

**INTERNATIONAL ASPECTS AND LEGISLATIVE
FRAMEWORKS REGULATION OF STATE-CHURCH RELATIONS
IN HUNGARY IN THE PERIOD OF THE REIGN OF M. HORTY**

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INTRODUCTION

The content and main directions of the development of diplomatic relations between Hungary and the Vatican in the period from 1920 to 1944 are analyzed, as well as the legal basis for regulating the status of religious communities and organizations in the country in this historical era. It was noted that the work on the preparation of the establishment of direct diplomatic relations between Hungary and the Holy See began already at the end of 1918 under extremely difficult foreign policy conditions and at the same time in the conditions of a conflict of interests regarding the right of main patronage. It was a conflict between the attempt of the new Hungarian government to preserve the ancient right of the Hungarian kings to appoint the high priest of the national Catholic Church, on the one hand, and the desire of the Holy See to centralize the decision on this issue, on the other. The importance of solving these and other issues of state-church relations immediately after the First World War was actualized by the fact that in the conditions of the country's search for a new place on the political map of Europe, all current religious and political issues were extremely important for ensuring both social consolidation and internal law and order, as well as protection of Hungarians abroad.

Meanwhile, until 1920, the establishment of diplomatic relations was made impossible by the absence of a ruler and government legitimate from the point of view of the Holy See in Hungary. The National Assembly held in February 1920 and the subsequent international legitimization of the power of the regent and the new government ensured rapid progress in solving the issue of establishing diplomatic relations, and already in July of the same year, the Hungarian embassy was officially opened at the Holy See, and in October the first the apostolic nuncio in Budapest handed over the letter of faith to the regent M. Horthy. The peculiarities of the Hungarian embassy were that the ambassador to the Holy See was not a clerical person, did not represent the interests of Hungarian citizens, but only the political and religious positions of the Hungarian government. In the mid-1920s, the Hungarian government took certain measures to formalize the ways of maintaining diplomatic relations. It is significant that both sides did not

insist on concluding a concordat, although the Holy See concluded 20 new concordats with European countries, particularly Hungarian neighbors, during the 1920s. The reason is that, due to a number of objective circumstances, the prerequisites for signing the concordat between Hungary and the Holy See were objectively shaky and uncertain. At the same time, there is every reason to state that there were generally sincere and friendly relations between the Hungarian government and the Catholic Church in the interwar and postwar period, which in itself reduced the political and legal value of the concordat issue.

1. Content and nature of diplomatic relations between Hungary and the Holy See in the period between 1920–1944

The analysis of historical facts related to the establishment of diplomatic relations between the new Hungarian state, which emerged on the map of Europe after the collapse of Austria-Hungary and the Holy See, requires a clear understanding of the political situation in Europe at that time, as well as the essence and character of the Catholic Church in global and national dimensions. Therefore, the Catholic Church is a universal church with its own ecclesiastical hierarchical organization headed by the Pope. The Pope, as the head of the church, appoints its highest hierarchy – from cardinals and metropolitans to bishops and archbishops – whose representatives head the relevant subdivisions of the church – dioceses. At the same time (since 1929), the pope is the sovereign (head) of the theocratic state Vatican City as a sovereign territory of the Holy See.

According to the canons of Catholic theology, the will of Christ is that the church should be united, holy, apostolic¹. Therefore, the history of any national Catholic Church should be considered as an integral part of the single Apostolic Catholic Church. This fully applies to the Hungarian Catholic Church. At the same time, the latter preserved its specificity and identity throughout its historical progress – both in the Habsburg Empire and in the Austro-Hungarian Monarchy. The fact of its certain isolation is evidenced by the activities of the Hungarian Conference of Catholic Bishops and the prince-primate, a person with the corresponding archbishopric title. On the part of the Apostolic Holy See, the nuncio – its ambassador in Vienna – had broad powers in relation to the Hungarian Church. At least, as of 1918, Hungary did not have direct diplomatic relations with the Holy See, if any contacts did take place, it was through the Ministry of Foreign Affairs of Hungary and the Viennese Nuncio.

¹ Русецький М. (о. Кшиштоф Кауха). Християнство. В кн.: Релігія в сучасному світі: матеріали до курсу релігієзнавства. Ред. Г. Зімоня. Львів: Свічадо, 2007. 504 с. С. 386.

After the end of the Austro-Hungarian Empire, the Holy See maintained diplomatic relations with the new Austrian Republic, leaving its apostolic nuncio in Vienna. From September 14, 1916 to December 15, 1919, this function was performed by Curial Cardinal T. Valfre di Bonzo, and it was he who in 1918–1919 was entrusted with the task of solving all matters with the Hungarian Church, although he was not even accredited to the new Hungarian state.

At the same time, already at the end of 1918, work began on the preparation for the establishment of direct diplomatic relations between Hungary and the Holy See. This was due to the emergence in the new Hungarian state of a number of issues of a political and religious nature that needed to be settled, in particular, issues of the right of supreme patronage, separation, Catholic autonomy and church administration in certain territories. The official notification of the Viennese nuncio about the readiness of the Hungarian government of M. Károlyi to establish diplomatic relations with the Holy See was signed on December 27, 1918 by the prince-primate, Cardinal J. Csernoch. The author of the message casually asked the nuncio to act as a mediator between the Hungarian government and the Vatican, emphasizing the extreme importance for the church of «restoring» diplomatic relations².

The first concrete measures to establish diplomatic relations were taken in the spring of 1919 by the government of D. Berinkey. On March 7, as a result of the relevant decision of the Council of Ministers of Hungary, adopted a day earlier, the Minister of Religious Affairs Ya. Vash paid a visit to the Viennese Nuncio, to whom he handed over a document with a draft resolution of religious and political issues called «Protocol pro memoria». The main issues were the establishment of diplomatic relations and the appointment and oath of allegiance of Catholic priests, in particular bishops³.

From March 21 to August 6, 1919, Hungary was ruled by a communist regime, known in history as the «Hungarian Soviet Republic.». It arose against the background of the inability of M. Károlyi's government to quickly organize on the territory of a new state primitive national financial and economic system. The Soviet republic immediately proclaimed the separation of the church from the state and the confiscation of all church property in favor of the latter, limiting any church activity in the country to the sphere of religious services. The persecution of the Catholic clergy began, especially those who were engaged in active social activities. Diplomatic contacts between the state and the Holy See during the period of the «Hungarian Soviet Republic» were actually interrupted. Several

² EPL – Cat. C. 1457/1918

³ EPL – Cat. C. 1522/1919

significant events that took place in Hungary during this period in the context of these relations deserve attention. First, on March 12, 1919, Pope Benedict XV issued an order to dissolve the Council of Priests; this order was implemented by the decision of the prince-primate at the end of March. Secondly, in July 1919, a new bishop, A. Hanauer, was appointed in the city of Vác without taking into account the right of supreme patronage, since the papal bull in this regard arrived in Hungary only in mid-September, already after the fall of the regime of B. Kuhn^{4 5}.

It should be noted that in the relations between the secular authorities of Hungary and the Holy See, there was a conflict of interests regarding the right of main patronage. In the first post-war years, the governments tried to preserve this ancient right of the Hungarian kings, but the Catholic Church, striving for centralization, took a different position, which is vividly illustrated by the new Code of Church Law published in 1918 (Codex Juris Canonici). The latter not only did not recognize the right of supreme patronage for the governments of the countries, but also qualified the participation of secular authorities in the appointment of the high priest of the national church as «illegal interference in the affairs of the Holy See.». Later, this position was strengthened by the fact that the last crowned king was deposed in 1921 and died the following year. Simplifying the problem, therefore, there are reasons to assert the existence of two opposing points of view on the settlement of state-church relations in Hungary in this historical period – the Holy See, on the one hand, and the Hungarian state, on the other.

At the same time, for Hungary, which after the collapse of the empire and the revolution tried to determine its new place on the political map of Europe, all current religious and political issues were of fundamental importance for ensuring both social consolidation and internal law and order, as well as the protection of Hungarians abroad. In those years, the new Hungarian state and its government viewed any ties with the Holy See – as the most influential center of world Catholicism – as steps on the way to break through international isolation, European and world self-identification.

So, at the end of September 1919, there were new attempts to initiate the establishment of diplomatic relations between Hungary and the Holy See. Such initiatives are outlined, in particular, in the letter of the Minister of Foreign Affairs of the government of I. Friedrich Count J. Somšić to the State Secretary of the Holy See P. Gasparri. The response of the Secretary of State is set out in a letter dated October 1919, which speaks of a generally

⁴ Az 1919–1944 közötti Püspökkari konferenciák jegyzőkönyveit közli Beke Margit: A magyar katolikus püspökkari tanácskozások története és jegyzőkönyvei 1919–1944 között, I-II köt. Műnhen-Budapest 1992.

⁵ BFL Föv.tan.üo.ir. IX-3375/1922.

favorable attitude towards the initiatives of the Hungarian government, but at the same time of the need, in view of the current political relations, to correctly determine the moment that will be the most suitable and acceptable for solving the question of establishing diplomatic relations⁶. In fact, this answer contained a hint that, while there is no legitimate ruler and government in Hungary, it is premature to concretely discuss and decide on the issue of diplomatic recognition by the Holy See. We find confirmation of this in the letter of the Esztergom prince-primate to the Hungarian bishops, who wrote verbatim: «From the moment Hungary gained full independence, the prince-primate repeatedly took steps towards the Apostolic Holy See and the government of Hungary in order to establish diplomatic relations between Hungary and the Holy See. In the future, the Apostolic Holy See has plans to send its ambassador to Budapest, but the implementation of these plans is postponed until peace is concluded and the international status of the Hungarian government is clarified»⁷.

At the beginning of 1920, the National Assembly of Hungary discussed the draft law dated February 20 «On the restoration of constitutionality and temporary regulation of the highest state power.» In Art. 1 of the draft law states that the person who will be elected regent cannot enjoy the higher right of patronage. This point was included in the draft law at the meeting of the commission of the National Assembly by its Catholic members, taking into account the possibility of electing the commander-in-chief of the national army, a reformed M. Horthy, as regent. According to the members of the National Assembly, such a decision was designed to prevent complications in relations with the Holy See in the future, since the latter, without a doubt, would not recognize M. Horthy as a user of the highest right of patronage⁸. The National Assembly, making this decision, referred to canon 1453 of the Code of Canon Law (Codex iuris canonici) – a body of legal norms of a general and universal nature that regulate the activities of the Catholic Church – according to which the personal right of patronage cannot be transferred to persons who do not have of the Catholic faith.

The initiatives outlined above by the hierarchs of the Catholic Church and Hungarian government officials began to be implemented only after the invitation of Hungary to the Paris Peace Conference (worked until January 21, 1920), elections to the National Assembly and international legitimization of the government. It is significant that although M. Horthy was elected regent on March 1, 1920, already on February 27 the Italian

⁶ MNL OL K-62, Protokoll Oszt. Vatikán. 16. d. 6117/1920.12. pont.

⁷ EPL Ppki jkv. – 1920. márc. 17, 16. pont.

⁸ Túri B. A főkegyúri jog és a mai helyzet. Nemzeti Újság. 1929. XI. évf. 294 sz. December 25. Old. 2.

Cardinal and Secretary of State of the Holy See P. Gasparri spread information about the Holy See's readiness in principle to establish diplomatic relations with Hungary, casually noting that the nuncio in Budapest it is planned to appoint the auditor of the Bavarian (Munich) Nunciature of Prelate L. Schioppa⁹ ¹⁰.

In the official request of the Prime Minister Sh. Shimonyi-Shemadam to the name of the regent M. Horthy dated March 22, 1920, a proposal was made to open a representation of the Holy See in Budapest through the nuncio¹¹. On March 26, the regent gave his preliminary consent to the accreditation of L. Schioppa as apostolic nuncio in Budapest, about which on the same day Prime Minister S. Shimonyi-Shemadam informed the state secretary and prince-primate¹² ¹³. All this meant readiness to establish diplomatic relations with Hungary even before the signing of the Trianon Peace Treaty (June 4, 1920), which finally determined Hungary's new international status.

Naturally, the Trianon Peace Treaty gave a new impetus to the establishment of diplomatic relations between the Hungarian state and other subjects of international law. On July 3, 1920, Count Y. Somsic received the rank of minister plenipotentiary and extraordinary ambassador of Hungary; it is obvious that his appointment as ambassador took into account previous merits in the field of establishing diplomatic contacts of the young state with the Holy See¹⁴. On July 26 of the same year, Pope Benedict XV received the corresponding letter of faith, after which the Hungarian embassy was officially opened at the Holy See.¹⁵ In the middle of 1920, Bishop J. Chisarik was engaged in the organization of the work of the embassy, actually performing the function of the embassy's first adviser on canon law¹⁶.

As planned, L. Sköpp was appointed as the first apostolic nuncio in Budapest. He arrived in the Hungarian capital at the end of September 1920, and on October 6 he handed over his credentials to Regent M. Horthy. According to the protocol, immediately after the nuncio's accreditation, the bishops and higher prelates of Hungary paid him solemn «visits of honor»¹⁷.

⁹ EPL – Cat. 59. 356/1920

¹⁰ MNL OL K-62, Protokoll Oszt. Vatikán. 16. d. 6117/1920.10. pont.

¹¹ Ibid.

¹² EPL – Cat. 59. 356/1920

¹³ MNL OL K-62, Protokoll Oszt. Vatikán. 16. d. 6086/1920

¹⁴ Magyarországi törvények és rendeletek tára. Pest: Kiadja Pfeifer Ferdinánd, 1868. 1096 old.

¹⁵ MNL OL K-105, Vatikán. 35. cs. E-1-a-145/pol./1920

¹⁶ MNL OL K-105, Vatikáni követség által ir. 1. cs. 1/1920. A külügyminiszter 1920. július 9-i levele Somssichhoz.

¹⁷ MNL OL K-62, Protokoll Oszt. Vatikán. 16. d. 32.285/1920

The forms and framework of diplomatic relations between Hungary and the Holy See deserve a detailed description and analysis. First of all, it should be assumed that the ambassador to the Holy See did not represent the church, but the Hungarian state, therefore, he was not a clerical person. The ambassador traveled to the Holy See as head of state and was accredited by the current Pope. The work of the ambassador and diplomatic staff of the embassy was directly managed by the Ministry of Foreign Affairs of Hungary, in which the political department and the adviser on canonical issues were responsible for clerical policy. In addition, the Ministry of Religion and Public Education dealt with matters of development of the clerical policy of the Hungarian state, and specifically, policy matters in the «Catholic direction» – its first department.

The Pope personally received the ambassador of Hungary, as well as the ambassadors of other countries, only within the framework of special protocol events or extraordinary audiences, when it was necessary to urgently solve important political and diplomatic issues. For all other matters, the ambassador maintained contacts primarily with the state secretariat of the Holy See. Until February 1930, the functions of state secretary were performed by P. Gasparri, until March 1939 by E. Pacelli (later Pope Pius XII), then until August 1944 by L. Maglione. In addition to the state secretariat, the embassy was in contact with various dicasteries – departments of the Roman Curia, with heads of congregations. The second person in the embassy after the ambassador was his adviser on canon law, who, unlike the ambassador himself, had the status of a clerical person¹⁸.

The special status of the ambassador of Hungary to the Holy See, in contrast to ambassadors in various states, was determined by the fact that the ambassador did not represent the interests of Hungarian citizens in the territory of the subject of international law in which the embassy operated, because at that time the theocratic state (the Vatican) was not yet existed He could represent before the Holy See only the political and religious positions of the Hungarian government. The embassy's powers also included ensuring compliance with the protocol for Hungarian statesmen who plan to resolve any issues with the Holy See, preparing the papal audience for non-officials, primarily pilgrims. As for the mission of the apostolic nuncio in Hungary, which was accredited to the head of state, to some extent it was a generally accepted diplomatic mission. The nuncio received orders regarding his activities directly from the state secretariat, in the country of destination he resolved all matters primarily with the Ministry of Foreign Affairs. However, in countries with a Catholic majority, the papal nuncio is more

¹⁸ Gergely J. A katolikus egyház története Magyarországon: 1919-1945. Budapest: Pannonica Kiadó, 1999. 400 old. old. 14

than just an ambassador. In Hungary, as in other Catholic countries, his mission extended to the national church. It should be noted that such a mission must be understood not as certain duties within the framework of official jurisdiction, but as the implementation of the will of the Holy See into the activities of the Hungarian Catholic Church. The state had no right to interfere in its relations with the papal nunciature. In addition, the bishops had the right to resolve some issues directly with Rome, outside the nunciature, although the latter was not without reason characterized as the «eyes and ears» of the Holy See in Budapest¹⁹.

In the following years, the Hungarian government took certain measures to formalize the ways of maintaining relations with the Holy See. On this issue, on July 9, 1925, at a confidential interdepartmental meeting on religious policy, which was personally held by the Prime Minister (1921–1931) Count I. Bethlen, a special Agreement was adopted²⁰. The meeting was attended by representatives of the Ministry of Foreign Affairs and the Ministry of Religion and Public Education, as well as a representative of the prince-primate. The agreement stipulated that the Ministry of Foreign Affairs conducts official negotiations with the Holy See on behalf of Hungary – through the Budapest nuncio or the Hungarian ambassador to the Holy See. An exception to this rule could be the prince-primate's contacts with the Holy See, which stem from his religious-administrative jurisdiction. Before providing reports on cases in the cult sphere to the embassy at the Holy See, the Ministry of Foreign Affairs had to inform the Ministry of Religion and Public Education about the nature of the cases and obtain the relevant approvals from the latter. Contacts with the higher clerical authorities remained within the competence of the Ministry of Religion and Public Education, and the most important issues had to be reported to the Prime Minister²¹.

If the establishment of diplomatic relations made it possible to more or less promptly resolve the current issues of the functioning of the Catholic Church in Hungary, then on a more global legal level, the regulation of state-church relations in the country required the creation of an appropriate legal framework. Traditionally, the Holy See has always tried to settle issues of the life of parishes on the territory of individual states, contacts with state institutions, and the state and legal status of the national church by concluding special treaties of a comprehensive nature with states within the framework of international law – concordats. A concordat within the

¹⁹ Gergely J. A katolikus egyház története Magyarországon: 1919-1945. Budapest: Pannonica Kiadó, 1999. 400 old. 15 old.

²⁰ Romsics I. A bethleni konszolidáció állam- és kormányzati rendszere. Társadalmi Szemle. 1985.XL. évf. 12 sz. Old. 63–71.

²¹ MNL OL K-63, Küm. Pol.oszt.ir. 297. cs. 34.t. 988/1922

framework of canon law means an agreement concluded between the state and the Catholic Church, represented by the Pope, which regulates for Catholics living in the territory of this state, the procedure for solving so-called «mixed issues» (*rex mixtae*) in full or partly for a long-term perspective, taking into account the interests of both parties. It is significant that during the entire history of concordats up to the 1920s, the Holy See concluded almost two hundred such agreements, but none was concluded specifically with Hungary^{22 23 24}.

When considering this issue, it is important to emphasize the theological point of view, since the Ukrainian religious and scientific reference literature contains a lot of contradictory and superficial definitions of the given concept. For example, the «Modern Explanatory Dictionary of the Ukrainian Language» provides the following definition, which clearly does not pretend to be complete: «Concordat (lat. *concordatum* – agreement, *concordare* – to agree) is an agreement between the government of a state and the Pope, which determines the position of the Catholic churches in this state»²⁵. Regarding the subjects of the concordat, from the side of the Holy See, such a subject can only be the Pope of Rome as the head of the universal church. Thus, a concordat cannot be concluded with the state in the person of any of its institutions collectively by the episcopal chair of a certain country, its primate or an individual bishop. It is important to emphasize that the validity of such an agreement is determined by international law, and both sides of the concordat are its subjects. On the part of the state, the concordat can be concluded by an official authorized to conclude international agreements in accordance with the constitution (legislation) of this state.

The subject of concordats can be a wide range of various issues that arise between the state and the Catholic Church. Some of these issues fall under the so-called «mixed» category – these are issues that equally affect the interests of both parties – the church and the state. In many concordats concluded before the beginning of the 20th century, this category included issues of marriage law, in particular civil marriages, issues of religious education, some property and financial issues that primarily related to the activities of religious organizations. The concordats may record the

²² Bánk J. *Kánoni jog. I-II. Kötet I.* Budapest: Szent István Társulat, 1960. 771 old. 315–325 old.

²³ Mercati A. *Raccolta di Concordati Su Materie Ecclesiastiche tra la Santa Sede e le Autorità Civili.* Roma: Tipografia Poliglotta Vaticana, 1919. 1138 p.

²⁴ Palinchak M., Holonič J. *Vztahy štátu a cirkvi v krajinách Strednej a Východnej Európy.* (Sociálny rozmer religiozity a jej odraz v spoločnosti). Trebišov: Merc, 2019. 190 s. 78 s.

²⁵ Сучасний тлумачний словник української мови: 65000 слів. За заг. ред. В. В. Дубічинського. Харків: ВД «Школа», 2006. 1008 с. 414 с.

procedure for filling church positions agreed with state institutions, to which persons are appointed by the Holy See. On the other hand, the subject of concordats cannot, in principle, be established dogmas of faith and so-called «internal» issues of the church, for example, regarding the organization and conduct of church services. A separate category of concordats is called *modus vivendi*. These are agreements that do not pretend to systematize state-church relations, instead, they are designed to settle individual disputed issues of such relations.

From a formal point of view, concordats mostly take the form of ordinary international treaties, which are signed by authorized persons on both sides, and then ratified by competent state institutions and the Holy See. On the part of the latter, the concordat acquires the status of church law after its discussion at the episcopal consistory (meeting of cardinals), proclamation in the form of a bull and publication in the official bulletin of the Holy See «*Acta Apostolicae Sedis*» («Acts of the Apostolic See»). From the side of the specific state with which the concordat is concluded, the latter acquires the status of ordinary secular law after its publication in the corresponding official publication. Therefore, in the case of Hungary, the concordat was supposed to settle the disputed issues that arose between the Hungarian state and the Hungarian Catholic Church, even though the Holy See would be the official signatory.

An analysis of Hungary's previous relations with the Catholic Church makes it possible to make assumptions about the difficulties in concluding a concordat between Hungary and the Holy See. It should immediately be taken into account that during the 1920s, the latter concluded 20 new concordats with European countries, in particular with Hungarian neighbors. For example, a concordat was signed with Latvia in 1922, with Poland in 1925, with Lithuania in 1926, with Romania on May 10, 1927, and a *modus vivendi* with Czechoslovakia on September 27 of the same year. Therefore, the Holy See, for its part, conscientiously sought to regulate the situation of the faithful of the Catholic Church who lived in these states. But there was a widespread opinion in Hungary that a significant part of these treaties, especially with the legal successors of the former monarchy (Romania, Czechoslovakia), painfully violated the interests of the Hungarians who lived there. Later, in the 1930s, concordats were concluded with Austria (1933) and Yugoslavia (1935, without ratification by the national parliament), which, according to Hungarian officials, affected the interests of Hungarians to a lesser extent²⁶.

Analyzing the position of the Hungarian authorities regarding these concordats, one should, among other things, take into account that, in

²⁶ Bánk J. *Kánoni jog*, I-II. Kötet I. Budapest: Szent István Társulat, 1960. 771 old.

general, very complex mechanisms for realizing the interests of the Catholic Church in various states were hidden behind the policy of the Holy See. In the 20s and 30s of the 20th century, under the papacy of Pius XI, signs of papal centralism intensified in the governance of the Catholic Church, which manifested itself, in particular, in the displacement of various political influences from church life. It is natural that the concordats concluded in this historical period should have served as powerful tools for consolidating such a centralist policy. On the other hand, a large-scale redistribution of power and political influence took place on the territory of Europe at this time, if compared with the established norms of the second half of the 19th and early 20th centuries. First of all, this redistribution was caused by the fall of traditional monarchies, the restoration of independence of a number of countries, the emergence of new national states, in part of whose territory many Catholics lived. This fundamentally new geopolitical situation in Europe prompted the Holy See to revise the mechanisms for protecting the interests of Catholics in various countries.

Therefore, the very prerequisites for signing the concordat between Hungary and the Holy See were objectively shaky and uncertain due to the circumstances outlined above. Meanwhile, during the 1920s, the Hungarian ambassador to the Holy See repeatedly received signals from curial officials about the principle possibility of settling the situation of Catholics in Hungary through the conclusion of a concordat, although there were no official proposals in this regard. Paradoxically, this does not at all indicate a «cool» relationship directly between the two subjects of international law. An analysis of the summarized reports of the Hungarian ambassadors to the Holy See, statements of Hungarian government and church officials gives grounds for asserting generally sincere and friendly relations between the Hungarian government and the Catholic Church at that time. Despite certain controversial issues and individual conflicts in the sphere of state-church relations in Hungary, the Catholic Church held an exceptional position there and had significant support from the state. Against this background of real contacts, the conclusion of an official agreement with the Holy See lost its relevance.

The analysis of significant sources of Hungarian historiography confirms that the relations between the state and the church in Hungary were harmonious to the extent that they did not require the conclusion of a concordat in the given historical period. But it is worth considering that this was the position primarily of the Hungarian authorities, and not of the Holy See. The Government of Hungary believed that the terms of the concordat would not be more favorable for it compared to those that actually existed. After all, the actual state of affairs in relations between the state and the church in Hungary gave the government additional freedom and flexibility in

the development of religious policy^{27 28}. One of the main elements of this actual state of affairs was the close connection of the church hierarchy with the authorities, and in case of signing a concordat, a third party would be involved in the relationship between them, which could negatively affect the nature of these relations. The Hungarian church hierarchy itself was not interested in this. There were also more specific factors that did not encourage moving in the direction of signing the concordat. For example, in the case of its conclusion, the religious fund would be removed from state control, and the state would lose leverage over the process of appointing bishops. Cardinal D. Serédi's point of view is indicative in this context. In his personal opinion, they did not want to initiate the conclusion of the concordat both in Hungarian government circles and in Rome. Both sides were quite satisfied with the settlement of the so-called «mixed» issues in the relationship between the state and the Catholic Church without a concordat. The methods of taxation of large benefits were recorded in written documents; the right of supreme patronage was temporarily suspended, but part of the powers were exercised by the Minister of Culture on the basis of the right delegated to him by the supreme patron; issues of religious education were regulated at the legislative level; there were more problems with the collection of taxes, but even in these matters it was possible to reach a mutual understanding. In Rome, as noted by D. Serédi, they did not show much enthusiasm for the preparation of the concordat with Hungary, among other things, because they did not want to change the rather stable actual situation and take on additional obligations within the framework of the new treaty²⁹.

These sentiments in Vatican circles, described by D. Serédi, became especially characteristic at the end of the 1930s. It was during this historical period that the Holy See somewhat changed its policy of concluding concordats, experiencing the negative side of this policy. First of all, the negative consequences for the Vatican were to agree with Germany and Romania. Thus, it is possible to assert a change in the policy of the Holy See during the 1930s. If in the 1920s the Holy See was generally inclined to sign concordats with various European countries, in particular with Hungary (only the Hungarian government and church hierarchs opposed it), then during the next interwar decade, the position of the Vatican also changed.

Analyzing these features of Hungary's relations with the Holy See, it is important to note that the policy of the countries of the Little Entente towards

²⁷ MNL OL K-63, Küm. Pol.oszt.ir. 298. cs. 34. t. 482/1933

²⁸ Csizmadia A. A magyar állam és egyház jogi kapcsolatainak kialakulása és gyakorlata a Horthy-korszakban. Budapest: Akadémiai Kiadó, 1966. 442 old.

²⁹ EPL – 5772/1941. augusztus 16.

the church was not as favorable as the policy of Hungary, which could not but cause dissatisfaction with the state of relations with them in Rome. For example, among the first steps of the government and the president of the newly created Czechoslovakia were attempts to separate the church from the state. Focusing on the slogan of the liberal movement in Europe «Get away from Rome!», the Czechoslovak government made a bet on the orthodox national Czech religious ideology of Hussism and the creation of a national Hussite church. As a result, as of 1921, about 1.4 million believers left the Catholic Church on the territory of Czechoslovakia³⁰.

As mentioned above, the first apostolic nuncio in Budapest was L. Sköppa (1920–1925). In May 1925, a new nuncio, C. Orsenigo, was sent to Budapest. He was a «hard» diplomat who paid little attention to winning the favor of the Hungarian clergy and laity. The main priority for him was the steadfast implementation of the line of the Holy See in Hungary, which could not but cause some tension in the latter's relations with the Hungarian state³¹. The new nuncio was met with caution in Budapest. There was every reason for this, since he was considered a trusted person, a kind of «eyes» of the pope, and among his first assignments there were quite controversial ones. At an extraordinary meeting of the episcopal chair on March 17, 1926, C. Orsenigo openly expressed his positions. He condemned the fact that in Hungary political events are often connected with church ceremonies. The newly appointed nuncio emphasized the inadmissibility of the widespread in the country «dangerous» union of Catholics with «persons of other faiths», meaning Protestants by the latter. Such practice, in his opinion, gave rise to religious indifference. Numerous mixed marriages, also condemned by the nuncio, follow from it. In addition, some issues directly related to Hungarian religious policy were raised at the meeting. In particular, the nuncio announced the decision of S. Congregatio negotiorum extraordinariorum adopted in Rome on November 26, 1925 and the order issued on its basis, according to which the Hungarian bishops had to send reports on episcopal and chapter incomes, as well as on income and expenses of seminaries^{32 33}. Such decisions were perceived in Hungary as «unfriendly steps» on the part of the papal throne. In view of this, the local bishops stated that the publication of data from the outlined reports could be used by unscrupulous politicians, and this could harm both church and state interests of Hungary. In addition, such decisions did not take into account local traditions and

³⁰ Палінчак М. М. Державно-церковні відносини на Закарпатті та в Східній Словаччині в 20-х – середині 30-х років XX ст. Ужгород: Карпати, 1996. 92 с. 16 с.

³¹ MNL OL K-62, Protokoll Oszt. Vatikán. 16. d. 2508/1930

³² BFL Föv.tan.üo.ir. IX-3375/1922.

³³ Püspökkari konferenciák jegyzőkönyvei 1926. március 17., 9. pont.

technical capabilities; yes, the calculation of accruals on actual net income was considered problematic in general³⁴. Taking these circumstances into account, the episcopal chair decided to take these issues into consideration, but postpone their concrete solution until a later time.

The attitude in Hungary towards the new nuncio C. Orsenigo was vividly expressed by the prince-primate J. Csernoch, whose position was brought confidentially to the government through the mediation of bishop J. Chisarik. The prince-primate stated that the current nuncio (C. Orsenigo) is much more unpleasant than the previous one (L. Schioppa), because he is a personal close confidant of the Pope. Regarding the above papal order on reports, the prince-primate stated: this is a new expression of the centralist direction³⁵.

Regarding the Hungarian Church, the Holy See had another important position in the inter-war and post-war period, which it asserted through the nuncio. It consists in the condemnation of active political activity on the part of priests. To some extent, this was a reaction to the fact that a number of Hungarian Catholic priests agreed to serve in the parliament. This practice was started as early as 1918, and among the deputies of the First National Assembly, the number of clergymen was particularly high. In general, the obtaining of deputy mandates was allowed by the Catholic canons with the permission of the Holy See or a competent ordinary, but in an official document from 1927, a similar role of the clergy was formally condemned: «The Cardinal Secretary of State warns the Hungarian bishops that, on the basis of paragraph 4 of canon 139, priests who engage in pastoral activities, should not have the right to deputy representation, and other priests should be limited in granting such a right»^{36 37}. The episcopal chair decided not to publicize these demands of the Holy See, as their publicization would immediately significantly complicate the position of the coalition Christian party, whose ranks included at least 5–6 representatives in the National Assemblies of various convocations. Catholic priests were both in the ranks of the government party and in the upper house of the parliament. Along with this, a compromise decision was made to allow parish priests to run for parliament only if they take care of their deputy for the duration of their mandate.

A significant contribution to the development of Hungarian-Vatican relations in the 1930s was made by the gifted professional diplomat

³⁴ Gergely J. A „gazdag egyház” gazdagsága. Adatok a katolikus egyházi birtokvagyon kérdéséhez a Horthy-korszakban. Agrártörténeti Szemle. 1986. XXVIII. évf. 1-2 sz. Old. 273–327.

³⁵ MNL OL K-64, Küm. Pol.oszt.res.ir.21.cs. 54. t. 249/1926. Csizsárik 1926. április 30-i jelentése.

³⁶ BFL Föv.tan.üo.ir. IX-3375/1922.

³⁷ Levéltár Püspökkari konferenciák jegyzőkönyvei 1927. június 21., 6. pont.

D. Bartsa, who headed the Hungarian embassy to the Holy See from 1927 to 1938 and consistently defended the national interests of his country. At the same time, in 1930, there was a change in the apostolic nunciature in Budapest: on February 24, A. Rotta was appointed nuncio; On May 13, he handed the regent his letter of faith^{38 39}.

Regardless of any position of the Vatican, the political contests that took place in Hungary in the 1930s influenced the decision of important questions of Hungarian religious policy. On October 1, 1932, the new Prime Minister of the country, D. Gömbös, began his duties, and his first trip abroad in this capacity was a visit to Rome. On November 12 of the same year, he was invited to an audience with the Pope, from whom he received the highest award that can be awarded to a non-Catholic head of government, the Order of Pius. The results of this visit are most clearly reflected in the pro memoria of the Ambassador of Hungary to the Holy See, D. Bartsa, a note written by the ambassador for the Prime Minister. It noted that despite any formal signs, the requirements of the Holy See regarding some aspects of Hungary's religious policy remain unchanged. This position is confirmed by the principle «suaviter in modo et fortiter in re» («in polite form the essence is resolute and firm»)⁴⁰.

In his reports, Ambassador D. Bartsa repeatedly criticized the authoritarian methods of managing the Catholic Church by Pope Pius XI. At the same time, he acknowledged that the State Secretary of the Holy See, Cardinal E. Pacelli, respects the Hungarian government program and the speeches of the country's Prime Minister D. Gömbös. From this, he made an assumption about the generally favorable perception in the Vatican of the religious context of the establishment and strengthening of a single, self-serving national state in Hungary. This position was actualized by the significant international influence of the Vatican. In reports to the government, the ambassador paid special attention to this, noting that the Vatican has diplomatic relations with 34 countries, and in almost every one of them it enjoys not only open, but also covert influence. In a separate report to the Prime Minister, D. Bartsa wrote that the Hungarian state and the Holy See undoubtedly have common interests. Cooperation between them at that time was particularly important in the field of protection of Hungarian national minorities outside Hungary. In particular, the ambassador noted: «The Vatican's role in protecting the cultural interests of Hungarian national minorities is the most important. To this day, this is the

³⁸ MNL OL K-62, Protokoll Oszt. Vatikán. 16. d. Angelo Rotta dosszié.

³⁹ Beke M. Angelo Rotta apostoli nuncius (1930-1945). Magyar Egyháztörténeti Évkönyv. I kötet. Budapest: Magyar Egyháztörténeti Enciklopédia Alapítvány, 1994. 165–175 old.

⁴⁰ MNL OL K-105, Vatikán. 38.cs. M-121/pol./1932. 1-7.fol.

only foreign center of influence where we found understanding and gained support in matters of protecting the interests of our minorities»⁴¹.

According to the Hungarian researcher J. Gergey, the majority of Hungarians who lived outside the Hungarian state were Catholics. Therefore, the Hungarian government's interest in them in the context of its relationship with the Holy See is easy to explain. The government considered the protection of their cultural rights, guaranteed by the peace treaty, a priority state and national interest, closely linking it with the religious interest. The ambassador to the Vatican, D. Bartsa, believed that these interests of the Hungarian government should coincide with the interests of the Vatican, and the latter should provide support to Hungarians in Romania, Czechoslovakia and Yugoslavia in terms of the protection of cultural interests. He made such conclusions on the basis of the combination of cultural and religious interests of Hungarians into a single whole, taking into account the fact that the national language and culture have been most preserved precisely in the religious sphere. Meanwhile, the attitude of the Holy See towards Hungarians from other countries was worse than towards Hungarians. The leaders of the Hungarian national minorities, who arrived in Rome from the countries of the Little Entente, were received not very friendly and with some reluctance. On the other hand, D. Bartsa assured Prime Minister D. Gömbös of the favorable attitude of the Vatican to the union of Hungary with Italy and Austria.⁴²

D. Bartsa put into practice the preparation at the end of each year of detailed annual reports of the embassy to the government on state-church relations in Hungary and the policy of the Holy See. In one of the reports – for 1933 – he wrote: «We can consider the significance of the Holy See from the point of view of Hungary in two planes. Our first goal is to use it, with the support of Catholic Church organizations, to preserve Christian traditions and morals, as well as to achieve patriotic goals. Another goal is to use the influence of the Vatican in various European countries to protect the cultural rights of our separated brothers»⁴³. Therefore, for us, from the point of view of internal morality and foreign policy, the preservation of the influence of the Holy See is extremely important»⁴⁴.

In the 1930s, Hungarian statesmen, in particular the prime minister and ministers, began to make frequent visits to Rome in connection with the

⁴¹ MNL OL K-105, Vatikán. 38.cs. M-121/pol./1932. 6-7.fol.

⁴² Gergely J. A katolikus egyház története Magyarországon: 1919-1945. Budapest: Pannonica Kiadó, 1999. 400 old. 28 old.

⁴³ «Відірвані брати» – термін Д. Барци.

⁴⁴ MNL OL K-105, Vatikán. 21.cs. 1/biz. 1934. január 4-i összefoglaló jelentése Kányának. 14. fol.

establishment of close «friendly» relations between Hungary and Italy. During such visits, they often requested an audience with the Pope. As for the Prime Minister, as noted in his memoirs by D. Bartsa, each of his visits to Rome was accompanied by a meeting with the Pope, which strengthened Hungary's ties with the Holy See. It is worth noting that not only Catholics attended an audience with the pope during the studied historical period (such as, for example, the director of the Hungarian National Bank (1928–1938) and the prime minister (1938–1939) B. Imredi, the Minister of Education and Foreign of affairs, twice prime minister (in particular 1939–1941) P. Teleki, minister of culture (1922–1931) K. von Klebelsberg), and also prime minister (1921–1931), reformist I. Bethlen, prime minister – minister (1932–1936), evangelist G. Gömbös, prime minister (1936–1938), reformer K. Darányi. A unique case in the history of diplomacy was that, while in Rome, Hungarian Defense Minister V. Roeder asked for an audience with the Pope. Ambassador D. Bartz also writes about the visit to the Vatican in the fall of 1936 by regent M. Horthy and his wife. According to the ambassador, in general the regent made a good impression in the Vatican, but there was also some personal antipathy towards him, partly because he was not considered equal in rank to kings as heads of state, because the regency was considered temporary. Despite such personal feelings, in fact, the regent's visit contributed to an even greater strengthening of relations between Hungary and the Vatican⁴⁵.

On May 25, 1938, at the beginning of the World Eucharistic Congress in Budapest, which became the loudest and most important event of the 20th century in the life of Hungarian Catholicism, D. Bartsa was recalled from the Vatican. The new ambassador to the Holy See, Baron G. Apor, was appointed on December 24 of the same year. On January 19, 1939, the new ambassador presented his credentials to Pope Pius XI (about three weeks before the latter's death on February 10, 1939). After this appointment, friendly relations between Hungary and the Holy See received a new impetus⁴⁶.

It is important that the events of the so-called «territorial restoration of historical Hungary», as it is still sometimes called by Hungarian historiography, actually did not affect relations with the Vatican, although they had complex religious and administrative consequences⁴⁷. According to primary sources, the Vatican was generally interested in implementing the Hungarian border revision policy for geopolitical reasons. This is confirmed,

⁴⁵ Barcza G. *Diplomata-emlékeim I-II. 1911-1945. Kötet I*. Budapest: Európa Könyvkiadó, 1994. 509 old. 305 old.

⁴⁶ MNL OL K-105, Vatikán. Pol.res. 10.cs. 1/1939

⁴⁷ Salacz G. *A magyar katolikus egyház a szomszédos államok alatt*. München: Aurora Könyvek, 1975. 148 old. 18 old.

in particular, by the secret letter of Ambassador to the Holy See G. Apor to the Minister of Foreign Affairs of Hungary I. Csáky, dated June 7, 1939. The head of the Eastern Congregation of the Vatican, Monsignor Kessarini, appears in the letter. The ambassador reported that the Holy See and Kessarini personally watched with sympathy the Hungarian expansion in the lands that belonged to Czechoslovakia (now Transcarpathia). They will also be happy if the Pryashiv Bishopric joins the «Rusyn lands» of Czechoslovakia. Against this background, the Vatican did not prepare any measures that could be directed against Hungary, on the contrary, it was determined to take into account all the wishes of the Hungarian government⁴⁸.

The analysis of the available sources allows us to state that the Hungarian government, the Hungarian Catholic Church and the Holy See successfully cooperated in the period 1938-1941 to resolve the issues of the so-called «reintegration of returned territories». Approving Budapest's proposals, the Holy See restored, where possible, the borders of the ecclesiastical-administrative regions (dioceses), previously divided by state borders in accordance with the Treaty of Trianon signed on June 4, 1920 in Versailles, and rearranged them, considering the new state borders of Hungary. The Vatican also supported Hungary's proposals to remove relevant persons from their posts and appoint new ones. Among the main factors that led to such a foreign policy of the Holy See were, on the one hand, the disintegration of the Little Entente alliance, and on the other hand, the hopes of Pope Pius XII that Christian Hungary could play an important role in the further struggle against the so-called «new paganism», the source of which was primarily Nazi Germany and the communist Soviet Union⁴⁹.

2. Legal principles for regulating the status of churches in Hungary in the post-Trianon period

Analysis of the legal status of religious organizations in Hungary in the third and fourth decades of the 20th century requires consideration, first of all, of the socio-political situation that developed in the Hungarian lands after the signing of the Trianon Treaty (June 4, 1920). According to the sources of Hungarian historiography, the country's population was in a difficult moral and psychological state at the beginning of the 1920s. The consequences of the First World War and internal revolutionary processes became a significant shock for many representatives of the Hungarian nation. A great upheaval for the country, in which since the end of the 19th century ideas of liberalism and social democracy spread quite

⁴⁸ MNL OL K-63, Küm. Pol.oszt.ir. 297. cs. 54.t. 4542/1939

⁴⁹ Gergely J. A katolikus egyház története Magyarországon: 1919-1945. Budapest: Pannonica Kiadó, 1999. 400 old. 29–30 old.

confidently, a communist regime emerged that existed on a large territory of Hungary from March to August 1919. As a result of the Treaty of Trianon, a third of the entire Hungarian ethnic population, i.e. more than 3 million people, ended up outside the borders of the new Hungarian state, and the number of the Hungarian ethnic group within its borders was reduced by more than half – from 18.2 million to 7.6 million people⁵⁰.

Meanwhile, the new Hungarian state, taking into account the political traditions of the last decades, had every prospect of becoming a national and Christian country, in which both religion and nationalism would have a significant influence. After the defeat of the communists for three months in 1919, the Hungarian government was headed by the legitimist I. Friedrich, who enjoyed the support of Archduke Joseph Habsburg. One of the earliest resolutions of this government concerned the restoration of continuous legality in all spheres of social and political life, in particular in the sphere of state-church relations⁵¹.

One of the primary tasks facing the new government was the return of church property nationalized during the communist dictatorship to denominations. The readiness to solve this task was announced by the Minister of Religion and Public Education in the cabinet of I. Friedrich K. Husar in a circular letter dated August 18, 1919. The minister assured that the new government was beginning to work on restoring the broken practice of material support of denominations, but at the same time announced the need for «political support» of the government course from religious organizations^{52 53}. Soon after, the Cabinet of Ministers made a decision on the administrative annulment of the decrees issued by the communist authorities. On February 20, 1920, the first National Assembly was convened, which henceforth became the highest body of the legislative power of Hungary, and the very first law of the new parliament concerned the termination of the laws of the so-called Hungarian Soviet Republic. The validity of the resolutions of August 7, 1919, adopted to restore the constitutional order and legal security, as well as departmental orders of the ministries, was promptly recognized. Among other things, this also applies to documents that regulated activities in the church and religious sphere. The importance of the outlined decisions lay in the restoration of legal

⁵⁰ Salacz G. *Egyház és állam Magyarországon a dualizmus korában 1867–1918*. Budapest: Aurora könyvek, 1974. 262 old.

⁵¹ Коротка історія Угорщини. Ред. П. Ганак. Ниредьгаза: Пед. ін-т ім. Д. Бешпеньеї, 1997. 222 с. 163-164 с.

⁵² Balogh S., Gergely J., Izsák L., Jakab S., Pritz P., Romsics I. *Magyarország a XX. században. Második kiadás*. Budapest: Kossuth Könyvkiadó, 1986. 534 old. 116 old.

⁵³ Püski L. *A Horthy – rendszer (1919-1945)*. Budapest: Pannonica Kiadó, 2006. 302 old. 21 old.

succession, which theoretically meant the continuity of law since the time of St. Stephen. This means that since February 1920, in Hungarian state-church legal relations, the legal norms that were valid before the collapse of the Habsburg monarchy in 1918 were restored^{54 55 56}.

It should be especially emphasized that in the Hungarian law-making tradition, a number of legal acts of the past centuries established the principle of freedom of religion, which is important for any society. Among the acts of the 17th-18th centuries, Law I §§ 1, 2 of 1608, Law V § 5 of 1647, and Law XXVI of 1790 retained their validity and fundamental significance in the researched period⁵⁷. Regarding the Hungarian legal acts of the 19th century, the XLIII Act of 1895 on freedom of religion, which has also retained its validity, is of particular importance. § 1 of this Law states that every person can freely profess and follow any faith or religion, outwardly manifest and practice religious cults in compliance with state laws and the requirements of public morality.⁵⁸ In the following paragraphs (1–5) it is said that no one can be restricted in the performance of religious rituals, unless it is contrary to the laws and public morality, no one can be forced to perform any act of a religious nature, if it is contrary to his faith. This norm formed the basis of § 149 of the Law on the Protection of the Motherland from 1939, which regulated in detail the administration of the state in wartime, provided for the right to meetings of collegial bodies of denominations. In §§ 2–4 of the aforementioned XLIII Law of 1895 on freedom of religion, among other things, it is specified that the exercise of civil and political rights, as well as the performance of one's civil duties, does not depend on religion and church rules^{59 60}. In addition to the described laws, the issue of freedom of religion concerned many other royal acts and legal norms adopted in Hungary before the beginning of the 20th century.

⁵⁴ A magyar jogtörténet forrásai. Szemelvénygyűjtemény. Szerk. Mezey B. Budapest: Osiris Kiadó, 2006. 851 old. 586 old.

⁵⁵ 1895-dik évi országgyűlési törvények. Budapest: Kiadja Ráth Mór, 1895. 209 old.

⁵⁶ Csizmadia A. A magyar állam és egyház jogi kapcsolatainak kialakulása és gyakorlata a Horthy-korszakban. Budapest: Akadémiai Kiadó, 1966. 442 old. 103 old.

⁵⁷ A II. Mátyás, II és III. Ferdinánd királyok uralkodása alatt alkotott törvények (1608–1657). A könyvben: Magyar Törvénytár 1608-1657. évi törvények. Szerk. Kolosvári S., Óváry K. Budapest: Franklin-Társulat. 1900. 655 old. 9, 423 old.

⁵⁸ 1895-dik évi országgyűlési törvények. Budapest: Kiadja Ráth Mór, 1895. 209 old. 178 old.

⁵⁹ A magyar alkotmány történetének vázlata 1848–1945. Szerk. Szita J. Pécs: Janus Pannonius Tudományegyetem Állam- és Jogtudományi Kar, 1993. 380 old. 316 old.

⁶⁰ 1895-dik évi országgyűlési törvények. Budapest: Kiadja Ráth Mór, 1895. 209 old. 179 old.

The Ukrainian scientist A. Sopo rightly notes that after the restoration of legal inheritance in Hungary (1920), state-church relations were built in the form of a coordination system of religions that were recognized as legal and finally formed during the 19th century and were enshrined in the above analyzed Law XLIII of 1895 on freedom of religion⁶¹. Such a coordination system provided for the division of confessions by legal status into those accepted by law (*religio recepta*)⁶², recognized⁶³ as legal and unrecognized (or permitted)^{64 65}.

Regarding «accepted confessions», the Minister of Education and Culture of Hungary, Á. Trefort, made a corresponding clarification on December 28, 1887. «Accepted» was considered to be the religion that the state officially accepts as the most natural and legal for the population. From the point of view of state law, this concept was interpreted in the context of legislative support of one or another religion, ensuring the rights and legal protection of the respective believers. The state took the religion «accepted by law» under its protection, provided it with free public worship, fully recognized the internal structure of its religious organizations, self-government and other rights⁶⁶.

In the studied historical period, the «accepted» denominations in Hungary were the Roman Catholic Church (since the time of the laws of St. István), the Reformed Church, the Lutheran Church (according to the First Law of 1608 and the Fifth Law of 1647), the Orthodox Church (according to Law XXVII of 1791), the Uniate Church (according to Law XX of 1848), as well as the Jewish denomination, which, from the point of view of historical progress, was declared the last «accepted» – according to Law XXII of 1895. about the Jewish religion.^{67 68} § 6 XLIII of the Law of 1895 contains a more detailed list of denominations with the status of

⁶¹ Сопо А. Правовий статус релігійних конфесій в Угорщині в 20-30-ті роки ХХ століття. *Науковий вісник Ужгородського університету. Серія: Історія*. Ужгород, 2006. Вип. 16. С. 147–158. с. 149.

⁶² Угор. „törvényesen bevett vallás”.

⁶³ Угор. „törvényesen elismert vallás”.

⁶⁴ Forster Gy. A lelkészek ellátásának és a főpapi javadalom és jövedelem szabályozásának kérdése a Habsburg – Lotaringiai ház királyi idelyében. Budapesti Szemle. 1925. 199. kötet. 574 sz. Old. 28–53.

⁶⁵ Márkus D. Magyar Jogi Lexikon. I-VI köt. Budapest: Pallas Irodalmi és Nyomdai Részvénytársaság, 1898-1907. 5662 old. (I-VI köt.). III, old. 259

⁶⁶ Márkus D. Magyar Jogi Lexikon. I-VI köt. Budapest: Pallas Irodalmi és Nyomdai Részvénytársaság, 1898-1907. 5662 old. (I-VI köt.). I, old. 764–765

⁶⁷ 1895-dik évi országgyűlési törvénycikk. Budapest: Kiadja Ráth Mór, 1895. 209 old. 177–178 old.

⁶⁸ 1920-évi törvénycikk. Magyar törvénytár. Jegyzetekkel ellátta Térfy Gy. Budapest, 1921. VI+2+314 old. 61 old.

«accepted»; it includes the Catholic churches of the Latin, Greek, and Armenian rites, the Reformed Church, the Evangelical Church, the Lutheran Church of the Augsburg Confession, the Orthodox Serbian and Orthodox Romanian Churches, the Uniate Church, and the Jewish denomination. Otherwise, the specified paragraph XLIII of the Law confirms the unchanged validity of the previous laws adopted regarding the named churches and their believers^{69 70 71}.

It was mentioned above about the significance of Law XX of 1848 for state recognition of the Uniate Church. However, the scope of application of the provisions of this Law was actually much wider. Thus, according to § 2, equality and reciprocity were guaranteed for all «accepted» denominations. § 2 contains a provision according to which state funds covered expenses for the activities of not only the «accepted» religious organizations themselves, but also for religious education, primarily school needs. § 1 of the IX Law of 1848 (the so-called «Transylvanian») «On the Full Equality of Accepted Religions» guaranteed such equality in the spheres of worship, the resolution of political issues and the conclusion of mixed marriages for all persons of «accepted» faiths, regardless of their national affiliation. It should be noted that this Law entered into force on the territory of the entire Hungarian Kingdom as a result of the incorporation of Transylvania into the political and legal system of Hungary after the conclusion of an agreement on March 15, 1867 between the Austrian Emperor Franz Joseph I and the Hungarian delegation headed by F. Deák and, as a result, the formation of dualistic Austria-Hungary. Later, its provisions were reinforced by Act XLIII of 1868 (§ 14) on the detailed regulation of disputed issues related to the unification of Hungary and Transylvania (this Act also remained in force in the period between the two world wars). In particular, the specified paragraph states: «All the laws of Transylvania, which establish freedom of worship and self-government, equality in mutual relations, the competence of accepted faiths, churches and church bodies on the territory of Transylvania and in the former so-called «Hungarian lands», remain unchanged and at the same time extend to the Greek and Armenian Orthodox churches and other churches with the Orthodox rite»⁷².

⁶⁹ A magyar alkotmány történetének vázlatja 1848-1945. Szerk. Szita J. Pécs: Janus Pannonius Tudományegyetem Állam- és Jogtudományi Kar, 1993. 380 old. 317 old.

⁷⁰ 1895-dik évi országgyűlési törvényczikkek. Budapest: Kiadja Ráth Mór, 1895. 209 old. 180 old.

⁷¹ 1920-évi törvénycikkek. Magyar törvénytár. Jegyzetekkel ellátta Térfy Gy. Budapest, 1921. VI+2+314 old. 147 old.

⁷² Magyarországi törvények és rendeletek tára. Pest: Kiadja Pfeifer Ferdinánd, 1868. 1096 old. 688 old.

All analyzed historical documents and facts eloquently confirm that in Hungary for decades and even centuries there was a strong tradition of state support for «accepted» denominations and religious organizations. The state guaranteed freedom of religion to the believers of these denominations, and to the religious organizations of different denominations – the protection of equal relations among themselves. It is also important that in addition to the traditions of legal support for the first half of the 20th century a tradition of legally enshrined material support of these chosen denominations also developed.

As mentioned above, another category of denominations in Hungary was the «recognized legal» denominations. Compared to the «adopted», their legal status was lower, although in essence both terms express the same meaning. The main difference was that the «recognized legal» denominations, unlike the accepted ones, did not benefit from state support, in particular, they did not receive administrative assistance⁷³. The XVII Law of 1867 on the civil and political equality of Jews, which was designed to legally regulate relations between the state and communities of the Jewish faith, gave a special impetus to the division of confessions into these two categories. The Minister of Justice of Hungary, B. Percel, brought some clarity to the characteristics of «recognized legal» denominations during a speech at a parliamentary hearing in 1878. He, in particular, stated: «Communities of the Jewish faith, which, under the condition of state supervision, can publicly perform their rites, which have the state recognizes its temples and prayer houses with all the trappings of publicity, whose priests keep state-recognized metric books and perform marriage rites, as legally valid. Such a creed is recognized, but not accepted.» The historical and legal significance of this definition by B. Percel lies in the fact that it formed the basis for the further use of the term «recognized legitimate» confessions in Hungarian legislation. This is evidenced by the example of Law V of 1878 (§ 190), XL Law of 1879 (§ 53)⁷⁴.

Historically, the division between different categories of denominations was not permanent, since with the declaration of Judaism as a «recognized legal» denomination (XLII Act of 1895) it was planned to grant a similar status to other religious organizations in the future. After all, the second chapter of the XLIII Law of 1895 had the eloquent title «On religions that will be recognized by law in the future.» This document regulates the

⁷³ Forster Gy. A lelkészek ellátásának és a főpapi javadalom és jövedelem szabályozásának kérdése a Habsburg – Lotaringiai ház királyi idelyében. Budapesti Szemle. 1925. 199. kötet. 574 sz. Old. 28–53.

⁷⁴ Márkus D. Magyar Jogi Lexikon. I–VI köt. Budapest: Pallas Irodalmi és Nyomdai Részvénytársaság, 1898-1907. 5662 old. (I–VI köt.). III, old. 259.

process of such recognition in detail, describes the legal status of the respective denominations, defines state requirements for them, their rights and obligations. Among other things, the Law states (§ 7) that believers who wish to unite in a community of a «recognized as legitimate» religion must establish and maintain at least one parish, ensure that children of their faith are taught in «God's Law» schools, develop and submit to the Ministry of Education and Culture an organizational charter with a comprehensive description of various aspects of religious activity. Regarding the statute, the Law contains additions, according to which it must include the rules of dogmatic and ethical teachings, the conduct of religious services and other religious ceremonies, as well as certain disciplinary provisions⁷⁵ On the other hand, the Law defines the criteria by which a denomination could be denied the status of «recognized legal». This could happen if the name of the religion contains any hints of its racial or national character, if it claims to oppress other religions accepted by law or recognized as legitimate, if it arose on the basis of anti-national or anti-state ideological currents and trends, if religious dogmas, church organizations, religious services, and religious rites of a given religion contradict current laws and public morals, if the religion is identical to any already existing legally accepted or recognized legal religion, or differs from them only in the language of church administration and worship.

These provisions clearly outlined the practical prospects of granting confessions the status of «recognized legal», as they defined the conditions under which any religion could claim official recognition by the state. It can be assumed that, formulating these requirements as legislative norms, the state tried to influence the structure and organization of the activities of those religious organizations that sought to acquire the desired status. At the same time, it was a way to bring them closer to the already established system of «accepted» and «recognized» denominations at the legislative level. A clear evidence of this is § 8 XLIII of the Act of 1895, which requires denominations claiming status to send to the Ministry of Education and Culture data on future changes in the approved organizational statutes of the respective religious organizations for approval. Appropriate conclusions were drawn at the ministry level if these changes did not meet the above requirements. If similar changes were to be made to the statutes of «recognized legal» organizations, the ministry could immediately deprive them of this status. Similar sanctions were provided in the case of placing in church decisions, religious textbooks, prayer books, etc., any information

⁷⁵ 1895-dik évi országgyűlési törvénycikkek. Budapest: Kiadja Ráth Mór, 1895. 209 old. 180 old.

that in one way or another relates to preventing believers from fulfilling their civic duties or inciting them to commit illegal acts⁷⁶.

As of 1895, Judaism was the only «recognized legal» religion. According to the XLII Law of 1895, it acquired the status of «legally accepted» religion.⁷⁷ The next religions to achieve this status in Hungary were Baptists and Islam, but surprisingly it took more than two decades. In 1905, according to the decree of the Minister of Education and Culture No. 77.092, the status of «recognized legal» religion was granted to Baptists, whose religious organizations, according to the Ministry, fulfilled all the requirements for state recognition analyzed above. As for Islam, even after that, it did not meet many of the requirements set forth in Act XLII of 1895. But the Hungarian government decided to make an exception for it, granting it the status of a «recognized legal» religion in Act XVII of 1916.

All the above-mentioned faiths were given the status of recognized only after the organizational charter of the relevant religious organization was approved by the Ministry of Education and Culture. Officially, this status meant «a legally recognized public religious community under the protection and primary supervision of the state.» For the community itself, the meaning of having this status was, without a doubt, to obtain a number of specific rights regarding confessional self-government. Among other things, «recognized legitimate» communities acquired the right to independently resolve their religious and organizational matters, use monetary contributions from believers, manage their own funds created in the fields of charity, education, and upbringing, etc., and acquire property to cover expenses for religious activities. As for the accumulation of property, the legal space for this was somewhat limited: it was allowed to purchase only houses of prayer, charitable, educational and educational institutions, buildings for the accommodation of ministers of worship or employees of these institutions, whose activities are limited to the religious sphere. In the opinion of the government, such restrictions, which related exclusively to real estate, should not have prevented the improvement of the material condition of denominations, which under such conditions could freely accumulate movable property, carry out transactions with securities, etc. Religious communities received the right, if it was provided for religious rules or organizational statutes of the respective organizations, to impose a church tax on their believers. However, restrictions were also imposed on the exercise of this right: the tax could be collected only «legally» through

⁷⁶ 1895-dik évi országgyűlési törvények. Budapest: Kiadja Ráth Mór, 1895. 209 old. 180 old.

⁷⁷ Ibid.

the court, that is, without the use of any internal mechanisms of an administrative nature⁷⁸.

In addition to organizational ones, religious communities «recognized as legitimate» also approved their disciplinary statutes. On the basis of the latter, they acquired the right to supervise the observance of church discipline by their believers with the help of specially authorized bodies, which could apply various types of disciplinary sanctions, but without deprivation of liberty, imposition of a fine or imposition of corporal punishment. Regarding the maintenance and organization of shelters, kindergartens, and schools, «recognized legal» religious communities could enjoy the same rights as other societies that maintained similar institutions⁷⁹.

In the case of the formation of a new parish, recognized religious communities were obliged by law to notify the heads of local self-government – sub-counties or heads of municipalities, with the presentation of the internal rules of the parish's life activities with a clear definition of its leadership and geographical boundaries (§ 11 XLIII of the Law of 1895 r.). Members of the parish could be persons who not only belonged to the respective religion, but also necessarily lived on the territory of this parish. To ensure control in this area, authorized bodies, according to the statutes of religious organizations, kept a mandatory record of all parishioners (§ 12 XLIII of the Law of 1895)⁸⁰.

According to § 13 XLIII of the Act of 1895, priests or members of the parish management could only be persons capable of delict, who obtained qualifications in Hungary and had, from the point of view of the state, an impeccable moral and civil reputation. Candidates for these positions of the denominations had to be agreed with the heads of local self-governments. If the latter had any questions about the suitability of the proposed persons for these positions, they had to state their reasoned objections and send written requests to the denominations. Confessions, in turn, had the right to appeal, which was submitted to the Ministry of Education and Culture. As a rule, all submitted appeals contained complaints about the decisions of sub-counties or city mayors regarding personnel issues of managing religious organizations. If such an appeal was rejected by the ministry, the candidate could not be appointed to the relevant church position. In the case of deprivation of Hungarian citizenship of priests or members of the parish leadership, their prosecution for crimes against the state or crimes committed with a selfish purpose,

⁷⁸ 1895-dik évi országgyűlési törvényczikkek. Budapest: Kiadja Ráth Mór, 1895. 209 old. 182–183 old.

⁷⁹ Ibid. 183 old.

⁸⁰ Ibid. 183–184 old.

violating public morals or causing a public scandal, such persons are immediately dismissed from their positions by order of the Minister of Education and Culture. The latter had the right at his discretion to demand the dismissal of priests or members of the leadership of parishes of «recognized legitimate» religions, if he believed that their actions were contrary to the interests of the state. Even more, if the order of the minister on dismissal was not fulfilled within the specified time, he could dissolve the entire parish altogether⁸¹.

Most of the «recognized legal» religions spread territorially to different regions of Hungary. In view of this, § 16 XLIII of the Law of 1895 provided for the organization of a comprehensive state parade of such denominations throughout the territory of the respective religion. The system of such an arrangement played the role of a kind of link between the Hungarian state (in the form of its government) and a specific denomination in most matters related to religion, worship, and the activities of religious organizations⁸².

§ 17 XLIII of the Act of 1895 contained regulations designed to protect «recognized legitimate» denominations from foreign influence. Thus, persons of foreign origin were deprived of the right to be patrons, church heads or members of the leadership of «recognized legal» parishes, and the latter could not be in any way dependent on any foreign persons, state bodies, organizations, religious communities⁸³.

Church meetings of «recognized legal» denominations had to be held in public. They could consider issues of the church (religious organization), charity, religious education and upbringing, as well as some other issues, if they directly relate to religious or moral spheres of life. Decisions made at church meetings had to be recorded in the protocol, with subsequent familiarization of the minister of education and culture or the public body designated by him with this protocol.

The features of the exercise of the right to supervise «recognized legal» religious communities over their believers on the basis of disciplinary statutes were analyzed above, but for understanding the specifics of the regulation of state-church relations in Hungary, the right of the state to supervise the activities of such communities, established by Act XLIII of 1895, is more important (§ 20). The Minister of Education and Culture had the right to supervise the property of the denomination, the directions of its use, the work of charitable funds, compliance with the legality and limits of competence in the activity of denominations in the sphere of

⁸¹ 1895-dik évi országgyűlési törvénycikkek. Budapest: Kiadja Ráth Mór, 1895. 209 old. 184 old.

⁸² Ibid. 185 old.

⁸³ Ibid. 185–186 old.

church self-government, in accordance with the provisions of their organizational statutes⁸⁴.

At first glance, the validity of legislative acts of the second half of the 19th century, which regulated state-church relations in the new state and fundamentally new historical realities, may cause surprise. But in fact, the analyzed tradition of state recognition of religious denominations in Hungary was stable to such an extent that it served as the basis for the legal definition of state-church relations not only during the period under study, but also during the reign of the communist regime – until the adoption of the 1990 Law «On Freedom of Conscience and religion and about churches», which terminated the Law on Freedom of Religion from 1895⁸⁵.

Studying the legislative material of Hungary convinces that the activity of «accepted by law» and «recognized as legitimate» religious communities was based on the age-old practice of realizing certain rights and fulfilling certain duties. The legal framework, which was in force in the country in 1920-44, served as the basis for close cooperation between the state and religious organizations. In 1935, in his book «Political Calling», Count K. Klebelsberg, Minister of Education and Culture of Hungary, made an attempt to theoretically substantiate these relations. According to the author, the political science of the 19th century relied on the recognition of the strength and power of the state. There was an opinion according to which the state is able and should preserve and unite the peoples living within its borders, at the expense of, on the one hand, the implementation of coercion and its criminal law, and on the other hand, the implementation of policy in the social sphere, spheres of cultural construction and preserving one's own «moral unity». Stormy military and revolutionary events of the first two decades of the 20th century refuted this opinion and created the foundations for the nationalist foreign policy of the new Hungarian state to provide strong support for the Hungarian «historical churches». Therefore, the state policy was aimed at the state legal protection of religious organizations «accepted by law» and «recognized as legal»⁸⁶.

The comparative analysis shows that in many European countries in the inter-war and post-war period, liberal tendencies in state-church relations dominated. It is significant that this applies both to the victorious countries in the First World War – the Entente states, where in the post-war years there

⁸⁴ 1895-dik évi országgyűlési törvényczikkek. Budapest: Kiadja Ráth Mór, 1895. 209 old. 186–187 old.

⁸⁵ Palinchak M., Holonič J. Vzťahy štátu a cirkvi v krajinach Strednej a Východnej Európy. (Sociálny rozmer religiozity a jej odraz v spoločnosti). Trebišov: Mercí, 2019. 190 s. 77–78 s.

⁸⁶ Magyar alkotmánytörténet. Szerk. Mezey B., Gosztonyi G. Budapest: Osiris Kiadó és Szolgáltató Kft., 2020. 560 old.

were no coups and social cataclysms, and to the defeated countries, in particular Hungary, Austria, Germany, where, despite the disintegration of states and socio-economic troubles, as a rule, representatives of liberal political circles in alliance with social democrats came to power. Therefore, the constitutions of the new states adopted in the first post-war years contained liberal slogans, in particular about freedom of religion, equality of confessions, and sometimes – separation of church and state^{87 88}. As for Hungary, its government, primarily in the person of the regent M. Horthy, who established himself in power since March 1920, did not make any attempts to separate the church from the state. The country was also very cautious about implementing liberal slogans that were popular at the end of the 19th century. On the contrary, the ties between the state and «accepted by law» and «recognized as legal» religious organizations strengthened every year⁸⁹.

What is called in Hungary «feudal legal remnants» of the legislative framework of the state in the era of M. Horthy, actually manifested itself in the restoration of the traditional legal inheritance of the laws of ancient times, which was discussed above.⁹⁰ This approach to law-making almost automatically provided state material support for churches and religious organizations, which the Hungarian authorities included in the categories of «chosen ones», the presence of church representatives in key positions of the state apparatus. On the other hand, it allowed the state to retain church tax collections. It is clear that such a system meant not only strong relationships, but also a close interweaving of the state and the church. It can be stated that «legally accepted» and «recognized as legitimate» churches and religious organizations accepted this favorably. Readiness for cooperation from the first days of M. Horthy's coming to power and in subsequent years was expressed and confirmed by both the Hungarian bishops of the Catholic Church and the hierarchs of organizations representing other traditional religions.

The commitment of leaders of Hungarian church organizations to cooperation with the state was largely explained by a certain sacralization of the person of M. Horthy⁹¹. Thus, even before the election of the latter as regent on March 1, 1920, the prince-primate, Cardinal J. Csernoch, guaranteed the admiral support on behalf of the prelates of the Catholic Church: «The Hungarian Catholic Church, with traditional loyalty and great

⁸⁷ Актуальні проблеми державно-церковних відносин в Україні: наук. збірник. За ред. В. Д. Бондаренко, А. М. Колодного. Київ: ВиП, 2001. 206 с. 122, 149–165 с.

⁸⁸ Csizmadia A. Az állam és egyház különválasztása Magyarországon. Világosság. 1985. XXVI. évf. 8-9 sz. Old. 576–584.

⁸⁹ Csizmadia A Magyar állam- és jogtörténet. Budapest: Tankönyvkiadó Vállalat, 1978. 638 old.

⁹⁰ Magyar jogtörténet. Szerk. Mezey B. Budapest: Osiris Kiadó, 2007. 516 old.

⁹¹ Ormos M. Ismerjük – e Horthy Miklóst? Kritika. 1991. 2 sz. Old. 36–39.

moral authority, supports you as a representative of the legitimate supreme authority in our country, it is loyal to your person and confidently counts on your support».⁹² Another revealing historical fact is the joyful report of the «Budapest Evangelical Newspaper» about the «national holiday» – the solemn entry into Budapest of Commander-in-Chief M. Horthy. According to this message, the leaders of the Hungarian Christian churches were present at the «holiday», in particular.⁹³

This was an important background for further confirmation of the old traditional legal status of churches and religious organizations. In the speech of the authoritative Protestant leader of the era S. Raffai, who formulated the idea of a «Christian Hungary», announced on November 16, 1919 at the inauguration of the flag, an irredentist appeal was born: «I see a great nation that grew up on the foundations of Christian morality and that is ready to move from with this flag to glory in the second millennium... I see behind the flag the light of the Hungarian Holy Crown, shining again from one border to another – from the Carpathians to the Adriatic!»^{94 95}. Of course, in order to establish close cooperation and establish supervision over religious activities, M. Horthy had to demonstrate readiness for this on his part. The following lines from a letter to the Prince-Primate J. Csernoch testify to his general attitude towards future relations with the church, to reliance on the Catholic Church's ability to help in the development of a new post-war Hungary: «The religious fund, which has always been taken care of by the church that you lead, is the only basis for the reconstruction of our poor homeland»⁹⁶.

So, prudent, virtually conflict-free and largely partnership relations between the state and traditional churches were established in Hungary from the moment M. Horthy was elected regent and were maintained throughout the entire historical period of his rule.

At the same time, there were religious communities and movements operating in the country at that time, which did not belong to either the «accepted by law» or the «recognized legal» faiths. These are Adventists, Methodists, Nazarenes, Jehovah's Witnesses and some other religious denominations. At the state-legal level, the tradition of calling them «sects» was established, since they did not have a public-legal organization recognized by the state authorities. Officially, they received the status of

⁹² Csonka R. A klerikális reakció az ellenforradalom győzelméért. Budapest: Művelt Nép Könyvkiadó, 1952. 93 old.

⁹³ EOL – Evangélikusok Lapja, 1919. nov.23.81-82 old.

⁹⁴ EOL – Evangélikusok Lapja, 1919. nov.23.81-82 old.

⁹⁵ Raffay S. Kiáltás a viharban. Budapest: Bethlen Gábor Irodalmi és Nyomdai RT., 1919. 63 old.

⁹⁶ Horthy M. Emlékirataim. Buenos Aires: Soc. de Resp. Ltda, 1953. 314 old.

«unrecognized» religions. These religious associations were deprived of all the above-mentioned rights granted according to § 10 XLIII of the Act of 1895⁹⁷. However, the followers of these «sects» had the opportunity to individually practice their religion and send their cults, if this did not contradict the laws and norms of public morality. The state abstracted from any support of the mentioned religious associations, any relations with them, although it reserved the right to interfere in their internal religious life in case of violation of public order or norms of public morality. Officially, it looked like individuals, exercising their right to freedom of religion, voluntarily united individually in such «sects». The latter were left with the right to call only closed meetings of their followers or members and to conduct joint closed services. If there were foreign citizens among the followers of the «sects», public open worship services were allowed. These religious associations could maintain their priests, but their activities, in particular the conduct of religious rites, were under the constant supervision of the Hungarian police service, like any public gathering.

Unlike «sects», public order protection authorities had no right to directly supervise religious services and the conduct of other religious rites in organizations of «accepted by law» and «recognized as legitimate» faiths. This, however, does not mean that the state abandoned such supervision, it just did it indirectly, using for these purposes the legal bodies of the churches and religious organizations that cooperated with state services^{98 99}.

CONCLUSIONS

The analysis of the legal status of religious organizations in Hungary during the reign of M. Horthy allows us to conclude that the legal inheritance and validity of the old legal framework, in which all religions were divided according to their status into «accepted by law», «recognized legal» and «unrecognized». Legal traditions turned out to be so stable and strong that the principles of freedom of religion, established by the provisions of the legislation of the end of the 19th century, were not reconsidered in Hungary in the 1920s and 1940s with subsequent new legislative systematization. So, state-church relations were built in the form of a coordination system of faiths.

The status of «accepted by law» was given to the Catholic Churches of the Latin, Greek, and Armenian rites, the Reformed and Evangelical

⁹⁷ 1895-dik évi országgyűlési törvények. Budapest: Kiadja Ráth Mór, 1895. 209 old. 183 old.

⁹⁸ Ibid.

⁹⁹ Fazekas Cs. Kisegyházak és szektakerés a Horthy-korszakban. Budapest: Teljes Evangéliumi Diák és Ifjúsági Szövetség Szent Pál Akadémia, 1996. 260 old. 16 old.

Churches, the Lutheran Church of the Augsburg Confession, the Orthodox Serbian and Orthodox Romanian Churches, the Uniate Church, and the Jewish denomination. All of them, and above all the Roman Catholic Church, received the greatest state support and protection; they were guaranteed freedom of worship, their right to self-government and internal organizational structure were recognized. The state took over their church and school expenses. «Recognized legal» religions were endowed with almost the same rights as those «accepted by law», but they did not receive such state support, in particular, they were prohibited from administrative collection of church tax from believers. «Unrecognized» religions, which were unjustifiably called «sects», unlike the other two categories, were not considered subjects of law and did not receive state support, accordingly, they could not maintain such a close relationship with state bodies and services as the other two categories.

Wide state support of historical churches and religious organizations led to an increase in the presence and strengthening of the latter's role in the social life of the Hungarian state. This was manifested, in particular, in the strengthening of the performance of the educational function by traditional denominations, and the activation of pastoral activities. Among other things, the study of the legal basis for regulating the status of religious organizations in Hungary made it possible to conclude that the legal framework in the studied period, which was based on the traditions of the Austro-Hungarian monarchy, served as the basis for close cooperation of the state with churches and religious organizations, which generally contributed to strengthening the foundations Hungarian statehood.

SUMMARY

International aspects and legislative bases of the regulation of state-church relations in Hungary during the reign of M. Horthy are an important aspect of the study. The content and character of diplomatic relations between Hungary and the Holy See in the period between 1920-1944 is an important stage in the country's history. The legal principles governing the status of churches in Hungary in the post-Trianon period were of great importance.

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