The Orthodox Church and the Minority Cults in Inter-War Romania (1918-1940)

In the context of the Union of Greater Romania, a problem specific to the development of the Romanian society and of the re-united national state was the regulation of the status or the varied religious cults. It is well known that under the Older Romanian Kingdom, the Orthodoxy was a state religion. The other cults – Lutheran, Catholic, Mosaic, and Moslem – represented small numbers of believers and had not been regulated under the law; they were tolerated. Following the Union of 1918, the Romanian State came to accommodate not just one, but several denominations. Consequently, it had to clarify its relations with the cults in the Romanian provinces of Bucovina, Basarabia, Banat, and Transylvania. These cults which had not existed in the Older Kingdom functioned according to the legislative systems they had belonged to before 1918. Thus came the necessity of establishing the unitary status for the minority cults, which, given the diversity of their religious doctrines, rituals and interests, posed new problems to be settled for the government policy. This also should be the focus of the debates surrounding the forthcoming law of the cults in Romania.

Let us mention from the start that this topic is as vast as it is complicated, consequently, an exhaustive analysis is hardly achievable. I will try instead to encompass one of the more important aspects of the problem.

The ratification of The Declaration in Alba-Iulia on December 1, 1918 has been justly qualified as “the accomplishment of the most significant event in the history of the Romanian people, that is, the Union of Greater Romania”[1]. Fundamental actions at all levels followed the Union of 1918. Their aim was to achieve the unity of the country. Priority was given to the administrative and legal plans for an efficient and nation oriented governance. As for the intricate social issue following the Union, this had to be mastered and managed at both political and administrative levels. The re-unification of the four historic Romanian provinces had
called for such measures as would harmonise the institutional system. In this context, a problem specific to the development of the Romanian society and of the re-united national state was the regulation of the status or the varied religious cults.

Under the circumstances, the Romanian state had to clarify its relations with the religious cults of the Romanian provinces: Bucovina, Basarabia, Banat, and Transylvania. These cults had not existed in the Older Kingdom and had just been incorporated shortly before 1918. Moreover, their system was different for they came from different states.

It is well known that under the Older Romanian Kingdom, the Church and the State had merged to form a perfect unity. In contrast to other denominations, the Orthodoxy was a state religion and the Orthodox Church was the dominant Church. However, a distinction had been drawn between the two institutions. It was pointed out that the Church enjoyed absolute independence on issues of spirituality while the attributions of the State were limited to the rest of the issues. Dimitrie Cantemir himself claimed that the governing of the church from without was the duty of the monarch, whereas the ‘inner’ issue of the people’s souls was ruled by the metropolitan bishop. This was the status quo until the Union of 1918 when a religious unity was also deemed necessary.

The other cults – Lutheran, Catholic, Mosaic, and Moslem – represented small numbers of believers and had not been regulated under the law. They were tolerated, that is, the State did not interfere with their internal problems, and neither impeached upon their free expression. Moreover, it is noteworthy that throughout our history there had not been any religious wars or persecutions, as was the case in the Western World. Given the limited number of believers, the Catholic and the Lutheran cults could not develop and organise independently, therefore, they came under the patronage of Austria and Germany and their leaders’ jurisdiction. A first attempt was made in 1859 at settling this problem. When drafting the Constitution, The Central Commission in Focsani convened to stipulate the safeguard of the rights of the two cults. Article 19 provisioned that “in the United Principalities a new law shall regulate the status of the Catholic Church and of the other established religious cults, the nationalisation of the clergy and the independence of these religions from foreign dominion”. The view was quite progressive at the time.

Unfortunately, the attempt was unsuccessful. Moreover, the Constitution of 1866 only specified that “freedom for all cults shall be ensured, unless their services infringe upon public order or ethics”. The explanation is to be found in the powerful influence of Germany and Austria, which were directly interested in the fate of their co-nationals and did not readily accept the idea of an emerging nation and state asserting its right to sovereignty over the domestic affairs. The acceptance of Romania in the Triple Alliance aggravated the whole situation to the point where these cults came proximal to exclusion, a situation not encountered in any other country. The Holy See regarded Romania as a “terra
missionis” ruled by deacons. The two bishoprics in Iasi and in Bucharest were founded at a later date, without the acknowledgement of the Romanian state.

The Protestant cult stayed in touch with that in other states. The Lutheran communities received guidance from Berlin and the Calvinist by the Hungarian bishops of Cluj, who prior to 1918 had been under Hungarian administration. As for the Lutheran communities in Basarabia and Bucovina, their situation was different. In 1920, they were accepted within the organisation of the Evangelic Lutheran Church of Transylvania. To conclude, prior to 1918, the status of the religious cults in Romania was not regulated under the law.

From the legal viewpoint, the cults were considered private in nature, all their actions pertaining to common law. Nonetheless, some of the provisions in the Law testified that the Romanian State did not ignore the cults completely. For example, the Moslem communities came under state guidance, which subsidised and trained the religious staff. The status of some Greek churches was regulated by specific conventions acknowledging them as juridical persons on condition that they obey the state laws, with no right, however, to property of rural estates.

The relations with the Mosaic and the Armenian communities had been regulated merely by ministerial ordinances, which did not secure them the status of legal entities.

Following the Union of 1918, the Romanian State came to accommodate not just one, but several denominations. Consequently, it had to clarify its relations with the cults in the Romanian provinces of Bucovina, Basarabia, Banat, and Transylvania. These cults which had not existed in the Older Kingdom functioned according to the legislative systems they had belonged to before 1918. The new situation called for the endorsement of specific laws. This is precisely why Article 22 was introduced in the Constitution of 1923: “Freedom of consciousness is absolute. The State safeguards the freedom and protection for all cults, as long as their actions do not prejudice public order, ethics and the governing laws of the state. The Romanian Orthodox Church and the Greek Catholic Church are Romanian Churches. The Romanian Orthodox Church as the prevailing religion of the vast majority of the Romanians is the dominant church within the Romanian State, while the Greek Catholic Church comes first before all the other cults. The Romanian Orthodox Church is, and remains, independent from any foreign dominion, yet is unified in dogma with the Ecumenical Eastern Church. Across the entire territory, the Romanian Orthodox Church would have a unitary organisation entailing both lay and clerical participation. A specific law was to set the fundamental principles of this unitary organisation, as well as the way in which the Romanian Orthodox Church regulates, governs, and administers, through its own institutions and under state surveillance, its religious, cultural, foundational activities and sponsorship. The spiritual and canonical matters of the Romanian Orthodox Church will be under the authority of a single central synod. The relationships between the varied state cults shall be regulated under the
law\textsuperscript{9}. The representatives of the cults themselves admitted the necessity for a settlement of their relations with the Romanian State\textsuperscript{10}.

As for the Romanian Orthodox Church, it preserved its hierarchy, and through consistent efforts it accomplished the unification under Andrei Săguna’s *Organic Status*\textsuperscript{11}, a document that has remains to this day the foundation of our church. Congregating vast numbers of believers, the Romanian Orthodox Church ranked high within the Orthodox Church. Therefore, the Holy Synod decided in its meeting of February 4, 1925 to set up the Romanian Patriarchate by up-ranking the See of the Archbishop of Bucharest, Metropolitan Bishop of Ungro-Vlahia and Primate of Romania. In keeping with an ancient custom, the rise in order to Patriarchate of the Romanian Church was announced to all related Churches. The Ecumenical Patriarch replied by a *Synodic Thomas*, where he pointed out that the Synod of the Ecumenical Patriarchate appreciated the decision of the Romanian Church and gave the approval for this historical event. Blessings and brotherly greetings were sent by the other eastern Patriarchates and by all the Orthodox Churches\textsuperscript{12}. By this act, the Orthodox Church had consolidated its unity, which would further contribute to its future development. The other Cults of Romania were to elaborate their own organisational Status to organise their own activities.

The Cults’ relation to the Romanian State was specified in the *Law of the Cults* of 1928, a law that had become a necessity after the Concordate of May 10, 1927, at the insistence of the representatives of the Baptist cult demanding legal acknowledgement by the Romanian government. They went for support to Nicolae Titulescu, then the representative of Romania at the United Nations.

A priority agenda was agreed upon when the process of relation settlement was initiated. First, on May 6, 1925 the *Law and the Statute of the Organisation of the Romanian Orthodox Church* was passed, acknowledging the Romanian Orthodox as the dominant Church within the Romanian State. Next came the necessity of establishing the unitary status for the minority cults, which, given the diversity of their religious doctrines, rituals and interests, posed new problems to settle for the government policy. Minister Alexandru Lapedatu, the artisan of the cult law, asserted that in 1928 Romania included the following historical cults: the Romanian Greek Catholic Cult, the Catholic Cult (in Latin, Greek, and Armenian rite), the Calvinist Cult, the Evangelic Lutheran Cult, the Unitarian Cult, the Mosaic Cult, and the Moslem Cult. In his defence of the law, Alexandru Lapedatu argued: “After voting the law on the organisation of the Romanian Orthodox Church, the establishment of a unitary status for the other cults in the country has become a primordial issue in the unification of the State. Its legislative solution suffers no further postponement”. Further on, Lapedatu stated: “The Romanian State wishes to establish a new status for the cults. This status can no longer be that of the former medieval clerical states, but a novel one observing the principles of liberty and democracy as pro-
pounded by revolutionary Europe in the first half of the 19th century. The organisation of the new Romanian State is founded on its ancient traditions, the axis of the political and historical development of the Romanian people. The new Romanian legislation has to consider the new conjecture. We do not hoard the past and destiny of other nations, but our own.⁹³¹³

Given the complexity of the matter, beginning with 1925 the legislators consulted with the representatives of all cults. First came Minister Vintila Brătianu, then Lazar Triteanu, the Bishop of Roman. Next came the representatives of the congressional Mosaic communities and the status in Ardeal and Banat, the Union of the Romanian Jews, the Union of the Israelite Communities of the Old Kingdom, the Union of the Baptist Communities of Romania, the Consistory of the Romanian Orthodox MetropolitanSee of Ardeal, Banat, Crisana and Maramures, the Lutheran Consistory of Transylvania, the Catholic Archbishopric of Bucharest, the Greek Catholic MetropolitanSee of Blaj, the Roman Catholic Diocese in Latin rite of Oradea, the Directorate Council of the Lutheran Diocese of Ardeal, the Consistory of the Unitarian Church, the Lippovan Bishopric, the Israelite Central Bureau of Transylvania. All the representatives of the minority cults requested an increased independence and autonomy from the State. The theological arguments brought in support of such responsibilities as they may have towards their own believers were deference to the past and respect for their gained historical rights. On this point all of the minority cults proved to be singularly consensual.

After 1918, the relations between the Romanian State and the various religious cults were settled under the State’s new sovereignty over the re-united territory, as materialised into the taking into possession of all properties belonging formerly to other states. Placing all church properties under the state jurisdiction entitled the State to regulate its relation with all and any church institution. Under the principle of the separation between the Church and the State it was compulsory that the authorities of Greater Romania norm the relations with the various religious cults in order to promote the national interests, which did not concord at times with those of the cults on some issues. Let’s not forget that after World War I the Romanian State was in a rather delicate position. It had to clarify the varied aspects of the new Romanian society emerging after the Union. The State was compelled to deal with the challenges posed by the new norms in the international relations and the provisions of the new peace treaties, even while it had to prove itself as a powerful and coherent structure capable of administrating and solving any domestic or foreign problem. All these turned the project for a Law for the Cults of 1928 into a milestone, concentrating all Romanian political and institutional thought and action on the issue of national integrity, independence, sovereignty, and security, and on the observance of the constitutional norms.¹⁴

The discussion of the Law of the Status of Cults of 1928 generated hot debates involving personalities of the religious and cultural life, advocates of diverging opinions. We shall not insist on this any further. It
should be mentioned, however, that the most animated debate was that between the Greek Catholic and the Orthodox representatives. The situation was aggravated by the joint Concordate with the Holy See. This is “The Declaration of the Episcopate of the Romanian Orthodox Church” in the reading of N. Balan, the Metropolitan Bishop, during the Parliament debate: “(...) This Episcopate is aware of its mission and can not overlook that the High Legislative Body has been forced into the awkward position of promulgating the law without having first ensured the complete freedom of consciousness and action. Therefore, the Romanian Orthodox Episcopate has noted with deep regret that its desiderata have been overlooked, the desiderata deriving from the logic of things, based on the indefeasible rights of the ROC, which represents the sweeping majority of the Romanian population. In virtue of its dignity and lofty patriotism, ROC rejects any restriction or constraint upon the national sovereignty. (...) Contrary to elementary international principles, subordinating the ideal of national sovereignty to an opportunism transgressing the principle of truth, the Romanian government believed it was legitimate to adopt and harmonise the provisions of the law of the cults with the text of the convention signed with the Holy See. It has thus imposed upon the whole country to observe the will and the interests of an ecclesiastic organisation from without the borders of Romania. The Romanian Orthodox Episcopate has made public its reservations as well as its will to see justice done and the national sovereignty safeguarded. (...) We shall not cease even for a moment to fight for a greater cause that is shared by us all, the Romanian government included. And we shall try by persuasive means (...) to restore the ROC in the plenitude of its rights so that it should fulfil its mission.”

The Orthodox objection was clarified by Ioan Mateiu at the Deputy Assembly in the report submitted by the Permanent Commission of Public Instruction, Cults and Arts: “Our country, founded on the solid bases of historical Christianity, has been fully aware at all moments of the high spiritual mission of the Church, the institution fundamental to the shaping and advancement of the human society. (...) This is why Romania has accepted the political doctrine of the relation between the state and the cults, choosing from among the various systems that of the State’s supremacy over the Church, also called the system of Church autonomy. Considering the system to be opportune not just in the current stage in our evolution, but also in the tradition of the different religious cults, the Romanian State has persuaded itself that it is only sensible to prolong the autonomy of the cults, one they have enjoyed for centuries, and extend it to all the others with a view to providing equal protection for all.”

As submitted in the Senate session of March 31, 1928, the law includes four chapters: regulation of obligations for the cults’, rights, the state-cults relation, and the relation between the cults. Essentially, the law stipulated equal liberty for everyone regardless of their religion, the interdiction to set up political organisations on denominational bases, the interdiction to debate
public issues within the Church, the lay nature of the Romanian State, the minimal requirements for the clergy (i.e. Romanian citizenship, beneficiary of all civil and political rights), the right for cults to set up, administer, and control the cultural and the humanitarian institutions under the law, the moulding of the state and cults relation on the principle of equal protection as stipulated in Article 22 of the Constitution, the state checks that the activity of the cults do not endanger the public order and the security of the country, acknowledgement of the Leaders of the Cults only on the approval of the King of Romania, state checks the budget money granted by destination, regulates the status of religious orders and congregations, all mail despatches between the church institutions and the Romanian State will be carried exclusively in Romanian, compulsory study of Romanian history, language and literature in the denominational schools. The law regulated the relation of the state with all the minority cults in Romania such as to provide an improved functioning of the Romanian society. Thus, under the law, the state had important attributions, as the fundamental institution that established the relations between the religious cults, as well as the authority that controlled the activity of the cults in accordance to the legal norms\textsuperscript{18}.

The issue of the Concordate with the Holy See

Although considered “a modern law, inspired by the historical, spiritual and denominational realities of Romania and founded on the international legislative norms, the law overlooked the legitimate requests of the ROC. This is the reason why the ROC had its reservations.”\textsuperscript{19} The main cause was the Concordate signed by the Romanian State with the Holy See on May 10, 1927, and voted by the Parliament on May 23, 1929, assigning the majority Church a position inferior to the minority Catholic Cult.

To fully understand the position of the ROC, one has to take into consideration the delicate problem of the Roman Catholic Church in Transylvania. The majority of its believers were of Hungarian nationality, having for their supreme leader the Pope, whose seat was outside the borders of our country. Furthermore, many of the parishes of the Hungarian Catholic dioceses in Satu-Mare, Oradea and Timisoara were on the territory of Hungary. The Catholics of Bucovina (Poles, Germans, etc) were under the jurisdiction of the Catholic Archbishopric of Lvov (Poland), the Ukrainian Unitarians of Maramures and Satu-Mare were under the jurisdiction of the Unitarian Episcopate of Uzhhorod (Czechoslovakia), while the Roman Catholic Archbishop of Bucharest, Raymond Netzhammer (1905-1925) was not a Romanian citizen, who moreover had expressed hostile feelings towards the Romanian State during the War\textsuperscript{20}. 


The Romanian officials had begun diplomatic discussions with the Holy See as early as 1920. In 1921 they established a Romanian Legation at Vatican and an Apostolic Nunciature in Bucharest, preparing all the necessary documents. Following lengthy discussions, on May 10, 1927, the Concordate was signed by Minister Vasile Goldis on behalf of Romania, and by cardinal Gasparri representing the Holy See and Pope Pius XI. The text of the Concordate was made public only at a much later date. An early reaction was published in *Telegramul român* on February the 8, 1928, only to be followed by other protests. On March 27, 1928, Nicolae Balan, the metropolitan bishop, protested in a speech delivered in the Senate during the debate of the Law of the Cults. Later on, the same metropolitan bishop criticised the Concordate in Senate on May 23, 1929, considering it “anti-constitutional, excessively in favour of the Catholic cult, completely unjust towards the Orthodox Church, disturbing the public order, and anti-patriotic.” Nonetheless, despite all the Orthodox protests, the Concordate received the vote of the Senate and of the Deputy Assembly in May 1929. On July 7, 1929 the ratified documents were exchanged and on May 30, 1939 the Agreement with Rome was signed regarding Article 9 of the Concordate, which proclaimed the so-called “Ardelean Roman Catholic Status”.

The Orthodox representatives criticised a series of fundamental principles of the Concordate considered to be adverse both to the Orthodox Church and to the Romanian State. First of all, the Concordate was considered anti-constitutional, for Article 22 of the Constitution of 1923 stipulated that “the relations between various cults and the State shall be endorsed by the law”. In practice, it was only the relations between the Roman Catholic Church (a minority cult) and the Orthodox Church that were stipulated by law, while its relations with the Roman Catholic Church (a minority cult) were stipulated by a peer convention.

Article 2 of the Concordate stipulated the formation of the Catholic hierarchy. Therefore, the “Greek rite” held the Metropolitan See in Blaj and four dioceses: Oradea, Lugoj, Gherla, and a one new in the north of the country. In 1931, the diocese of Gherla was moved to Cluj, and a new diocese was founded in Baia-Mare. The latter held under its jurisdiction the Unitarian Ruteni, by special administration.

The “Latin rite” held a Metropolitan See in Bucharest and four dioceses: Alba-Iulia, Timisoara, Satu-Mare/Oradea (united under the “aeque principaliter”, that is, they were under one bishop, with the possibility to separate, precisely what happened in 1941), and Iasi. As for the Armenian Catholic Rite counting some 3,000 believers, they had in mind a “spiritual leader” in the city of Gherla. With almost two thousand believers, the Catholic Church held 11 dioceses (of which 5 were Roman Catholic, or perhaps 6, if we consider the position of the diocese in Satu-Mare/Oradea), 5 Greek Catholic dioceses and a leader for the Armenians in Gherla, whereas the ROC only held 18 dioceses for 14 millions of believers. Some dioceses, such as the Roman Catholic ones in Bucharest or in Iasi, or the Greek Catholic in Lugoj and Oradea, had
only some 50,000 believers as compared to the ROC where an archpriest’s district alone exceeded the number by far. The large number of dioceses were staffed by a number of Greek and Roman Catholic canonical priests, archpriests and priests exceeding that of the Orthodox.

Article 4 of the Concordate guaranteed the right of bishops, of the clergy and of the people to communicate directly with the Holy See outside the control by the Romanian State. The bishops were appointed by the Holy See, which communicated the Romanian government the person appointed to check whether there were any political reasons to oppose the nomination. (Article 5) The bishops took the oath to the King rather than to the Romanian State. The language in which to take the oath was not stipulated, and no mention was made as to the priests’ oath. (Article 6) The bishops enjoyed complete freedom in exerting their rights, along with the prerogatives conferred by the office, and under the norms of the Catholic Church they were at liberty to establish new parishes, to appoint priests without the government’s approval, except for foreign priests. (Articles 8 and 12). It is worth recording that in the Catholic Austria-Hungary (Transylvania, included) the priests were appointed by the state, whereas the Romanian state permitted the appointment of bishops, canonical priests, priests and theology teachers even if of a different nationality. (Articles 5, 11, 12, 16). This was not the situation with the other Concordates after the War.

In terms of possessions, the Catholic Church received incomparably larger estates than any other it had owned under Catholic Austria-Hungary. Article 13 stipulated a “patrimonium sacrum” of the Catholic cult with the purpose to support the bishoprics, the seminaries, other related institutions, and the corresponding staff. This “patrimony” represented state rent titles in exchange for the expropriation of the Catholic Church properties. In contrast, the Austro-Hungarian State had given them for usufruct only to the Catholic Church. Thus, in 1918, the property rights belonged to the Romanian State. The Romanian politicians after 1918 were not aware of these juridical and historical realities, and when the agrarian reform was initiated the Romanian State considered them as the rightful properties of the Catholic Church, and thus expropriated them by paying the Church considerable sums of money. The Romanian State agreed to constitute the holy patrimony out of its own budget and the Catholic Church became the owner of considerable funds and fortune administered by the Council of Bishops, under the norms drawn up by the council and signed by the Romanian government and the Holy See.

Further critics addressed the status of the schools where the Catholics benefited from extended privileges and conducted a chauvinistic instruction.

Some historians believe the Greek Catholic Church was at a disadvantage by signing the Concordate for it then became merely a Catholic “rite”, thus losing both its national character and the autonomy it had enjoyed until then. The Greek Catholic bishops were appointed
by the Holy See ignoring the Church’s traditional canonical right to elect its own priests.

It comes as no surprise that the Orthodox representatives rejected the Conordate. They considered that the Roman Catholic Church had created a ‘state in state’ situation prejudicing the sovereignty of the Romanian State and placing the Orthodox Church in a position of inferiority, contrary to the Constitution of 1923, which had ensured freedom and equality for all cults. This is the reason why the law on the status of the cults in Romania had been received with reservations both between the World Wars and later. To illustrate this state of affairs we quote Archbishop Bartolomeu Anania who declared in 1993: “Despite all the changes operated, the Law of the Cults of 1928 could not be brought to agree completely with the Constitution, nor with the Concordate, but remained a hybrid.” This should be the focus of the debates surrounding the forthcoming law of the cults in Romania.

Notes

* Translated by Ana-Elena Ilinca


2 Schifirnet, C. “Biserica, Stat si Natiune,” [Church, State, and Nation], Introductory study in Biserica noastra si cultele minoritare [Our Church and the Minority Cults], edition directed and annotated by Schifirnet, C., Albatros, Bucuresti, 2000, p. V.

3 Ibidem.


6 Ibidem.

7 Ibidem, p. 25.

8 Schifirnet, C., quoted.


10 Schifirnet, C., quoted.


13 Schifirnet, C., paper quoted [articol citat], p.VI-VII.

14 Ibidem, p. VIII

15 Ibidem, p. XXVIII.

16 Ibidem, p. XXIX.
17 Published in the Official Gazette, no. 89/04.22.1928, p. 3607-3012.
18 Idem, Schifirnet, C., paper quoted, p. XXIX-XXX.
19 Idem, Schifirnet, C., paper quoted, p. XXX-XXXI.