismo na configuração do tema acadêmico Educação Religiosa (ER) no sistema educacional colombiano. A ideia central defende o argumento de que uma determinação curricular positiva nesse sentido estaria relacionada à principal tradição nacional de construção como estado-nação. Para fundamentar essa afirmação, o artigo oferece uma reconstrução do papel político da Igreja Católica nos principais períodos históricos do país. Esta revisão destaca o papel socializador da moralidade conservadora cristã como subjacente à centralidade da Igreja Católica na história educacional do país, através de administrações liberais e conservadoras. Esta seção é seguida por uma revisão das principais fontes legais que estruturam o ER na Colômbia após a Constituição de 1991. Aqui, as conclusões destacam a necessidade de apreciar essa área curricular como aquela que apresenta uma continuidade do já citado papel socializador da doutrina católica e da moralidade na Colômbia, tudo apesar do limiar de secularização do Estado causado pela já citada Carta Magna. Em particular, essa função seria realizada pelo ps através de sua configuração legal como direito parental de determinação espiritual e cultural de seus descendentes, enquadrado e selado pelos acordos entre o Estado e as principais organizações cristãs do país. Da mesma forma, a definição legal do professor do ER evidencia uma importante margem de influência institucional exercida pela Igreja Católica e pelas principais igrejas cristão-evangélicas do país. Esse tema pode então ser visto como um reflexo das tensões históricas que constituem as culturas religiosas e educacionais colombianas, especialmente em relação ao papel desempenhado pelo cristianismo conservador em seus processos de construção do Estado. Nesse sentido, harmonizar essa questão com disposições constitucionais em termos de liberdade de crença e neutralidade religiosa do Estado seria um importante espaço curricular.

**Palavras-chave:** catolicismo, educação religiosa, igreja e estado, igreja e educação, liberdade religiosa, minorias religiosas.

**Descritores:** catolicismo, Colômbia, educação religiosa, liberdade religiosa.

## Introduction

The consolidation of the national state in Colombia has been marked, perhaps indelibly, by the dominant role of Catholicism. It is the central claim of this work that, in a determining manner, a staunchly conservative Christian morality has constituted an essential source of sociability for the republican structuration of this South American country. Also, that this robust Catholic stamp not only in education but also in other societal spheres can be seen in turn as corresponding to the cultural circumstances derived from the very own gestation of the Colombian nationality. In consequence, this constitutive feature would be related with the existence of a majority Catholic population in the country<sup>1</sup>, important levels of religious practice<sup>2</sup>, and the prominent network of Catholic institutions performing salient social functions in conjunction with the State. Thus, the centrality of the Church's place in the Colombian national evolution would highlight its role as a protuberant matrix of traditional morality and social regulation, with religious education (RE) performing a fundamental function in this respect. In the following, we will attempt a brief initial revision of the role

1. This characteristic is corroborated by several independent sources, especially given the non-existence of official data on the religious composition of the country. One of the most recent sources is the 2014 survey by the Pew Research Centre (2014), that shows religious affiliations to be 79 % Catholic, 13 % Protestants, 6 % Unaffiliated, and 2 % Other. With respect to this Catholic majority and according to this survey, Colombia falls behind Paraguay (89 %) and Mexico (81 %) in the Latin-American context, which includes in this research the U.S. Hispanic population and Puerto Rico. Another important source is Beltrán-Cely's (2012) 2010 survey on the main cities of the country, some intermediate cities and the rural area of Urabá. This survey shows the following results, based on the self-perception of the respondents: 70,9 % Catholic; 16,7 % Protestant (including Evangelical Christian, Pentecostal, charismatic Evangelical and Protestant); 4,7 % atheist and agnostic; 3,5 % *I believe in God but not in religion*; 1,8 % Jehovah's Witness and Adventist; 0,2 % others (including Muslim, Buddhist, Hare Krishna, Rastafari, Orthodox and *spiritual studies*), and 2,2 % NR/DK. Another source is constituted by the survey on the matter applied by the Observatory of Religious and Cultural Diversity of the San Buenaventura University (Corpas de Posada, 2009). Its most significant results are: 76,5 % Catholic, 14,4 % non-Catholic Christian, 3,9 % agnostic, 3,2 % atheist, 1,5 % *I believe in God but not in religion*, and 0,6 % Jehovah's Witness.
2. For example, 94,1 % of the respondents of Beltrán-Cely's (2012) survey labelled themselves as *believers* (a category that registers 92,9 % in the aforementioned Observatory survey – (Corpas de Posada, 2012), 58,2 % as believer-practicing, and 85 % of the surveyed population considers religion as *important or highly important* in their lives. These percentages notably increase when distinguished by gender, specifically for female respondents (96,6 % believers, 65,8 % believer-practicing). Although the highest (98,2 %) self-categorisation as *believers* is registered in this survey among the elderly (60 and older), the young (18-25) identification in this direction is also meaningfully high (90,6 %). These important indicators of a strong religious practice in the Colombian population contrast, however, with the low (27 %) affiliation to a church or religious group among respondents (Beltrán-Cely, 2012, p. 206).

performed by RE in the country's main historical periods, proceeded by a socio-political analysis of this academic subject's legal framework as it developed after 1991.

### Colonial period

As an intentional process of evangelism and corresponding moral guiding, Catholic RE in Colombia can be seen as a direct expression of the politic-religious amalgam between the Spanish Crown and the Vatican for the evangelisation and the administrative annexation of the New World (Torres-Hurtado, 1985; García-Sánchez, 2005). This agreement between the altar and the throne found form in the *Patronato Regio* (Royal Patronage), the direct concession —by Popes Alexander VI and Julius II— to the Catholic Monarchs of Spain of ecclesiastical-appointment and administrative powers in the newly discovered territories of the Americas. Through this sacred bestowal, deployed with the explicit intention of the propagation of the Christian faith and the establishment of the Church in the New World, the task of conversion of the American natives was allocated to the Catholic priests and religious communities. In this sense, these actors effectively became royal officers and thus a constitutive part of the political enterprise of the expansion of the Hispanic territories overseas.

This constitutive religious/political delegation is visible, for instance, in the theological features of the *Encomienda* (Assignment) institution in Spanish America. This legal formulation, by which the Madrid Crown granted rights to *Conquistadores* over the lands and population of a determined territory, required the condition of the establishment of *adequate* (i.e. Christian) spiritual provision for the subjects under its jurisdiction (Lara-Corredor, 2005: 34-37). Thought of as a restriction on the early rights of exploitation of native communities conceded by the Alexander VI *Inter Caetera*, *Encomiendas* legally required the public confession of allegiance to Christ —represented by the Pope— and to the King, known as *Requerimiento* (Requirement). This milestone marked for the Indians the granting of the *vassal* status (Archivo General de Indias, 2021) and as such the conservation of their lives under conditions of political and fiscal servitude (Torres-Hurtado, 1985, p. 400-402; Caballero, 2016). In this sense, the effective annexation of the New World was perceived by the Spanish Crown as a process of widening of the political boundaries of the realm. As this included by that time the perpetuation of the Spanish kingdom's self-perceived cultural landmarks, colonisation naturally encompassed the attempt of religious enculturation of the native population<sup>3</sup>. In this respect,

3. A material testimony of this process can be appreciated in the *capillas doctrineras* destined for the conversion of the indigenous population and, as such, designed for the emulation of their own ceremonial architecture (especially in Mexico's *capillas abiertas*. See García Granados, 1935). On the questioning of this inculturation as a process of *conversion* of the natives—based on their autochthonous appropriation of the Christian teachings according to their animistic worldview, see Bastián (2007).

it can be said of Christian RE, specifically in the form of Catholic catechism, to have performed a foundational role in the history of Colombia as a modern nation, mainly through the evangelism of the Indians<sup>4</sup>. This early socio-political instrumentalization of basic Christian instruction illuminates especially the institutional centrality of Catholicism in the consolidation of the Spanish dominion over its American territories. As will be explored ahead, this ideological feature of the colonisation will further translate into the conception of RE as a socialising device envisaged for the perpetuation of the religious identity of new generations. From these colonial origins, RE will subsequently be incorporated into institutional educational practices until becoming a constitutive feature of the Colombian educational tradition.

This important socialising role of the Catholic Church in the early modern Spanish colonies in America also brought about the establishment of prestigious Catholic schools. Institutions as the *Colegio de Santo Tomás* of the Dominican Order in 1573, or the *Colegio Mayor de San Bartolomé*, founded by the Society of Jesus in 1604, inaugurated institutional educative functions in the New Granada, initially for its clergy and later for the offspring of the aristocracy of *encomenderos* and royal officers (Restrepo-Zea, 1991, p. 26-32). These religious schools, plus the *pious* (*escuelas pías*) and conventual schools for poor mestizos, the *capillas doctrineras*, and domestic private instruction —legally and economically restricted to the elites—, can be understood as constituting together the original basic-educational / religious socialising facet of the colonial society. This educational system that included professional colleges for the instruction of priests and lawyers for the administration of the state, relied strongly on the Catholic religious orders (specifically Dominican and Jesuits). For this same reason they mobilised a robust religious-civilisational ideal centred on the teaching of the Spanish language and of the Church's doctrine against what was perceived as the pagan barbarism of the indigenous religions (García-Sánchez, 2005)<sup>5</sup>. However, different historians highlight in this respect the official oblivion and institutional abandonment that mainly characterised the state of education during the early colonial period in the New Granada, particularly due to the lack of a modern concept of

4. The African slaves, considered in a sub-human condition, received on this matter a different treatment, avoiding for that reason the administration of the sacraments. In this respect, the figure of Peter Claver stands out (Caballero, Capítulo 3: El Imperio de la Ley, 2016). This Jesuit saint adopted between 1580 and 1654 the solitary and at the time misunderstood mission of the evangelisation of the slave population.
5. Pita Pico (2011, p. 39) highlights in this respect these institutions' proclivity to provide a very precarious instruction on literacy and to focus instead on catechism. In this means, education of the lowest strata of the Colonial society (poor mestizos, indigenous communities, and slaves), remained restricted to familial modes of socialisation according to their cultural traditions and modes of existence, strongly characterised by the early introduction to work-practices and the reproduction of subsistence (Torres-Hurtado, 1985).

*public education* on the part of the Crown (Restrepo-Zea, 1991; Torres-Hurtado, 1985). This understanding of religious and moral instruction mainly as political socialisation—especially of the indigenous population, combined with the private interest, mostly of the aristocratic families of *encomenderos* and officers—in the education of the new generations, can be seen as characterising the institutional educational endeavour in the first two centuries of existence of the New Granada.

It was then the changes fostered by the Bourbon Reforms in the eighteenth century that questioned this established vision of education in the colony (Dávila Dávila, 2011). These transformations resulted for instance in the first suppression of the Society of Jesus in 1767 and strengthened the political and administrative authority of the Crown over the Church. Based on the Bourbon interest in promoting industrial capabilities and rational administration in its colonial territories, the expulsion of the Jesuits symbolised the Royal interest in the cultivation of modern and scientific knowledge against the traditional scholasticism associated with this Order (García-Sánchez, 2005, p. 220-226). In this manner, a variation of Enlightened absolutism promoted in the Viceroyalty ideals of universal and free education oriented towards the formation of virtuous citizens. Although in a modernist vein and fostering state instead of religious and parental control of education (Pita-Pico, 2011; Gutiérrez, 2014), these reforms did not challenge the social centrality of Catholicism. On the contrary, they presented an enlightened conception of the *pious citizen*, and deliberately sought support of the religious orders for the administration of the newly founded *Schools of First Letters* (*Escuelas de Primeras Letras*, García-Sánchez, 2005, p. 226-229) for the instruction of the population (Restrepo-Zea, 1991). In this respect, it can be seen of the social prominence of Catholic doctrine<sup>6</sup> and morality that it endured throughout the colonial period, performing as the central ideological source for the socialisation of new generations. To achieve this, especially private initiatives advanced an educational ideal (*general instruction*) that was intrinsically intertwined with Catholic faith and morality.

### Republican period

This strong cultural inheritance of Catholic Christianity let itself be felt after the end of the colonial period and through the republican life of the country. The attitude towards religion of Colombia's main emancipating leader, Simón Bolívar, will be representative in this regard. After achieving the independence of the former colony from Spain and when facing the challenges of the founding of a republic, *El Libertador* showed a staunchly conservative stance, considering Catholicism as an indispensable source of

6. For a consideration of the weight of counter-reformist spirituality in the colonial religious life in the New Granada (as exemplified for instance in the diffusion and intensity of Mariological devotions and practices), and of the role of Franciscans, Dominicans and Jesuits in its development, see Sanabria-Sánchez (2004, pp. 19-45).



social cohesion for the new nation (Olivera-Ravasi, 2014). And for Bolívar this meant granting state protection to the Catholic Church as the country's official religion, despite the allegiance to Spain shown by the high clergy during the independence campaign<sup>7</sup>. In this sense, Catholicism appeared to Bolívar as a political instrument for the stability of the young republic and as one of its constitutive cultural components<sup>8</sup>. This Bolivarian attitude towards religion found reflection in his particular educational policy, undoubtedly inspired by Enlightenment ideals on the popularisation of education, but also strongly sustained by the Church's dogma and institutions for its moral inspiration and implementation. Correspondingly, the establishment of local schools catering for the lower strata of society was conceived by Bolívar and his republican successors as harmonising with the Catholic presence in the nation, providing simultaneously technical (agricultural, industrial, commercial) and spiritual-ethical formation in accordance with the perceived nature of the religious beliefs of the population. This orientation led Bolívar to create the *Direction of Public Education* (*Dirección de Enseñanza Pública*), that established general, secular, and mandatory education under his ally Santander's *National Studies Plan* (Andrade-Álvarez, 2011, p. 166)<sup>9</sup>. This plan envisioned the promotion of Enlightenment instruction for all strata of society, relying strongly on the established Catholic infrastructure and incorporating the clergy as civil servants of the new secular educational endeavour (Echeverry, 1984). However, both the lack of financial resources and the aggressiveness of some of its measures – which included the suspension of monasteries and their transformation into state schools – brought this initiative to an end,

7. On the multifaceted participation of the religious actors in the independentist process and the Bolivarian efforts to receive papal recognition of the new republic while trying to secure the allegiance of the monastic orders in the country, see Bidegain (2004). This source illustrates plenty also on the influences of the Bourbon reforms and the new scientific teachings on the religious political thinking of different sectors of the neogranadian clergy (see also Dávila Dávila [2011] for a revision of rationalistic philosophy in Mutis and his influence on school curricula in this period).
8. This public attitude of Bolívar was accompanied in his convictions by his political centralism in the administration of the republic, favouring strong personalism and concentration of power in the figure of the leader (Gutiérrez, 2014). It would also find support in his personal religious confession, which exhibited elements of freemasonry – especially in his early, formative years – and an important threshold of fervent Catholicism, especially in his latter days (Machado-Sanz, 2016).
9. However, Bolívar's view on public education differed from Santander's more liberal and rationalistic approach, particularly as it found expression in the Congress of Cúcuta of 1821: "the intellectual and political movement of the new Republic rejected the convents because they could not be the support of public instruction: they spread superstition and were allies of fanaticism. The State strategy subjected them to a new order that sought to annul its functions of diffusers of superstition and depository institution of science and some precious knowledge of antiquity" (Echeverry, 1984, pp. 27-28. Own translation).

mainly due to the impossibility of hiring teachers to realise its objectives. In this respect, the first republican governments of the country relied extensively on the colonial religious orders (Jesuits, Dominicans, and Franciscans) for the delivery of public education, especially in the remote provinces of the nation.

This situation led to the *War of the Supremes* (1839-1842), the first conflict of independent Colombia. This struggle, strongly inspired by a conservative religious spirit against the liberal reforms, led to a clearer division of the federalist liberals and the centralist conservatives after the government's triumph in 1842. Subsequently, the Bolivarian, Enlightened, centralist and morally conservative stance towards education was challenged by radical liberal governments, that alternated with some conservative governments during the mid-eighteenth century. This oscillation lasted until the Rionegro Constitution marked the ending of the 1860-1862 *War of the Sovereignities*, by which federalist regional leaders rebelled against centralist measures of the Mariano Ospina Rodríguez's administration, and the beginning of the *United States of Colombia*. The liberal governments of the subsequent period known as the *Olimpo Radical* (Caballero, 2016b) implemented expropriating measures against the Church—including state confiscation of deceased persons' property and the various expulsions of the Jesuits—and restricted the church's scope of influence in government and society. Intending to promote a more scientific and technical spirit in education and counteract the scholastic attitude then attributed to the religious orders, these governments also established educational institutions for the training of a modern and industrially oriented elite, as the National University, created in 1867 during the administration of Manuel Santos Acosta. They also established a network of teacher-training colleges, for the foundation of which they requested the first German educational mission to the country<sup>10</sup>. Among other educational measures of the period can also be counted the attempts to create a public, completely de-centralised, mandatory, free (at the point of delivery), and secular system of education like the one designed by Aquileo Parra's administration in 1876 (Gutiérrez, 2014), and the first national steps towards the higher education of women in separate and designated normal schools (Londoño Vega, 1994)<sup>11</sup>. These

10. This mission, which was characterised by the promotion of the Pestalozzian educational method, was constituted by nine teachers, seven Protestants and two Catholics, who were distributed through the several provinces of the nation (Toro, Muñoz and Scharnholz, 2014: 68). It resulted for instance in the foundation of the Female Normal School of Cundinamarca in 1872, that was a pioneer in this type of education in the country.

11. Perhaps the most salient political ideal inspiring these reforms is undoubtedly the notion of an illustrated citizen as the sole responsible for the material prosperity of the nation. Consequently, school curricula tended to emphasise the natural and applied sciences, along the universal literacy as the basis for economic development (Mendoza M., 2010; Guzmán Méndez, 2016, who uses here the notion of *profilaxis* as an accurate descriptor of the *civilisational*

and other similar initiatives aroused an armed Conservative resistance especially in the mining regions, led by the Conservative successors of former pro-independence warlords and inspired by Pope Leo XIII's *Syllabus* (and other encyclicals) condemning Liberalism as an error of Modernity<sup>12</sup>. This situation finally escalated to the conflict known as the *War of the Schools* (*Guerra de las Escuelas*) of 1876-78, in which Conservative regions offered resistance to the central government's plans to completely secularise education. The confrontation was finally solved by the triumph of the central government, whose short stay in power was followed by the rise to power of the Conservative and centralist regime of Rafael Núñez.

As can be seen, this oscillation between the favouring and the dispossessing of the Church, that characterised the alternation of Conservative-centralist and Liberal-federalist governments during the early and mid-nineteenth century, did not diminish the social significance of Catholicism in popular culture. On the contrary, this symbolic and institutional importance of religion in Colombian society was finally established in the 1886 constitution, proclaimed during the Núñez government (Mendoza M., 2010; Caballero, 2016c). This administration —that re-centralised, fiscally and administratively, public education, and entrenched the religious and moral teachings of Catholic doctrine— implemented a *regenerative* (*Regeneración*) programme based on the moral centrality of Catholic teachings against the liberal tenets of freedom of thought and federalism. Correspondingly, the 1886 Constitution declared Catholicism as the *national* religion, opening its preamble with the formula: "In the name of God, Supreme source of all authority", and expressly considering this faith as "an essential element of the social order" (Corpas de Posada, 2012)<sup>13</sup>. This promotion of Catholic values, as an organic component of a strongly centralist democratic republic, manifested itself also in the concordat between the Colombian State and the Holy See in 1887<sup>14</sup>, securing the special status and protection conceded to the Catholic Church and institutions in the country (Silva-Olarte,

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character attributed by this period's ideologists and reformers to popular education). However, religion was not completely alien to these educational designs, as it is evidenced by the Organic Decree of Public Instruction no. I (*Decreto Orgánico de Instrucción Pública*), that preserved religious teachings in elementary schools in the territory.

12. For a description of the contemporary conservative criticism of the female-only normal schools as purportedly alienating a natural femininity in their students (along with accusations of materialism and atheism), see Londoño-Vega (1994, pp. 57-59).
13. This constitutional formulation of Catholicism as the national religion did not equate however to its proclamation as official. In this respect, article 38 acknowledged that, despite the respective protection that this religion was due from the public powers, Catholicism was not and would never be considered as official, in particular with the express aim of preserving its independence from the State (Corpas de Posada 2012, p. 177).
14. Ratified and slightly restricted in 1973.

1989)<sup>15</sup>. Educationally, Núñez's *Regeneración* established an explicitly re-Christianising process in the country, mainly through French teaching orders (Eudists, Lasallians) (Andrade-Álvarez, 2011). These and other<sup>16</sup> communities, that found in Colombia a convenient amalgam of Church and State, implemented forms of industrial education along with Catholic instruction across the territory<sup>17</sup>. Similarly, staunchly anti-liberal and strongly conservative educational initiatives from civil society gained prominence in this period, as was the case with the *cofradías* in Antioquia and their female-leadership role of establishing educational institutions for the poor, strongly inspired by Christian moral ideals (Arango, 1995). In this respect, this religiously and morally conservative period of the country's history can be seen as laying the grounds for the Colombian educational system, relying for this purpose on a centralist view of progress via the accentuation of Catholicism as the primary source of traditional identity and solidarity.

This religious policy was not questioned by subsequent Liberal governments, that abandoned the radical anticlericalism of their predecessors and oriented themselves towards the promotion of welfare measures without advancing for those federal forms of government (Jaramillo-Urbe, 1989). In this sense, the continuation of the oscillation between liberal and conservative

15. In the words of Andrade-Álvarez (2011): "[the Concordat] allows the Catholic Church to abolish the law of property of dead hand and recognises tax privileges, ecclesiastical jurisdiction, and above all, it gives it control and monopoly of primary and secondary education. The establishment of the Concordat in 1887, serves to strengthen relations between the Colombian state and the Catholic Church, by establishing Catholic Christianity as the national religion, and grants her the faculty to act freely and independently throughout all the territory under the protection of the State but far from its control. Equally, the Concordat grants the church control and monopoly of education in Colombia. The Church then acquires the legal power to choose the books of religion and Christian morality for all levels of education, as well as power to suspend and report to the authorities all the instructors or teachers who do not respect the Catholic doctrine during the realisation of their teaching courses. The Church acquires a power through the Concordat on the instructors and the contents, which strengthens the commitment of the Regenerationist governments to prohibit all types of teaching, literary or scientific, that divulges ideas contrary to the Catholic dogma, along with due veneration to church" (pp. 161-162, own translation).

16. "This is how, between 1886 and 1930 the Jesuits, the Eudists, the Christian Brothers, Franciscans, Salesians, the Discalced Carmelite Brothers, the Clar-etians, the Marist Brothers, the Augustinian Recollects, the Discalced Carmelite Sisters, the Sisters of La Presentation, the Company of Mary, the Sisters of the Good Shepherd, the Salesian Sisters, the Capuchin Sisters, the Little Sisters of the Poor, the Vincentian Sisters, the Bethlehemite sisters, the Poor Clares and the Dominican Tertiaries of Saint Catherine of Siena settled in Colombia" (Turriago-Rojas, 2014, p. 117).

17. For the industrial, commercial, normalist, peasant, and technical emphasis of the Lasallian schools created in the Colombian territory early since 1874, see Sebá-López (1980) and Muñoz-Borrero (1980, p. 88). For the pedagogical revision of the Salesian case during this same period, see Turriago-Rojas (2014).

governments did not alter this rigid Catholic social order, which persisted during the twentieth century. Neither the emergence of political violence in 1948 – with the subsequent establishment of a military dictatorship between 1953 and 1957 –, nor the manifestation of the first tendencies towards an increasing religious diversity in the country challenged the social and political centrality of Catholicism (Helg, 1989). Among the reasons for the endurance of this socio-religious order, what undoubtedly stands out is the implicit consensus on the political importance of this form of Christianity between the ruling Conservative and Liberal parties, who were convinced of the need to avoid the alienation of the Church for the governing of the nation.

With the prevalence of the centralist definition of national statehood, Catholic teachings can be seen as preserving their place of prominence in Colombian basic education, especially as the social centrality and cultural influence of the Church remained attached to this foundational political formula in the country. In this respect, Catholicism could be conceived as being present in Colombia since its gestation and emergence as a nation, performing founding roles with respect not only to religious convictions but also to morality and social cohesion (Cifuentes-Traslaviña y Figueroa-Salamanca, 2008). As an important centripetal force, Catholicism will consequently provide an important source not only for RE but especially to the country's prevailing educational ideals and public educational system itself, particularly given its culturally gestational character and structural centrality to political power. As such, this Catholic educational matrix will find ways to accommodate to the late twentieth century's new socio-political setting, extending its influence to contemporary, culturally and religiously diversified societal conditions<sup>18</sup>. To this transition we will turn in the following section.

### Modern legal framework of RE in Colombia

As mentioned above, this centrality of Catholic doctrine and morality endured throughout the threshold of limited pluralism experienced by

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18. It is important however not to conceive this argument concerning the hegemonic character of the place occupied by Catholic morality in Colombia as leading towards a view of this cultural formation as omni-comprehensive and over-determining with respect to alternative religious and cultural expressions in the country. In this sense, the variegated landscape of religious traditions present in the Colombian territory since its early history–exemplified for instance by the worldviews and practices of its indigenous communities–illustrates well on the width of the specifically Colombian religious spectrum (Helg [1987, pp. 45-47] will in this respect highlight the concentration, by the early twentieth century, especially of the Church's moral influence on the Andean region of the country, with the costean areas more characterised by cultural influences from the African and indigenous forms of sociability). Although establishing ambivalent connections with Catholicism, these and other (like the African ones brought by slaves) religious cultures embody a long-term continuity with ancestral religious experiences, which have in turn hybridise and turn spawned new syncretic cults that exhibit important connections with their respective cultural matrices (see in this respect Bastián, 2007, especially for the case of pentecostalism).

the country in the twentieth century<sup>19</sup> and was finally recognised by the 1991 Constitution. This new Magna Carta, which replaced the century-long validity of that of 1886, consecrated the recognition of the secular, multi-cultural and multi-ethnic character of the state. Despite preserving the abstract invocation of the protection of God in its Preamble<sup>20</sup>, the new Constitution correspondingly formulated the state's separation from religion, consecrating both freedom of conscience<sup>21</sup> and of religion as fundamental rights<sup>22</sup>. These constitutional formulations reaffirmed previous international commitments of the Colombian state concerning these rights, as the ones consigned on the matter in the International Covenant on Civil and Political Rights (1966), the American Convention on Human Rights (1969)<sup>23</sup> or the Convention on the Rights of the Child (1989)<sup>24</sup>. From the perspective of the Colombian Constitutional Court (1994), the consecration of the separation between church and state that materialises in these and other rights constitutes the necessary conclusion of the state's self-definition as religiously pluralist and as cognisant of the equality of all religions. In this sense, the subsequent avoidance of the establishment of any official or preminent religion leads, in the Court's view, to the implicit recognition of the secular nature of the state, given the lack of an explicit formulation of this direction on the Constitution. In the Court's view, this consecration constitutes the only feasible way for the state to guarantee the individual rights of freedom of conscience and religion, and simultaneously the proper recognition, equality and protection of all religious confessions by the state. Consequently, the secularisation of the state, the adoption

19. For an illustration of the religious diversification experienced by the country in this period, see Rodríguez (2004), Beltrán-Cely (2006, 2012), López-Amaya (2014) for the case of non-Catholic Christianity; Bibliowicz (2006) and Osterwald (2013) for Judaism; KTC Karma Thegsum Cholin Colombia (2018), Budismo Camino del Diamante (2014) and Comunidad Soto Zen de Colombia – Daishinji (2012) for Buddhism; Castellanos, (2004, 2011) and Islam Al-Fayer (2017) for Islam; Fajardo-Pulido (2009) for New Era, among others.

20. “The people of Colombia, In the exercise of their sovereign power, represented by their delegates to the National Constituent Assembly, invoking the protection of God, and to strengthen the unity of the nation and ensure to its members life, peaceful coexistence, work, justice, equality, understanding, freedom, and peace within a legal, democratic, and participatory framework that may guarantee a just political, economic, and social order and committed to promote the integration of the Latin American community, decree, authorize, and promulgate the following” (Colombia, 2020. In the following, all citations from the Constitution would be extracted from this source).

21. Article 18: Freedom of conscience is guaranteed. No one will be importuned on account of his/her convictions or beliefs or compelled to reveal them or obliged to act against his/her conscience.

22. Article 19: Freedom of religion is guaranteed. Every individual has the right to freely profess his/her religion and to disseminate it individually or collectively. All religious faiths and churches are equally free before the law.

23. See Articles 1, 12, 13, 16, 22 and 27.

24. See the Preamble, Articles 2, 14, 20 and 30.



of a neutral point of view towards the different religions in the country, and the prescription of any form of mutual interference constitute for the Court indispensable requisites for the effective achievement of religious pluralism, and for the realisation of religious and ideological freedom in society (Colombian Constitutional Court, 2017).

Regarding the provision of education, this was established by the constitution also as a right of individuals, along with the rights of parents to choose the education of their minor-age children and the general right not to receive mandatory religious instruction in any public institution<sup>25</sup>. These potentially contradictory constitutional enshrinements were followed, in religious matters, by the General Law of Education (115 of 1994) and the Religious Diversity Law (133 of 1994), which jointly presented a common framework for RE in Colombia. In this respect, the Education Law identified RE as one of the fundamental and obligatory areas of schooling<sup>26</sup>, that would together minimally constitute 80 % of the curriculum. This meant that the qualifications obtained by the pupil on this subject would affect their final grade. This law clearly stated also that RE would be considered as a right and that all educative establishments would offer it according to the constitutional guarantee of freedom of religion. The General Education Law also reaffirmed the constitutional right of parents to choose the desired type of education for their children of minor age, and the constitutionally inspired precept according to which no person is to be forced to receive RE in state schools. In a similar vein, the Religious Diversity Law correspondingly stated the rights of the parents of the minor-age or disabled student to choose a particular moral and religious education for their offspring,

25. Article 68: *Individuals may create educational institutions. The law will establish the conditions for their creation and management. The educational community will participate in managing educational institutions. Education will be in the care of individuals of recognised ethical and pedagogical fitness. The law guarantees the professionalisation and dignity of the teaching profession. Parents have the right to select the type of education for their minor children. In state institutions, no individual may be obliged to receive religious instruction.* Regarding specifically this parental right, the Constitution echoed the International Covenant on Civil and Political Rights of 1966 (Art. 18, Num. 4, ratified by Colombia in 1968), the International Covenant on Economic, Social and Cultural Rights of 1966 (Art. 13, Num. 3, ratified by Colombia in 1968), the American Convention of Human Rights of 1969 (Article 12, Num. 4, endorsed by Colombia in that same year), the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief of 1981 (Article 5, literal b) and the Convention on the Rights of the Child of 1989 (Article 14, Num. 2, ratified by Colombia in 1991).

26. The other fundamental subjects enlisted by this Law are (all names in italics) *ethical and human values education; the humanities; social sciences; philosophy; economic and political sciences; artistic and cultural education; natural sciences and environmental education; physical education, recreation and sports; Spanish and foreign language (English or French); Maths; and technology and computer science.*

and of the adult student to determine it by herself. It also established that RE would be offered by the school according to the religion that the pupils belong to. With respect then to the opposition between non-compulsory RE and the parental privilege to determine their children received RE, this Law also stated the right of the parents or of the adult (18 or older) pupil to withdraw from RE in any school, something that they will have to declare from the moment of the enrolment<sup>27</sup>. Thus, the possibility of dropping out, conditioned by the guardianship of parents, was foreseen as the hinge between religious liberty and the parental rights with regards to their children's RE. This Law, which developed the principle of state pluralism towards the recognition and establishment of the equal treatment of religions<sup>28</sup>, also stated for the first time a constitutive requisite for the profile of the RE teacher: the necessary possession of a certificate of religious competency issued by the Church or confession that the instructor attends or teaches<sup>29</sup>.

Another milestone in the process of legal recognition of religious pluralism in Colombia can be highlighted in the Internal Public Law Agreement number 1 of 1997 (issued as the Presidential Decree 354 of 1998) between the Colombian state and some *Christian non-Catholic religious entities*. This Agreement, commonly known as the *Evangelical Concordat*, granted several Evangelical churches special privileges with respect to legal effects of religious matrimonies, public register of ministers, non-Catholic RE in state schools, pastoral assistance in the military and in penitentiary and aid centres, worshipping in public areas and facilities, and contracting with the

27. In the provision and specificities (parental assignation and legal age-condition for pupils) of this right of dropping out from RE, the Colombian legislation echoes similar dispositions in English and Welsh (Religious Education Council of England and Wales, 2019), Northern Irish (Council for the Curriculum, Examinations and Assessment, 2019) and Scottish (Education Scotland, 2019) legal frameworks concerning this subject.

28. The definition of *religion* in this Law, however, evidenced an important theological lineage, explicitly excluding what was considered as “activities related to the study and experimentation with psychic or parapsychological phenomena; Satanism, magic, superstitious, spiritualist or other analogous practices that are alien to religion” Art. 5. In this respect, the religious influence is identifiable here of the senator who drafted the Law, congresswoman Vivian Morales, a lawyer, university professor and prominent evangelical politician who has also performed as Attorney General, proponent of a referendum against gay marriage and, most recently, presidential candidate.

29. This confessional and moral endorsement, as requisite for the exercise of RE teaching, presents continuity with older forms of teacher's appointing in the country: “[in the first decades of the twentieth century] only people with a normal school diploma could be named. However, in the case of missing qualified personnel, the recruitment of candidates that met the following conditions was authorised: good conduct and profession of the Catholic Religion. Sufficient instruction in subjects to be taught in primary schools. Knowledge of the theory of pedagogical methods of primary education, and more specially, of its practical application” (Helg, 1989, p. 53).



state<sup>30</sup>. Regarding RE, this agreement consecrated the right of students to receive non-Catholic Christian RE in state schools, from pre-school to ninth grade, according to the doctrines of the church they belonged to and in a non-discriminatory manner to other religions. On an executive level, this agreement conceded to the signatory churches the capacity to participate in the formulation of the RE subject in state schools, alongside the Education Secretary of the Municipality or the Department. It ordered these public authorities and the school board to facilitate this participation and the churches' collaboration in the delivery of this academic subject. In relation to the profile of the RE teacher—in its *Christian non-Catholic* version—, this agreement complemented what was prescribed in the law on Religious Diversity with the requisite of a bachelor's or master's degree in Education with an emphasis on theology or *Christian religious sciences* (emphasis added), granting some exemptions for candidates lacking pedagogic studies or for regions where suitable staff were not available. In all cases, however, the accreditation of confessional Christian studies would constitute a mandatory feature. Regarding RE, this agreement partially resembled the concordat between Colombia and the Holy See (1973), which—in its aforementioned reformulated version of 1973—granted also the Catholic Church special rights in relation to public education. However, the Catholic privileges in this respect exceeded those conceded to the Evangelical churches, as the former was granted the possibility to teach RE in state schools *according to the Teaching (Magisterio) of the Church*. This prerogative allowed the Church to provide the RE curriculum, assess the relevant textbooks and oversee the effective implementation of the subject in public education, besides committing the state to providing state funds for Catholic *private* (non-state) schools and to the acceptance of the certificates of suitability for RE teachers issued by the Church.

Subsequently, the Ministerial Directive 002 (February 5<sup>th</sup>, 2004) delivered special directions for the RE subject, on occasion of *diverse enquiries and consultations* that arose on the matter. This document, after reaffirming the obligatory nature of RE in all schools and its necessary correspondence with the aforementioned legal and constitutional framework, stipulates that this subject in state schools will be subject to those provisions on the matter that were included in the public law agreements subscribed between the

30. The group of churches included in the Agreement was constituted by the following denominational and independent Evangelical and Pentecostal churches: Assemblies of God of Colombia, International Church of the Foursquare Gospel, Church of God in Colombia, *Casa sobre la Roca* Christian Church, United Pentecostal Church of Colombia, *Pan-American Mission of Colombia* Denomination, Pentecostal Church of God–International Movement of Colombia, Seventh-day Adventist Church of Colombia—to whose members special labour-holiday provisions were granted in the Agreement—, Wesleyan Church, Christian Church of *Puente Largo*, and the Evangelical Council of Colombia—Federation (*Cedecol*), which as “today represents 70% of Christian Evangelicals of the Colombian population” (Global Ministries, 2020).

state and any particular religious confession. After referring to Catholic and the Evangelical Concordats, this directive also contemplated the possibility of opting out of RE as the only possible guarantee of the religious freedom of the students whose confession did not have an agreement with the state and was therefore not being taught in state school. Besides stating the duty of these institutions to contribute to the realisation and participation of students in praying, worshipping, and other pastoral activities, this directive also granted private schools the autonomy to offer RE and pastoral assistance according to their *Educational Institutional Project* (Spanish: PEI). Although this institutional arrangement requested churches and schools to harmonise RE curriculums with several moral and ethical principles<sup>31</sup> – alongside the prohibition on proselytising through this academic area –, it clearly forbade the possibility of teaching RE in a manner different to that consecrated in the Concordats signed with the state and chosen by the parents through the enrolment of their children. In all cases, the rights of the adult student or the parents to opt-out of RE were also restated. Concerning the RE teacher's profile, this directive reaffirmed the previous Decree's resolution of requesting specialisation or *related* studies in the area, plus the possession of a certificate of suitability issued by the respective ecclesiastical authority.

In this manner, the autonomy granted to every school could be considered as the privileged means through which the RE subject was rendered almost exclusively according to parental interests. As was mentioned earlier, such autonomy took shape in the form of the aforementioned PEI as the ruling educational charter of the schools. This comprehensive document must contain information regarding not only educational principles but also pedagogical and assessment strategies, curricula, school democracy, fees and payments, facilities, social responsibility, and other elements of school life, was conceived as legally requiring for its design the open participation of the parents and other sectors of the educational community (Decree 1860 of 1994). However, despite the establishment of RE as mandatory in the General Education Law of 1994, the government felt the need in 2006 to issue a decree re-stating its obligatory nature, leaving the determination of its curricular time to the PEI.

In this direction the Uribe administration issued Decree 4500 of 2006. This directive reinforced the mandatory character of RE in all schools and restricted their curricular autonomy by requesting them to abide by the provisions of the General Education Law and thus to offer this course providing for the aforementioned right of dropping out. Although in this last respect this document followed the main guidelines established by its precedents, actually it reduced the threshold of liberal harmonisation for

31. "Peaceful coexistence and solving of conflicts; the recognition of and respect for cultural and religious plurality and human rights; moral development, self-identity awareness, environmental protection and participation in a democratic society" (Ministerio de Educación Nacional, 2004, p. 2).

RE, requesting only the avoidance of any use of the RE class for the ends of religious proselytism or *the benefit of a specific creed*. Additionally, this Decree did not provide any mandate with respect to the RE content, that left standing the 2004 Directive's guidelines stating the current concordats as guidelines for RE in state schools. Finally, regarding the RE teacher's profile, this directive loosened the academic requisites placed upon it – in particular by adding the possibility of holding *corresponding* (italics added) studies in the area, while insisting on the respective church's certificate of suitability. In this respect, Decree 4500 is commonly interpreted as answering the request by both Catholic and Evangelical groups on the need to avoid the establishment of substitutive *ethics* courses instead of RE in different schools, a curricular move that ignored the prescriptions on this subject in the General Education Law of 1994<sup>32</sup>.

And perhaps lastly along this line of incorporation of significant religious forces as the exclusive platform for the construction of the religious public policy – and with it of the RE official policy, we can find the 2017 *Comprehensive public policy of freedom of religion and of worship* [Política pública integral de libertad religiosa y de cultos] from the Ministry of the Interior (2017). This document does not deal directly with RE, however, it commits the Colombian government to “design and develop continuing education strategies, in agreement with universities and / or co-operators [which includes recognised religious organisation], in knowledge of the

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32. In a local level, an important legal milestone regarding RE is the *Chair of Human Rights, Duties and Guarantees, and Pedagogy of Reconciliation* [Cátedra de Derechos Humanos, Deberes y Garantías, y Pedagogía de la Reconciliación], as it was created by Agreement 125 of 2004 of the Council of Bogotá. In this document, RE was envisaged as constitutive part of the Ethics courses of both public and private schools in the capital, and foundationally contemplates the following topics in its curriculum: “autonomy, personal freedom, individual and collective responsibility, respect for human dignity; cultural, ideological, political and religious pluralism, tolerance, solidarity and the democratic practices of participation” (Concejo de Bogotá D.C., 2004). Under this light, the greater intervention and deeper liberal harmonisation on the RE curriculum presented by this document can be seen as anchored in the relatively greater freedom of Bogotá's local authorities with respect to the macro religious-political forces experienced in the national level. In this sense, the Bogotá Council would find itself with a wider room for manoeuvre to materialise, in the RE curriculum, constitutional precepts concerning religious freedom. However, it must be said that this direction was abandoned in Bogotá's next legal milestone in relation to religious public policy, the Public Policy of fundamental freedoms of religion, worship and conscience for Bogotá Distrito Capital 2018 – 2028 (Secretaría Distrital de Gobierno, 2018). Apart from avoiding any reference to the aforementioned *Chair of Human Rights* or to any form of substantial intervention on the RE curriculum, this document will emphasise the perspective of religious leaders on this school subject, including the challenges faced by their organisations and a positive emphasis on the legal figure of conscientious objection – that has been recurrently invoked in recent times by civil servants to reject legal services to the LGBTI population and by medical personnel to deny abortion and euthanasia-related attention (see Avila-Soler, 2018).

fact and the religious culture and its regulatory framework, aimed at servers and authorities public and the general public” (54). Also, it purports to “give continuity to the Interinstitutional Table for the analysis of the connection between the right to education and freedom of religion and of worship, with the object of analysing the problems derived or that arise in the exercise of the right to education in connection with the exercise of the right to freedom religious and cult” (66). In this respect, it can be said of the political arrangement contained by this document that it represents a continuation of an accommodation policy between the state and the main religious organisations of the country, especially as it avoids any substantial intervention, on the part of the state, on the delicate —and potentially volatile— subject of the RE curriculum. Thus, a situation of limited effective pluralism in the state-religions relations can be seen as being perpetuated by the privileged mechanism of private-law agreements between these two prominent actors of Colombian society. In a sense, this attachment between the exercise of political and educational right, on the one hand, and the power of interpellation of the state —concentrated as it is on the main Christian denominations—, on the other, is emblematic of the restricted margins of state and social secularisations still experienced by the country.

### Conclusion

The previous revision illustrates the origins and main tendencies in the legal configuration of RE in Colombian education. As demonstrated, Catholicism constituted an important cultural source for not only this academic subject but also for the country’s main national imaginary. Since the origins of the Spanish colonisation of the Americas, Roman Christianity can be seen as providing a striking unifying force for the nation-building process of the Colombian republic. In this scenario, Christian educational ideals can be viewed as actively shaping the moral education provided to successive generations, via either family or school-based socialisation. The educational functions that the Catholic religion foundationally and generally performed in Colombia established a constitutive background for the gradual emergence in this country of a public education system and thus of its important RE subject. This can be seen for example in the centrality of the RE issue in more than one national conflict during the nineteenth century. Throughout this process, different initiatives for the modernisation of education can be portrayed as colliding with an educational tradition that in Colombia was strongly shaped by Christian scholasticism. This opposition, as was highlighted above, marked a constitutive tension in the early history of Colombian education, stirring up a constitutive alignment between modernists and traditionalists that traverses the colonial and republican periods in the country’s history. This division pointed to the role of both education and religion in society and is evidence of the historical and ideological tensions underlying not only RE but Colombian education itself. It would be natural then to comprehend RE as the subject carrying the highest share of the religious inheritance of the nation. Simultaneously,

this school area could be seen as providing the most influential religious institutions – and the majoritarian religious culture – with an important avenue for perpetuating their educational validity, in the particular form of a mandatory, secularly consecrated school subject oriented mainly towards socialising objectives.

Relatedly, the degree of economic, social, and institutional modernisation that the country experienced during the twentieth century brought about significant cultural and institutional changes associated with its religious education. Both in the direction of the significant influence of modern formation (associated with the greater democratisation of education) and the emergence of important degrees of ideological pluralism, the religious and educational inheritance of the country faced new circumstances of legitimisation. This new situation implied the emergence of new problematisations of the conservative religious establishment underlying the bi-partisan status quo. Thus, the processes leading to the armed conflict and its escalation symbolise well the new religious and cultural face of Colombian society, characterised by alternative actors and their prospects for the modernisation of the state. The arrival of proselytising Pentecostal missions in the early twentieth century and the consolidation of a thriving middle class associated with technical and professional training illustrate the new educational demands and ideals that collided with the institutionalisation of traditional socialisation through public education. This transition, leading to the 1991 constitution, coincided with the incorporation of different international Human Rights provisions by the Colombian legal system. Consequently, an important threshold of institutional and cultural modernisation can be pointed out as brought about by the social changes experienced by the country since the end of the Thousand Day's War. In this line, a new stage in the nation-building process emerged from this latehistorical transformation, mainly via the partial and gradual detachment between Church and state. This feature, in turn, opened new instances of educational interaction between different religious and educational actors, on the one side, and the state, on the other.

However, this process of progressive modernisation of the state and of state education exhibits important continuities related to the country's religious and political history. Regarding this facet, the moral ascendancy of Christian educational ideals in Colombian society let itself be felt in the constitutional modernisation of the country, particularly through access to direct, constitutive interlocution with the state. In this manner, the fact that the only public law-agreements signed between the Colombian state and religious institutions are the Catholic and the Evangelical Concordats illustrates well the incorporation of societal circumstances into the progressive secularisation of the state. The explicit provision of human rights for the parental *right* or *liberty* to educate their offspring according to their moral and religious convictions, performs in this context the essential role of a mediator between traditional socialisation and the secular state. Correspondingly, RE appeared in the legislation as a mandatory subject —unlike

countries with a similar colonial tradition, like Mexico<sup>33</sup>— and as a right of parents to determine the education of their children. This parent-centred, liberal understanding of RE—sheltered also by the international formulation of the Rights of the Child— was then conciliated with religious freedom in the Colombian Constitution through the implementation of the adulthood-requisite for the access to that fundamental liberty. The materialisation of state neutrality and equal treatment of religions in educational matters was consequently conditioned for students on reaching legal age, leaving religious and moral open deliberation for the age at which students have typically finished their school education. This legal arrangement can then be considered as matching the lack of any type of state intervention on the RE curriculum (subjects, structure, age-related milestones) and its effective delivery, granting curricular and organisational autonomy to schools via the PEI. In some way, this institutional landscape can be thought of as configuring a situation where the most representative religions in the country are provided with a liberally legitimised possibility to perpetuate their socialising role and privileged position through private and state schooling.

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33. Mexico, Cuba and Uruguay are the only countries in Latin-America in which RE is not offered in the educational system (Lara-Corredor, 2005, p. 5). With respect to its curricular character, it is optional for schools to offer – and for students to take – this subject in El Salvador and Paraguay, where it appears under the heading of *religious culture*. In Bolivia, Brazil, Colombia, Costa Rica, Chile, Peru, Dominican Republic and Venezuela it is mandatory to offer RE in state schools. It is mandatory for parents to express their choice in Venezuela and Chile. In Peru and Dominican Republic, RE is mandatory for Catholic students. This subject is optional for students and parents in Brazil, Colombia, Costa Rica, Chile, Ecuador and Argentina – some provinces. In this last country *Ethics* is substitutive of RE. A similar situation occurs in El Salvador, where it is called *Education in Ethical and Civic Values* (Lara-Corredor, 2005, p.7).



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