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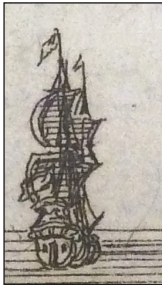


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Edmund A. Walsh S.J. and the Settlement of the Religious Question in Mexico¹

Marisa Patulli Trythall*

Edmund Aloysius Walsh S.J.,² American educator-diplomat-priest and founder of Georgetown University's prestigious School of Foreign Service in Washington D.C., was sent on three diplomatic missions by Pope Pius XI. The first, to direct the Papal Relief Mission to Russia, was conferred upon him shortly after Pius XI's investiture on February 6, 1922. The second, to facilitate a solution to the church-state conflict which had generated the Cristero Rebellion in Mexico, was conferred in June of 1928. The final, to ascertain the advisability of opening an American Jesuit led educational institution in Baghdad, was conferred in July of 1930. The missions to Russia and Mexico placed Walsh on the front lines of two of the three countries which Pius XI was later to identify as the "terrible triangle": Russia, Mexico and Spain – so termed because of their fierce persecution of the Catholic Church.³

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1 This article was drawn from a lecture given by the author at Georgetown University during her residency as Visiting Researcher, 2008-2009.

2 Edmund Aloysius Walsh, * 10.X.1885, Boston (USA); S.J. 14.VIII.1902, Maryland Province; † 31.X.1956, Washington DC (USA). Rufo Mendizábal S.J., *Catalogus Defunctorum in renata Societate Iesu ab. a. 1814 ad a. 1970*, Roma 1972 p. 494.

3 The triangle was denounced in Pius XI's encyclical "Divini redemptoris", issued March 19, 1937.

The Russian mission occupied Walsh for almost two years and saw him functioning not only as the head of an extensive relief organization, but also as the papal representative to Bolshevik Russia during a period of particularly bitter church-state confrontations which included the Soviet show trial of Archbishop Jan Cieplak with its disastrous consequences upon the Soviet Catholic Church. The Mexican mission lasted two months (though it had been in preparation for a year) and saw Walsh playing a key, behind-the-scenes role in securing a *modus vivendi* which permitted the Catholic Church to retake its spiritual life in Mexico after a three year suspension of public rites.

Though Mexico in 1929 was hardly Bolshevik Russia in 1921, it did have an extremely anti-clerical constitution written in 1917 which, at its best – when the religious statutes were simply ignored – let the Church barely survive. When, on the other hand, the government was persecuting the Church by enforcing those religious statutes – as President Plutarco Elias Calles' government did from 1926 to 1929 – it could be just as ferocious, and just as deadly as the Bolsheviks. To a degree, this ferocity was tempered by the presence of the U.S. giant to the north, but there was a considerable reticence on the U.S. part to interfere in what was deemed to be a purely domestic issue. Father Walsh, of course, saw the parallels between the two situations and, in the biography which accompanies his article, "The Challenge to Religion in a Changing World" succinctly describes his involvement with them by saying that he "has represented Catholic interests before the Mexican and Soviet governments."⁴

The Church-State Confrontation in Mexico, 1926

The Mexican church-state situation, which had been conflictual but relatively dormant since the institution of the Constitution in 1917, changed with the election of President Calles. Calles took office in December of 1924 and the situation began deteriorating in the Fall of 1925. During the following winter a number of Mexican states adopted anti-clerical measures – specifying that priests must be married

4 Edmund A. Walsh, The Challenge to Religion in a Changing World, in: Annals of the American Academy of Political and Social Science, 180/1935, p. 191.

or, in many cases, limiting their numbers.⁵ In reaction to such clearly punitive measures, the Archbishop of Mexico, Federal District, José Mora y del Rio, stated once more the Church's objection to certain sections of the Constitution in an interview published in *El Universal* on February 4, 1926, which declared: "The Episcopacy, the priests and Catholics do not recognize – and we will combat – Articles 3, 5, 27, and 130 of the present Constitution. We cannot change this attitude or for any reason vary it without being traitors to our faith and to our religion."⁶

This forceful public statement by Archbishop Mora, who was also the President of the Mexican Bishops' Committee, directly conflicted with Article 130 of Mexico's Constitution which declared, among other points, that: "Ministers of denominations may never, in a public or private meeting constituting an assembly, or in acts of worship or religious propaganda, criticize the fundamental laws of the country or the authorities of the Government, specifically or generally."

The two positions were, of course, irreconcilable and the Mexican revolutionary government reacted forcefully. It was, in fact, simultaneously besieged by a number of economic and political problems including a substantial loss in revenues from petroleum exports⁷ and a conflict with U.S. oilmen and land owners whose own vested interests in Mexico were threatened by provisions of the Mexican Constitution.⁸ Observing the Constitution's anti-clerical provisions to the letter,⁹ the government expelled 185 foreign born priests and

5 Douglas Slawson, The National Catholic Welfare Conference and the Church-State Conflict in Mexico, 1925-1929, in: *The Americas*, 47/1990, p. 71.

6 Walter Lippmann, Church and State in Mexico. *The American Mediation*, in: *Foreign Affairs*, 8/1930, p. 190.

7 "In 1921 Mexico accounted for 25 percent of the world's output of petroleum... By 1930 output was only 20 percent of what it had been in 1921..." Stephen Haber, Noel Maurer, Armando Razo, *When the Law Does Not Matter. The Rise and Decline of the Mexican Oil Industry*, in: *The Journal of Economic History*, 63/2003, p. 1.

8 Stephen D. Bodayla, Bankers Versus Diplomats. *The Debate Over Mexican Insolvency*, in: *Journal of Interamerican Studies and World Affairs*, 24/1982, p. 463.

9 These articles forbade church conduct of primary education, the existence of monastic orders and religious acts of a public nature outside of the church. They confirmed the nationalization of all church property and disqualified religious organizations from owning real estate. Article 130 denied juridical recognition to churches, subjected ministers (and numbers thereof) to civil control, required that ministers be native born Mexicans, forbade comment upon political

closed 73 Catholic convents.¹⁰ Religious schools, both Catholic and Protestant, were also closed.¹¹ Finally, President Calles issued a presidential decree, *Ley Calles*, on June 21, 1926, which enabled the enforcement of the Constitution's anti-Church statutes by specifying fines and jail sentences for cases of disobedience.¹²

The Mexican Catholic Bishops' Committee reacted to this situation, particularly to the required registration of priests by civil authorities, deemed as undermining the Church's authority to select its own clergy,¹³ by suspending public religious functions throughout Mexico as of July 31, 1926 – the day in which the government laws became effective.¹⁴ This stand-off between the Church and the State, which deprived the Mexican faithful of Catholic rites for almost three years, soon led to a popular uprising which came to be known as the Cristero Rebellion – a bloody civil war which pitted ill-trained and poorly armed populist forces against the government's professional and, frequently, extremely brutal army. Notwithstanding these odds, however, this war caused considerable damage to the state and was still in progress three years later while negotiations to conclude it – and to begin public worship once more – were being carried out in Mexico City. Essentially there were 3 factions within the Catholic community: the Cristeros themselves who wished to continue the war, the *radical* clergy who were sympathetic to the war and concerned that an agreement (*Arreglos*, literally arrangements) with the State would be deemed a betrayal of the Cristero movement (and, for that matter, convinced that no agreement would be honored by the government), and

events in religious periodicals or within church functions and deprived ministers of the right to vote.

10 Lippmann, *Church and State* (n. 6), p. 190.

11 Edward J. Berbusse S.J., *The Unofficial Intervention of the United States in Mexico's Religious Crisis, 1926-1930*, in: *The Americas*, 23/1966, p. 33.

12 Lippmann, *Church and State* (n. 6), p. 191.

13 Like the Bolsheviks, the revolutionary government had founded its own national church in February of 1925, the "Iglesia Católica Apostólica Mexicana," clearly indicating its intent on destroying the Roman Catholic Church in Mexico. Under these circumstances, the fear was that Mexican civil authorities might refuse registration to priests who were so designated by the bishops and/or might register others as priests who had not been so designated by the bishops – effectively eliminating the Church's control of their own clergy.

14 Lippmann, *Church and State* (n. 6), p. 191.

the *conservative* clergy, identified more closely with Rome, who felt that an accommodation with the revolutionary state was the only way to further the long range interests of the Church.¹⁵

The Church-State Negotiations, 1926

Initiatives to conclude this situation were numerous and constant throughout the three-year period. The first direct negotiations between the Church and State took place on August 21, 1926 – only 3 weeks after the implementation of the *Ley Calles* and the suspension of Catholic rites. The Church was represented by Leopoldo Ruiz y Flores, Archbishop of Michoacán¹⁶ and Pascual Díaz y Barreto S.J., Bishop of Tabasco¹⁷ – the same two bishops who would ultimately conclude the *Arreglos* on June 21, 1929. Though he was Mexican born, Archbishop Ruiz, the vice president of the Mexican Bishops' Committee, was perceived as a *Roman* prelate who was a strong proponent of non-violence and of compromise in the face of the state's persecution.¹⁸ Bishop Pascual Díaz, a full-blooded Indio who was secretary of the Mexican Episcopate and would be forced into exile in the following year because the Mexican government considered him to be "the intellectual force back of an alleged religious revolutionary movement,"¹⁹ was, nevertheless, also compromise oriented.²⁰ He maintained strong relationships with the *radical* portion of the Mexican clergy which had supported suspending public rites and which would soon support the Cristero Rebellion. Later, in the summer of 1928, he would ask Edmund Walsh S.J. to personally carry a memorandum outlining the evolving radical viewpoint directly to Pius XI thereby setting in motion

15 Berbusse, Unofficial Intervention (n. 11), p. 54.

16 Leopoldo Ruiz y Flores, * 13.XI.1865 Arnealco, Querétaro (Mexico), † 12.XII. 1941, Morelia (Mexico). New Catholic Encyclopedia, II. ed., Gale 2003, pp. 408-409.

17 Pascual Díaz y Barreto, * 22.VI.1876 Zapopan (Mexico), S.J. 9.X.1903 Mexico; † 19.V.1936 Mexico. Mendizábal, Catalogus (n. 2), p. 362.

18 Mathew Butler, Popular Piety and Political Identity in Mexico. Cristero Rebellion, Michoacán 1927-29, Oxford 2004, p. 147.

19 Bishop Díaz Lands Here, Exiled by Calles. Scores Reds, in: The Brooklyn Daily Eagle, 1 Feb. 1927.

20 Peter I. Reich, The Mexican Catholic Church and Constitutional Change since 1929, in: The Historian, 60/ 1997, p. 80.

the events which ultimately culminated with the *Arreglos* in 1929.²¹ During this initial negotiation with President Calles, the bishops affirmed their loyalty to the Mexican government and, as a premise for restarting religious rites, asked only that Calles would publicly clarify the government's policy regarding the registration of priests.²²

The State was represented by President Plutarco Calles – the man who was President of Mexico from 1924 to 1928, who had promulgated the *Ley Calles*, who would later conclude the *Arreglos* through his hand picked successor, President Portes Gil, and who would remain the political power behind the scenes well into the 1930s. In the course of the meeting, Calles expressed his enormous distrust of the clergy, his disgust for its allegiance to a foreign power, and his firm conviction that the Church was the enemy of the Mexican revolution. Nevertheless, after the meeting had concluded without an agreement, the bishops were approached by Eduardo Mestre, a lawyer, Catholic, member of the government and friend of both Calles and General Álvaro Obregón (President of Mexico from 1920 to 1924), saying that Calles would release a text declaring that the registration of priests was purely an administrative act, devoid of any intent to interfere in Church matters, and that he hoped the bishops would resume public worship. This text was published in *El Universal* on August 22, 1926, along with an appreciative note from the bishops who thought they had reached an understanding with Calles. Unfortunately an interview with Calles appeared in the same paper on the following day and, for whatever reasons, misquote, misunderstanding or change of mind,²³ it appeared to the bishops that President Calles had repudiated the agreement they believed had been reached.²⁴ The Bishops' Committee consequently interrupted further negotiations and the matter – which would soon degenerate into

21 Georgetown University Library Washington, D.C., Special Collections Research Center, Box 6 Folder 399, Edmund A. Walsh Papers, Memorandum sobre las bases de un posible arreglo de la cuestión religiosa.

22 Jean A. Meyer, *La Cristiada*, vol. 2. *El conflicto entre la iglesia y el estado 1926-1929*, Mexico City, 2005, pp. 293-294.

23 Eduardo Mestre maintained that the reporter of *El Universal* was responsible for Calles' change of opinion. Meyer, *La Cristiada* (n. 22), p. 305.

24 Lippmann, *Church and State* (n. 6), p. 192.

a bloody civil war and cause considerable suffering to both parties – was left unresolved.

Ironically, when the *Arreglos* was finally signed three years later, the actual agreement, though articulated in far greater detail (both the written and unwritten parts of the agreement) and prepared with far greater attention to legal points, was, essentially, built on the same foundation – a declaration of loyalty and patriotic support by the bishops and a declaration of the government's intent not to interfere in prerogatives which were properly those of the Church. In reality, this core agreement – essentially, a *modus vivendi* – was the only solution possible between two irreconcilable forces inextricably bound together within the hearts of a people who were, apparently, as fond of the spiritual consolation provided by the Catholic Church as they were of the individual liberties and equal opportunities guaranteed by the revolutionary State. Yet limited as this *modus vivendi* was, achieving it proved to be extremely elusive.

What was to change gradually over the next three years, then, was not so much the substance of this agreement, but rather the context – political, economic and historical – within which it functioned. The next negotiations would take place in the spring of 1928. In the meantime the Cristero Rebellion had broken out and, rather than being subdued in three short weeks – as his Secretary of War, Joaquin Amaro, had confidently assured President Calles in the summer of 1926²⁵ – the civil war was, instead, entering its second full year. At the same time, political relations with the United States had deteriorated considerably. By early 1927, the fear of war was strong in both countries.²⁶ There was, in fact, an insistent demand for military intervention by U.S. interests invested in Mexican oil fields or in Mexican land who felt that the recent changes in the laws effected by the revolutionary government had jeopardized their investments.²⁷

25 Jean Meyer, La Cristiada. Mexico 1926-1929, in: Revista Criterio, 2349/2009, (www.revista-criterio.ar).

26 Robert Freeman Smith, The Morrow Mission and the International Committee of Bankers on Mexico. The Interaction of Finance Diplomacy and The New Mexican Elite, in: Journal of Latin American Studies, 2/1969, p. 155.

27 Smith, Morrow Mission (n. 26), p. 150-151.

A Change in Mexican-American Relations:**Dwight Whitney Morrow**

There was someone on the scene, however, who would prove instrumental in defusing this explosive situation: the American lawyer, banker and partner in the JP Morgan banking concern, Dwight Whitney Morrow. Morrow, in fact, knew Mexico's financial situation from the inside out. He had worked on the Mexican financial question (in which the JP Morgan Investment Bank was heavily involved) since 1926 and, during the first half of 1927, he had met regularly with influential Mexicans to discuss Mexican economic problems and their possible solutions.²⁸ He was, therefore, well known to the Mexican financial establishment and well versed in the economic problems facing the Mexican revolutionary government. He was also, as an investment banker, dedicated to peaceful economic development – both for the rewards this brings at home and for the profit this meant for international investors. He had, in fact, visited his friend and schoolmate, President Calvin Coolidge, several times in late 1926 and early 1927 in order to convince the president that only a peaceful solution to the Mexican problem would protect the U.S. investors.²⁹ This background in Mexican finance was to stand Morrow – and Mexico – in good stead when President Coolidge decided to appoint Dwight Whitney Morrow as the new American ambassador to Mexico. Morrow's selection as ambassador would prove to be a turning point for many of the serious problems facing Mexico – both economic and religious.

Morrow took up his ambassadorial post on October 29, 1927, with Mexico deep in the midst of the Cristero Rebellion. Though the official U.S. Department of State position was for non-intervention in such domestic matters, there was substantial concern about the situation at all levels of the U.S. government – if for no other reason than the fact that American Catholics, voters all, had been extremely vocal in urging U.S. intervention against the Mexican persecution of the Church. Morrow realized that the religious strife within Mexico was crippling all other activities, including busi-

28 Smith, *Morrow Mission* (n. 26), p. 155.

29 Smith, *Morrow Mission* (n. 26), p. 157.

ness, and, under warm recommendations from President Coolidge³⁰ promoted and oversaw the contacts between the Mexican government and the representatives of the Church throughout his tenure in Mexico. His perseverance in this object was remarkable and, finally, decisive. He followed these talks closely and it was he who prepared the letters which were exchanged at the end of negotiations. Morrow's personal friendship with Mexican President Calles, established shortly following his arrival in Mexico and based partially, of course, on mutual financial concerns,³¹ permitted him to make suggestions regarding this delicate issue which, otherwise, might well have been impossible. Most certainly Morrow's success in suggesting a solution to the long-standing oil question which had bedeviled U.S.-Mexican relations for 10 years played an important role in preparing the way for the reopening of negotiations on the religious issue. Morrow discussed the oil problem with Calles shortly after arriving in Mexico and found Calles receptive to a solution which had been contemplated earlier in January of that year during the talks held at JP Morgan.³² This solution, under Calles' guidance, was rapidly implemented by the government's judicial and legislative branches leading to a complete resolution of the oil controversy, announced by the State Department in the following March. This successful conclusion of a vexing problem had:

"... at least two immensely important consequences in the religious conflict. It convinced both President Calles and all but the most unintelligent of his opponents that American intervention need no longer be considered. This relieved the Mexican Government of its greatest fear, and therefore, of the greatest motive to violent action. It also compelled the opponents of the regime, both lay and clerical, gradually to face the fact that they could not count on outside assistance in carrying on rebellion against the government. The removal

30 Archivio Segreto Vaticano, Sacra Congregazione degli Affari Ecclesiastici Straordinari, Messico, 1928-1929, Pos. 521, Fasc. 229, Prot. 306/28, Mons. Fumasoni-Biondi Letter to Cardinal Gasparri, 12 Jan. 1928, p. 2.

31 Archivio Segreto (n. 30), Fumasoni-Biondi, Letter to Gasparri, 12 Jan. 1928, p. 3.

32 Smith, Morrow Mission (n. 26), p. 155.

of the interventionist threat cut the ground from under the intransigents in both camps.”³³

The Church-State Negotiations, 1928: Burke/Calles Letters

The second attempt at negotiating the church-state conflict, then, occurred at a favorable moment in which the newly arrived ambassador had won the complete confidence of the Mexican government and could, therefore, act as a respected and impartial mediator in this delicate question. For Morrow, an *Arreglos* was both a just cause and a vital part of his program to put Mexico on sound economic footing. The *Sterrett-Davis Report*, an independent analysis of Mexico’s financial situation which had been compiled in the spring of 1928 at Morrow’s suggestion (and with Mexico’s complete collaboration), commented upon Mexico’s church-state confrontation by observing that this situation tended to “unsettle confidence, reduce productivity, and make for unrest” with a consequent loss of revenue for the state.³⁴ There were, therefore, sound economic reasons to address this problem.

The second negotiations were carried out for the Church by an American, Father John J. Burke CSP, general secretary of the American National Catholic Welfare Conference. Father Burke had already begun his considerable services in support of the Mexican Church in 1925 – when the Mexican crisis first began.³⁵ He had been in contact with members of the U.S. State Department on various occasions and, in October of 1927, he met with Dwight Morrow, who was preparing to take up his ambassadorial post in Mexico, to urge Morrow to intercede with Calles regarding a religious settlement.³⁶ Later Burke was selected by the apostolic delegate in Washington, Bishop Pietro Fumasoni-Biondi (also serving as the apostolic delegate to Mexico), to be the Church’s representative (acting informally “and without authority”)³⁷ in the church-state negotiations arranged by Morrow with President Calles in

33 Lippmann, *Church and State* (n. 6), pp. 200-201.

34 Bodayla, *Bankers Versus Diplomats* (n. 8), pp. 465-466.

35 Slawson, *National Catholic Welfare Conference* (n. 5), p. 60.

36 Slawson, *National Catholic Welfare Conference* (n. 5), p. 71.

37 Slawson, *National Catholic Welfare Conference* (n. 5), p. 77.

the spring of 1928. During this round of negotiations, Father Burke (with his collaborator, William Frederick Montavon), had two face-to-face meetings with President Calles. The first of these meetings, held on April 4, 1928, yielded an official exchange of letters (the Burke/Calles exchange) which would serve as the general basis for the final set of letters exchanged a year later between President Emilio Portes Gil and Archbishop Ruiz. This Burke/Calles letter exchange is similar to the *modus vivendi* which had been proposed in August 21, 1926, but the settlement terms are outlined in greater detail. The letters themselves were written by Morrow – most likely, with the help of his assistant George Rublee.³⁸

The second meeting held on May 17, 1928, also included the Mexican Archbishop Leopoldo Ruiz y Flores (who, in the meantime, had been exiled to the United States) and produced a second set of letters – identical to the first with the addition of a statement saying that the government respected all religious beliefs. These were transmitted to the Vatican for papal approval.³⁹ Morrow had strong hopes that this letter exchange would constitute the final settlement, but, as it turned out, there was a delay in the Vatican's response. Fumasoni-Biondi sent Archbishop Ruiz to Rome to discuss the negotiations and the initiative gradually evaporated in the ensuing events which included the assassination of the recently elected president, Álvaro Obregón. A few months later, on November 21, 1928, the apostolic delegate gave Rev. Burke a memorandum from Rome which specified that:

“The Holy See is not disposed to permit the resumption of worship unless and until the Mexican Government offers more reasonable conditions than those expressed in the letter of President Calles to Dr. Burke” and that “Promises of safe return of the Mexican bishops and eventual discussion of legislative changes should be given over the signature of the Mexican Government...”⁴⁰

38 Marc Eric McClure, *Earnest Endeavors. The Life and Public Work of George Rublee*, Westport 2003, p. 189.

39 Lippmann, *Church and State* (n. 6), pp. 201-202.

40 L. Ethan Ellis, *Dwight Morrow and the Church-State Controversy in Mexico*, in: *The Hispanic American Historical Review*, 38/1958, p. 496.

So ended the second round of negotiations. Concurrently, however, a new initiative was developing. This involved Father Walsh and would effectively eliminate Father Burke's participation in the final negotiations. When Father Walsh actively entered the negotiation process (May 1, 1929) under the Pope's direct instructions as an observer and liaison, Ambassador Morrow identified Walsh as a representative of the "so-called radical element" as opposed to Father Burke whom Morrow identified with the "conservative faction" and with whom Morrow would have, in fact, preferred to continue handling the negotiations.⁴¹

A New Plan for Peace: The Memorandum

Father Walsh's personal involvement with this mission began in the spring of 1928 when he was contacted by Don Miguel Cruchaga y Tocornal, the former Chilean ambassador to the United States and at that time the president of the *Mixed Claims Commissions between Mexico and Germany and Mexico and Spain* which met in Mexico City.⁴² A devout Catholic and an internationally respected arbitrator, Cruchaga had, during his presence in Mexico City, been approached by an "influential member of the Mexican clergy"⁴³ and given a five page document entitled *Memorandum* containing suggestions for a possible settlement of the Mexican religious question. Cruchaga passed this *Memorandum* on to Father Walsh who, in turn, carried it to the Vatican in late May of 1928. Walsh also carried an accompanying letter of explanation provided by fellow Jesuit and temporary fellow Washington resident, Bishop Pascual Díaz. This information had been given Walsh the night of his embarkation and, at Díaz's request, Walsh had prepared the letter in French.⁴⁴ Walsh remained in Rome for the month of June discussing this initiative.⁴⁵

The five page, typewritten Memorandum, dated April 10, 1928, contained 3 sections entitled: "I. Historical observa-

41 Ellis, Dwight Morrow (n. 40), p. 501.

42 Berbusse, Unofficial Intervention (n. 11), p. 53.

43 Berbusse, Unofficial Intervention (n. 11), p. 53.

44 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport Spécial du P. Walsh au sujet du Mexique, p. 1.

45 Walsh resided at the Pontifical Oriental Institute in Rome from May 31 through July 2, 1928. Pontifical Oriental Institute in Rome, House Diary, 1926-1930.

tions concerning the religious conflict in Mexico; II. The futility of Catholic efforts to occupy public power in Mexico. The Church can live under the liberal Government based on a cordial and friendly understanding; III. Three possible solutions to the current religious conflict.”⁴⁶

Section one traced the history of the church-state conflict in detail. Section two, after analyzing the actual situation, stated that, given the failure of the United States to provide moral and/or material support to the rebellion, there was no possibility of that conflict succeeding against the government. The *Memorandum* then stated the belief that the government of General Obregón (the *Memorandum* assumes he will be elected as president in July of 1928), will not be able to pacify the country without previously securing an *Arreglos*. Consequently, in order to save the Mexican nation from imminent disaster, completely new negotiators should be found and talks should be urgently resumed – without intransigence or obstructionism – for the good of both the church and of the state. Section three outlined three theoretical solutions to the church-state conflict subdivided in the following categories:

1. Ultimate Solution - Complete reform of the Constitution's articles relating to the Church as suggested by the Mexican bishops in 1926. This solution is to be discarded due to the government's intransigence.
2. Medium Solution – Modification of the articles in the following form:
(Thereafter follows a detailed exposition of the changes necessary to correct each of the Articles. No comment, however, is offered as to how this alternative might be accepted by the government.)
3. Minimum Solution – The government promises not to apply the articles of the Constitution which relate to the Church and, upon this basis, permits the resumption of worship with ample liberty in the exercise of the priestly ministry and in the functioning of the Catholic school in the way it was before February 1926.

46 Archivio Segreto Vaticano, Sacra Congregazione degli Affari Ecclesiastici Straordinari, Messico, 1928-1929, Pos. 521 Fasc. 229 Prot. 1411/28, Anon., Memorandum, 10 IV. 1928, pp. 1-5.

The *Memorandum* then pointed out that this latter solution had been used to resolve the conflict over the enactment of the laws of 1857 and concluded by questioning whether something similar could not be obtained by extracting a formal promise in this sense from the government.⁴⁷

The Vatican, concerned that the previous years of negotiations carried out by Father Burke under the supervision of the apostolic delegate to the United States, Bishop Pietro Fumasoni-Biondi, had not as yet arrived at a solution which provided reasonable guarantees, examined this proposal, underwritten by Bishop Pascual Díaz, carefully.

In his report to the Jesuit Father General Włodzimierz Ledóchowski of October 10, 1929, Walsh explains:

“The group handling the Mexican situation in Washington for three years, had full and unquestioned control. They accomplished nothing definite except much public interest and helpful proposals. The solution finally offered by P. Burke more than a year ago was refused by the Holy Father because it did not contain sufficient public guarantees. This was pointed out to me by His Holiness [emphasis in original] himself.”⁴⁸

It was for this reason, then, that new initiatives were of particular interest to the Vatican. The *Memorandum* took pains to document the persecution which the Church had suffered, the subsequent formation of the *National League for the Defense of Religious Liberty* and pointed out that these paramilitary forces had been sanctioned by the Church itself. This preamble identified the document’s origins within the *radical* Mexican clergy and yet, the *Memorandum* went on to considerations regarding how a practical end to the church-state impasse might be effected – indicating that the writer, though in full sympathy with the Cristero cause, was not (or possibly – was no longer) an intransigent. The *Memorandum*, in fact, suggested a minimum solution which could be used to conclude the conflict. This solution, in essence,

47 Archivio Segreto Vaticano, Anon., Memorandum, (n. 46), p. 4.

48 ARSI, Prov. Mexicana 1407, Edmund A. Walsh, Letter to Włodzimierz Ledóchowski, 10 Oct. 1929.



Photo Georgetown University

From left to right: Edmund A. Walsh S.J., Archbishop Leopoldo Ruiz y Flores, Don Miguel Cruchaga y Tocornal during the negotiation period in Mexico.

would be that the government simply ceased to apply the anti-clerical articles of the Constitution thereby, as it were, turning the clock back to February 1926⁴⁹ – before the Archbishop of Mexico, Jose Mora y del Rio, spoke out renewing the Church's opposition to the anti-clerical articles. Though such a possibility would mean abandoning hope of any immediate change in the church-state relationship, it indicated the willingness of the radical clergy to contemplate settlement terms which proceeded in this direction – to find a *modus vivendi* which would bring peace and allow resumption of Catholic rites. Changes to the law could then be effected constitutionally – through the legal processes guaranteed by the constitution. It was, in effect, a signal that part of the radical side of the clergy now understood that, realistically, the Cristero Rebellion could not prevail. The Mexi-

49 Sister M. Elizabeth Ann Rice O.P., M.A., *The Diplomatic Relations Between the United States and Mexico, as Affected by the Struggle for Religious Liberty in Mexico, 1925-1929*, Ph.D. Dissertation, Catholic University of America, Washington D.C., 1959, p. 159.

can government would not change the Constitution and the U.S. government, which was clearly giving its full support to President Calles – particularly now that the troublesome oil dispute had been settled on terms acceptable to American oil interests would never give its support to the rebellion. Furthermore, as Father Walsh would point out in his summary of the *Arreglos* “otherwise there would have been danger of increase in losses without any means of combating the propaganda organized by the Protestants and the Y.M.C.A [Young Men’s Christian Association].”⁵⁰ In effect, President Calles, who was adamantly anti-Catholic, was of the opinion that each week without religious services would cost the Church approximately two per-cent of its congregation – an encouraging thought for a man who wished to use this opportunity to break the Roman Catholic Church’s hold on the Mexican people “for once and for all.”⁵¹

A New Plan for Peace: Bishop Díaz’s Letter to the Pope

Bishop Díaz’s letter to the Holy See which accompanied this *Memorandum* was of equal importance. It opened with a three point outline explaining the substantial impasse which faced the Mexican clergy. One: The opinion had spread throughout Mexico that the Pope himself had given his benediction to the armed insurrection and that indulgences would be bestowed on those who fought. Two: This impression had been re-enforced by the publication of a pastoral letter – authored by the Archbishop of Durango and published in Rome – which gave credence to this opinion.⁵² Three: As a consequence, the people – convinced that the Pope wanted an armed insurrection – had continued to revolt and the bishops had no possibility of seeking a peaceful solution since, in so doing, the people would be shocked, believing that the bishops were no

50 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique.

51 Meyer, *La Cristiada* (n. 22), p. 273.

52 “To our Catholic sons risen in arms for the defense of their social and religious rights ... Be tranquil in your consciences and receive our benedictions ... We have seen him [PiusXI] moved on hearing the story of your struggle, we have seen him bless your resistance, approve all your acts, and admire all your heroisms.” Archbishop Gonzales y Valencia of Durango, Pastoral Letter describing his meeting with Pope Pius XI, Rome, February 11, 1927. Published in: Lippmann, *Church and State* (n. 6), p. 197.

longer faithful to the Holy See.⁵³ In other words, the Church's ambiguous position over the past years needed to be clarified if there were to be any hope of a peaceful solution.

The second section of Bishop Díaz's letter, entitled *Possible Solution*, followed up on the *Memorandum*'s recommendation of appointing new negotiators by presenting his suggestion to utilize the services of Don Miguel Cruchaga, an unbiased negotiator respected by both the Church and the Mexican government, "a friend to both parties", to facilitate an immediate contact with President Calles "and resolve this question in an amicable way". At the same time, Díaz recommended that secret visits be paid to a large number of the Mexican clergy and bishops still living in Mexico to place the accompanying *Memorandum* in their hands so that they were informed of the reasoning behind "the line of conduct which has been judged necessary in the present impasse."⁵⁴ This latter aspect of the mission was, in fact, to fall to Father Walsh. The very real danger of such contacts during such an unsettled period in Mexico (numerous anti-clerical atrocities had occurred) can be estimated from Father General Ledóchowski's letter to Walsh of February 3, 1929. After counseling the utmost secrecy and care in contacting the Mexican clergymen – many of whom were wanted by the government – Ledóchowski tells Walsh that he will offer 100 masses for him.⁵⁵

Díaz's plan, of course, would have had the distinct advantage of by-passing the role which the U.S. government, through the personage of Ambassador Morrow, had come to play in the negotiations – a role which was viewed with extreme mistrust by many Mexicans – and of by-passing Burke whom many of the clergy felt had been "hoodwinked" during his negotiations with President Calles.⁵⁶

Additionally the plan was apparently intended to capitalize on the expected election (July 1, 1928) of General Álvaro Ob-

53 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport Spécial du P. Walsh au sujet du Mexique, p. 1.

54 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport Spécial du P. Walsh au sujet du Mexique.

55 ARSI, Włodzimierz Ledóchowski, Letter to Edmund Walsh, 3 Feb. 1929, Prov. Maryland, 1929 VII, p. 363.

56 Ellis, Dwight Morrow (n. 40), p. 497.

regón as the new President of Mexico. Obregón had undertaken negotiations with the Church hierarchy on previous occasions⁵⁷ and shown himself to be a moderate. Furthermore he was in contact with Bishop Díaz immediately before the July election. He sent a message to Díaz in Washington assuring him that all was proceeding satisfactorily.⁵⁸ This would explain, very likely, why Bishop Díaz had suggested that Don Cruchaga, once papal endorsement was secured, should make immediate contact with the Mexican government in the month of July. Settling the church-state issue as soon as possible, preferably before he actually took office on December 1, seems to have been a part of General Obregón's agenda.⁵⁹ From the government's point of view, such an agreement would delegitimize the Cristeros who, in their continuing belligerence, had succeeded in doing damage to the country's economy and the resulting armistice would, in turn, remove a vexing and costly problem from the government's agenda. Bishop Díaz, on the other hand, evidently believed that Obregón's election was an auspicious opportunity and that the Church should move swiftly to take advantage of Obregón's moderate position in its regard.

In response to Bishop Díaz's request, the Vatican instructed Walsh to work through Don Cruchaga with the Mexican government to adjust the church-state question along the lines indicated in the *Memorandum*.⁶⁰ Before Walsh left Rome, Pius XI clearly outlined the conditions he required in order to accept a settlement. These were enumerated by Walsh in his August 14, 1929, report reviewing his mission for the Vatican.⁶¹ When Walsh left Rome in the summer of 1928, then, he was well versed in the Vatican's terms for settlement and well aware of the considerable rift among the Mexican clergy which he was asked to bridge.⁶²

57 Meyer, *La Cristiada* (n. 22), p. 307.

58 Meyer, *La Cristiada* (n. 22), p. 328.

59 Berbusse, *Unofficial Intervention* (n. 11), p. 50.

60 Berbusse, *Unofficial Intervention* (n. 11), p. 53.

61 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport Spécial du P. Walsh au sujet du Mexique.

62 As to the practical matters of the mission, the Vatican specified that Walsh should travel to Mexico in his function as a professor of Georgetown University and, if asked about his presence there, should justify it with his activities as a University teacher and administrator. This

Events Delay and Alter the Vatican Plan

Father Walsh's mission with Don Cruchaga, however, though now sanctioned by the Pope himself, was not to take place as originally planned – neither as to timing (events in Mexico would cause a 10 month delay) nor as to protagonists. On July 17, in fact, Mexican President-elect, Álvaro Obregón, was assassinated. The months thereafter were turbulent, suspicions were high, and, given the atmosphere of mutual distrust between various political factions, not conducive to negotiations. Later in the fall, the out-going President Calles would prefer to let the interim President, Emilio Portes Gil, handle these negotiations. Once Gil was installed (December 1, 1928), he required time to settle in and, just as things seemed to be calmer, the Escobar rebellion broke out in March of 1929 – attracting the government's full attention. Quelling this brief but very serious threat from the army (organized by dissatisfied followers of the recently assassinated General Obregón), proved to be extremely costly and further damaged the Mexican government's seriously impaired ability to repay its international debts.⁶³ It did provide, however, a concrete opportunity for the clergy to demonstrate their loyalty by refusing to support this rebellion, advising the Cristeros not to join it and condemning violence – a significant gesture of support which was not lost upon the government.⁶⁴ The United States also reaffirmed its support by supplying the Mexican government forces with much needed military equipment. Walsh's telegrams to Father General Ledóchowski throughout the spring of 1929 reveal that he was awaiting Don Cruchaga's signal. Cruchaga, in turn, was measuring the political temperature in Mexico to find the op-

'cover' was useful in allowing Walsh to circulate freely in Mexican society without drawing undue attention to his presence. The Vatican also stipulated that Walsh must never comment directly upon these negotiations to the press and, in the future, he should neither write nor lecture on these negotiations. The materials he accumulated – letters, documents, articles, notes, diaries, etc. – were to be consigned, in toto, to the Holy See at the completion of the negotiations. It was, literally, to be a "secret" mission – a secrecy which was, naturally, impossible to maintain, even at the time, and which has complicated the perception of the mission – and Walsh's role within it – from that moment on. ARSI, Prov. Mexicana 1407, Edmund A. Walsh, Letter to Włodimierz Ledóchowski, 10 Oct. 1929.

63 Josefina Z. Vázquez, Lorenzo Meyer, *The United States and Mexico*, Chicago 1985, p. 139.

64 Lippmann, *Church and State* (n. 6), p. 203.

portune moment to re-open negotiations. Finally, on April 14, 1928, Walsh telegraphed Ledóchowski that the conditions were “sufficiently changed to permit voyage within one week,”⁶⁵ signifying that Cruchaga believed the government, in the wake of its successful suppression of the Escobar rebellion, could once more devote its attention to the religious question.

In effect, the extent of Don Miguel Cruchaga’s efforts in assisting these negotiations is, unfortunately, little documented. Walsh listed many of Cruchaga’s actions which facilitated Walsh’s work and permitted him, and the bishops as well, security, seclusion and complete autonomy during the negotiations in Mexico City – the use of the Chilean embassy properties, personnel, diplomatic code, diplomatic immunity, etc.,⁶⁶ but undoubtedly Cruchaga’s reputation, his contacts and friendships within Mexican society directly favored the success of the negotiations as well. Above all, Don Cruchaga was, by profession, a lawyer specialized in international law. He had taught international law at the University of Chile for six years (1900-1906) and, during the intervening 23 years, had practiced it in numerous international posts and commissions of great prestige. At present, in fact, he was practicing it on behalf of the Mexican government. If anyone in these negotiations knew exactly how to write clear, legal statements which would “stand up in court” and how to insure that these statements were legally binding under the Mexican Constitution, it was Don Cruchaga. It would seem most likely, then, that Father Walsh would have consulted Don Cruchaga with regard to the legal wording and phrasing which should be used to clearly express the Church’s position as well as with regard to other legal issues. Certainly Don Cruchaga knew the difference between a gentlemen’s agreement and an international treaty and, given his presence on the scene, it seems fair to surmise that he assisted Father Walsh throughout this period with professional legal advice of the highest quality. Furthermore, his presence as

65 ARSI, Prov. Mexicana 1407, Edmund A. Walsh, Telegram to Włodimierz Ledóchowski, 14 Apr. 1929.

66 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique.

a highly respected South American diplomat who was well known internationally, undoubtedly lent credibility and an international balance to the negotiations.⁶⁷

Don Cruchaga had first approached Ambassador Morrow in mid-November of 1928. At that time, he explained the new situation involving the Pope's selection of Father Walsh, gave Morrow a copy of the Memorandum which Father Walsh had brought to the Vatican that summer, and asked Morrow to intercede with President Calles to set up new talks. His approach to Ambassador Morrow as an intermediary indicates that, in the wake of the new political situation determined by General Obregón's assassination, Cruchaga had realized the impossibility of his direct personal intervention with the Mexican government – as originally envisioned by Bishop Díaz's plan. The negotiation would, of necessity, now be with Calles – or a pawn of Calles – and would, therefore, pass through the U.S. Ambassador's hands. Not surprisingly, Morrow was puzzled by the change in Vatican representation and, understandably, he was hesitant to discard Fr. Burke at this point – particularly since he was aware of Calles' confidence in Burke. Nevertheless, he did speak with President Calles at Don Cruchaga's request, but Calles, about to leave office in a short time, was unresponsive.⁶⁸ Morrow left Mexico shortly after the interim President, Portes Gil, took office on December 1, 1928, and would return to the U.S. Embassy in early February, 1929. The next recorded meeting he had with Cruchaga was three months later, at the beginning of the final negotiating period.

The Church-State Negotiations, 1929: *The Arreglos*

That a considerable amount of diplomatic preparation had been done in the meantime – by Morrow and by others, is clear from the events that followed. Don Cruchaga and Father Walsh arrived in Mexico City on May 1, 1929, and began meetings with Ambassador Morrow. During that first week, both President Portes Gil and Archbishop Ruiz released pub-

67 The Church expressed its gratitude by awarding Don Cruchaga The Grand Cross of the Papal Order of St. Gregory the Great – one of the highest honors the Catholic Church can bestow on a lay person.

68 Berbusse, *Unofficial Intervention* (n. 11), p. 54.

lic conciliatory statements which, in fact, set the stage for the final negotiations held the following month. Ambassador Morrow, hoping to take immediate advantage of this moment, proposed the draft of a new letter for Archbishop Ruiz to send to President Gil.⁶⁹

This five-point draft, included with a letter to Archbishop Ruiz on May 11, was now written in collaboration with Father Walsh (advised, very likely, by Don Cruchaga) and displays a new style – both in the succinct, legalistic wording of four points already mentioned (but not as clearly articulated) in the Burke/Calles exchange – and in its inclusion of an important new point specifying the Church’s right to impart religious education on Church grounds.⁷⁰

As Morrow himself commented, the language was designed to “be more satisfactory to the intransigents than anything heretofore covered.”⁷¹ Morrow’s perception of the necessity of such concessions to the “intransigent bishops” is, undoubtedly, evidence of Walsh’s influence. Walsh, who was making every effort to legally guarantee the rights of the Church, was also well aware of the importance of convincing all members of the Church hierarchy of the seriousness of the negotiations. It is to Morrow’s credit that he was subsequently able to convince President Gil (and even more so Calles – who retained the final say)⁷² to accept this change in tone and substance.⁷³ Although this letter was not sent by Archbishop Ruiz at the moment, the 5 point text would become an integral part of President Gil’s final declaration.

Over the next six weeks, Don Cruchaga and Father Walsh, as Walsh described it, “prepared the terrain” in Mexico for the arrival of Archbishop Ruiz and Bishop Díaz.⁷⁴ Ambassa-

69 Ellis, Dwight Morrow (n. 40), p. 500.

70 Berbusse, Unofficial Intervention (n. 11), p. 56.

71 Ellis, Dwight Morrow (n. 40), p. 500.

72 Ellis, Dwight Morrow (n. 40), p. 502.

73 Achieving the Arreglos – and the consequent end to the costly Cristero Rebellion – was, by now, an economic necessity for Ambassador Morrow as well as for President Gil and Calles. At that moment, Mexico’s finances were in such a desperate shape that the government’s capacity to repay its debts to the United States (among others) was seriously impaired. Bodayla, Bankers versus Diplomats (n. 8), p. 478.

74 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, paragraph 5.

dor Morrow was out of town for part of this time to attend his daughter's wedding to Charles Lindbergh, but he scheduled his return to coincide with the return of the exiled clergymen⁷⁵ accompanying them from Washington to San Antonio on the train.⁷⁶

The bishops arrived in Mexico on June 9. Following their arrival in Mexico City, Archbishop Ruiz, who had recently been designated the Apostolic Delegate to Mexico, and Bishop Díaz had two private meetings with President Emilio Portes Gil on June 12 and 13. Amidst intervening consultations, coded telegrams to and from the Vatican, and more consultations, Ambassador Morrow, Father Walsh and Don Cruchaga hammered out the final conditions and the letters to be exchanged between President Gil and Archbishop Ruiz. On June 21, 1929, the Arreglos – essentially an exchange of letters constituting an agreement between the participants – was concluded. As in the first *modus vivendi* of August 21, 1926, the foundation rested upon the Bishops' declaration of loyalty to the government and the President's declaration of non-interference in Church matters. In the end, the solution adopted was remarkably close to the *modus vivendi* which had been proposed by the Memorandum which Bishop Díaz had entrusted Walsh to present to the Vatican the year before. It also corresponded, in print at least, to the list of seven conditions outlined in a second memorandum (a sort of updated version of the earlier memorandum – though seemingly written by a different author) which was found among Walsh's papers, Memorandum on the basis for a possible settlement of the religious question.⁷⁷ Walsh's meticulous notes written in longhand on this document indicate that it served as his, and most likely the bishops', reference point during the negotiations.⁷⁸

75 Bishop Pascual Díaz was exiled in January of 1927 and arrived in New York on February 1, 1927 (Bishop Díaz, Exiled by Calles, *Lands Here, Scores Reds*, in: *Brooklyn Daily Eagle*, New York, 1 Feb. 1927). Archbishop Ruiz y Flores was exiled shortly thereafter and took up residence in Washington D.C. where, by April 30, 1927, he was "the spokesman for the exiled bishops in the United States." (Lippmann, *Church and State* [n. 6], p. 197).

76 Church Parley On In Mexico Monday, in: *Philadelphia Public Ledger*, 7 June 1929.

77 Georgetown University Library (n. 21), Folder 399, Edmund A. Walsh Papers, Memorandum sobre las bases de un posible arreglo de la cuestión religiosa.

78 This Memorandum has a preamble containing much the same historical analysis as the earlier memorandum. It cites the Catholic fears of surrendering arms, because, once unarmed, they

Edmund Walsh's Mission to Mexico

Walsh's report to the Holy See, *Report by Rev. Father Edmund Walsh, S.J. on the settlement of the Mexican religious conflict*, (written in French and dated August 14, 1929) – though somewhat cryptic and certainly not detailed – offers us an overall view of Walsh's activities throughout this crucial period:

"Father Edmund Walsh S.J., accompanied by Ambassador Cruchaga arrived in Mexico on May 1, 1929; following the instructions received in Rome, he traveled in lay clothes as a professor of Georgetown University. He has found occasion to make immediate contact with the catholic and government milieux of the capital. At the request of Monsieur Cruchaga, a person highly regarded in his country, the Chilean government has placed its diplomatic code at Father Walsh's disposition as well as the services of the embassy's first secretary, Monsieur Sergio Montt – former secretary of the Chilean embassy of the Vatican. All three reside in the same home which enjoys diplomatic immunity. Having been thus introduced by a diplomat of renown, Father Walsh had the opportunity to discuss the religious question with the most important personalities of the Republic under very favorable conditions. The results of these discussions are found in the series of telegrams already housed in the archives of the Secretary of State (May-June, 1929)."⁷⁹

can be killed notwithstanding the government's guarantees. It also maintains that the League for the Defense of Religious Freedom (LNDLR) could defend itself and, with adequate arms and simultaneous action, could topple the government, but it concludes that the Mexican government has the support of the American government and, therefore, the League will never receive sufficient arms. The memorandum expresses great personal animosity for Ambassador Morrow who is seen as an enemy, fraternizing with the rulers. Acknowledging this impasse, the memorandum continues with an articulated set of terms for settlements which are divided again into three categories: *Solución deseada y racional*, *Soluciones Tolerables*, *Soluciones Imposibles*, plus seven precise conditions which need to be met in the case of an *Arreglo* listed under the heading *Bases para cualquiera reforma*. This memorandum mentions the Hoover administration which was inaugurated in January, 1929, so the memorandum was evidently written in the spring of 1929. It has been personally annotated by Walsh. The checks or crosses he has placed before each of the suggested settlement terms, as well as his written comments at the side of the pages, suggest that he used this memorandum as a check list for monitoring how well the radical clergy's terms had been meant during the final negotiations.

79 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend P Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, paragraphe 1.

In the second paragraph of his report, Walsh recounts his dinner in Washington with President Herbert Hoover. Hoover had taken office in January of 1929 and, in the meantime, had reappointed Dwight Whitney Morrow as the United States Ambassador to Mexico.

“A few days before his departure for Mexico, Father Walsh was invited to dine with the President of the United States, Mr Hoover. Given the help one might expect from such a high position, Father Walsh judged it opportune to let President Hoover know about his projected voyage. The President showed himself to be personally interested and agreeable. Of his own initiative, he offered to telegraph in code to the American Ambassador, Mr Morrow, in Mexico, in order that he put all of his influence and good service at the disposition of Father Walsh for the solution of the religious conflict. This result demonstrates the effectiveness of the friendship with Mr Hoover – a reciprocal friendship which began in 1922 when Father Walsh was head of the Pontifical Mission in Russia.”⁸⁰

Most likely, this presidential telegram resolved any lingering doubts which Ambassador Morrow nurtured with regard to Walsh’s participation in these negotiations – i.e. not only was Edmund A. Walsh the Pope’s personal representative to these negotiations, he also had the personal confidence of the President of the United States.

The third paragraph of Walsh’s report throws additional light on Walsh’s activities during his early weeks in Mexico:

“Father Walsh dealt with visiting the bishops who were in hiding and the selected priests – the results of these conversations have been communicated by telegrams – above all in the one of May 12 addressed to Gisa (Father General of the Jesuit Order) and the one of May 17 addressed to Cardinal Gasparri – sent through the agency of the Chilean embassy.”⁸¹

80 Ibidem, paragraph 2.

81 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Reverend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, paragraph 3.

This paragraph documents that Walsh followed Bishop Diaz's advice as made in the second section of Diaz's letter to the Pope in 1928. As the personal emissary of the Pope, Walsh visited "five bishops, various prelates and competent Mexican and foreign laymen."⁸² In contrast to the Mexican bishops living in exile, these clergymen had remained within the country next to their people. Walsh discussed the pending negotiations with them and, subsequently, communicated their "divergent opinions" to the Vatican. Fortified by this direct contact with their opinions and by the trust which he had received from the Pope, Walsh along with Cruchaga and Morrow, both of whom knew the Mexican political scene intimately, devised a plan which was sent to the Vatican Secretary of State on May 17, 1929.⁸³ Walsh explained that this plan was a *modus vivendi* – not the complete solution – but that it was a tolerable beginning considering the actual circumstances. The seven points of the plan touched systematically on the church-state issues to be resolved and included indications regarding the practical steps the Church would need to take in the future. The plan itself demonstrated a remarkable unanimity of opinion on the part of the three diplomats who framed it – both as to what realistically could be expected and what must be obtained from these negotiations.

Presenting a clear idea of the reality of the situation to both the Vatican and to the Mexican clergy was, in fact, one of the important contributions which Walsh made to the extremely delicate negotiating process. In particular his contact with the Mexican clergy who had remained in the field – often at great personal sacrifice – allowed him to directly convey the Pope's concern for their opinions and appreciation of their continued service under such difficult conditions. Walsh's first hand contact helped assure the unity of the Mexican clergy – if not in agreement with the Church's desire to ne-

82 ARSI, Prov. Mexicana, Praeposito Provinciale, 1929, Edmund Walsh, telegram to Father Ledóchowski, 12 May 1929. Typewritten copies of telegrams transmitted by Chilean Embassy (in Spanish), p. 1.

83 ARSI, Prov. Mexicana, Praeposito Provinciale, 1929, Edmund Walsh, telegram to Cardinal Gasparri, 17 May 1929. Typewritten copies of telegrams transmitted by Chilean Embassy (in Spanish), pp. 2-3.

gotiate with the State, at least in common faith and papal loyalty.⁸⁴

Ambassador Morrow acknowledged this when he commented positively that Walsh had contributed to the process by “keeping some former intransigents from impeding the negotiations.”⁸⁵ This remark, of course, might seem to indicate that Walsh had, in some way, kept these radicals out of the process, but the opposite would seem to be true. Not only did he consult them, he did his best – within the limited space he had to maneuver and with the limited tools he had at hand – to follow their suggestions and attain their goals. That space, to be precise, was the space allotted to the declarations made in President Portes Gil’s final letter. And the tools he was allotted were words – precise words with clear, non-ambiguous meanings – statements with legal validity that could be appealed to juridically by Mexican Catholics in the future. He explains this pragmatic strategy in the seventh point of his report:

“Given the impossibility of an integral reform of the Mexican Constitution, it was decided by the representatives of the government and those of the Holy See, that the presidential declaration would act as the fundamental charter guaranteeing the Church’s essential liberties juridically. This declaration must serve as the criteria in the conflicts to come, the drafting of its formulations is of the greatest importance, because in the moment when the Constitution will be reformed, this benevolent declaration will serve as the rule by which to interpret the existing laws in a sense which is favorable to Catholics. Consequently, all future conflicts will be treated according to this declaration and not according to the hostile texts of the revolutionary laws of 1917.”⁸⁶

84 “I found divergent opinions which can only be reconciled by the decision of His Holiness to whom all will submit in a sincerely catholic spirit.” ARSI, Prov. Mexicana (n. 82), p. 1.

85 Matthew A. Redinger, *American Catholics and the Mexican Revolution 1924-1936*, Notre Dame, Indiana 2005, p. 109.

86 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, paragraphe 7.

This seventh paragraph indicates how Walsh approached the declaration – the drafting of its formulations is of the greatest importance. The letter exchange was not to be the polite protestations of mutual goodwill which characterized the Burke/Calles correspondence. It was, rather, intended to provide a legal document, ratified by the president's signature, which set in place precise conditions that would be respected by the state in the future. They could, Walsh reasoned, provide a legal, constitutional defense against at least some of the excesses of persecution which the Church had suffered since the Constitution was written in 1917. Assuring this legality, he explains in his sixth point, had been done in the following way:

"In accordance with the verbal instructions received from His Holiness in June 1928, Father Walsh arranged with the American Ambassador – who, from the beginning, was of precious service – that the President's declaration was printed in the 'Acto Diario de la Federación'⁸⁷ thereby assuring an official public pronouncement which was visible to the entire world. It was precisely this element which was missing from the preceding project, elaborated 18 months earlier."⁸⁸

In other words, Father Walsh, through the good offices of Ambassador Morrow, saw to it that President Gil's letter was published on June 22, 1929, the day following the exchange of letters, in the Mexican equivalent of the United States of America's *Congressional Record* thereby insuring that compliance with the *Arreglos* was mandatory by law throughout Mexico. Constitutionally, this publication gave the President's letter a legal value (the character of an executive decree) which the earlier exchange between Burke and Calles,

87 "The Official Diary of the Federation is the organ of the Constitutional Government of the United Mexican States which has the role within the national territory of publishing laws, regulations, agreements, circulars, orders and other acts which are issued by the powers of the Federation so that they are properly observed and implemented in their respective areas of competence." Translated from: Breve Historia del Periódico Oficial en México, Diario Oficial de la Federación, Secretaría de Gobernación, <http://dof.gob.mx/historia.php>.

88 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, paragraph 6.

a sort of gentlemen's agreement, had completely lacked. As Walsh's report clarifies in the eighth paragraph, the exact formulation of the letters was a complex and time-consuming part of the final negotiations:

"From their arrival, the two Mexican bishops personally carried out the negotiations with the President. Father Walsh, assistant to the American ambassador and to Monsieur Cru-chaga, prepared the texts of the two declarations. The first draft for the declaration to be presented by the President, was judged by all the Church representatives to be too strict, intransigent and insufficient. The American Ambassador, with Father Walsh, elaborated the second draft, presented it to the President and discussed it with him for an hour in order to convince him to accept the text. Ultimately a text which was acceptable to both parties was formulated and the essential points were sent to the Vatican by coded telegram."⁸⁹

The Arreglos Text and the Burke/Calles Letters

All of the participants in this negotiation wished to conclude the *Arreglos*. They knew the terrible price which both sides had paid in the two years and nine months since the first negotiation had failed and they were all aware of the general terms which were mutually acceptable. Without Walsh and Cruchaga's presence and, most particularly, Walsh's awareness of Pius XI's minimum demands, it would seem quite possible that these negotiations would have simply repeated the Burke-Calles exchange of the previous year and thereby risked the Vatican's disapproval once more. That this was not the case is indicated not only by a comparison of the letter texts, but also by the time which it took to secure the President's acceptance of the re-formulated text. It is to Walsh's credit, then, that the final exchange of letters, though evidently not the exchange that he – or the Vatican – would have preferred, nevertheless succeeded in presenting the Church's position in a far more detailed, forceful and, at the same time, dignified manner.⁹⁰

89 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, paragraph 8.

90 Walsh's ability in writing diplomatic letters to completely antagonistic authorities while yet

The final text of the President's letter mixes material taken from the letter of Father Burke (dated March 29, 1928) and the letter of President Calles (dated April 28, 1928) – both of which had been drafted by Ambassador Morrow – and from the specific points which Father Walsh had introduced into the unsent letter which Morrow and he (most likely advised by Cruchaga) had drafted on May 11, 1929, for Archbishop Ruiz to send to President Gil. The difference between Morrow's and Walsh's verbal style, and their purpose, is clearly noticeable. Morrow's carefully worded statements could be described as rather circuitous and, most certainly, politically correct. Father Walsh's additions to Gil's letter – clarifying "certain provisions of the law which have been misunderstood"⁹¹ – are direct, factual and intended to "serve as the criteria in the conflicts to come" – i.e. they were formulated with the courtroom in mind. (And, most likely, they were formulated with Don Cruchaga's legal advice).

The resulting pastiche is particularly evident in the text of President Gil's lengthy letter signed on June 21, 1929. A comparison of the two exchanges shows that the balance of the exchange shifted from Burke's text in 1928 – i.e. the Church's text to Gil's text in 1929 – i.e. the State's text. The President's text now clearly stated all five of the Church's rights – not just two of them as in the Calles' letter dated April 28, 1928. The first four paragraphs of Gil's letter have become a montage of Morrow's material taken from both Burke's and Calles' earlier letters. This is then followed by the three specific points formulated by Walsh regarding: 1. *the registration of ministers*, 2. *religious instruction by the Church*, 3. *the Church's right of petition*. This concentration of legal points within Gil's letter corresponds with Walsh's explanation of the formulation of President Gil's letter and his insistence on its publication in the *Diario Oficial de la Federación* over the President's signature: "It was decided by

forcefully stating the Church's position had been well developed during his papal mission in Russia.

91 United States Department of State Archives, Mexico 1910-1929, DSR 812.404/1040, 84-85, Portes Gil, Statement, 21 June 1929. Published in Redinger, *American Catholics* (n. 88), pp. 188-189. The wording here is crucial. The three provisions are not changes in the law (which neither Gil nor Calles would have tolerated), but clarifications of misunderstandings of the law. Unable to change the law, Walsh and Cruchaga could, at least, clarify its interpretation.

the representatives of the government and those of the Holy See, that the Presidential declaration would act as the fundamental charter guaranteeing the Church's essential liberties juridically."⁹²

Archbishop Ruiz's letter of response, on the other hand, was brief (four sentences) and dignified – with a tone that befitted an archbishop's statement. The core of the matter was handled with these words: "As a consequence of the said statement made by the President, the Mexican clergy will resume religious services pursuant to the laws in force."⁹³ The letter closed with a patriotic appeal to the Mexican people to cooperate "for the benefit of all the people of our Fatherland."⁹⁴

No legal points were mentioned. For a clearer idea of the difference in writing style between Morrow and Walsh, here are two examples which compare the same legal point as proposed in the 1928 exchange of Father Burke and President Calles and in the 1929 exchange of President Gil and Archbishop Ruiz.

1928, Morrow/Burke: "The Mexican bishops have felt that the constitution and the laws, particularly the provision which requires the registration of priests and the provision which grants the separate states the right to fix the number of priests, if enforced in a spirit of antagonism threatened the identity of the Church by giving the State the control of its spiritual offices."⁹⁵

1929, Walsh/Gil: Morrow's phrase is moved from Burkes's letter to President Gil's letter. The text is altered by substituting the word priests with ministers – an interdenominational,

92 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, paragraphe 7.

93 United States Department of State Archives, Mexico 1910-1929, DSR 812.404/1040, 84-85, Leopoldo Ruiz, Statement, 21 June 1929. Published in Redinger, *American Catholics* (n. 85), pp. 191-192.

94 United States Department of State Archives, Leopoldo Ruiz, Statement, 21 June 1929. Published in Redinger, *American Catholics* (n. 85), pp. 191-192.

95 United States Department of State Archives, Mexico 1910-1929, DSR 812.404/931-2/12, John Burke, Letter to President Calles, 29 March 1928. Published in Redinger, *American Catholics* (n. 85), pp. 187-188.

not specifically Catholic term – and eliminating the nonsensical conditional phrase: “if enforced in a spirit of antagonism” thereby making a more direct and forceful statement of the Church’s problem with these laws. Later, Walsh then adds the following specification to Gil’s declaration: “that the provision of the Law which requires the registration of ministers does not mean that the Government can register those who have not been named by the hierarchical superior of the religious creed in question or in accordance with its regulations.”⁹⁶

This point, point one of Gil’s declaration, unequivocally clarified the State’s recognition of the right of the Church to designate its clergy i.e. the Government can register only those ministers who have been named as such by the Church.

1928, Morrow/Burke: “It might well be that each in an atmosphere of good will would suggest at a later time changes in the laws which both the Republic of Mexico and the Church might desire.”⁹⁷

1929, Walsh/Gil: “I ... declare that the Constitution as well as the laws of the country guarantee to all residents of the Republic the right of petition and, therefore, the members of any Church may apply to the appropriate authorities for the amendment, repeal or passage of any law.”⁹⁸ (Point three of Gil’s declaration)

While the general meaning of these phrases may be vaguely the same, there is a world of difference in their formulation.⁹⁹ In a court of law, it is safe to say, Walsh’s formulations would be far more helpful in clarifying the issue at stake: the Church has the right to seek change in any law of the

96 United States Department of State Archives, Portes Gil, Statement, 21 June 1929. Published in Redinger, *American Catholics* (n. 85), pp. 190-191

97 United States Department of State Archives (n. 95), John Burke, Letter to President Calles, 29 March 1928. Published in Redinger, *American Catholics* (n. 85), pp. 187-188.

98 United States Department of State Archives, Portes Gil, Statement, 21 June 1929. Published in Redinger, *American Catholics* (n. 85), pp. 190-191.

99 A close comparison of the letter exchange reveals that there were numerous other small, but significant changes made to the Morrow text as it was used in the final exchange – word changes, additions and omissions, which, in all cases, strengthened the thought expressed.

country; this right is guaranteed by the Constitution; it is not a concession depending upon the good will of the State. Additionally, there is no doubt that Walsh's formulations responded more closely to the state of mind of the Mexican radical clergy. These formulations were strong and clear, almost defiant. Furthermore, as the future would prove, they were also useful.

In 1931, Archbishop Pascual Díaz (he had been appointed Archbishop of Mexico, Federal District, four days after the signing of the *Arreglos*) was to make heavy use of the Church's reaffirmed "right to petition" – point three in President Gil's statement. When the Mexican Congress voted to limit the number of priests in the Federal District (Mexico City), Archbishop Díaz organized a public mail-in campaign that inundated the federal courts with petitions and effectively blocked the measure from being implemented. His policy "of formally tolerating the anticlerical laws while simultaneously seeking their non-enforcement became a model followed in dioceses throughout the republic."¹⁰⁰

Similarly, point one of President Gil's statement, by recognizing the Church's right to designate the clergy whom the State would register, "was seized upon as short-circuiting the constitutional denial of juridical personality to the Church ..."¹⁰¹ For that matter, it was argued that the negotiations for the *Arreglos* itself signified that the State recognized the Church as a juridical personality – something previously denied by the Constitution of 1917 (Article 130, paragraph VI).¹⁰²

The *Arreglos* as a *modus vivendi*

To a degree then, the *Arreglos*, in addition to putting an end to the Cristeros rebellion and permitting resumption of Catholic rites, did permit the Church slightly more room for raising a legal defense against the anti-clerical provisions of

100 Reich, *Mexican Catholic Church* (n. 20), p. 81.

101 Ellis, *Dwight Morrow* (n. 40), p. 505.

102 Andrea Mutolo, *Gli "Arreglos" tra l'episcopato e il governo nel conflitto religioso del Messico* (21 giugno 1929), Rome, 2003, p. 174. Summary of book by Eduardo Iglesias S.J. (pseudonym: Aquiles P. Moctezuma) and Rafael Martínez del Campo, *El Conflicto religioso de 1926: sus orígenes, su desarrollo, su solución*, Mexico City 1929.

the Constitution. The political situation, however, remained highly antagonistic to the Church. This was thanks in great part to the strong personal prejudices of Calles who, with the assassination of General Obregón and the election of various political pawns – Portes Gil and, subsequently, Ortiz Rublio – remained the power behind the scene for the next four years or so.

Neither Calles nor Gil, who had signed the agreement, had any intention of seriously implementing the *Arreglos*. President Gil, for example, later explained that his statements in the *Arreglos* were made “in the language of declaration and not of promise.”¹⁰³ This lack of political will, after granting a brief respite in the church-state conflict and fulfilling the basic requirements of the *Arreglos*, prevented much of the long term improvement which a faithful observance of the *Arreglos* could have brought.

In January of 1932 President Rublio, when asked why he had signed the new religious law restricting the number of priests in Mexico City (which Bishop Díaz then vigorously and successfully protested), said that he personally was “not in favor of the law, but that had he refused to sign it, he would probably have been assassinated.”¹⁰⁴ This gives one a fair idea of the conditions under which Mexican politicians were forced to operate.¹⁰⁵

In his closing summary of the negotiations, Walsh points out the limitations of the *Arreglos*: “Clearly this settlement is only a ‘modus vivendi’ which gives the Church the possibility to retake its life and to restore the practice of the faith to the Mexican people.”¹⁰⁶ He then enumerates the achievements of the *Arreglos*¹⁰⁷ and goes on to say that “the future rests in the

103 Rice, *Diplomatic Relations* (n. 49), p. 187.

104 Berbusse, *Unofficial Intervention* (n. 11), p. 60.

105 Ambassador Morrow while speaking with Father Burke in Havana, January 17, 1928, insisted that “the government of Mexico is simply Calles. The Constitution is a farce. Congress and the judiciary are simply agents. Calles is the sole and absolute power.” Archivio Segreto Vaticano, Sacra Congregazione degli Affari Ecclesiastici Straordinari, Messico, 1928-1929, Pos. 521 Fasc. 229, Allegato al Rapporto No. 280-b, Father John Burke, Memorandum of talk with Ambassador Morrow in Havana, Cuba, January 17, 1927, p. 3.

106 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, p. 4.

107 1. a public act of respect toward the Catholics and in respect to the Bishops (Presidential declaration)

hands of the clergy and the Catholic people. The correction of the law depends, above all, on the prudence and the *savoir faire* of the Catholic authorities.”¹⁰⁸

This latter observation recalls a similar comment made by Fumasoni-Biondi in his May 13, 1928, letter to Secretary of State Cardinal Gasparri in which the apostolic delegate comments with admiration upon the fact that the French Catholic institutions in Mexico had continued to function without disturbance throughout the government’s anti-Catholic crusade. He ascribes this to the “great prudence and ‘savoir faire’ of the French.”¹⁰⁹ Fumasoni-Biondi does not identify the diplomat he, in turn, is quoting, but it seems likely it was Ernest Lagarde – the French chargé d’affaires in Mexico who had recently visited Washington at the request of Morrow¹¹⁰ to speak with Burke and the State Department. Fumasoni-Biondi continues quoting the unnamed diplomat: “If you wish to lose a right in Mexico, you need only assert it with energy and security.”¹¹¹ The gist of which was to imply that

2. Amnesty for all Catholic rebels.

3. Recognition of the identity of the Church, of its spiritual rights and of its hierarchy. (Declaration of President)

4. The right to organize a legal movement for the total reform of the Constitution of 1917. (Declaration of President)

5. The restitution (by the means of permanent usufruct) of churches, seminaries and residences of the clergy.

6. The freedom of relations between the Holy See and the Mexican Church by the intermediary of an Apostolic Delegate. (Presence and Liberty of action of Monsignor Ruiz).

Other points of great importance which the government has solemnly promised to carry out without their inclusion in the formal declaration:

a. Amnesty for the Catholics detained for violations of the religious laws: this was published in the afternoon of the publication of the declaration and several hundred Catholics were liberated, notably the women detained on the Islas Marias.

b. Return of churches, episcopal palaces, seminaries, etc.

c. Amnesty, also for the armed rebels, with exception of those that persist in battle.

d. Declaration of the government to regard as nonexistent all the legal dispositions added by local authorities in opposition to the spirit of the present declaration, for example – those which in certain states impose marriage on priests or limit the number of priests.

108 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, p. 4.

109 Archivio Segreto Vaticano, Sacra Congregazione degli Affari Ecclesiastici Straordinari, Messico, 1928-1929, Pos. 521 Fasc. 231, Fumasoni-Biondi, Letter to Card. Gasparri, 13 May 1928, p. 19.

110 Ellis, Dwight Morrow (n. 40), p. 486.

111 Archivio Segreto (n. 109), Fumasoni-Biondi, Letter to Card. Gasparri, 13 May 1928, p. 19.

one must use the cardinal virtue of prudence – i.e. discretion, good practical sense and worldly wisdom – while pursuing one's own purposes. A good example of the practical application of prudence and *savoir faire* might well be found in Archbishop Díaz's successful mail-in campaign against limiting the numbers of priests in the Federal District.

Walsh continues his summary and recommendations by emphasizing that the Church greatly needs a social program – both to respond to national needs and to combat the activities of the Protestants¹¹² – and that it also must educate strong Catholic intellectual leaders. This concern was taken up by *Acción Católica* in that same year. Pope Pius XI had already warmly recommended *Catholic Action* in his encyclical of March 28, 1927. He subsequently assigned the development of this vital program to Archbishop Díaz who served as its national president.¹¹³

This lay organization included sections for men, women and youth. Through it “the Church could run religious schools and political discussion groups while staying within the laws prohibiting priests from engaging in these activities.” In this way, these associations proved to be helpful in mollifying “the lay dissatisfaction with the *Arreglos* that had ended the Cristero War.”¹¹⁴ Furthermore, in the hands of Archbishop Díaz, the radicalized lay Catholic organizations such as the League for the Defense of Religious Freedom (L.N.D.L.R.) and the Mexican Catholic Youth Association (A.C.J.M.), which had borne the brunt of the Cristero rebellion, were now forced to return to the fold under the direct hierarchical control of the Church.¹¹⁵ Walsh closes his report to the Vatican with a recommendation that work should begin on constitutional reform following the November elections. He mentions that Ambassador Morrow has promised his support and cooperation in the convocation of a new *Con-*

112 Protestant missions in Mexico had prospered in number and in size throughout this period. The revolution, which was heavily northern and hence geographically and spiritually distant from old Mexico, was favorable to Protestantism and to its position regarding church-state relations. Mutolo, Gli “*Arreglos*” (n. 102), p. 26-28.

113 David Espinosa, *Restoring Christian Social Order. The Mexican Catholic Youth Association (1913-1932)*, in: *The Americas*, 59/2003, p. 468.

114 Reich, *Mexican Catholic Church* (n. 20), p. 84.

115 Espinosa, *Restoring Christian Social Order* (n. 113), p. 468-469.

stituent Assembly which would frame a more moderate and tolerant constitution for Mexico.¹¹⁶ Walsh then recommends reorganization of the Mexican Church, particularly with regard to social programs, and speaks of the need for economic support from U.S. Catholics. Apropos, he mentions that Ambassador Morrow has already made a generous donation to be used for a scholarship fund which will permit Mexican students to study in U.S. Catholic universities.¹¹⁷

Edmund Walsh's Contribution

True to his vow of secrecy specified by the Vatican, Father Walsh never wrote, spoke nor lectured publicly about the details of the negotiations in Mexico or about the role he played within those negotiations.¹¹⁸ Walsh's contribution, however, was considerable – in carrying out his liaison work between the Mexican clergy and the Pope, in keeping the Vatican in daily contact with the negotiating process and in preparing the text and assuring the official publication of the final letters. As an envoy who, it was publicly known, had the personal friendship, respect and approval of both President Herbert Hoover and Pope Pius XI, his suggestions and advice most certainly carried authoritative weight with Morrow and, therefore, with Calles. This permitted him to insist upon im-

116 Whether Morrow could have succeeded in pressing for a Constituent Assembly is unknown, but his promise and his financial contribution indicated his genuine support of the Church's future well-being in Mexico. Morrow's untimely death in October of 1931 (he had, in the meantime, been appointed and then elected a United States Senator), was certainly a significant loss to the reconciliation process he had so vigorously nurtured. Given the importance of his personal relationship with Calles, his death most likely also removed an important constraint on the government's subsequent renewal of persecution of the Church.

117 Georgetown University Library (n. 21), Folder 400, Edmund A. Walsh Papers, Rapport du Révérend Père Edmond Walsh S.J. sur le règlement du conflit religieux au Mexique, p. 7.

118 This discretion has frequently been misinterpreted. In his recent book, *A Catholic Cold War: Edmund A. Walsh S.J. and the Politics of American Anticommunism*, Patrick McNamara allotted only eleven lines to Walsh's Mexican mission. As is evident from the title, this book is not so much a biography of Walsh as it is a thesis focused on Catholic anti-communism in the United States in which Walsh figures as the chief protagonist. Most likely, this single-minded focus accounts both for McNamara's scarce treatment of the topic and his unfounded assertion regarding Walsh and the Mexican mission: "a minor event in his career, one he seems to have been happy to have left to the NCWC, and one most notable as an expression of the confidence Pius had invested in him." Patrick McNamara, *A Catholic Cold War*. Edmund A. Walsh S.J. and the Politics of American Anticommunism, New York 2005, p. 47.

provements and additions to the *Arreglos* letters, and to the unwritten stipulations.

Furthermore, he was an experienced diplomat who knew the importance of discretion. Newspaper reports quoting participants who had talked out of turn had damaged many of the previous negotiations. The press representation of these negotiations, in fact, had enormous importance to both parties. Both the State and the Church had extremists within their ranks who were bitterly opposed to any settlement whatsoever and the public image given by the negotiations was vital. Hence, each side, while seeking peace, was also seeking a solution which was presented publicly "in a decorous manner."¹¹⁹ Walsh took this into account by paying great attention to secrecy and the press throughout the negotiations.¹²⁰ Later, following the negotiations and his return to Washington, Walsh would express his appreciation to the U.S. press corps:

"I know every one of those eight men personally and wish to pay public tribute to their splendid co-operation during my eight weeks in Mexico. While fulfilling their primary obligation as gatherers of news, they showed fine discretion and restraint which was their contribution to the delicate mission committed to the negotiators."¹²¹

And finally, because of his first hand experience in dealing with the Bolshevik government on church-state issues, Fa-

119 Bishop Pascual Díaz used this term in his letter of August 2, 1926, to Mons. Fulcheri. Meyer, *La Cristiada* (n. 22), p. 293.

120 In Walsh's letter addressed to Archbishop Ruiz on June 8, 1929 – the day before the bishops arrived in Mexico – he advises that, due to recently received rumors of a possible demonstration at the Colonia station in Mexico City, Don Cruchaga and he will be meeting the bishops earlier with a car at the Lecheria station. This change of plans was intended to avoid the demonstration which might be "prejudicial to the beginning of the mission." The letter then explains that he and Don Cruchaga will drive the bishops to Mexico City and outline the procedures they have devised in order to avoid any "indiscretions by reporters which might perturb the outcome of their mission." [The bishops would remain in almost total isolation – their whereabouts unknown – throughout the negotiations.] ARSI, Prov. Mexicana, Praeposito Provinciale, 1929, Edmund Walsh, Typewritten copy of letter to Archbishop Leopoldo Ruiz y Flores (in Spanish), 8 June 1929, p. 1-2.

121 Fr. Walsh S.J., Back from Mexico; proceeds to Rome, NCWC News Service, Washington, 5 July 1929.

ther Walsh had both a theoretical and visceral perspective on the destructive force of governmental pressure – from the use of verbal and physical harassment to fines, imprisonment and executions, from the confiscation of church property to the establishment of a schismatic church. He was a veteran of such pressures and brought a fierce determination to defend the Church while yet securing an agreement. Edward Reed of the State Department's *Mexican Affairs Division* credited Walsh with "keeping the negotiations off the rocks"¹²² and Ambassador Morrow, in a subsequent discussion with Father Burke, praised Walsh for "helping to reconcile some of the irreconcilables."¹²³

Conclusion

Walsh's report to the Holy See has given us the outline of his activities, but it is a summary and, therefore, omits a great deal of detail. Reading it, however, one sees that Walsh clearly believed the negotiations had achieved the minimal conditions which Pius XI had required – in regard to the formulation of the final letters, in regard to the agreed conditions (many of which were verbal understandings not explicitly written in the letter exchange, but clarified in his report to the Holy See), and in regard to legal guarantees. Judging from his concluding comments and recommendations, Father Walsh had no illusions as to the problems which the Church would continue to face.¹²⁴

In effect, all of his formulations for the *Arreglos* were made to clarify the legal challenges he believed would be forthcoming. Nevertheless, he most certainly believed that the *Arreglos* would become an integral part of Mexican law and thereby both offer a guarantee of certain basic rights to the Church and establish a constitutional foothold which had previously been denied the Church. In a *New York Times* interview after returning to Washington, he said:

122 Redinger, *American Catholics* (n. 85), p. 109.

123 Redinger, *American Catholics* (n. 85), p. 110.

124 Walsh's apt description of the *Arreglos* as a "harbinger of eventual peace" indicates his recognition of the distance yet to be traveled. Walsh Calls Accord Harbinger of Peace, in: *New York Times*, 2 June 1939, p. 2.

"Many observers believe that this declaration will take a prominent place among state papers of Mexican history as one of the most constructive actions taken by the Mexican Government since the revolution. It furnishes the starting point for a final definition of the relations between Church and State in an equitable and permanent form."¹²⁵

The *Arreglos*, then, was a beginning – a starting point – and a stronger beginning than is usually assumed, but certainly not the end of a long process of reconciliation between the Church and the State. The rest, as Walsh wrote in his recommendations, would be up to the Church – and to the Mexican people who had proven their love for it with such sacrifice and devotion.¹²⁶

Summary

This article details the vital but largely unrecognized contributions made by American Jesuit educator and diplomat, Edmund A. Walsh, to the Mexican Church-State negotiations of 1929 (the *Arreglos*). Following several unsuccessful attempts to resolve the Church-State confrontation which had exploded in the summer of 1926 with the introduction of the severely restrictive *Ley Calles*, these negotiations brought an end to Mexico's bloody Cristero War and permitted the Church to resume public worship after a hiatus of almost three years. Father Walsh, who had been charged by Pope Pius XI in the summer of 1928 with the implementation of new Church-State negotiations, was instrumental in preparing the final text of the *Arreglos* in line with the Pope's specifications, assuring its authenticity as a Mexican legal document, carrying out liaison work with both the Vatican and the Mexican clergy who had remained in Mexico and supervising the bishop negotiators (Archbishop Leopoldo Ruiz y Flores and Bishop Pascual Diaz y Barreto) throughout the

125 Father Walsh Lauds Portes Gil on Accord, in: New York Times, 4 July 1929, p. 3.

126 In the long run, the Church's patience would ultimately prevail against the anti-clerical state. In 1936, Plutarco Elias Calles was arrested and deported to the United States. In 1940 the President-elect of Mexico, General Manuel Avila Camacho, proclaimed "I am a believer." In 1991, the Chamber of Deputies voted to remove many of the offending Constitutional limitations on the rights of the Church and in the succeeding year Mexico re-established diplomatic relations with the Vatican.

negotiation period in Mexico City. It has become a commonplace for scholars to assert that the *Arreglos* was simply a repetition of the letter exchange (authored essentially by the U.S. Ambassador to Mexico, Dwight Whitney Morrow) which accompanied the previous year's negotiations between Father John Burke of the National Catholic Welfare Conference and Plutarco Elias Calles, President of Mexico. A comparison of the texts, however, shows that there was a substantial difference between them, both in form and substance – a significant alteration of, and addition to, Morrow's original text which justified the Vatican's acceptance of the latter agreement (Pius XI had refused the Burke/Calles exchange) and for which Edmund Walsh's diplomatic skill deserves the credit.

Resumen

El artículo expone en detalle la contribución vital, pero poco reconocida, aportada por el jesuita americano, diplomático y educador, Edmund A. Walsh, a las negociaciones entre el Estado y la Iglesia Mexicana en 1929 (*Los Arreglos*). Tras varias tentativas, sin resultado, de solucionar el enfrentamiento entre la Iglesia y el Estado, que había estallado en el verano de 1926 con la introducción de la severamente restrictiva *Ley Calles*, las negociaciones lograron poner fin a la sangrienta Guerra de los Cristeros, permitiendo así que la Iglesia restableciera la práctica pública del culto tras una interrupción de tres años. El P. Walsh, que había recibido del Papa Pío XI, en el verano de 1928, el encargo de iniciar negociaciones entre la Iglesia y el Estado, resultó de importancia capital en la preparación del texto final de *Los Arreglos*, conforme a las indicaciones del Papa, garantizando su valor como documento legal del Estado de México, desempeñando una función de enlace entre el Vaticano y el clero mejicano que había permanecido en México, y ejerciendo una labor de supervisión de los obispos negociadores (los Arzobispos Leopoldo Ruiz y Flores y los Obispos Pascual Díaz y Barreto) durante todo el tiempo que duraron las negociaciones en la Ciudad de México. Se ha convertido en un tópico entre los estudiosos la afirmación de que los *Arreglos* no son sino una repetición del intercambio epistolar (cuya autoría sería básicamente del embajador de los Estados Unidos en México Dwight Whitney Morrow) que siguió las negociaciones del año anterior entre

el P. John Burke, de la *Nacional Catholic Welfare Conference*, y Plutarco Elías Calles, Presidente de México. Sin embargo, comparando los textos, se observa que existe una enorme diferencia entre ellos, tanto en la forma como en el fondo – alteración considerable y ampliación del texto de Morrow que justificaba el hecho de que el Vaticano aceptase el último acuerdo (Pío XI había rechazado las negociaciones entre Burke y Calles) y que acredita la habilidad diplomática de Edmund Walsh.