

The Legal Position and the Cultural Role of the Churches During the Communist Era in Hungary

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In my essay I would like to present the role of the Hungarian Catholic Church as a national “institution” after 1945. The communist dictatorship supplied the authority of the churches to reshape the society based on a new ideology. One of the milestones of this process was the years after 1947 when the church schools were secularized and the monastic orders were disbanded. Cardinal József Mindszenty was the main character of the act of resisting. The second milestone was around 1956 when there was a limited cooperation: some of the schools became church school again but with a high control. From 1988 came the third milestone when the presentations of the bishops were bounded formal to the authority of state and after a short period the church became independent from it. In my paper, I would like to present these milestones and what were the effects on the Hungarian society in a juridical and cultural way.

Keywords: Vatican, church, espionage, clericalism, secularism, social act of resisting

Introduction

In my study I would like to point out several events of the 20th century Hungarian history that were real milestones pursuant to law, culture, everyday life, and in a certain sense to international events. I am concentrating on three happenings through which my aim is not the presentation of the events, but the visualization and evaluation of what the effects of these events were. Being a theologian and a lawyer I examine these facts from the viewpoints of the ecclesiastical communities and of the law. Specifically saying my goal is to present the restriction of the religious freedom and the limitation of the right of the churches to establish schools, and to present the prospects given by the relief of the restrictions and the regime change.

The first event was the most extreme example of the anticlerical expression of the communist regime. The second episode was the period of the relief following the 1956 Revolution and War of Independence when eight Catholic schools were allowed to function again in Hungary. The third milestone was the turning point in 1989 when the church schools were reopened. I briefly allude to the change after 2010 when the state on the one hand secularized the schools, and on the other hand consigned a number of institutions to the churches.

Secularization of the Schools After the Second World War

The event was prepared by a number of occurrences of the philosophical trends, of the law, and of politics. One of the remote antecedents was secularism. When we speak about this notion, we need to claim that this concept accompanied the history of the church and of the states throughout 2000 years. Moreover every single

time when the church met the given state or states, she became a “factor of power” right away. This fact indicates the constant interaction between the two factors of power, the church and the state. Secularism is such a peculiar notion that means the loss of the secular power of the church and her relations with the state. The process has significantly started with the Enlightenment, but there were certain movements in the earlier centuries when there were arguments about the separation of the church and the state.

Pál Bolberitz provides the term of secularisation with mostly negative feelings, which is understandable, since as a theologian and a philosopher he represents the viewpoint of the church. He writes the following in his study:

The notion of secularisation was first used by the occasion of the conclusion of peace of Westphalia in Münster by the French delegate, Henri d’Orleans, the prince of Louneville, in the sense of negotiation about the ownership of the church goods. The concept was spread in the colloquial language (mainly in Germany) during the Napoleon wars, and it referred to the fact that after the expiry of the German-Roman Empire the goods of the Catholic Church became the property of the state, and the monastic orders were dissolved. The notion was spread in Hungary earlier due to Joseph II’s arrangements against the church. (Bolberitz, 2014, p. 58)

I must quote from the research of András Máté-Tóth who, having examined Taylor’s concept, determined:

Secularism is a philosophical position exactly as all the other ones. This notion is the most generally represented ideology in the western civilisation. Its source goes back to the Enlightenment and through Catholicism and Protestantism to the reform movements. According to Taylor’s most important original view, secularist perception should not be interpreted as a decline, but as a process which is one of the possible alternatives of the interpretation of the world, and which is not the evident consequence of either the modern world or of the human nature. (Máté-Tóth, 2014, p. 34)

The secularisation of the schools took place in several countries, but the right ascertainment is that through secularism not only schools but also a number of church properties have gone into state property in several European countries since the 18th century. The peculiarity of the Hungarian situation is that the local clericals did not really have to face the problem until the end of the Second World War.

The secularisation of the Hungarian church schools took place on 16th July 1948. The parliament passed the Act XXXIII of 1948 about taking over the maintenance of the non-state schools and the secularisation of their goods. The Catholic Church was concerned with 3148 institutions.¹ The event cannot be interpreted independently but as a part of a process. Secularisation is an interesting part of the opposition between the divided eastern and western world. In some western countries, like in France, a peculiar secularisation had already come true. In the western countries the operation of the churches and their supply with secular goods had already been over by the 20th century. On the other hand the secularisation of the Hungarian and the East European communist period meant another scene of the fight of ideology. I am convinced that neither the earlier nor the later communist secularisation served the operation of the churches; on the other hand it may have saved her from a number of such situations when she was attacked because of its property. Nevertheless, all these facts do not qualify the confiscation of the personalities and properties not even by the people in power who fortified themselves with legislation.

A study on educational history writes the following:

In fact, the left wing political power could have reached its aims within the framework of the existing pluralist

¹ <https://archivum.asztrik.hu/?q=oldal/1948-az-egyhazi-iskolak-allamositasa-szazezrek-a-katolikus-rendezvényeken> (date of research: 1 March 2019).

school-system. Although they would have needed years or even decades for that. Had they developed the existing state school-system, the modern schools could have pressed out those church schools which would have been unable to keep up with the expectations. Since by its custody the state has a right to close those schools which do not meet the higher requirements. It was the practice in most of the civil democracies. (Pukánszky, & Németh, 1996, p. 123)

It also clarifies that speaking out of the churches is not against the appearance of the secular education but against injustice and illegitimacy.

The same study also says the following: “Gyula Ortutay’s opinion is specific, which was expressed in one of his speeches following the secularisation. (He was the minister of culture and education from March 1947 to February 1950)” ... school affairs are *primary political affairs and it is an important issue of power*, since the pupils are openly or hidden educated from the elementary school to the university how to behave while being on a political post or being an intellectual or economic leader and lead the nation of the country *in favour of the power*... The state apparatus has an opportunity to make any kind of ideology be practiced and deepened by the school-system (Ortutay, 1949, pp. 291-292). This quotation clarifies that the secularisation of the schools is such a manifestation of secularism which not only secularises material resources, but also openly rounds upon the clerical ideology.

Éva Kovács’s definition is quite concrete:

The representatives of the education always have been interested in the expansion of the state over the field of education, the secularisation of schools—as an educational reform or dilemma—since the 19th century. However a new situation was formed in 1948: the intention of creating a full scale secular school monopoly served the reduction of the role of the church in the society. This pursuit for the reduction of the role of the church tried to reduce the operation of important social autonomies. (Kovács, 2003, p. 266)

The result of the process was obviously the transformation of the society. The problem was substantively drawn up in the idea that those who support the church are reactionists even if they are political thinkers on the extreme right, while those who are against the church are supporting the left wing and the progress. However, the issue has never been that simple. The Church is theoretically open to everybody, while the powers that want to oppress her obviously do not support either her existence or her function. As a matter of fact the discussion of the causes and the results of these powers already transcends the extent of this lecture.

A Few Questions of Church Policy After the Revolution in 1956

The revolution on 23rd October 1956 was a reaction to the era of the Rákosi dictatorship. Consequently, Cardinal József Mindszenty, the determinate ecclesiastical person of the former period was considered to be the figure of freedom and clerical independence. The judgement of the events is not completely processed, and since the regime change has received a political shade.

In 1956, Archbishop Mindszenty was freed and briefly resumed his leadership of the Church. However, on the day the Soviet attacked to put down the revolution, the Archbishop sought and was granted asylum in the US Embassy on Szabadság square, where he spent the next 15 years captive. In 1971, under pressure from the Holy See and the Hungarian government, he emigrated. He lived for another 4 years. In 1991, his remains were returned to Hungary and buried in the Esztergom Basilica. His beatification is under consideration by the Holy See. Pope John Paul II’s visit to Hungary in August 1991 symbolized the end of the 40 years of religious persecution.²

Since the fall of the revolution the relationship between the state and the church has gradually eased up,

² http://www.terrorhaza.hu/en/allando-kiallitas/first_floor/cardinal-mindszenty (date of research: 1 February 2019).

and although the irreconcilable differences between communism and Christianity could never be solved, the power still gave some allowance to the church.

On the one hand the churches were not closed and the function of the parishes was permitted with restrictions. The other result was that despite the fight, the pursuit of some secondary schools run by the church was permitted. Some members of the government after the regime change had graduated from church schools likewise some politicians from the opposition.

The culture policy of Kádár under the name of György Aczél operated with three “p”-s. There were prohibited, permitted, and promoted fields. Some institutions of the church were merely permitted.

Freedom of Religion After the Regime Change

Freedom of religion is one of the basic principles of democracy, and together with the freedom of conscience they form a couple which is indispensable for the rule of law and for democratic development. It is also a sensitive issue, because after the end of the communist dictatorship, the freedom of establishing churches and the liberty of their function were well-appreciated legal steps. Furthermore in the last decades it has become evident that these civil liberties could also be abused. Hereby such communities could be founded in the disguise of religion that are entitled to allowance and free operation, and by the circumvention of certain laws they were established not for religious but for economic or other sorts of aims.

Freedom of religion is a fundamental right based on several grounds. It means the freedom of religious practice, but it can also mean the practise in a community, or even the establishment of churches. At the same time this law carries the meaning of the right to be not religious and to avoid any kind of religious practice. However, no one is allowed to violate the rights of others to practise their religion in a community. Furthermore the freedom of religion has several essential and less important features. Let us emphasize three fundamental attributes that are defined by a number of authors working on the constitutional discipline. Since freedom of religion is a classical human right, it is not an absolute but a subjective right. To put it simply, that is the right of all citizens. It cannot be tied to financial advantages or to advantages of origin or to any kind of conditions. The subjective right means that everyone is entitled to have it, it is deducible from the human person. The subjective right can certainly be restricted in most cases. The fact that freedom of religion is not an absolute right means that it can be restricted for certain reasons after completion of the test in the area of necessity and proportionality. The first-generation nature is related to the time of the origin, and it is not necessary to be discussed further. However, it is worth mentioning that the content of this long existing fundamental right has been changing nowadays. Let us think of the crisis of migration, the existence of the Islamic State, or other destructive sects. Consequently, no matter how important role this first-generation law has, it is interesting to examine its changes and questions of content according to certain eras.

It is worth looking out briefly to the European practice related to the freedom of religion and connected with the relationship between the church and the state. One of the models can be examined in the example of Austria, where the separation is obvious, but knowing the historical examples, this separation means a bound on several stings. Another model could be France, where the separation was final after the French Revolution. This is a completely neutral model. The third example could be either Greece or England, where there is a kind of “church of the state.” In England the head of the church is the Queen herself (Antalóczy, 2013, p. 44).

Let me investigate the involvement of the church in the education. The institutions of the education are important territories of the church. The freedom of religion means a willingness of the communities to tell their

teaching in the right place and time, since the aim is to show the message in an audible form. From our viewpoint freedom of religion is much more than that. First of all it means the substance that in the education we have a right to reach those students who are open to faith. It can only happen if we have such institutions where there is no retreat but the living church can operate within the walls of the school. The teaching of Christ is obvious: “Go therefore and make disciples of all nations!”³ The Synod was optimistic when it claimed:

The fact is that men of the present day want to be able freely to profess their religion in private and in public. Indeed, religious freedom has already been declared to be a civil right in most constitutions, and it is solemnly recognized in international documents.⁴

The fathers of the Synod happily look onto this phenomenon. On the other hand it can be recognised that the “fashion” of the religious freedom seems to omit the Christian denominations from this positive aspect. The education is a special field where Christ’s church and the manifestation of the faith comes to the foreground. This right is guaranteed by the national legislation, but it is more important that our church has perspectives by the Catholic institutions, that enable everyone to hear the faith by listening to them.

The synod has already pronounced:

The further fact is that forms of government still exist under which, even though freedom of religious worship receives constitutional recognition, the powers of government are engaged in the effort to deter citizens from the profession of religion and to make life very difficult and dangerous for religious communities.⁵

There is a special tendency in Europe: almost every community is accepted in the Union, but the freedom of Christianity takes a back seat.⁶ Although the synod clearly claims that the freedom of religion is a real value that must be used but not abused.

This council greets with joy the first of these two facts as among the signs of the times. With sorrow, however, it denounces the other fact, as only to be deplored. The council exhorts Catholics, and it directs a plea to all men, most carefully to consider how greatly necessary religious freedom is, especially in the present condition of the human family. All nations are coming into even closer unity. Men of different cultures and religions are being brought together in closer relationships. There is a growing consciousness of the personal responsibility that every man has. All this is evident. Consequently, in order that relationships of peace and harmony be established and maintained within the whole of mankind, it is necessary that religious freedom be everywhere provided with an effective constitutional guarantee and that respect be shown for the high duty and right of man freely to lead his religious life in society.⁷

The creed of the synod is still valid though restricted at the same time, on the other hand the program of mediating the faith can help us accept each other tolerantly but not in a syncretistic way, because of peace and happiness and not owing to losing our faith and principles. Freedom of religion is a great opportunity for our institutions to help the appearance of Christ’s teaching in the secularised world. Although the principle of

³ Matt 28, 19.

⁴ DH 15. (Dignitatis Humanae) Declaration on religious freedom. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html (date of research: 12 February 2020).

⁵ DH 15.

⁶ It is worth considering how much role ecumenism plays in the Catholic schools. There may not be more important ecumenism anywhere than in those schools where several religious teachers appear from the different denominations at the same time based on the agreement between the Hungarian Catholic Episcopal Conference and the other Christian denominations. Schütte’s study clearly introduces the relationship between ecumenism and the freedom of religion (SCHÜTTE, H. *Glaube in ökumenischen Verstandnis*. Bonifatious-Lembeck, Paderborn, Frankfurt am Main 1993).

⁷ DH 15.

neutrality is widely professed both in Hungary and Europe, the theologians tend to realise that the principle of the freedom of religion has to be completed with essential elements because of the globalisation and the “oversupply” of religions. Because of the “multireligionism” appearing at the schools in Austria there is a serious question whether the religions, including the Islam, belong to the everyday life or not. To answer this question we have to touch on the question of religious freedom, as well (Nowak & Kocina, 2018). The secularised world means the freedom of religion a certain kind of division. The world of theology in most religions does not interpret the freedom of religion as a freedom of keeping distance from religion, but as something that is evidently, strongly related to the everyday life. The presence and the endurance of the Islam brings forward the Christian interpretation of the religious freedom again.

When religion is talked about in the schools of the western countries, they tend to speak about it more and more strongly because of the presence of the Islam. In the German schools there is a need for a separate training and a special theological course because of the Islamism (Bruckermann & Jung, 2017). The reflection of this phenomenon can be the elaboration of the new viewpoints in the national theology. The religious education cannot be satisfied with teaching merely the truths of our faith, moreover it does not reach the minimum level. Besides the church is looking for the relationship with those in the secularised world who consider us knowledgeable friends rather than enemies. The freedom of religion can also mean some experiments to the recognition of others, but it can be efficient only when it does not encourage us to abandon our own religion (Friedligsdorf, 1996).⁸

The idea of religion being a personal affair often tempts us. But we know that according to the Christian world, religion is such a public affair that strongly influences our lifestyle and attitude in our daily life. The politician, Winfried Kretschmann pronounced in his lecture in 2013 that religion belongs to the private sphere, but at the same time he admitted that religion presumes active practice and means the active experience of faith (Kretschmann, 2012). The work in the Catholic institutions means such a profound and active recognition and acquaintance of religion with theological foundations that was not possible for the national Catholic Church since the World War II. It can also mean that we carry our faith in fragile crockery; consequently we need to hand over our values, so that they really represent values for everybody, and while living in freedom we should not lose our faith. There was a unique event in the Parliament on 20th February 2018. All the present MPs passed the suggestion that 13rd January shall be the Day of the Freedom of Religion.⁹

Nowadays we tend to speak about Christian politics. I am convinced that Christianity is not politics but a religion with such values that require an entire human being. The Christian politics still executes something from the Christian teaching in social, but not in religious sense. The present European society is diverse, but it still roots from the Judaeo-Christian culture that needs to be preserved and protected altogether with those people who represent different ways of thinking and values.

⁸ An interesting study can be read in the volume edited by Frielingsdorf. One of the studies gives friendship as an example related to the development of the personal faith. It can be asserted that friendship plays an important role in the question of the religious freedom. Our Catholic schools can give an opportunity to these actions based on either ecumenism or on dialogues.

⁹ Vejkey Imre (KDNP) highlighted that it was first declared in Torda that no one is equal even in their belief, that the world, including Transylvania, is diverse, and this diversity supports each other by complementing each other. He also added that the fight for religious freedom was an important chapter of the fight for human rights. He emphasized that Europe has recently remarkably lost its Christian faith and values, contradicting the founders’ utterance that “Europe either will be Christian or will not exist at all”. The representative said that it is never late to answer the calling voice of God and return to the roots for the sake of building a Christian Europe. Cf. *A vallásszabadság napjává nyilvánította Magyarország Országgyűlése január 13-át.* <https://evangelikus.hu/2018-vallasszabadsag-napja> (date of research: 11 March 2020).

Summary

In my study (lecture) I briefly presented the events of the three milestones of the Hungarian history from the viewpoints of the church, the schools, and of religious freedom. The first milestone is the formation of the strong, complete materialist approach after the Second World War, which wanted to transform the society completely. The central issue was religion, or more precisely the squelch of religion. The second milestone was a period of relief, after the revolution, which gave some concessions to religion. The third event was the reopening of the religious freedom, after the regime change, which completely transformed the society. As I presented in my lecture, the effect of this transformation has to be felt through the dialogues and the cooperation of the different religions.

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