


THE CONTEMPORARY EUROPEAN HISTORY PRIZE

From National Catholicism to Romantic Love: The Politics of Love and Divorce in Franco's Spain[‡]

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This article explores the relationships between religion, politics and love during the Franco regime. It focuses on progressive Catholic discourses around love and divorce in late Francoist Spain, showing how changing attitudes towards emotions also reflected new understandings of politics in the final years of the dictatorship. The analysis addresses changes in the Catholic emotional regime, which shifted from an ideal that promoted sacrifice and self-denial to one that celebrated romantic love and acknowledged people's right to end a marriage when it did not meet individual expectations of companionship, affection and even sexual harmony. Influenced by the Second Vatican Council, some Catholic intellectuals started to vindicate divorce in the early 1970s, and in doing so also sought to find avenues to make faith compatible with the modern experience of love. This paper argues that this contributed to the crisis of the National-Catholic ideology that underpinned the dictatorship.

In the early 1970s, when the Franco dictatorship (1939–75) was coming to an end, some Catholic intellectuals began to defend people's right to end their failed marriages and seek happiness with a new partner. In so doing, they recognised that love was the primary purpose of marriage; if it was absent the union ceased to be valid. These intellectuals thus broke with a discourse that had until then been deep-seated in both Catholic theology and Francoist morals and laws. According to these, love was only a secondary end of marriage and the conjugal union was indissoluble, leaving people no choice but to tolerate it if it was an unhappy one.

These authors' vindication of divorce was the result of a change in the Catholic emotional regime, which started to acknowledge modern definitions of love.¹ In the 1960s, this regime was shifting from a paradigm that prescribed sacrifice and the subjugation of feelings to external norms to an ideal that celebrated the pursuit of happiness in romantic love. The latter endorsed the ending of a relationship when it did not meet individual expectations of affection and companionship. This paper argues that these ideas had political meanings in the Spanish dictatorial context. The defence of romantic love and divorce went hand-in-hand with a demand for religious freedom, individual rights, the separation of church and state and, ultimately, democracy.

The progressive Catholics who began to argue in favour of divorce thought that the Church had no right to meddle in matters that should be under civil authority. Furthermore, they considered that the state should not impose the beliefs of a particular religion – including the dogma of indissolubility – on the entire population. This contravened the association between Catholicism and Spanish national identity, which was paramount to the dictatorship's political claims. Finally, they maintained that love, as well as religious faith, were matters of private life in which the state had no say. In short, the defence

[‡]The original published version of this article did not include an abstract. A notice detailing this has been published and the PDF and HTML versions have been updated.

¹ The concept of 'emotional regime' comes from William Reddy, *The Navigation of Feeling: A Framework for the History of Emotions* (Cambridge: Cambridge University Press, 2001).

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of divorce entailed a critique of the fusion of civil and ecclesiastical power that still characterised Francoism. In turn, it contributed to the destabilisation of the National-Catholic ideology that underpinned the dictatorship. The fact that this criticism came from the Church itself, one of the main upholders of Francoism, aggravated this disruption. Part of the Catholic community was distancing itself from the regime as it adopted progressive political and moral stances.

National Catholicism was the main ideological support of the Franco regime.² It entailed a privileged presence of the Church in the state and social institutions, as well as the imposition of Catholic morality, which permeated politics, education, culture and the intimate lives of the population. Although the harmony between Church and state had never been without fissures, it was the Second Vatican Council (1962–5) that posed a definitive challenge and had significant repercussions for a regime that based its political identity on reactionary Catholicism. Under Vatican II, the Holy See recognised the separation between civil and religious power, claims for social justice and individual freedoms, all non-existent in Franco's Spain. In fact, most political and religious authorities received the news from the Vatican with bitterness and confusion. Nonetheless, the *aggiornamento* incited a disengagement or *ruptura* within the Spanish Catholic community. As a result, many turned their backs on National Catholicism and developed opposing attitudes towards Francoism, contributing to the crisis of the dictatorship.³

This paper explores Catholic discourses about love and their role in this process of religious and political transformation during the final years of the Franco regime. I focus here on the study of Catholic ideas in general and, in particular, of progressive Catholic intellectuals at the end of the dictatorship. However, I do not mean to study these authors as separate from their context, but to situate them in broader cultural trends of shifting emotional standards and expectations.⁴ This article does not address love as it is experienced and suffered by individuals, but rather focuses on the encounter between religious morality, politics and emotions. It reflects on the attitudes of a particular community (the Catholic Church) towards love.⁵ Therefore, the study concentrates on the political meanings of emotions and their importance to historical change.

Feminist scholars have deemed romantic love an oppressive ideology that reproduces unequal gender relations and serves capitalist interests.⁶ I do not mean to deny this interpretation. In fact, I am convinced that romantic love is well embedded in the power and market relations of contemporary societies. However, during my research into love, marriage and sexuality in the late Franco era, I had to admit that, in addition to having innumerable flaws and patriarchal implications, romantic love could also have democratising meanings in this context, in which the Catholic emotional regime had fundamental political influence. The defence of one or another love ideal had political consequences,

² William J. Callahan, *The Catholic Church in Spain, 1875–1998* (Washington, DC: Catholic University of America Press, 2000), 343–551; Mary Vincent, 'Spain', in Tom Buchanan and Martin Conway, eds., *Political Catholicism in Europe, 1918–1965* (Oxford: Clarendon Press), 97–128.

³ Feliciano Montero, *La Iglesia: De la colaboración a la disidencia (1956–1975)* (Madrid: Ediciones Encuentro, 2009); Manuel Ortiz Heras and Damián A. González, eds., *De la cruzada al desenganche* (Madrid: Sílex, 2011); Callahan, *The Catholic Church in Spain*, 527–48. This process has been studied from a gender perspective by Mónica Moreno Seco, 'Cristianas por el feminismo y la democracia. Catolicismo femenino y movilización en los años setenta', *Historia Social*, 53, (2005), 137–54; and 'De la caridad al compromiso: Las mujeres de Acción Católica (1958–1968)', *Historia Contemporánea*, 26, (2003), 239–65.

⁴ Aurora Morcillo, *The Seduction of Modern Spain: The Female Body and the Francoist Body Politic* (Lewisburg: Bucknell University Press, 2010); Aintzane Rincón, *Representaciones de género en el cine español (1939–1982)* (Madrid: Centro de Estudios Políticos y Constitucionales/Universidad de Santiago de Compostela, 2014); Begoña Barrera, *La Sección Femenina, 1934–1977: Historia de una tutela emocional* (Madrid: Alianza, 2019).

⁵ To refer to the Catholic community analysed here, I also find useful the notion of 'emotional communities' as coined by Barbara Rosenwein in 'Worrying about Emotions in History', *American Historical Review*, 107 (2002), 821–45.

⁶ Eva Illouz, *Cold Intimacies: The Making of Emotional Capitalism* (Cambridge: Polity Press, 2007); Wendy Langford, *Revolutions of the Heart: Gender, Power and the Disillusions of Love* (London: Routledge, 2013); Anna G. Jónasdóttir, *Love, Power and Political Interests: Towards a Theory of Patriarchy in Contemporary Western Societies* (Örebro: University of Örebro, 1991); Ulrich Beck and Elisabeth Beck-Gernsheim, *The Normal Chaos of Love* (Oxford: John Wiley & Sons, 2018).

as did the attempts made to create legal ways to improve the possibilities for romantic love. In the case at hand, I argue that it had destabilising symbolic effects on the dictatorship. Nevertheless, given the limitations of this paper and my intent to make it as concrete as possible, I do not venture any claims about experience of romantic love, nor do I delve into its indisputable connection with gender inequalities. These are important issues which should be the focus of a different study. Neither do I provide any generalised definition of romantic love. I do not use love as a fixed or unequivocal category of analysis. I prefer to look at how its meanings are articulated in a particular context.

The love standards analysed in this article make sense in a broader context in which growing emphasis was being placed on the emotional and sexual fulfilment of marriage, especially after the Second World War. This companionate marriage ideal, addressed recently by scholars like Stephanie Coontz or Claire Langhamer, among others, went hand-in-hand with demands to reform divorce laws, as romantic expectations were too slippery and unpredictable a basis for a lifetime commitment.⁷ Romantic love has also been regarded as a central element of the process of modernisation and secularisation.⁸ Its vindication entailed the support of aspects potentially incompatible with an authoritarian dictatorship, such as the praise of freedom, authenticity and self-realisation, all distinctive features of modern subjectivity. In the 1960s, these elements were celebrated as guides for social relations as opposed to submission to social rules. This discourse voiced a defence of the freedom to love, following only dictates that came from within the individual and rejecting external coercion from the community, the state or the Church. While I do not mean to suggest clear-cut or linear consequences to these ideas, it is worth questioning their contingent meanings. For this particular case, these elements linked to the construction of modern love had potentially disruptive connotations for the Franco regime. Both the Church and the state sought to impose an unequivocal morality and insisted that the rights of the community and the homeland should prevail over individual desires and aspirations. Therefore, I explore religious discourses about heterosexual romantic love and ask what it entailed for part of the Catholic community to change their values and start to demand a different approach to modern secularised emotional sensibilities and politics.

I begin this paper by analysing the Catholic emotional regime in the early years of the Franco regime. This background helps contextualise and explain the changes that took place at the end of the dictatorship. Then, I briefly describe the developments of the 1960s that ultimately transformed love expectations and awakened early calls for divorce in the 1970s. Finally, I assess the arguments of progressive Catholic intellectuals who started to contemplate divorce, questioning National Catholicism in the process. I end this study in 1975, the year of Franco's death. In so doing, I assert that by the time the transition to democracy began, some of the ideological and cultural pillars that had upheld the regime had already been broken and that the vindication of romantic love and divorce played a role in this process.

Love, the Church and the State in the Time of the Franco Regime

The beginning of the Franco dictatorship brought an end to the process of secularisation and democratisation that took place in the early 1930s. During those years, the Second Republic legalised divorce by mutual agreement and passed a civil marriage law. The religious ritual was thus reduced to a voluntary addition to civil marriage, without any legal effects. As a result, the Church lost control over a sphere traditionally under its influence. These changes were crucial expressions of republican secularising efforts.⁹ However, they were also a response to the popularisation of an ideal of companionate

⁷ Claire Langhamer, *The English in Love: The Intimate Story of An Emotional Revolution* (Oxford: Oxford University Press, 2013); Stephanie Coontz, *Marriage, a History: From Obedience to Intimacy or How Love Conquered Marriage* (New York: Penguin, 2005).

⁸ Beck and Beck-Gernsheim, *The Normal Chaos*; Illouz, *Cold Intimacies; Consuming the Romantic Utopia: Love and the Cultural Contradictions of Capitalism* (Berkeley: University of California Press, 1997); *Why Love Hurts: A Sociological Explanation* (Cambridge: Polity Press, 2019).

⁹ Ana Aguado, 'Entre lo público y lo privado: Sufragio y divorcio en la Segunda República', *Ayer*, 60 (2005), 105–34.

marriage as a free union of two people to satisfy emotional aspirations.¹⁰ So thought feminist lawyer Clara Campoamor, one of the leading advocates of divorce as a member of parliament. She defined marriage as a free agreement to find love. As soon as this understanding ceased to exist and cohabitation was unbearable, the bond should be broken. Otherwise, Campoamor said, it would only be a source of torment and degradation for the individual.¹¹

The Church resisted the secularising trend but also argued against this conception of companionate marriage that was becoming popular in Western societies. In his encyclical *Casti Connubii* (1930), Pius XI claimed ecclesiastical authority over marriage before attempts to turn it into a mere civil affair.¹² Therefore, the Pope opposed the creation of laws that reduced the religious ritual to something accessory without any legal consequences. For the Church, marriage was an institution of divine origin that should be under ecclesiastical, not state, authority. Furthermore, he rejected the new theories that praised friendship and equality between spouses as the pillars of the marital bond. The reason behind this hostility was the fact that this involved a conception of marriage as a free contract between two people, who were entitled to break it if their aspirations of companionship ceased to be fulfilled. Even though *Casti Connubii* stated that it was love and not social conveniences that should lead to marriage, the Catholic conception of love was very different from the modern understanding of romantic love. For the Pope, as for the Spanish Church that followed the encyclical, romantic love was based on fleeting, individualistic and selfish motivations. Instead, they thought that Christian love should be grounded on higher and self-sacrificing spiritual foundations to allow individuals to always place the greater good before personal well-being and happiness.¹³

In addition, *Casti Connubii* warned that marriage remained valid even if there was no love involved. While it was deemed desirable for affection to be present, love was considered a secondary end of marriage, with procreation being its primary purpose. Pius XI also emphasised that love was not the cause of marriage. On the contrary, he argued that the actual cause was the consent given by husband and wife. Affection should ideally be the motivation that led them to give their consent, but the marriage remained binding if the spouses had agreed freely, even if they were not in love. For Catholics, only non-consummation, or the existence of certain impediments such as consanguinity or marriage under coercion, would qualify for an annulment. The absence of love did not qualify. In that case, the bond survived regardless of emotions.

Following *Casti Connubii*, the Spanish Church opposed the secularising laws of the Second Republic as interferences in matters of ecclesiastical competence and as attacks on the Christian character of the Spanish nation. Religious leaders denounced this dechristianisation as a sign of degeneration of the race and destruction of civilisation.¹⁴ Thus, when the army rebelled against the Republic in July 1936, prompting the beginning of the Civil War (1936–9), the Church took advantage of this opportunity. It sided with the rebels, legitimising the military coup as a holy crusade and demanding the reinstatement of Christian morality. After the war, Franco's rule repealed the republican laws and restored the power of the Church. Divorce was abolished and religious marriage became mandatory for Catholics. Anyone who did not follow Catholic morals was suspected of being a potential enemy of the new state. In addition, all those republican measures that had aimed at achieving greater equality between women and men were eliminated. Both legislation and public discourse defined marriage as a hierarchical institution in which a woman owed obedience to her husband.¹⁵

¹⁰ Miren Llona, *Entre señorita y garçon. Historia de las mujeres bilbaínas de clase media (1919–1939)* (Málaga: Universidad de Málaga, 2000).

¹¹ Aguado, 'Entre lo público y lo privado', 123.

¹² Pius XI, *Casti Connubii. Encyclical on Christian Marriage*, 31 Dec. 1930.

¹³ Isidro Gomá, *El matrimonio: Explicación dialogada de la encíclica Casti Connubii* (Barcelona: Giró, 1931).

¹⁴ José Antonio de Laburu, *Jesucristo y el matrimonio* (Madrid: Fax, 1935); Javier Lauzurica, Introduction to Antonio Vallejo Nágera, *Eugamia* (San Sebastián: Editorial Española, 1938), 7–9.

¹⁵ Aurora Morcillo, *True Catholic Womanhood: Gender Ideology in Franco's Spain* (DeKalb: Northern Illinois University Press, 2008).

Furthermore, the Church encouraged the production of a copious advice literature intended to promote the Catholic ideal of marriage. This was targeted primarily at women, who were made responsible for the stability of the family.¹⁶ While this literature argued that marriage should be based on love and not economic interests, it disseminated a love ideal based on sacrifice, and it warned that if the union was unhappy, the person needed to endure it and conform to a life of suffering. The authors of this advice literature insisted that true love was not a selfish emotion that sought earthly happiness or immediate pleasures because marriage was meant for higher ends. As opposed to romantic love, Christian love put the well-being of others and the interests of the community, the Church, and the nation before individual comforts. For this reason, self-denial, understood as a particularly feminine feature, was praised as a virtue necessary to withstand any family misadventures, failures and even violence.¹⁷

Authors such as French philosopher Gustave Thibon, whose books were translated and disseminated in Spain, were wary of romantic love and companionate marriage.¹⁸ Thibon considered that these prioritised one's happiness over social duties. For him, the search for affection and companionship as primary attributes of marriage fostered individualism and selfishness, both dangerous to the interests of the nation. The philosopher thought that the Church's goals ought to always be above personal whims and that marriage should be primarily at the service of society, not the individual. He also stressed the fact that a consummated union was perfectly valid in the eyes of God, even if there was no love involved:

The Church, which dominates romantic individualism and sensibility from far above, sees in marriage more than the passionate and sentimental exchange between two individuals. Its request extends beyond the ephemeral couple, to the whole of the Divine City. When the spouses join, they do not commit only to *each other*; they commit *each other to* a reality that encompasses and surpasses them [...]. Such a fundamental institution needs to be protected against the thousand vicissitudes of personal instinct and interest.¹⁹

For Catholics, it was not worldly happiness but that of the afterlife that mattered. They understood life as a vale of tears that people had to endure with selfless submission. This was the opinion of Spanish psychologist Miguel Siguán, in the preface of a translation of one of Thibon's books. 'Is it true, or does anyone believe, that the goal of marriage is earthly happiness?' he questioned. 'How would it be possible, then, to endure the difficult hours when happiness disappears from the horizon and all sacrifice seems useless?'²⁰ Another author argued that people needed to learn the 'art' of being happy in their marriage, which meant to live it according to the interests of the homeland and the Church.²¹ Thus, Christian marriage and love were means to educate people to be willing to sacrifice their well-being for the greater good. This concept of love was intended to create docile citizens who would place morality before self-interest. Of course, this conformed well with an authoritarian regime that outlawed individual freedoms and regarded them as potentially dangerous to the goals of the state.

Certainly, romantic ideals of love did exist and were popularly transmitted through various means, such as sentimental novels and movies, again mainly directed to female audiences. These tended to characterise love and marriage as the primary source of happiness for women. In fact, as some authors suggest, these romances served to some extent as forms of escaping the harsh realities and discontents

¹⁶ Roca i Girona, *De la pureza a la maternidad: la construcción del género femenino en la postguerra española* (Madrid: Subdirección general de museos españoles, 1996).

¹⁷ Mónica García-Fernández, 'Dos en una sola carne. Matrimonio, amor y sexualidad en el franquismo', PhD Thesis, University of Oviedo, 2019, 126–48, 235–42.

¹⁸ Gustave Thibon, *Sobre el amor humano* (Madrid: Rialp, 1953) and *La crisis moderna del amor* (Barcelona: Fontanella, 1962).

¹⁹ Thibon, *La crisis moderna*, 114–15.

²⁰ Thibon, *Sobre el amor*, 22.

²¹ Álvaro Alonso Antimio, *Y el séptimo, matrimonio... lo que deben saber los novios... y los casados* (Madrid: V. Suárez, 1963), 7.

of married life and post-war misery.²² However, Catholic moralists distrusted these sentimental stories as the cause of women's over-idealisation of marriage. They warned women to avoid being victims of fanciful and sugar-coated ideas in order not to be bitterly disappointed. For writers of advice literature, it was better to prepare for dissatisfaction and frustration. They believed that marriage was not a frivolous state to be enjoyed but an arduous mission full of obligations. That is why moralists advised women to gather large doses of self-denial and even heroism to endure a life of suffering. 'If you get married', one priest warned, 'you are going to embark on a life of interrupted sacrifice'.²³ Another writer claimed that 'marriage is not a state of freedom and enjoyment, but of restraint and sacrifice'.²⁴ To forge a realistic concept of the marital bond, Catholic advice authors recommended that girls be trained from a young age in the virtues of obedience and renunciation.²⁵

Till Death Do Us Part?

The Second Vatican Council considerably transformed this Catholic conception of marriage and love. As a result of this renewal, the Church no longer regarded love as a secondary end of marriage. Instead, there was a new appreciation of love, along with procreation, as a primary purpose of the conjugal bond.²⁶ Catholic literature on marriage thus began to highlight the importance of communication, dialogue and companionship between spouses.²⁷ As one author claimed, the family was no longer a social institution but an association of individuals. Therefore, he continued, marriage ceased to be 'downgraded to the category of the useful' and was now praised for its values of intimacy and love.²⁸

In addition, sexuality became understood as a positive human value, as a way of fostering love in the heterosexual couple and not only as a means for procreation. A debate on the possibility of accepting the contraceptive pill arose as a consequence, prompting many to hope for a change in the Vatican's teachings on birth control. While Paul VI ultimately dismissed this possibility in his encyclical *Humanae Vitae* (1968), part of the Catholic community was disappointed with this decision and encouraged a freer interpretation of the Vatican's norms about contraception.²⁹ This also occurred in Spain, as some Catholics regretted the Pope's authoritarian decision. They prioritised the importance of love over procreation and thought that the Church needed to adapt to the modern experience of sexuality. Ultimately, they defended a more democratic approach to religion and the autonomy of the laity to make their own responsible decisions, as opposed to passive obedience.³⁰ These progressive Catholic intellectuals who defended birth control soon also started to consider divorce.

However, while there are a number of interesting recent studies on the consequences of *Humanae Vitae* and the popularisation of the contraceptive pill,³¹ the question of love and divorce remains mostly unexplored. In fact, Vatican II confirmed the dogma of indissolubility. Nevertheless, the

²² Carmen Martín Gaité, *Usos amorosos de la postguerra española* (Barcelona: Anagrama, 1987); Jennifer Smith, 'Otra mirada a la novela rosa en *El cuarto de atrás* y *Usos amorosos de la postguerra española*', Proceedings of the XVI Conference of the International Association of Hispanists (Paris, 2007); Rosa Medina-Doménech, "'Who Were the Experts?' The Science of Love vs. Women's Knowledge of Love During the Spanish Dictatorship', *Science as Culture*, 23, 2 (2014), 177–200; Rincón, *Representaciones de género en el cine*.

²³ Emilio Enciso Viana, *La muchacha en el noviazgo* (Madrid: Studium, 1947), 109.

²⁴ Rosa Vilahur, *¿Para qué soy novia? o ¿Cómo he de amar?* (Madrid: Atenas, 1960), 182.

²⁵ Ángel del hogar, *El matrimonio. El libro de la joven* (Bilbao: Desclée de Brouwer, 1947), 93.

²⁶ Paul VI, *Pastoral Constitution on the Church in the Modern World Gaudium et Spes* (Rome, 7 Dec. 1965); Joaquín Ruiz-Giménez and Pilar Bellosillo, eds., *El concilio del siglo XXI* (Madrid: Promoción Popular Cristiana, 1987), 18.

²⁷ Mónica García-Fernández, 'Sexualidad y religión en el tardofranquismo. La recepción de la *Humanae vitae* en España y la crisis de autoridad de la Iglesia', *Hispania Nova*, 19 (2021), 255–90.

²⁸ Juan García Vicente and Bernard Häring, *Regulación de nacimientos* (Madrid: El Perpetuo Socorro, 1965), 18.

²⁹ Alana Harris, ed., *The Schism of '68: Catholicism, Contraception and Humanae Vitae in Europe, 1945–1975* (Basingstoke: Palgrave Macmillan, 2018); David Geiringer, *The Pope and the Pill: Sex, Catholicism and Women in Post-War England* (Manchester: Manchester University Press, 2019).

³⁰ García-Fernández, 'Sexualidad y religión en el tardofranquismo'.

³¹ Harris, *The Schism of '68*; Geiringer, *The Pope and the Pill*; Agata Ignaciuk, 'Love in the Time of El Generalísimo: Debates about the Pill in Spain before and after *Humanae Vitae*', in Harris, ed., *The Schism of '68*, 229–50.

recognition of religious freedom, as well as the revaluation of conjugal love, opened up the possibility of introducing the issue of divorce into the debate.³² As I will address in detail in the following section, this is what happened in Spain, where some Catholics, influenced by the post-conciliar spirit and convinced that it was love above any other consideration that gave meaning to marriage, began to contemplate divorce.

All these religious changes concurred with fundamental transformations in Spanish society, which came hand-in-hand with the development of consumer culture, as well as the onset of the so-called 'sexual revolution'. At the end of Franco's rule, the patriarchal family model, based on hierarchical authority and sacrifice, was eroding in favour of an ideal that valued happiness, shared intimacy and cooperation between spouses. At the same time, a new discourse criticised the figure of the despotic husband and encouraged men to be more caring, collaborative, and present in the family.³³ Claims for women's equality became more visible, and even part of the Catholic community recognised women's rights to have aspirations beyond the home.³⁴ The popularisation of the pill and the success of marriage manuals that emphasised the importance of mutual sexual pleasure also contributed to changing expectations about female erotic satisfaction.³⁵ Similarly, ideas of sexual liberation spread among the younger generations.³⁶ These stressed the importance of love, self-realisation and authenticity in the face of external coercion. All this ultimately led to the defence of birth control, sexual intercourse, or cohabitation outside of marriage and divorce, simply because love and authenticity were what mattered above all else.³⁷

As a result, expectations of finding personal fulfilment in love increased, which also made marriage all the more fragile.³⁸ The insistence on safeguarding the institution of marriage above personal desires gave way to an emphasis on the importance of individual health and happiness. In short, the idea that marriage obligated the partners until 'death do us part' collapsed as a consequence of the prominence placed on its affective dimension. Ultimately, if love was the goal of marriage, it was logical to assume that its absence should mean the end of the bond. As one left-wing psychiatrist pointed out at the time, due to their greater prospects of achieving happiness in love, people's capacity to tolerate a failed marriage decreased.³⁹ In fact, the media showed growing anxiety over a perceived love crisis, as more people filed for a separation. For example, in 1972 a women's magazine drew attention to the fact that young couples were placing increasing weight on camaraderie and intellectual affinity, but that their unions were more unstable than when marriage was simply a family arrangement.⁴⁰

In this context, magazines and newspapers gave growing coverage to the issue of marital separation. They therefore contributed to a public discussion that would gradually lead to early defences of divorce. Conservative media, such as that connected to Opus Dei, continued to maintain that divorce would lead to the destruction of the family and the nation and that the law of indissolubility bound everyone, not only Catholics. Moreover, these magazines published opinions that attacked the notion

³² Josep Montserrat Torrens, *Matrimonio, divorcio, separación* (Barcelona: Ediciones Península, 1969).

³³ García-Fernández, 'Dos en una sola carne', 263–305.

³⁴ Rosario Ruiz Franco, *¿Eternas menores? Las mujeres en el franquismo* (Madrid: Biblioteca Nueva, 2007); Mónica Moreno Seco, 'De la caridad al compromiso'.

³⁵ Mónica García-Fernández, 'A Healthy Sex Life: Love, Marriage, and Sexual Knowledge in Franco's Spain', *Social History of Medicine* [forthcoming]; Agata Ignaciuk and Teresa Ortiz, *Anticoncepción, mujeres y género. La 'píldora' en España y Polonia (1960–1980)* (Madrid: La Catarata, 2016).

³⁶ Kostis Kornetis, "'Let's Get Laid Because it's the End of the World?': Sexuality, Gender and the Spanish Left in Late Francoism and the *Transición*", *European Review of History*, 22, 1 (2015), 176–98.

³⁷ García-Fernández, 'Dos en una sola carne', 467–542.

³⁸ Antonio Cazorla, *Fear and Progress: Ordinary Lives in Franco's Spain, 1939–1975* (Oxford: John Wiley & Sons Limited, 2009), 169–71; Jane Fishburne Collier, *From Duty to Desire: Remaking Families in a Spanish Village* (Princeton: Princeton University Press, 1997).

³⁹ Carlos Castilla del Pino, *Cuatro ensayos sobre la mujer* (Madrid: Alianza Editorial, 1971), 70.

⁴⁰ Evelyn Sullerot, 'La revolución femenina', *Ama*, 1 July 1972, 3–5.

of an 'easy life' as something antagonistic to the Christian essence.⁴¹ However, as novelist Carmen Martín Gaité pointed out, a language of prosperity, consumption and well-being was replacing ideals that praised sacrifice.⁴² Furthermore, other publications began to defend people's right to mend their mistakes and seek happiness, without having to endure a miserable situation their whole lives. This was the case for the women's magazine *El hogar y la moda* (Home and Fashion). While it still did not openly mention divorce, it approved of people's right to separate from their current partners to be able to rebuild their lives. Contrary to those discourses that celebrated self-denial or conformity, this magazine emphasised that 'everyone has the right to a happy and dignified life' and that 'mistakes [...] do not have to mark a person or a family forever'.⁴³

Thus, though in a subtle way at first, some media were introducing a pro-divorce attitude. We should bear in mind that the dictatorship heavily censored articles that openly defended divorce. That is what happened to a survey promoted by the women's daily *Diario Femenino*.⁴⁴ Starting in November 1968 and continuing over the following months, this newspaper published opinions of intellectuals and the general public, spreading ideas in favour of the separation between Church and state and the approval of divorce and civil marriage laws. For this reason, the publication was confiscated and sanctioned for attacking the indissolubility of marriage and for contradicting the principle that Catholicism should inspire Spanish laws.⁴⁵ The same happened to the weekly leftist magazine *Triunfo* in 1971 for a special issue on marriage that, among other things, also supported divorce. The publication was fined and suspended for four months for offending morality.⁴⁶

Progressive Catholic Intellectuals and Divorce in the Early 1970s

It is in the context described above that some Catholic priests and intellectuals started to address the issues of marital separation, the ecclesiastical justice system and divorce. One of them was Antonio Aradillas, former adviser of the women's section of Catholic Action and a well-known journalist. In 1974, he published a book in which he denounced the obstacles and costs that had to be endured by those who came to the ecclesiastical justice system to obtain an annulment or a separation. Given the authority of the Church in marital matters, people had to go to ecclesiastical courts to be considered for a legal separation.⁴⁷ However, this was a long, complicated, and expensive process that could extend for a decade without people finally achieving their wish of being free from unhappy or abusive marriages. For some, this encounter with the religious judicial process was a source of distress that made them aware of the Church's lack of empathy for individual suffering.⁴⁸ Aradillas's book reproduced personal cases showing the desperate situation in which many women and men found themselves. This raised awareness of the unnecessary and unjust grief that was undergone because of unfortunate marital choices, aggravated by the lack of compassion from ecclesiastical courts.

While the author did not draw much attention to gender differences, it should be made clear that by no means did women and men have to confront the same obstacles. In addition to the social stigma faced by separated women, marital and labour laws were discriminatory against women, making it more difficult for them to escape abusive relationships.⁴⁹ Aradillas did, however, put more care into acknowledging the gap between the rich and the poor. While the former were able to pay large amounts of money to accelerate the process, the working class had to fall into debt to meet the

⁴¹ *Mundo Cristiano*, June 1965, 5.

⁴² Martín Gaité, *Usos amorosos*, 15.

⁴³ Monche Ramos, 'Cuando la separación o la nulidad se imponen', *El Hogar y la Moda*, 15 Apr. 1975.

⁴⁴ 'Divorcio sí o no', *Diario Femenino*, 24 Nov. 1968.

⁴⁵ ABC (Sevilla Edition), 2 July 1969, 34.

⁴⁶ *Triunfo*, 24 Apr. 1971; *Triunfo*, 3 July 1971, 3.

⁴⁷ Antonio Aradillas, *Proceso a los tribunales eclesiásticos* (Madrid: Sedmay, 1974).

⁴⁸ Charo Nogueira, *La mujer que dijo basta. La larga lucha por la igualdad y contra la violencia de género en España (1970–2017). Memorias de Ana María Pérez del Campo Noriega* (Libros.com, 2018).

⁴⁹ *Ibid.*; Ruiz Franco, *¿Eternas menores?*

costs. By reproducing people's testimonies, Aradillas decried the intransigence of the jurists, who applied laws rigidly without showing any evidence of sympathy for family problems.

The Archbishop of Madrid-Alcalá made attempts to censor Aradillas's book, which had been published without ecclesiastical permission. However, this did not prevent the book from being a success.⁵⁰ Neither did it discourage the author, who soon released many more publications on the subject.⁵¹ Aradillas continued to publicise dramatic stories of couples for whom love was over and who rightly sought a separation but encountered obstacles imposed by ecclesiastical courts. In this way, his books advocated love as the real meaning of marriage, affirming the need to defend the rights and dignity of the person above the institution of marriage. Therefore, Aradillas claimed that only a couple that formed a true community of feelings could be considered a real marriage. It was love, not the signing of a contract, that legitimised the bond.

Moreover, he found the support of another widely famous Catholic theologian, Enrique Miret Magdalena, who wrote the preface of one of Aradillas' books.⁵² For him, a marriage without love ceased to be valid.⁵³ Both Miret Magdalena and Aradillas defended a more compassionate solution to the dramas of many people trapped in ill-fated marriages. They also reported the situation of countless couples that formed after a separation. These were considered illegal and their children illegitimate, as they were forbidden to remarry. For the aforementioned authors, these relationships in which love genuinely reigned were more authentic marriages, despite being prohibited from legalising their union.⁵⁴ Aradillas and Miret Magdalena were similarly concerned about the loss of faith and the development of anti-clerical attitudes in those affected by the abuse of power, corruption and inhumanity of ecclesiastical jurists, who neither practised the Catholic values of mercy or forgiveness, nor were at the service of the poor.

Both authors defended the need to reform marital laws, beginning with a separation between Church and state. For them, this should manifest in a clear distinction between civil and religious marriage. The former would be compulsory for all citizens and would grant the right to divorce. By contrast, the religious rite would be optional for those who desired it but would be without any legal effects. This measure would relegate religious faith to the realm of the private. Marriage and divorce decisions had to be left entirely to state regulations and the independent judgement of individuals. Therefore, in the face of Francoist legality, these authors understood marriage as a civil institution that regulated relations between citizens, with the Church having no right to enforce them to comply with the precepts of the Catholic faith or to determine the legal status of marriage and divorce.⁵⁵

By the beginning of the 1970s, canonical marriage was obligatory for Catholics. It was only possible to obtain a civil marriage for those who declared not to profess the Catholic faith. Those who did not desire a religious ceremony needed to apostate and to communicate to the parish priest their abandonment of the Church. In practice, very few people did this, and everyone resorted to canonical marriage, not necessarily out of religious convictions but from cultural habits and social expectations. Aradillas and Miret Magdalena denounced this situation, claiming that only those who were truly convinced and informed should opt for a religious ceremony, preferably sometime after civil marriage and cohabitation. They reasoned that many people who had married in the Church did not recognise or believe in the sacramental condition of the marital bond. The fact that they were not allowed to divorce was thus an attack on the religious freedom accepted by Vatican II.⁵⁶

⁵⁰ General Administration Archive, Alcalá de Henares (AGA) (03)050 Box 73/04546; Ignacio Careaga, 'Denuncia pública en el libro "Proceso a los tribunales eclesiásticos"', *El País*, 29 June 1976.

⁵¹ Antonio Aradillas, *Matrimonios rotos* (Madrid: Sedmay, 1975); *Divorcio: el pueblo pregunta* (Madrid: MAM, 1981); *Divorcio 77* (Madrid: Sedmay, 1976); *Divorcio, recta final* (Barcelona: Ediciones Actuales, 1977).

⁵² Aradillas, *Matrimonios rotos*, 11–19.

⁵³ Ibid.; Enrique Miret Magdalena, 'El futuro del divorcio', *Triunfo*, 15 June 1974, 69.

⁵⁴ Aradillas, *Matrimonios rotos*; Julio Malvares, 'Adulterio entre divorciados, en España', *Triunfo*, 14 Dec. 1974, 55.

⁵⁵ Aradillas, *Matrimonios rotos*, 16–19; Enrique Miret Magdalena, '¿Matrimonio civil o matrimonio eclesiástico?', *Triunfo*, 24 Apr. 1971, 26–7. See also J. Ginesta et al., *¿Divorcio en España?* (Barcelona: Nova Terra, 1972).

⁵⁶ Aradillas, *Matrimonios rotos*, 16–19; Miret Magdalena, '¿Matrimonio civil o matrimonio eclesiástico?.'

Enrique Miret Magdalena was very popular for his writings in the leftist weekly magazine *Triunfo*, in which he disseminated a progressive theology that was influential among those who opposed the dictatorship. In this periodical, he defended the autonomy of civil laws from ecclesiastical power and even went so far as to doubt the need for a religious ceremony at all. For him, it was enough for the spouses to have faith to be truly married in the eyes of God, without any need for the intervention of a Church bureaucratic and hierarchical apparatus.⁵⁷ It was also not uncommon for him to resort to religious arguments to defend divorce, stating that in the history of religion there were examples of opinions tolerant of certain forms of divorce.⁵⁸

This theologian was not the only Catholic intellectual who delved into religion to find arguments to support divorce. Others proposed doctrinal redefinitions to make faith compatible with the modern experience of love. Like Miret Magdalena and others, priest Benjamín Forcano suggested the possibility of understanding the ‘non-consummation’ rule, which justified an annulment, from a broader perspective that included not only the absence of the physical act but also the lack of emotional fulfilment, regarded as the primary goal of marriage. This new conception encompassed the emotional dimension of marriage, achieved over a more extended period, not at the mere fleeting instant of the wedding night. For him, this opened up the possibility of accepting a full dissolution of a union that was not able to meet its emotional expectations:

This is another question that leaves today’s jurisprudence trembling, as they assume that every physically consummated marriage is absolutely indissoluble, even if the consummation happened for a single moment and without love.

Can a true sexual harmony be reduced to the simple and exclusive [...] carnal union? Can a marriage be, only because of this fact, irrevocable?

If by consummation, we mean ‘completeness’ and the mutual enrichment of the spouses, such consummation requires more from them [...], it requires understanding, knowledge, esteem, affection, balance, psychological and spiritual adaptation, all of which cannot be done in an instant [...].

Therefore, if the Church can dissolve a marriage as long as it has not been consummated – physically – what would happen [...] if we were to approach dissolution from this broader concept of consummation?⁵⁹

Forcano used a similar argument with impotence, which was also grounds for annulment. ‘An impotent marriage can be dissolved. Nevertheless, is true impotence only carnal and physical?’ he wondered.⁶⁰ He thus implied that impotence could also be defined as the inability to perform emotionally. As Forcano explained, the absence of an affective union, something that he regarded as continuous day-to-day work to be developed in the long term, could qualify for an annulment, since the objectives of marriage had not been met. Similarly, another author played with the idea of the ‘death’ of the spouses as the only end for marriage. He wondered whether the ‘death’ of love could be another type of demise that could justify divorce:

So, if marriage [...] is love, community, understanding, affection, desire to have children, mutual help between husband and wife, contract, but one day all this disappears and, between the spouses, there is no desire to have children; nor love, but something that borders on hatred; nor understanding and help, but desire to not see the other spouse anymore, can it be said that *marriage* continues to exist, that this contract has not been broken? If marriage is dissolved by the physical death of one of

⁵⁷ Ibid.

⁵⁸ Enrique Miret Magdalena, ‘El divorcio en la Iglesia’, *Triunfo*, 1 June 1974, 55.

⁵⁹ Benjamín Forcano, ‘El sí y el no del divorcio’, *Índice*, 1–15 Jan. 1973, 19–27. See similar arguments in José Antonio del Cañizo, ‘Del divorcio y otros sabores agrios’, *El Ciervo*, Dec. 1975, 12–13; and Miret Magdalena, ‘El futuro del divorcio’.

⁶⁰ Forcano, ‘El sí y el no’; see also Miret Magdalena, ‘El futuro del divorcio’.

the spouses, can it be maintained that marriage exists when the formalities of the contract, the characteristics of the union, and the very essence of marriage have *died*, have definitively died?⁶¹

In this way, through resourceful readings of traditional dogmas, these authors aimed to broaden the criteria to have a canonical bond annulled based on the end or absence of love. In short, they argued in favour of divorce, not only for civil marriages but also for religious marriages.

Other liberal Catholic magazines such as *Vida Nueva* (New Life) also opposed the state's imposition of that which only belonged to the individual conscience and argued in favour of autonomy between civil and ecclesiastical marriage.⁶² The same can be said for *El Ciervo* (The Deer). Different articles published at the beginning of the 1970s conveyed an attitude in favour of people's right to rebuild their lives after a failed marriage.⁶³ Based on the acceptance of religious freedom and plurality, this periodical contended that the dogma of indissolubility should not be forced on those who did not believe in it. It also claimed that this rule was only incorporated into the Catholic creed at a late historical stage but had not existed in the early writings of Christianity.⁶⁴ The magazine even provided biblical passages to prove the naturalness with which separations were accepted – in the form of repudiations – at some points in early Christianity. Such evidence, reinterpreted in the context of contemporary concerns, served to support a divorce law.

The claim for a separation between civil and ecclesiastical law was, in fact, a vital issue to the authors who argued for renewal in marriage theology. They thus opposed the confusion between Church and state typical of National-Catholic Spain. They called attention to the fact that many only opted for an ecclesiastical bond out of habit, without genuinely and consciously acknowledging the sacramental character of marriage. In so doing, they admitted that there were people in Spain who did not believe in the Catholic faith or the indissolubility dogma, and that they were entitled to do so without being judged or condemned for their decisions.⁶⁵ They also thought that neither the state nor the Church had the right to dictate public morality, because that belonged only to individual conscience.⁶⁶ Consequently, these authors abandoned the identification between Catholicism and the Spanish nation that was paramount to Francoist politics. Criticism of the ecclesiastical courts, as well as the defence of civil marriage and divorce, thus became a manifestation of the religious dissent and disengagement from Franco's dictatorship.⁶⁷

However, these authors also expressed fear of the growing crisis of faith in Spanish society. In fact, surveys and sociological studies of the time showed growing percentages of acceptance of divorce, as well as a correlation between liberal attitudes towards marriage and decreasing religious belief and practice.⁶⁸ That is why some theologians and priests advocated less rigid approaches to the Church's teachings and sought ways to reflect on the meaning of religion in a secularised world. One of these avenues was to make faith compatible with modern understandings of love. The same could be said for sexuality. In fact, many of these intellectuals were among those who were also in favour of birth control. Moreover, they regretted Paul VI's *Humanae Vitae* for its refusal to acknowledge modern experiences of sexuality as a way of fostering love, not as a mere instrument of procreation.⁶⁹

⁶¹ Pedro Pascual, 'El divorcio. Una pregunta no respondida', *Índice*, 1–15 Jan. 1971, 4–6.

⁶² M. Gómez Ortiz, 'Matrimonio civil y religioso, dos realidades separables', *Vida Nueva*, 13 Feb. 1971, 32–3.

⁶³ José Antonio del Cañizo, 'Del divorcio y otros sabores agrios'; Equipo Il Gallo Genova, 'Por qué muchos católicos votaron no: Referéndum sobre el divorcio en Italia', *El Ciervo*, May 1974, 10; Martín Anglada, 'Tratamiento legal del matrimonio enfermo', *El Ciervo*, Oct. 1975, 8–11.

⁶⁴ Equipo Il Gallo Genova, 'Por qué muchos católicos votaron no'.

⁶⁵ Pedro Pascual, 'Urgente separación', *Índice*, 1–15 Nov. 1970, 7–13.

⁶⁶ Enrique Miret Magdalena, 'Divorcio a la italiana', *Triunfo*, 25 May 1974, 73.

⁶⁷ Montero, *La Iglesia: De la colaboración a la disidencia*; Ortiz Heras and González, *De la cruzada al desenganche*.

⁶⁸ Fundación FOESSA, *Estudios sociológicos sobre la situación social de España 1975* (Madrid: Euramérica, 1976), 395–9; Aradillas, *Matrimonios rotos*, 16–19.

⁶⁹ García-Fernández, 'Sexualidad y religión en el tardofranquismo'.

Conclusions

Contrary to those who continued to regard divorce as an attack on morality, some Catholic personalities sought new interpretations of religion to reconcile faith with modern sensibilities. They accepted the inevitability of secularisation and opposed excessive bureaucratisation of religion but simultaneously feared society's growing loss of faith. Therefore, they struggled to make religion more accessible to worldly concerns. In an attempt for Catholicism to be meaningful in a secularised world, these intellectuals delved into religion to support divorce by redefining concepts that up until then had served to uphold the exact opposite.

They criticised the rigidity of ecclesiastical courts, supporting more humane and flexible management of marital separations. In so doing, they drew attention to the unnecessary agony suffered by those caught in unhappy or abusive relationships. Accordingly, they now valued the dignity of the individual above institutions and the superiority of love over external coercion. This discourse was accompanied by a defence of a clear separation between religious and civil marriage. These authors denied the legal effects of the former while arguing that the latter had to guarantee the right to divorce. Some went further and began to seek arguments that would also justify canonical divorce, since the majority of the Spanish population were married by the Catholic rite. They did so confident that love was the *raison d'être* of marriage, so if it was lacking, the union could be declared non-existent and annulled. This perception of love as the primary purpose of marriage contrasted with early Francoist discourses on marriage. Following *Casti Connubii*, Catholics had then distrusted romantic love as a selfish motivation that sought personal happiness above the interests of the Church and the homeland.

In this paper, I have argued that this new Catholic emotional regime involved a critique of National Catholicism. Therefore, it was a sign of rising democratic sensibilities among the Catholic community. I believe, therefore, that emotions should be taken seriously as a relevant factor in the study of the crisis of the National-Catholic ideology that underpinned the dictatorship. We should bear in mind that the Francoist state had taken the mission of Christianising Spain. It based its legitimacy on the fusion of the state, the Church and the nation. Emotional standards that promoted sacrifice and the denial of one's desires in favour of the higher interests of the nation were thus symbolic elements that made sense in the context of an authoritarian dictatorship.

However, after the Second Vatican Council, part of the Catholic Church distanced itself from the dictatorship and argued for democracy, a trajectory of religious dissent that is well documented.⁷⁰ This paper claims that the defence of divorce was an expression of this process.⁷¹ Catholics in favour of divorce advocated the need to establish a secular state that recognised freedom of conscience. They also criticised ecclesiastical authoritarianism and lack of empathy, and even the Church's excessive bureaucratism. They admitted that being Spanish and being Catholic did not necessarily have to coincide because faith, as well as love, were private experiences and matters of individual freedom. They considered that the state should not impose a single morality nor become the guardian of the Catholic faith.

Thus, these issues related to love are not only about personal subjective experiences but can also have crucial political significance. Just as the ideals of self-sacrifice made sense in the context of National Catholicism, romantic love signalled its crisis and the emergence of democratic sensibilities. However, although these progressive Catholic intellectuals were influential authors, they represented a small proportion of Church authorities, who remained predominantly conservative. Even so, the liberal Catholic discourse was not isolated from its historical circumstances. Nor was the Catholic emotional regime just another set of rules, but one that enjoyed a privileged status within Spanish society, culture and institutions.

⁷⁰ Montero, *La Iglesia: De la colaboración a la disidencia*; Ortiz Heras and González, *De la cruzada al desencanche*.

⁷¹ A similar argument can be made for shifting Catholic attitudes towards sexuality; see García-Fernández, 'Sexualidad y religión en el tardofranquismo'.

New Catholic standards about love followed broader shifts in emotional values and were intended to acknowledge and adapt to the cultural trends of the time. These trends were signalled by the onset of consumer culture and the so-called ‘sexual revolution’, as well as by society’s growing acceptance of divorce. Spanish media increasingly discussed society’s demands to freely express individual desires. Birth control, sexual relationships or cohabitation outside of marriage, and divorce were supported based on the superiority of love against traditional pressures. These discourses were thus an expression of a change of subjectivity, one that valued freedom, self-realisation and authenticity. This narrative entailed the vindication of the freedom to love, following internal dictation, against any external oppression imposed by the community, the state, or the Church. This was a train of thought that potentially was incompatible with authoritarianism, dictatorship and National Catholicism.

However, a divorce law was not approved in Spain until 1981. Then, it was the result of an intense feminist struggle that flourished after Franco’s death, making divorce one of its primary goals. As historian Mercedes Arbaiza points out, feminism came to politicise unfulfilled expectations of romantic love, which failed to deliver the happiness that it promised. In this way, feminism provided new frameworks of intelligibility for women’s emotional suffering and disappointment.⁷² While I did not want to finish without acknowledging the importance of feminism in the quest for marital equality in Spain, this is an issue to explore in a different article. The central argument of this paper pertains to the Catholic emotional regime and how romantic love ideals provided a framework for progressive Spanish Catholics to oppose National Catholicism and the authoritarian religious politics that were central to the Franco regime. This illustrates how paying attention to emotions can enrich our understanding of the cultural and symbolic elements that are behind historical developments.

Acknowledgements. My research is funded by the University of the Basque Country, thanks to a postdoctoral fellowship for the specialisation of PhD research staff. It is part of the research project ‘Gender Disorder in Contemporary Spain. Femininities and Masculinities’ (PID2020-114602GB-I00), funded by MINECO and ERDF, and the Consolidated Research Group of the Basque Government, IT 1312-19 (OTRI code, GIC18/52).

⁷² Mercedes Arbaiza, ‘Dones en transició: el feminismo como acontecimiento emocional’, in Teresa María Ortega López, et al., eds., *Mujeres, dones, mulleres, emakumeak. Estudios sobre la historia de las mujeres y del género* (Barcelona: Càtedra, 2019), 267–86.