

The new official contents of sex education in Mexico: laicism in the crosshairs

DOI: <https://doi.org/10.32870/dse.v0i21.660>

Armando Javier Díaz Camarena*

Translated to English by Moisés Silva

To start with

Despite the fact that secular education has been a principle of the Mexican Constitution since 1917, its official contents have not been free from being pervaded by the discourse of the Christian-Catholic perspective. This is because laicism, understood as the autonomy of the State and public policy from religion, is not a direct result of legal separation; in fact, it is built through cultural change, social struggle, and the redefinition of mechanisms to regulate social order that are the outcome of advancements in science, responses to economic, demographic and sanitary emergencies, as well as the incorporation of democratic values into law. In this paper I will reflect on how the sex education contents of official textbooks are defined and constructed, with a brief historical account and a description of the debates about them since 2012, given the fact that they are an indicator of the advances and setbacks in the construction of laicism (Blancarte, 2012), as well as the unstable balance of power between the State, religious organizations, and actors in favor of sexual rights. My reflection will rely on Foucault's proposal to study the social experience of sexuality through a review of normative texts and an analysis of the relationship between knowledge, power and the individual (1986). I will address the discourse on sex education through three aspects: a) the knowledge and games of truth that define its contents, b) the power relationships that make such discourse possible, and c) the types of subjectivity it intends to produce. In coherence with Foucault's ideas, I build on the premise that this discourse should not be seen as a mere projection of power, nor that a division should be made between the included and the excluded, but that official contents should be addressed as political events that emerge at a specific time and are related to other discursive events in the economic, political and cultural realms that make them possible (Foucault, 1994: 63). I will take up theoretical elements on laicism and secularization (Blancarte, 2008), since analyzing official contents at each point in history allows us to account for the advances and setbacks of laicism

* Ph.D. in Social Science with a specialization in Sociology. Professor at the Monterrey Institute of Technology and Higher Education, Humanities and Education School. Researcher on sex education and secular State. Center for Sexual Rights and Diversity, A.C. Mexico. capitanxli@hotmail.com

within the political, material, and cultural conditions that make them possible. We can identify the boundaries of “the treatable and the inevitable”, since they arise from disputes and consensus in contexts framed by advancements in science, changes in the law, the discontinuous process of secularization, as well as demographic and sanitary emergences that bio-politics cannot escape.

The social role of sex education

All societies establish an educational system through which individuals are educated, which responds to the demands of living in a community, and which at every moment in history is determined by the development of science, the economy, politics, and religion (Durkheim, 2012). Under this principle, education about sexuality plays a central role in the formation of individuals for social life. The educational contents in this subject form part of the mechanism of subjectivation, the process through which individuals take their positions in society, which are defined by different discourses (Butler, 2014: 21). What we understand as sexuality plays a central role in the organization of society because it is an area of liaison between subjects, as well as a realm of normativity, struggle, definition and self-definition (Weeks, 1998). This field of education has acquired central relevance for the State because sexuality is an area in which the body and demographics converge, and its regulation becomes strategic to exercise bio-power; that is, power over life (Foucault, 2007). But it is also an area of social reflexivity (Giddens, 1998) because it is a key element for peaceful coexistence and the construction of an egalitarian society that protects liberties.

The official educational contents of sex education are supported by knowledge and constitute a strategic mechanism of distribution of discourses that uphold a certain sexual order as “legitimate”. They show the project of an individual that a society intends to produce, and for that reason they have a performative character; that is, they intend to produce “the effects they name” (Butler, 2010: 18). In Mexico, each new version of official educational contents has been the subject of ideological disputes and attacks between actors who seek to maintain the Judeo-Christian sexual order and actors who foster the inclusion of new subjects and new sexual rights. These contents are the result of a sort of consensus among those disputes, the priorities of the State, the advancement of science, and the recognition of human rights, and therefore reflect the situation of the society at a given time. The study of the official contents of sex education addresses the project of an individual that a society has intended to build at each moment in history, since its texts and images trace the boundaries of a specific social order of sexuality regarded as “legitimate” and materialize what is feasible and “inevitable” to include in the formation of individuals.

I will start from the premise that these are regulatory discourses that seek to maintain a “legitimate” sexual order but contribute to liberate the individuals, since they have involved

acknowledging their particularities and the exercise of the use of their bodies. These contents, as discourses, become tools of power relationships that “cannot be dissociated, nor established, nor function without a production, an accumulation, a circulation, a functioning of discourse” (Foucault, 1979: 139-140). But, according to Foucault, discourses are not in permanent submission to power or in rebellion against it, but can be its instrument and its effect, and also a point of resistance to support an opposing strategy. Therefore, we believe that contents regulate, but also liberate and allow for the emergence of new individuals.

Historically, the contents of textbooks have been the result of struggle at different times since the twentieth century, disputes among different actors who have sought to maintain or transform the “legitimate” sexual order, between those who aim to naturalize the Judeo-Christian patriarchal order and those who seek to broaden the perspective and include new rights and new individuals. By ‘struggle’ I mean confrontations between different actors on issues in which the State has the responsibility to respond (Mc Adam, Tarrow & Tilly, 2005). By ‘sexual order’ I mean the normative and discursive boundaries established on desire, erotic practices, forms of sexual-affective liaison, decisions on one’s own body and reproductive life, as well as identities and sexual-gender orientations. I believe that within society there is a fear of losing such an order, which is used by the actors who oppose advances in secular sex education (Díaz, 2017). Religion plays a central role in the preservation of such an order, and the fear of losing certain limits defined by that “legitimate” order has allowed for the permanence of Judeo-Christian religious values and beliefs. This is why it is necessary to take up concepts of secularization, which is the cultural change that has led to religion losing its central position in society (Guimbelli, s/f) and laicism, which is the regime of a certain degree of autonomy of governments and their policies from religion (Blancarte, 2008). For the textbook contents on sex education, laicism implies that they be based on science and human rights, that they address priority issues in the realm of actuality such as health, peaceful coexistence, inclusion, the construction of life projects with eroticism and without the risk of pregnancy, that they respect of the principle of freedom of conscience and that they provide elements for people to make the best decisions and not be discriminated against for reasons based on religious beliefs about issues such as sexual orientations, sexual-gender identities, and the start of one’s active sexual life, among others.

Textbook contents on sex education in the twentieth century

Although the Mexican secular State was founded in 1857, it took more than a century for the first nationwide public policies on sex education to be implemented. These are issues expelled from the realm of the social that were included through several discursive events and social conditions that made them possible, such as disputes among actors to preserve or transform the legitimate social order, advances in science, health and demographic regulation needs, the

construction of a normative framework that supported educational laicism regarding sexuality, and cultural changes that are part of the process of secularization. There have been sex education contents in official textbooks for the last 45 years, and they have been remade several times as a reflection of changes in the balance of power relationships between the State and religious organizations that have defined the capacity of influence of the actors involved in the struggle to modify textbook contents.

The first important attempt at change in the twentieth century took place between 1932 and 1934 in Mexico City. This initiative was possible thanks to the fact that health professionals had learned about new knowledge such as the psychoanalytic theories on psycho-sexual development and the advancements of a still young sexology, but the strong legitimacy still enjoyed by the Catholic religion as an ethical principle did not permit their concretion in nationwide policies. The Catholic Church and the National Parents' Union (Unión Nacional de Padres de Familia) managed to convince the community with their discourse and generate support for their mobilization. They were able to get schools to go on strike, and even gained the support of parents' associations. The issue was experienced as an affront to the population because it was seen as a threat. There were parents who said that they would rather see their children dead than have them lose their innocence if they were given sex education. This meant that a broad sector of society at the time was not willing to let their children have a sexual subjectivity different from that proposed by religion, added to the fact that this educational policy proposal was part of a socialist education initiative, which detonated a more violent reaction and could not reach concretion, ending in the resignation of the Minister of Education (Del Castillo, 2000).

Then came the time of the *modus vivendi* (Blanacarte, 1993), a political pact that sought to make peace in the relationships between the State and the Catholic Church. The government allowed education under the direction of religious organizations despite the fact that it was the only realm recognized by the Mexican Constitution as obligatorily secular. It was an agreement in which the government compromised on education in exchange for the Church staying out of other spheres of the political and economic life of the country.

The pact was broken significantly in 1959, when the creation of the National Commission for the Free Textbook detonated another struggle that was key in making secular education possible. There were important demonstrations organized by the Catholic Church, the National Parents Union, the National Action Party (PAN, Partido Acción Nacional) and editorialists, but they did not succeed in holding back this initiative (Greaves, 2010). The appearance of obligatory textbooks for primary school ensured that Catholic views would not be imposed on people as the only valid outlook. Since then, obligatory textbooks have been the repository of the minimum contents that every child is expected to learn. Thus, the concept of public education was redefined and the State assumed the authority to define the meanings with which individuals would be educated. It set the benchmark for governments to define civic values on which in-

dividuals would be educated and formed, thus respecting everyone's religion and, at the same time, seeking to protect what is regarded as the common good and guaranteeing respect for private life.

In 1974 a section on reproduction and sexual development in adolescence was included in the natural sciences textbooks for the sixth year of primary school. The information remained there until 1997, with some changes in the images and texts made in 1986 and 1988. This was part of a demographic policy: Mexico's government went from a pro-birth perspective to one of regulation of birth. From that new perspective, a decrease in the growth of population was a priority with economic and political implications, so the information was not withheld although there were restrictions to avoid touching on erotic topics and showing naked bodies. The Catholic Church and organizations with Catholic views organized demonstrations and burned books (Blancarte, 1993). They succeeded in having some images changed, but not in overturning the policy. The inclusion of the information in the textbooks was also possible because by that time there were organizations specialized in sexual education and a feminist movement whose priority was that women could regulate their fertility and construct their life projects. Added to that, the Christian Family Movement (Movimiento Familiar Cristiano) endorsed the demographic policy. This discursive event shows how religious influence can be more easily avoided when there are secular actors who defend laicism. In regard to the formation of individuals, for the first time there was some education on sexual matters in this country, mostly about their biological dimension. These books also featured normative discourses on gender and had a performative character, since their images and texts showed models of what a man and a woman are supposed to be (Butler, 2010). They imposed a sex-gender binary order that constructed and naturalized a materiality of the sexed body as the basis for a sexuality linked to reproduction, and thus imposed heterosexuality as a single model.

In 1993 information on sexual health was included in the secondary school textbooks. For the first time, HIV was discussed; the issue was unavoidable because of the threat of a deadly sexually transmitted infection. By that time it was clear that sexual education and the use of condoms were the best alternative for prevention in people with an active sexual life. In 1998 and 1999, new textbooks for the fifth and sixth year of primary school were published in which the importance given to HIV and pregnancy prevention can be seen, but it is clear that their intent was not to limit the information to biological aspects. For the first time, the books featured clearer drawings showing the development of the naked body of boys and girls, avoiding schematic illustrations of sexual organs detached from the rest of the body, and were the only ones to show women's external sexual organs. These books were possible because by then there had been an important development of policies on sexuality issues, as well as civil society actors organized around sexual rights and political commitments with the international community since Mexico had signed the Convention on the Rights of the Child and The Cairo and

Beijing agreements, which were key in avoiding religious influence, added to the fact that there were few organizations that reacted against sex education. These were the most secular official textbook contents Mexico has ever had, published at a time when the idea of a single and only morality was breaking down and there was progress on women's human rights. They also reflected the end of an era in which the end of the rule of the Institutional Revolutionary Party (PRI - Partido Revolucionario Institucional) governments could be glimpsed, leaving behind a certain degree of advancement before the "conservative" PAN took over.¹ Finally, these textbooks' contents show greater interest in forming subjects of sexuality beyond bio-politics; adolescents were seen as subjects and recognized as a priority.

Textbook contents in the new millennium

The new millennium brought with it alternation in Mexico's governments. The Executive Power has so far been in the hands of three different political parties, each with a different relationship with laicism and sex education. Moreover, the stage for disputes has changed due to the participation and politicization of new religious actors. The construction of laicism in sex education has not been linear: the change of administration in the Federal Government in 2000 placed in the institutions and public offices people from the PAN who were not in favor of laicism and were ideological allies of Catholic actors. There was a new struggle in 2006, this time over the contents of the textbooks for Sciences 1 (Biology) for the first year of secondary school (Díaz, 2017). In the books from different publishers approved by the CONALITEG (Mexico's National Commission for Free Textbooks) there was information on sexual and reproductive health, some of whose contents detonated controversy: the beginning of sexual relationships, masturbation as a healthy activity and emergency birth control pills. Some books also addressed homosexuality. For several months there were intense arguments in the media between sexual rights organizations and organizations with Catholic views, in which conservative organizations used two discursive repertoires: the first, messages that promoted fear of losing the sexual order – in fact, the Catholic organizations labeled some sexual practices and preferences as "disorderly behavior". The second one was to use arguments that presented their religious demands in messages that appeared to be based on science and human rights. But their repertoires were not able to carry much weight, so they implemented a strategy of alliances and negotiation through which they managed to have the Ministry of Education (SEP - Secretaría de Educación Pública) give publishers guidelines in which they demanded publishers modify textbook contents in favor of the Catholic outlook. Sexual rights organizations succeeded in blocking most of those modifications through public denunciation and the support of officials from the Health Ministry

¹ The quotation marks are intended to question the binary idea that one political party is against sexual rights and the other one in favor of them. In fact, one can find in both parties a diversity of positions, although it is more common to see conservative groups become closer to the PAN.

(Secretaría de Salud), but they overlooked the removal of contents on homosexuality because it was not part of the official curricula and decided not to do anything about it because they believed that if the curricula were modified there could be more setbacks than advancement (Díaz, 2017). These new textbook contents featured the idea of an adolescent as a subject to be regulated, but also with rights and freedoms. In fact, the books for secondary school included a sexual rights manual created by the civil society. As conservative actors and public officials did not succeed in modifying secondary school textbooks as they would have liked, in 2010 the SEP published new natural science textbooks for the fifth and sixth grade of primary school. To create these new materials they decided to use governmental authority and leave the media out of the debate. Thus, the textbook contents produced were less secular, and reflected a return to the old project of forming subjects who were more asexual and less identified with human rights. The textbook contents incorporated from 2006 to 2010 show that democratic elections do not guarantee laicism, but that they are the result of the changing balance of power among actors who dispute the ability to influence such contents. The use of secular discourses by organizations with a religious inspiration was a relatively successful strategy that allowed them to maintain a debate and make some modifications, but their agenda was not advanced as fully as they hoped because there was a broad normative framework that supported laicism. Nevertheless, having an alliance with the government allowed them to influence educational policy when they made agreements with the government that were not disclosed to the public.

From 2012 to 2018, the PRI was once again in charge of the Federal Government. This period was more complex because the organizations with Catholic views were not as close to the spaces where decisions were made on laws and public policies. However, since 2016 they have had a strong presence in the media and in social networks, added to their strategies to have a political influence. One of the most important issues at the beginning of the PRI's six-year presidential term was that the General Law for the Protection of Children and Adolescents establishes that education on sexuality must be given by educational institutions and must follow the principles of the higher interest of children and progressive autonomy. The law also supports health institutions in providing birth control orientation and methods to adolescents. Conservative groups went before Mexico's Supreme Court (Suprema Corte de Justicia de la Nación) to ask that several articles of this law be repealed, with the argument that they "violate the higher interest of the child, discriminate children because of their gender, unduly restrict parental authority and create a harmful environment for children and adolescents" (SCJN, 2016).

As can be observed, the strategy of these organizations was to use the mechanisms of participative democracy and the arguments of human rights to legitimize their demands, which were based on religious criteria rather than juridical ones. In fact, the Supreme Court was an authority to which conservative governments appealed during the previous presidential term, and that resolved in favor of sexual rights on issues such as domestic partnership, abortion, and

equal marriage, so these organizations identified it as a key audience to direct their demands to. Part of what they learned during the struggle between 2006 and 2007 was that the discursive repertoire about “the right of parents” was not effective, because there is a principle of the higher interest of children. Thus, what they did was to qualify their discourse through the notion of “parental authority” and argue as though their petition were for the rights of children.

The result of this dispute was not favorable for conservative organizations. The Supreme Court ruled that the law was not unconstitutional and that it was lawful to give sex education, recognize sexual diversity, and provide birth control drugs to adolescents. The Court issued Statement 188/2016, stating that authorities must guarantee the access of minors to birth control methods, as well as provide counseling and orientation on sexual and reproductive health. In the Statement, the Court maintains that the protection of children and adolescents is a responsibility of both the parents and the State, and that they must be instructed, oriented, and provided information that fosters a comprehensive development, as well as avoid practices that may endanger their physical, mental and psychological integrity. The Court maintains that the exercise of parental authority has a legal limit, which implies preventing actions of the parents that may threaten the dignity and safety of children and adolescents.

A second issue was that in 2016 new official textbooks for the Science class of the sixth grade of primary school, which included specific information on each one of the birth control methods, were published. This change was the result of several factors. The first was that this information became necessary because of a concern about the increase in teenage pregnancy: the National Survey on Demographic Dynamics (ENADID, Encuesta Nacional de la Dinámica Demográfica)² reported that the fertility rate among women between the ages of 15 to 19 has decreased from 81.4% in 1990 to 64.4% in 2004, but then it increased again to 77% in 2014. This has represented a challenge for institutions because the adolescent population is increasingly excluded from the possibility of formal jobs that offer benefits in health care, social security and funds for housing. In this context, pregnancy can increase the risk and financial insecurity in the life of adolescents, added to the fact that the number of cases of adolescents under the age of 15 who become pregnant reflects a serious problem of sexual abuse of children. In fact, the inclusion of information on birth control methods is part of the National Strategy to Prevent Teen Pregnancy (ENAPEA, Estrategia Nacional para Prevención de Embarazo en Adolescentes), a joint project of several institutions aimed at solving this problem. ENAPEA is a bio-political measure because there is the risk that institutions are overwhelmed by the increase of births in situations of social exclusion, but it is also a response that seeks to improve the living conditions of adolescents and features a component with specific lines of action for sex education and useful information materials.³ A second factor that allowed for the inclusion of textbook

² CONAPO (2016). *Situación de la salud sexual y reproductiva*, Mexico.

³ https://www.gob.mx/cms/uploads/attachment/file/55979/ENAPEA_0215.pdf

contents on birth control drugs was that there is a broad normative framework that supports them, which includes laws and norms on health, education, youth and discrimination (see Díaz, 2018). Finally, we must not overlook the fact that the Department of Materials and Methods of SEP was again in the hands of officials with liberal views. It was directed by Elisa Bonilla, who was responsible for significant advancements in official textbook contents, including those in the books for the fifth and sixth grade of primary school in 1998, and of the official program for 2006, which in the case of sex education has only been modified a few times, with much of its information still current.

In 2016, the organizations with Catholic views allied with Evangelical groups and formed the National Front for the Family (Frente Nacional por la Familia), a group of organizations from all over the country articulated with analogous groups and networks in the continent and the world. This actor moved against the presidential initiative that intended to bring the right to identity and equal marriage with the possibility of adoption to a Constitutional status. Throughout that year they organized mass demonstrations in several cities in Mexico,⁴ had a strong presence in the media, and in subsequent years developed a campaign called “No te Metas con mis Hijos” (“Do not mess with my children”) and toured several cities with a “freedom bus”. Their strategy was to accuse the State of violating the “rights of the parents” to educate their children, and to promote the fear of the possibility that people be liberated and experience sexual and gender diversity. In this episode, those organizations displayed greater professionalization in their discourse management: they created strategic messages to attract the support of non-mobilized actors to identify with their demands, and their messages focused on fostering the fear of losing the sexual order and discredit gender and sexual rights discourses. Their most powerful resource was the concept of “gender ideology”, which contravenes the idea that gender is derived from biological sex and that desire has a reproductive foundation. Thus, they accused the feminist and sexual diversity movements of spreading false ideas and promoting behaviors that endanger society. It was a more elaborated version of the use of arguments that resemble the secular discourses of science and human rights. This political resource has been used worldwide and has proved to be politically useful. Two clear examples have been those that succeeded in stopping the peace agreements in Colombia and the ones that led to significant setbacks in policies on sexual rights in Brazil.

A third issue was the inclusion of concepts about sexual diversity in the Sciences 1 (Biology) textbooks for secondary school, the only relevant change in those textbooks since 2007. Out of 17 textbooks approved, nine offer definitions of orientations and identities that go beyond the model of obligatory heterosexuality and sex-gender binary. Luz Lazos’ and Mora Villa’s textbooks include a little more information: they state that no sexual preference is incorrect, present

⁴ <https://www.jornada.com.mx/2016/09/11/politica/002n1pol>

dissident gender identities and expressions as forms of expression of individuality and not as a problem, and include messages against violence and discrimination due to sexual and gender diversity. The inclusion of these contents was possible thanks to the configuration of the power relationships: conservative groups managed to have some influence to stop the presidential initiative, but they could not prevent the inclusion of this information in official textbooks because their contents are the responsibility of the Executive Power, so the Materials and Methods Director of SEP followed the instructions of the presidency. The publication of the new textbooks led to reactions from organizations with Catholic and other Christian views, as can be observed in the statements of their spokesperson, who tried to argue that the inclusion of such contents had been a mistake: “The child must be taught that it is an orientation when the child grows up, but if the child [has] not yet... matured, it is enough to teach him or her to respect [others]” (Leonardo García Camarena, UNPF, *Milenio*, 28/06/2018).⁵

Information on sexual diversity is very important at this stage so that people who do not fit in the model of obligatory heterosexuality and sex-gender binary learn to accept themselves, and to prevent harassment at school for these reasons. In fact, the National Survey on Discrimination due to Sexual Orientation or Gender Identity (ENDOSIG, Encuesta Nacional sobre Discriminación por Orientación Sexual o Identidad de Género, 2016)⁶ reported that 45.7% of lesbians, gays and bisexuals were always aware of their sexual orientation or discovered it in their childhood, while among transsexual, intersexual and non-binary people the figure is 49.1%. Moreover, 26.8% of those who became aware of it before reaching adulthood reported having experienced some kind of physical aggression at school.

The inclusion of these concepts opens up an opportunity to broaden the margins of the “official” sexual order by recognizing positively the existence of individuals whom the educational discourse had kept excluded. Although any adolescent can have access to information on sexual diversity through the digital networks, its inclusion in official textbook contents represents an acknowledgement and legitimation of sexual and gender diversity. After more than a decade of addressing gender violence and school harassment, there is finally an actual message to prevent discrimination due to sexual orientation and gender identity. This is a step forward in the construction of educational laicism, since it adopts secular discourses such as science and human rights as valid referents and truth criteria in the formation of individuals.

By the end of 2019 and the beginning of 2020 the situation was ambivalent. On the one hand, the new government has taken actions that clearly violate the principle of laicism, since the proximity of Evangelical organizations to President López Obrador⁷ has become public, as well as an intention to facilitate their access to the media. Moreover, López Obrador has declared

⁵ <http://www.milenio.com/cultura/nuevos-libros-de-la-sep-en-sintonia-con-la-constitucion>

⁶ https://www.conapred.org.mx/userfiles/files/Resumen_Ejecutivo_ENDOSIG_16-05_2019%281%29.pdf

⁷ https://www.excelsior.com.mx/nacional/evangelicos-impulsan-agenda-en-los-tres-poderes-desde-febrero-ha-habido-un-boom-de-radios?fbclid=IwAR1w9dM_xHggBogN9JYWUym0oqbgD-rp2pFmTOdSyB6u1vUN5yJgkxajl9M

his interest in including them as promoters of the “Cartilla Moral” (“Morality Manual”),⁸ which is part of a strategy to address the problem of violence and organized crime in Mexico that is very questionable for several reasons: the first one, that what is required is not a morality manual but better knowledge of the civic values in the Mexican Constitution. The second reason is that such an initiative does not guarantee any effect, not only because it starts from the false idea that religions are the “best way” to promote a culture of peace and will solve a dehumanization process that has reached significant dimensions in several states of the country, but also because it strengthens the political proximity of religious actors by giving them a role in public policy actions that are of the competence of the State. The presence of the religious in the presidential discourse has been latent since the National Reconstruction Movement (MORENA, Movimiento de Reconstrucción), the president’s political party, was founded on a 12th of December in a clear allusion to a religious figure – the Virgin of Guadalupe, also known as “la Virgen Morena” – and has become evident several times, the most recent when the president compared the social policies and programs of his government to Christianity in late October 2019.

The aim is, I repeat, that there are better life and working conditions for those who need them most. This is humanism, it is social justice, and it is also Christian. I will be criticized for this but see, why was Jesus crucified? Because he defended the poorest ones. (Andrés Manuel López Obrador, *El Universal*, 26/10/2019)⁹

On the other hand, we have witnessed two important advancements: the first is the inclusion of the concept *sexual orientation* in the contents on the right not to be discriminated against in the textbooks of Civic and Ethical Education (Formación Cívica y Ética) of the fifth grade of primary school. This had been a pending matter since 2001, when the term was included in Article 1 of the Mexican Constitution. Its inclusion has been necessary because almost half of LGBTTTI+ people become aware of their sexual orientation or gender identity before they reach adolescence. Although there is no more information on the topic, mentioning the people who do not fit the model of obligatory heterosexuality and sex-gender binary is a step towards the recognition of those subjects of law whose existence had been denied in public education, with the aim of preventing children from identifying with sexual diversity.

A second step forward for laicism in sexual education came with the reform to Article 3 of the Mexican Constitution, published on May 15 2019.¹⁰ The article continues to decree laicism as a principle of the education provided by the State, as established since 1917, but is

8 <https://www.eluniversal.com.mx/nacion/evangelicos-alistan-distribucion-de-la-cartilla-moral?fbclid=IwAR1QyOEVzFMTJgyVLnnTyQOoAHcTFpFAe-Gpl3ckQMhjDXD9zsaUcWOPGAE>

9 <https://www.eluniversal.com.mx/nacion/politica/amlo-compara-su-gobierno-con-el-cristianismo>

10 http://www.dof.gob.mx/nota_detalle.php?codigo=5560457&fecha=15/05/2019

more explicit with respect to its wider scope of authority, specifying that “the rectorship of education corresponds to the State”.¹¹ This means that it is within the power of the State to establish regulations because the contents of education and the perspective from which it is given have repercussions in society; that is, they are a public issue. Article 3 offers the best definition of laicism in education, because it states that it must be governed by a number of secular principles: it “shall be based on human rights, tend to develop all the human capacities harmonically and foster in the person [...] respect for every right, liberties, the culture of peace”, “shall remain entirely detached from any religious doctrine” (Fraction I), and “shall be founded upon the results of scientific progress, fight against ignorance and its effects: servitude, fanaticism and prejudice.” (Fraction II).

One of the contributions of this reform is that it establishes that the basic education provided in private educational institutions, known in Mexico as “escuelas particulares”, must follow the principles set in Article 3. In this new version, these schools are not referred to as “escuelas privadas”, which implies a redefinition of the notion of public education as that education to which different people may have access and whose teachings have effects on the formation of individuals and their life in society; that is, it has repercussions on the education of citizens whose wellbeing and peaceful coexistence must be guaranteed by the State. Thus, there may be more possibilities of ensuring that those who provide education whose implications are public follow the minimum contents established in official programs, and of taking measures so that private schools do not educate through anti-gender positions or evade the principle of laicism or sex education, while still being free to include religious contents and practices within Mexican laws.

Particulares (private schools) may provide education in all its types and modalities [...] In the case of early education, primary and secondary school and teachers’ colleges, *particulares* must [...] provide the education following the same aims and criteria established in Paragraph 4 and Fraction II, and fulfill [official] plans and programs (Fraction VI).

This reform also makes a contribution towards the issues we are interested in, since it establishes that “curricular plans and programs will have a gender perspective and a comprehensive orientation, and must include the knowledge of [...] sex and reproductive education”. This new text represents an instrument for the defense of laicism and offers further legitimacy to a number of issues that have long been, to different extents, excluded from the realm of the social, because there still remain positions of conservative groups that try to discredit sexual education and do not want the State to be in charge of guaranteeing it. There are still parents who do not

¹¹ <https://www.juridicas.unam.mx/legislacion/ordenamiento/constitucion-politica-de-los-estados-unidos-mexicanos-10538>

agree to have the subject discussed in schools, and cases of teachers who avoid the subject out of ignorance or prejudice. By making comprehensive sex education a constitutional principle, the obligatory character of official contents is better supported, which becomes necessary in the current context of serious tensions in schools and public spaces.

But a reform in the law does not guarantee laicism in the practice. There must be actions to provide teacher training and parent orientation if we want to counter the effects of a historic lack of sex education and of conservative discourses, whose dissemination has increased since 2016. Although since 2006 these actors had already used coded arguments of science and human rights, their discursive repertoires became more efficient in 2016, when the presidential initiative on the rights to gender identity and marriage with the possibility of adoption of same-sex couples was being discussed. Apparently, the recognition of certain rights within the context of sexual diversity seemed threatening for many people and these actors managed to capitalize on it. Now Mexico has the paradox of a stronger legal discourse about the protection of laicism in education and sex education, while at the same time opposition to progress in these areas has become increasingly visible and shows an important presence among the population; in fact, the National Survey on Religious Beliefs and Practices (ENCREER, Encuesta Nacional sobre Creencias y Prácticas Religiosas en México, 2016)¹² reported that 18.4% of the population who answered the survey do not agree with having sex education taught in schools, and 25.8% are against the contents of school textbook. This contradictory situation points to the possibility of future discursive confrontations, without an end to the tension about the role of the State and the type of sexual subjects that public education should produce.

Final reflections

The twentieth century in Mexico was characterized by a construction of laicism that did not transform education for several decades, despite the fact that it was already a Constitutional principle. Until 1974 there was no national policy on sex education, due to the force of the exclusion that religion managed to generate. There was a failed attempt in the struggle of the 1930s and a subsequent impossibility that it emerged because education became the object of a political pact that left education in the hands of religious organizations. The first framework that made a sex education policy possible was set in 1960, when educational programs finally materialized in official and compulsory textbooks.

In the last 45 years there have been official textbook contents on sex education, and organizations with Catholic (and now other Christian) views have had a changing ability to influence them. Textbook contents of 1974 and 1998 show a construction of educational laicism marked by advancements, with a tendency to have greater autonomy of the political from the religious,

¹²<http://www.rifrem.mx/wp-content/uploads/2017/10/INFORME-DE-RESULTADOS-EncuestaNacionalMexicoCreenciasyPracticReligiosas-2017-05.pdf>

thanks to a process of secularization. The textbook contents on sex education for primary and secondary school were made possible thanks to the recognition of science as a criterion of truth, the prioritization of health and demographic concerns that placed the realm of the real over religious and moral beliefs, but also thanks to the growing social legitimacy of democratic values as ethical references.

A change in power relationships and the use of strategies and alliances can be observed at each period. Organizations with Catholic views began to lose their influence on educational contents at the end of the twentieth century, but at the beginning of the new millennium they gained strength again through their alliances with PAN governments. The political struggle in 2006 resulted in the Catholic discourses not succeeding in finding a space in the contents of secondary school textbooks because they were not supported by anything that was recognized by the public opinion as legitimate and because sex education is founded on a strong national and international normative framework, but the government made conservative modifications to natural sciences textbooks in 2010 and kept them out of public discussion: conservatives were inserted in the government and used power vertically to achieve their aims without any confrontation with their opponents.

In the new millennium, the construction of the laicism of sex education ceased to be progressive, as it had been in the last decades of the twentieth century. Although secular discourses such as those of science and human rights have been displacing the influence of Judeo-Christian morality, there are still important tensions that make it difficult to address information on issues such as nakedness, children education, homosexuality, the right to pleasure, masturbation, abortion, and the use of condoms and birth control. We witnessed the arrival to the government of actors with a more religious formation, whose faith pervaded the idea of a country that they want to build and the meaning they give to public office. Then, we saw the emergence of a neo-conservative movement that, even without a strong linkage with the government, managed to gain actors and influence. Here we see a contradiction: the political efficacy of religion is gradually lost with secularization, but this does not exclude the possibility that individuals with strong religious beliefs hold power, within or outside the government, and can influence sexual rights policies.

In the 2012-2018 administration, organizations with Catholic views did not enjoy the same degree of closeness to the government, but they came back through their alliance with Evangelical groups, an actor with a growing presence in the public sphere. Thus, they built new strategies that brought conservatism back, which they have managed to do in several countries in the Americas and the world. The return of PRI to the government led to new advancements. By 2016 birth control, as well as more secular contents, had been included, but groups with Catholic and other Christian views made inroads in the debates on sex education, sexual rights, gender identity and equal marriage, in such a way that they succeeded in mobilizing actors

in their support and stop a presidential initiative on those issues, displaying a new capacity of conservative influence on public policy.

At present basic information on sexuality is included in primary and secondary school textbooks, with concepts on diversity in some books, but the alliance between actors with Catholic and Evangelical views continues to be strong and represents a risk of setbacks in the recognition of sexual and reproductive rights. Despite not having a direct alliance with decision makers on educational policies and materials, the strength of anti-gender arguments increased their power over legislative issues, but could not stop the decisions of the Executive Power. However, it is necessary to keep documenting the strategies and discourses of conservative groups, because their advances in other countries have been strong and, even though in Mexico there is important legal support and a culture of the legitimacy of laicism, we cannot underestimate the risks.

The situation with the new administration (2018-2024) is contradictory because, although there is a visible alliance of the president with Evangelical groups that violates the principle of laicism, the laws have been reformed to make education on sexuality and gender more secular. The challenge will be to prevent religious influence in the formal curricula, which implies achieving congruence in plans, programs and materials, but most of all taking concrete actions that make sex education in the classroom a reality. This requires teacher training, intervention with parents to address their concern and prevent their opposition, as well as articulating policies such as pregnancy, infection and violence prevention. Otherwise, sex education contents will not be actually implemented, and much less on sensitive issues such as sexual diversity.

Bibliography

- Blancarte, R. (1988). *Historia de la Iglesia católica en México*. México: FCE/El Colegio Mexiquense.
- Blancarte, R. (2008). Introducción / El porqué de un Estado laico. *Los retos de la laicidad y la secularización en el mundo contemporáneo*. México: El Colegio de México, 9-47.
- Blancarte, R. (2012). ¿Cómo podemos medir la laicidad? *Estudios Sociológicos*, 30(88), 233-247.
- Bourdieu, P.; J.C. Passeron (2005). *La reproducción, elementos para una teoría del sistema de enseñanza*. México: Fontamara.
- Butler, J. (2004). *Lenguaje, poder e identidad*. España: Síntesis.
- Butler, J. (2010). *Cuerpos que importan. Sobre los límites materiales y discursivos del "sexo"*. Buenos Aires: Paidós.
- Butler, J. (2014). *Mecanismos psíquicos del poder*. Universidad de Valencia/Ediciones Cátedra.
- Del Castillo Troncoso, A. (2000). La polémica en torno a la educación sexual en la ciudad de México durante la década de los años treinta: Conceptos y representaciones de la infancia. *Estudios Sociológicos*, 18(52), 203-226.

- Durkheim, E. (2013). *Las formas elementales de la vida religiosa*. México: Colofón.
- Foucault, M. (1986). *El uso de los placeres. Historia de la sexualidad 2*. México: Siglo XXI.
- Foucault, M. (1994). Diálogo sobre el poder. *Obras Esenciales*, 3, 59-72.
- Foucault, M. (2007). *La voluntad de saber. Historia de la sexualidad 1*. México: Siglo XXI.
- Giddens, A. (1998). *La transformación de la intimidad. Sexualidad, amor y erotismo en las sociedades modernas*. Madrid: Ediciones Cátedra.
- Greaves, C. (2010). La búsqueda de la modernidad. En Tanck de Estrada, D. (coord.). *Historia mínima: La educación en México*. México: El Colegio de México.
- Mc Adam, D.; S. Tarrow; Ch. Tilly (2005). *La dinámica de la contienda*. Barcelona: Editorial Hacer.
- Suprema Corte de Justicia de la Nación (2016). *Determina Segunda sala Constitucional Ley General de Niñas, Niños y Adolescentes*. <http://www.internet2.scjn.gob.mx/red2/comunicados/noticia.asp?id=4412>
- Weeks, J. (1996). *Sexualidad*. Barcelona: Paidós.