

Latinas and Religion: Subordination or State of Grace?

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INTRODUCTION

[R]eligion is not any one stable force across the vagaries of time and place . . . [R]eligion encapsulates both the oppression practiced by Roman Catholicism's authoritative apparatus, as well as the resistance against such oppression mounted by dissident forces within that Church.¹

To illustrate, Catholicism has oppressed many women through its conservative insistence on male domination, yet devout Catholics have challenged that domination through liberation theology, including the *mujerista* theology described by Ada Maria Isasi-Díaz.²

* Professor of Law, California Western School of Law, J.D. Stanford Law School, 1987; B.A. Stanford University, 1983. I am grateful to the W.K. Kellogg Foundation for awarding me a Kellogg Fellowship. Through that experience, I was given the resources and freedom to pursue learning in an area outside of law, hence, the liberty to explore how people throughout the world use spirituality to build community. In that process, I became increasingly interested in how Latinas/os use spirituality to build community and so began my interest in the topic presented in this Essay. I am especially grateful to Margaret Montoya and to participants at the Fourth Annual LatCrit Conference for allowing me to share some of these ideas in a panel entitled "Religion, Gender & Sexuality: Conscience in LatCrit Theory." I also want to thank Guadalupe Luna for her careful reading and comments on this essay.

¹ Elizabeth M. Iglesias & Francisco Valdes, *Religion, Gender, Sexuality, Race, and Class in Coalitional Theory: A Critical and Self-Critical Analysis of LatCrit Social Justice Agendas*, 19 CHICANO-LATINO L. REV. 503, 514 (1998). This quotation captures the conflict that will be explored in this Essay. However, it assumes that the operating norm for the Catholic Church is one of oppression, and that dissident forces offer a counter-narrative. This Essay does not accept oppression as the Church's operative norm — it instead assumes a continuous position shift, with the same church sometimes alternately, and sometimes simultaneously, oppressing and liberating.

² See Ada María Isasi-Díaz, *Latina Women's Ethnicity in Mujerista Theology*, in OLD MASKS, NEW FACES: RELIGION AND LATINO IDENTITIES 93, 94 (Anthony M. Stevens-Arroyo & Gilbert R. Cadena eds., 1995).

This Essay addresses how religion simultaneously subordinates Latinas while serving as a source of strength. More specifically, it focuses on Catholicism and how the same church and religion have a fragmented and varied impact on Latinas, particularly Mexican-Americans, with whom I am most familiar.³ When using the term "religion" in the context of Latinas, I normally refer to Catholicism and sometimes to Christianity more generally because even though not all Latinas/os are Catholic, at least sixty-five percent self-identify as Catholic.⁴ In spite of the high numbers of Latina/o Catholics, an increasing number of Latinas/os are turning to evangelical and other Protestant churches. "While firm statistics are lacking, local religious leaders agree there has been a dramatic increase in evangelical and Pentecostal churches that serve Latina/o immigrants."⁵ Catholicism's hold on Latinas/os is weakening, demonstrating that the Church, for various reasons, is not fulfilling the needs of many Latinas/os.

Even though this Essay focuses on Latinas and the Catholic Church, it is not meant to diminish the experiences of non-Catholic or non-Christian Latinas, and even among Catholic Latinas, the experiences are anything but homogenous. Nonetheless, there is enough common experience to justify exploring the paradox of how Catholic Latinas use religion as a source of strength, as a survival and resistance strategy, and as a way to build community, on the one hand, while experiencing it as a subordinating and oppressive force, on the other. I broach this controversial topic for the important reasons expressed by Professors Valencia, Iglesias and Valdes. Professor Valencia stated that:

³ Although it is more accurate to call this group "Mexican-American Latinas," that phrase is cumbersome, so I often use the phrase "Latinas," with the understanding that my reference point is frequently the Mexican-American Latina.

⁴ See BARRY A. KOSMIN & SEYMOUR P. LACHMAN, ONE NATION UNDER GOD: RELIGION IN CONTEMPORARY AMERICAN SOCIETY 137-38 (1993) (noting that two-thirds of Mexican Americans identify as Roman Catholics). A different source finds "that 85 to 90 percent of Mexican Americans are Roman Catholics." Kyriakos S. Markides & Thomas Cole, *Change and Continuity in Mexican American Religious Behavior: A Three Generation Study*, in THE MEXICAN AMERICAN EXPERIENCE: AN INTERDISCIPLINARY ANTHOLOGY 402, 403 (Rodolfo O. De la Garza et al. eds., 1985). Interestingly, although a majority of Latinas/os identify as Catholic, that does not equate with high levels of church involvement, illustrating the paradox of low levels of institutional participation and high levels of religiosity. See Gilbert R. Cadena, *Religious Ethnic Identity: A Socio-Religious Portrait of Latinas and Latinos in the Catholic Church*, in OLD MASKS, NEW FACES: RELIGION AND LATINO IDENTITIES 47, 49 (Anthony M. Stevens-Arroyo & Gilbert R. Cadena eds., 1995).

⁵ See *Immigrants Turning to Evangelical Churches*, WASH. POST, Feb. 19, 1999, at A01.

[T]he role of the Catholic Church in Chicano/a lives is not one that can be denied, ignored, or glossed over, but must be one which is both recognized and directly addressed by LatCrit theory. To fail to do so would be disingenuous and irresponsible at the very least and revisionist history at its worst.⁶

Professors Iglesias and Valdes pointed out that “LatCrit theorists must apply critical, anti-essentialist lessons to ensure that religion is in fact an anti-subordination force in everyday life — or, alternatively, to aid mobilization of resistance against any imposition of subordination in the name of any religion or any other construct.”⁷

A question underlying my exploration is whether religion can liberate Latinas without unduly oppressing them. Answering that question is complicated by Latinas’ cultural tendency to accept their fate of suffering with dignity,⁸ whether that suffering be religiously or culturally based. My exploration commences with background information on Latinas, religion, and culture. That provides the basis for deconstructing Latinas’ relationship with Catholicism, including a discussion of how religion has served as both a source of subordination and strength. The Essay then explores how Latinas’ relationship with the Church might be reconstructed to intensify religion’s liberating potential while diminishing its tendency to subordinate Latinas.⁹ The Essay concludes with a reminder that each person’s relationship with religion is unique. Yet it also exhorts Latinas for whom religion is important to intentionally define their relationship with the Church so as to fulfill their own needs, whether for solace, freedom from oppression, or social justice, and to refuse to accept as inevitable its subordinating potential.

⁶ Reynaldo Anaya Valencia, *On Being an “Out” Catholic: Contextualizing the Role of Religion at LatCrit II*, 19 CHICANO-LATINO L. REV. 449, 458 (1998).

⁷ Iglesias & Valdes, *supra* note 1, at 515.

⁸ See Laura M. Padilla, *Single-Parent Latinas on the Margin: Seeking a Room with a View, Meals, and Built-in Community*, 13 WIS. WOMEN’S L.J. 179, 199 (1998) (noting that sense that one has duty to endure suffering with dignity is cultural).

⁹ Others have noted how critical each step — reconstruction and deconstruction — is to “enable us to craft viable means of reclaiming religion as an affirmative force in the continuing quest for social justice across particularities of time and place.” Iglesias & Valdes, *supra* note 1, at 527-28. It is precisely through deployment of these critical steps that this Essay explores how religion can operate as a positive force in Latinas’ quest for social justice.

I. DECONSTRUCTING LATINAS, CULTURE, AND RELIGION

This Part describes the cultural and religious backgrounds of many Catholic Latinas, and attempts to provide a framework for understanding the complex, and by no means universal, relationship between Latinas and religion. It also gives a brief history of the Catholic Church vis-à-vis Latinas/os, which unique relationship shapes the Church's potential to both subordinate and liberate Latinas.

A. *Latinas' Cultural and Religious Background*

Many Latinas share a cultural background, which affects how religion operates in their lives:

Culturally, Latinas may lack self-compassion because of social conditioning which tells them that they have caused their own problems or that their problems result from God's will and they should simply accept their problems. Cultural conditioning also discourages them from involving others in their problems.¹⁰

Latinas' propensity to accept blame for their problems is well documented.

[T]he women take direct responsibility for what they do or do not do. Though they have a certain sense of predestination, they do not blame anyone but themselves for what goes wrong. On the other hand, God is given credit for the good that they do, the good that occurs in their lives."¹¹

This sense of predestination and acceptance often results in Latinas' willingness to accept unfavorable religious and familial roles and conditions. Moreover, there is a pervasive sentiment among Latinas that because those roles are preordained, they should accept them with dignity,¹² and hence, should not agitate for change. This may explain a general tendency to accept both Church doc-

¹⁰ Padilla, *supra* note 8, at 205 (citation omitted).

¹¹ ADA MARÍA ISASI-DÍAZ & YOLANDA TARANGO, *HISPANIC WOMEN: PROPHETIC VOICE IN THE CHURCH* 90 (1988) [hereinafter *PROPHETIC VOICE*].

¹² See Padilla, *supra* note 8, at 199.

trine towards women and the Church's limited roles for women,¹³ but such acceptance is certainly not global, and Latinas throughout the Americas have resisted and worked to change the status of women in the Church.¹⁴

Latinas' cultural background is also characterized by its reverence for family.¹⁵ Although such reverence has been implicated as a source of oppression, not all Latinas accept this charge. "Maintaining our families is an intrinsic part of our struggle. Therefore, we are not willing to accept fully the Anglo feminist understanding of the family as the center of women's oppression."¹⁶ Rather than blindly accepting others' pronouncements about what family should mean for them and the appropriate relationship between family and religion, Latinas must decide for themselves the significance of family.

Latinas' view of family also impacts their religiosity. As mothers, Latinas are primarily responsible for inculcating religious values into their children. "It has been characteristic of the role of women, whether as mother or catechist, to instruct children in the faith, to see to it that they receive the sacraments. And to instill in them the values and virtues consonant with a good Christian life."¹⁷ Regardless of family status, religion is a central part of many Latinas' lives.¹⁸ Researchers consistently find that Latinas/os consider

¹³ For a lengthier discussion of women's roles in the Church and doctrine regarding women, see *infra* Part I.C.

¹⁴ See Ana María Díaz-Stevens, *The Saving Grace: The Matriarchal Core of Latino Catholicism*, LATINO STUD. J., Sept. 1993, at 60, 61-62 (describing subsociety in which Catholic Latinas have interpreted their own values).

¹⁵ See, e.g., GLORIA ANZALDÚA, BORDERLANDS/LA FRONTERA 18 (1987); HANDBOOK OF HISPANIC CULTURES IN THE UNITED STATES: ANTHROPOLOGY 255 (Thomas Weaver ed., 1994); ALFREDO MIRANDÉ & EVANGELINA ENRÍQUEZ, LA CHICANA: THE MEXICAN-AMERICAN WOMAN 107 (1979) [hereinafter LA CHICANA] (noting that Chicano culture places more emphasis on la familia); PROPHETIC VOICE, *supra* note 11, at 7 (stating that Hispanic sense of community revolves around family); Maxine Baca Zinn, *Political Familism: Toward Sex Role Equality in Chicano Families*, 6 AZTLÁN 13 (1975) (noting "primacy" of familia in protecting Chicanos against dominant society).

¹⁶ Isasi-Díaz, *supra* note 2, at 97.

¹⁷ Díaz-Stevens, *supra* note 14, at 64.

¹⁸ See ANA CASTILLO, MASSACRE OF THE DREAMERS: ESSAYS ON XICANISMA 95 (1994). Castillo wrote:

[A] significant component of the mestiza's identity . . . [is] her spirituality [T]his manifests in her life in the form of Catholicism because it is the religion she has been taught and that is sanctified by society [T]his undercurrent of spirituality . . . is the unspoken key to her strength and endurance as a female throughout all the ages.

themselves very religious,¹⁹ with Latinas even more likely than their male counterparts to consider religion very important.²⁰ The centrality of religion for Catholic Latinas/os is manifested through both orthodox doctrine and popular religiosity. The former is illustrated, for example, by many Latinas/os' belief in heaven, hell, the virginal birth of Jesus, and Jesus's resurrection,²¹ as well as Latinas/os' participation rates in sacraments such as baptism and Church weddings.²² The latter is illustrated in many ways, including through devotion to the Virgin Mary,²³ a strong belief in the intercession of saints, and the habit, particularly among women, of lighting candles or establishing home altars.²⁴

Regardless of the formality of their religious beliefs, "Latinas' relationship with the divine is a very intimate one. This intimate relationship is a matter not only of believing that God is with us in our daily struggle, but that we can and do relate to God the same way we related to all our loved ones."²⁵ In other words, Latinas' God is a personal, living God with whom they converse daily — upon awakening, while driving to work, booting up a computer, reprimanding children, and wondering how they will possibly get through another day. They can harm this divine relationship through apathy and excessive autonomy,²⁶ thus distancing them-

Id.; see also Isasi-Díaz, *supra* note 2, at 98 ("Hispanic culture has to do with our 'symbolic system of meanings, values and norms,' and Christianity plays an essential role in determining and sustaining such a system.").

¹⁹ See Cadena, *supra* note 4, at 39-40 (citing statistics from number of sources in which range of 70-88% of Latinos perceive religion to be very important).

²⁰ See *id.* at 40, 42.

²¹ See *id.* at 40.

²² See ANA MARÍA DÍAZ-STEVENSON & ANTHONY M. STEVENSON-ARROYO, RECOGNIZING THE LATINO RESURGENCE IN U.S. RELIGION 68-71 (1998) [hereinafter LATINO RESURGENCE]; Anthony M. Stevens-Arroyo & Ana María Díaz-Stevens, *Religious Faith and Institutions in Forging of Latino Identities*, in HANDBOOK OF HISPANIC CULTURES IN THE UNITED STATES: SOCIOLOGY 265 (Félix Padilla et al. eds, 1994).

²³ For a discussion of devotion to the Virgin Mary among Latinas/os, particularly Mexicans and Mexican-Americans, see *infra* text accompanying note 75.

²⁴ See CASTILLO, *supra* note 18, at 152; Cadena, *supra* note 4, at 40-41; Díaz-Stevens, *supra* note 14, at 74-75.

²⁵ Isasi-Díaz, *supra* note 2, at 105; see also PROPHETIC VOICE, *supra* note 11, at 51 (noting how Latinas relate to "the divine").

²⁶ By "excessive autonomy," I mean too much self-centeredness and not enough focus on those with whom we are intimately connected, like family and community. "Survival for Hispanic Women is not a reality that each one can assure just for herself. The survival of Hispanic Women is intrinsically linked with the survival of their community and, in a special way, with the survival of the children of the community." PROPHETIC VOICE, *supra* note 11, at 60.

selves from a God who could provide meaning in their lives. These sins of indifference and selfishness cause individual and collective harm by preventing Latinas from both living up to their potential and co-creating healthier communities. To avoid these sins,

Latinas need to actualize our sense of *comunidades de fe* [faith communities] by setting-up communities which are praxis-oriented, which bring together personal support and community action, and which have as a central organizing principle, our religious understandings and practices as well as our needs.²⁷

There is a multidirectional relationship between Latinas, their culture, and religion, with each clearly impacting and shaping the other. In order to better understand that relationship and to modify it so that Latinas can preserve their religiosity while pursuing an antisubordination agenda, the reader should be familiar with the development of Catholicism in American Latina/o communities. Insofar as a majority of Latinas/os are Catholic,²⁸ many of their cultural and religious beliefs have been formed and informed by the Catholic Church,²⁹ and the Catholic Church in this country has been modified in part by our large and ever increasing population of Latinas/os.³⁰ While it is beyond the scope of this Essay to provide a detailed history of Latina/o religious development in the United States, it is important to provide a general background of this development.

²⁷ Isasi-Díaz, *supra* note 2, at 105.

²⁸ See *supra* note 4.

²⁹ See Anthony M. Stevens-Arroyo, *The Latino Religious Resurgence*, 558 ANNALS AM. ACAD. POL. & SOC. SCI. 163, 172 (1998). For example, it is a given among Latina/o Catholics that their children will be baptized, with an accompanying large family celebration. Many Latina/o Catholics also strongly believe in miracles and patron saints. See ROBERT MCAFEE BROWN, GUSTAVO GUTIÉRREZ: AN INTRODUCTION TO LIBERATION THEOLOGY 55 (1990).

³⁰ Robert Suro, *Recasting the Melting Pot: Later-Generation Latinos Are Writing a New Immigration Story*, AM. DEMOGRAPHICS, Mar. 1999, at 30. Suro noted that: N

Nearly half of all immigrants today — legal and illegal — come from Spanish-speaking countries. Based on their high birth rates, the U.S. Census Bureau predicts that native and foreign-born Latinos will account for more than 40 percent of U.S. population growth in the next decade, compared to less than 25 percent for non-Hispanic whites.

Id.

B. *Latinas/os and Religion in the Americas*

Early settlement of the Americas was characterized by colonization, including religious colonization.³¹ The missionaries had many goals, including conquering indigenous populations in the name of God.³² While the goal of conquest was sometimes well meaning, the colonizers always acted in a dominating and intolerant manner that assumed both superior knowledge of what was right for the indigenous, and a conviction that local practices and religious beliefs had no redeeming qualities.³³ The priests, even those who were genuinely concerned about the welfare of the indigenous, systematically destroyed the natives' religious traditions, thus wounding them at the most sacred level.³⁴ This distinctive behavior deprived the indigenous of meaning and significance in their lives, leaving them spiritually untethered. In the process of converting natives in the name of "the one true God," the natives':

[G]ods, their religion, and the ways of their ancestors were . . . discredited, insulted, maligned, and totally destroyed Like other conquerors, the Christians burned the conquered people's temples and imposed their gods. But they refused any sharing, demanded the annihilation of local cults, and kept for themselves an absolute monopoly of the priesthood and the sacred. This

³¹ See, e.g., José Oscar Beozzo, *Humiliated and Exploited Natives, in 1492-1992: THE VOICE OF THE VICTIMS*, CONCILIUM vol. 1990/6, 78, 84 (Leonardo Boff & Virgil Elizondo eds., 1990) [hereinafter VOICE OF THE VICTIMS] (describing how church missionaries used religion in colonies).

³² See Casiano Floristán, *Evangelization of the "New World": An Old World Perspective*, 20 MISSIOLOGY 133, 137 (1992) ("The official intentions of the conquest were twofold: to annex the newly conquered lands to the Spanish domains, and to incorporate the baptized indigenous peoples into the Catholic Church.").

³³ Certain priests and missionaries, nonetheless, had more compassion for the indigenous and attempted to work for their dignity as well as salvation. "From its very beginnings, . . . [colonized Christianity] was contradictory, because alongside the political and religious domination there were always prophetic spirits who denounced and resisted the perverse nature of the colonization in the name of the humanitarian spirit and liberating content of the Christian message, defending the Indians and condemning the evil of slavery." Leonardo Boff, *The New Evangelization: New Life Bursts In*, in VOICE OF THE VICTIMS, *supra* note 31, at 130.

³⁴ One writer noted that the oppression of the indigenous which accompanied colonization of the New World was unlike anything that preceded it. "The victims of the colonial invasion were . . . subjected to an oppression much greater than that suffered by the people of God in Egypt and Babylon, or even by the primitive church under Roman invasion. It was an incomprehensible injustice, which went beyond all known horizons, which leaped over the boundaries of the Bible!" Maximiliano Salinas, *The Voices of Those Who Spoke up for the Victims*, in VOICE OF THE VICTIMS, *supra* note 31, at 105.

radical opposition to everything that had been sacred to Indian people was the deepest source of their collective trauma.³⁵

Religious colonization thus resulted in complete devastation of a way of life and a belief system. In the process of purging everything valuable to the natives, the missionaries attempted to assimilate them to European standards. In addition to assimilating through religion, assimilation was attempted through education, intermarriage, and interbreeding, though often with the understanding that "they" could not truly be assimilated,³⁶ and that "their" worth would always be calculated by the amount of European blood they had — the larger the amount, the more valuable.³⁷

Although the class system imposed in the New World dictated some forms of oppression, others were gender-based. All women, regardless of class, shared many forms of oppression and subordination, and no woman could exercise leadership within the Church.

[A] poor, rural *india* shared with the *española* of the upper classes the prevailing norm of exclusion from participation in the new system. The universal function of women during this period was to serve in the home as procreators, housekeepers, wives and mothers. Other common grounds of exclusion shared by *indias* and *españolas* were the universal denial of participation in religion, government, and education.³⁸

Accordingly, all women were considered inferior to men, and native women were at a more extreme disadvantage. Yet in spite of the disdain with which Europeans viewed the indigenous and mestizos, particularly women, efforts at assimilation, including religious assimilation, continued. Religion's development in the New World became increasingly complicated, partly because of an interesting event that occurred shortly after the Spanish invasion. This event

³⁵ VIRGIL ELIZONDO, GUADALUPE: MOTHER OF THE NEW CREATION 29 (1997).

³⁶ See LA CHICANA, *supra* note 15, at 39.

³⁷ See *id.*

³⁸ *Id.* at 37-39. Although *indias* and *españolas*' religious roles were equally limited, *indias* and *españolas* were anything but equal. The lower-class *india* was subject to oppression at the hands of the upper-class *española* and was deprived of many of the upper class woman's privileges. See *id.*

has directly affected Latinas/os throughout the Americas, and continues to shape their religious beliefs.³⁹

In the predawn hours of an early December day, the Virgen de Guadalupe (Virgin of Guadalupe) revealed herself to Juan Diego, a poor, dark *campesino* (farmer or countryman).⁴⁰ She asked him to convey to the bishop her presence and her request that the bishop build a hermitage at the site where she revealed herself to Juan Diego.⁴¹ After Juan Diego complied with her request and was rejected by the bishop, she twice more revealed herself to Juan Diego, he continued to make the same request of the bishop, and the bishop continued to resist until Juan Diego's third interview with him.⁴² At that interview, as a sign from the Virgen, Juan Diego presented to the bishop brilliant flowers from the desolate hilltop where she had revealed to herself to Juan Diego.⁴³ And as Juan Diego unfolded his white mantle to present the flowers, "she painted herself: the precious image of the Ever-Virgin Holy Mary, Mother of the God Téotl. . . ." ⁴⁴ The bishop then believed and in short order, the hermitage was built.⁴⁵ Hundreds of millions of pilgrims have already journeyed to this site,⁴⁶ and thousands continue to make the journey.⁴⁷

It is important to briefly discuss the ramifications of the Virgen story's symbolism and potential to liberate.⁴⁸ By choosing to reveal

³⁹ See *infra* text accompanying notes 40-47.

⁴⁰ See ELIZONDO, *supra* note 35, at 5-8. For the complete story of the Virgen as told in the Nican Mopohua, see *id.* at 5-22.

⁴¹ See *id.* at 8. The location of Tepeyac, the hilltop where the Virgen revealed herself, is significant. "[F]or the native peoples, it was one of the most sacred sites of the Americas. It was the sacred mountain of Tonantzin, where the feminine aspect of the deity had been venerated for many generations. It had been a pilgrimage site from time immemorial." *Id.* at 43.

⁴² See *id.* at 9-20.

⁴³ See *id.* at 19-20.

⁴⁴ *Id.* at 20.

⁴⁵ See *id.* at 20-21.

⁴⁶ See JODY BRANT SMITH, THE IMAGE OF GUADALUPE 1 (1994) ("Yearly, an estimated ten million bow down before the mysterious Virgin, making the Mexico City church the most popular shrine in the Roman Catholic world next to the Vatican.").

⁴⁷ See, e.g., ELIZONDO, *supra* note 35, at x (describing masses of people visiting Guadalupe).

⁴⁸ Other essays describing the significance of the Virgin Mary have been criticized because they do not "undertake a critical examination of this Virgin's symbolic power, and how it is deployed by religiously or socially dominant forces simultaneously to rationalize and mystify the suppression, repression and persecution of female agency and sexuality." Iglesias & Valdes, *supra* note 1, at 519. This Essay examines the Virgen's symbolic power not

herself to Juan Diego, a poor and oppressed Nahuatl Indian,⁴⁹ the Virgen illustrated the importance of reaching and serving the oppressed, the downtrodden — those at the bottom.⁵⁰ Juan Diego represented the people that had been conquered and whose religion had been dismantled — when the Virgen chose him, she chose someone who

stands for every person whose self-dignity has been crushed, whose credibility has been destroyed, whose sense of worth has been trampled. As he will tell us himself, he is nothing; he is a bunch of dry leaves. He has been made to think of himself as excrement. . . . He no longer knows himself as he truly is, seeing himself only through others' eyes as totally worthless and useless.⁵¹

The Virgen story replicates biblical teachings in which God favors the poor and outsiders. In the Old Testament, the Lord declares that He “will assemble the lame, and gather the outcasts, even those whom I have afflicted. I will make the lame a remnant and the outcasts a strong nation.”⁵²

The Virgen story contains parallels to Christ's life as well. Just as the Virgen selected Juan Diego, a poor and marginalized *indio*, Christ frequently singled out the poor and the oppressed⁵³ — out-

for the purpose of analyzing how Virgin worship engenders inequality, but rather how it symbolizes the potential for liberation of any oppressed group. *See id.*

⁴⁹ In the Nican Mopohua text, Juan Diego is described as a “macehuado” or “tzingtli,” that is, “a low-class but dignified laborer who did the basic work of society.” ELIZONDO, *supra* note 35, at 50.

⁵⁰ “[T]hrough the relationship and conversation between the Lady and Juan Diego, we can hear and experience a blessing pronounced on the poor, the meek, the lowly, the sorrowing, the peacemakers, and the persecuted of the New World.” *Id.* at 47.

⁵¹ *Id.* at 52.

⁵² *See Micah 4:6-7* (New American Standard).

⁵³ *See, e.g., James 2:5* (New American Standard). Yet the Church, like broader society, often ostracizes the poor and oppressed, favoring the rich and powerful. Father Elizondo noted:

The treatment of Juan Diego by the servants and confidants of the bishop is typical of the treatment the poor still get today, not just by the church but also by all the institutions and functionaries of society: immigration officials, social security clerks, police, schools, insurance companies, hospitals They are looked down upon, made to wait, asked to come back another day after hours of patient and silent waiting, treated harshly and without respect, asked for more proof or references than anyone else.

ELIZONDO, *supra* note 35, at 55.

siders⁵⁴ — as his chosen people. For example, Jesus chose Mary Magdalene, a known prostitute, to be among his select company.⁵⁵ Likewise, the Virgen chose Juan Diego to be her messenger, while Jesus chose poor fishermen from Galilee, certainly deemed outsiders, to be his disciples and messengers.⁵⁶ While this may seem unremarkable, consider that during Jesus's time, Galilee was looked upon as a backwater and those in power in the Church, such as the Pharisees and the scribes, were from Jerusalem.

The Virgen story also calls to mind many New Testament stories where Christ favors the despised,⁵⁷ as the Virgen favored Juan Diego by selecting him as her messenger and providing him solace. For example, while Jesus was

passing between Samaria and Galilee . . . as He entered a certain village, ten leprous men who stood at a distance met Him; and they raised their voices, saying, "Jesus, Master, have mercy on us!" And when He saw them, He said to them, "Go and show yourselves to the priests." And it came about that as they were going, they were cleansed.⁵⁸

⁵⁴ Jesus favored those shunned by others. He came to the rescue of an adulterous woman who was being condemned by the scribes and Pharisees. When they told Him that under Mosaic law she should be stoned and then sought his advice,

He straightened up, and said to them, "He who is without sin among you, let him be the first to throw a stone at her." . . . And when they heard it, they began to go out one by one, beginning with the older ones, and He was left alone, and the woman, where she had been, in the midst . . . Jesus said to her, "Woman, where are they? Did no one condemn you?" And she said, "No one, Lord." And Jesus said, "Neither do I condemn you; go your way. From now on, sin no more."

John 8:3-11 (New American Standard).

⁵⁵ See *Luke* 7:36-50 (New American Standard). Father Elizondo added:

Jesus was the most respectful and understanding with women, the poor, the down-trodden, the public sinners, the prostitutes, the sick, the ignorant, the aliens, the rejected, the small-time bureaucrats, and the ordinary simple folk of the land. He called them to repent from their inner feelings of worthlessness, inferiority, disgrace, and shame caused by the socioreligious structures that had convinced them of their sinful status. He called them to convert — have a change of heart — so as to recognize themselves for what they truly were: dignified children of God with unlimited potential for doing good.

ELIZONDO, *supra* note 35, at 81.

⁵⁶ See *Matthew* 4:18-22 (New American Standard).

⁵⁷ See, e.g., *Matthew* 8:1-3 & 16-18, 9:1-7, 27-29, 32-33 (New American Standard).

⁵⁸ *Luke* 17:11-14 (New American Standard).

The leprous men were despised not only because of their physical condition, but also because of their ethnicity, like Juan Diego. Pharisees from Jerusalem were accorded the highest status whereas people from Galilee were like *campesinos*,⁵⁹ and those from Samaria were even further down the pecking order.⁶⁰ Accordingly, those Jesus and the Virgen chose as the beneficiaries of their love and grace were those considered least deserving of recognition or salvation.

The Virgen story additionally illustrates the potential for synthesis as a mode of liberation for Latinas because it respects elements of indigenous religion and culture while teaching Christianity. The Virgen told Juan Diego “[k]now and be certain in your heart, my most abandoned son,⁶¹ that I am the Ever-Virgin Holy Mary, Mother of the God of Great Truth, Téotl, of the One through Whom We Live, the Creator of Persons, the Owner of What is Near and Together, of the Lord of Heaven and Earth.”⁶² By using the names of Nahuatl Gods, the very same Gods who Spanish missionaries first disrespected and then dismissed, the Virgen acknowledges those Gods and thus grants them the respect that had formerly been stripped away from them. In the process, she neither discredits the natives’ Gods nor denies the Christian God. Thus, she moves out of the “either/or, us or them” paradigm into a paradigm of acceptance. This contrasted with early conquerors’ and missionaries’ zeal for destroying all vestiges of the old religion and marked a new tolerance for alternate ways of seeing and believing. It also marked the potential for partnership which the Virgen offered. “Here begins the inner transformation of the con-

⁵⁹ Father Elizondo provided:

Telling the bishop to go build the church at Tepeyac — a place away from Mexico City — was somewhat like the Risen Lord telling the disciples to go to Galilee, where they would see him. The gospel continues to break down all barriers, especially the religious idols of any religion, in places that are away from the great centers of power and glory.

ELIZONDO, *supra* note 35, at 70.

⁶⁰ When Jesus asked a Samaritan woman at a well for a drink of water, she responded “How is it that You, being a Jew, ask me for a drink since I am a Samaritan woman? (For Jews have no dealings with Samaritans).” *John* 4:7-9 (New American Standard).

⁶¹ By consistently referring to Juan Diego as “my most abandoned son,” the Virgen demonstrates that she understands his subordinated and oppressed position, and that she has intentionally chosen him partly because of that position and partly to liberate him from that position. See ELIZONDO, *supra* note 35, at 7-8.

⁶² *Id.*

quering culture: from domination to partnership; and of the conquered culture: from victimization to survival and creative development.”⁶³ This partnership model provides guidance for Latinas today to syncretize the traditional doctrine of salvation with a progressive vision of what religion can do for them, particularly with respect to religion’s potential to honor sacred traditions and to liberate.

The Virgen of Guadalupe appeared early in postconquest Mexico, but her influence is still felt throughout the Americas, even today providing relevance for Mexican American Catholics.⁶⁴ Further north, the development of Catholicism among natives and mestizos had its own nuances, some of which are worth mentioning here in order to better understand today’s relationship between Latinas/os and religion.⁶⁵ The Catholic Church’s policy toward natives and mestizos was impacted by its “prevailing view of these people as uninstructed in the faith and deficient in their adherence to the general norms of Church practice.”⁶⁶ And in the Southwest, the Church’s policy was influenced by its limited resources.⁶⁷ Although the Catholic Church initially followed a policy of assimilation for Latinas/os,⁶⁸ it soon realized that Latinas/os did

⁶³ *Id.* at 109.

⁶⁴ *See supra* text accompanying notes 46-47.

⁶⁵ *See* ELIZONDO, *supra* note 35, at 55-56; *see also* FR. ZEPHYRIN ENGELHARDT, THE MISSIONS AND MISSIONARIES OF CALIFORNIA 105-15 (1930) (discussing history and development of missions in California); MEXICAN AMERICANS AND THE CATHOLIC CHURCH, 1900-1965, 26-30 (Jay P. Dolan & Gilbert M. Hinojosa eds., 1994) (discussing history of establishment of missions in Southwest); BERNARD DE VAULX, HISTORY OF THE MISSIONS 166-68 (Henri Daniel-Rops ed., 1961) (discussing general history of missions in United States).

⁶⁶ LEO GREBLER ET AL., THE MEXICAN-AMERICAN PEOPLE, THE NATION’S SECOND LARGEST MINORITY 449-50 (1970) (explaining that many “immigrants came from [the] lower classes and [the] agricultural areas in which the influence of [the] Church in Mexico had been weakest”).

⁶⁷ *See id.* At the time that the present Southwest was annexed to the United States, the Church there was in a tenuous state. *See id.* at 450. In fact, for most of the first half of the 1800s, not one Catholic bishop set foot in what is now Texas and Arizona. *See* PAUL HORGAN, GREAT RIVER: THE RIO GRANDE IN NORTH AMERICAN HISTORY 547 (1954).

⁶⁸ *See* Stevens-Arroyo, *supra* note 29, at 165; *see also* GREBLER ET AL., *supra* note 66, at 456 (arguing that Church authorities favored participation in various Americanization programs of governmental and other agencies); LATINO RESURGENCE, *supra* note 22, at 58 (describing how U.S. Catholicism threatened to “Americanize” Latino religion); Patrick H. McNamara, *Catholicism, Assimilation, and the Chicano Movement: Los Angeles as a Case Study*, in CHICANOS AND NATIVE AMERICANS: THE TERRITORIAL MINORITIES 124, 128-29 (Rudolph O. de la Garza et al. eds., 1973) (describing assimilation, in terms of upward mobility into middle-class American social and economic values, as rejected goal among Chicanos).

not assimilate in the same way that European Catholics, for example, did.⁶⁹ Language posed one barrier, as did culture.

The popular and informal characteristics of Mexican/Mexican American Catholicism were reinforced without the imprint of the official Catholic hierarchy This form of popular religion expressed the lifestyle, beliefs, and values that were interwoven with Mexican culture throughout the northern frontier and largely created a Catholic atmosphere that lacked the bearing of a religious clergy.⁷⁰

Latinas/os' unique culture and needs partially explained the Church's transition from an assimilationist strategy to an accommodation strategy.⁷¹ This transition was also prompted by the recognition that "the borderlands were not so much battlefields where the English-speaking values inevitably triumphed but stew pots where each element flavored the others."⁷² Accordingly, while Church doctrine may have remained relatively intact and Latinas/os continued to be under-represented in positions of Church power,⁷³ the Church nonetheless acknowledged Latinas/os' unique

⁶⁹ See GREBLER ET AL., *supra* note 66, at 451-52. The authors noted:

In contrast to the Catholics in the Northeast and Midwest, those of Mexican background formed a subordinate population quickly dominated by largely Protestant Yankees who settled in the area during the latter part of the nineteenth century. Their Catholicism was just another cultural characteristic setting them apart from, and in many instances, sharply against the Anglo Americans. In turn, Anglos aggravated antagonisms by bringing with them a crusading Protestant zeal for converting the "poor ignorant Mexicans." . . . Institutionally, too, the Southwest Church differed significantly from the established Catholicism of the East. No firmly structured Church existed to mediate the encounter of the Mexican and Anglo cultures.

Id.; see also Anthony M. Stevens-Arroyo, *Latino Catholicism and the Eye of the Beholder: Notes Towards a New Sociological Paradigm*, 6 LATINO STUD. J. 22, 26-28 (1995) (discussing Latina/o assimilation as markedly different than earlier European Catholic counterparts). The Catholic Church was not unique in its discovery that assimilation patterns for Latinas/os are different than assimilation patterns for other immigrants such as Europeans. See Kevin R. Johnson, "Melting Pot" or "Ring of Fire"? *Assimilation and the Mexican-American Experience*, 85 CAL. L. REV. 1259, 1277-86 (1997) (discussing Latinas/os' unique assimilation patterns).

⁷⁰ See JULIEN SAMORA & PATRICIA VANDEL SIMON, A HISTORY OF THE MEXICAN AMERICAN PEOPLE 53-56 (1977).

⁷¹ See Stevens-Arroyo, *supra* note 29, at 165.

⁷² *Id.*

⁷³ It was not until the early 1970s that the first Mexican American bishop was ordained in the American Catholic Church. See SAMORA & VANDEL SIMON, *supra* note 70, at 222. Latinas are also under-represented within the Catholic Church — they comprise fewer than

needs. It responded with Spanish-language training for its clergy,⁷⁴ and recognized particular Latina/o Church traditions such as the prominence of the Virgen de Guadalupe.⁷⁵ In spite of efforts to accommodate Latinas/os' unique needs, the orthodox Church was not instrumental in developing Latina/o leadership, nor has it been as influential as the popular form of religiosity represented by the Virgen de Guadalupe. As commentators have explained:

For the most part, Mexican American Catholics have remained inactive within the formal structures of the institution because of the neglect and marginalization of popular piety by the hierarchy. Where other disenfranchised groups, like African Americans, have developed leaders and social movements through their religious structures and traditions, Mexican American Catholics have been discouraged by the formal religious structures from taking an active leadership role in their church or community. In fact, historically, the American Catholic hierarchy has been diametrically opposed to Mexican American collective action for economic or political change.⁷⁶

Although Latinas/os have remained at the margins of Catholic leadership, with Latinas nearly invisible, the Church has gradually turned its attention to Latinas/os specific needs. For example, the Church has been involved in social justice issues impacting Latinas/os.

It has at times provided extensive welfare services for the Mexican-American community, has sponsored citizenship classes and youth organizations, . . . and has recently seen some of its clerical

one percent of the nuns in the United States. "Of the 104,000 sisters less than 1000 are Latina." Cadena, *supra* note 4, at 37.

⁷⁴ The Bishops' Committee for the Spanish Speaking was established in 1945, and it recognized the need to conduct both pastoral work and social work for its Latina/o constituents, particularly Mexican-Americans. See LATINO RESURGENCE, *supra* note 22, at 117-18.

⁷⁵ See *supra* text accompanying notes 46-47; see also ELIZONDO, *supra* note 35, at xix (stating that Church has recognized significance of Guadalupe); Emily Fowler Hartigan, *Disturbing the Peace*, 19 CHICANO-LATINO L. REV. 479, 489-90 (1998) (describing Church's recognition of La Virgen de Guadalupe); Valencia, *supra* note 6, at 454-59 (arguing that role of La Virgen de Guadalupe was significant to Mexican-American Catholic identity). One writer even stated that "I started to recognize her [the Virgen] as the foundation of Mexican identity and Mexican Catholicism. Growing up in the southwestern United States, I realized that it was her devotees, the Guadalupana societies, that had kept our people Catholic even when we had not had the services of priests and religious." ELIZONDO, *supra* note 35, at xi.

⁷⁶ SAMORA & VANDEL SIMON, *supra* note 70, at 232.

representatives demonstrate in picket lines on behalf of striking Mexican-American farm workers, directing antipoverty programs, and testifying on minimum-wage legislation before Congressional committees.⁷⁷

Although the Church has not uniformly embraced these causes,⁷⁸ significantly, a critical mass within the Church has embraced them and been willing to take a controversial stand. This is consistent with the "Latino Religious Resurgence" which followed the Second Vatican Council,⁷⁹ and allowed Latinas/os to proclaim a new role for their religion. This new role

[P]roblematized the ability of the churches to practice pious colonialism toward Latinos, and it introduced forms of democratizing self-governance into church disciplines; it transformed the religious practices common under pious colonialism that were dependent on the agricultural cycles of a rural Latino populace into new expressions for religious traditions, social consciousness, and imagination proper to urbanized communities; and it accelerated the process of creating within church usage a transnational label of "Hispanic/Latino" that went beyond the self-contained categories of nationality identity like Puerto Rican, Mexican, Cuban, and so forth And . . . the Latino Religious Resurgence widened the institutional leadership roles of women, a trend currently called "the feminization of religion."⁸⁰

Liberation theology in Latin America preceded and coincided with the development of the Latino Religious Resurgence in the United States.⁸¹ Although this Essay cannot provide an in-depth discussion of liberation theology, no discussion of Catholicism in the Americas would be complete without a brief introduction to

⁷⁷ GREBLER ET AL., *supra* note 66, at 454. *But see* SAMORA & VANDEL SIMON, *supra* note 70, at 222 (asserting that Catholic Church initiated these efforts only to counter Protestant proselytizing that resulted in many Latinas/os converting to Protestantism).

⁷⁸ *See* GREBLER ET AL., *supra* note 66, at 457, 463-67. *But see id.* at 468-69 (describing how Church's heightened sensitivity to larger socioeconomic issues engendered intense opposition to and created difficulties for Church).

⁷⁹ *See* LATINO RESURGENCE, *supra* note 22, at 122.

⁸⁰ *Id.* at 124.

⁸¹ *Id.* at 122.

liberation theology.⁸² One legal academic laid out the fundamentals of liberation theology as follows:

- 1) People's response to God is impeded by oppressive economic and social conditions.
- 2) Where the institutions we have in place create such oppressive conditions, we have a duty as Christians to do what we can to reform them.
- 3) Inherent in oppressive institutions is a class struggle between the beneficiaries and the victims of those institutions. The institutions cast the beneficiaries, like it or not, in the role of oppressors of the victims.
- 4) Reform of the institutions in question liberates the beneficiaries from their role as oppressors just as it liberates the victims from their role as persons oppressed.
- 5) Efforts to bring about such liberation have eschatological (religious and eternal) value even if their historical fruition is problematic.⁸³

More succinctly, Professor Araujo stated that "[o]ne goal of liberation theology is to reconcile human beings so that injustice and oppression caused by people and institutions are replaced with a more just society in which the dignity and the right to a flourishing human existence for all are respected."⁸⁴ For Latinas/os, liberation theology and movements which are similarly based on a desire to liberate subordinated persons from oppression provide an opportunity for religion to be used as part of an ant子subordination crusade. Because of movements like that embodied by liberation theology, "Latin-American Catholicism in the past two decades has

⁸² For a detailed discussion of liberation theology, its origins and its underpinnings, see GUSTAVO GUTIERREZ, *A THEOLOGY OF LIBERATION: HISTORY, POLITICS AND SALVATION* (Sister Caridad India & John Eagleson eds. & trans., 1973), and GUSTAVO GUTIERREZ, *THE TRUTH SHALL MAKE YOU FREE* (Matthew J. O'Connell trans., 1990).

⁸³ Robert E. Rodes, Jr., *In Defense of Liberation Theology*, *AMERICA*, Feb. 5, 1994, at 18.

⁸⁴ Robert R. Araujo, S.J., *Political Theory and Liberation Theology: The Intersection of Unger and Gutierrez*, 11 *J.L. & RELIG.* 63, 68 (1994-95).

become identified in the popular imagination with progress and defense of human rights."⁸⁵

Nonetheless, Latin American Catholicism remains somewhat at odds with liberation theology because of the conflict between "bureaucrats whose power is based on a clear line of authority and centralized hierarchy, and reformers whose ideology and organizational dynamics favor the growth of local churches."⁸⁶ To elaborate, Claude Pomerlau characterizes conservative Catholics as favoring a "vision of cultural Christianity [that] is centralized and hierarchical, clerical and male, authoritarian, and obediently responsive,"⁸⁷ whereas "[l]iberation [t]heology accompanies a model of church organization that is decentralized and egalitarian, non-clerical and feminine, creative and challenging to itself and to surrounding society, conscious of — if not always comfortable with — the search for new formulas that embody religious beliefs."⁸⁸ In spite of its movement away from formal Church hierarchy, its anti-subordination agenda, and its acceptance of the feminine, liberation theology has not explicitly sought to liberate Latinas.⁸⁹ Nevertheless, Latinas could use liberation theology's philosophy to further their own liberation, as some writers have suggested.⁹⁰

⁸⁵ Claude Pomerlau, *Changing Roles in Latin American Catholicism*, in 4 *LATIN AM. & CARIBBEAN CONTEMP. REC.* 95, 95 (1986). This is in contrast with the Church's identification with military regimes in Latin America. See, e.g., Boff, *supra* note 33, at 130, 135.

⁸⁶ Pomerlau, *supra* note 85, at 96.

⁸⁷ *Id.* at 98.

⁸⁸ *Id.*

⁸⁹ See *PROPHETIC VOICE*, *supra* note 11, at xiii; Díaz-Stevens, *supra* note 14, at 70. Note, however, that at least one Church document produced from the 1979 CELAM (Consejo Episcopal Latinoamericano) conference in Puebla, Mexico recognized that women were "doubly oppressed" and gave "attention to the plight of women in a way the church had not previously done." MCAFEE BROWN, *supra* note 29, at 17-18. Feminist Rosemary Radford Ruether summarized the Puebla document as follows:

[It] goes on to affirm the equality and dignity of women in the gospel perspective. Woman is man's co-equal in the image of God and co-creator with him in continuing the work of creation In the New Testament women share equally in the prophetic gifts. They are represented by the women who understood Christ's message, such as the Samaritan woman, the women who followed Christ, who remained faithful at the cross, and who were sent to the apostles by Jesus to announce his resurrection The bishops affirm the need to use women's abilities more fully in the ministry and mission of the church, without, however, including ordination.

Rosemary Radford Ruether, *Consciousness-Raising at Puebla: Women Speak to the Latin Church*, 39 *CHRISTIANITY AND CRISIS*, Apr. 2, 1979, at 77, 78-79.

⁹⁰ See *PROPHETIC VOICE*, *supra* note 11, at 103.

C. Women/Latinas Within the Church

[M]any hold religion responsible for perpetrating and maintaining a sense of inferiority, docility, and servitude among women. Because in religion the power to govern the institution resides chiefly with men, religion is considered patriarchy pure and simple. Catholicism, which directly excludes women from ordination, is considered, at least by some, patriarchy par excellence.⁹¹

Before elaborating on the Church and liberation theology's potential to utilize an ant子subordination agenda for Latinas' benefit, it is appropriate to discuss women's limited role within the Church, particularly Latinas.

Judeo-Christian religions generally, and Catholicism specifically, are traditional patriarchal institutions which have subordinated and oppressed women.⁹² This subordination is rooted in the bible, and has been extended through biblical interpretation and subsequently developed Church doctrine and policy. In response to Eve's transgression in the first book of the bible, the Lord God said to woman, "I will greatly multiply your pain in childbirth, in pain you shall bring forth children; yet your desire shall be for your husband, and *he shall rule over you*."⁹³ Thus appears the first directive from God that man shall rule over woman. It is not the only such directive. The book of Ephesians orders that:

Wives, be subject to your own husbands, as to the Lord. For the husband is the head of the wife, as Christ also is the head of the Church, He Himself being the Savior of the body. But as the church is subject to Christ, so also the wives ought to be to their husbands in everything.⁹⁴

In the *Book of Timothy*, Paul exhorted women to maintain certain roles.

⁹¹ Díaz-Stevens, *supra* note 14, at 61.

⁹² See MARY DALY, *THE CHURCH AND THE SECOND SEX* 15-16 (1968); Verna Sánchez, *Looking Upward and Inward: Religion and Critical Theory*, 19 CHICANO-LATINO L. REV. 431, 432-33 (1998) ("Religion has . . . been a means for confining and limiting the roles of many segments of society, especially, but not exclusively, women.").

⁹³ *Genesis* 3:16 (New American Standard) (emphasis added). One feminista stated that "the book of Genesis is *the* document where we may witness the male takeover of woman's autonomy." CASTILLO, *supra* note 18, at 108.

⁹⁴ *Ephesians* 5:22-24 (New American Standard).

[L]et a woman quietly receive instruction with entire submissiveness . . . do not allow a woman to teach or exercise authority over a man, but to remain quiet. For it was Adam who was first created, and then Eve. And it was not Adam who was deceived, but the woman being quite deceived, fell into transgression. But women shall be preserved through the bearing of children if they continue in faith and love and sanctity with self-restraint.⁹⁵

Women also experience oppression at the hands of the Church through limits it places on their leadership, such as prohibiting their ordination as priests.⁹⁶ One author discussed restrictions which Catholic women face as follows:

If one has a restricted role, an added or special responsibility, or a position for which she is not eligible, then de facto there is not equality of opportunity. Roman Catholic women meet every one of these conditions. Their church holds them primarily responsible for the success of family life, the moral virtues of their children, and the welfare of their spouses. Ambition in many domains, particularly in service for the church as priests, is seen by many in official positions at best as untoward and at worst sinful.⁹⁷

Thus, at a fundamental legal level, doors within the Church are closed to women. This not only officially limits women's roles in the Church, it sends a message about women's position and their (in)abilities.

Women are subordinated not only through biblical text and limited leadership opportunities, but also through interpretation of doctrine and Church policies that impact or limit women's rights. For example, the Catholic Church prohibits birth control,⁹⁸ and

⁹⁵ 1 *Timothy* 2:11-15 (New American Standard).

⁹⁶ See, e.g., *THE CODE OF CANON LAW: A TEXT AND COMMENTARY* 723 (James A. Coriden et al. eds., 1985) ("*Canon 1024* — Only a baptized male validly receives sacred ordination.").

⁹⁷ Naomi M. Meara, *Diversity and Change: A View from the Margin*, in *THE CHALLENGE AND PROMISE OF A CATHOLIC UNIVERSITY* 199, 203 (Theodore M. Hesburgh ed., 1994).

⁹⁸ See PETER HARRIS ET AL., *ON HUMAN LIFE: AN EXAMINATION OF HUMANA VITAE* 128-30 (1968). It is ironic that the Church proscribes the use of birth control, and, based on birth rates for Latinas, it is clear that many still use limited, if any, forms of birth control. "The rate of fertility for Chicanos is considerably higher than the rate for the society as a whole." *LA CHICANA*, *supra* note 15, at 108. In 1995, the fertility rate for white women was 1984, for black women it was 2427, and for Hispanic women, it was 2977. BUREAU OF THE CENSUS, U.S. DEP'T OF COM., *POPULATION PROJECTIONS OF THE UNITED STATES BY AGE, SEX, RACE AND HISPANIC ORIGIN: 1995 TO 2050*, 2 (1996). The rate is calculated per 1000 women, thus producing an average of 1.984 children per white woman, 2.427 per black woman, and

abortion.⁹⁹ That leaves Latinas few procreative options if they want to comply with Church doctrine.

Even within progressive Church movements, men have been granted a favored position and women's needs have either been ignored or considered only as an after-thought.¹⁰⁰ For example, in Cursillos, three-day retreats appealed particularly to Latinos.¹⁰¹

"Christ's message" of dynamic self-reform and responsibility for others is woven into presentations of traditional doctrinal themes. The intended result is a lifetime commitment to active Christianity within the Roman Catholic Church. One of the special facets of the movement is its attempt to recruit men first. Only after a group of men has made the Cursillo are their wives invited.¹⁰²

Liberation theology similarly began with a male focus,¹⁰³ only extending its vision to include the liberation of Latinas after it had delineated other important initial goals.¹⁰⁴

Considering biblical teaching about women, limited Church-defined roles for women, and women's relative lack of power in the Church, it would be easy to conclude that within the religious realm, women are destined to a life of subordination. However, it would be inaccurate to accept that pronouncement and simply dismiss any hope for women within religious structures. "Contrary to some current stereotypes, women have always had a religious role for autonomous decisionmaking, especially in clergy-

2.977 per Hispanic woman. A different report noted that "Hispanic women, on average, have 3.5 lifetime births, while white women have 1.7 children . . ." *U.S.-Population: Study Shows High Rate of Hispanic Fertility*, INTER. PRESS SERV., Aug. 31, 1995, available in 1995 WL 10133984.

⁹⁹ See THE CODE OF CANON LAW, *supra* note 96, at 930 ("Canon 1398 — A person who procures a completed abortion incurs an automatic (*latae sententiae*) excommunication."). Many Catholic Latinas still oppose abortion, either altogether or with limited exceptions. According to one survey, only 34.1% of Mexican-American women support abortion under any circumstances, 23.3% oppose it under all circumstances, 33.3% support it only in cases of rape or incest, and another 9.3% support it only if it is medically or otherwise necessary. See RODOLFO O. DE LA GARZA ET AL., *LATINO VOICES: MEXICAN, PUERTO RICAN, AND CUBAN PERSPECTIVES ON AMERICAN POLITICS* 111 (1992) [hereinafter *LATINO VOICES*].

¹⁰⁰ Although single Latinas initially could not participate in Cursillos in the United States, they successfully agitated for their later inclusion. See *LATINO VOICES*, *supra* note 99, at 136.

¹⁰¹ See *LATINO RESURGENCE*, *supra* note 22, at 134.

¹⁰² GREBLER ET AL., *supra* note 66, at 467. For a more detailed discussion of the Cursillo movement, see *LATINO RESURGENCE*, *supra* note 22, at 133-37.

¹⁰³ See CASTILLO, *supra* note 18, at 96.

¹⁰⁴ See Pomerlau, *supra* note 85, at 96-99.

controlled Catholicism.”¹⁰⁵ While Latinas are generally not recognized as Church leaders,¹⁰⁶ their role remains significant.¹⁰⁷ One author explains that:

[T]he “womanly” quality that Latina women bring to the daily practice of Christianity is precisely that which keeps it relevant. A look at the frequency with which women assume leadership responsibilities in *las comunidades de base* in Latin America . . . and are involved in preaching and ministering in all Christian denominations give sufficient indication that women’s role in religion has not diminished.¹⁰⁸

Not only have women’s roles not diminished, women frequently hold leadership positions in grass-roots movements.¹⁰⁹ Thus, to view Latinas as powerless in the Church oversimplifies a more complex dynamic. As noted,

[T]uch a view leaves little room for differentiating between the institutionalized form of religion, on the one hand, and popular religiosity with its roots in the beliefs and traditions of the people, on the other. Upon a closer examination of how power unfolds, it becomes clear that women exercise a productive function in religion; one that subverts and transforms social values.¹¹⁰

¹⁰⁵ LATINO RESURGENCE, *supra* note 22, at 80.

¹⁰⁶ *But see id.* at 169-71 (noting that some Latinas have influence within Church).

¹⁰⁷ *See* Cadena, *supra* note 4, at 49 (stating that Latinas play religious role within their families).

¹⁰⁸ Díaz-Stevens, *supra* note 14, at 70.

¹⁰⁹ For example,

One effort, initiated in the early 1970s, by and for Latino women was Las Hermanas. First, as a regional organization for religious serving in the Hispanic communities of the Southwest, and soon after, as a national organization including members of all Hispanic groups, lay and religious in all parts of the country, *Las Hermanas*’s concern with grass-roots programs and women’s interests gave its members a clarity of purpose and commitment.

Id. at 69.

¹¹⁰ *Id.* at 61; *see also id.* at 63 (describing how some women subverted male-dominated world within confines of institutional structures).

Even prior to recent feminists' assertions that Latinas play a significant unofficial role in religious life, others had acknowledged the importance of Latinas in the Church.¹¹¹

When through lack of interest or numbers, the priests, sisters and other religious personnel [v]anish from Latino communities, or fail to provide adequate ministry it is business as usual for the local "*espiritista*" [spiritual healer], "*curandera*" [healer] and *rezadora* [prayer leader], as they continue . . . to give counsel so much needed in times of crisis. . . . Despite the patriarchy of the clergy, particularly within Catholicism, women's input continue to shape the transmission of social values among Latinas today. As in the past, the sustaining sources of popular religiosity are not the priests, nor even lay male leaders, but women.¹¹²

Latinas accordingly are central in the transfer of religious and moral values, even if they are not formally recognized as religious leaders. Indeed, "[t]he continuity of Latino Christianity . . . is made possible primarily through the auspices of women who despite obstacles and limited resources have been able to have an impact upon the religious world beyond men's dreams and expectations."¹¹³ Although it is still difficult for Latinas to assume positions of power within formal religious institutions, they nonetheless carve out appropriate roles for themselves, and may take on even more significant roles in the future.

[O]ne could cogently argue that with the inevitability of fewer clergy in the Catholicism of America's future, the autonomous power of Latinas in religion will grow, not diminish. When the institutional church fails to mediate the vital relationship between home and heaven, Latinas can summon a tradition of prophetess and priestess of popular religiosity to bridge the gap.¹¹⁴

¹¹¹ "In the local parish community, members of lay organizations . . . continue to provide a place of identification for Latina women . . . [I]n the local community, these are often the backbone of parish life." *Id.* at 69.

¹¹² *Id.* at 75.

¹¹³ *Id.* at 64.

¹¹⁴ LATINO RESURGENCE, *supra* note 22, at 81.

D. Religion as a Source of Strength

Thus far, this Part of the Essay has focused on Latinas' culture and religion, and how in spite of some counter-narratives, the Church has been a subordinating force for Latinas and Latinos alike. But that is only part of the story. Although the Church's institutional hierarchy and patriarchy trivialize Latinas' role in the Church and it is doubtful that women will ever be men's equal within the Catholic Church, at many levels, Latinas have created significant roles for themselves. In creating these roles, their purpose has not been to elevate their status, but rather to make religion more meaningful in their daily lives, to create a source for family and community building, and to provide a survival mechanism. This has been crucial because:

Personal survival is integrally linked with the survival of the community and, in a special way, with the survival of the children of the community . . . We need to make our humanity as women and as Hispanics count in this society; we need to participate actively in defining the society in which we live, which is another way of saying that we need to struggle against the classism, ethnic prejudice and sexism that threatens our very existence.¹¹⁵

For many Latinas, religion has been the stronghold that has allowed them to face struggles with dignity, to accept circumstances beyond their control, and to move forward as the cornerstones of their families.

Latinas frequently call on religion to give them the strength to face many of the severe challenges with which they struggle.¹¹⁶ "Religion is central in the lives of Hispanic [w]omen. It is precisely their religion, their deep sense of an existential interconnection between themselves and the divine, that provides the 'moods and motivations' for their struggle for survival."¹¹⁷ Latinas' struggles have intensified — they continue to be among the lowest paid and most poorly educated group in our country.¹¹⁸ Latinas and Latinos

¹¹⁵ Isasi-Díaz, *supra* note 2, at 95.

¹¹⁶ Note, however, that Latinas often turn to popular religiosity in lieu of, or in addition to, the institutional Church or orthodox doctrine. See Cadena, *supra* note 4, at 43.

¹¹⁷ PROPHETIC VOICE, *supra* note 11, at 65.

¹¹⁸ See, e.g., Padilla, *supra* note 8, at 197-98 (noting that in 1995, only 53.8% of Latinas graduated from high school).

alike are disproportionately harmed by welfare reform,¹¹⁹ and even though their jobless rate is at a record low and their median weekly earnings have increased,¹²⁰ their hourly wages have decreased.¹²¹

It is even worse for Latinas. "By almost any available standard, Chicanas are economically exploited not only relative to Anglo men and women, but also relative to Chicanos."¹²² One writer's misgivings were more dire:

The socioeconomic political system has no use for the majority of Hispanic [w]omen, and, therefore, is not willing to invest money, time, or effort in satisfying our basic needs for food, health, housing or education. The present system views us as a dangerous sector where prostitution, theft, drugs, and AIDS flourish.¹²³

There is no question that Latinas' serious economic problems are exacerbated by their struggles to overcome negative stereotypes,¹²⁴ while facing other critical problems.

Often, the enemy is not the army of a cruel dictator, but the drug dealers of the neighborhood. Challenged not only by these dangers and by the secular institutions but by the very religious institutions which ought to support their work, Latinas in religion have to face a myriad of obstacles to which ordinarily their male counterparts are not subjected.¹²⁵

There are no easy solutions and Latinas must be resourceful, collaborative and willing to utilize a multipronged approach to ma-

¹¹⁹ One writer recently noted that "whites are leaving welfare more quickly than . . . Latinos, . . . raising crucial but sensitive questions about whether America's ambitious overhaul of its welfare system is leaving minorities behind." Laura Meckler, *Study Finds Whites Getting Off Welfare Faster than Minorities*, S.D. UNION-TRIB., Mar. 30, 1999, at A-6. Meckler also noted that "even compared with whites on welfare, . . . Latinos begin with a stack of disadvantages . . . Thirty percent of whites on welfare lacked a high school diploma, compared with 43 percent of blacks and 64 percent of Latinos." *Id.*

¹²⁰ See Vanessa Colon, *Low Hispanic Jobless Rate Sets Record*, HISPANIC LINK NEWS SERV. (visited Apr. 20, 1999) <<http://205.134.250.205/opinion/opinion99/0418hi3e.htm>> (on file with author).

¹²¹ *See id.*

¹²² LA CHICANA, *supra* note 15, at 119.

¹²³ Isasi-Díaz, *supra* note 2, at 100.

¹²⁴ See Laura M. Padilla, *Inter-Group Solidarity: Mapping the Internal/External Dynamics of Expression: Social and Legal Repercussions of Latinos' Colonized Mentality*, 53 U. MIAMI L. REV. 769, 783-84 (1999) (discussing Latinas' struggle to overcome negative self-perceptions).

¹²⁵ Díaz-Stevens, *supra* note 14, at 71.

neuver these challenges. For many Latinas, religion becomes increasingly important as a source of strength in facing those challenges, and a vital part of our multipronged approach. As Anthony Stevens-Arroyo reminds us:

[T]he indicators of poverty point in the direction of a widening gap between Latinos and the general population. With minimal progress on the educational front and almost no promise of governmental intervention in the form of welfare or similar programs, the prospects of alleviating poverty seem dim. In this environment, religion as a road to empowerment, and church institutions as tools for community organizing, become indispensable factors for improvement for the Latino future.¹²⁶

Thus, religion becomes more crucial as a solace for this world, and a beacon of hope for the next. Latinas can turn to the Lord with their problems, and seek the inner peace that is otherwise so elusive. One Latina described her relationship with God and the significance of that relationship in giving her the will to continue as follows:

I am confident that God is with me always; the more down I feel, it is as if a supernatural force would lift me up; it gives me positive ideas on how to keep going; this force helps me to realize that I am not alone. No matter how alone I am, no matter how much it seems to me that the whole world is falling on me, and that maybe I have no other means, no doors to open, that all the doors are closed, I feel something that . . . speaks to me.¹²⁷

In addition to engaging in one-on-one relationships with the divine, Latinas can and do come together in Church communities to grapple with common struggles.¹²⁸ “[R]eligious communities, especially for women, have been among the most responsive groups in the church to issues of adult education, ministry to the poor, violence, and human rights.”¹²⁹ While gathering in community is crucial, an antisubordination agenda requires more — we must define the parameters of these communities to ensure that they are

¹²⁶ Stevens-Arroyo, *supra* note 29, at 172.

¹²⁷ PROPHEMIC VOICE, *supra* note 11, at 35.

¹²⁸ *See id.* at 6-7.

¹²⁹ Pomerlau, *supra* note 85, at 101.

inclusive and that they address our specific needs through nonhierarchical means. To elaborate:

Our *comunidades de fe* must be ecumenical, inviting participation across institutional divisions among churches. We must embrace the grassroots ecumenism practiced by many Latinas who relate to more than one denomination because of their need to avail themselves of help no matter where it comes from. For others of us, our ecumenism has to do with our belief that the struggle for liberation and not the fact that we belong to the same church must be the common ground of our *comunidades de fe*. Our ecumenism has to include taking into consideration and capitalizing on our *religiosidad popular* (popular religiosity).¹³⁰

E. Summary

The materials in this Part illustrate the complexity of the relationship between Latinas and religion. Although Latinas may not be formally recognized as Church leaders, it is common knowledge that their organizational work is crucial and they are often responsible for the day-to-day details which keep the Church operational and lively. However, because of cultural and religious upbringing, they normally do not expect, or receive, recognition for their work. Herein lies a paradox that may be partly responsible for the continuing subordination of Latinas — many Latinas do not want to create divisiveness within the Church,¹³¹ and will gladly perform any tasks asked of them, without asking for anything in return. This, in turn, makes it difficult to mount challenges to the Church's existing hierarchy and patriarchy. Yet it is crucial to assert that challenge.

If the church were to denounce patriarchy, it would be an important moment in the process of the liberation of women. For this reason, as Roman Catholics we must continue to call the Catholic

¹³⁰ Isasi-Díaz, *supra* note 2, at 106.

¹³¹ See CASTILLO, *supra* note 18, at 89 (stating that "most women in El Movimiento may not have openly rebelled against the church's teachings, if for no other reason than because to oppose the Church would mean causing conflict within her own family and community").

Church to repent of the sexism inherent in its structures and in some of its tenets.¹³²

For reasons elaborated previously, Latinas' cultural background may constrain their call for this repentance and regardless, Latinas face an uphill battle because it is unlikely that the Vatican will pronounce any change in the Church hierarchy or doctrine in the near future. Nonetheless, it is important to ask the Church to take responsibility for its position toward the oppressed. "The Christian way of assuming this responsibility is humbly to ask forgiveness from God and the victims of history for our complicity — explicit or tacit — in the past and in the present, as individuals and as a church — in this situation."¹³³ Moving toward an antisubordination policy within the Church while using that same Church as a source of nurturing, strength and salvation, clearly requires altering the hierarchical and patriarchal structure of the Church, as well as other strategies. We can look to the Cursillo movement, liberation theology, the Latino Religious Resurgence, and other progressive movements within the Church as sources of liberation and resistance for Latinas. A remaining challenge is how to capitalize on these movements in order to alter the landscape from one where issues of antisubordination for Latinas are in the background, to one which foregrounds Latinas' liberation and resistance.

II. RECONSTRUCTING THE RELATIONSHIP BETWEEN LATINAS AND RELIGION

Latinas can reconstruct their relationship with the Church by utilizing religion predominantly as a source of strength and a basis for promoting tolerance and justice. But at the same time, they must acknowledge the difficulty of excising subordination so long as religion is bound up within the constrictions of orthodoxy and institutional structures. The challenge is great.

Given the totality of historical and present circumstances, the cumulative effects of Christianity on this land cannot credibly be said to represent egalitarian respect for difference, or sincere ac-

¹³² PROPHEMIC VOICE, *supra* note 11, at x.

¹³³ Gustavo Gutiérrez, *Towards the Fifth Centenary*, in VOICE OF THE VICTIMS, *supra* note 31, at 4. Although this quote appeared in the context of colonizers' oppression of the indigenous in the Americas, it is appropriate in this context as well.

commodation of diversity on any of the points implicated by the recorded dogma of the various churches spawned by Judeo-Christian imperatives.¹³⁴

The challenge is further heightened because many in power want to preserve the status quo.

[T]hose whose livelihood and identity depend on the structures of the old creation, that is, the structures of domination, try to prevent the new creation. The rise and liberation of the poor always shake the structures of unjust domination and oppression, and those who rely on those structures try everything within their means to keep that liberation from coming about.¹³⁵

Thus, Latinas face the precedent of a Church which has not always been committed to an agenda of tolerance or respect for diversity, much less a specific ant subordination agenda, coupled with a staunch bastion of Church insiders who are committed to preserving the status quo. But it is worth persisting because by altering the status quo, we liberate not only the oppressed, but the oppressors. "Those in power can . . . begin to see and appreciate the very sacredness of 'the other' of their new world and in the same process be liberated from imprisonment by their own self-declared superiority, righteousness, and arrogance."¹³⁶

How do we alter the status quo? We have not sufficiently explored the Church's potential to liberate Latinas and we could commence that exploration by adopting some of the pastoral suggestions offered by Church leaders at the 1968 CELAM conference,¹³⁷ "including a call (a) to defend the rights of the oppressed, (b) to achieve 'a healthy critical sense of the social situation,' [and] (c) to develop 'grass-roots organizations'"¹³⁸ What that means is that as individuals and as a Church body, we must acknowledge social justice as a goal and take seriously the exhortation in Micah "to do justice, to love kindness, and to walk humbly with . . .

¹³⁴ Iglesias & Valdes, *supra* note 1, at 524.

¹³⁵ ELIZONDO, *supra* note 35, at 18 n.24.

¹³⁶ *Id.* at 108.

¹³⁷ CELAM (Consejo Episcopal Latinoamericano) was founded in 1955, and its second conference was held in Medellín, Colombia in 1968. See MCAFEE BROWN, *supra* note 29, at 11.

¹³⁸ *Id.* at 13.

God.”¹³⁹ Achieving that goal requires development of an antisubordination agenda that includes an explicit directive to liberate “doubly oppressed” Latinas.

From an ethical perspective, liberation for Latinas has to do with becoming agents of our own history, with having what one needs to live in order to be able to strive towards human fulfillment The present reality for Latinas makes it clear that in order to accomplish what we are struggling for, we need to understand fully which structures are oppressive, denounce them, and announce what it is that we are struggling for.¹⁴⁰

This is consistent with the spirit of the Virgen’s request for a hermitage at Tepeyac, which has been interpreted as a “declaration that the women will no longer remain silent, passive, and subject to abuse. The introduction of the new paradigm of partnership is the beginning of the end of the patriarchal domination rooted in hierarchical structures imported and imposed by Europe.”¹⁴¹

Although the goal of liberation is quite clear, I acknowledge the danger of oversimplifying religion’s potential to liberate and I recognize the difficult challenge Latinas face in reconstructing religion’s potential for liberation while remaining faithful to underlying religious precepts. But this danger should not paralyze us from taking action. In fact, one Latina feminist has already laid out the goals and outcomes of liberation, providing an action plan of sorts:

[L]ibertad has to do with being aware of the role we play in our own oppression and in the struggle for liberation. It has to do with being conscious of the role we must play as agents of our own history. *Libertad* has to do with being self-determining, rejecting any and all forms of determinism whether materialistic, economic, or psychological. It has to do with recognizing that the internal aspiration for personal freedom is truly powerful, as both a motive as well as a goal of liberation.¹⁴²

Latinas should consider other aspects of self-determination, and should critically analyze religious roles, traditions, and symbols in

¹³⁹ Micah 6:8 (New American Standard).

¹⁴⁰ Isasi-Díaz, *supra* note 2, at 101.

¹⁴¹ ELIZONDO, *supra* note 35, at 107.

¹⁴² Isasi-Díaz, *supra* note 2, at 103 (citation omitted).

order to be able to better select those which liberate and reject those which oppress. One author reminds us that "the contemporary migrant woman is quite capable of casting aside religious roles and traditions which hamper her personal development while retaining roles and traditions that benefit women [and] in part determine her identity."¹⁴³ And indeed, that is the strategy that many Latinas presently use when negotiating where religion fits in their lives.

We can expand the strategy of self-definition by remembering that we can also define the Church, rather than having it defined for us. In discussing her movie, *Faith Even to the Fire*,¹⁴⁴ Jean Victor stated, "[t]his church is our church. We may have fundamental differences, but the church is not an institution. The church is people. Theology does not come from the top and trickle down. Therefore, we stay in our church to change it."¹⁴⁵ If we leave the Church, it will be nearly impossible to change it. Thus, for Latinas who desire change, we must work from within and claim our own Christianity, without either giving in or giving up.

[W]ith . . . Christians active in the ecclesial base communities, in trade unions, in popular movements, in the politics which is searching for an alternative to the current forms of domination, a new type of Christianity is appearing, with its own reflection . . . , its celebrations, its songs, its historical references, its martyrs, and its capacity for mobilization. This type of Christianity is recovering the social, political, libertarian, and eschatological dimensions of the gospel. Liberation is not a category which evaporates in spiritualism, but points forward to a process by which the oppressed gradually organize and open spaces of social freedom.

¹⁴³ Díaz-Stevens, *supra* note 14, at 74.

¹⁴⁴ "Faith Even to the Fire" was a made-for-television documentary reviewing how the Second Vatican Council's call for social justice created a church schism, particularly respecting the role of women in the Church. See Robert Koehler, *TV Reviews; Schism Underexploited in "Even to the Fire,"* L.A. TIMES, Sept. 24, 1991, at F9. By way of background, the Second Vatican Council convened in Rome from 1962-1965, with all the Roman Catholic bishops in attendance. For more detail on Vatican II, see THE TEACHINGS OF THE SECOND VATICAN COUNCIL (1966). Although many of the documents produced by Vatican II "dealt with internal matters in the church's life, the longest of them, *Gaudium et Spes* (The Church and the World Today), grapples directly with problems of social justice . . ." MCAFEE BROWN, *supra* note 29, at 8.

¹⁴⁵ Robert Koehler, *Morales & Victor: Sisters' Stories*, L.A. TIMES, Aug. 23, 1992, at TV Times 76.

To those who believe, these achievements are part of the fullness of the kingdom of God.¹⁴⁶

In the process of working for change and striving for the fullness of the kingdom of God in this life as well as in the after-life, we must define our own goals and create alliances with those that have common goals.

Latinas must embrace the mutuality of solidarity By culture and socialization, Latinas are not separatists; we do not exclude others from our lives and from *la lucha* [the struggle], nor do we struggle exclusively for ourselves. We extend this same sense of community to those who are in solidarity with us.¹⁴⁷

Accordingly, we must establish liberation as a goal, carefully consider what that means, and establish strategic alliances to accomplish that goal.

As part of the project to reconstruct religion in order to maximize its liberating potential, we should pay heed to the model laid down for us by the Virgen de Guadalupe. One devotee noted that although for many she is simply a model for devotional life, in fact, the Virgen holds a promise of much more, offering:

[A] new image and understanding of reality, of truth, of humanity, and of God. Guadalupe will give the world a new way of relating religions and peoples to each other: no longer by way of opposition but by way of synthesis, for even the most contradictory forces can be brought together creatively for the sake of a truly new humanity.¹⁴⁸

In other words, the Virgen provides guidance by illuminating how to synthesize liberating elements of many religions in order to respect diversity, promote tolerance and eliminate oppression. In her illumination, the Virgen offers specific alternatives to a patriarchal model.

The fathers told the Indians about hell and damnation; the Mother offered protection and comfort. The fathers spoke about

¹⁴⁶ Boff, *supra* note 33, at 134.

¹⁴⁷ Isasi-Díaz, *supra* note 2, at 109.

¹⁴⁸ ELIZONDO, *supra* note 35, at xii.

the hereafter; she spoke about the here and now. The fathers spoke and the Indians listened; she wanted to listen to all those who cry and suffer in silence. The fathers had many rules and doctrines; the Mother had simple love and compassion. In her temple, all would be equally welcomed without distinction.¹⁴⁹

The Virgen accordingly presents a model for the Church which focuses on solace and salvation, and on fulfillment on earth as well as in heaven. This model allows us to discard the notion that we must accept our suffering with dignity, thus freeing us to turn our attention to how to alleviate that suffering, regardless of whether it consists of physical, emotional, economic or spiritual abuse.

The Virgen's model also turns from a top-down hierarchy where God speaks and we listen, to a model where we mutually communicate with compassion. The Virgen's potential to bring balance to a religion that has been burdened and imbalanced by patriarchy has been discussed as follows:

[T]o balance the emphasis on the fatherhood of God, she [the Virgen] emphasizes the motherhood of God — after all, only a Father-Mother God could adequately image the origins of all life. The one-sided emphasis of the missionaries is thus corrected and enhanced by the Virgin Mother of God.¹⁵⁰

The Virgen accordingly shows Latinas how to incorporate religion into our lives in a holistic way that is not based on hierarchy, opposition, intolerance or superiority. Rather, she points us to a framework that incorporates the feminine, not to the exclusion of the masculine, but in balance with it. The Church should strive to achieve this balance by heeding lessons offered by the Virgen both to stem its alienation of Latinas, and more importantly, to acknowledge and celebrate their presence and special offerings.

CONCLUSION

Although religion is not a cure-all solution, I believe that its appeal for the Latinas has much to do with its ability to transcend an institutional mode and provide solace and meaning especially

¹⁴⁹ *Id.* at 71.

¹⁵⁰ *Id.* at 126.

at times of crisis. As in traditional societies, religion today continues to give women a sense of purpose as well as a means of coping with demands and responsibilities of daily life.¹⁵¹

Religion is experienced in many different, sometimes conflicting ways, and it offers much joy and comfort, but can also be oppressive. A challenge for Latinas is to accept and integrate religion's positive gifts while trying to diminish its oppressive elements. Clearly, the Catholic Church has been guilty of great sin in the New World and it has caused tremendous pain.

[F]or the natives, the kindness of the missionaries covered a deeper violence and a more subtle form of cruelty — definitely not intended as such, but, tragically, that is the way it functioned. Henceforth, the natives would permanently be aliens in their own lands — deprived of everything, including their own priests.¹⁵²

It is impossible to undo or whitewash the past. However, at this point, it is time to move forward and co/recreate a Church that is meaningful for Latinas. Christianity can do that:

[I]f it adopts a perspective of liberation and firm support for all that allows . . . oppressed peoples to develop their identities as peoples and cultures in an autonomous and creative way. The new evangelization will be the good news of eternal life if it helps, here and now, to guarantee [improvement of] the lives of the oppressed . . .¹⁵³

To the extent that Latinas continue to consider the Church a vital part of their lives, they must reconstruct their association with the Church, fully recognizing the pain the Church has caused but at the same time moving towards a Church of liberation, social justice and community-building, and a Church that offers hope and salvation. In such a place:

God will be fully revealed . . . when the harmony of Mother-children-Father comes about and there is an end to abused women, abandoned children, and runaway fathers; when there is

¹⁵¹ Díaz-Stevens, *supra* note 14, at 76.

¹⁵² ELIZONDO, *supra* note 35, at xiv.

¹⁵³ Boff & Elizondo, *Editorial, The Voices of the Victims: Who Will Listen to Them?*, in VOICE OF THE VICTIMS, *supra* note 31, at ix.

an end to patriarchal/hierarchical societies that put some down while elevating others to positions of power and prestige; when there is an end to the various structures of the Americas that keep people apart or excluded.¹⁵⁴

Creation of this new place is consistent with a LatCrit goal of making social institutions, including the Church and law, part of a broader antistatist crusade, and as part of that goal, to make those institutions work for us, not against us. In closing, I stress that this Essay is not intended to promote unanimity in thought about the role of the Church for Latinas — ultimately, it is the responsibility of each individual to determine the role of the Church, if any, in her life, and to make it workable for her.

¹⁵⁴ ELIZONDO, *supra* note 35, at 131.