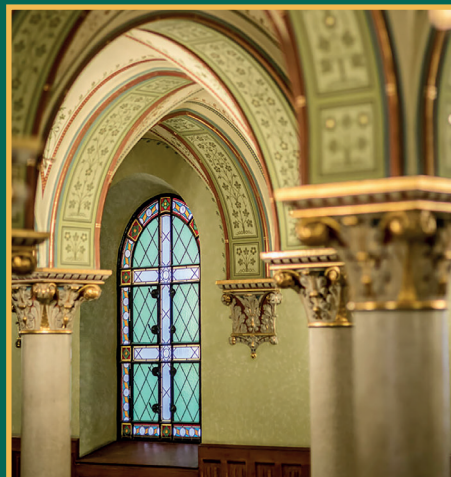


PUBLICATIONS OF THE POPE JOHN PAUL II RESEARCH CENTRE

INSTITUTE FOR THE INTEGRITY OF CREATION



SERVING OUT OF LOVE

THEORY AND PRACTICE IN THE SOCIAL TEACHING
OF THE CATHOLIC CHURCH



PÁZMÁNY

PÁZMÁNY PÉTER
CATHOLIC
UNIVERSITY

1635

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GERGELY DELI

(Rector, NKE, University professor)

PREFACE

The research project focusing on religion's impacts on security started at the time of Zrínyi Miklós National Defense University, the legal predecessor of the National University of Public Service. First, we founded just a research group on the matter, then we established an autonomous research institute to immerse more deeply into the specific disciplines and get a more thorough understanding of the various ways religion affects society. This research institute does not solely examine the security aspects of religion, though undoubtedly this proves to be its primary focus. We also deal with the various possibilities of interfaith dialogue, the nexus of state and church, and cooperation with other churches and religious groups, as well as with interfaith and ecumenical collaboration. Our goal is to share the basic principles of religion within an ever-changing society. We are also aware that both in Hungary and in Europe, several serious academic research institutes deal with religions and the religious aspects of societies. We do not intend to take over the roles and research projects of any of these prestigious, venerable institutes. Instead, we tend to focus on fields that are integral parts of the profile of the National University of Public Service, and we can enrich the international research in the matter. We emphasise research projects focusing on the special relationship between religion and state administration, military, law enforcement, and government. Our research involves areas that can easily be interpreted on public policy levels, too. We traditionally cherish good relations with Péter Pázmány Catholic University. We have organized several conferences and workshops together. We also have joint publications, and many of our researchers and lecturers work and teach at the catholic university. The present book is also meant to result from this tight and blooming relationship. The volume 'Serving from Love' focuses on the social roles and responsibilities of the church. Taken that cherishing the common good and welfare of people prove to be the primary goal of the state, as well, it was almost taken as granted that we must cooperate both in organizing the conference, which constituted the basis of the present book, and working together in the process of editing and publishing. The book does not cover merely and predominantly theological studies. Naturally, it includes papers on the theological fundamentals of the charity work of the church, too. Furthermore, the practical activities of the church are also presented in it. Besides, it contains the analysis of the particular nexus between the state and the conference of bishops of the catholic church, the positioning of charity studies among other disciplines, the presentation of clergy work experiences, and dealing with people in need, as well as the topic of peace and fairness, justice in correlation with relief. The book also includes studies on the special fields of European Union lawmaking processes and humanitarian interventions as well as on Hungarian legis-

lation and state administration materials. Covering the latter topics, we deliberately aimed to present and provide a better understanding of the various social roles and duties of the Hungarian state and church with the international community.

I do hope from the depth of my heart that this book will contribute to the better cooperation and understanding of state and church and achieve our shared goal of promoting public wealth.

GÉZA KUMINETZ

(Rector, PPKE)

PROLOGUE

When His Holiness The Pope requested the Hungarian Roman Catholic Church to organize the Eucharistic World Congress, we considered it essential to prepare for the event spiritually, mentally, and intellectually. The various liturgical and protocol events were meant to be an organic part of the preparation phase, as well as deepening the knowledge of the church teachings on the Eucharist. The latter took part in several forums, including lectures at dioceses, in catholic educational institutions, and naturally through academic deep-drillings into this subject matter. Besides, the Hungarian Catholic Church intended to implement the theological factors and teachings on the Eucharist through the three pillars of the church: the sanctifying, governing, and teaching missions of the church. This way, for instance at the end of the holy masses there were special praying on theological aspects related to the Eucharist. Thematic catechisms were also organised like a website launched by the congress preparation committee designated for covering theological and social topics.

The catholic university joined in this process. When I took over the leadership of the catholic university, I considered it essential that the institution should take advantage of the exceptional opportunities stemming from its status, address the representatives of the academic sector, and establish a bridge between the catholic and non-catholic academic intellectuals. Moreover, concerning the transfer of the social teachings of the church, I have also defined as primary goal to address as large a social cohort of people as possible. Dealing with the needs of the poor and people in need at the edges of society lies at the centre of the mission of the catholic church in the 20th century. This complex area requires cooperation with other organisations and religious communities. We have to emphasise the cooperation with the University of Public Service. The present book is also the result of the tight cooperation between the two institutions. The university prepares its students for the service of the public, and together with the catholic church, they share the accomplishing of the social and universal public good and welfare. We have organised several joint workshops, conferences, and forum discussions together. We have launched joint initiatives and research projects; lately, the project on ‘Sustainability, endurance – the climate change and the social challenges of its adaptability,’ was also supported by the Hungarian Ministry of Industry and Technology. Our book has been published partly within the auspices of this cooperation. We firmly believe that without solidary societies relying on the Christian idea of brotherly love, we cannot talk about sustainability in any sense of the word. The concept of sustainability implies not only economic and environmental factors but spiritual and mental aspects, as well. Moreover, the latter is the pre-condition of any other kind of sustainability. It was also

well illustrated by the coronavirus pandemic, which forced us to postpone the Eucharistic Congress for one year. Besides the obvious economic consequences of the pandemic, it has highlighted our societies' physical and spiritual fragility.

Our present book, which deals specifically with the charity activity of the church, has been launched with the active contribution of our international conference organised in cooperation with the Hungarian Catholic Caritas organisation. Our goal was all the time to elaborate on the high-level academic lectures of the conference and publish them in printed conference proceedings available for everyone. This book in English aims to fulfil this objective. The volume examines various topics in the church's social teachings concerning charity love. The book involves the writings of the members of the Holy See, the local churches, and the academic and governmental sectors.

I cordially hope that our present book will contribute on international church and academic levels to understanding the two central moments of the Last Supper: the foundation of the Eucharist and the love act of washing the feet. It would also enable us to accomplish the public good and create a more just society together.

PETER TURKSON

(Chancellor of the Pontifical Academies of Sciences, Vatican)

CHARITY IN THE LIFE OF THE CHURCH: UNDERSTANDING ITS CHARACTERISTICS AND SIGNIFICANCE

When speaking about love, or rather *caritas*, charity, it is important to briefly draw attention to some characteristics, some significant features of charity in the life of the Church, and then show how it relates to the sense of justice in societies, and then look at some brief applications.

The Church's ministry of charity in today's world is especially directed by the encyclical letters: *Deus caritas est* of Pope Benedict XVI, *Laudato Si'* of Pope Francis and *Fratelli tutti*, also of Pope Francis. These allow us to describe some characteristics of Christian charity and how charity is lived in the Christian Church.

The Church's service of charity is a manifestation of the love of God himself; it is also referred to as the Trinitarian Love of God. It is a service of charity which is a manifestation, a witness of the activities of the Church, and also a community of love. Therefore, the Church must understand itself as a community of love, invited to witness and manifest the love of God, Father, Son and the Holy Spirit; the love of a triune God. Thus, here is a statement of the need for charity. One needs to understand the identity of the Church as a community of love, and its need and service of charity, manifesting the love of the Trinity. As Saint Augustine of Hippo once said, when you see charity, you see the Trinity. And then you see the Church¹.

Such a Trinitarian Love was poured out on the Church at her birth, from the wounded side of Jesus crucified on the Cross, as John's Gospel says (John 4:38–39), and it continues to inspire, animate and energise her service of charity through the Holy Spirit. It is love that seeks the integral good of the human person. It seeks to evangelise through word and sacrament and to promote the dignity of the human person in the various spheres of life and human activity.

Love is the Church's service to the integral development of the human person. To the extent that love seeks to promote the human person in all his dimensions and gifts, we can say that love is the Church's service to integral human development.

The Church's service of love is also a responsibility. Material *koinonia* is the only way for a Christian community to have no poor among its members, according to the Acts of the Apostles (Acts 4:32–37). That is why in the Acts of the Apostles seven deacons, men of the Spirit, were appointed to manifest the charity of the Church towards the poor. Therefore, material *koinonia* must be inspired by the Holy Spirit to become the witness of faith and its unique contribution to the history of the Church.

¹ Augustinus, Aurelius: *de Trinitate*. Edited by The Perfect Library, Createspace Independent Publishing Platform, 2014.

Later in history, the service of charity became established as the essential activity of the Church, along with the proclamation of the Word of God and the celebration of the sacraments. Thus, three things characterise the life of the Church: her service of charity, her proclamation of the Word and her celebration of the Sacrament. These three things have come together to characterise and constitute the life of the Church from the beginning.

Therefore, there was the practice of collecting and giving to the poor, as was done in the Church of Ancient Rome, in the Church of Egypt, in the Church of Antioch, to help the poor. This continued in the monasteries of Naples and in some other places in the world. This signified and manifested the Church's interest in living charity as a way of manifesting the life of the Church.

As Pope Benedict XVI says, "within the community of believers there can never be room for a poverty that denies anyone what is needed for a dignified life"². This is the meaning of material communion. Therefore, in the Church, as the family of God, no one should be deprived of the necessities of life. Secondly, at the same time, such material communion, as charity, is not limited to the Church. It goes beyond the boundaries of the Church and into different organisations. At the moment, in this dicastery, we have two papal foundations that serve people not only in Christian areas, but also in Islamic and non-Christian areas. And this shows the universal love of the Church. And so, following the example of the Good Samaritan, we would like to invite all members of the Church to do good to all, especially to those of the household of faith, as we read in Paul's Letter to the Galatians (Gal 6:10).

Thirdly, it is important to note that charity and justice go together; charity does not replace or hinder justice. Justice respects the requirements of relationships. It is the just ordering of society, and the building of a just social and civil order which is the task of government and politics. Therefore, the guidance of faith as a purifier and a force for reason and politics, from the blind side, is necessary. Justice is when you give another person exactly what belongs to him. It becomes love or charity when you give the other person what belongs to you, in such a case you go beyond justice and you are in the realms of charity and love.

This is where the social teaching of the Church plays a role. And with it, lay people of faith with consciences formed for political life and the authentic demands of justice, as well as the reawakening of moral forces without which the structures of justice will not endure. The contribution of the Church's social doctrine is precisely to create that moral force which allows just structures in society to endure and become permanent. Thus, despite the civil and social order of humanity, there will always be some who need the service of love and charity, because there will always be the poor, the lonely, and situations that call for charity in the form of material needs, but also of non-material needs, such as consolation, or subsidiarity.

The role and contribution of the lay faithful will also be mentioned in the challenges of organising and adapting civil society. That is, the Church's charitable and the Church's charitable organisations stand out as unique and appropriate activities of the Church. In the organisation of civil society and the civil state, there is room and a place for Church and lay Christians who form charitable organisations to wit-

² Benedict XVI: Enc., *Deus Caritas est*, 22/12/2005, *Acta Apostolicae Sedis*, 98. (2006) 20. 217–79.

ness to and communicate their love for one another in society. These lay organisations, as such, respond to the nature of their Church, for there is never a situation in which Christian charity is unnecessary. The charity of the present is always necessary in every situation of life. The flaw in the vision I like to make is that there are multiple structures of the Church's service of charity, or the Church's service of love, especially in these days.

These days, that is in our days of globalisation, which has increased proximity and neighbourliness, which has shortened the distances between us, but has not quite made us brothers, as Pope Benedict XVI would say. He says that globalisation makes us neighbours, but does not make us brothers³. And that is what *Fratelli tutti*⁴ invites us to become, not just neighbours, but brothers who live for each other and share their lives with each other. Secondly, globalisation has increased the possibilities and means of providing aid. The use of drones when necessary. Deadly globalisation has also increased the sense of solidarity between people, between agencies working together, different forms of cooperation between church and state agencies are now possible because of improved communication media.

Fourthly, our time is also characterised by technological advances. These technological advances and developments enhance and facilitate the service of love. For example, it has become easier to reach out, to know and share the suffering of people in different situations of need. It is not possible on television to see war in reality, to see an earthquake in reality, to see famine in reality. These realities are brought to us and they create in us a feeling and a need to reach out and to be sustained.

Fifthly, the availability of certain financial tools is also important. Nowadays there are a lot of foundations and a lot of philanthropic organisations that offer themselves to help improve situations. These are increasingly being brought to our attention and made known to us.

However, today we also have a lot of volunteerism, a lot of volunteer spirit, in many places, a lot of young people after university who want to go out and help the communities that are in need. So, the essence of the old volunteerism is also increased these days. Therefore, when we talk about this today, we are talking about how globalisation has affected our society and our existence. We look at how technology has also affected our existence and our way of life. We are looking at how volunteerism and philanthropy have also increased the sense of solidarity among us. But most importantly these days, we also look at the pandemic of Covid-19, which has also decimated populations, and it has made a lot of people look for help. Thus, today we are called to be the church of Christ in a world that is characterised by so many different characteristics and experiences. And as we go out to do charity, we need to recognise all of these. Some are very positive and help us to carry out our works of charity. Some also make us feel the need for charity, and some also challenge us, as in the current pandemic over the Covid situation.

³ Benedict XVI: Enc. *Caritas in Veritate*. 29/06/2009, *Acta Apostolicae Sedis*, 101. (2009) 8. 641–709.

⁴ Francis: Enc., *Fratelli Tutti*. *Acta Apostolicae Sedis*, 112. (2020) 11. 969–1074.

Against this background and the characteristics of today, we are invited to develop many multiple structures to respond and carry out the charitable mission of the Church. We are invited to develop a variety of structures to respond to the Church's need for our exercise of charity.

Both the traditional means and the new structures for the service of charity are similarly very important. We need new structures, together with the traditional ones, to express cooperation, partnership and a sense of solidarity within the Church. Thus, the Church sees in this multiplicity of structures responding to human needs a true sense of humanism, created in the image and likeness of God. We are all called to fraternity, to live together, be compassionate, cooperate, share and work for the common good.

We are also invited to respond to the love of God, which has some power to speak to us and which has been poured into our hearts. God's love is inscribed in the hearts of believers in particular. And this motivates us to show love and to act in love. This, as Paul would say, edges all of us, characters Christians urgently, because I just have to go out wanting to show love. And these days, especially with the Covid-19 pandemic and the revelation of other social pandemics, it is an extra factor, an extra reason to go out and show love. What are the specific characteristics of the Church's ministry of love and charity? How do we go out to show the love of the Church? What are the special characteristics of the Church's demonstration of love in our community?

There are six main characteristics one needs to understand. First, Christian love is free, completely free. It is not a practice for some other purpose. It is not a practice to proselytise, to make other people Christian or Catholic. We do not go out to witness or to show love because we want someone to change from their religion to ours. Christian love is given freely, totally gratuitous, without any compulsion and without the aim of proselytising.

Secondly, Christian love is also a simple response to need. As there are situations of need to which response is needed. So, Christian love is a very simple response to a situation of need where we find ourselves like the Good Samaritan who finds somebody in need, and he goes to help. There is no pressure, there is no compulsion. It is just a response to a situation.

The third characteristic or the eccentric characteristic of Christian charity is that it needs preparation and training for competence in the service of love. Nowadays it is important that people sometimes receive preparation and find out how to serve, how to go about fulfilling the seven charitable aims of our Church. We are not saying that everybody has to be a professional. We are not saying that at all. Nevertheless, it is good for people to know how to assess people's feelings, how to assess people's needs in order to be able to help, so a certain amount of training or education is necessary for people to have some time to help and to practice charity in a very appropriate and competent way.

There's also number four: the need for formation to acquire a Christ-like heart. In order to serve charity, we need a certain spirituality to live in charity, which we need to acquire. Therefore, it is also good if we help people to acquire a heart like that of Christ, to be able to serve charity with heartfelt concern. Because faith, which is active in love, is what we are looking for. Sometimes we have to help people to know how to underpin, how to animate their own sense of charity, with a deep sense

of spirituality that is almost Christ-like for us, that we need to develop the mind and the heart of Christ, and that is what we sometimes try to do for those who go out to witness the love of Christ in the Church.

Fifthly, we need to be human, we need to be truly human, able to listen and obey, to see the needs of people, not only with a mind but also with a compassionate heart. We have to be human, to be able to listen, to be able to see, to be able to feel with people in their own situation, to be compassionate.

There is also a sixth characteristic, which needs to be highlighted. It is that all these Christian ministries of charity or love are not just another form of social welfare. We are not just social workers, we are witnesses to the life of Christ, and sometimes it is important to underline that, and sometimes it is important to remind people of that.

After having mentioned these characteristics, it is time to raise some questions. Who, then, are the actors of Christian or ecclesial charity? Who are those who are responsible for the Church's charitable activity? Who may or may not become an agent of the Church's charitable activity?

As a starting point it is important to note that evangelisation introduces us to God's love as a saving grace. It is with this grace that we reach out to share God's love; we cannot love without caring for the good of others. It was Pope Benedict XVI who said that to love is to be concerned about the social condition of others⁵. Thus, accepting the first proclamation, which invites us to receive God's love and to love him in return with the very love that is his gift, is a primary and fundamental response to the desire to seek and protect the good of others in our own lives and actions. Pope Francis tells us about this in *Evangelii gaudium*⁶.

„Discovering that they are loved by God, people come to understand their own transcendent dignity, they learn not to be satisfied with only themselves but to encounter their neighbour in a network of relationships that are ever more authentically human.”⁷ Discovering that we are loved by God also makes us feel our own dignity, and we want to encourage and promote this dignity in others. Therefore, men and women who are renewed by God's love are capable of changing the rules and the quality of relationships, transforming even social structures into agents and channels of God's love. Let me repeat this. Men and women made new by the love of God are now capable of changing the rules and the quality of relationships, transforming even social structures into structures of love and mechanisms for witnessing to care for one another.

Therefore, we are responsible for the Church's charitable activity. The first actor is the Church herself. That is why *Cor Unum* is the Vatican's way of witnessing to charity. As you may know, the second point is that at the level of the particular Church, in parishes, in dioceses, as the commitment of bishops at their ordination says, to be welcoming and merciful to the poor and to all those who are in need of consolation and help. When a bishop is ordained, he is invited to do this, to be

⁵ Benedict XVI: *Deus Caritas Est - Encyclical Letter, Benedict XVI*. Vatican: the Holy See. Vatican Website. Libreria Editrice Vaticana, 2005. 6.

⁶ Francis: Ex. Ap., *Evangelii gaudium*. 24/9/2013. *Acta Apostolicae Sedis*, 105. (2013) 12. 1019–1137.

⁷ Pontifical Council for Justice and Peace: *Compendium of the Social Doctrine of the Church*. London, England: Burns & Oates. 2006. 4.

welcoming and merciful to the poor and to all those who are in need of consolation and help. Thirdly, all the organisations within the Church, the Caritas groups that serve the poor, the justice and peace groups, all are invited to become members and to witness in their own way to the love of Christ.

Fourthly, as charity workers, or those of you who know Caritas, working in harmony with other aid organisations, we are also invited to present that the distinctive motivation of Christ is charity. The charity of Christ urges us, Caritas Christi, to be insistent. Therefore, we must be very careful not to fall into a temptation that once marked the life of Moses: when we try to be of help to others and there are difficulties, we must not give up, we must not give in to the desire to be charitable and adopt a mediocre type of life, we must persevere, we must persevere in the works of charity.

The relationship between the social doctrine of the Church and the service of charity is a natural one. In fact, according to Pope Benedict XVI, “charity, to which Christ bore witness, (...) is at the heart of the Church’s social doctrine”⁸. When it proclaims why it celebrates and why it does the work of charity, it is engaged in evangelisation.

That is exactly what we want to recommend to you. The development of the individual and of humanity requires new eyes and a new heart, capable of transcending the materialistic vision of human events, capable of seeing in development that beyond which technology cannot give. By following this path, it is possible to pursue integral human development, guided by the power of the love of truth. For then, as Pope Benedict says, it is only when human activity is inspired by the love of God that it anticipates the kingdom of heaven on earth. That’s why we want to commend all of you to God’s guidance and God’s blessing for every light of this commandment of yours. For again, it is when activities, your activities, our activities, when these activities are inspired by the love of God, they succeed in bringing down the kingdom of heaven in anticipation of God’s kingdom on earth. May it please the Lord to touch our hearts and make them burn with love for one another.

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⁸ Benedict XVI: Enc., Caritas in Veritate. 29/06/2009, *Acta Apostolicae Sedis*, 10. (2009) 8. 641–709.

PÉTER ERDŐ

(Cardinal, primate, Archbishop of Esztergom-Budapest)

THE ROLE OF THE BISHOPS' CONFERENCE
IN A MODERN STATE

The academic literature on the theological and canonical aspects of bishops' conferences was already quite extensive before the publication of *Instrumentum laboris* by the Congregation for Bishops in 1988. The publication of this document led to a considerable increase in scholarly work, so that there would seem to be no need for a further study of the theological and canonical issues involved. However, there is a niche that is not covered in detail by the existing literature.

This niche concerns the role of bishops' conferences in the delicate relationship that exists between the Catholic Church and the modern State. This paper will therefore not analyse the theological nature of the bishops' conferences or their role within the Church. Instead, it will analyse the aspects of legal representation and the consequences of the social representativeness of bishops' conferences. Finally, in examining these issues, we cannot ignore the role of bishops' conferences within the Catholic Church, since their external activities are closely linked to their ecclesiastical position.

1. THE ROLE OF BISHOPS' CONFERENCES
IN CHURCH-STATE RELATIONS
– THE HISTORY OF BISHOPS' CONFERENCES

It is well known that bishops' meetings have long played an important role in Church-State relations. It seemed significant for bishops from the same country to act together when they had to negotiate with the state. Even before 1903, when regular meetings of bishops began in some areas, the most important issues were the protection of the Church's freedoms and the defence of the rights that safeguarded the Church's property. In addition to these issues, the two parties also discussed matters regulated by secular authorities, such as schools, Catholic universities, or social issues. We have some examples from the 19th century when the Holy See empowered a bishops' conference to make its own decisions. For example, the Concordat of 1855 with Austria, whose jurisdiction was to extend to Hungary, mentions that the bishops of Austria would select the textbooks for religious instruction in Austrian secondary schools.

Some researchers have argued that one of the reasons for the emergence of bishops' conferences was the separation of religion and politics in society. However, there is some evidence that bishops acted collectively even in states where church and state were thoroughly intertwined. This hypothesis is supported by the

existence of several medieval agreements between monarchs and the bishops of a country. In 1372, for example, Peter IV of Aragon made a pact with the clergy of Tarragona, while Alfonso V of Aragon reached an agreement with the prelates of his country. Other examples of similar agreements can be found in Portugal, Bavaria and Austria. However, one must be careful when interpreting these agreements, because they probably highlight the operation of the feudal state, when the clergy were present at the diets as representatives of one of the three medieval estates. Similar meetings of bishops also took place in Hungary, when Cardinal Péter Pázmány summoned all the bishops of Hungary to a conference in 1622, 1625, 1627 and 1628. At the last meeting they agreed to send an emissary to Rome to represent the Hungarian Church there.

The internal regulations of some bishops' conferences in the twentieth century emphasise the continuity between the regular meetings of bishops in the pre-conciliar period and the regulation promulgated by Christ Dominus. For example, the regulations of the Polish Bishops' Conference state that among the reasons that led to the establishment of this body were "the necessities connected with the restoration of the Polish state in 1918 and the new social and political realities of the period after 1945"¹.

In the 20th century, there were occasions where regional bishops' conferences signed agreements with governments of states, especially in Germany² which exist in a federal framework. A very important issue is the problem of agreements between governments and bishops' conferences. This issue will be revisited later in this paper.

2. THE LEGAL AND SOCIOLOGICAL NATURE OF BISHOPS' CONFERENCES

Although in recent decades some experts have argued that the bishops' conferences have only delegated powers to govern the Church,³ the majority of scholars believe that these institutions have normal powers. Different authors therefore come to different conclusions about the sources of the various powers of bishops' conferences. Some attributed these powers to the regular governance of the conferences, while others linked them to the regular delegated powers (*potestas ordinaria vicaria*). This debate was closely linked to the authors' views on the nature of independent and delegated church governance.

Summing up the various points, one can confidently say that the bishops' conferences have the regular power to govern the Church and to issue general decrees. These general decrees can only be issued after a general review, and not a confirmation, by the Holy See. The fact that general decrees must be reviewed by the Holy See before promulgation does not diminish the fact that these decrees are issued

¹ Romeo Astorri: *Gli Statuti delle Conferenze episcopali. 1. Europa*. Padova, CEDAM, 1987. 2.

² Carlos Corral: Conferencias episcopales ordenamiento civil y comunidad política. In Antonio Maria, Javierre, et al. (ed.): *Las Conferencias episcopales hoy*. Salamanca, Universidad Pontificia de Salamanca, 1977. 149.

³ Carmelo Diego-Lora: La potestad de régimen de las conferencias episcopales en el "Codex" de 1983. *Ius Ecclesiae*, 1. (1989) 1. 36.

under the independent authority of the bishops' conference.⁴ According to Canon 455 §1, these instructions are called general decrees. However, according to Canons 29 and 30, general decrees can only be issued either by a competent legislator or by someone who has been expressly granted this right by a competent legislator. The facts make it clear that bishops' conferences, at least in their typical form (Canon 448 §1), have real powers of ecclesiastical governance.

Bishops' conferences have several powers which presuppose the existence of executive authority. One of these is the right to establish or suppress national associations of the Christian faithful (Canon 312 §1, § 2, Canon 320 §2).⁵ Bishops' conferences take most of their administrative decisions by an absolute majority, in accordance with the provisions of Canon 119. They can, however, depart from this general rule if they specify these differences in their statutes. Thus, within the limits of their competence, bishops' conferences may enter into certain agreements with public authorities on matters affecting Church-State relations. For example, they can establish a body to guarantee the social security and health care needs of the clergy (Canon 1274 §2),⁶ especially if this new institution or fund is created with the help of State resources (Canon 1274 §5).

Bishops' conferences are classified in canon law as public juridical persons (*persona iuridica publica*) and as such are the representatives of the Church (Canon 116 §1 and Canon 449 §2). As such, they can be parties to Church-State relations. Furthermore, they can enter into normative agreements with secular authorities governed by secular public law. These agreements, when signed by bishops' conferences, establish norms for public administration. This theory was first put forward by Maria Roca.⁷ We will come back to what kind of agreements between the Church and the State are beyond the competence of the bishops' conferences.

Although any ecclesiastical juridical person can enter into such transactions, the position of bishops' conferences is somewhat special because they have a very specific role in society. One of the peculiarities of bishops' conferences is that they do not legally represent the Church of the country in which they operate. This is important because, unlike a bishop's conference, each diocesan bishop has the legal authority to represent his diocese in all its legal affairs (Canon 393). Nevertheless, a council composed of the leaders of each particular Church has some representative value. But the power they possess is sociological rather than legal. Their weight is considerable in politics and other areas which, if the term is interpreted narrowly, are not juridical acts.

The freedom of action of bishop's conferences is quite wide. They can exchange information, express intentions or do many things that can lead to an act of law or a normative agreement between Church and State. They can also enter into informal

⁴ Corral (1977): *op. cit.* 149.

⁵ A list of such powers is enumerated by e.g. (Joseph Listl: *Plenarkonzil und Bischofskonferenz*. In Joseph Listl – Heribert Schmitz (ed.): *Handbuch des katholischen Kirchenrechts*. Regensburg, Verlag Friedrich Pustet, 1983. 314–320.

⁶ Amann Thomas: *Der Verwaltungsakt für Einzelfälle. Eine Untersuchung aufgrund des Codex Iuris Canonici*. vol. 1. St. Ottilien, EOS Verlag, 1997. 54–56.

⁷ María José Roca Fernández: *Naturaleza canonica de los convenios estipulados por las Iglesias particulares*. In *L'Année Canonique Hors Série*. vol. 1. Paris, Dans Bibliothèque de la Faculté de droit canonique de Paris, 1990. 443.

agreements which, although not in themselves legal acts, can be extremely important for society.

Diocesan bishops can also take unanimous decisions at meetings of bishops' conferences. Although these decisions are not within the competence of the bishops' conference, they can make the bishops' conference a legal entity representing all the particular Churches. The only major consequence of such a move is that the members of the conference are acting under powers delegated by the diocesan bishops and not under their regular authority.

It must be stressed that the totality of the particular Churches of a country, led by bishops who are members of bishops' conferences, or the "Catholic Church of country X", is not a juridical person within the Church, nor is it synonymous with the bishops' conference. This situation does not necessarily pose a problem in Church-State relations, since the State can, of course, accept any ecclesiastical juridical person as the representative of the Catholic Church within its own jurisdiction. This principle is particularly important in those polities where the secular authorities consider the Catholic Church as a single legal entity. This circumstance raises the question of who is the legal representative of an entity that does not exist in canon law. The best answer to this question in the Austrian legal tradition is given by Max Freiherr Hussarek von Henlein, the Minister President of Austria in 1918. According to Hussarek, the "Roman Catholic Church in Austria" as a legal entity is represented by various ecclesiastical juridical persons, depending on the specific circumstances.⁸ According to contemporary Hungarian secular law, the "Catholic Church in Hungary" is a legal entity (§13 of Act IV of 1990; the official registration of the Catholic Church as a legal entity at County Court Komárom-Esztergom Pk. 60.060/1990/2) and as per the court registration it is represented by the Primate, the Archbishop of Esztergom-Budapest. However, the Primate is represented by the Secretariat of the Bishops' Conference in practical matters such as the registration of the Church's internal legal entities or the issuing of various certificates⁹.

Nevertheless, Hungarian law does not define who is to represent the various churches; instead, the legislator has referred to the internal legal framework of the religious communities (§9 1 (c) of Act IV of 1990). Thus, Hussarek's principle that the Catholic Church of a country is best represented by its own institutions, which follow the legal framework of the Church, is partially true in the contemporary Hungarian legal system. Therefore, the bishops' conference and the secretariat of the conference can represent the "Catholic Church in Hungary", a concept that does not exist in canon law and only exists as a legal entity in Hungarian secular law. However, the representative activity of these two bodies is still governed by the principles of canon law. Thus, in the field of private law, the bishops' conference can act either as itself, as the public juridical person established by Canon 449, or as the representative of the particular Churches in Hungary. However, the bishops' conference can only act in this way if the diocesan bishops have approved the pro-

⁸ Max Freiherr von Hussarek: *Grundriss des Staatskirchenrechts*. Leipzig, Duncker & Humblot, 1908. 415.

⁹ Erdő Péter: Neue Entwicklungen in ungarischen Partikularkirchenrecht. *Archiv für katholisches Kirchenrecht*, 162. (1993) 2. 465–467.

posal in question. If the bishops' conference or its secretariat wishes to represent institutes of consecrated life, where the outcome of the discussions may influence the activities of these bodies, it must obtain their prior authorisation (see Canon 119).

The representative role of bishops' conferences in negotiating a bilateral agreement with secular authorities presents a different set of problems. As we defined earlier, church-state agreements are bilateral agreements between the two parties under public law, which create legally binding rules for both State and Church. The permanent, general and normative nature of these rules makes it clear that bishops' conferences can only enter into such agreements if they are competent legislators within the Church.¹⁰ The bishops' conference can issue three types of norms: general decrees, general executory decrees, or instructions. The bishops' conference can issue a general executory decree if, according to a statement of 5 July 1985 by the Pontifical Commission for the Authentic Interpretation of the Code of Canon Law,¹¹ it follows the procedure indicated in §2 of Canon 455.

This means that the bishops' conference can promulgate a general implementing decree only if the proposed action is discussed at a full session of the conference, supported by a two-thirds majority of the bishops eligible to vote, and formally promulgated by them. However, before promulgating the general implementing decree, the bishops' conference must first obtain the formal approval of the Holy See. Another restriction is that they can only issue these instructions in areas defined either by general law or by specific decisions of the Holy See. Some scholars believe that this procedure also applies to the other legislative activities of the bishops' conferences. For example, when they issue an instruction (*instructiones*), although according to Canon 34 such instructions become binding without formal promulgation. We can therefore suggest that in the case of instructions the role of the Holy See is limited to deciding on the admissibility of the proposal.

The Holy See may expressly authorise a bishops' conference to make rules, possible juridical rules established by bilateral agreement, when universal canon law does not expressly authorise a bishops' conference to take a certain action. When this is the case, we often find traces of such moves in the bilateral treaties themselves. These allusions are particularly common in bilateral treaties during the pontificate of John Paul II, who frequently authorised bishops' conferences to negotiate with state authorities on many important issues. For example, in the cases of Italy,¹² Spain¹³ and, following the signature of an important bilateral agreement on 20th June 1997, Hungary, the Holy See has authorised the bishops' conferences to continue negotiations with the public authorities on the financing of newly established

¹⁰ Roca (1990): op. cit., 449.; Alexander Hollerbach – Dietrich Pirson: Die vertragsrechtlichen Grundlagen des Staatskirchenrechts. In Listl Joseph (ed.): *Handbuch des Staatskirchenrechts der BRD*. vol. 1. Berlin, Dunker – Humblot, 1994. 274.

¹¹ Pontifical Commission for Authentic Interpretation of the Code of Canon Law: Statement. *Acta Apostolicae Sedis*, 77. (1985) 8. 771.

¹² Roca (1990): op. cit., 449.

¹³ Giorgio Feliciani: Comentario al c. 455. In Jorge Miras – Rafael Rodríguez-Ocaña (ed.): *Comentario exegetico al Código de Derecho Canónico*. Pamplona, Eunsa, 1996. 972. 1972.; Giorgio Feliciani: Nuove prospettive delle Conferenze episcopali e delle relazioni fra Chiesa e Stati. *Ius Canonicum*, 25. (1985) 4. 517–526.

ecclesiastical higher education institutions and on certain issues relating to the preservation of the Church's cultural heritage.¹⁴

As to the nature of these agreements, it must be said that, unlike agreements between the Holy See and sovereign States, they are not international. These internal ecclesiastical norms can be issued in the form of general decrees, general implementing decrees or instructions. The most important feature of instructions is that they are not binding on each party to the bilateral agreement. Instead, they only guide the actions of those clerics who are to carry out various elements of the agreement (see §1 of Canon 34). Another question we need to answer is whether, if there are such references in the treaty, the episcopal conference must seek the permission of the Holy See before promulgating a new piece of ecclesiastical legislation. On the basis of the principles we discussed above that such permission is essential if agreements with the State are either general decrees or general implementing decrees, they want the agreement to be valid under canon law. Of course, the bishops' conference must seek the approval of the Holy See before signing the agreement with the secular authorities.

The second type of normative agreement between the bishops' conference and the State, which is also regulated by public law, concerns matters that fall within the competence of the diocesan bishops. In these cases, the bishops' conference acts on behalf of the diocesan bishops at their unanimous request. In this case, the approval of the Holy See is not required for the promulgation of a regulation. A very delicate situation arises, however, when a concordatory norm, established by a treaty signed by the Holy See and a country, grants to the bishops' conference a privilege that normally falls within the competence of a diocesan bishop or concerns only a single diocese. In this case, unless the treaty specifically assigns the competence to the bishops' conference alone, the diocesan bishop, by virtue of the rules laid down in Canon 10, enjoys a parallel competence with the bishops' conference. In this case, therefore, the bishop has the right to instruct the competent organs of the bishops' conference to represent the interests of the diocese *vis-à-vis* the State. It is important to know that agreements between states and bishops' conferences are not international treaties, and states treat them as domestic legislation.

Another interesting question is the role of the bishops' conferences in the preparation of a proposed treaty between a state and the Holy See. Since in this case the Holy See is one of the contracting parties, it is its prerogative to decide how a future treaty should be prepared. Therefore, during the negotiations, the bishops' conferences or any of their members or organs can only participate as representatives of the Holy See, as part of the Holy See's team preparing a future international agreement. The roles are reversed when a cleric participates in such negotiations as a representative of the State. A good example is Othmar von Rauscher, Archbishop of Vienna, who signed the Concordat between Austria and the Holy See in 1855 as the representative of Emperor Franz Joseph I. In this case, Archbishop von Rauscher represented the State and not the Church.

In Church-State relations there are certain matters, such as financial matters and education, which require constant contact between the two sides to ensure that these

¹⁴ Article 3 (4) (c) from the bilateral Treaty between Hungary and the Holy See (signed on 20th June 1997).

activities are carried out in a controlled and coordinated way. We believe that in these areas the bishops' conferences are the ideal organisation to represent the Church's interests. Depending on the subject, the bishops' conference can take some decisions within its competence, either as the representative of the bishops or as the representative of the bishops and the superiors of the major institutions of consecrated life. This activity of public administration, which is often linked to executive activity within the Church, is legally permissible and is now quite common. We must not forget, however, that the codification commission of the Code of Canon Law of 1983 never intended to give the bishops' conferences such powers of public administration, which would have made them central authorities or curiae of the Catholic Church.

3. SUMMARY

As shown above, bishops' conferences have recently become influential in Church-State relations. They are entitled to enter into some normative agreements with state authorities and, at the request of the Holy See, they may participate in bilateral negotiations as representatives of the Holy See. They also have many responsibilities in day-to-day formal and informal Church-State relations. However, while carrying out all these activities, the bishops must not seek to increase their influence and power, but their activities should be guided by a spirit of service within an organic Church organisation, the community.

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SOME PERSONAL EXPERIENCES IN HUMANITARIAN CRISES

At the beginning of July 2013, I had already left for my second posting as Nuncio to Uganda. While I was settling in and getting to know the country, I saw on television the first apostolic trip of the newly elected Pope Francis. He visited the Italian island of Lampedusa on 8 July. Lampedusa is an island in the Mediterranean, about 120 kilometres from the nearest African country, Tunisia. He was there to thank the people for their welcome to migrants who still make the risky crossing in small boats in the hope of reaching the Italian mainland and then other European countries. In Lampedusa, Pope Francis celebrated Mass in violet vestments to ask forgiveness for the indifference to the plight of the many migrants who arrive there, and for those whose decisions fuel the global drama of migration that was unfolding there.

I still remember that same day what was happening in western Uganda. The news was that another wave of refugees was about to begin in the neighbouring country, the Democratic Republic of Congo: people being driven from their homes, in some cases fleeing death, and crossing into Uganda. Suddenly I asked myself: What am I doing here in the comfort of the capital when people fleeing violence need the presence of the Church? I think the Holy Spirit was trying to wake me up. Therefore, I called the diocesan bishop of the area and told him I wanted to come and see what was happening and bring the consolation of the Holy Father, whom the nuncios represent. I also phoned the national Caritas in Kampala, the capital of Uganda, and asked for any contributions they could provide, such as blankets – the nights can be cold in that part of Uganda – and other practical things that people need to live a little more humanely in bad circumstances.

The next day we set off in three vehicles for the town of Fort Portal. After visiting the bishop, we went with him to the camp set up by the UNHCR. On the way we stopped at a Catholic parish where the priests were ministering to the refugees. While talking to them, I gave them some documents from the Vatican on the pastoral care of refugees and invited them to see how they could help them at this moment. From there we went on, accompanied by armed soldiers, because those who caused the crisis in the Democratic Republic of Congo had many supporters in Uganda. Thank God nothing happened to us.

When we arrived at the camp, we found representatives of the UNHCR at work and many refugees, adults and children, who had recently arrived. It would be a few days before the situation became more ‘normal’. We were able to distribute a donation of emergency supplies we had brought with us and talk to some of the refugees. Later in the afternoon we went with the Bishop to the border where he crossed and met many people who were willing to seek refuge in Uganda. This was the beginning of many visits I would make to western and north-western Uganda during the

five and a half years I spent in Uganda. I was not involved for political reasons, but because it was part of my mission to show the Holy Father's concern for those who were suffering, in this case people who had been driven from their homes because of the threat of violence and death.

A few years later, another violent crisis forced people to leave Uganda's northern neighbour, South Sudan, a newly formed and internationally recognised country. Unfortunately, things had gone very wrong and whole populations were fleeing to Uganda because of the gratuitous violence of the military and armed groups who seemed to have a licence to do anything. My own Divine Word Missionary confreres fled their parishes with their people. Later, in Bidi Bidi, then one of the largest refugee camps in the world with about 350,000 people¹ in a thatched shelter, I celebrated Mass more than once for people whom my confreres had previously served in South Sudan. Now they were all in exile with their people. I still have fond memories of those liturgies, where you could see people who had lost everything rebuilding their lives, using what was available in creative ways. They cared for their children, ensured that they continued their education, planted vegetable gardens in any available space, tried to rebuild a new life, and even ensured that their visitors, including me, were fed. At the centre of all this was the community called together by the Word of God and nourished by the Eucharist celebrated and received.

These experiences are also an important testimony to the humanitarian policy of Uganda itself. At the time, it was ranked third in the world for its reception of refugees. Uganda also had the terrible experience of civil war under the dictatorship of General Idi Amin and the instability he left behind. Reconstruction has been slow, as has the process of reconciliation, but civil war has not returned.

The experience of Uganda has shown how a country can begin to rebuild itself and how different groups, including the Catholic faithful at national and diocesan levels, together with other major Christian communities, can make their contribution. A certain dynamism was set in motion, sustained by the leadership in the field of post-war reconstruction and by the people who, formed by the Word of God and the sacraments, spontaneously helped.

People continued to flee for their lives, threatened by paramilitary groups. They had to leave their land and homes and walk to safety, warning people along the way of what was to come. No doubt many also received spontaneous help, motivated by traditional African hospitality, as they sought safety by crossing borders. At the same time, UNHCR headquarters in Uganda began mobilising its staff and resources for another emergency operation in a safe country of refuge.

Among the ordinary people responding to the emergency were Christians who knew what the Lord taught about welcoming the stranger. The result was not only a response to the immediate situation, but also a new sense of purpose that would develop for eventual resettlement in Uganda with the cooperation of its government institutions. This was possible because Uganda already had a well-functioning refugee registration policy, which included documents that allowed refugees to use the country's schools and health services and to become legal residents. The process

¹ Adam Wernick: *In Uganda, a refugee camp becomes a city*. Online: <https://www.pri.org/stories/2019-05-09/uganda-refugee-camp-becomes-city>. 2019.

of applying for and receiving the relevant documents usually worked well and took little time.

For myself, the experience I had earlier (1995-2005) at the “Refugee Desk” and later as Under-Secretary of the then Vatican dicastery, the Pontifical Council for the Pastoral Care of Migrants and Itinerant People, was a valuable preparation for the time in Uganda. The Council was a group of about twenty priests, representatives of religious orders and lay people, working under an archbishop or cardinal president. Its departments followed not only migrants and refugees but many other forms of human mobility. Its functions are now carried out by the new Dicastery for Promoting Integral Human Development, headed by Cardinal Peter Turkson (from Ghana). This dicastery has a special department for refugees and migrants, headed by the newly created Jesuit Cardinal Michael Czerny. This kind of institution has existed in the Vatican in various forms since the great European migrations to North and South America in the 19th century.

My own ten years in the then Pontifical Council allowed me to see the real situation of refugees in different parts of the world and to encourage specific pastoral contributions for those affected. Refugees and migrants are entitled to the Church’s pastoral care for themselves and their families. There is a real need to bring families together, since they are often torn apart in the chaotic situations that arise when people are forced to flee their homes.

The Pontifical Council also organised various regional meetings in the mid-1990s to promote pastoral programmes for refugees, starting with West Africa, which was in turmoil because of the events in Liberia and Sierra Leone, where life had become very difficult and violent. The danger of recruiting child soldiers, practised by all sides in the conflict, threatened boys and girls alike and mobilised many organisations, including Catholic ones. They wanted to help these young combatants by persuading them to lay down their weapons and learn a useful trade, such as carpentry or masonry, and by encouraging them to return to school and learn how to earn money in an honourable way.

There are also other important initiatives, such as supporting mothers who have cared for and nursed their babies. The wider political issues can be difficult, especially as the protagonists in the civil wars were often violent people with little respect for life. In these circumstances, it was also important to discover the importance for refugees of the rhythm of community worship. Worship gives a sense of meaning to life in exile, not to mention prayer in families and schools, all of which is aimed at deepening the sense of God that is so often part of African life and culture. It was also touching to see a living symbol of this in the many people who, forced to flee for their lives, carried a Bible, sometimes their only baggage.

The Pontifical Council also encouraged the formation of pastoral agents in other parts of Africa, such as Rwanda and Burundi, both of which had a history of deadly ethnic violence before I visited them in the mid-1990s. In Kenya I went to the huge camp at Kakuma² where the Jesuit Refugee Service (JRS) was working with people from Somalia, South Sudan, Sudan and the Democratic Republic of Congo, to name but a few. I saw similar activities being promoted in South Africa, which

² The UN Refugee Agency: *Kakuma Refugee Camp and Kalobeyei Integrated Settlement*. Online: <https://www.unhcr.org/ke/kakuma-refugee-camp>. 2020.

had received many refugees from neighbouring countries such as Mozambique. In Zimbabwe, the local Caritas organisations and JRS tried to do what was humanly possible during the last years of the Mugabe government, when the whole country was on the verge of collapse.

The picture would not be complete without a brief mention of Asia. Refugees from Myanmar, a Southeast Asian country, are in the news almost every day. But this is not the first time I have heard about refugees. I first met them twenty years ago, when large numbers of people from Myanmar were seeking asylum and basic rights in Thailand. Then I visited some of these refugees in Thailand, not far from the capital Bangkok. JRS was also involved with them. Unfortunately, some situations are not easy to solve. For example, there are some situations where starting a new life in another country is often a difficult but necessary choice.

For all those who work with migrants and refugees it is necessary to seek and pray for a strong Catholic identity. In this regard, the study of the Holy Father's annual messages for the *ujh* of Migrants and Refugees is indispensable if we are to make our proper Catholic contribution. The Church has a mission in the field of migration, shaped by its long history and pastoral experience, which continues today to serve the integral human development of peoples.

As we serve in refugee camps and settlements, we need to take care of our Catholic identity and life through study, prayer and the practice of justice and charity. If we are not convinced of our faith, we weaken the faith of those we seek to serve. This also means being vigilant and even warning against the dubious morality promoted by too many non-governmental organisations among migrants and refugees, especially as it relates to family life. The positions taken by many on "gender identity", "reproductive health", marriage and abortion are often far from the teaching of the Catholic Church. We need to be aware, for example, that even seemingly innocent things like setting up "film houses" in camps or settlements can be a moral danger if they profit from pornography or gratuitous violence. People need to be warned of the dangers that can destroy the spiritual and social fabric of Christian life, which is often already severely threatened by the forced departure from one's country and normal relationships.

Here is a personal experience of what I mean. A diocesan bishop of Uganda and I were invited to speak to a group of refugees in a camp. They kindly set up a tent to protect us from the sun. But what did the tent advertise? Planned Parenthood International, a US-based NGO that is one of the world's largest providers of abortion and 'reproductive health'. There is a lot of money to be made in promoting their brand of 'human rights', even if it means murdering babies and destroying families by using marriage to define almost any kind of union.

Those who work in refugee settlements must be courageous in defending what threatens the spiritual and social fabric of Christian life. If this is threatened, if people lose enthusiasm for giving their time and effort to make their societies more Christian and therefore more human, then we are in trouble.

Finally, there is a more recent and different problem in Africa to be discussed, a problem that thrives on discontent and unhappiness: the presence of jihadist movements that destroy security and traditional solidarity. Too many places in Africa have been infected by their ruthless and distorted attitudes towards other religions.

With regard to organisations that come to Africa to promote economic development and even business and industry, it is important to encourage those that use models of economic development and cooperation that emphasise personal and social relationships and not just profit and competition. Businesses that put the whole person first are also an important defence against jihadists, who recruit young people by appealing to the injustices, discontent and lack of care in the societies in which they live. Our faith in action has an indispensable role to play in resisting this scourge.

The response to migration issues requires our constant striving for perfection: “Be perfect, as your heavenly Father is perfect”, says our Lord (Mt 5:48). There is also a need for models of economic development such as those described above in Africa, and I have seen them work. Where there is a positive social atmosphere that reflects the best of traditional African values, there is also protection for young people from false religious ideologies. Respect for human life, concern for the weakest and the development of systems of solidarity have a long history in traditional African societies. They need to be nurtured before serious social and political crises open the door to the worst.

Such a social atmosphere needs to be created and continually renewed through prayer and community action, as promoted by Catholic social teaching. For those involved in such movements, the temptation to migrate is reduced and the quality of the all-important Christian community is promoted. The dream of migration, especially in its dangerous and dehumanising aspects, becomes less attractive. Organisations such as “Bosco” in northern Uganda³ are creating local solutions to certain cultural problems that too often lead to dangerous adventures in migration as a solution to problems of employment and well-being.

APPENDIX

Some pastoral resources

The Catholic Church has a long tradition of teaching on migration. There are 107 annual messages from various Holy Fathers for the World Day of Migrants and Refugees. They became an annual event during the pontificate of Pope Paul VI. They offer analysis and words of encouragement for those involved in the various aspects of migration, such as welcoming refugees, celebrating the sacraments in migrant communities, and solidarity among migrants. The reflections can be consulted in various languages at the address below, as well as in versions prepared by many bishops’ conferences⁴.

³ BOSCO Uganda: *BOSCO Uganda Battery Operated Systems for Community Outreach. Organizations like “Bosco” in northern Uganda*. Online: <https://web.archive.org/web/20110718095252/http://boscouganda.files.wordpress.com/2010/04/informational-flyer-bosco-uganda.pdf>. 2020.

⁴ Vatican: *Messages World Day of Migrants and Refugees*. Online: <http://www.vatican.va/content/francesco/en/messages/migration.index.html>. 2021.

The International Catholic Migration Commission⁵ is another Catholic organisation with a long and continuous experience among migrants and refugees.

The Jesuit Refugee Service⁶ is well known in many countries for its many years of service. I was in regular contact with them when I worked for the then Pontifical Council for Migrants.

There is also Caritas Internationalis⁷ and the thousands of local Caritas organisations around the world whose activities are often at the service of migrants and refugees.

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⁵ International Catholic Migration Commission: *How We Serve and Protect People on the Move*. Online: www.icmc.net. 2021.

⁶ Jesuit Refugee Service: *About us*. Online: <https://www.jrs.net/en/about-us/> 2021.

⁷ Caritas Internationalis: *Caritas: ending poverty, promoting justice and restoring dignity*. Online: <https://www.caritas.org/> 2021.

ANTAL SPÁNYI

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THE OPERATIONAL FRAMEWORK
OF CATHOLIC CARITAS (CARITAS HUNGARICA) ACTIVITY
IN HUNGARY AND THE FOCAL POINTS OF ITS ACTIVITIES

“Love is always willing to assist.”
(Ottokár Prohászka¹)

1. HISTORY

The Catholic Church has always been ready to help those in need. Christian charity, carried out by many dedicated Christians, is as old as the Church itself.

Caritas activities help the poor, the needy and those in distress in the name of the Roman Catholic Church. These enterprises carry out the mandate of the Catholic Church, which we all received at our Baptism, to spread love through acts of charity and exemplary Christian lifestyles.

The political and social changes of the 19th century increased the importance of the Church’s social teaching within Roman Catholic communities. In order to co-ordinate the ever-growing number of charitable activities, people began to set up Caritas centres across Europe. The first Caritas centre was established by Father Lorentz Werthmann in Freiburg, Germany, and in the 20th century many European Catholic Churches adopted this German example.

In the first decades of the twentieth century, there were several attempts to establish Caritas centres in Hungary. For example, in 1914 the Catholic Church in Hungary established the *Katholikus Karitás*z (which means Catholic Charity in English). However, *Katholikus Karitás*z was not a real coordinating centre for Catholic charity work, but an ad hoc charity campaign during the First World War. After several false starts, coordinated Caritas activity in Hungary began in 1931. Then Cardinal Jusztinián Serédi² appointed Father Zsigmond Mihalovics³ as the Archbishopal Coordinator of Caritas Activity. In the same year, the Hungarian Catholic Bishops’ Conference established the *Saint Elizabeth Caritas Centre* to coordinate Catholic charity work in Hungary. Father Mihalovics became the first director of the organisation.

After 1931, organised Catholic charitable activity began to flourish in Hungary. This is evidenced by the establishment of many social organisations, parish and diocesan Caritas bodies. These groups were the first to assess the situation of the

¹ Ottokár Prohászka (1853–1927) Bishop of Székesfehérvár, theologian, member of the Hungarian Academy of Sciences, a key figure in the modernisation of Catholicism in Hungary in the first decades of 20th century.

² Jusztinián Serédi (1884–1945) Benedictine priest, academic, Archbishop of Esztergom and the Primate of Hungary between 1927–1945.

³ In 1931 he was the Parish Priest of the Parish of Herminamező in Budapest.

poor and those suffering from other types of hardship in order to provide effective solutions to their difficulties.

A similar spirit drives our contemporary Caritas volunteers as they carry out their daily tasks motivated by selfless love. Their actions are a perfect illustration of the mission statement of *Catholic Caritas*, which is that people do good for other people.

After the Second World War, the communist authorities, in addition to dissolving religious orders and oppressing other church organisations, made it practically impossible for Caritas to operate, taking control of the central offices and persecuting the leaders of *Catholic Caritas*.

Despite the repression, Catholic charity did not cease during those years. Caritas volunteers often used the Rosary Societies as a front organisation to help people in need in their neighbourhoods. These volunteers continued their secret, informal but very intimate service until the regime change in Hungary in 1989/1990.

Then the Hungarian Catholic Bishops' Conference decided to re-establish organised Catholic charity work in Hungary. The bishops asked Father Miklós Frank, who was then working for *Caritas Internationalis* in Munich, to return home and re-establish organised Caritas work in Hungary. Father Frank was chosen for this project because of his knowledge of both modern Caritas work in the West and the history of Catholic charity in Hungary.

The first concrete step that allowed the formal re-establishment of *Catholic Caritas* in Hungary took place on 4 June 1991, when the Capital Court accepted the registration of *Caritas Hungary* (*Caritas Hungarica*) as a religious non-profit organisation. After the formal re-establishment of the organisation, the Hungarian Caritas body joined *Caritas Internationalis*, the global umbrella organisation of Catholic charitable activities. This religious non-governmental organisation is present in 165 countries and helps about 25 million people every year.

Catholic Caritas in Hungary has focused on helping the poor, those with serious social or other challenges, families with many children, the lonely, the elderly and the sick. In order to ensure the continued funding of the Church's charitable activities, *Caritas Hungary* established a foundation, *Karítást Támogató Alapítvány* (Foundation Supporting Caritas), in 1991. This foundation has been active ever since, supporting *Caritas Hungary* by raising funds, disbursing financial aid and providing financial resources for Catholic charitable activities.

2. THE ACTIVITIES OF THE ORGANISATION

Caritas Hungarica is a religious legal person, a registered charitable non-profit organisation that helps people in need regardless of their age, gender or religious affiliation by operating various social institutions, aid projects or awareness-raising campaigns. Caritas' activities are guided by the social teachings of the Catholic Church and the best practices of major international charities. The main aim of our approach to Caritas work is that people should feel the love that emanates from Caritas staff and volunteers. Caritas carries out its mission in communities and we are always looking for new people to join us.

While acts of charity motivated by brotherly love are the duty of each individual believer, the entire ecclesial community must not shirk its responsibilities. Therefore, each local parish, district or diocese, and the universal Church as a whole, must not be idle in the area of charity. The Church as a whole must also be prepared to care for those in need. This can only be done successfully if the Church can create a framework that enables its organisations to carry out this mission in an organised way. This is one of the ideas of *Deus Caritas Est*, an encyclical of Benedict XVI.

3. THE MAIN OBJECTIVES OF *CARITAS HUNGARY* (ACCORDING TO ITS CHARTER)

Its main task is to operate, develop, coordinate, prepare and support the social and charitable activities of the Catholic Church in Hungary.

Caritas Hungary carries out national and international social and health care programmes, crisis and long-term rehabilitation projects, maintains social and health care institutions. They are also responsible for helping people in need by coordinating the activities of charitable organisations affiliated or associated with the Catholic Church. Caritas also works to promote brotherly love and responsibility towards our fellow human beings.

In addition to its activities in the field, *Caritas Hungary* also studies the social problems of Hungary and their causes, and makes recommendations in accordance with social justice, the dignity of the human person and the social teachings of the Catholic Church. In order to achieve these goals, to educate those involved in Caritas activities, and to improve the social and spiritual life of workers and volunteers, *Caritas Hungary* organises numerous lectures, conferences, spiritual retreats, community events and on-/off-line meetings.

Caritas Hungary actively promotes its social and charitable activities in the national and international media, using the printed press, radio, television and social media. They also actively use all these platforms to launch public relations and fundraising campaigns.

Caritas Hungary strives to improve its relationship with the authorities by cooperating with those governmental, non-governmental and church organisations whose objectives are similar to those of Caritas. This cooperation is particularly strong with *Caritas Internationalis* and its members.

Caritas Hungary is committed to sustainable development, the eradication of all forms of poverty, ensuring equal access to public services and improving global solidarity. They also try to be the voice of those whose voices are silent. *Caritas Hungary* wants to encourage disadvantaged groups, women and young people to become more self-sufficient and active in public and economic affairs.

4. MAIN FOCUS OF *CARITAS HUNGARY'S* ACTIVITIES

Caritas Hungary has a double nature. On the one hand, Caritas is a movement, strengthened by the human relationships between its volunteers, and a formal, legal entity. The basic building block of Caritas activities in Hungary are the *Parish Caritas Groups* (PCG). At the diocesan level, the activities of these groups and other Catholic charitable institutions are managed by a *Diocesan Caritas Centre*, and the whole network is controlled by the *National Caritas Centre*. At present, there are about 10,000 active volunteers who help the needy in the 800 parish Caritas groups in Hungary. Their service is coordinated by 16 Diocesan Caritas Centres and the National Caritas Centre itself.

Caritas Hungary tries to serve people in eight areas:

1. Helping for the elderly and sick

Caritas volunteers visit old people, who often live alone, and help them with their daily chores. Caritas volunteers also visit old people who are being treated in nursing homes and hospitals.

2. Helping families in extreme poverty or other forms of crisis

Such families are supported throughout the year through various parish, diocesan or national support programmes.

Caritas supports families in crisis with food, clothing and other material donations. Caritas also organises summer camps and outings so that poor or disadvantaged children can enjoy their school holidays like their more affluent peers.

Caritas also aims to increase the level of self-sufficiency of those living in abject poverty by running support projects that enable them, with some outside help, to manage their own financial affairs so that they can improve their standard of living in the future.

Caritas also has many temporary projects to help the elderly and families in need during special circumstances or holidays.

3. Helping people with disabilities

It is also important for Caritas to support people with disabilities. The various programmes of the day-care centres and summer camps run by Caritas make it easier for disabled people to relax and integrate into society. *Caritas Hungary* also supports the disabled and their families with medical equipment and other material donations.

4. Helping victims of drug abuse

Caritas Hungary is also involved in helping victims of drug abuse.

The professionals of *RÉV* – Service for Victims of Drug Abuse – welcome drug addicts and their families at several locations. *RÉV* offers individual and group counselling services to those who want to start a new, healthier life. *RÉV* is an acronym of three Hungarian words: Remény (hope), Élet (life), Változás (change).

In addition to providing treatment and counselling services, *RÉV* is also committed to protecting young people from various forms of addiction. To this end, they organise numerous addiction prevention training sessions for young people to help

them recognise both the risk factors and the symptoms of drug abuse. Early intervention can save lives.

5. *Helping the homeless*

Caritas volunteers also help the homeless. *Caritas Hungary* runs several projects to make their lives easier. These include providing them with food, clothing and bedding, and running day and night shelters.

6. *Supporting minorities*

Caritas also supports various minorities who are often discriminated against by society. These include the Gypsies or Roma in Hungary, and *Caritas Hungary* strives to improve their housing standards, make them much more self-sufficient and enable them to integrate into mainstream Hungarian society.

Caritas Hungary also works with Hungarians living outside the borders of Hungary. The most important area of interest for Caritas is Ukraine. This is because the long-standing economic crisis in Ukraine is so deep that it threatens the survival of this minority group. Without outside charitable support, thousands of families cannot even afford the cost of daily necessities.

The health situation in the Hungarian-populated parts of Ukraine is also dire, so *Caritas Hungary* started its hospital mission in 2015. In 2017, this programme was expanded into the *Doctors' Mission*. As part of the latter programme, teams of volunteer Hungarian doctors visit Hungarian-populated settlements to conduct health screenings. Following these screenings, Caritas provides the residents with various treatment options and medical supplies.

7. *Working with migrants and refugees*

Caritas Hungary also works with migrants and refugees around the world. They provide medical care and food to those who have been forced to leave their homes. For those refugees who have been granted legal status in Hungary, *Caritas Hungary* also provides livelihood and integration support. A refugee group Caritas pays special attention to the fate of persecuted Christians around the world.

8. *Helping in humanitarian tragedies and natural disasters*

Whenever a humanitarian tragedy or natural disaster strikes anywhere in Hungary, *Caritas Hungary* tries to support people in three different ways. These three ways are crisis management, disaster relief for the victims and reconstruction of the disaster area. To improve the efficiency of these operations, *Caritas Hungary* has set up two logistics centres in the eastern and western halves of the country. The costs of these projects were covered by grants from the European Union.

5. SUMMARY

Caritas Hungary's network of staff and volunteers is constantly growing, so the organisation must continue to develop in order to fulfil its mission for the benefit of those who rely on it.

Caritas Hungary is therefore committed to the continuous development of its human resources, in addition to ensuring that it has sufficient material resources, by supporting the spiritual renewal and growth of its staff and volunteers. Events such as training sessions, volunteer meetings or celebrating holidays as a community can strengthen the commitment of Caritas staff to imitate Christ by helping people in need.

TAMÁS TÓTH

(Hungarian Catholic Bishops' Conference)

CARING FOR THE POOR IN CHURCH HISTORY

“This poor man cried out, and the Lord heard him” (Ps 34:6). Pope Francis began one of his messages for the World Day of the Poor with this phrase from Psalm 34.¹ His Holiness also defined the concept of poverty when he highlighted the following: “We are called to encounter the various conditions of suffering and marginalisation experienced by so many of our brothers and sisters, whom we are accustomed to refer to generically as ‘the poor’.”²

Jesus performed miracles. The Greek word “*semeion*” used in Scripture means both “miracle” and “sign”. Jesus healed the body to speak to the soul and to give a tangible sign of God’s love. “The blind receive their sight, the lame walk, those with a festering skin disease are cleansed, the deaf hear, the dead are brought back to life and the poor have the good news announced to them” (Mt 11:5). Caring for the poor has therefore been an important part of the Church’s mission since early Christianity.

According to the Acts of the Apostles, the twelve disciples chose seven men to serve at table (Acts 6:1–6), and according to St Irenaeus of Lyons³, they were soon appointed the first deacons. Pope Saint Fabian (236–250) divided Rome into seven regions (*diaconia*) in the 3rd century⁴. This arrangement was soon presented as an example to other cities at the Council of Caesarea. During the pontificate of Pope Saint Cornelius (251–253), the diocese of Rome cared for 1500 foreigners, widows and other poor people⁵, which was an outstanding example of charitable activity at the time. After Constantine’s decision (313) to legalise Christianity, the now Christian Rome had more opportunities to care for people in need. For example, the Bishop of Rome appointed people to send grain from farms in Africa and Sicily to the public granaries of the Eternal City so that food could be distributed to the poor, continuing an old Roman tradition⁶. In the chaotic centuries following the fall

¹ Francis: *This poor man cried, and the Lord heard him*. Message of His Holiness Pope Francis, Second World Day of the Poor, 33rd Sunday in Ordinary Time, 18 November 2018. Online: https://www.vatican.va/content/francesco/en/messages/poveri/documents/papa-francesco_20180613_messaggio-ii-giornatamondiale-poveri-2018.html. 2018.

² Francis (2018): op. cit.

³ Irenaeus: *Adversus haereses*. Liber III.

⁴ Laboa, Juan María: *Atlante storico della carità*. Milano – Città del Vaticano, Jaca Book – Libreria Editrice Vaticana. 2014. 35.

⁵ Maier, Paul L., ed. Eusebius: *The Church History; A New Translation with Commentary*. Grand Rapids, Kregel, 1999.

⁶ Laboa (2014): op. cit., 44.

of the Western Roman Empire (476), the papacy remained the point of stability on which the Roman population could rely in times of famine and other hardships.

Local churches helped not only those who lived in their area, but also each other. Their activity was a forerunner of our contemporary international cooperation within Caritas. St Paul also encouraged the expression of solidarity between different Christian communities by collecting money for them (Gal 2:10; 2Cor 8:1–15). During the pontificate of Saint Soter (164–174), the community in Rome sent aid to the needy in Corinth⁷. They also sent aid to Arabia or Syria, and even donated to Cappadocia to free Christians imprisoned there for their faith⁸. When the barbarians occupied Numidia (253) and took several Christians hostage, Saint Cyprian, Bishop of Carthage, raised a considerable sum of money, 100 thousand sestertii, to redeem the victims⁹. Raising so much money was an achievement in itself, especially for a relatively small Christian community like the Church of Carthage. After the lost battle of Adrianople (378), St Ambrose, Bishop of Milan, turned unused liturgical accessories into gold bars to free Christian prisoners from captivity¹⁰.

In the Middle Ages, several religious orders and institutions were founded to rescue those held captive by non-Christian enemies. The best known were the Mercedarian and Trinitarian orders, whose members often offered themselves in exchange for prisoners if the donations they received were insufficient. In addition, the members of these orders not only participated in the dangerous rescue of prisoners, but also helped in the recovery of Christians who were weakened and impoverished by their captivity.

Wars also caused physical suffering and sickness, so bishops, ecclesiastical bodies (cathedral chapters) and religious orders ran xenodochiums to care for the poor, foreigners, pilgrims, the sick and others in need. Some newly founded religious orders, such as the Order of Saint John of Jerusalem (Order of Malta), the Teutonic Order or the Order of Saint Lazarus of Jerusalem, chose this activity as their main charism.

Meanwhile, the activity of Saint Basil the Great gave new momentum to such activities in the East. While he was the bishop of Caesarea in Cappadocia (370–379), he established a significant social centre which became the crown jewel of his charitable activity. This complex institution, later it was described as the “Basileiad”, i.e., the Institute of Basil, was home for aid organizations and it contained accommodation for those who needed it, shelters, hospices and several hospitals. In addition to this, Basil also encouraged Eastern monks who followed his Rule, which was written in the second half of the 4th century, to express their love for God and their neighbours with tangible action. So, on the one hand, they should live an exemplary lifestyle and prayer, on the other, they must do manual labour; they should prove their love for God by teaching and serving people in need¹¹.

In the West, the Rule of St Benedict also reminds Christians seeking monastic ideals in the first half of the 6th century that: „And above all let care be scrupu-

⁷ Eusebius (1999): op. cit., 23:10.

⁸ Laboa (2014): op. cit., 57.

⁹ Cyprian: *Epistola* 62.

¹⁰ Laboa (2014): op. cit., 58.

¹¹ Laboa (2014): op. cit., 96.

lously shewn in receiving the poor and strangers; for in them specially is Christ received.”¹² Therefore, he adds, a monk should do the following: “He should care for the sick, the children, the guests and the poor with all solicitude, knowing without a doubt that for all this he will have to give an account on the Day of Judgment”¹³ Thus, Benedictine monasteries became centres of hospitality: they offered shelter to the poor and to people fleeing from disasters.

This Benedictine idea also appeared in Hungary when the country was converted to Christianity. This approach is highly recommended in the exhortations of King (Saint) Stephen I (997–1000/1001–1038) and was also included in the first book of laws compiled by the founder of the Hungarian state. This is no coincidence, as Benedictine monks played an important role in the formation of the Christian Hungarian state. Their first Benedictine centre was an abbey on the hill of Saint Martin (Pannonhalma) in western Hungary. The patron saint of the monastery, the Bishop of Tours, was a great son of Pannonia and an example of charitable love focused on the poor.

Not long after this, mendicant orders took the world by storm. In the first half of the 13th century, the followers of Francis of Assisi, the Franciscans, appeared in Hungary soon after the foundation of their order in Italy. One of their most prominent early members was Elizabeth of Hungary, an internationally renowned Hungarian Saint. She dedicated her life to serving the poor and sufferers. A well-known story about her is the so-called ‘miracle of the roses’. At one time, when she was delivering bread for the poor under her mantle, she was stopped by her husband who asked her what was she carrying. Elizabeth got scared and answered that she is carrying roses and when she opened her mantle, there were, indeed, roses under it. Therefore, roses became the main iconographical attribute of Saint Elizabeth. Another legend about her also illustrates why serving the poor is important. Once, Elizabeth laid a leper in her marital bed. Upon hearing the news, her husband was furious, but when he burst into the room, a miracle occurred because instead of the leper he found the crucified Christ in the bed. Afterwards, he finally understood the rationale of his wife’s actions, which he considered unreasonable beforehand.

Later, due to Franciscan influence again, charitable Christian pawnbroker shops (‘mons pietatis’) were established all over Europe to help the poor with their service. These pawnbrokers provided loans for people in need and helped them to avoid the painful consequences of usurious interest rates offered by unscrupulous actors.

The Church’s charitable activities changed in modern times. Strengthening education became a means of uplifting people during the Catholic renewal that followed the Reformation. The Jesuits played a major role in this process. There were other clerical organisations, monastic communities, whose main missionary goal became the provision of education. An iconic figure in this field is Saint Joseph Calasanz, founder of the Piarist Order, who opened his first free school for poor children in Rome in 1597. But he was not alone: during the same period, Saint Philip Neri, Saint Vincent de Paul, Blessed Alix Le Clerc, Saint Peter Fourier and others found-

¹² *The Rule of Saint Benedict*. Translated into English. A Pax Book, preface by W.K. Lowther Clarke. London, S.P.C.K., 1931. 53:15.

¹³ *The Rule of Saint Benedict* (1939): op. cit., 31:9.

ed their own schools, which are still active today. These people founded new religious orders to help disadvantaged and poor children.

Geographical discoveries brought the Gospel to previously unknown parts of the world. Missionaries lived among the natives, taught them the Good News, and were often the only ones who tried to protect them from the atrocities of the conquerors. Often their efforts were unsuccessful because the other side was much more influential and had access to more resources.

Caring for the sick also gained new momentum in modern times. For example, the Brothers of Mercy were founded during this period, but many new and different religious communities of women were also established to care for the sick. The fact that nurses are called “sisters” in many languages, including Hungarian, reflects the devotion of these communities. In addition to the monastic charisma, many lay congregations work to alleviate the suffering of people around the world. One such group is the Congregatio Agoniae Christi in Rome, which has made it possible for poor, homeless people to be buried in holy places, so that they can spend their last hours in dignity and receive spiritual support as they prepare to meet their Creator. The church of this Roman congregation is located in Via Giulia, not far from the Hungarian Academy and the Hungarian Pontifical Institute in Rome.

The ideal of the Franciscan-inspired pawnbrokers did not take hold in Hungary in the early modern period, and the institutions of the Catholic renewal also arrived here with considerable delay. The Hungarian history of the 16th century was marked by the struggle against Ottoman expansion and the Reformation. These circumstances required different approaches to pastoral care. In the war zones and regions conquered by the Turks, monks, especially Franciscans, provided spiritual and social care for those left behind¹⁴. This conflict, which raged for almost two centuries, caused massive damage to the country. This is illustrated by the following contemporary description of the state of the Primatial see of Esztergom: “*The cathedral of the Archbishop in Esztergom [...] was completely destroyed in the battles, except for the chapel of the Virgin Mary*”¹⁵. A contemporary witness wrote about the other seat of the other archbishop, Kalocsa: “*Since it has no cathedral, it has no chapter, no chapter dignitaries, no canons and no wealth*”¹⁶.

In the 18th century, many Hungarian settlements had to be rebuilt and repopulated from ruins (Tóth 2011, 57–63). The Church had a significant role to play in this, as many people arrived from various locations to these wastelands. They left their previous life behind to face the challenges of rebuilding a ruined country. Their activities in the following centuries laid the foundations of modern Hungary. During this period, Church institutions, which, have been following their specific charismas in other parts of Europe for 100-200 years – could finally start their operations in the whole territory of Hungary.

¹⁴ Molnár Antal: *Confessionalization on the Frontier. The Balkan Catholics between Roman Reform and Ottoman Reality*. Viella, Roma. 2019.

¹⁵ AAV: Archivio Concistoriale, *Processus Consistoriales*, 89., f. 478r.

¹⁶ Tóth Tamás: “*Si nullus incipiat, nullus finiet*”. *La rinascita della Chiesa d’Ungheria dopo la conquista turca nell’attività di Gábor Patachich e di Ádám Patachich, Arcivescovi di Kalocsa-Bács (1733–1784)*. Gál Ferenc Hittudományi Főiskola – PPKE Egyháztörténeti Kutatócsoportja. Gondolat, Budapest–Szeged–Roma. 2011. 93.

The turmoil following the French Revolution (1789) created new challenges for the Church. The Industrial Revolution was creating new forms of poverty and vulnerability, as well as considerable social tension. In the second half of the 19th century, the Church had to act if it was to remain relevant. Even before the publication of Pope Leo XIII's (1878–1903) still relevant social encyclical *Rerum Novarum* (1891), Blessed Adolph Kolping, St John Bosco and others had already reacted. Don Bosco, for example, was shocked to see the large number of children on the streets of the dynamically developing industrial city of Turin. Most of these children were poor, homeless boys without families who had come to the city to find work, but few of them succeeded. Saint John Bosco recognised the importance of gathering these children together, educating them in a Christian atmosphere and giving them a future and hope.

The turn of the 20th century led to the creation of formal Caritas organisations. The initiative of the German priest Lorenz Wehrtmann quickly spread throughout the world. Various forms of charitable organisations were also established in Hungary. An outstanding Hungarian figure of this period was Prince Blessed László Batthyány-Strattmann, the Doctor of the Poor. Bishop Ottokár Prohászka was the first in Hungary to encourage the establishment of Caritas activities in Hungary. The main aim of this body was to coordinate the various charitable activities of the Church. In 1914, Nándor Rott, who later became a bishop, launched “Catholic Caritas”, a large-scale aid campaign, mainly to help soldiers and their families. Hungarian Caritas was active during both world wars and took part in the worldwide relief operations carried out by the organisations of the Holy See.

In 1950, the communist dictatorship dissolved most church institutions, religious orders and aid organisations. Catholic Caritas was no exception, and as an official organisation it was only able to resume its activities after the political changes of 1989.

In conclusion, the mission of the Church is as follows: “We are called to meet the various conditions of suffering and marginalisation experienced by so many of our brothers and sisters, whom we are accustomed to refer to generically as ‘the poor’.”¹⁷ The Church must therefore be a sign of divine love. In addition to helping the victims of war and persecution, it must also help those who suffer from pandemics. His Holiness Pope Francis says in his Apostolic Exhortation *Evangelii gaudium*: “Our faith in Christ, who became poor and was always close to the poor and the outcast, is the basis of our concern for the integral development of the most neglected members of society”¹⁸.

¹⁷ Francis (2018): op. cit.

¹⁸ Francis: Ex. Ap., *Evangelii gaudium*. 24/9/2013. *Acta Apostolicae Sedis*, 105. (2013) 186. 1019–1137.

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CARITAS NEEDS THEOLOGY, CARITAS NEEDS SCIENCE¹

1. PREMISE: CARITAS AND CARITAS SCIENCE

“Caritas” is the Latin translation of the Koiné Greek word “agape” with its specific use and meaning in the Septuaginta (LXX) translation of the Hebrew Bible and especially the New Testament: It is used specifically to describe God’s love for us, which includes every human being, our love for God and our love for our neighbours.² When I discuss “caritas” in the following reflections, I ask you to keep in mind this background, which was succinctly described by Pope Benedict XVI (2005) in his historic Encyclical *Deus caritas est* (DCE 20):

Love of neighbour, grounded in the love of God, is first and foremost a responsibility for each individual member of the faithful, but it is also a responsibility for the entire ecclesial community at every level: from the local community to the particular Church and to the Church universal in its entirety. As a community, the Church must practice love. Love thus needs to be organized if it is to be an ordered service to the community.³

This paper is mainly concerned with Caritas as the many ways in which the Church, in its totality and in its specific institutional forms, communally organises reliable charity, which cannot do without the charity of the individuals who commit themselves and work professionally in these Caritas organisations. With this premise, however, we can immediately see that when we speak theologically about caritas, we are speaking about the essence of the Christian faith and of the Church,⁴ and considering the dependable aspect of it, we see that it transcends and goes far beyond spontaneous and momentary activities. Caritas as a reliable service needs science and studies. These are the two main themes of this short paper:

Caritas needs theology – or even better, Caritas must become a central object of study for theology. And Caritas needs science – or even better, Caritas needs to put the results of science into practice. Both aspects were mentioned by Pope Francis in the Apostolic Constitution *Veritatis Gaudium* (hereinafter referred to as: VG) on ecclesiastical universities and faculties, published on 8 December 2017. In this document, Pope Francis states:

¹ An expanded version of the presentation given at the international scientific conference. Caritas Hungary: Serving out of love. The charity activities of the Church. Esztergom, May 26th, 2021.

² Thomas Söding, et al: Liebe/Haß. In Lothar Coenen – Klaus Haacker: *Theologisches Begriffslexikon zum Neuen Testament*. Neukirchen-Vluyn, Wuppertal, Brockhaus, 2005. 1318–1334.

³ Benedict XVI: Enc., *Deus caritas est*. 22/12/2005. *Acta Apostolicae Sedis*, 20. (2006) 3. 233–234.

⁴ Klaus Baumann – Arndt Büsing – Eckhard Frick SJ. – Christoph Jacobs – Wolfgang Weig: *Zwischen Spirit und Stress. Die Seelsorgenden in den deutschen Diözesen*. Würzburg, Echter. 2017.

A Faculty of Theology has the aim of profoundly studying and systematically explaining, according to the scientific method proper to it, Catholic doctrine, derived with the greatest care from divine revelation. It has the further aim of carefully seeking the solution to human problems in the light of that same revelation.⁵

The second sentence is very important for our context: “It has the further aim of carefully seeking the solution to human problems in the light of this same revelation” (VG 69). This, in a nutshell, is in perfect harmony with the epistemological self-understanding of Caritas Science or Caritas Studies in its theological and interdisciplinary identity, which guides the Section of Caritas Science within the Faculty of Theology at the University of Freiburg. Unfortunately, this document does not mention theological disciplines in detail, and thus does not speak of Caritas Science.

Firstly, research in Caritas Science studies, clarifies, deepens and promotes the theological understanding of Caritas in all fields of theology. These fields include biblical studies, historical studies, systematic theology, ethics and practical theological studies. Second, Caritas scholarship is also committed to empirical research that describes, explains, understands, critiques, and stimulates change and improvement in the practical aspects of Caritas work. This activity is essential to ensure that the Caritas organisation can meet the complex needs of those who are suffering or in need of assistance. This is particularly important for those who are poor or oppressed.

It is clear that Caritas needs to be thoroughly studied and deeply reflected upon. What Christ has done for us is fundamental. All Caritas work and service takes place in the context of God’s overarching, life-giving love for each person and for creation. This is the theological premise behind all Caritas activity.

2. CARITAS NEEDS THEOLOGY

– CARITAS AS A CENTRAL OBJECT OF STUDY IN THEOLOGY

This is not the place to develop the biblical, historical, systematic, ethical and practical theological studies of caritas, although it would be very worthwhile to do so. Instead, we will focus on one central element that deserves special attention in our context in general and in the Eucharistic Congress in particular. This element is the theological significance of Caritas within the mission of the Church, that is, the place of Caritas in the ecclesiology of the Second Vatican Council.

Caritas, which is the Latin translation of the Greek New Testament word *agape*, is used to describe the social work that puts into practice the principle of charity. This act, which is a key part of the Christian faith, can be carried out by individuals or by an organisation within the Church. Thus, *caritas* describes the mission of the Church in a world full of social and human problems, given by Christ himself. For this reason, the Church and her Caritas organisations, as an instrument and sign of God’s love, work to prevent or resolve social problems and to promote integral human and social development. To achieve these goals, in 2016 Pope Francis united four Pontifical Councils and created a new dicastery within the Holy See, aptly

⁵ Francis: Const. Ap., *Veritatis gaudium*. 27/12/2017. *Acta Apostolicae Sedis*, 69. (2018) 1. 28.

named the *Dicastery for the Promotion of Integral Human Development*. Calling it the *Dicastery for Caritas* would probably have caused confusion due to the existence of *Caritas Internationalis*, a global Catholic confederation of charitable organisations.

Please note that the Catholic tradition uses the term “caritas” for the charitable activities of the Church and not “diakonia”. To cut a long discussion short, the term “diakonia”, very popular among theologians and within the Protestant tradition, has become controversial and ambiguous.⁶ Nevertheless, the Second Vatican Council uses diakonia as an umbrella term in *Lumen Gentium* (hereinafter referred to as: LG) 29, the Dogmatic Constitution on the Church, when it speaks of “diakonia liturgiae, verbi et caritatis” - the “service of the liturgy, of the word and of charity”. This generic term implies that every expression of the Church’s mission must be a service, since the whole life and mission of Christ was also a service to humanity (Mk 10:45; Jn 13:15–17).

The very first words of the Second Vatican Council in LG 1, which describes what the Church is about, characterise the Church as a sacrament in the world and among humanity: “(...) the Church is in Christ, like a sacrament or as **a sign and instrument**, both of a very close union with God and of the unity of the whole human race”. (LG 1)

For the sake of clarity, we should change the order of the words when we examine the meaning of caritas in this context. Caritas is an instrument that works along the horizon of God’s love and is connected to it. Caritas wants to create more unity and connection within the human race. Caritas also exists to ensure that every human being can live in dignity and participate in social affairs. In carrying out these objectives, Caritas also becomes a sign and, more importantly, a sacrament, when it becomes a well-used instrument that connects us more effectively to God and to our neighbours, especially those in need and those on the margins of human society. Caritas becomes a sacrament when it works for the inclusion of people with special needs; when Caritas provides shelter and work opportunities, or when Caritas enables the homeless or addicts to rebuild their lives; when Caritas strengthens families, couples and mothers; when Caritas cares for refugees and supports their right to a dignified life. In this sense, Caritas is an instrument or a tool in the hands of God and man to alleviate human suffering. Sometimes the work of Caritas is more convincing than catechesis and liturgy in demonstrating that the Church is a sacrament in the spirit of the Second Vatican Council.⁷

It is therefore no coincidence that the pastoral ecclesiology of the Second Vatican Council, as expressed in the Pastoral Constitution *Gaudium et Spes* (hereinafter referred to as: GS), begins with the following opening sentence “The joys and hopes, the sorrows and anxieties of the people of this age, especially **those who are poor or in any way afflicted**, are the joys and hopes, the sorrows and anxieties of the followers of Christ”. (This text makes it clear that the Church’s preference for the poor and the afflicted is central to her sacramental mission and responsibility.

⁶ John N. Collins: *Diakonia. Re-interpreting the ancient sources*. New York, Oxford University Press, 1990.; Anni Hentschel: *Diakonia im Neuen Testament: Studien zur Semantik unter besonderer Berücksichtigung der Rolle von Frauen*. Tübingen, Mohr-Siebeck, 2007.

⁷ Francis: Exhort. Ap. Post-synod. Christus vivit. 25/3/2019. *Acta Apostolicae Sedis*, 111. (2019).

This sacramental vision of Caritas was reiterated by Joseph Ratzinger, the former peritus of the Second Vatican Council, when he became Pope Benedict XVI. As Pope, he summed up the Church's mission as a "mission at the service of love" (DCE 42), and in 2007 he also published a post-synodal apostolic exhortation on the Eucharist called *Sacramentum caritatis*.⁸ In this document he stressed the "social implications of the Eucharistic mystery", arguing that "Recognition of this fact leads to a determination to transform unjust structures and to restore respect for the dignity of all men and women created in the image and likeness of God. Through the concrete exercise of this responsibility, the Eucharist becomes in life what it signifies in its celebration". We can therefore say, without exaggeration, that the former Pope wanted the Eucharist to generate an effective work of Caritas, otherwise the celebration would be infertile.

Much theological and pastoral work needs to be done in this area. The problem is not so acute among the laity, who have often internalised this call to action, but the challenge is much greater among the clergy.⁹ Pope Francis has exhorted theological faculties to also study "the further aim of carefully seeking the solution to human problems" (VG 69), which is the central element of Caritas studies. This centrality of caritas for theological studies has not yet penetrated the curricula. This is all the more remarkable and regrettable in the light of Pope Paul VI's (1965) concluding remarks at the end of the Second Vatican Council: "We prefer to point out how charity has been the principal religious feature of this Council... the ancient story of the Good Samaritan has been the model of the spirituality of the Council (...)".¹⁰

The titles of some of the doctoral projects in Freiburg can illustrate this approach to theological research:

- The Theological Identity of Caritas in the Pluralistic and Secular Societies of Germany and South Korea.¹¹
- The Cooperation of Catholic Social Welfare Agencies with Buddhist Social Welfare Agencies in South Korea.
- Church and Civil Society in Africa.¹²

⁸ Benedict XVI: Exort. Apost., *Sacramentum caritatis*. 22/2/2007. *Acta Apostolicae Sedis*, 89. (2007) 3. 7.

⁹ Klaus Baumann: Focusing on the Basic Elements of Christian Faith in the Service of Renewal. The Scope and Effects of the Encyclical *Deus caritas est* More than Ten Years after its Publication. *Roczniki teologiczne*, 64. (2017) 6. 5–25.

¹⁰ Paul VI: *Speech at the last public session of the Second Vatican Ecumenical Council*, 7 December 1965. Online: https://www.vatican.va/content/paul-vi/en/speeches/1965/documents/hf_p-vi_spe_19651207_epilogo-concilio.html

¹¹ Sungwoo Kim: *Caritas in säkularen und pluralen Kontexten – Versuch eines Entwurfs für ein Leitbild unter Berücksichtigung der Caritas Deutschlands und Südkorea*. Cheongju, Dümok, 2020.

¹² Sylvester Uche Ugwu: *Church and civil society in 21st century Africa: potentialities and challenges regarding socio-economic and political development with particular reference to Nigeria*. Frankfurt et al., Peter Lang Edition, 2017.

- The Relationship between Caritas Agencies and Parishes in German Dioceses.¹³
- The Development of Female Pastoral Work Professions from Female Caritas Assistants in Germany between 1926–2014.¹⁴
- The Partnership between the Archdiocese of Freiburg and the Catholic Church in Peru as an Expression of Fraternal Caritas.¹⁵
- Pastoral Care in Cases of Emergency.¹⁶

3. CARITAS NEEDS SCIENCE

– CARITAS NEEDS TO PUT THE RESULTS OF SCIENCE INTO PRACTICE

With these strong appeals for a sacramental understanding of Caritas, which makes it part of the innermost or deepest nature of the Church),¹⁷ this instrument of God's love must be transformed into an effective instrument for carrying out the Church's social mission. Otherwise, the instrument is useless for its purpose, which may carry out some activities, but these would be ineffective and hinder the original mission of the organisation. That is why Lorenz Werthmann, the founder and first president of Caritas Germany, always emphasised that Caritas must also be a science.¹⁸ Caritas must cherish high professional standards, be committed to high levels of ethics, empathy, authenticity and reverential acceptance of the other.

Caritas science is not a discipline that exists within theology. Instead, it is an intrinsically interdisciplinary subject open to findings in related scholarly disciplines, conducts empirical studies which enable us to deal with social problems and to promote integral human and social development. Caritas science also has a clear research orientation in its interdisciplinary projects. Caritas science is interested in studying the conditions of poverty, oppression and those injustices which harm people, their human dignity and which cause physical, mental, social, spiritual suffering. Caritas science does not limit the range of its studies to individual problems nor questions of individual motivations about help and self-transcendence. Caritas science also focuses on systematic aspects of social problems, inequalities and needs and the organizational and political aspects of the agencies to serve people better. There is virtually no area of social work and of health care that could not pose relevant research questions within Caritas science.

¹³ Kilian Stark: *Keine halben Sachen – aufs Ganze gehen! Für ein gelingendes Miteinander von Caritas und Pastoral. Eine Studie zur Vernetzung von Caritas und Pastoral in den neuen Pastoralstrukturen.* Würzburg, Echter, 2020.

¹⁴ Daniela Blank: *Verwurzelt in der Caritas. Die Entwicklung der Gemeinschaft katholischer Gemeindereferentinnen e.V. zwischen 1926 – 2014.* Würzburg, Echter, 2019.

¹⁵ Petra Zeil: *Gemeinsam – sonst ist der Weg zu weit. Die Partnerschaft zwischen der katholischen Kirche in Peru und der Erzdiözese Freiburg.* Würzburg, Echter, 2019.

¹⁶ Kai Herberhold: *“Ich kenne ihr Leid“ (Ex 3,7) Notfallseelsorge in Deutschland.* Würzburg, Echter, 2014.

¹⁷ Benedict XVI: Litt. Ap. MP. *Intima Ecclesiae natura.* 11/11/2012. *Acta Apostolicae Sedis*, 104. (2012) 12. 996–1004.

¹⁸ Karl Borgmann: *Lorenz Werthmann. Reden und Schriften.* Freiburg, Lambertus-Verlag, 1958.

I want to mention a selection of the research projects we do in Freiburg. Some of these topics are doctoral research (PhD) projects and most of these projects are interdisciplinary and cooperate with other disciplines:

- (a) Social Market Economy and Social Justice for Latin America for Integral Human Development to Overcome Poverty.¹⁹
- (b) The Role and Rights of Faith-based Social Welfare Organizations in the EU and EU jurisdiction.²⁰
- (c) Adolescents in Closed Institutions of Youth Welfare and their Vision of Freedom.²¹
- (d) Sexual Pedagogy for Adolescents in Institutions of Catholic Youth Welfare.²²
- (e) What is Good Aging in the 21st century?²³
- (f) The Development of Walk-in Nursing Care in Society and the Social System of Ukraine.²⁴
- (g) Loss and Grief among Relatives under the Social Restrictions and the Circumstances of Covid-19.²⁵
- (h) Spiritual Needs and the Spiritual Well-being of Cancer Patients.²⁶
- (i) Spiritual Needs of Patients and Staff in Psychiatry and Psychotherapy.²⁷

¹⁹ Luis Carrera: *Soziale Marktwirtschaft und Soziale Gerechtigkeit für Lateinamerika: Für eine menschliche Entwicklung heraus aus der Armut. Die Soziale Marktwirtschaft als Instrument der Armutsbekämpfung aus caritaswissenschaftlicher Sicht.* Würzburg, Echter, 2019.

²⁰ Klaus Baumann: *Christliches Ethos in Freier Wohlfahrtspflege – zur Zukunft des kirchlichen Arbeitsrechts in Caritas und Diakonie.* ZAT – Zeitschrift für Arbeitsrecht und Tarifpolitik. *Kirche und Caritas*, 7. (2019) 3. 65–69.

²¹ Christine Kirsch: *Freiheit ist auch keine Freiheit. Freiheitsaspekte in geschlossenen Einrichtungen der Kinder- und Jugendhilfe (gem. § 1631b BGB). Eine empirische Studie zur Sicht der Kinder und Jugendlichen und der pädagogischen Fachkräfte.* Würzburg, Echter, 2020.

²² Melanie Mahr: *Reden ist Gold ... – Vom Umgang mit Sexualität bei Jugendlichen. Eine empirisch-qualitative Studie zur Situation der Sexualpädagogik im Kontext katholischer, vollstationärer Einrichtungen der Kinder- und Jugendhilfe.* Würzburg, Echter, 2020.

²³ Research topic of PhD dissertation (work in progress) by Lucia Tonello, to be finished by 2022.

²⁴ Research topic of PhD dissertation (work in progress) by Halyna Levkiv, to be finished by 2021–22.

²⁵ Arndt Büssing – Klaus Baumann – Jochen Rentschler – Gerhild Becker: *Spirituelle Bedürfnisse von Tumorpatienten verändern sich während der palliativmedizinischen Betreuung kaum. The Spiritual Needs of Tumor Patients Hardly Change During Palliative Care. Deutsche Zeitschrift für Onkologie.* Stuttgart – New York, Georg Thieme Verlag KG, 2020.

²⁶ Arndt Büssing, Klaus Baumann, Jochen Rentschler, Gerhild Becker: *Spirituelle Bedürfnisse von Tumorpatienten verändern sich während der palliativmedizinischen Betreuung kaum. The Spiritual Needs of Tumor Patients Hardly Change During Palliative Care. Deutsche Zeitschrift für Onkologie.* Online: <https://doi.org/10.1055/a-1135-3566>; Büssing A., Baumann K., Rentschler J., Becker G.: *Spiritual Needs of Tumor Patients During Their Stay at a Palliative Care Unit.* In: Büssing A. (eds) *Spiritual Needs in Research and Practice.* Palgrave Macmillan, Cham. Online: https://doi.org/10.1007/978-3-030-70139-0_18. 2021.

²⁷ Eunmi Lee: *Religiosität bzw. Spiritualität in Psychiatrie und Psychotherapie: Ihre Bedeutung für psychiatrisches Wirken aus der Sicht des psychiatrischen Personals anhand einer bundesweiten Personalbefragung.* Würzburg, Echter, 2014.; Franz, Reiser: *Menschen mehr gerecht werden. Zur Religiosität bzw. Spiritualität von Patientinnen und Patienten in Psychiatrie und Psychotherapie.* Würzburg, Echter, 2018.

- (j) Spiritual Needs in Patients Suffering from Post-Traumatic Stress Syndrome and other challenges in the Post-war Societies of Croatia and Bosnia-Herzegovina.²⁸
- (k) Reconciliation and Peace in Post-genocide and Post-civil war Societies in Africa and the Role of the Churches.²⁹

4. CONCLUSION

In conclusion, Caritas is an inexhaustible subject of research, both in theology and in many other interdisciplinary fields of scholarship.

Caritas needs in-depth theological research alongside studies in sciences related to the Church's mission in social and health care. Theological faculties need to understand the theology of Caritas and Caritas science in order to fulfil their duty and to reach the goal of "carefully seeking the solution of human problems" (VG 69). Caritas science is therefore of paramount importance for society and for the Church to understand the vocation and sacramental mission that is renewed every day in every Eucharist throughout the world.

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²⁸ Glavas 2021, print in preparation.

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NÁNDOR BIRHER

(*titulus*)

A SECONDARY ASPECT OF CARITAS ACTIVITY:
PROFESSIONALISM

1. INTRODUCTION

The soul of caritas work is selfless, not necessarily “professional” or exclusively occupational activity. After all, a person, or a community of people, helps even if there are no resources behind¹. Caritas activity is not primarily fueled by existing resources but by existing needs. Caritas activity is based on selfless love. That is why professionalism is a secondary aspect, but all this does not mean that it is not an important aspect. The parable of the Good Samaritan is also made up of two parts. The first part is the “normative”, the level of professionalism, introduced by the following question from a lawyer, a person well versed in the profession: “What can I do to get eternal life?” Jesus also answers the question, for even according to the rules of the profession, the answer is clear: “What is written in the law? How do you read?” (The scribe) replied, “Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbor as thyself.” Jesus confirms this answer: “Do this and you will live!”

However, with this professional discourse, the story does not end, then comes the practical point: who is my neighbor? – asks an expert who knows the exact text of the law. This is the point where the caritas is primary: a neighbor is one who needs you. The ultimate meaning of the activity, the purpose of the rules, is to point out that I must help, anyone, anytime, under any circumstances. This is both the expectation of God and my own interest (salvation).

The concept of “neighbour” is now universalized, yet it remains concrete. Despite being extended to all mankind, it is not reduced to a generic, abstract and undemanding expression of love, but calls for my own practical commitment here and now. The Church has the duty to interpret ever anew this relationship between near and far with regard to the actual daily life of her members.²

At this point, however, we return to the “secondary aspect” of professionalism. How can the Church effectively connect the “far and near”?

In our work we describe two recently recognised professional methods, namely (a) effective regulation, process regulation, and (b) conscious management of sys-

¹ In the present study, we use the research results achieved in the EFOP 3. 6. 1. “Exploring the services and service synergies of state and non-state provider social systems in terms of more efficient operation”.

² Benedict XVI: Enc., *Deus Caritas est*. 22/12/2005, *Acta Apostolicae Sedis*, 98. (2006) 15. 217–279.

tems of relationships, networking. Both of these aspects open up new areas that will require a lot of work to analyse in the future, but on the other hand will be able to significantly increase the international, global effectiveness of charitable activity. Of course, global efficiency is worth nothing if smaller units cannot function properly in a personalised way³, in accordance with the principle of subsidiarity⁴. Whatever the success, it should never be forgotten that caritas is not primarily a professional activity, but a way of expressing personal love.

2. PROCESS CONTROL

It is becoming increasingly clear that we can be truly effective in a global environment if we manage our processes in a consistent way. The basis for this, of course, is to be aware of how the activities we perform are transformed into processes (i.e., what we do, how we transform input requirements, needs, expectations into activities performed, measurable outputs to satisfy our customers). We need to be aware of under whose leadership and direction what we are doing and for what purpose. This process approach combines a lot of individual goodwill into a single, measurable system that we can continually improve. The individual feelings that drive the organisation become an accountable, measurable and articulated performance.

If we are able to be aware and articulate with sufficient precision what we are doing, then the next step is to be able to determine what the results we have achieved are. That is, do we need to know not only what we are doing, but also whether we are doing it well, whether we are meeting the expectations of our “consumers”? For example, have we really achieved as many of our objectives as possible with the resources available? Or were our humanitarian actions, perhaps our investments or other projects, really in the interests of those in need? If we can answer these questions accurately, we have come a long way, but there is still room for improvement. The next level is when we realise that what we have achieved so far can always be improved, that we can always do better what we are doing, and we start planning to do it even better. So, we have reached a very high level of reflection because we already know exactly: (a) what we do and what is the reason behind, (b) whether we are doing it well, (c) whether it is working or not, if there is a real benefit of the help provided, and (d) how can we improve what we are already doing well.

³ Z. Karvalics László – Nagy Gábor Dániel: *Prokrusztész nélküli világ? Blokklánc és társadalmi makroevolúció*. Online: <https://infvars.infonia.hu/pub/infvars.XVII.2017.3.1.pdf>.

⁴ Pius XI: Enc., *Quadragesimo Anno. Acta Apostolicae Sedis*, 80. (1931) 23. “The supreme authority of the State ought, therefore, to let subordinate groups handle matters and concerns of lesser importance, which would otherwise dissipate its efforts greatly. Thereby the State will more freely, powerfully, and effectively do all those things that belong to it alone because it alone can do them: directing, watching, urging, restraining, as occasion requires and necessity demands. Therefore, those in power should be sure that the more perfectly a graduated order is kept among the various associations, in observance of the principle of “subsidiary function,” the stronger social authority and effectiveness will be the happier and more prosperous the condition of the State.”

Furthermore: Article 5 (3) of the Treaty on European Union (TEU) and Protocol (No 2) on the application of the principles of subsidiarity and proportionality.

This level of awareness requires very precise and responsible cooperation from all members of the organisation. This cooperation has a complex set of rules. This system of rules is particularly complicated in the case of ecclesiastical institutions, because they are simultaneously regulated by three basic norms: law, morality and religion, and new regulators such as ecclesiastical rules, codes of ethics, protocols, standards and international practices are appearing. (Many of these new regulators can also be interpreted as patterns of relationships between the three basic norms⁵).

From the beginning of the modern era, but especially from the early 1900s, there was a clear trust in, and of course fear of, the mechanised world. Martin Buber and Tamás Molnár, among others, clearly pointed out the dangers of the lack of soul behind the precise regulation of human actions. At the same time, however, we must note that the basis of our civilisation today is still well-organised, typically global processes. Therefore, no organisation in the world that wants to effectively heal its wounds can avoid proper regulation of its processes. The efficiency of regulation is enhanced by increasing “measurability”, i.e., more and more available and processable data. The consequence of this development is that our regulatory methods are becoming more complex and more precise.

This conscious process control is summarised in the PDCA cycle, also known as the Deming cycle, or subsequent re-regulation. According to this theory, once we have defined our activities and planned our processes (Plan), we need to determine how we are going to intervene and then carry out the planned operation (Do). We check the effects of the activities we have carried out in a measurable way (Check), and then we change our activities in the light of the results. (Act). We may also record this change in our regulation, i.e., we change our rules (standardise). In charity practice, all this means that (a) we need to plan exactly what we want to achieve (in the light of our mission, with a clear definition of who is responsible, deadlines, achievement goals, available resources), (b) we must carry out our activities as planned, (c) it is necessary to check (measure) to what extent we have achieved our plans or where there is still room for improvement, and (e) on the basis of the analysed data, options for redesigning the whole PDCA cycle should be identified and rules should be established to ensure the predictable application of the identified options.

What may be described here may seem self-evident, but in reality, it requires very serious attention and energy for an organization to be able to function predictably, measurably, and predictably (instead of “spontaneously”). The first step to do this is the appropriate commitment of management and the ability to make every employee aware of the importance of regulated operations in detail. This also includes the ability of all staff to navigate the dense forest of rules that apply to them.

⁵ Birher Nándor, Homicskó Árpád Olivér, *Szabályozáskomplexitás*. Budapest, Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar, 332. 2021. (Acta Caroliensia Conventorum Scientiarum Iuridico-Politicarum, 2063-4757 35).

3. PROCESS CONTROL FOR INTERNATIONAL CHARITY ORGANISATION (CARITAS INTERNATIONALIS) – MINIMUM STANDARDS

Since January 1, 2019, International Caritas has been applying management standards that engage the entire organization in the logic of process control just outlined. This was further clarified by the organization in the document “The Caritas Internationalis Management Standards (CI MS)” that will take effect on January 1, 2021⁶.

The virtue of regulation is that it simultaneously addresses the importance of spiritual aspects and also emphasizes the need for professionalism.

Working as a Confederation in implementing the Management Standards has shown that together we are more. In communion and fraternal cooperation, we mobilized resources for trainings, assessments, communications, etc. We developed harmonized standards so that we may have a tool that responds to our common needs. (...) We are determined to move forward towards making our Caritas Confederation even more effective and increasingly served by professionals committed to “the Christian’s programme – the programme of the Good Samaritan, the programme of Jesus... (DCE 31.b).⁷

From our point of view, however, perhaps most importantly, the latest methods of process control have gathered the controllers that need to be considered in operation, as follows:

MS 1 Laws and Ethical Codes⁸	
1.1	Catholic identity: the Organisation identifies as a Catholic charitable organisation, follows Catholic Social Teaching and observes Canon Law
1.2	Law of the land: the Organisation acts in accordance with the laws and legal requirements applicable in the country where it is registered
1.3	Ethics and staff conduct: the Organisation adheres to the Caritas Internationalis Code of Ethics and the Caritas Internationalis Code of Conduct for Staff
1.4	Humanitarian Ethics: the Organisation is bound to observe international Humanitarian standards and principles
1.5	Environmental Ethics: the Organisation ensures that natural resources are used wisely, waste is minimised and projects are environmentally friendly
1.6	Partnership Principles: the Organisation observes the CI Partnership Principles.
1.7	Complaints Procedure: the Organisation has an appropriate and safe complaints handling mechanism as a formal, publicly communicated, feedback mechanism
1.8	Implementing level: the Organisation encourages diocesan Caritas organisations to observe these Management Standards

⁶ Caritas Internationalis: *Caritas Internationalis Management Standards*. Online: <https://www.caritas.org/wordpress/wp-content/uploads/2021/03/Revised-Caritas-Internationalis-Management-Standards-2021.pdf>

⁷ Caritas Internationalis: op.cit.

⁸ Caritas Internationalis: op.cit. (the entire list).

MS 2 Governance and Organisation	
2.1	Constitution: the Organisation has constitutional documents that refer to Caritas values
2.2	Governance Structure: the role and responsibilities of governance bodies are clearly defined
2.3	Leadership and General Management: executive leadership encourages effective and efficient implementation as per the vision and mission of the organisation, and develops new visions and strategies as required by changing circumstances and/or opportunities.
2.4	Human Resource Management: the Organisation manages its Human Resources as laid down in regulations and procedures that are known to all staff
2.5	Strategic Plan: the Organisation has an up-to-date, comprehensive, realistic and clear strategic plan that brings together its vision, mission and specific objectives
2.6	Fundraising Strategy: the Organisation has a regularly updated fundraising plan for national and international resource mobilisation
2.7	Risk Management: the Organisation assesses internal and external risks that may prevent it from achieving its objectives carefully and regularly. Measures are in place to reduce these risks
2.8	Organisational Learning: the Organisation fosters a culture in which sharing experiences informs the evolution of the organisation

MS 3 Programme and Finance Accountability	
3.1	Project Management: the Organisation ensures that all projects are in line with its vision and mission and are carried out in accordance with the needs, vulnerabilities and capacities of the local communities
3.2	Project Quality: the Organisation ensures that all projects are carried out in accordance with appropriate technical standards
3.3	Financial Planning: the Organisation has translated its strategic objectives into multiannual plans that are drawn up in order to achieve these objectives. Within this framework annual budgets are approved before the start of their respective periods
3.4	Financial Management: the Organisation exercises stewardship in the management of its financial resources, while carefully ensuring the reliability of its financial information
3.5	Procurement Policy: the Organisation has and applies a procurement policy describing the approved procedures and supervision of the tendering and purchasing process
3.6	Assets Management: the Organisation demonstrates good stewardship of resources by ensuring proper procedures to guarantee the existence, maintenance and safety of all capital assets, such as: buildings, vehicle fleet and information technology equipment
3.7	Fund Management: the Organisation manages its unrestricted and restricted funds in accordance with their intended purposes
3.8	Auditing: the Organisation's annual financial statements are audited by an external auditor, and the Organisation undertakes independent internal audits

MS 4 Stakeholder Involvement	
4.1	Safeguarding Policy and Systems: the Organisation adheres to the Caritas Internationalis Children and Vulnerable Adults Safeguarding Policy and has a clear and transparent system to prevent, address and respond to safeguarding concerns
4.2	Transparency and Accountability: There are systematic and transparent mechanisms to ensure the Organisation is accountable to the communities it serves
4.3	Advocacy: the Organisation engages in national and international advocacy within the limits established by the competent ecclesial authority
4.4	Interacting with constituency: involvement of grassroots and Parish communities
4.5	Networking: the Organisation proactively participates in sectoral and thematic networks
4.6	Information sharing: the Organisation communicates in an ordered and transparent way with stakeholders about its work and performance
4.7	Data protection: the Organisation makes itself responsible for protecting and safeguarding data
4.8	Information Disclosure Policy: the Organisation is transparent and makes information about its programs and operations available to the public in accordance with an information disclosure policy

MS 5 Safeguarding	
1.3 <i>1.3.1</i>	Ethics and staff conduct: the Organisation adheres to the Caritas Internationalis Code of Ethics and the Caritas Internationalis Code of Conduct for Staff
1.7 <i>1.7.1</i> <i>1.7.2</i>	Complaints Procedure: the Organisation has an appropriate and safe complaints handling mechanism as a formal, publicly communicated, feedback mechanism <i>(Complaints handling procedures, whistle-blower policy)</i>
2.4 <i>2.4.3</i> <i>2.4.4</i> <i>2.4.5</i>	Human Resource Management: the Organisation manages its Human Resources as laid down in regulations and procedures that are known to all staff <i>(Safe recruitment, staff retention, adhesion to organisation vision and mission)</i>
2.7 <i>2.7.1</i>	Risk Management: the Organisation assesses internal and external risks that may prevent it from achieving its objectives carefully and regularly. Measures are in place to reduce these risks <i>(Risk management mechanisms)</i>
3.1 <i>3.1.6</i>	Project Management: the Organisation ensures that all projects are in line with its vision and mission and are carried out in accordance with the needs, vulnerabilities and capacities of the local communities <i>(Community engagement)</i>
4.1 <i>4.1.1</i> <i>4.1.2</i> <i>4.1.3</i> <i>4.1.4</i>	Safeguarding Policy and Systems: the Organisation adheres to the Caritas Internationalis Children and Vulnerable Adults Safeguarding Policy and has a clear and transparent system to prevent, address and respond to safeguarding concerns <i>(Safeguarding policy, anti-harassment policy, investigations, referrals, partners and service providers)</i>
4.2 <i>4.2.2</i>	Transparency and Accountability: There are systematic and transparent mechanisms to ensure the Organisation is accountable to the communities it serves <i>(Meaningful access)</i>
4.7 <i>4.7.1</i>	Data protection: the Organisation makes itself responsible for protecting and safeguarding data <i>(Data protection policy)</i>

Of particular note is the organisation's emphasis on management priorities as well as on appropriate stakeholder engagement. In summary, the framework provided here fully accounts for the regulators necessary for its operation. By linking these regulators with management, risk management and stakeholder engagement controls, it ensures that the processes carried out by the organisation can be properly managed. At the same time, however, we must also recognise that this is a very complex system, which requires a clear understanding of legal, moral and religious concepts.

It is very encouraging that the Code of Ethics, which is still in force today and is based on the principles of *Deus caritas est*, a document also considered to be groundbreaking in 2014⁹, has been used to collect and organise management rules so effectively. This is, of course, also due to the fact that the Internal Rules of Caritas Internationalis clearly state that the above-mentioned rules must be required of member organisations.

Article 1.3 of Caritas Internationalis' Internal Rules prescribes that: "Member organisations must meet minimum standards of governance, organisational infrastructure, financial viability and accountability, and compliance with ethical codes of conduct, as decided by the Representative Council."

4. EXPERIENCES OF SOCIAL NETWORKS

In the system of regulators presented earlier, networking also appears in the following form in MS4 4.5: "Networking: the Organization proactively participates in sectoral and thematic networks". Caritas organizations have thus recognized that the conscious construction and use of collaborations is of paramount importance in the field of helping love.

In the following, we share some experiences from a pilot empirical study on the topic. We set a task for a group of nearly 100 people to set a goal for themselves, individually and in groups, which can be achieved solely by building relationships, so that relationships are consciously planned and respected. The inclusion and effects of relationships are logged according to a predefined table. Three months were available for the implementation of individual tasks and 10 hours for the implementation of group tasks.

The planning process involved defining in advance the activities needed to achieve the goal and how they would build on each other, as well as determining the direction (out, in, in/out), strength (decisive, maybe, accidental) and stability (stable, unstable) of the relationships that would lead to the goal. For the individuals involved in the relationship, it was necessary to estimate whether their influence was decisive, i.e., they decide the transaction themselves, or mediating, i.e., they pass it on to the decision-maker. We know, however, that the person-person relationship is not fully quantifiable, but can only be quantified along a number of characteristics¹⁰.

⁹ Caritas Internationalis: *Code of Ethics*. Online: <https://www.caritas.org/wordpress/wp-content/uploads/2017/05/CodesEthicsConduct.pdf>.

¹⁰ Czakó Kálmán: *Hálózatok célorientált és véletlenszerű megváltoztatása*. Online: http://real-eod.mtak.hu/9392/1/243_halozat_2019_nov_anket.pdf.

During logging, the time, type, and result of the transaction had to be recorded, and the final network diagram had to be created based on the data.

Among the results of the survey, it should be mentioned that all participants in the program recognized how much conscious management of relationship systems was missing from their daily practice. Individuals are typically reluctant to move out of their “relationship comfort zone,” which is the most instinctive management of only a few, up to a few dozen, relationships associated with each stage of life. All this coincides with the reduction of complexity described by Luhmann, the essence of which is that the systems already in operation operate protection mechanisms against too many interactions¹¹.

It was also an important recognition that 80% of the set goals served community goals (eg: placement of road signs, renovation of a sports field), however, within this the share of social goals did not exceed the share of goals related to animal rescue (15-15%). That is why charities still have a lot of work to do in emphasizing the importance of social programs.

Following the general findings, we summarize the insights that participants in the program have become aware of and that knowledge of which may also be important for the networking of charities.

1. A goal that is too simple is not good

The first temptation of the members of the group was to set themselves a goal that was too simple, practically achievable even without a network of contacts. Starting from the consumer culture, they wanted to solve the problem in a “buy”, at best “use” way. An example of this is “I adopt a puppy that happens by going into the dog shelter and if I meet the criteria, I also take a puppy home. This goal is not appropriate in our case because it does not mobilize connection resources, it really only uses already well-established connection systems. Good targeting has slipped out of the comfort zone, assuming that it takes energy to build a relationship system.

2. A good goal is not very general, elusive

Perhaps the most common difficulty is setting dreams for ourselves instead of setting the right goals. That is, instead of setting clear, well-described, and measurable goals, we define needs that involve abstract, undefined, and typically too broad horizons. Typically, such as “I want to be rich,” “I should have a good job,” or a “good degree”. Because of their overly general definition, these desires are not suitable to be the foundation of conscious networking. It is therefore very important to have a sufficiently precise, linguistically well-described, i.e., understandable, goal definition.

3. We think of networking as multi level marketing or “vacuum cleaner agent” activity

Often, we don’t build networks because we think of it as some kind of low-level business activity. We are afraid to sacrifice our friendships for financial gain. In reality, the purpose of proper networking is not to exploit those in the network, but to gain mutual benefits. The essence of charitable activity is nothing less than

¹¹ Luhmann, Niklas: *Introduction to Systems Theory*. Cambridge, Polity, 2012. 99.

the realisation of love that, even if at the cost of sacrifice, is of value and benefit to all. A well-functioning system of relationships is capable of ensuring the greatest possible opportunities for all. That is why it is very important to be able to identify the benefits that are clear to all those involved in the relationship system. In the social field, such a benefit could be, for example, the joy of the experience of helping, but it could also be the material benefit of PR. Therefore, sharing and raising awareness of these experiences is particularly important for the sustainability of networks.

4. In relationship systems often the same actors, it is very important to consciously involve new actors (usually what we expect does not work)

Uncertainty and randomness are essential elements in the construction of connection systems. This randomness is important to be aware of and to use. This is why stochastic models, in which we assign probability distributions to the outcomes of interactions along the correlations, are of great importance in describing networks. This means that we can only effectively achieve our well-formulated and out-of-comfort-zone goal if we do not simply rely on our existing system of connections, but allow new, ill-defined connections to emerge. However, this entails several dangers that need to be addressed: firstly, the aforementioned system overload (complexity reduction) must be avoided. In other words, there must be some way of knowing and regulating how many connections each node in our network can handle (which also means that not everyone can connect to everything.) It must also be borne in mind that the connection possibilities of a given connection system are not infinite, and not everyone can be inserted at any level of the functioning network. This may also mean that an individual is often only temporarily involved in the creation of a particular network of relationships, perhaps seemingly unnecessarily (for example, after one mediation of a relationship, he or she will no longer have a role in that network of relationships). It is important to stress that the whole is always more than the sum of its parts – for example, a forest is not a collection of trees, but a unit of an ecosystem. In other words, every phenomenon must always be analysed from the point of view of the whole and its components, and actions must be set as a goal in order to harmonise the results of the analysis.¹² This also means that, on occasion, the individual must be humbled, since it is not his or her personal action but the functioning of the network as a whole that is important.

5. Planning is “goal” oriented and logging is “I” oriented

It is important to distinguish between the pre-planning of the network (in which even random relationships should be planned) and the ex-post ‘logging’ of the operation of the network, i.e., the documentation of what relationships have actually developed. Planning should always be goal-oriented. The starting point is not the “I”, my own system of relationships, but the “goal”, i.e., what I want to achieve. With this in mind, it is necessary to reach the decision-maker through the appropriate contacts. In fact, here it seems that we are able to go beyond our own usual

¹² Czakó Kálmán: *Hálózatok célorientált és véletlenszerű megváltoztatása*. Online: http://real-eod.mtak.hu/9392/1/243_halozat_2019_nov_anket.pdf.

relationship systems, at least in the planning process. In the process of recording, on the other hand, we can only record the facts that come to our knowledge, so the recording has to be self-centred and very precise, because from this we can see how far we are from achieving our goal.

6. It is not simply decision-makers that are needed, but “force fields” that influence decisions (uncertainty must be planned for) also have to be established

As discussed earlier, in many cases we cannot define the system of relationships that lead to the goals by identifying a single person (decision-maker or facilitator). In such cases, it is necessary to create a multi-person force field in which each actor can have some positive impact on the achievement of the objective. Often, it is only through information repeated over several channels that results can be achieved. This is what Luhmann calls generalisation, information that is generally repeated. This also implies that to achieve a goal, a complex, multi-directional system must be developed, in which the goal can be reached by multiple approaches. For example, the decision-maker can be influenced through personal, official and community channels. When planning, it is worth considering as many ways of reaching the target as possible.

7. There is never a “total failure”, every relationship has an impact, just not always immediate and relevant to the goal

Several times in the survey, network builders described a pathway or a system of pathways as a “total failure”, as they did not seem to lead directly to the goal. It is important to realise, however, that network building can only be considered a failure if the trust capital that we have built up in the network building process has been fully used up without achieving a result in terms of the goal (cf. vacuum cleaner agent point). On the other hand, any attempt to build a network that brings mutual benefits, even if it does not lead to a direct result, is valuable. The “encounter” itself is valuable.

In the following, we summarise the characteristics that are specific to each relationship, each transaction. A characteristic of transactions is that the participants in them not only exert an effect in the course of the transaction, but also change themselves, i.e., they themselves are transformed in the process of exerting the effect. In our actions, we are in harmony or disharmony with others when we act in accordance with our objectives. In fact, in the world of relationships, we are never alone¹³.

8. Transactions are organised into systems, the possibility of accessing the system is questionable

Decisions are typically made within systems, not simply by individuals. Systems are self-organising, as noted earlier, and operate according to their own logic, which is why systemic influence can be a complex task. As we have seen, this is partly why it is important to approach all the objectives to be achieved from several directions, addressing as many actors as possible within the system. We must also be

¹³ Czakó Kálmán: *Hálózatok célorientált és véletlenszerű megváltoztatása*. Online: http://real-eod.mtak.hu/9392/1/243_halozat_2019_nov_anket.pdf.

aware that individual systems protect themselves from information overload and therefore try to avoid (to varying degrees) interference (all transactions are interference). This may be because, for example, agencies try to get rid of requests in the first instance by claiming lack of competence, or politicians simply deflect requests in polite replies. The case of St Paul, one of the most prominent network builders in the Areopagus, is a historical example. The best way to deal with the complexity problem is to find the key players in the system of influence or to create a force field of so many impulses that it can no longer be simply excluded.

9. Relational resources – the greater the influence the transactional level can exert (i.e., the greater its power), the more protected they are, the harder they are to access

As can be seen from what has just been said, a system, in order to maintain its functional (and in Luhmann's words: normative¹⁴) closure, strongly regulates its transactions. The more power this system exercises, the stronger the defence mechanism. Here we may also encounter strong boundaries that are almost impossible to break or can only be broken by force (e.g., birth-based systems, dictatorial political regimes, etc.). It should be noted, however, that these regimes also have contact areas (precisely because of the need to involve new actors, as discussed earlier) where results can be achieved more easily. These areas are typically not directly related to the core activities of the system. One such example might be the involvement of dictators in hunting parties, although this may be directly related to the exercise of power¹⁵.

10. Every transaction has a cost and a price

It should be understood that transactions require energy (time, money, communication channels, etc.). For this reason, a person can have a limited number of transactions (if only because the lifetime of a person is finite). Conscious planning must also take into account the purpose for which and the number of transactions that can be established. This is expressed in everyday language as 'every favour has a price. The creation of any kind of organization costs effort; the process of creation is negentropic, increasing the 'order' within the system. In contrast, the disruption of the order of networks is called drift. In this case, the occurrence of contingencies eliminates the possibility of any purposeful organization, and negentropic effects are almost non-existent. Drift is a random change of direction that should not be confused with the uncertainty of the organisation of networks.

11. Every transaction needs a "narrative", it needs to be placed in a context of action, it needs to give the "why"

For a transaction to be successful, it is important to make the purpose of the transaction clear to the person or group making the decision or establishing the relationship.

¹⁴ Luhmann (2012): op.cit.

¹⁵ Bozsonyi Károly, Horváth Zsolt, Kmetty Zoltán: *A hatalom hálója A Kádár-kori hatalmi elit hálózati struktúrája az együttműködési szokások alapján*. Online: https://www.researchgate.net/publication/308948500_A_hatalom_haloja.

The why of the transaction must be made clear. The simplest is of course money (as they say, “I have a million reasons to do it”, but in fact in well-functioning relationship systems, narratives are more complex than money (as they say, “a gentleman never talks about money”). In the social field, narratives based on one’s mission to help can be very effective.

12. Transactions are based on credibility, and credibility takes time to obtain

It takes time to build networks of transactions. In order to be accepted in the network, you need authenticators. People who trust the (new) actor in the transaction. This system of authentication can even be understood in historical perspective. Think of the development of the banking system, or the millennia-old roots of church relief organisations. Of course, we could also cite the mafia as a specific example. The basis of any effective transaction is credibility and reliability. But gaining credibility is a complex process. As they say, honour is gained by the gram and lost by the kilo. In the present study, for example, the authentication of tasks meant that the students who initiated the transactions could act as students at a recognised university, referring to the solution of a class assignment. Authentication was therefore a very important aspect here too.

5. SUMMARY

To sum up, by working closely with past and future relationship systems, we can be sure that everything we do, whether good or bad, will be sent out into the world of relationships and will come back to us sooner or later. In the same way, we can be sure that our relationships, whether they be family, national or religious, do not simply arise in the present, but have very deep historical roots and do not simply determine the present, but on which the future of the thinking and conscious human being depends. It is therefore in our vital interest to help our neighbour, because when the time comes, they will help us. If we are lucky. If not, it is no matter, because at least we have contributed something to the future of our community.

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PEACEKEEPING ENGAGEMENT AND HUMANITARIAN AID

Reflections on Catholic Peace-Ethics from a German Perspective

1. INTRODUCTION

As both countries are located in the centre of Europe, the Catholic Church in Germany and Hungary have a long common history. One of the landmarks of this common history is the *Pontificium Collegium Germanicum et Hungaricum* in Rome. In 1552, Ignatius of Loyola and Cardinal Giovanni Morone founded a German college in Rome to counter the Reformation in Central Europe by helping to train priests from that region. In 1580, Pope Gregory XIII merged the *Collegium Germanicum* with the *Collegium Hungaricum*. Since then, many seminarians and priests from Germany and Hungary have studied together at the colleges. Many of them were later ordained bishops.

Today, the Catholic Church in Germany and Hungary makes great efforts to support peacekeeping operations and the provision of humanitarian aid around the world. Since peacekeeping and humanitarian aid are closely intertwined, both churches run a considerable number of aid organisations. Their peace-building impact in conflict areas is evident and widely recognised. In his address on nuclear weapons during his visit to Nagasaki in 2019, Pope Francis said that real and lasting peace is only possible “on the basis of a global ethic of solidarity and cooperation in the service of a future shaped by interdependence and shared responsibility in the whole human family”.¹ The Pope reiterates this statement in his encyclical *Fratelli tutti* (2020, n. 127), underlining the fact that peacekeeping, humanitarian aid and the commitment to social justice and human rights are closely linked. The Catholic Church in Hungary and Germany, with the support of its aid agencies, seeks to meet these challenges throughout the world in order to promote peace on earth.

2. ENTANGLEMENT OF PEACEKEEPING AND HUMANITARIAN AID

In this paper, I will first examine the complex relationship between peacekeeping and humanitarian aid, highlighting some initiatives of the Catholic Church in Germany. The second chapter examines some central challenges of peacekeeping at the beginning of the third millennium in the light of Christian peace ethics. Finally, I will offer some reflections from the perspective of Catholic theology.

¹ Francis: *Address of the Holy Father on Nuclear Weapons*. Online: https://www.vatican.va/content/francesco/en/speeches/2019/november/documents/papa-francesco_20191124_messaggio-armi-nucleari-nagasaki.html. 2019.

3. STRIVING FOR PEACE AMONG GERMAN CATHOLICS

In the shadow of the Second World War and its atrocities, there was a strong commitment to peace among Christians in Europe. The *Pax Christi* movement, founded in France in 1945, initially sought to reconcile German and French citizens. In the 1950s the movement spread rapidly to other European countries. In September 1952, Pope Pius XII recognised *Pax Christi* as “the official international Catholic peace movement”.

For decades, the division of Europe after the Second World War provoked lively debates among Christians on the ethics of peace. European churches produced a considerable number of documents and proclamations on peace-related issues. In Germany, the rearmament debate also triggered intense discussions between Catholics and Protestants about the details of an effective Christian peace ethic.

Later, the Cold War policy of deterrence became the subject of passionate disputes about nuclear armament in European churches and parishes. At the same time as the Second Vatican Council, Pope John XXIII’s encyclical *Pacem in terris* (1963) was a powerful stimulus to peacekeeping debates around the world. The Pope’s thoughts on war and peace were echoed in the Council’s declaration *Gaudium et spes* (77–82). In the midst of the Cold War, the German bishops addressed various threats to peace in a document entitled *Justice Creates Peace* (1983).² The bishops were critical of the nuclear arms race that was taking place at the time. At the same time, they affirmed the right of nations to defend themselves. The bishops also called for proportionality in the use of weapons in armed conflicts.

In 1989, German citizens and churches were deeply grateful for the Hungarian government’s decision to open the border fence between Hungary and Austria on 10/11 September. This was a decisive step in overcoming the division of Europe. At that time, a global peace order seemed a realistic vision for the future.

A decade after the fall of the “Iron Curtain” in Europe, the German bishops published a magisterial document entitled *Just Peace* (2000).³ This publication analysed the political challenges following the collapse of communism. *Just Peace* explored the origins, effects and ways of overcoming continuing violence around the world. The document devotes considerable space to the biblical foundations of the Christian doctrine of peace. Before outlining the “tasks of the Church”, the bishops describe the “elements of national and international capacity for peace”. In particular, they recognise the global importance of Christian aid initiatives and agencies. They also stress the obligation of Christians to overcome violence and work for peace. Last but not least, they underline the need for interreligious and intercultural dialogue with respect for peacemaking and peacekeeping.

Ten years after the terrorist attacks of 11 September 2001, the German Bishops evaluated the government’s anti-terrorism policy in a document entitled *Terrorism as an Ethical Challenge* (2011).⁴ Again, this assessment is based on the Church’s

² Die Deutschen Bischöfe: *Gerechtigkeit schafft Frieden*, ed. by Sekretariat der Deutschen Bischofskonferenz, Bonn, 1983.

³ Die Deutschen Bischöfe: *Gerechter Friede*, ed. by Sekretariat der Deutschen Bischofskonferenz, Bonn, 2000.

⁴ Die Deutschen Bischöfe: *Terrorismus als ethische Herausforderung*, ed. by Sekretariat der Deutschen Bischofskonferenz, Bonn, 2011.

ethic of peace. The bishops affirmed that the authorities must effectively protect the population from terrorist attacks. However, in addressing this challenge, they recalled that any protective measure against terrorism must respect human rights. The bishops also made clear that, according to Christian doctrine, human dignity must be respected as much as possible in the fight against terrorism.

4. THE RELATIONSHIP BETWEEN SOCIAL JUSTICE AND PEACE

The doctrinal teaching of the German bishops is in line with papal activities to end the wars in Europe and to establish peaceful and just relations between nations. For example, Pope Benedict XV (1914–1922) made several diplomatic efforts to end the First World War. He also focused on humanitarian actions to alleviate the effects of war. Benedict encouraged visits to prisoners of war, the exchange of wounded soldiers and the delivery of food to starving populations in Europe.

During the Second World War, Pope Pius XII (1939–1958) used diplomatic means to help victims of the Nazis. He also had links with the German resistance movement and shared intelligence with the Allies. However, it is still disputed whether he did enough to help Jews and other groups persecuted by the Nazis. After the war, Pope Pius XII became an ardent advocate of peace and reconciliation between former enemies.

The list of Pope John XXIII's, Pope Paul VI's, Pope John Paul II's and Pope Benedict XVI's peace-building activities around the world could easily go on. Periodically, on the "Catholic World Day of Peace" (1 January), the Popes have encouraged initiatives to preserve peace on earth.

Since the beginning of his pontificate in 2013, Pope Francis has emphasised the interconnectedness of social justice, peace among nations and ecology. The close relationship between social justice and peace is supported by a long tradition in the Church. For example, Pope Paul VI's 1967 encyclical *Populorum Progressio* highlighted global social injustices and the economic gap between the rich North and the poor South. The Pope also stressed the link between peace and inclusive development. A key sentence from the encyclical is often quoted: "Development is the new name for peace".⁵

In the same year, 1967, the Pontifical Council for Justice and Peace *Iustitia et Pax* was established in Rome. The Council encouraged the establishment of commissions for justice and peace throughout the world. In the Federal Republic of Germany, this process had already begun in 1967 with the establishment of the Catholic Commission for Development and Peace (*Katholischer Arbeitskreis für Entwicklung und Frieden*). In 1982, in line with global practice, the name of the institution was changed to *Deutsche Kommission Iustitia et Pax* (German Commission for Justice and Peace).

In the German Democratic Republic, the Berlin Bishops' Conference also established a Commission for Justice and Peace in 1978. In the 1980s, this Commission made a valuable contribution to making civil society in East Germany more politically active. In this sense, they prepared the peaceful transition of Germany and

⁵ Paul VI: Enc., *Populorum progressio. Acta Apostolicae Sedis*, 59. (1967) 4. 294–295.

Europe into a new era in 1989. Following German reunification, the two Commissions merged in 1991. The Commission is jointly run by the German Bishops' Conference and the Central Committee of German Catholics (*Zentralkomitee der deutschen Katholiken*).⁶

At present, the German Commission for Justice and Peace coordinates the activities of Catholic institutions and organisations working for peace and social justice throughout the world. The activities of its members are based on Catholic social teaching and the Church's doctrine on peace. The Commission organises dialogues and meetings where Catholic organisations working for social justice and peace can exchange views and experiences in the field. *Iustitia et Pax* is their common voice in society and politics.

The main aim of the Commission is to draw the attention of the German public to issues related to justice and peace. In cooperation with international policy experts, the German Commission for Justice and Peace prepares the Church's official statements on international development policy. The members of the Commission are in constant dialogue with parliament, the public administration, the government, political parties and social movements. Its reports and assessments draw on the extensive experience of Catholic organisations in international cooperation. In this way, the Commission helps to shape the German government's development, peace and human rights policies. Above all, however, the members of the Commission develop the Church's international activities in the field of peace and human rights policies. Based on its expertise, and in co-operation with its local partners, the Commission conceptually contributes to Church projects which help to overcome the consequences of wars and armed conflicts worldwide.

5. HUMANITARIAN AID INITIATIVES OF THE GERMAN CATHOLIC CHURCH

Reconciliation in the aftermath of armed conflict has become an important topic of both practical engagement and theoretical reflection. Particularly in post-war situations, the provision of humanitarian aid can effectively contribute to the success of a peacekeeping mission. In this respect, the Church fulfils its peacemaking mission not only through direct intervention, such as mediation, but also through the provision of humanitarian aid in post-war situations.

In Germany, humanitarian aid and the struggle for social justice have been an important part of the Catholic Church's activities since the 19th century. At that time, Adolph Kolping (1813–1865), a Catholic priest, founded associations to support young workers in growing industrial cities. These journeymen's associations (*Gesellenvereine*) were the forerunners of the later Kolping associations (*Kolpingvereine*). These associations supported Christian workers and their families by providing mutual aid, health services and recreation. They also played an important role in their spiritual development.

Following the gradual emergence of the social teachings of the Catholic Magisterium in the 19th century, Kolping sought to promote the dignity of workers and their

⁶ German Commission: *Iustitia et Pax*. Online: <https://www.justitia-et-pax.de/ju-eng/>.

families. The social teachings of the Church still guide the projects of Kolping International today. At present, this association provides humanitarian aid all over the world, in places such as India, Vietnam, Africa and Latin America.⁷

Wilhelm Emmanuel von Ketteler (1811–1877), Bishop of Mainz from 1850, was the founder of the Catholic Workers' Movement (*Katholische Arbeiterbewegung: KAB*). Ketteler's social teachings became influential during the papacy of Pope Leo XIII (1878–1903). The Pope's famous encyclical *Rerum novarum* (1891), which developed the Church's teaching on the 'social question', was heavily influenced by von Ketteler. Based on the Church's social doctrine, in particular the principles of solidarity and subsidiarity, KAB is still committed to the idea of a "welfare state" that prevents the exclusion of the poor and needy. KAB also strives to improve social cohesion in society.

Although KAB supports the idea of a welfare state, it is not hostile to self-responsibility or self-administered social security systems. According to KAB, self-administration and subsidiarity are two essential contributions to peace in society. Today, KAB Germany cooperates with Christian workers' organisations from more than 50 countries on four continents within the *World Movement of Christian Workers* (WMCW).⁸

In 1897, Lorenz Werthmann (1858–1921), a Catholic priest in Cologne, founded the *Caritasverband* for Catholic Germany, which became the German Caritas Association in 1921. Other national Caritas organisations were soon established in Switzerland (1901) and the United States (*Catholic Charities*, 1910). Werthmann's *Caritas* became one of the most successful Christian charities in the world. The main aim of Caritas has always been to provide comprehensive humanitarian aid to those in need. Today, German Caritas is part of *Caritas Internationalis*, a confederation of 165 Roman Catholic relief, development and social service organisations active in over 200 countries and territories worldwide.⁹

After the Second World War, in 1958, the German bishops founded a new relief organisation. It was called *Misereor* (cf. Mk 8:2) and seeks to provide humanitarian aid wherever it is needed.¹⁰ Today, *Misereor* focuses on poverty reduction in Africa, Asia and Latin America. The organisation is concerned with housing rights, migration due to climate change and the challenges of urbanisation and environmental degradation. *Misereor* also promotes human rights, religious freedom, the effects of the debt crisis and much more. Based on the principle of subsidiarity, *Misereor* seeks to empower people to help themselves. In this way, *Misereor* sees itself as an organisation that facilitates development cooperation worldwide. Many of its projects are partly funded by the German government.

Misereor and its local partners are committed to helping the poorest of the poor. Their support is available to all people in need, regardless of their religion, race, culture, ethnicity or gender. This policy is in line with that of other Catholic charities

⁷ *Kolping International*. Online: <https://www.kolping.net/en/>.

⁸ World Movement of Christian Workers: *For a just, fraternal and sustainable society*. Online: <https://mmtc-infor.com/en/>.

⁹ Caritas: *Ending poverty, promoting justice and restoring dignity*. Online: <https://www.caritas.org>.

¹⁰ *Misereor: Projects supported by misereor strengthen the self-initiative of the poor*. Online: <https://www.misereor.org>.

in Germany, which in principle do not exclusively support Christians. In addition to respecting the dignity and equality of all human beings, *Misereor*'s reasoning is that giving priority to Christians in relief work could lead to future tensions between members of different religions or ethnic groups. However, it is only natural that the *first recipients of aid* should be members of the Christian community.

Finally, two offshoots of pontifical initiatives in Germany should not be overlooked. *Kindermisssionswerk – Die Sternsinger* is the children's charity of the Catholic Church in Germany. It is the German branch of the Pontifical Society of the Holy Childhood. The *Sternsinger* run projects to help disadvantaged children in Africa, the Middle East, Asia, Latin America, Oceania and Eastern Europe.¹¹ In addition, *Missio Aachen* and *Missio München*, the German members of the Pontifical Mission Society, enable the spread of the Gospel by funding scholarships for priests and religious from around the world. They also support Catholic parishes in Latin America, Africa and Asia with church buildings, pastoral equipment and professional advice. Last but not least, these institutions provide financial assistance in regions of endemic poverty and misery.¹²

All of these organisations have been running aid projects around the world for decades. Many of their projects receive financial support from the German government. The charitable activities of the aid organisations are quite wide-ranging. For example, they run development programmes for farmers, educational programmes for students, aid programmes for refugees, and projects to meet the special needs of women and children. In principle, all these projects are committed to promoting dialogue between people of different religions and ethnicities. In this way, they make an effective and lasting contribution to securing peace throughout the world.

6. CURRENT CHALLENGES OF CATHOLIC PEACE-ETHICS

Unexpectedly for many observers, the world has not become more peaceful since the end of the Cold War. Renowned peace research institutes, which monitor violent conflicts, inform the public that the number of armed conflicts has actually increased since the 1990s. At the same time, the main characteristics of these conflicts have changed. Armed conflicts between nation-states have become less frequent, and an increasing number of violent activities are perpetrated by non-state actors. Terrorism has become a global phenomenon. Christian peace ethics must reflect carefully on these developments.

In Germany, theoretical reflection on contemporary challenges in peace ethics is carried out by theological faculties and institutes, which are integral parts of secular universities. In addition to these faculties, the German Bishops' Conference established in 1978 the Institute for Theology and Peace (*Institut für Theologie und Frieden*), a dedicated research institute for peace studies. The Institute is based in Hamburg and reports to the German Catholic Military Ordinary in Berlin. The Institute's main objective is to identify the ethical foundations of a peaceful world and to make valuable contributions to the contemporary peace policy discourse in Ger-

¹¹ *Sternsinger*. Online: <https://www.sternsinger.de/ueber-uns/about-us>.

¹² *Missio*. Online: <https://missio.com/english>; <https://www.mwi-aachen.org/en/>.

many. It also provides ethical briefings for soldiers and plays a key role in the training of chaplains in the German Armed Forces.¹³

The Fellows of the Institute focus on the study of the political and social dimensions of war and peace. Based on ethical principles and the Church's teaching on war and peace, they seek to make a significant contribution to an emerging global peace order. In order to achieve these goals, research will focus on Christian traditions on the sanctioning of violence and the achievement of peace. At the same time, the fellows assess current challenges to peace and security policy. They will examine issues such as counter-terrorism, cyber warfare and the consolidation of peace in post-war situations. In particular, they analyse current conflicts and crises in Afghanistan, Iraq, Yemen, Libya, and Mali.

7. PEACE-ETHICS IN CHRISTIAN HISTORY

The Church has a long tradition of legal-ethical debates on the problem of legitimising violence for the sake of peace. The reflections of St Augustine and St Thomas Aquinas provide the conceptual basis for the doctrine of "just war". There is no need to repeat here the familiar categories of the "ius ad bellum" theory.¹⁴ In armed conflicts, the magisterium has always urged the belligerents to observing the "ius in bello". In the last decades, the Church repeatedly has reminded that any form of violence in armed conflicts must respect human dignity and human rights.

To mention an example from history: In 16th century, the Dominican theologian Domingo de Soto, a member of the famous School of Salamanca and contemporary of Francisco de Vitoria, played a major role in the development of peace-ethics and human rights. The Dominican views himself as a moral theologian who supports his prince by providing him with detailed legal rules – including rules of warfare and peace. Without any reservation, de Soto acknowledges the violent realities of politics prevailing in his era. Nevertheless, he still seeks ways to limit the use of military force. To this end, he stresses that the actions of leading figures are bound by the law. Anticipating similar thoughts of Thomas Hobbes in 17th century, de Soto conceives the princes being morally obliged to submit themselves to applicable law.

Researchers can derive similar insights from the works of Saint Augustine, Thomas Aquinas, Francisco de Vitoria, Francisco Suárez or Bartolome de las Casas. Studying their classical reasoning on issues of war and peace is useful because they highlight the limits of contemporary academic discourse. Furthermore, they help to understand the impact of law and ethics on peace and violence in the present. A better understanding of historical concepts may help to reconsider current assumptions and enrich present debates on peace-making and peacekeeping.

¹³ *Institut für Theologie und Frieden*. Online: <https://ithf.de/en>.

¹⁴ According to Thomas Aquinas (*Summa theologiae* II-II, qu. 40), three requirements must be met: First, the war must be waged upon the command of a rightful sovereign. Second, the war needs to be waged for a just cause. Thirdly, warriors must have the right intent, namely to promote good and to avoid evil.

8. THE ETHICS OF COUNTER-TERRORISM

The worldwide spread of terrorism shows that the nature of armed conflicts is significantly changing. Since terrorists do not follow the rules of traditional warfare, terrorism adds an unprecedented character to global conflicts. For example, terrorists intentionally target non-combatants, which is strictly forbidden according to traditional “*ius in bello*”. This and other key characteristics of terrorism make it a highly problematic, if not completely reprehensible phenomenon. This is also the case if terrorists themselves frequently allege that they are fighting for oppressed people. Consequently, combatting terrorism has become one of the utmost priorities in international politics in recent years.

Terrorism is not merely a political or legal challenge. Instead, it presents grave ethical challenges, which cross many accustomed moral boundaries. Accordingly, counterterrorist operations have their moral quandaries and push the conventional scope of ethical analysis to its limits. Inter alia, countering terrorism raises the question if one can apply the traditional doctrine on “just war” for complex, transnational conflicts where non-state actors are responsible for a significant use of violence.

The above-mentioned document of the German Bishops’ Conference *Terrorism as an Ethical Challenge* (2011) proposes to use humanitarian aid as a tool to prevent armed conflicts and violence. Thus, an elementary question arises: How sustainable are current counterterrorism efforts that usually are relying on military means?

9. SECURITY POLICY AND INTERNATIONAL HUMANITARIAN LAW

Especially after 9/11, security policy became a central issue in Catholic peace ethics. Yet “security” is a very nebulous concept. Ongoing debates show that its meaning cannot be precisely defined. Consequently, any concept of security can only be hypothetical. In particular, the relationship between security and human rights is controversial. The political quest for security very often reveals the temptation of human beings to create an image of perfect security as quasi-demiurgical beings. From a theological point of view, this illustrates the underlying religious dimensions of human existence.

Given the fact that violence tends to breed counter-violence, there is always a huge potential for escalation in armed conflicts. International humanitarian law has therefore been established to limit the use of force in armed conflicts. Its protection is an important task for public ethics and politics.

Today, in contrast to the times when international humanitarian law was created, there are significantly more non-state parties involved in hostilities and violent conflicts. Unlike sovereign states, these belligerents do not feel bound by international humanitarian law. Careful consideration must therefore be given to how non-state actors can comply with international humanitarian law.

The development of new weapons has also changed the battlefield in ways that are not regulated by international humanitarian law. For example, the use of armed drones has become a major ethical challenge because these weapons can target individuals rather than units of combatants. The legitimacy of targeted killings is a

controversial issue in international law.¹⁵ Moreover, the use of drones very often causes collateral damage among civilians. How can the development and use of such weapons be justified?

Another emerging challenge is war in cyberspace. Similar to terrorism, civilians who should be protected from harm in traditional warfare are often deliberately targeted in this new type of conflict.

Since neither technology nor the study of violence can provide criteria for containing contemporary armed conflicts, Catholic peace ethics is compelled to significantly develop international humanitarian law to cover these new types of conflict. The Christian tradition of constant reflection on war and peace can significantly enrich this endeavour.

10. PEACEKEEPING AND HUMANITARIAN AID

Research into the nature of violent conflict and ways of resolving it encourages reflection on the fundamentals of violent human interaction. In this way, bridges can be built to post-conflict humanitarian engagement. Many armed conflicts break out because of poverty, lack of education, endemic corruption, lack of public awareness of common goods, inter-ethnic tensions and struggles over resources. Today, these challenges are exacerbated by climate change. It is clear that humanitarian aid and peacekeeping are closely linked.

With increasing global mobility, Europe will be affected by the environmental, social and political changes taking place around the world in the coming decades. At the same time, European governments will need to keep the continent strong by guaranteeing the security of their populations. This raises the question of how the European Union conceives of its security policy. What ethical categories guide its political, military and humanitarian actions? To what extent does Catholic social teaching provide ethical categories for the future security policy of the European Union?

In the past, the international commitments of the European Union were aimed at guaranteeing and preserving the long-term peace and security of Europe. This overarching goal encourages the creation of peaceful conditions in the post-conflict phase in crisis areas around the world.

In addition to providing humanitarian aid, European states are also deploying military forces in places such as the Democratic Republic of Congo or Mali to stabilise these regions. But the question arises: Can the deployment of military forces bring long-term security to crisis zones? The precipitous withdrawal from Afghanistan in 2021 casts doubt on the ability of armed forces to create long-term peaceful environments in a region of endemic violence.

According to Catholic social teaching, the principle of subsidiarity calls for the strengthening of the responsibility of states for their citizens. The principle also demands that those organisations running international aid projects should leave important decisions on humanitarian issues to local communities or national ad-

¹⁵ Michael N. Schmitt: Precision Attack and International Humanitarian Law. *International Review Red Cross*, 87. (2005) 445–466.

ministrations. Nevertheless, the Christian “preference for the weak and the poor” implies support for civilian populations that seek political and economic inclusion.

11. CHALLENGES OF ISLAMIC PEACE-ETHICS

At the beginning of the 21st century, humanity is becoming more aware of the differences between different cultures and religions. At the same time, global mobility and the exchange of information have increased significantly. Consequently, peace-keepers need to understand the plurality of cultural and political practices around the world.

Comparing Christian and Muslim reflections on war and peace, it is clear that the two religions interpret “*ius ad bellum*” and “*ius in bello*” quite differently. For those who study Christian peace ethics, the reasoning behind the public condemnation of *Daesh* by Muslim scholars in their “Open Letter to Abu Bakr al-Baghdadi, the leader of the Islamic State of Iraq and Syria”¹⁶ is quite irritating. This is because their views are based primarily on the Islamic tradition and not on a way of reasoning familiar to Western culture. Any attempt to understand the different perspectives on war and peace require a careful analysis of the religious, cultural and philosophical ideas in the Islamic tradition.

Moreover, modern weapons of war, such as nuclear weapons, drones or cyber operations, do not fall within the traditional norms of Islam as provided by the Qur’an and Sunnah. What is the discourse on these issues in the Arab world, Turkey, Iran or South-East Asia?

Obviously, there are two scholarly approaches: one based on the analysis of the descriptive reality and prescriptive arguments of human reason, and another based on references to the normative sources of Islam. Can the two approaches be linked in some way? A peacemaking and cross-cultural dialogue on these issues requires a basic understanding of the mode of reasoning that prevails among Muslim scholars and in the Muslim world in general.

12. OUTLOOK AND PERSPECTIVES

The doctrinal teaching of the Second Vatican Council, especially in *Gaudium et spes*, encourages Catholic Christians to interpret contemporary “signs of the times” as fruitful challenges to Christian practice and theology. At present, violence, poverty, social injustice and ecological problems are increasing throughout the world. Theology must address all these issues in the light of its primary purpose: to justify the hope that guides Christian faith and action (cf. 1 Pet 3:15).

Christians cannot find meaningful theoretical and practical responses to contemporary challenges by simply seeking to “implement” traditional Christian teachings in the political, social or environmental spheres. Rather, Christians are called to demonstrate the continuing relevance of their faith in daily life by seeing contemporary issues in the light of the Christian tradition and addressing them in innovative

¹⁶ *Open Letter to Abu Bakr al-Baghdadi*. Online: <http://www.lettertobaghdadi.com/>.

ways. At present, this theological approach “from the outside” is particularly noticeable in the field of Christian peace ethics.

In his encyclical *Fratelli tutti*, Pope Francis continues to highlight the social and ecological dimensions of peace. Catholic peace ethics and the practical activities of Christian aid organisations can be much more effective if they combine the provision of humanitarian aid with attention to the ecological dimensions of the problem and the preservation of our environment. Clearly, such an approach requires a major effort in education, formation and training.

Since exclusion is at the root of persistent violence, there is good reason to hope that the commitment of humanitarian aid to a non-exclusive but comprehensive and inclusive approach will, in the long run, eliminate the root causes of armed conflict and terrorist action. To this end, international cooperation between Churches throughout the world is highly recommended. In a united Europe, the Catholic Church in Germany and Hungary can contribute much to this global effort.

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JUST PEACE

– A REALISTIC CONCEPT FOR A WORLD FULL OF VIOLENCE?

1. INTRODUCTION

Moral reflection must begin with a realistic view of the object, and then reflect on the ethical challenges of the situation analysed. Our subject is the state of peace and security in the world today – or should I say the lack of peace and security? In the first part of my paper I will examine current security challenges, while in the second part I will offer some moral reflections on how to promote peace in the face of these security challenges. While I will not examine the legitimacy of the use of force in self-defence, I do not deny the legitimacy of such action as a last resort.

2. CONTEMPORARY CHALLENGES TO PEACE AND SECURITY

There are four aspects of our world today that affect our understanding of peace and security: First, there is a power shift among the great powers and new actors are emerging on the global stage. The second is the downside of globalisation, such as the activities of organised international criminal organisations in trafficking in human beings, drugs and weapons, climate change and environmental degradation. The third relevant aspect is that in the last decade many societies have risen up against autocratic rule. Such events have taken place from the Middle East to Chile, Myanmar, Hong Kong, Ukraine and Belarus. One of the most dramatic realities of our time, which is the fourth aspect influencing our perception of peace and security, is the destruction of nature, which has created some 80 million refugees worldwide.

2.1. Shifting power in international politics

China's position in international politics has changed dramatically. Economically, China has become one of the world's leading powers, and it is also seeking a dominant role in Southeast Asia, more influence in international affairs and a greater say in international institutions. From a European perspective, Russia seems more relevant because it is our immediate neighbour and its attempts to rebuild the country's military under President Putin threaten European, and especially Eastern European, security. While it seems that we can avoid a military confrontation with China, because in this case the tension is created by conflicting interests, which makes a compromise possible. The case is quite different when we consider the conflict with Vladimir Putin's Russia. Let me explain the difference by analysing the case of Ukraine.

The Maidan revolution of 2014, which Ukrainians call the revolution of dignity, had two aims. First, to liberate the country from the influence of its oligarchs, a corrupt political and economic elite that has plundered the country's resources since independence. Second, to rid the Ukrainian political system of its post-Soviet repressive structures. The Maidan revolutionaries fought for autonomy: they demanded individual and political self-determination and wanted to abolish old, oppressive structures. While we can compromise on many political issues, it is impossible to compromise on autonomy and individual and political freedom. This is what makes the conflict with Putin's Russia so challenging. Russia is fighting to reassert its influence over the former Soviet empire and in regions, such as Syria, that are vital to its interests. Russia has adopted a comprehensive approach to achieving these goals, using the military and elements of hybrid, cyber and media warfare. Eastern European democracies are particularly vulnerable to Russian hybrid attacks. Russia is not an economic superpower like China, nor does it have the instruments to back up its political ambitions. Nevertheless, its destructive capacity and its high-tech and nuclear capabilities make Russia dangerous enough.

While a power shift between the US, China and Russia is evident, new players have also entered the global stage: India, Pakistan, Israel and North Korea. In addition, Iran is trying to join the club, and Saudi Arabia, Turkey and Brazil have also openly declared their nuclear ambitions. In addition, Brazil, India and South Africa are emerging countries on the verge of becoming major economic powers. In this unclear and confusing situation, the EU is trying to transform its diverging interests into a common strategy. Individual European states are no longer relevant players in the global arena and have to choose between pooling their interests and capabilities or accepting that other powers will decide their fate. While most European countries seem to have accepted this position, in theory there is still a long way to go before Europe can formulate common security strategies and the necessary instruments to back them up.

2.2. Insurrection against Autocracy

Since 2011, North Africa and the Middle East have been experiencing a process known as the Arab Spring: In most countries, from Mauritania and Morocco in the west to Iraq and Iran in the east, large sections of the population took to the streets to demand a better life. The same happened in Chile, Myanmar, Ukraine and Belarus. Some of these demonstrations have toppled governments, but most revolutions have failed. And a realistic approach predicts that these revolutions are doomed to fail because the ruling elites, mostly backed by the security forces, do not want to share their wealth and power. Lack of perspective and despair seem to be the continued fate of the population. But it is clear that these societies lack political stability; it is only a matter of time before the next uprising breaks out, as large sections of the population can barely survive and have nothing to lose.

People start demonstrating for basic needs when they can no longer afford the price of daily necessities. In most cases, people are demonstrating against the blatantly unfair distribution of wealth created by corrupt elites who have plundered the country's resources and lived in unimaginable wealth. Justice is one of the core

values of any society that promotes human flourishing, while the denial of justice goes hand in hand with the denial of individual and political freedom. Autocracies suppress any opposition to the injustices of their rule. The concepts of freedom of expression, free media, free assembly of opposition parties are incompatible with autocratic rule.

Along with their struggle for justice and freedom, people stand up for the truth because they are tired of the government's lies: that everything is under control, that the situation will get better, that foreign powers are responsible for every hardship. Truth is an essential value in any society, and no political system can survive without respect for the truth. Public lies imbued with hatred are poisonous and can destroy peaceful human coexistence.

As most of the demonstrations have failed, the fundamental political and economic challenges of these countries have not changed, so the struggle for justice, freedom and truth will have to continue for a long time in many troubled regions.

2.3. The downside of globalisation

While wealthy nations reap the benefits of globalisation, we can no longer ignore its downsides. Climate change and pollution are by-products of our way of life, with enormous impacts on nature as a whole. These all contribute to developments that deprive people in some regions of their natural livelihoods and force them to migrate elsewhere.

International Islamist terrorism is another phenomenon that can be classified as a reaction to globalisation. It is not easy to point to a single cause, but the loss of cultural identity, the political and cultural dominance of the West, and inferiority complexes have all played a role in the spread of a dangerous form of jihadist terrorism far beyond the Middle East. Poor governance and fragile or failing states can open the door to low-intensity warfare and are another reason why 80 million people are seeking refuge.

2.4. Christian Response to the Challenge

Christian churches have a long history of responding to the challenges of a world at peace. In recent decades, the quest to end wars, the interconnectedness of peace and justice, the guarantee of human rights for every human being without distinction, and reconciliation have become key elements of Christian peace teaching.

3. THE QUEST TO OVERCOME WAR

The killing of millions and the destruction of cities dramatically changed the Church's attitude to war in the early 20th century. Not only did Pope Benedict XV repeatedly call on the belligerents to end World War I, but in 1917 he published a plan to structurally eliminate war. Pope Benedict XV's approach was similar to President Wilson's League of Nations proposal of 1919. This initiative led to the

renewal of Catholic peace teaching under Popes Pius XII and John XXIII. Since then, Catholic peace teaching has supported the efforts of the United Nations and promoted the rule of international law to resolve international conflicts peacefully. Therefore, from a Catholic perspective, the International Court of Justice and the International Criminal Court are key institutions for international conflict resolution. However, both need additional powers to fulfil their mission as effectively as possible.

After the Second World War, more and more European states embarked on the adventure of European integration. This was a political revolution because sovereign states voluntarily decided to follow a path of deeper integration, even though they could not define their political goals precisely. The most important achievement of the EU is that it has managed to structurally overcome war. EU member states have created mechanisms to resolve deep political conflicts without resorting to military action. EU members have replaced the system of anarchy that has dominated European politics throughout its history with the rule of law. Replacing the anarchy of the international system with the rule of law throughout the world is the ultimate quest found in the contemporary documents of the Christian churches. The EU's preference for multilateralism reflects the recognition that mutual respect for different positions, institutional mechanisms and political procedures is preferable to power politics. Having said that, one must always be aware that autocratic spoilers may act unfairly or rudely, and have no qualms about using military power to advance their interests and suppress freedom.

The moral challenge is twofold: in the long term, we must continue to develop the multilateral institutions of the United Nations and international law, and seek to resolve international conflicts within that framework. We must make the use of the International Court of Justice (ICJ) mandatory in political conflicts. The UN Charter and the Statute of the ICJ are full of possibilities! At the same time, we must understand and be prepared to defend against the security risks that threaten our way of life, individual autonomy and political self-determination. Neglecting these challenges will make our world less secure in the long run.

3.1. Peace is the Outcome of Justice

In this analysis of our world today, I have highlighted the social and political asymmetry that exists within many states and that is at the root of political uprisings. While many of these problems are home-grown, caused by poor governance, corruption and cronyism, we cannot ignore the influence of the economic asymmetry that exists between the global North and the global South. The EU seems ready to take this issue seriously and engage with its African partners on a more equal footing.

The United Nations Sustainable Development Goals represent the commitment of the international community to reduce poverty and hunger and open up prospects for sustainable and healthy development. The international political process has promoted the need for equity in international relations. At the same time, the issue has become even more urgent and is continuously addressed by Christian churches around the world. However, despite many attempts to reduce poverty and injustice,

the asymmetry between the rich world and the poorest on our planet has grown in recent decades. There will be no just peace as long as this scandal persists!

3.2. Human Rights for every Human Being

From a Christian perspective, every human being is created by God in His image and as such has an inalienable dignity. Therefore, we must reject any discrimination based on race, gender, religion, culture, etc. Furthermore, we must not tolerate hate speech, racism and any form of discrimination, no matter how prominent the speaker. Freedom of the individual, political self-determination, freedom of the press, freedom of religion are all valuable, regardless of the religious affiliation of the individual. These civil rights belong to the first generation of human rights, followed by the second generation of social human rights. These rights protect economic and cultural human rights and are as important as the first-generation human rights. Recently, we have been paying more attention to disability rights. The process of how the West has learned to appreciate human rights shows that human rights are not obvious, but exist within the cultural context of a society. Being aware of this fact, we need to be more careful in bringing pre-modern societies, such as Afghan tribes, into our understanding of human rights. In doing so, however, we must never abandon our main quest. While we are proud of our societies that respect human rights, we must know that this is the main target of fundamentalist terrorism.

3.3. The Fight Against Terrorism

September 2001 was a turning point. The core challenge of terrorism is not primarily the immediate damage, death, injury and material destruction caused by its violence. Rather, the main difficulty lies in the psychological consequences of its activities, which spread fear and deep insecurity. It seems that the state can no longer guarantee the security of its citizens, but affected societies try to minimise the risk through all kinds of preventive and pre-emptive measures. Given the nature of terrorism, which is clandestine, covert and unpredictable, the experience of the last twenty years has shown that defensive measures against terrorism tend to be all-encompassing, leading to a reduction in freedoms. It is a constant challenge for liberal societies to balance security measures with the inalienable rights of their citizens: We must remember that freedom is a fundamental political value and that security must respect liberal rights. If we overemphasise the value of security, we can turn a liberal society into a police state. If we do that, we fall into the trap of terrorism, which seeks to eliminate liberal societies.

Fighting terrorism at home is very different from fighting terrorism abroad. My overall impression is that we have used certain methods in the fight against terrorism abroad that we would never use at home. This has a lot to do with the principles of proportionality and disproportionality. Police forces are trained to keep the use of force to an absolute minimum and to avoid harming bystanders. In countering terrorism with military means, there is a constant risk of crossing this fine line. The

consequences of doing so are very serious, because instead of reducing the size of the terrorist organisation, we may turn innocent people into terrorists.

Moreover, the fight against terrorism is first and foremost a political task. If you take a quick look at the spread of Islamist terrorism in sub-Saharan Africa, the challenges are political. It was the lack of functioning states, basic services and economic prospects that drove many young men to join jihadist groups, not necessarily their commitment to Islamist ideology. As long as we ignore the underlying political challenges, the fight against terrorism will always be in vain and we will lose.

3.4. Reconciliation

Reconciliation between post-conflict societies has played a crucial role in the development of the European Union, a union designed to prevent future wars in Europe and to solve political problems through a common European legal framework. The creation of political union would have been impossible without coming to terms with the atrocities of the Second World War. Although one could get the impression that Franco-German reconciliation was a top-down affair led by Konrad Adenauer and Charles de Gaulle. The reality is different, because civil society, church groups and individuals had already prepared the ground before these two prominent politicians. Reconciliation between societies works differently from reconciliation between individuals. The difference lies in the fact that it is usually clear who the perpetrators are, who the victims are and what the responsibilities of each side are.

It is usually many years after an injustice has been committed that representatives of society, political leaders, heads of state or church leaders stand up and ask for forgiveness on behalf of their people. These leaders are usually not personally responsible for past injustices. They speak as representatives of their people and are not personally responsible for the atrocity. When contemporary German politicians ask for forgiveness for the genocide of the Herero and Nama people in South West Africa more than a hundred years ago, it is clear that the perpetrators are no longer alive. But how can the continuing responsibility of the German population for these historic crimes be communicated?

The answer lies in the concept of collective identity: Responsibility for atrocities committed in the name of one's people must be preserved in the collective identity of the community, just like other, more pleasant memories. Because it is not pleasant to remember serious crimes committed against other peoples, such acts are often simply ignored or overlooked: It is therefore the duty of a conscious civil society or of the churches to speak out against historical injustices. If we want to build a just peace in the future, we will never forget the injustices and crimes of the past.

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HOW DO WE SEE THE WORLD?

The Eucharist, the Eucharistic Life, and the Theory of International Relations*

Catholicism is essentially social. It is social in the deepest sense of the word: not merely in its applications in the field of natural institutions but first and foremost in itself, in the heart of its mystery, in the essence of its dogma. It is social in a sense which should have made the expression, “social Catholicism” pleonastic (a redundant expression) (...) [We do not need to insist] on the failings, serious though they are, which may have given rise to these misunderstandings (narrow-minded individualistic Christianity): the selfish piety, the narrow religious outlook, the neglect of ordinary duties in the multiplication of “devotions”, the swamping of the spiritual life by the detestable “I”, the failure to realise that prayer is essentially the prayer of all for all. These are deviations to which all believers, being human, are exposed, and which it is easy to criticise. But are they in fact sufficiently recognised as such? Does the *neglect of dogma* increase the extent of moral failure? And if so many observers (...) are so grievously mistaken about the essence of Catholicism, is it not an indication that Catholics should make an effort to better understand it themselves?¹ (*Henri de Lubac*) (emphasis added – *S. M. T.*)

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¹ Henri de Lubac: *Catholicism: Christ and the Common Destiny of Man*. Foreword by Dom Christopher Butler. Abbot of Downside Abbey, near Bath, England, London, Burns & Oates, 1950. xv, xvi. The French subtitle, ‘les aspects sociaux du dogma’, reflects much better than the English subtitle (‘Christ and the common destiny of man’) the book’s central message, as does the title of

The real world begins here.... What we *think* about these events and possibilities, and what we think we can do about them, depends in a fundamental sense on how we think about them [e.g., war in Bosnia and genocide in Rwanda, world wars, and the prospects for world politics]. In short, our *thinking* about the ‘real’ world, and hence our *practices*, is directly related to our *theories*, so as people interested in and concerned about the real world, we must be interested in and concerned about theory: What are the *legacies of past theories* [history]? *Whose facts* have been most important in shaping our ideas [epistemology and ontology]? *Whose voices* are overlooked [ontology]? Can we know and how can we know it [epistemology]? Where is theory going [how do different concepts of theory indicate different purposes for what theory is, what it is for, for whom it is for, and who benefits from different concepts of theory]? Who are we [identity]? *The real world is constituted by the dominant answers to these and other theoretical questions.*² (Steve Smith, Ken Booth, and Marysia Zalewski) (emphasis added – S. M. T.)

1. INTRODUCTION

‘So many theories and the bodies keep piling up’, so many theologies, so many political theologies, and the bodies keep piling up.³ What does the Eucharist, and the Eucharistic life, so central to Catholic faith and life, and to a Catholic understanding of the Christian tradition, have to do with foreign affairs or international affairs? These are kinds of events that led to the foundation of the scholarly study of International Relations created as a discipline (or cross-roads of disciplines) after the First World War.⁴ What do the events in international history, in contemporary international relations, or International Relations theory, have to do with the theology of the Eucharist, and the theology of the Church (ecclesiology)? What do the debates over Eucharistic theology, and Eucharistic ecclesiology have to do with what ‘Christian practice’ is meant to look like in a globalizing world, and what it means for living faithfully in the world? It may seem odd to talk about theology together with the theory of International Relations, however, they are similar in at least one respect, and this also might help to see the relationship between them. Dogma, doctrines,

the German translation by Hans Urs von Balthasar, ‘Catholicism as Community’ (it was also given a later German title, ‘Faith from Love’). The English subtitle misses so much of the intent of the book, and the possibility this is partly the legacy in translation of English Empiricism (Locke) compared to French Rationalism (Descartes) is not examined. There is a recent debate over the idea that Descartes, Jesuit-educated, who was also a soldier, was also a Jesuit spy during the Thirty Years’ War (1618–1648). A part of this debate is about how ‘war as a concept’, a key concept in International Relations, influenced his theology and philosophy, and so it is related to the general purpose of this chapter (theology and the theory of International Relations), but this is not discussed here (A.C. Grayling, Iaian King).

² Steve Smith – Ken Booth – Marysia Zalewski: Introduction. In Steve Smith – Ken Booth – Marysia Zalewski (eds.): *International Theory: Positivism & Beyond*. Cambridge, Cambridge University Press, 1996. 1–10.

³ Marysia Zalewski: All These Theories Yet the Bodies Keep Piling Up: Theory, Theorists, and Theorizing. In Steve Smith – Ken Booth – Marysia Zalewski (eds.): *International Theory: Positivism and Beyond*. Cambridge, Cambridge University Press, 1996. 340–353.

⁴ The chapter follows the disciplinary convention in which ‘international relations’ (lower case) refers to events in current affairs, foreign affairs, or international affairs, and ‘International Relations’ (upper case) refers the scholarly study related to explaining or understanding these events.

theologies, and theories of International Relations all develop in response to what is perceived at the time by their participants or practitioners to be a specific problem, and you have to discover what this problem is – otherwise, it is possible to get lost in theology, and lost in theory in ways that make both seem to be irrelevant to the real world and to everyday life.

This is why the answer to the kinds of questions asked here, perhaps surprisingly, is that they are often related to each other far more than we might think. The tremendous interest in the mystical body of Christ occurred immediately after the bloody carnage, and collapse of the international system in World War I, why was this (World War I led to the collapse of four multinational empires, the Russian Empire, the Ottoman Empire, the Austro-Hungarian Empire, and the German Empire)? Pius XII's encyclical, *Mystici Corporis Christi*, on the mystical body of Christ (June 1943), was issued after reflection on some of the difficult times during World War II, why was this? What has often been forgotten, marginalized, or perhaps overlooked, as irrelevant to some of the recent great debates in the Church – on the Eucharist, on nature and grace, and on the nature of the Church, is that they have often occurred as part of the Church's response to, or how it has engaged with, significant changes in international relations. The problem is how can we know this, how can it be investigated, and how do we know when we know this (epistemology)? It turns out the way of answering questions like these on the relationship between theology and International Relations depends on how we see the world – how Catholics, and other Christians in the past saw their world, and who lived in different historic state-systems, and similarly, how do we explain or understand these relationships in contemporary international relations?⁵

What it means for Catholics, and for all Christians to live faithfully in the world is a question they have asked in every age, in every historic state-system, regarding their relationship to the world.⁶ These doctrines and the related rituals and practices which they give rise to, establish what the Church, what the body of Christ is in the world, i.e. what or whom, is the body of Christ (the Eucharist described as an action or as an object, a spectacle for the laity, watching Christ's body, or being incorporated into it). The point here is not to enter the theological debate, nor debates in historical theology over how the body of Christ, how the 'mystical body of Christ' (*corpus mysticum*) relates to the 'true body of Christ' (*corpus verum*). but to suggest

⁵ In the history of International Relations theory, history is divided into state-systems – Greek city-state system, Renaissance city-state system, the 'mixed-actor' (states, kingdoms, and a variety non-state actors) medieval state-system, etc., and this provides some basis for the comparison between actors, processes, and how each state-system is organised. The debate in theory and methods over this concept is not dealt with here. Therefore, what is meant for Francis of Assisi and Sultan al-Malik al- Kālik to see the world in a specific type of historic state-system, the medieval 'mixed-actor' type of international system? See Scott M. Thomas: The Encounter Between Francis of Assisi and al-Malik al- Kālik and its Relevance for Muslim-Christian Relations and Contemporary International Relations. *Muslim World*, 109. (2019) 1–2. 144–168.

⁶ H. Richard Niebuhr's *Christ and Culture*. Manhattan, New York, Harper & Row, 1951. of course, is the *locus classicus* for those studying the variety of answers Christians have given to this question in different historical state-systems in which they were living (in terms of International Relations theory). Olivier Roy, one of the leading French experts on Islam, has used this book for the research methods seminar for PhD students on religion, politics, and International Relations at the European University Institute in Florence, Italy.

that the various answers to these questions differed, as they were socially, politically, theologically, and ecclesiology constructed by the Church and other actors, with their different interests and purposes, in different historic state-systems. This offers a much-needed historical perspective on the recent Catholic theological debates and international events mentioned at the beginning of this chapter.⁷ It can be argued, up to a point, this is as it should be. The gospel message, which remains forever true, still needs to be renewed in every age, including this rapidly globalising age, so people can see its relevance – rather than only learn about it from teaching, and proclamation – through faithful witnesses who perform the gospel life, and demonstrate its relevance by the way they live ‘authentically Christian lives’, and in this way can help others to see why it is important for their own lives, and to the world in which they live (Pope Paul VI, *Evangelii Nuntiandi*, 1975).

It is not possible, nor is it enough, to make this chapter’s argument, to briefly revisit even in cursory way the great debates on the Eucharist, on nature and grace, and the nature of the Church in relation to international relations. All this chapter can do is try to develop a map – a more basic, over-arching argument, which can establish where some of the contours may be drawn, and show the route, or pathway into theory (in International Relations), theology, and history to indicate how Catholic or Christian theology and practice (more broadly), and international relations often developed in *mutually constitutive* ways. This can help us to see more clearly why and how these theological debates, and these debates in historical theology, have been part of the history of international relations (i.e., in different historic state-systems), the history of International Relations theory, and in contemporary international relations.⁸

⁷ William T. Cavanaugh provides evidence of these Catholic actors, and their relationships, and at various points relates his argument to specific international events, but the purpose of his study is different than what is examined here. *Torture and Eucharist: Theology, Politics, and the Body of Christ*. New Jersey, Blackwell, 1998. However, in recent years his arguments about changes in these types of political actors, and in the political theology of power, authority, legitimacy, sovereignty, Westphalia, and Eucharistic theology, and ecclesiology have increasingly interested with the ‘theological turn’ in the study of International Relations, specifically recovering, or rediscovering the Catholic dimensions of the rise of modern international relations, and the modern international system. Daniel Philpott: The Religious Roots of Modern International Relations. *World Politics*, 52. (2000) 206–245., Jørgen Møller: Medieval Origins of the European State System: The Catholic Church as Midwife. *International Studies Review*, 1. (2020) 2. 1–19., Sebastian Schmidt: To Order the Minds of Scholars: The Discourse of the Peace of Westphalia in International Relations Literature. *International Studies Quarterly* 55, 3. (2011) 601–623., Jan Zielonka: The International System in Europe: Westphalian Anarchy or Medieval Chaos?, *Journal of European Integration*, 35. (2013) 1. 1–18., Luke Glanville: The Myth of “Traditional” Sovereignty, *International Studies Quarterly*, 57. (2013) 1. 79–90.

⁸ A variety of scholars in International Relations are now working on theology and international relations, starting what increasingly may be called ‘the theological turn’ in the study of International Relations, and for theology students and seminarians the following books are essential reading for engaging in international affairs and theological ethics. Nicholas Rengger: On theology and international relations: World politics beyond the empty sky. *International Relations*, 27. (2013) 2. 141–157.; Nicholas Rengger: *The Anti-Pelagian Imagination in Political Theory and International Relations: Dealing with Darkness*. London, Routledge, 2016; Will Bain: *The Political Theology of International Order*. Oxford, Oxford University Press, 2020; Seán Patrick Molloy: *Kant’s International Relations: the Political Theology of Perpetual Peace*. Michigan, Michigan State Press, 2017; Will Bain (ed.): *Medieval Foundations of International Relations*. New York, Routledge, 2017; Vas-

The chapter's map and some of the contours it draws go back to Henri de Lubac, who went back to the Church Fathers, and discovered a 'radical' understanding of Catholicism, quite provocative at the time. He famously argued Catholicism is essentially 'social' in the deepest sense of the word, not merely in its applications to natural institutions, but first and foremost in itself, in the heart of its mystery, in the essence of its dogma (the first epigraph). However, he also argued, the general purpose of his book, *Catholicism*, was 'to show the *simultaneously* social, historical and interior character of Christianity, this threefold mark conferring on it that character of universality and totality best described by the word "Catholicism" (emphasis added).'⁹ In this chapter de Lubac's perspective is phrased as a holistic, and integrative understanding of how theology and spirituality relate to understanding events in different historic state-systems, and in contemporary international relations. Catholicism's essential nature, moreover, as social, or relational, permeates and shapes all of Catholicism's individual elements since it reflects the deepest *mystery* of the faith, its trinitarian concept of God, which is social, relational, rooted in God's love for all of us, for the world, and all creation, and so all reality – reflects, even in distorted ways (through sin), this sociality, process, and participation.¹⁰

However, the chapter goes one step further, and points to the way de Lubac examined 'social Catholicism' – *really*, Catholicism, or Christianity, and its social aspects, and what this implies for international relations, were reinforced in Ratzinger's early study, *The Unity of the Nations: A Vision of the Church Fathers* (1962, 1970). This book is explicitly indebted to de Lubac; and, as Benedict XVI, it is a key part of his analysis of why Christian hope is a social rather than individual doctrine (*Spe Salvi*, 2007). This book adds even further, an international dimension to de Lubac's overall argument in ways that are important for the study of International Relations. Ratzinger argues, following de Lubac, the heart of the Church's mystery is also a mystery of unity, a vision of 'the unity of the nations', or the 'unity of the peoples' (in which sin appears as a mystery of division and disunity, and the mystery of Christ, is also the mystery of reunification).

It has always been part of the Church's role in the world, to help bring healing, hope, and restoration, and to overcome division, disunity, and fragmentation in different times, and in different places, and in different historic state-systems.¹¹ This is

silius Paipais (ed.): *Theology and World Politics: Metaphysics, Genealogies, Political Theologies*. London, Palgrave, 2020; Simon Polinder – Govert J. Buijs (eds.): *Christian Faith & International Relations: The Lamb and the Wolf*. Leiden, Brill, 2020; Simon Polinder: *Towards a New Christian Political Realism: The Amsterdam School of Philosophy and the Role of Religion in International Relations*. Doctoral dissertation, Free University of Amsterdam, 2021.

⁹ Henri de Lubac: *At the Service of the Church: Henri de Lubac Reflects on the Circumstances that Occasioned His Writings*, translated by Ann Elizabeth Englund, San Francisco, Ignatius Press, 1993. 27.

¹⁰ Joseph Cardinal Ratzinger (Benedict XVI): *Catholicism: Christ and the Common Destiny of Man*. San Francisco, Ignatius Press, 1988. 11–12.

¹¹ The Church over 2000 years has engaged in a number of key controversial issues in a variety of ways – war, holy war, crusades, the (so-called) 'wars of religion', the Thirty Years' War, racism, slavery, colonialism, imperialism, nationalism, decolonisation, world missions, and evangelism. Perhaps, three overlooked significant trajectories into these issues include: William T. Cavanaugh: *The Myth of Religious Violence: Secular Ideology and the Roots of Modern Conflict*. Oxford, Oxford University Press, 2009; Agnes M. Brazal: Postcolonialism. In William T. Cavanaugh – Peter Manley

why, in a globalising world, from a post-secular perspective, the Church Fathers (East and West) are an underutilised, even unexplored, dimension that should be brought together through the study of historical theology, historic state-systems, and the history of international relations theory.¹² The Church's amazing vision of the unity of the nations, of course, is also a vision, or perhaps is it a parody of this vision,¹³ which led to the founding of the discipline of International Relations after the First World War? After all, International Relations was founded by the *victorious* great powers, and like all empires, all great powers, and emerging great powers, in every historic state-system, they seek, or are tempted, to remake the international order in their image, and often confuse their national interests with what is good for all nations, and all peoples in the world.¹⁴

This chapter's argument develops in the following way. Section 1 is based on de Lubac's 'radical' rediscovery of Catholicism – 'social Catholicism' (or, perhaps, what is *really* Christianity), when it is not distorted by modern liberal or conservative versions of individualism (the chapter will call these distortions an 'individualist ontology' rather than a 'social ontology' in the theory of International Relations). The English word 'radical' comes from 'radix', the Latin word for 'root', and so what it means to be 'radical' is to go to the roots of a problem. This is why this section sets out the roots of the main problem, elaborated on in Section 2, and the

Scott (eds.): *The Wiley Blackwell Companion to Political Theology*. New Jersey, Blackwell, second edition, 2019. 516–530, Damian Costello: *Black Elk: Colonialism and Lakota Sioux Catholicism*. New York, Orbis Press, 2005, and the novels, short stories, and essays of Shusaku Endo, the Japanese Catholic writer, whose work covers many of these issues. Emi Mase-Hasegawa (ed.): *Christ in Japanese Culture: Theological Themes in Shusaku Endo's Literary Works*, 28, Japanese Studies Library, Leiden, Brill, 2008.

¹² Oliver O'Donovan – Joan Lockwood O'Donovan (eds.): *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought*. Grand Rapids, MI: Eerdmans, 1999, needs to be read alongside Chris Brown – Terry Nardin – Nicholas Rengger (eds): *International Relations in Political Thought*. Cambridge, University Press, 2002. It is also important for Christians from the Western churches (Latin Christendom) pay special attention to the Eastern Churches, since the study of Eastern Christianity will become a more important part of International Relations as the EU and NATO expand eastwards. Scott M. Thomas – Anthony O'Mahony: *Postsecularity and the Contending Visions of the European Political Imagination in International Relations*. In Luca Mavelli (ed.): *Towards a Postsecular International Politics: New Forms of Community, Identity, and Power*. London, Palgrave, 2014. 105–128.

¹³ William T. Cavanaugh: *The City: Beyond secular parodies*. In John Milbank – Catherine Pickstock – Graham Ward (eds): *Radical Orthodoxy*. London, Routledge, 1999. 182–200. The tension between 'parody and prophesy' has been evident since the founding of the discipline of International Relations, the founding of the League of Nations, and the United Nations (recall Inis L. Claude's classic text *Swords into Plowshares: The Problems and Progress of International Organization*. New York, Random House, 1956 and the Isaiah Wall in New York at UN Headquarters). Raymond Cohen – Raymond Westbrook (eds.): *Isaiah's Vision of Peace in Biblical and Modern International Relations*. London, Palgrave, 2008.

¹⁴ This temptation appears as 'tragedy' in Christian Realism (Reinhold Niebuhr, Herbert Butterfield), and as 'the theory of hegemonic stability' and 'the theory of democratic peace' (the reason for spreading democracy around the world) in liberal approaches to International Relations. Reinhold Niebuhr: *The Irony of American History*. New York, Charles Scribner's Sons. 1952; Reinhold Niebuhr: *Nations and Empires: Recurring Patterns in the Political Order*. London, Faber & Faber, 1959, Jodok Troy: *Christian Approaches to International Affairs*. London, Palgrave, 2012; Jodok Troy (ed.): *Religion and the Realist Tradition: From Political Theology to International Relations Theory and Back*. London, Routledge, 2014.

Conclusion, which is all that this chapter can accomplish: how do we see the world, how do we see the world of international relations – differently, i.e., in a way that can help change it? However, the problem, going back to de Lubac, is fundamentally spiritual – the way ‘religion’, and the way ‘spirituality’ (prayer, meditation, and contemplation) are considered to be separate from the ‘real world’, and how we see the world, and separate from the way we seek to explain or understand the events in international relations. This is why all of us – knowingly, or unknowingly, participate in many of the values, beliefs, and assumptions of the mainstream, positivist, social scientific explanations for events in international relations.

Therefore, Section 1 starts to develop a new map to see the world – differently, and points, perhaps surprisingly, to Thomas Merton (1915-1968), one of the most well-known, and influential (at least in the English-speaking world) Cistercian (Trappist) monks in the twentieth century, since he was deeply concerned with the problem of how we see the world.¹⁵ Crucially, Merton’s *spiritual* intuition, at the dawn of the nuclear age, and the beginning of the Cold War, enabled him to already criticize an approach to political science, which was only starting to develop in the United States at this time (along with it, it has to be said, the U.S.’s deeper involvement in Vietnam), i.e. the mainstream, positivist, social scientific way of looking at the world and studying International Relations. Moreover, Merton’s spiritual intuition, it can be argued, retrospectively, enabled him to *anticipate* some of the later aspects of critical theory (Frankfurt School), and social constructivism, as these approaches to social theory developed as an alternative to the mainstream, social scientific theorising in International Relations (**second epigraph**).

Section 2 begins to develop this map, and draw some of its key contours, and to do this it uses sources – which, for some people, may seem unlikely, even antagonistic to Christianity or Catholicism: critical theory (Frankfurt School), and social constructivism. In fact, some critical theorists, although indebted to Marxism, were not as hostile to religion or spirituality as it is often thought. Moreover, Benedict XVI, shares Adorno and Horkheimer’s diagnosis of the origins of the problem of modernity, set out in *The Dialectic of Enlightenment*, and this is why *Spe Salvi*, his Encyclical Letter on Christian Hope (2007), can be read as a critical commentary on their analysis of ‘the dialectic of Enlightenment as the problem of hope in the modern world. Benedict XVI, in *Spe Salvi*, from the perspective of International Relations theory, argues the modern crisis of faith – is a crisis of faith in progress (an updating of de Lubac’s analysis in *Catholicism*), and he constructs his own critical reply using the way Adorno, in *Negative Dialectics* (1966), formulates the international dimension of the problem of hope, the problem of faith in progress – human progress is from the sling-shot (ancient man) to the atomic bomb (modern man). Benedict XVI’s reply echoes de Lubac, and patristic theology, and is based on the doctrine of Christian hope, which he strongly argues is a *social* doctrine, and not an individualistic one, and this is why it also relates to overcoming division,

¹⁵ I was first introduced to the ideas of Thomas Merton in the mid-1970s by Abdul A. Said (1930–2021), a Sufi mystic, who was my first Professor or International Relations as an undergraduate in the School of International Service at the American University, Washington, DC. Pope Francis, in his address to Congress, said that Merton showed ‘the capacity for dialogue and openness to God’.

fragmentation, and ‘a world without bonds’ (Pope Francis),¹⁶ and seeks to re-establish the unity of the nations in the world community (*Spe Salvi*, 13–15).

However, this is only one aspect of the crisis of faith, as a crisis of a faith in the international dimension of progress in the world, and this directly relates to Merton’s analysis of how we see the world. The section draws links between social Catholicism, social epistemology, and social ontology, and what this means for a more holistic and integrative understanding of the relationship between theology and events in international relations. It explains how these later aspects – the theoretical moves towards a *social epistemology* (rather than a positivist and empiricist epistemology in mainstream social scientific theorising in International Relations), and towards a *social ontology* (rather than an ‘individualist ontology’) can begin to change our mental map, to see the world differently, and to draw with hermeneutic, and interpretive theories and methods new contours, which help us to see in new ways, and understand more clearly the ‘reasons’ (rather than the ‘causes’) for events in international relations. It does this in challenging ways for all Christians, all people of faith, and all people of good will who desire to live faithfully and responsibility in the world.

2. WHAT IS THE PROBLEM – HOW DO WE SEE THE WORLD RIGHTLY?

How do we see, or think we see, events in international affairs, and try to explain or understand them? When we see, or think we see, ‘international events’ – usually, unless we are actually there, we see on visual media, we read written media, and journalists tell us stories, narratives, which involve a variety of *actors* – states, individuals, international organisations (e.g. the United Nations, European Union), and non-state actors (MNCs, the World Bank, terrorist movements, and humanitarian aid organisations) involved in a variety of events (conflict or cooperation, but mainly it is war rather than peace that make the headlines). What are called ‘foreign affairs’ or ‘international affairs’ involving these actors are ‘out there’ in the world, *separate* from ourselves, our lives, our lifestyles, and we might even think separate from our countries (this is why September 11, 2001 was such a shock to the United States, and ‘Islamist’ bombings in London, Paris, and Madrid were so shocking to Europeans). All of us, as students, scholars, politicians, commentators, concerned citizens, and all people of good will, want to know ‘what is *really* going on?’

What is really going on, no matter if we realise it or not, relies on a specific concept of ‘science’, or what is ‘scientific’, identified with Max **Weber**’s concept of *Erklären* (‘explaining’). What is ‘science’ and what is ‘scientific’ is to emulate the natural sciences, and so ‘explanatory theory’ in the social sciences and in International Relations had to be positivist, i.e. objective, value-free (the separation of facts from values), empiricism is privileged (as a theory of knowledge or type of epistemology) – observation, sense experience, and quantitative methods (Ali Mazrui, a famous Kenyan, Muslim, political scientist of an earlier generation, used to

¹⁶ Massimo Borghesi: *The Mind of Pope Francis: Jorge Mario Bergoglio’s Intellectual Journey*. Collegeville, Liturgical Press, 2017. Chapter 5 (‘A World without Bonds: The Primacy of the Economy in the Era of Globalisation’). 187–222.

call this ‘physics envy’ in the social sciences). Therefore, what it means to ‘explain’ something is ‘efficient causation’, i.e. what it is that brings into being the effect certain international events – ‘general causes’, such as what causes war, or what causes international cooperation, or regional integration or terrorism, and specific events – wars (World War I), civil wars (Spain in the 1930s, Libya, Syria, Afghanistan), failed states (Rwanda), international cooperation (League of Nations, United Nations), regional integration (EU), terrorism or ‘Islamist extremism (Al-Qaeda, the Taliban, ISIS). We then might add (...). our foreign policy proposals, and, finally (...). we add our *ethics* to the end of this (allegedly) objective, social scientific explanation of international events (Catholic social teaching, Islamic ethics, or Kantian ethics if you are a liberal European, etc.). In this way of seeing the world there is little connection between religion, theology, international relations, and theories of International Relations.

What is the problem with this way of seeing the world, and seeking to explain international events? How we see the world was a problem that deeply concerned Thomas Merton (1915-1968), one of the most well-known, and influential (at least in the English-speaking world) Cistercian (Trappist) monks in the twentieth century.¹⁷ He would have disagreed with this first story about how we see the world, and with this postivist, social scientific, approach to International Relations – if, we are to see the world, rightly, and differently.¹⁸ Merton struggled with how spirituality (prayer, meditation, and contemplation) were related to how we see the world of international relations, and he was concerned about what this meant for our desire to live faithfully in the world.

What is so striking is that for him this seemed to require a holistic and integrative understanding of how theology and spirituality related to events taking place around world.¹⁹ Merton, perhaps, more intuitively, than analytically, *already* recognized in the early days of the Cold War, that what we call foreign affairs or international affairs also involve all of us in our daily lives. Recall, he was born in France, and the background to his spiritual classic, *The Seven Storey Mountain* (1948) was the war in Europe. He grew up in France and Britain during the inter-war period (1919–

¹⁷ I was first introduced to the ideas of Thomas Merton in the mid-1970s by Abdul A. Said (19xx-2020), a Sufi mystic, who was my first Professor of International Relations as an undergraduate in the School of International Service at the American University, Washington, DC. Pope Francis, in his address to Congress mentioned Merton showed ‘the capacity for dialogue and openness to God.’

¹⁸ Steve Smith: Singing Our World into Existence: International Relations Theory and September 11. *International Studies Quarterly*, 48. (2004) 3. 499–515.

¹⁹ We should not be surprised – after de Lubac, regarding this holistic and integrative approach to spirituality and international relations. It is evident in the life story of St. Francis, and Merton had a ‘Franciscan heart’ (Daniel P. Horan, OFM). It is also evident in Benedict XVI, in his writings on the Franciscans (in over 100 homilies, catechesis), and in the way he articulated the ‘social implications of the Eucharistic mystery’ (*Sacramentum caritatis*, 2007, n. 89–92). It is evident in Bergoglio’s activities in Argentina, and now as Pope Francis in his concept of the culture of encounter, human fraternity, and inclusive citizenship as practical, and relevant approaches to global issues. It was also evident in Louis Massignon (Third Order Franciscan), the French expert on Islam, and the sociology of Islam, and the way he engaged with war in Algeria, and the Church on its view of Islam. So, there is a long line of ‘witnesses’ (Pope Paul VI) who have articulated, and demonstrated in their lives, in the historic state-systems in which they lived, what a (perhaps radical ‘Franciscan’?) holistic and integrative understanding of how theology, and spirituality contribute to seeing the world in a way that calls for a concern for international affairs.

1939), and began his student days at Columbia University shortly before Hitler came to power, and graduated, and was baptised a Catholic, a year before the start of the Second World War (1939–1945). He entered the Cistercian Abbey of Gethsemane, Kentucky only a few days after Japan's surprise attack on Pearl Harbour (1939–1945). Europe for him was not a strange, far a way place, of which he knew nothing.²⁰ Europe was a part of his life, these events were still fresh in his mind, and his classic spiritual autobiography is full of allusions to them.²¹

An important book for Catholics, other Christians – and, for all people of good will, grappling with how we see the world, is Merton's *The Ascent to Truth: the theology and spirituality of St. John of the Cross* (1951). What is so crucial about this book is the way Merton's *spiritual* intuition, given his deep concern for war and peace in Europe (which continued with his concerns for the Cold War, nuclear war, the Vietnam War, and the civil rights struggle in the United States), enabled him to *already* criticize what was only starting to develop in the United States at this time, i.e. the mainstream, positivist, social scientific, way of looking at the world, and studying International Relations (this developed in parallel with the U.S.'s increasing involvement in Vietnam); and, to even *anticipate* the way later on aspects of seeing the world developed in critical theory (Frankfurt School) and social constructivism in the theory of international relations (Section 2).²²

This book does not seem to have stood the test of time, and among Merton scholars it has received a mixed reception.²³ However, from the perspective of the theory of International Relations, it was written during a specific time in the Cold War, the early period of 'rigid bipolarity' between the superpowers. This rigidity was characterised by a zero-sum, a winner-loser, view of the world, which contributed to significant tensions in international relations (recall the Chinese Revolution had recently taken place, and the Korean War had also recently started), when *any* event in the world, or change in technology (with Sputnik, the Soviets were the first

²⁰ Recall, this was British Prime Minister Neville Chamberlain's justification for 'appeasement', allowing Hitler's annexation of Czechoslovakia. He stepped off the plane as he arrived back from signing the Munich Agreement with Hitler, famously photographed waving it in his hand, and proclaimed, 'we have peace in our time', quoting from the Second Collect, Order of Evening Prayer, in the Anglican *Book of Common Prayer* (which many British people at that time would have recognised), and church bells rang out all over the country thanking God for delivering them from war.

²¹ The Second World War, in the *consciousness* of most Americans, only began in 1941 after Japan's surprise attack on the Pearl Harbour naval base, and Germany declared war on the United States. The dates are important for interpreting Merton's concern for Europe in *The Seven Story Mountain*, since for Europeans the war *already* started after September 1, 1939, when Germany invaded Poland (from the west, and the Soviet Union invaded Poland from the east). It is also possible to say that the Second World War in Europe began August 23, 1939, when Nazi Germany and the Soviet Union signed a (secret) 'non-aggression pact', which included dividing up between themselves Poland and the rest of what came to be called 'Eastern Europe' (even though the area was central Europe, and a part of the civilization of Western Christianity and Eastern Christianity). The U.S. provided Lend Lease and military aid to the Allies in the early years of the Second World War, but it was a 'neutral country' (officially, in terms of international law), despite the rise of fascism in Italy (Mussolini), Germany (Hitler), Spain (Franco), and Portugal (Salazar).

²² Bruce Kuklick: *Blind Oracles: Intellectuals and War from Kennan to Kissinger*. Princeton, Princeton University Press, 2007.

²³ Michael Mott: *The Seven Mountains of Thomas Merton* (1984). Boston, Houghton Mifflin, Co., 237–39, 265, 399.

country to put a satellite in space in 1957), was perceived as something that could upset the global balance of power between the U.S. and the Soviet Union, and increase the possibility of nuclear war between them.

Merton, in the Prologue to *The Ascent to Truth* ('Mysticism in a Man's Life'), sets out the reasons why he would have disagreed with the mainstream, positivist, social scientific, way of seeing the world at the world, using the great 'international events' of his day – the Cold War, which included the atomic age or the nuclear age (i.e. the *nuclear rivalry* in weapons between the superpowers, the *ideological rivalry* between them (capitalism – versus – socialism or communism), and the *political rivalry*, the East-West rivalry between them (which 'artificially', and not 'naturally', divided Europe between Nato and the Warsaw Pact, and also came to divide the world into rival global spheres of influence (and included a variety of 'proxy wars' (or 'great games') between the superpowers in Korea, Vietnam, Southern Africa, Central America, Afghanistan, and, especially the Middle East).

We who live in what we ourselves have called the Atomic Age, have acquired a peculiar facility for *standing back* and reflecting on our own history as if we were a phenomenon that took place five thousand years ago. *We like to talk about our time as if we had no part in it.* We view it as *objectively* as if it *existed outside ourselves*, in a glass case [like in a museum]. If you are looking for the Atomic Age, look inside yourself: because you are it. And so, alas, am I.²⁴ (emphasis added – S. M. T.)

Merton might have said in the present day, 'If you are looking for Islamist extremism look inside yourself (...)', 'If you are looking for the war on terror look inside yourself (...)' 'If you are looking for the Anthropocene Age and the climate emergency, look inside yourself (...)', 'If you are looking for the refugee crisis (...)', or 'If you are looking for the rise of populism and political extremism (...)', 'If you are looking for the rise of white, Christian, nationalism (...)', etc. Most of us would rather not look at, or think about international affairs in this way (and we only wish, of course, that if our rivals, our enemies looked at the world in this way, then the world would be a better place for everyone). However, this is to ignore the problem Merton is setting out by his analogy, and intuitive spirituality, which **Section 2** examines theoretically. We actually live in a social world, which means our relationships – for peace, violence, or cooperation, are *mutually constitutive* in international relations. This alternative way of seeing the world, and understanding international affairs, is also the beginning of a way of seeing how mutually constitutive relationships can emerge, and this opens up ways of seeing how hermeneutics, in-

²⁴ Thomas.Merton: *The Ascent to Truth: the theology and spirituality of St. John of the Cross*. London, Burns & Oates, 1951, 5. Already, in *The Seven Story Mountain* (1948), recounts that at the end of August 1939, this perspective on a reflexive, participatory, engagement in international affairs had already occurred to him, and he used the language he later used in *The Ascent to Truth* (which, it has to be said, still remains shocking and challenging). 'I myself am responsible for this. Hitler is not the only one who has started this war. I have my share in it too. It was a very sobering thought, and yet it is deep and probing light by its very truth eased my soul a little.' He then decided, the text continues, to go to confession, and communion the first Friday or Saturday of September (Friday, September 1, 1939, Hitler invaded Poland). *The Seven Story Mountain*. New York, Image Press, 1970. 302.

terpretations of Eucharistic theology and Eucharistic ecclesiology, can be related to international events and theories of International Relations.

The problem Merton is describing through his *spiritual* intuition, with his vivid analogy, is what critical theorists and social constructivists call ‘problem-solving theory’ in International Relations (the reasons for this are examined in Section 2). What is being established here is Merton’s foresight with his analogy that expresses the criticisms of problem-solving theory. We are – standing back, (allegedly) seeing the world, and international ‘events’, as if ‘we’ or ‘us’ – have had nothing to do with making the world the way it is (and why it is not some other way), and, it is *only* ‘them’ (our ‘rivals’ or ‘enemies’), who make the world the way it is.²⁵ It is called ‘problem-solving theory’ (its counterpart is ‘quandary ethics’ in place of ‘virtue-ethics’ in ethical theories), since the mainstream, social scientific, approach to international relations theory, uses the *existing* frameworks of diplomacy, foreign policy, international law, and international organisations to solve, or at least manage more effectively, foreign policy problems for the benefit of the great powers, or emerging great powers in the *existing* international order (great powers in all historic state-systems often confuse their national interests for the common good, and what is required for a peaceful and prosperous international order). ‘Problem-solving theory’ is about the way great powers – and, emerging great powers, seek to rationally dominate the world since they seek to *replicate* the working of the existing international order (for their benefit). However, critical theorists argue what theory is, and what the purpose of theory is, ‘not just to explain the world, but to change it’.²⁶

Moreover, and more disturbingly, Merton highlights the importance of agency, choice, and *contingency* – regarding ourselves, our lifestyles, and our countries. This points towards the importance of narrative, or narrative theory, i.e. the kinds of stories, narratives we tell about the past, and conflicts in the past (in historic state-systems),²⁷ and how these narratives – rightly, or wrongly, and the way they influence the stories we tell about ourselves, our countries, and the world around us, which

²⁵ This point is clearly made by the series of books Michael Mandelbaum, a foreign policy expert at John Hopkins University, and the Council on Foreign Relations has written. The U.S.’s promotion of democracy and prosperity (free markets) around the world (‘peace on earth’) would have continued if it wasn’t for the China, Russia, and Iran. *The Ideas That Conquered the World: Peace, Democracy and Free Markets in the Twenty-First Century* (2002); *The Case for Goliath: How America Acts As the World’s Government in the Twenty-First Century* (2006), *Mission Failure: America and the World in the Post-Cold War Era*, Oxford University Press, 2016, *The Rise and Fall of Peace on Earth*. Oxford, Oxford University Press, 2019.

²⁶ Robert W. Cox: The Point is Not Just to Explain the World but to Change It, in Christian Reus-Smit and Duncan Snidal (eds.): *The Oxford Handbook of International Relations*. Oxford, Univ. Press, 2007. 84–93. Similarly, Jorge Mario Bergoglio, as Archbishop of of Buenos Aires, argued during some of Argentina’s darkest days, in lectures to educators, ‘Our objective is not only to form individuals who are useful to society but to educate persons who can transform it. Jorge Mario Bergoglio: *Education for Choosing Life: Proposals for Difficult Times*. Spanish, 2005; English, San Francisco, St. Ignatius Press, 2014. 66, 71.

²⁷ Martin Wight, a leading founder of the early English School of International Relations, warned a long time ago, ‘The danger in ransacking the past for a clearer understanding of contemporary conflicts [think of the crusades, *jihads*, Huntington’s concept of the ‘clash of civilisations’] is to forget that the past in its richness and indeterminacy, contains in equal measure clues to the conflicts that have *not* arisen and the *rapprochements* that will yet succeed’ (emphasis added). Wight, review

Merton's spiritual intuition *already* realised, links all of us in very uncomfortable ways to the global politics of living locally, and the local politics of living globally.²⁸ Perhaps, 'we' (i.e. the 'West' or 'Europe') are more aware of these global relationships today, but certainly not during the Cold War – unless, you were on the margins, part of any one of a number of types of racial, ethnic, religious, or national 'peripheries' in the world.²⁹ This is why seeing the world differently is already a way of beginning to change it,³⁰ and why the theory, and the study of International Relations is for all of us, and is far too important to be left to scholars, students, politicians, and political commentators.

3. THE CATHOLIC CHURCH, CATHOLIC THEOLOGY, AND CRITICAL THEORY AND SOCIAL CONSTRUCTIVISM IN INTERNATIONAL RELATIONS?

This section examines why Merton's spiritual intuition was so prescient, or perceptive, from an International Relations perspective, and why, retrospectively, it is possible to say he seems to have *anticipated* the need for seeing the world in ways that were later developed by critical theorists, and social constructivists in the theory of International Relations (**second epigraph**). In fact, some critical theorists, although indebted to Marxism, were not as hostile to religion or spirituality as it is often thought.³¹ Moreover, Benedict XVI, shares Adorno and Horkheimer's diagnosis of the origins of the problem of modernity, set out in *The Dialectic of Enlightenment* (1947). The foundations of the problem, which he argued they state with great

of Adda B. Bozeman: *Politics and Culture in International History*. Oxford, University Press, 1961, *International Affairs*, 38. (1962) 2. 228–229.

²⁸ Ken Booth (ed.): *Critical Security and World Politics*. Boulder, CO: Lynne Rienner, 2005.

²⁹ Martin Luther King was not aware of climate change, but he did not need Jonathan Safran Foer's book, *We Are the Weather: Saving the Planet Begins at Breakfast* (2019). He knew already a half century ago that our engaging with the rest of the world really does begin at breakfast (recall President Eisenhower sent him along with Vice-President Richard Nixon to celebrate Ghana's independence in 1957, the first African country that was colonised to gain independence). King preached at Christmas Eve, 'Did you ever stop to think that you can't leave for your job in the morning without being dependent on most of the world? You get up in the morning and go to the bathroom and reach over for the sponge, and that's handed to you by a Pacific islander. You reach for a bar of soap, and that's given to you at the hands of a Frenchman. And then you go into the kitchen to drink your coffee for the morning, and that's poured into your cup by a South American. And maybe you want tea: that's poured into your cup by a Chinese. Or maybe you're desirous of having cocoa for breakfast, and that's poured into your cup by a West African. And then you reach over for your toast, and that's given to you at the hands of an English-speaking farmer, not to mention the baker. And before you finish eating breakfast in the morning, you've depended on more than half of the world. This is the way our universe is structured, and this is its interrelated quality. We aren't going to have peace on earth until we recognize this basic fact of the interrelated structure of all reality' (Ebenezer Baptist Church, Atlanta, Georgia, 1967).

³⁰ Scott M. Thomas: *The Global Resurgence of Religion and the Transformation of International Relations*. Foreword by Desmond Tutu, London, Palgrave, 2005. 250.

³¹ Scott M. Thomas: Living Faithfully and Living Critically in a Global Age. *Millennium: journal of international studies*, 39. (2010), 2. 505–524; an updated, and expanded version of many of the arguments here is published in, Simon Polinder and Govert J. Buijs (eds.): *Christian Faith, Philosophy & International Relations*. Leiden, Brill, 2019.

clarity, goes back to Francis Bacon (1561–1625), and to the European Renaissance – the dialectical consequences of the rational and technological ‘domination’ of the world, which in Bacon’s new theological interpretation, would restore human dominion over creation – given to man by God, and lost because of original sin (*Spe Salvi*, no. 16, 25).³² What is important, not emphasized by the critical theorists, is that the interpretation of the concept of ‘dominion’ shifted with Bacon, and Renaissance humanism. The concept of ‘dominion’ was interpreted in Christianity until the early modern period as a prescribed right for humans to make use of other creatures (there was anthropocentrism), but until the Renaissance this was balanced by the doctrine of creation, which also indicated human beings were *also* creatures of God along with them.³³

Critical theorists contrasted the mainstream, ‘explanatory’, social scientific approach to theory (section 1), with Weber’s concept of *Verstehen* (‘understanding’) to develop a hermeneutic, interpretive approach to the study of International Relations. The focus of this approach is the analysis of ideas, beliefs, doctrines, reasons (rather than causes), and ‘internal meanings’ for social action through the use of qualitative methods, discursive analysis, and historical methods to ‘understand’ international affairs.³⁴ Unfortunately, as important as this hermeneutic, interpretive, approach to theory and methods is for understanding international relations, it seems to ignore Catholic sources, especially Aquinas, in his study of war, which in addition to the Weberian legacy, anticipated a hermeneutic, interpretive theory of social action in international relations.³⁵

³² De Lubac, in *Catholicism*, says, is ‘How can a religion which apparently is uninterested in our terrestrial future and in human fellowship offer an ideal which can still attract men [all people] today?’ (emphasis added). Benedict XVI says, as a contemporary interpretation of this argument, ‘It is not that faith is simply denied; rather it is displaced onto another level’ – ‘purely private and other-worldly affairs’, and ‘at the same time it becomes somehow irrelevant for the world’, and so the present day crisis of faith is ‘essentially a crisis of Christian hope’, since this hope, going back to Francis Bacon, the European Renaissance (not only an Italian cultural movement), who influenced the Frankfurt School, is a faith in progress, a new ideology of progress, the rational domination of the world, which he sets out in *New Atlantis*, a totally new world will come into being, the kingdom of man (*Spe Salvi*, no. 16–19). For an argument that presents Benedict XVI as a Catholic critical theorist, see Gad Yair, Pope Benedict XVI on Instrumental Reason and the Hidden Theology of Critical Theory. *Oxford German Studies*, 43. (2014) 2. 172–189.

³³ Peter Harrison: *Having dominion: Genesis and the mastery of nature*. London, T & T Clark International, 2006. 17–31; Richard Bauckham: Modern Dominion of Nature – Historical Origins and Biblical Critique. In James Berry (ed.): *Environmental Stewardship: Critical Perspectives – Past and Present*. London, T. & T. Clark International, 2006. 32–50.

³⁴ Martin Hollis and Steve Smith: *Explaining and Understanding International Relations*. Oxford, Univ. Press, 1991.

³⁵ Kuri, Hollis, and Smith engage with Aristotle’s more holistic understanding of ‘causation’ (his four types of causality), but the role of Aquinas, and the Scholastic philosophers is limited to the concept of final cause, and the idea of God in theology. However, Aquinas’s commentaries on Aristotle, especially those on *Physics*, *Metaphysics*, and the *Nicomachean Ethics*, use Aristotle’s holistic conception of causation, and narrative theory to understand social groups and their actions, and the example he returns to dozens of times – is the nature of war, the defining concept of International Relations. Clearly, a full account cannot be given here, but John Finnis updates Aquinas’s examples with reference to the D-Day landing in Normandy (1944), the recapture of France, and the defeat of Rommel’s Army B, establishing a bridgehead on Utah Beach. Milja Kurki: *Causation in International Relations*. Cambridge, Cambridge University Press, 2008; John Finnis, *Aquinas: Moral, Political, and Legal Theory*. Oxford, Univ. Press, 1998. 20–61; Kenan B. Osborne, OFM: *The Franciscan*

All theology and all theory in International Relations are developed in response to what is considered to be a problem at the time (Section 1). The problem by the 1980s, for many Europeans – and, some Americans, was not only the overarching reality of the Cold War, but also the more recent, and acute sense, especially among many Europeans (during the Reagan presidency), who felt they had a lack of ‘agency’ and were ‘helpless’, living under the overall structure of an international system, in which they had no voice, and was determined by the rivalries between the superpowers, especially with the rise of the nuclear parity (which did not exist in Merton’s time). There was something profoundly wrong – ethically, politically, and analytically, with the dominant stories, or the narratives each of the superpowers told about the world, since both were implicated in *producing* the existing structures of international power and knowledge (in the international system), and constructing the rivalry between them now threatening the world. This is one acute example of the overall ‘agency-structure problem’ in International Relations. In other words, there was a growing recognition of the limits to the *idea* of objective, value-free knowledge and explanations of events in international relations, promised by the mainstream, positivist, social scientific study of International Relations. Critical theory and social constructivism led to a possibility of restoring ‘agency’ to ordinary people (overcoming the sense of powerlessness) concerned about the threat of nuclear weapons by challenging the existing production of knowledge (what knowledge was, and how it was produced and constructed), with *new* forms of knowledge, new narratives, to interpret, and understand what was going on in international relations. These ideas contributed to the new activism of civil society groups and new social movements, which opposed the stationing of U.S. cruise missiles in Europe in the 1980s (the Euromissile crisis), which reflected the fear of nuclear war in Europe (and, what we now know, was the real threat of nuclear war in 1983 between the superpowers).³⁶ This new activism of civil society groups and social movements also contributed to the end of the Soviet Union and the end of communism in the 1990s.³⁷

Intellectual Tradition: Tracing Its Origins and Identifying Its Central Components. Saint Bonaventure, NY: Franciscan Institute, St. Bonaventure University, 2003. Why Aquinas used this example of war is also an interesting question, given what this chapter says about De Lubac, and Merton, and the way their theology and spirituality grappled in their times, in their historic state-systems, with how we see the world, including the world of international relations. Perhaps, Aquinas, as a Catholic theologian, and philosopher, with a deep spirituality (which, perhaps, is not always emphasised as much as his theology, and philosophy), believed he needed to say things to help others live faithfully admit the war and violence of their world?

³⁶ We now know there was a very real threat of nuclear war in 1983 when the Soviet Union came to believe under the cover of a NATO wargames scenario (Able Archer), the U.S. (President Reagan) was going to launch a nuclear first-strike against the Soviet Union, and so the Soviet Union decided to act first, and pre-empt the American first-strike with a nuclear strike of their own). Taylor Downing: *1983: Reagan, Andropov and a World on the Brink*. New York, Little, Brown, 2018. All these events are the subject of spy thriller, and coming of age drama, *Deutschland '83, '86, '89*, a German TV series (available with English sub-titles). Read this section, and watch the series to see how the argument fits together (the ruled of the churches in opposing communism is a minor subplot but at least it is there).

³⁷ Christian Reus-Smit: Realist and Resistance Utopias: Community, Security and Political Action in the New Europe. *Millennium*, 21. (1992) 1. 1–28.

Critical theorists and many social constructivists in International Relations make two theoretical moves – towards a social epistemology, and a social ontology, and from the perspective of Merton’s analogy of how we see the world, this can begin to change our mental map of international relations, and show those contours that firstly, clear a space, or open up a route, into theology and international relations theory for taking seriously, and investigating the great debates over theologies of the Eucharist, the mystical body of Christ, nature and grace, Eucharistic ecclesiology, and eschatology in relation to foreign policies, strategies of world mission, and events in contemporary international relations; and, secondly, and here, perhaps more tentatively, these contours open up a route, for a deeper, longer journey, or pilgrimage, which seeing, interpreting, ‘social Catholicism’ – what is *really* Catholicism (or what is *really* Christianity?), de Lubac reminds us, as a holistic, and integrative approach to dogma, reflected (even if dimly, or if deflected) in the social world of international relations – and, even, perhaps, more radically, with the deep spiritual intuition of the Franciscans (a radical Franciscan ontology and metaphysics), and is reflected in all of creation and all creatures (what the secular world prefers to call nature or the environment).

3.1. *Towards a Social Catholicism and a Social Epistemology*

Merton, perhaps, retrospectively, and more intuitively than analytically, challenged positivism and empiricism as the dominant epistemology, as the only valid way of constructing knowledge in International Relations. Why is this the case? When Merton argued we look at the world as if we were looking at objects through a glass case in a museum (we see ourselves separate from what we are seeing, and have no part in it), he was criticising empiricism, a specific type of the theory of knowledge, in which sense experience (going back to Locke), what can be empirically observed and measured, is the only valid type of ‘scientific knowledge.’ Ideas, beliefs, and inward meanings cannot be validated by the methods or techniques of empirical justification. However, it was rationalism (going back to Descartes), which questioned the coherence of what we too easily call ‘facts’, or raw sense data, without any process of ordering the data, and devising concepts, or categories, which do not come from the external world, but are used to organise, and evaluate the data.³⁸ Assumptions regarding what knowledge is, and how it is produced is based on a ‘correspondence theory’ of language, a correspondence theory of truth, and so the ‘truth’ of a theory, or a concept, is determined by how well it matches or ‘corresponds’ to those events determined through empirical observation of the world. This positivist approach to constructing knowledge, is reflected in similar approaches to history, as the discovery of ‘what actually happened’, and has distorted the quest for the his-

³⁸ What are called ‘facts’ – which may seem solid, are constructed, and are not simply out there in the world to be discovered by a researcher since description is *not* pre-theoretical. We bring theories, and assumptions to the way we describe things, which means we make decisions, choices about what concepts to construct, and use, but this inevitably points research in one direction, and not some other direction (e.g., the Fragile State Index, and the UN’s Human Development Index are based on theories, and assumptions regarding what factors can be measured are crucial for what they are investigating).

torical Socrates, as much as the quest for the historical Jesus, and the historical Francis of Assisi.

In contrast, critical theorists, social constructivists, emphasize the concept of social epistemology, indebted to the ‘linguistic turn’ in philosophy, and this powerfully reinforces the implications of Merton’s vivid analogy of how we look at the world. The linguistic turn interrogates the connection between facts and values, words and things, and symbols and what they symbolize in international relations (theologians will be familiar with the way the linguistic turn has also influenced the study of the liturgy). They argue the ‘truth’ about the social world cannot be gained through an (alleged) ‘correspondence’ between our theories, concepts, and some (objective) conception of events in the world. The main reason is that language is bound up with what ‘constitutes’ the world, and how people see, and interpret the world, rather than merely being a reflection of it. This is not, it should be emphasized, the same thing as ‘postmodernism’,³⁹ since such scholars do *not* doubt the world exists, nor do they doubt it exists ‘independent’ of our minds, but they *do* doubt we can get behind the ideas, words, concepts, dogma, or doctrines (i.e. language) of *statements* about the world in order to compare them to see if they ‘correspond’ to some objective conception of the ‘real world’, apart from the way we construct the social world to be the way it is – and, not in some other way.⁴⁰

This is what critical theorists and social constructivists mean when they say we live in a socially constructed world. We live in a social world of international relations, as much as people in the past lived in a social world, as they lived in a variety of historic state-systems (in terms of the history of international relations, and the history of International Relations theory). A variety of ideas, ideologies, theories, concepts, theologies, political theologies, and social practices ‘constitute’ what the social world is like in one way – and, not in some other way, since ‘in the social sciences some of the most important concepts are *constitutive* (and are used recursively) of the social world rather than simply mirroring or describing it’ (like in the correspondence theory of truth).⁴¹ What for St. Francis and St. Clare of Assisi, and their brothers and sisters, for example, constituted their social world in medieval Europe? It was constructed by the doctrines and social practices they used every day – crusades, martyrdom, pilgrimage, missions, holy wars, holy places, etc., and Muslims as fanatics, demons, heretics, idolaters. We also construct our social world with the concepts, and social practices we use every day – the state, sovereignty, ‘hordes’ of refugees, migrants, ‘religious violence’ (as something more dangerous than ‘secular violence’), ‘Islamist extremism’, and Muslims as ‘moderates’, as ‘ra-

³⁹ Friedrich Kratochwil: Constructivism: what it is (not) and how it matters. In Donatella Della Porta – Michael Keating (eds.): *Approaches and Methodologies in the Social Sciences*. Cambridge, Univ. Press, 2008. 80–98; Christopher Norris: *Uncritical Theory: Postmodernism, Intellectuals, and the Gulf War*. London, Lawrence & Wishart, 1992.

⁴⁰ Friedrich Kratochwil: Constructing a New Orthodoxy? Wendt’s “Social Theory of International Relations” and the Constructivist Challenge. *Millennium: journal of international studies*, 29. (2000) 1. 73–101.

⁴¹ Friedrich Kratochwil: History, Action and Identity: Revisiting the ‘Second’ Great Debate and Assessing its Importance for Social Theory. *European Journal of International Relations*, 12. (2006) 1. 5–29.

dicals', or 'extremists', 'fundamentalists', and a 'clash of civilizations' or a 'dialogue between civilizations'.⁴²

What does this mean for how we see the world – and, what we do, and do not see (Section 1)? All kinds of things happen in the world ('stuff happens', as Donald Rumsfeld, President George Bush's Secretary of Defence, famously said), but not all 'stuff' comes into our theories, our theologies, or political theologies, and, *which* stuff goes into our theories, our theologies, is determined by how the questions asked in the **second epigraph** at the beginning of this chapter are answered. All kinds of social activities happen in the world, but not all of them are 'events'. What are called events are *always* socially, politically, and religiously – or even, sometimes also economically, constructed (historically these have often not been separate categories), and they are really *narratively* constructed – by some actors, with some interest, and for some purpose to indicate the event's meaning and significance for their time. This was true in the past – regarding events in the ancient world, the medieval world,⁴³ early modern Europe, and it is also true in the present day regarding events in contemporary international relations. This is why international events are *not* something we observe objectively, as if they were happening 'outside ourselves', as if we were looking at objects through a glass case in a museum. All of us as, as Merton's early spiritual intuition acknowledged, are reflexively a part of these events ('look inside yourself: because you are it. And so, alas, am I'). This is why the world is a 'world of our making',⁴⁴ and we make the world the way it is, in one way – and, not *contingently* in some other way.⁴⁵

⁴² The concept of social epistemology, and what are called 'speech acts' in linguistic theory, i.e., the idea people achieve things with words (speech acts) all the time in the social world of international relations. Words create, and legitimate ideas, which in turn can lead to social actions. This can happen *negatively* – denigrating democracy, or free and fair elections, inciting hatred of races, religions, ethnic groups, refugees, or migrants; or, this can happen *positively*, as the concept of inclusive or 'full citizenship', used by Pope Francis and the Grand Imam Ahmad Al-Tayyib in the *Document on Human Fraternity for world peace and living together* (2019) to replace the language of 'religious minorities' in the Middle East. This is important for studying the impact of ideas, ideologies, theologies, and political theologies in historic state-systems, and it can have real consequences in contemporary international relations. It has *already* begun to challenge existing debates and paradigms – at the state and society levels of analysis, over minorities, migrants, and immigrants. It is another dimension of the concept of 'encounter', one of Pope Francis's main concepts, and how knowledge comes from the margins, the periphery (social epistemology) – in historic state-systems (St. Francis of Assisi, in the medieval 'mixed-actor' type of state-system), and in contemporary international relations. Scott M. Thomas: Pope Francis's Strategic Vision of Human Fraternity: A Culture of Encounter at Multiple Levels of Analysis from Argentina to Abu Dhabi and Iraq. In Fabio Petito – Fadi Daou – Michael D. Driessen (ed.): *Human Fraternity & Inclusive Citizenship in Interreligious Dialogue in the Mediterranean*. ISPI/Adyan Foundation/Italian Ministry of Foreign Affairs and International Cooperation, 2021. 102–118.

⁴³ Rodney Bruce Hall – Friedrich V. Kratochwil: Medieval tales: neorealist 'science' and the abuse of history. *International Organization*, 47. 3. (1993) 479–491.

⁴⁴ Nicholas Onuf: *World of Our Making: Rules and Rule in Social Theory and International Relations*. Columbia, University of South Carolina Press, 1989; reissued, Routledge, 2012. Friedrich Kratochwil: *The Puzzles of Politics: Inquiries into the genesis and transformation of international relations*. London, Routledge, 2011.; Friedrich Kratochwil: *Practice: Acting and Knowing*. Cambridge, Univ. Press, 2018.

⁴⁵ The argument cannot be developed here, but the emphasis on contingency in this chapter alludes to the usefulness of John Duns Scotus, the Franciscan philosopher, on agency, choice, and contingency in social action, and its relationship to peace-making, conflict resolution, and the theory

3.2. Towards a Social Catholicism and a Social Ontology

The concept of ontology deals with the nature of being and existence, what really exists, as opposed to what appears to exist. All theories of International Relations make assumptions about the unit of analysis – what kinds of actors, agents, or objects exist, are said to exist, and *constitute* international relations. The mainstream, social scientific, approach has emphasized an ‘individualist ontology’, i.e., the state or the individual as the unit of analysis (states are often treated as if it were acting like individuals), and individuals pursue their self-interest, and states pursue the national interest (these assumptions are part of rational choice theory, and ‘rational-actor models’ of state-behaviour in International Relations).

However, critical, and constructivist approaches, operate with the concept of social ontology, with their emphasis on process, identity, and social interaction, i.e. as social beings – states, or individuals, cannot be separated from events, nor from their context of social, ethical, cultural, and religious meaning that shapes who they are, and the possibilities available to them (another example of the power of Merton’s metaphor regarding how we see the world).⁴⁶ If international relations is a social world, first of all, this reflects, even in distorted ways (through sin), the sociality, process, and participation glimpsed in indigenous religions, Catholic Personalism, and in secular social theory (critical theorists and social constructivists).⁴⁷ It also means second of all, for international relations theory, states and non-state actors are ‘mutually constitutive’, i.e. their identities are socially constructed, and

of international relations. Jean-Nicolas Bitter, Senior Advisor on Religion, Politics, and Conflict in the Swiss Federal Department of Foreign Affairs used Scotus for his PhD dissertation at the University of Lausanne, *Les Dieux Embusqués: Une approche pragmatique de la dimension religieuse des conflits*. Genève-Paris, Librairie, 2003. This book is based on his PhD dissertation, and the external examiner was George A. Lindbeck, the founder of ‘post-liberal’ theology, and the author of *The Nature of Doctrine: Religion and Theology in a Postliberal Age*. Westminster, John Knox Press, 1984.

⁴⁶ Many critical theorists, and constructivists in International Relations talk about the social and ethical context, and omit culture and religion, and in this way betray their own (narrowly Western), secular, liberal, perspectives, even though at the same time they plead for a more ‘global’ study of International Relations. However, their secular perspectives do not fit well with the ‘religious world of the global South’, i.e., the shifts in demography, economics, megacities, literacy, and the rise of an urban, educated, and religious, global middle class that constitutes the religious world of the twenty-first century. Scott M. Thomas: *A Globalised God. Foreign Affairs*, Council on Foreign Relations, 89. (2010) 6. 93–101.

⁴⁷ This chapter cannot explore the link between the concept of social ontology, social Catholicism, and Christian Personalism in Catholic social teaching. However, some of these relationships already appear in traditional African religions, and African Christianity, such as Desmond Tutu’s concept of ‘Ubuntu theology’, with its famous Xhosa aphorism, ‘a person is a person through other persons’ (recall Nelson Mandela belonged to the Xhosa royal lineage). This is a much clearer definition of social ontology than what is found in modern social theory rooted in African indigenous cultures and societies. Africans knew the truth of this long before modern Europeans discovered, or rediscovered it. Thomas C. Oden: *How Africa Shaped the Christian Mind: Rediscovering the African Seedbed of Western Christianity*. Westmont, InterVarsity Press, 2007. The story of how the *reflexivity* of this relationship can operate, for example – between African experience, the modern Church, and modern Catholic teaching, with young African Catholics studying in Paris (late-1940s-1960s), pushing for a truly universal church, is challengingly and beautifully told in Elizabeth Foster: *African Catholic: Decolonization and the Transformation of the Church*. Cambridge, Massachusetts, Harvard University Press, 2019. This book should be read together with Ratzinger’s *The Unity of the Nations*.

it is through their social interactions they constitute the social world of international relations (but there is a caveat to this).⁴⁸ These reasons indicate why critical theorists and social constructivists have a more holistic conception of what constitutes ‘international relations’, and ask the question, what kinds of *actors*, doing which *activities*, are socially and politically *constructed* as ‘events’, by *whom*, and in whose *interests* – in different historic state-systems, or modern international affairs (**second epigraph**)? It is on this basis religion and religious actors until 20 years ago were ignored or marginalised in International Relations. Moreover, for scholars, political activists, and members of religious orders interested in the actors on the margins and peripheries in international relations (indeed, the theory sometimes denies that they even are actors or have agency in the world), the concept of social ontology leads to the crucial question, a very Franciscan question, who is included, or *excluded* from our explanations or understanding of international relations?⁴⁹

Finally, and, perhaps more tentatively, with the concept of ‘social ontology’, this new mental map, and contours this chapter has drawn, clear a space, or open up a route, for a deeper, longer journey, or pilgrimage,⁵⁰ which seeing, interpreting, ‘social Catholicism’ – what is *really* Catholicism, as a holistic, and integrative approach to dogma, is reflected (even if dimly, or if deflected) in the social world of international relations. In fact, perhaps, it is possible to argue, de Lubac made the same point made here, and implicitly criticised the concept of an individualist ontology, as it was mistakenly applied to Catholicism (in the doctrine of salvation), and certain forms of Catholic spirituality when he asserted Catholicism is essentially social in its essence and its dogma. (**first epigraph**). Recall, why he said this (a result of his retrieving the Church Fathers), and why he believed a proper understanding of dogma was so important, was directly related to war and peace, society, politics and international relations – the spiritual state of Catholic France in the inter-war period, the fall of France, and the start of World War II.⁵¹

⁴⁸ However, in this standard formulation there is ‘an unbearable lightness’ (Milan Kundera) to social constructivism – which still treats, like Kundera, individuals – states or human beings, as if their identities, who they are, is mainly determined by events, their choices, and by their social interaction, rather than recognise that ‘there are things that shape us’ – family, and a variety of social, cultural, and religious traditions, ‘even before we have choices’ (Irving Howe, secular, Jewish, intellectual who founded *Dissent*, the leading American social democratic magazine, as a non-Marxist alternative to *The New Left Review*). Scott M. Thomas: *The Global Resurgence of Religion and the Transformation of International Relations*. London, Palgrave, 2005. 92–96.

⁴⁹ The concept of ontology – and what is argued here, the concept of social ontology, clarifies one of the main reasons for the U.S. failure in Vietnam (ignoring or not recognizing the power of those on the margins, the peripheries, non-state actors, the power of Vietnamese nationalism, Vietnamese Buddhism, and Vietnamese Catholicism), and a similar failure led to a distorted view of Iran’s Islamic Revolution.

⁵⁰ Mariano Barbato: *Pilgrimage, Politics, and International Relations: Religious Semantics for World Politics*. London, Palgrave, 2013.

⁵¹ What is not being said here is incorrect dogma ‘caused’ (‘efficient causation’) the fall of France, the rise of Vichy, etc. What is being said, is what de Lubac identified as a problem of dogma, was Christianity’s *simultaneously* social, historical and interior character, could reasonably be considered to be part of a more holistic, Aristotelian, concept of causation (i.e., really ‘reasons’ for social action, rather than ‘causes’, narrowly considered as efficient causation) in history, historical theology, and the study of International Relations. This offers a better understanding of events in international relations in ways that are challenging to living faithfully today. Reading, for example, Robert A. Krieg: *Catholic Theologians in Nazi Germany*. New York, Continuum, 2004, and Helena Waddy:

However, if Catholicism's essential nature, if Christianity's essential nature, as social, or relational reflects the deepest *mystery* of the faith, its trinitarian concept of God, then this social, relational aspect is radically rooted ('radix') in God's love for all of us, for the world, and all creation (rather than the secular concepts of nature or the environment). Therefore, to what extent does the concept of social ontology, or a recovery of the concept of social ontology, if it is not to be, or become yet another secular parody, needs to be recognised as part of a trinitarian reflection of the world – and, a way of seeing, and trying to restore all creation, as well as the unity of the nations in the social world of international relations? Indeed, the concept of social ontology helps clarify why the radicalism of Franciscan metaphysics is relevant to international relations. For Francis, Clare, and their brothers and sisters, God is both Creator and Father, and so all people, all creatures, and creation are – *really*, ontological siblings. This is the core reality of the world, the deep ontological principle underlying it. St. Francis's famous poem, 'Brother sun, Sister moon', is not only charming poetry, but a profound statement of Franciscan metaphysics to international relations.

4. CONCLUSION

*Living Critically and Living Faithfully in the World:
Theory as 'Prophetic Critique' and 'Everyday Social Practice'*

'Problem-solving theory' is how critical theorists, and social constructivists have dismissed the mainstream social scientific study of International Relations. One of the ways they have tried to move beyond it is with the concept of 'theory as negative critique', which probes in more holistic, and integrative way the historical (historic state-systems), and contemporary problems of international relations. However, it might be argued this points toward the horizon of the Scriptures, to the Church Fathers, with their vision of the unity of the nations, absorbed in the Middle Ages (the Catholic concept of international society), and to early modern Europe, with contending visions of the political theology of international order – why and how did the world came to be divided into states, how did the state came to monopolize our vision of loyalty, identity, and meaning, and how did the relations between states in a state-system – or in international society, came into existence, spread around the world, as an accumulation of social practices, and diplomatic practices, and also as a body of thought, and should international society remain this way? This

Oberammergau in the Nazi Era: The Fate of a Catholic Village in Hitler's Germany. Oxford, Univ. Press. 2010, from the perspective of critical and constructivist theory and methods – the Nazis tried to destroy Catholic faith, life, and culture in Oberammergau, and replace it with Nazi rituals, practices, and culture, points back to de Lubac's radical, social, concept of Catholicism, with its *simultaneously* social, historical and interior character. This critical, constructivist, way of seeing the world, with this same social, historical, and interior conception of Christianity – its presence, its absence, its distortions offer a challenging way to engage historical theology, the history of International Relations theory (different historic state-systems), and a variety of global issues contemporary International Relations (cultural and religious differences, and secular and religious forms of ideology, nationalism, and extremism).

chapter has argued that the answer to these questions have always been as much about the political theology of international order as the theory of International Relations.

In fact, the concept of theory as negative critique can also be called theory as ‘prophetic critique’ – going back to the biblical prophets, and among the ‘Abrahamic religions’, even if their interpretations can differ (Judaism, Christianity, and Islam). The theory and methods of critical theory and social constructivism help reconfigure theory as negative critique, and the ‘prophetic imagination’ (Walter Brueggemann) as – a ‘theory as prophetic critique’, which offers an alternative way of seeing the world, and understanding, interpreting what is going on in international relations. It criticises the way theory in International Relations uses problem-solving theory, which Brueggemann wonderfully expresses, as the ‘language of managed reality’, to indicate how the dominant culture, and dominant great powers, and emerging great powers – in the ancient Near East/ biblical times (Babylonia, Assyria, Egypt, Persia), other historic state-systems, during the Cold War (Section 2), and in contemporary international relations, constructed *their* social world, *their* power relations, and dominant, authoritative conception of reality, and knowledge of what is going on in the world, with its narratives, interpretations, and legitimations of the international order.⁵²

What critical theorists, and social constructivists call ‘theory as everyday social practice’ is a way of bringing together ethically and analytically the ‘everyday politics of global living’ (which Merton gained through his spiritual intuition, and Martin Luther King so vividly expressed in his Christmas Eve Sermon). One of the central tasks of critical theory and social constructivism is to be reflective about our everyday social practices – all of us live out a theory of International Relations (and, even a political theology of international relations), by the way we live our lives, in the way we ‘act’, the choices we make, what we buy, what we consume, what we eat, how we travel, i.e. in our everyday lifestyles we live out ‘the local politics of world politics’, and this chapter has tried to indicate this is why there are so many theories, so theologies, so many political theologies, and the bodies keep piling up. It has briefly tried to indicate there is another more radical (‘radix’) way of seeing the world, and why seeing the world differently is already a way of beginning to change it.

However, this is why theory as negative critique, as prophetic critique, and theory as everyday social practice are so relevant for seeing the way theology, theological debates, and historical theology can develop, and have developed, in mutually constitutive ways with theorising in specific historic state-systems (his-

⁵² Walter Brueggemann states, ‘The language of empire’ – in the ancient Near East, the Middle Ages, and in contemporary international relations, ‘is surely the language of managed reality.’ Brueggemann sets out this social constructivist interpretation of the prophets, and biblical prophecy, and it is clear this interpretation of the prophets is informed by Peter Berger and Thomas Luckmann: *The Social Construction of Reality: A Treatise on the Sociology of Knowledge*. New York, Doubleday, 1966; Walter Brueggemann: *The Prophetic Imagination*. Minneapolis, MN: Fortress Press, second edition, 2001. 1–19, esp. 3, 64, 130. *Theology of the New Testament*. Fortress Press, 1997, in which he makes some of his arguments using an array of American foreign policy advisors, and scholars of International Relations – McGeorge Bundy, Francis Fukuyama, Averell Harriman, Henry Kissinger, Martin Luther King, and Paul Kennedy (on the rise and decline of great powers.

tory of International Relations theory), and in contemporary international relations. Recall the central *ontological* question regarding International Relations is about how actors, activities, and practices construct what is retrospectively called, ‘international relations’, in history, in historic state-systems, and in contemporary international affairs. Each of these forms of inquiry, moving beyond positivism in history, theology, and in International Relations, point to the limits of historical knowing – historical ‘facts’, as much as ‘facts’ in international relations, are always a part of a story, a narrative. History is not simply ‘there’, nor are ‘facts’, or ‘events’ simply ‘out there’ in international relations. It all depends on how you see the world. There is a need for historical reflection since it is from ‘the present that the past is *always* recollected, and can be joined to the future’ by a ‘political project’, and it is because ‘we know things could have been different’ (Kratochwil) – as this chapter has emphasized, agency, choice, contingency, the more we deepen our understanding of the past, we begin to sense the ‘decision points’, the ‘dialectic of choice’ – the complexity of ideas, values, and emotions surrounding the choices that have been made. We can begin to see the opportunities forgone, which might have sent the narrative, the outcome, in *another* direction (Wight). In this way we all can become more aware of our *own* potential as agents in today’s social world of international relations with the potential to help make a better future for all of us.

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RELIGIOUS FREEDOM IN DEMOCRATIC SOCIETIES

1. ON CONSTITUTIONAL VALUES IN GENERAL

The relationship between values and laws is a complex one, as the answers are inextricably linked to the researcher's discipline. For example, we may study the historical development of laws or the traditional role of law in society.¹ It is clear that the constitutional rules governing the relationship between the individual and the community² have been shaped by historical developments. It is important to study these issues due to their constitutional importance and the immanent values they reflect.

Even if we interpret the law in a relatively simplistic way, if we argue that the law is just a set of rules that regulate how two parties should treat each other³, we must never ignore the values embodied in these rules. Values are important because the elements of a legal system are promulgated, accepted or enforced by the state itself.

2. THE CONSTITUTIONAL ROLE OF COMMUNITIES IN GENERAL

According to every contemporary school of jurisprudence, popular sovereignty is an inalienable part of constitutionality. This fact, which underpins the legitimacy and popular support of contemporary order, is supported by historical developments. Thus, for the proponents of this theory, legitimacy is nothing more than the subjective side of our current state and legal systems. This position leads to several conclusions. First, we cannot analyse an existing constitution or constitutional system without understanding the entity or sovereign that created the whole structure. Therefore, the creation of a completely objective constitution, constitutional order or legal system is only a theoretical possibility. Secondly, every constitution, constitutional order or legal system belongs to a well-defined sovereign. Thus, the Fundamental Law of Hungary is not just a collection of positive legal norms that, almost by acci-

¹ Kukorelli, István: *Tradíció és modernizáció a magyar alkotmányjogban*. Budapest, Századvég, 2006.; Balogh, Elemér: *Alkotmányunk történelmi dimenziója*. In Trócsányi, László (ed.): *A mi alkotmányunk*, Budapest, Komplex, 2006. 39–42.; Péteri, Zoltán: *Tradíciók és emberi jogok Magyarországon. Acta Humana*, 2. (2002) 2. 32–47.

² To understand how current events influence the drafting of a constitution consult Varga, Csaba: *Jogállami? Átmenetünk?* Pomáz, Kráter, 2007.; Kukorelli, István: *A jogállamért*. Budapest, Püski, 1989.

³ Szilágyi, Péter: *Jogi alaptan*. Budapest, Nemzeti Tankönyvkiadó, 1992. 159–163.; Péteri (2002): *op. cit.*, Erdő, Péter: *Egyházjog*. Budapest, Szent István Társulat, 2003. 47.; Kukorelli, István (ed.): *Alkotmánytan I*. Budapest, Osiris, 2002.77.

dent, regulate the behaviour of every Hungarian citizen and every legal and natural person residing in Hungary. Rather, it is a unique legal instrument that belongs to the Hungarian people. This view is openly expressed in the National Declaration of the Fundamental Law of Hungary.

If we want to find the sources of sovereignty in the Fundamental Law, we will get five different answers. They are the people [who, according to Article B(3), are the source of public power], the nation [since, according to Article 9, the President of the Republic embodies its unity], the Hungarians [who must also exist within the borders of Hungary, since, according to Article D, Hungarians also live beyond the borders of Hungary], and, finally, the national and ethnic majority [since, according to Article XXIX, the majority and the national minorities of Hungary, or, according to the terminology of the temporary Constitution, national or ethnic minorities, are all constituent parts of the State]. It is difficult to find an open and logical answer to our original question in this terminological morass. Therefore, without even trying to clean up this mess,⁴ we simply state that the nation as a community is the sovereign body that is entitled to adopt a constitution and is the subject of the state and legal order.⁵

Of course, we need to identify the bonds that unite the members of a nation. The overt exercise of state power is part of this equation. However, if we accept that the community of individuals in a country exercises power together, this has important consequences. First, if we accept this, then the subject has a real meaning, namely that each individual belongs to something called “we”.⁶

There is no logical process that could prove that constitutional rules established by nations as communities do not apply to smaller groups, such as religious communities, that make up the nation as a whole. If we accept that constitutionality is closely related to the collective exercise of power, then we do not need to prove that smaller communities that share certain characteristics that do not violate the legal order are entitled to constitutional protection. These groups include religious communities that share theological views and rites. To deny this principle is to deny constitutionality.

⁴ We want to note that we are not attempting to define the concept of nationhood because we find such efforts worthless. We will simply sidestep the problem because this move will make generalising our conclusions easier. Gyurgyák’s 2007 detailed analysis of the development of Hungarian nationhood, which relied heavily on Ernest Renan, highlighted that [the Hungarian nation is] “a shared memory from the past and a shared plan for the future” or “It is a nation-building project, plan and aim which happens at the same time [...] although it [ie. the nation] is an imaginary group, yet it exists as a real community.” (Gyurgyák, János: *Ezzé lett magyar hazátok. A magyar nemzeteszmé és nacionalizmus története*. Budapest, Osiris, 2007. 15,17.) We will highlight the same duality in the latter part of our paper. Kántor’s 2004 book provides a more wide-angle study of nationhood.

⁵ Zlinszky, János: *Az Alkotmány értéktartalma és a mai politika*. Budapest, Szent István Társulat, 2005. 15.

⁶ This is best illustrated by the introductory sentence of the Constitution of the United States of America: “We the people.” The importance of me and the unavoidable nature of membership in the community is plastically illustrated by Scruton. Roger Scruton: *England and the Need for Nations*. London, Civitas: Institute for the Study of Civil Society, 2004. 21–23.

3. THE ESSENTIAL BONDS THAT UNITE COMMUNITIES

Joseph Ratzinger, the future Pope Benedict XVI, interpreted the meaning of “we” somewhat differently when he examined the factors that enabled the Jews to survive as a people. He emphasised the role of the law, but he also attributed the survival of the Jewish people to two other factors beyond the law, namely cult and ethos.⁷ For our study the role played by the cult in this process is the most relevant. Since many emphasise either the laicity of the state or the strict separation of church and state, it must be possible, at least superficially, for nations to exist without a shared religious or transcendental experience. However, there is ample evidence, provided by three non-theologians who have approached the issue from three different angles, to undermine this proposition.

Paul Johnson, for example, pointed out that “President Eisenhower, himself the archetype of the generalised homo Americanus religiosus, asked the nation only for ‘faith in faith’. He told the country in 1954: ‘Our government makes no sense unless it is founded on a deeply-felt religious faith – and I don’t care what it is.’”⁸

A second academic, György Matolcsy, argues that “the idea of America has become a religion. The American flag and the fact that they belong to the American nation demand an almost religious reverence from a large number of Americans [...]”⁹

Finally, according to Samuel P. Huntington, “America’s civic religion gives a religious answer to things Americans believe unite them. [...] The American creed is Protestantism without God.”¹⁰

Therefore, no constitution, including Hungary’s Fundamental Law, can become a universally accepted foundation for the whole nation without a common ground shaped by shared historical and transcendental experiences. To achieve this common ground, mere rational acceptance, such as justification by positive law, academic research or social behaviour, often enforced by external forces, is not enough. Instead, we need things like an emotional attachment, or even better, a spiritual attachment, to the belief that we are on the right track, and that this is only possible because of our constitutional order.¹¹

Therefore, it is not true that a written constitution is a valuable document in itself. Rather, constitutions must guide society. If the values enumerated in the constitution are not generally accepted by the population, then the legal framework created by the constitution will not be accepted by the public either. If this is the case, people will not follow the legal system of their own volition. In this case, the constitutional order is based on external forces and not on the consent of the whole community.

⁷ Joseph Ratzinger: *The Spirit of the Liturgy*. San Francisco, Ignatius Press, 2002. 16.

⁸ Johnson (2005): op. cit. 657.

⁹ Matolcsy, György: *Amerikai birodalom. A jövő forgatókönyvei*. Budapest, Válasz, 2004. 84.

¹⁰ Samuel P. Huntington: *Who Are We?: The Challenges to America’s National Identity*. New York, Simon & Schuster, 2004. 169. 172.

¹¹ This approach is not rejected by even individualistic schools of social studies. Values like trust or social capital are norms that make cooperation possible within groups and finally between individuals within a society. Francis Fukuyama: *The Great Disruption*. New York, Free Press publisher, 2000. 33.

If a legal system is held together only by common interests, then constitutionality and the rule of law are merely a cover for the practical exercise of power, not the constitutional framework of an existing nation. To create a real nation, we need to go beyond shared rational interests by establishing a shared transcendental experience or some kind of group solidarity that can hold the members of the community together.¹² If we interpret solidarity in this way, then the legal framework of any new state is inevitably determined by a nation's historical past. Therefore, new constitutional orders are not created by *a priori* processes. Rather, they reflect the constitutional orders of the nations themselves.

4. THE RELATIONSHIP BETWEEN PERSONAL VALUES AND LAWFULNESS

If we interpret the law through the lens of normative positivism, then we must analyse the question of lawfulness.¹³ Lawfulness focuses on whether a legal norm has been properly enacted and whether the content of the given legal instrument conforms to relevant standards. We must therefore answer an age-old question in jurisprudence: are there *a priori* norms that must be present in every legal instrument, or are there certain permanent theoretical values that exist independently of practical legal rules?

Radbruch answers this question quite succinctly. He argues that yes, there are some erroneous legal norms in every legal system. However, if a norm seriously violates the basic principles of justice, it can never be classified as law. Instead, the injustice is merely facilitated by the supposed law. We agree with Radbruch that laws retain their formal legality as long as they respect one key principle, the fair treatment of each party or individual.¹⁴ If the definition of law is inseparable from

¹² When we talk about solidarity, we want to highlight that, despite arguments provided by Gyurgyák, Kántor, Ratzinger, Eisenhower, Johnson, Matolcsy and Huntington, we do not base our position on historical or sociological evidence. Instead, solidarity is an inherent part of every legal system according to our dogmatic interpretation of the law. Therefore, laws can not exist without solidarity.

¹³ However, we want to highlight that this is just our starting hypothesis because we reject the merely normative positivist interpretation of the law. We hold this position because there is an internal contradiction, which according to Frivaldszky is present in Kelsen's pure theory of law because according to Frivaldszky Kelsen "has continuously attacked a form of law which, in his mind, did not exist." Frivaldszky, János: *Klasszikus természetjog és jogfilozófia*. Budapest, Szent István Társulat, 2007. Therefore, we deny the exclusive existence of legal positivism. Nevertheless, we will still use this approach as one of our tools during our study because legal positivism can identify some key elements of our research. Therefore, legal positivism is just one element of a multifaceted interpretation of the law. For more information consult Pokol, Béla: *A jog szerkezete*. Budapest, Gondolat – Felsőoktatói Koordinációs Iroda, 1991. 113–130.

¹⁴ It is no coincidence that we have compared Zlinszky's interpretation of values with Mohl's theory of the rule of law. Dicey also accepts that laws must never violate the immanent barrier that protects human freedoms. It should be noted, however, that Dicey arrives at this point through a different methodology. Albert Venn Dicey: *Introduction to the Study of the Law of the Constitution*, Indianapolis, Liberty Fund Inc., 1982.

the natural equality of people, then the legal framework built upon these laws guarantees equal dignity for all.¹⁵

We do not have time to prove that we cannot exclude transcendental or other non-rational elements from the interpretation of the law. However, we can illustrate our point with an example. One such example is the principle, enshrined in the Universal Declaration of Human Rights, that human beings are born equal in dignity. If we treat human dignity as one of the fundamental human rights and ignore the transcendental aspects of this phenomenon, we will focus on the personal issues of human dignity. This is a problem because the right to human dignity and the right to life only make sense in the context of public law, which regulates the relationship between the state and its citizens. If we move away from public law, the right to human dignity and the right to life will no longer be treated as fundamental rights. Instead, we will focus on the protection of derived rights such as freedom of expression, self-fulfilment, data protection, etc. This creates a very peculiar situation where the human person is defined by these particular rights and we treat the combination of these rights as a whole. Suddenly the partial becomes the whole. This either leads to the disappearance of the person who is entitled to equal rights and dignity, and these values become irrelevant factors in the law, or the individual simply becomes someone who is merely entitled to enjoy these particular rights, as János Zlinszky argues.¹⁶

Therefore, we would like to argue that if legal and constitutional systems do not respect inherent human dignity, then they are merely a kind of cover for the physical exercise of power. Following the logic of János Zlinszky, if a system of legal norms does not recognise the value of human dignity, it is at best a mere imitation of law. Thus, respect for human dignity, which is inseparable from our human nature, is a fundamental, universal, objective characteristic of law and a key requirement of legality. However, this fact is not a consequence of overt legislative action; rather, the need to respect human dignity is about respecting a natural element of law. To put this concept in another way, Radburch unconsciously reintroduced natural law into positive law.¹⁷

¹⁵ It is no coincidence that, according to the Hungarian Constitutional Court, this is the basis of the Hungarian legal system. This fact is supported, for example, by the following decisions of the Constitutional Court 8/1990. (IV.23.) AB, 27/1990 (XI.22.) AB or 57/1991 (XI.8.) AB. According to the 1991 decision, “the right to human dignity was an alternative term for ‘general personal law’”. This decision also expressed the view that modern constitutions and the practice of contemporary constitutional courts describe these ‘general personal laws’ through their various incarnations, such as the right to live according to one’s personality, the right to make one’s own decisions, the general freedom of action or the right to privacy. The ‘general personal right’ is thus a ‘fundamental right’ that exists to protect the autonomy of the individual when a case is not explicitly protected by a specific law. According to the Constitutional Court, the right to self-identification and the right to individual autonomy are key elements of this ‘general right to privacy’. László Sólyom also underlines the importance of this fact in Sólyom, László: *Az alkotmánybíráskodás kezdetei Magyarországon*. Budapest, Osiris, 2001. 452–459.

¹⁶ Frivaldszky, János: Az emberi személy alkotmányos fogalma felé. In Schanda, Balázs – Varga Zs., András (eds.): *Láttelel közjogunk elmúlt évtizedéről*. Budapest, PPKÉ JÁK, 2010. 41.; Pokol, Béla: *Alkotmánybíráskodás – szociológiai, politológiai, és jogelméleti megközelítésekben*. Budapest, Kairosz, 2014. 82–89.

¹⁷ Frivaldszky (2010) op. cit., 412–418.

5. CHRISTIAN ELEMENTS IN CONTEMPORARY EUROPEAN PUBLIC LAW

To equate solidarity with human dignity through solidarity is not a new idea. This position takes us in a very concrete direction in sociological interpretations of the law. János Frivaldszky has analysed how the principle of subsidiarity, as interpreted in Pope Pius XI's *Quadrogesimo Anno*, became one of the main principles of the European Union, guiding the daily work of many EU institutions. Interestingly, subsidiarity is also based on natural law.¹⁸ Frivaldszky also argues that law, by our definition, is relational or interpersonal, so we must not interpret law as something created by oppressive power relations.¹⁹ What we hoped to add to this argument is to show that the relationships that link solidarity, human dignity and subsidiarity can also be interpreted through the lens of legal dogmatics.

Thus, we can see that many classical features of our views on law and constitution are based on elements created by Christian thinkers. The most important example of this argument is our contemporary commitment to the principles of solidarity, human dignity and subsidiarity that have always underpinned the social teaching of the Catholic Church.²⁰ Then legal scholars grafted these ideas into secular thinking and laws, such as Hungary's Fundamental Law. This process has been thoroughly analysed by Professor Balázs Schanda.²¹

If we examine the commonly held belief that all human beings are born free and entitled to equal dignity, we will find that this idea predates the Universal Declaration of Human Rights by some 1350 years. For according to Pope Gregory the Great, who lived in a period that many call the Dark Ages, every human being is equal by nature.²² We can even go back to even earlier periods of human thought. For example, the philosophical underpinnings of the parallel authority governing the relationship between church and state are present in the Gospels. These ideas are also present in early Christian apologetics. The essence of parallel authority is that Christianity does not deny the power of emperors to regulate the behaviour of their subjects, and that Christianity is not hostile to the Roman state.

If we examine the relationship between the Middle Ages and the Renaissance from this perspective, we will find that the rediscovery of Greek philosophy and Roman legal thought in the 15th century did not take place in a vacuum. Rather, these ideas had always been present in Christianity. This theory is supported by two main pieces of evidence. First, the sources of Canon Law and the developing discipline of Canon Law. These have been studied in detail by Péter Erdő.²³ Secondly, many

¹⁸ Scruton (2004): op. cit., 71–85.

¹⁹ Frivaldszky (2007) op. cit., 422–433. See also Pontifical Council of Justice and Peace: *Compendium of Social Doctrine of the Church*. 2006. Online: https://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_en.html 91–96., 107–109., 11–114.

²⁰ Arno Anzenbacher: *Christliche Sozialethik*. Stuttgart, UTB, 1998.

²¹ Schanda, Balázs (ed.): *The Mutual Roles of Religion and State in Europe*. Trier, University of Trier, 2013.

²² Babura, László: *Nagy Szent Gergely élete*. Budapest, Szent István Társulat, 1927. 34–36.

²³ Erdő, Péter: *Az egyházjog forrásai. Történeti bevezetés*. Budapest, Szent István Társulat, Budapest, 1998.

of the early Church Fathers, who were either philosophers or lawyers, such as Saint Justin the Martyr, Origen, Tertullian or Saint Augustine, also dealt with these issues.²⁴

Furthermore, as Professor Szabolcs Anzelm Szuromi's research shows, Christianity played an important role in replacing family or tribal loyalties with territorial jurisdictions through the establishment of Christian diocesan jurisdictions.²⁵ This development is extremely important since territorial jurisdiction is one of the foundations of modern democracies.²⁶ Finally, we can go back even further, since many contemporary features of procedural law, rules describing the role of witnesses or the right to defend oneself, have their roots in Old Testament Jewish jurisprudence.

In conclusion, Christianity has provided the theoretical foundations for our contemporary European and Western views of society and law. However, in the doomed attempt to create a constitution for the European Union, the drafters of the Charter were unwilling to incorporate these two-thousand-year-old values into the proposed constitution. This attitude of Western elites towards Christianity has not changed since then. Today, Christians, who have always been prepared to accept the independent authority of the emperors, find themselves in a very peculiar situation. This circumstance is best illustrated by the Manhattan Declaration: "We will render to Caesar what is Caesar's fully and ungrudgingly. But under no circumstances will we render to Caesar what is God's."²⁷ Or, to put the same idea in a more mundane way, the state must treat every basic human right equally. Therefore, the state must protect the religious freedoms of its citizens and allow everyone to live according to the tenets of their beliefs at home and at work, or allow them to practise their religion as individuals or in groups.

6. THE CONSEQUENCES OF OUR FINDINGS

The most important consequence we have identified in this paper is that if we do not accept that religious freedom is a fundamental human value, then our legal frameworks and our views of society will contradict reality. These contradictions are not only dangerous because they often lead to inconsistent and arbitrary regulation, but also, based on our historical experience, almost inevitably lead us to tragedy.

In addition, our paper has identified another important issue. Namely, that states and their legal frameworks must fully respect and protect the right of every individual and religion to worship freely. However, the requirement of complete impartiality does not exist at the societal level. For example, public authorities may regulate the nature of cooperation between the state and religious communities according

²⁴ Vanyó, László: *Az ókeresztény egyház és irodalma*. Budapest, Szent István Társulat, 1988. 206–212., 215–240., 368–388., 397–408.; Vanyó, László: *Az ókeresztény egyház irodalma I*. Budapest, Jel, 2013. 786–834.

²⁵ Szuromi, Szabolcs Anzelm: *Egyházi intézménytörténet*. Budapest, Szent István Társulat, 2003.

²⁶ Scruton (2005): op. cit.

²⁷ *Manhattan Declaration: A Call of Christian Conscience*. Online: <https://www.manhattandeclaration.org/>

to their existing priorities. The rationale for this two-pronged approach is that states must not interfere in internal religious affairs, while at the same time establishing rules governing the relationship between the state and different religious communities.

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THE COMMON GOOD

A Key Concept in Christian Social Philosophy

1. INTRODUCTION

One of the most important challenges of our time, or any historical period, is to find appropriate local and, in the 21st century, global solutions to acute societal problems. A good solution is linked to “the validity of those concepts which explain the origins of our societies, the factors which regulate social life, the nature of state power, law, man, morality or the relationship between the individual and society. It is therefore closely linked to personal convictions.”¹ This means that the prevailing views of an era about humanity, community or law will inevitably influence the meaning of justice.² There is a very close relationship between these concepts, which in practice define and legitimise each other. A good example of this relationship is the content of the common good. A proper understanding of the common good will enable us to find the right local or global responses to various societal challenges. This in turn enables us to create and enforce the norms that make a just interpersonal and international world order possible. However, each worldview interprets the meaning of the common good in a very specific way, so it is not surprising that the concept of the common good (*bonum commune*) occupies a very prominent place in Christian social teaching.³

At present, however, the common good is often eroded, or even eliminated altogether, by the market-based approaches of contemporary legal systems. These include the promotion of various individual interests by arguing that conditions in other states are more attractive to investors.⁴

The concept of the common good can cover many things, such as happiness, descendants, the order of the universe, the maintenance and preservation of the human race, peace, justice, common interests⁵, the totality of public goods, the common

¹ Paluscsák, Pál: A közjó Szent Tamás erkölcstanában. *Hittudományi Folyóirat*, 20. (1909) 353.

² Szepesdi, Ervin: *A törvényes igazságosság fogalma*. Budapest, Stephaneum Nyomda, 1942. 5.

³ Walter Kerber: Gemeinwohl. In Gerfried W Hunold. (eds.): *Lexikon der christlichen Ethik* Band 1. Freiburg Basel Wien, Herder, 2003. 618. Lorenzo Ornaghi: Bene comune. In Centro di ricerche per lo studio della dottrina sociale della Chiesa (eds.): *Dizionario di dottrina sociale della Chiesa. Scienze sociali e Magistero*. Milano, Vita e Pensiero, 2004. 69. Furthermore, The Compendium of the Social Doctrine of the Church also uses the term quite frequently. Pontifical Council for the Justice and the Peace: *Compendium of the Social Doctrine of the Church*. London, Bloomsbury Publishing, 2006. 383–384.

⁴ Frivaldszky, János: A jogrendszer versenyé és a jogmegkerülés a természetjog, az igazságosság és a közjó mérlegén. *Iustum Aequum Salutare*, 12. (2016) 3. 113–140.

⁵ There is a very peculiar definition of common interest which is quite similar to the Christian definition of the common good: “Common interest is the thing which people would inevitably choose

nature of goods, the benefits of society, or a common understanding of essential issues. These “synonyms” illustrate that the common good can be and has been interpreted very differently throughout history, shaped by different worldviews.⁶ We believe that the true meaning of the common good, as defined by its classical Christian foundations, has almost been forgotten.⁷ Instead, according to the currently dominant schools of philosophy, such as positivism, laicism or historicism, the common good has already fulfilled its mission, so it can be consigned to oblivion.⁸ The Christian worldview utterly rejects these ideas. On the contrary, it can be argued that one of the main reasons for the ambivalent development of modernity and its enormous social cataclysm is that the proper understanding of the common good and natural law, which was still clear in the Middle Ages, has been forgotten, rejected, systematically persecuted, deliberately erased, or the idea has simply faded away.⁹

We must therefore return to the principle of the common good and build our individual and social lives and our states on this foundation.¹⁰ This will enable us to live our human lives with dignity¹¹ and it will make our societies real communities instead of what we call groups which are either false or temporary entities. After all, this is the only way to achieve progress, peace and prosperity in our lives.

2. ANTHROPOLOGICAL ASPECTS

Human beings are social and political creatures.¹² They can only flourish if they express their solidarity with their loved ones, their nation or their fellow human beings. This is so important because it is the only way an individual can become a useful and valuable member of society. Furthermore, without these reciprocal relationships there can be no healthy human society. Thus, human nature has two inalienable elements: individual personal consciousness and social or community consciousness.¹³ These two factors have two complementary implications. Firstly, that the community provides the financial, moral and intellectual foundations that enable

if they saw things clearly, thought wisely and acted beneficially without interests.” Walter Lippmann: *Public Philosophy*. New York, Mentor, 1955. 38.

⁶ The issue is covered in detail by Török, Csaba: Közjő vagy közérdek? Megfontolások a gazdasági világválság kapcsán. *Communio*, 18. (2010) 1-2. 63-81. Turgonyi, Zoltán: A közjó újrafelfedezése. In Bakos, Gergely (eds.): *Korunk iránytűje: A Caritas in Veritate kezdetű enciklika jelentőségéről* (Scintillae Sapientiae 2.). Budapest, L’Harmattan- Sapientia, 2012. 41–46.

⁷ Somogyi, József: A közjó. *Athenaeum*, 29. (1943) 1–2.; Rybka Ryszard: Il bene di tutti e di ciascuno: Il carattere morale del bene comune in san Tommaso d’Aquino. *Angelicum*, 96. (2019) 3. 367–368.

⁸ Dario Composta: *Filosofia morale ed etica sociale* (Subsidia Urbaniana 4). Roma, Urbaniana University Press, 1983. 175.

⁹ Lippmann (1993) op. cit., 89–100.

¹⁰ Johannes Michael Schnarrer (ed.): *Gemeinwohl und Gesellschaftsordnung* (Beiträge zum Naturrecht). Wien, Herold-Verlag. 1997.

¹¹ Enrico Berti: *Il bene di chi? Bene pubblico e bene privato nella storia*. Genova, Marietti, 2014. 25.

¹² Rybka (2019) op. cit., 372.

¹³ Somogyi, József: *A nemzeteszme*. Budapest, Szent István Társulat, 1941. 15–20.

us to realise our values.¹⁴ A person committed to his/her calling serves not only his/her self-interests but also he/she also helps his/her relatives, people and the entire human race. If we want to live our lives properly, which is the only real purpose of our earthly existence, we must have access to certain material and spiritual goods. If we are to enjoy these goods fairly, we must distribute them fairly. We can achieve this outcome through our well-managed natural and artificial communities. For us, communities are not limited to our current generation, but also include our ancestors and descendants.¹⁵

A human being is defined by three relationships. His/her relationship with himself/herself, with society or with other human beings, and finally his/her relationship with God.¹⁶ So anything that might damage the wholeness of these relationships cannot be seen as a positive development.¹⁷ Getting these issues right and protecting them at an individual and community level is vital. This is because these relationships and our lifestyles are the two main things that influence our earthly destiny or our well-being. To achieve this, we must protect the correct sources of authority that exist in society. Human beings belong to four types of community: family, nation, state and religion. These communities and their constituent parts all possess individual common goods.

If the common good exists, then individual goods must also exist. These two types of goods want to achieve their own specific goals, so we need to coordinate them. From the Christian point of view, there is no inherent conflict between individual interests or goods and the common good. On the contrary, the two are inseparable: “The difference between private and public matters is analogous to the difference that separates private law from public law. While the two are clearly distinct, they must never contradict each other. This means that private matters must never harm the public, and public considerations must never suppress or nullify matters that belong to the private sphere. This approach is one of the key things that separates Christian and pagan civilisations, because the right to individuality was created by Christianity. This was extremely important because it was the foundation on which the development of modernity was possible. The individual cannot be dissolved into the whole or the universal. Rather, as individual moral beings, people are entitled to their individuality within society. However, we must also protect the legitimate interests of society, the state or the community against excessive individual rights.”¹⁸ Our interpretation of this situation is that these two terms exist as a pair of correlative concepts, emphasising and influencing each other.¹⁹ Furthermore, we believe that if one half of this relationship weakens, the other half will also weaken, and if one side strengthens, the other will also do the same.

¹⁴ Kecskés, Pál: *A keresztény társadalomelmélet alapelvei*. Budapest, Szent István Társulat, 1938. 91.

¹⁵ Somogyi (1943) op. cit., 1.

¹⁶ We would like to mention that a human being can only be just towards himself or God only *metamorifice* since, if we interpret this term narrowly, humans can only be just towards other humans or man-made communities.

¹⁷ Paluscsák (1909) op. cit., 360–361.

¹⁸ Dudek, János: *A vallás mint magánügy*. In Dudek János: *Dogmatikai olvasmányok*. Budapest, Self-published, 1914. 282.

¹⁹ Kecskés (1938) op. cit., 89.

József Somogyi provides the following illustration of this relationship: “For example, the common good of the family can only be achieved within the family by those family members who live together. The common good of the family is not just the sum of the members’ possessions, but everything that belongs to the family. Therefore, former members of the family are excluded from the enjoyment of the family’s goods. For example, objectively poor families may still enjoy some of the common goods that exist in functional families, such as mutual love, support and cohesion. However, these common goods are often absent in those affluent families where family life is dominated by strife, conflict and hostility. Similarly, the common goods provided by states or nations are more powerful than the personal resources that belong to atomised individuals. Similarly to families, a poor nation may appear to be a rich nation if it is able to provide its citizens with common goods, internal and external security, the rule of law, equitable distribution of resources, or conditions that enable people to succeed, and so on. However, a state that ignores these issues will suffer in terms of the common good, despite having access to many wealthy individuals. Few people would disagree with the proposition that it is better to live in a close, loving but poor family where people support each other than in a rich family where people only care about themselves. Similarly, it is better to live in a poor state that is rich in common goods than in a materially rich country that does not care about the rule of law or certain elements of public safety”.²⁰

In a well-functioning society, “natural communities committed to the principle of the common good do not work against each other. On the contrary, their activities are often complementary. These various lower and higher communities exist within a hierarchical system. Individuals therefore not only belong to a community but also exist within this hierarchy. The position of organisations within this hierarchy is determined by the common goods and values to which they are committed.”²¹

The common goods of a smaller community or organisation are made possible by higher-level goods, which include the common goods of the nation, state and humanity. For example, the latter is committed to the survival and betterment of the human race. The order of the universe is the most powerful type of created common good. But there are two other types of common good above the order of the universe. The first is the divine common good, or the eternal divine law. While the ultimate common good is God Himself, who embodies the most perfect state of truth, goodness and beauty.²² People and their communities can only live a good life if their

²⁰ Somogyi (1943) op. cit., 2–3. The common good does not equal economic well-being because the latter, in itself, is incapable facilitate the holistic growth of the human person. The common good cannot be equated with public order because the latter only cares about values protected by public authorities like peace, public safety, justice and public morals. Felice Cocco: Stato. In Rossi Lenadro – Valsecchi Ambrogio diretto da.: *Dizionario enciclopedico di teologia morale*. Roma, Edizioni Paoline, 1974. 1050.

²¹ Somogyi (1941) op. cit., 27–28. According to József Somogyi families, tribes, people, settlements, states, nations, communities following their calling, religious communities and finally humanity are all great examples of natural communities.

²² Turgonyi, Zoltán: Un professore ungherese dell’Angelicum contro il capitalismo. La concezione tomista di Sándor Horváth O.P sul diritto di proprietà. In Ruspanti, Roberto – Turgonyi, Zoltán (eds): *Tra una guerra e l’altra: Incroci fra Italia e Ungheria: storia, letteratura, cultura, mondo delle idee*. Budapest, Centro Ricerche di Scienze umanistiche dell’Accademai Ungherese delle Scienze, 2017. 331–332. és Rybka (2019): op. cit., 380–381.

partial common goods do not conflict with various superordinate common goods. This is important because the latter determine the boundaries of their existence and the success of their activities. A good life is therefore only possible where individuals, in addition to their rights, also have certain responsibilities towards their communities.²³

However, only mature individuals can understand the rationale behind this theory. We argue that individual and common goods can only flourish where the personalities of either the majority of society, or at least the leaders of society, have reached this level of development. We might call this group true Christians. Societies must therefore make it possible for everyone to reach this level of maturity. Furthermore, societies must not limit this effort to the individual/personal level. Instead, they should strive to achieve this goal through the educational and legal systems, public morality, the economic and legal order, etc.

A key element of our humanity is that we are social creatures who need to live in communities or societies that establish and maintain the links that bind several generations together. We believe that only in well-organised societies can people live their lives in a rewarding way. However, people are not satisfied with merely participating in the existing national and social order. They also want to understand the rationale behind these systems so that they can preserve and improve them for future generations. This process is what we often refer to as either civilisation or culture.²⁴ But we want to emphasise that not everyone can carry out these tasks. For only responsible and mature people and societies, with healthy world views and living in a state of internal and external freedom, can preserve and improve their cultures or societies.

The aim of every society and of every “social institution is to promote the development of the individual by eliminating those things which make his life difficult, incomplete or impossible. [...] Societies want to give birth to a new life that will enable individuals and human society as a whole to live a more rewarding or perfect life. However, life cannot exist without organic, organised structures. This means that the individual and collective actions that take place within the organism must be beneficial to the entity as a whole. [...] The main aim of governance is therefore to ensure that the members of a society work together to achieve their common goals.”²⁵

Based on the above, we believe that people cannot realise their values or improve their personalities outside of a community because people cannot succeed without societal protection, education, guidance and support. Furthermore, societies also play an important role in promoting correct values and lifestyle choices. We can also classify these societal support activities as the embodiment of the common good.²⁶ Efforts to promote a set of values that serve the common good are all sentient acts carried out by sentient beings. Therefore, we must not treat the environment or human nature as inviolable taboos or as a blank slate to be shaped as we see fit.²⁷

²³ Rybka (2019): op. cit., 374.

²⁴ Turgonyi (2012): op. cit., 51–52.

²⁵ Horváth, Sándor: *Krisztus királysága*. Budapest, Credo Kiadás, 1927. 176–177.

²⁶ Kecskés (1938): op. cit., 88.

²⁷ Turgonyi (2012): op. cit., 52.

Created spirits must respect the basic rules of the cosmos and humanity. This should create a kind of symbiosis and we must not adopt and maintain a parasitic lifestyle. We would like to mention that such an organic development is only possible in a healthy society. Because in states where leaders and society do not care about these values and the population is constantly manipulated, the individual is almost doomed to fail. Under these circumstances, we will see many examples of what cultural evolution classifies as runaway events.²⁸ These runaway events often have serious consequences for our society, the biosphere or, in the short term, our solar system. However, situations that morally harm people “and seek to achieve goals that are contrary to human nature through the denial of true values do not belong to the category of the common good, and organisations that fight for such goals are objectively not communities.”²⁹ Or, to put the previous thought in another way, the common good exists to preserve the human race as a community of moral and industrious individuals. “The moral and spiritual values of humanity cover every worthwhile activity.”³⁰

Finally, when people join a community, “they do not lose their independence, their moral responsibility, their personality, or even their material possessions. Individuals do not lose their personal interests when they serve the community, because the interests of the individual and the community are not inherently contradictory. Rather, they exist in a naturally complementary relationship. It is also important to note that people who belong to a community retain their independence. This is because belonging to a community or serving others requires a serious commitment, but this is not the ultimate goal of humanity. Instead, our final goal is God, whom we must reach by serving a subordinate value, the common good”.³¹

3. THE CONCEPT OF THE COMMON GOOD IN CHRISTIAN PHILOSOPHY

Our anthropological analysis has highlighted the fact that human beings must live in communities if they are to flourish. The communities that enable human flourishing will survive as long as their members are willing to work selflessly and are guided, organised and animated by healthy authorities towards a common goal.

The common good is a unique internal link that connects personal and public interests/goals. The common good may therefore mean

1. Those social conditions which enable the members of a society or of smaller communities to live a more perfect life.³²
2. Several social plans that the state intends to implement in the future.

²⁸ In more detail see: Csányi, Vilmos – Miklósi, Ádám (eds.): *Fékevesztett evolúció. Megszaladási jelenségek az emberi evolúcióban*. Budapest, Typotex, 2010.

²⁹ Kecskés (1938): op. cit., 107–108.

³⁰ Turgonyi (2012): op. cit., 48–50.

³¹ Szepesdi (1942): op. cit., 45.

³² These include cultural assets, ensuring the survival of the human race or the continued supply of several physical or biological resources like fuel sources, raw material or positive ecological conditions, etc. Turgonyi, Zoltán *La legge naturale ed il bene comune. Iustum Aequum Salutare*, 4. (2008) 4. 87.

3. Those cultural goods that are provided and maintained by society.
4. The collective human effort to create and maintain these conditions and goods.
In this process, the members of society can live well. This means that the members of society can live a moral and humane life.³³

But we can only achieve these goals if the members of a society act responsibly and cooperatively.³⁴ In addition, success is impossible without a shared vision of the world and, as already mentioned, without capable leaders. Defining and achieving the common good is both a task and a goal for each individual and for society.³⁵ The common good is also quite closely linked to the principle of justice³⁶ which is based on biblical foundations, because “when biblical texts speak of the common good, they usually describe a situation in which someone achieves his or her long-term goals only because of his/her justice, wisdom, foresight or love.”³⁷

So common good “includes elements 1. which only a cooperating group of individuals can create; 2. these products belong to the whole nation and not to a single person; 3. they are available for everyone for use if they have to. The common good is quite similar to a road. A road is a very expensive item which can be used by anyone although not a single individual owns the road itself.”³⁸ So the common good is something which everyone can use according to his/her needs.³⁹

This list clearly illustrates that the meaning of the term common good has two somewhat different interpretations “first it is understood to mean the totality of those goods which are produced by and available for every member of a given society [...] In this sense the common good is a tool which enables people to fulfil their wishes. If we interpret the common goal as a state then it is the harmonic order which is only made possible by social solidarity. However, the common good can also include the goal which people strive to achieve. In this sense, the common good is something which belongs to everyone in society and can only be realised if everybody works together. Therefore, in this sense, the common good is not a tool [...] but it is a value.”⁴⁰ This could happen because “we can only realise our well-being and happiness if two conditions are met. Firstly, there must be a level of societal cooperation and secondly, individuals must live their lives responsibly. Responsibility here is connected to who efficiently someone can utilise those tools and opportunities which are the products of societal cooperation.”⁴¹ Or “common good includes all of those things which are essential to the improvement of our complete human personalities within an organisation. During this process, we must always

³³ Robledar Olisius Definitionis boni communis declaratio. *Periodica*, 66. (1967) 1. 139–145.; Turgonyi (2012): op. cit., 43–45.

³⁴ Virt, László: *Katolikus társadalmi alapértékek*. Budapest, Márton Áron Kiadó, 1999. 98.

³⁵ Johannes Messner: *Das Naturrecht*. Innsbruck–Wien, Tyrolia Verlag, 1950. 129–132.

³⁶ For more details please consult: Christian Kissling: *Gemeinwohl und Gerechtigkeit* (Studien zur theologischen Ethik 48.). Freiburg- Wien, Universitätsverlag Freiburg – Herder, 1999.

³⁷ Virt (1999): op. cit., 97.

³⁸ Varga, László: *Legyen igazság!* Budapest, A.C. Munkásmozgalma EMSzO Központ, 1938. 12.

³⁹ See the concept of distributive justice, *iustitia distributiva*, in the latter parts of our paper.

⁴⁰ Arno Anzenbacher: *Christliche Sozialethik*. Stuttgart, UTB, 1998. 191–192.

⁴¹ *Ibid.* 92.

understand the different relative importance of various factors.”⁴² At this point we need to think again about our needs and the hierarchy of these needs. To do this we will use Abraham Maslow’s model.⁴³ At the bottom of Maslow’s pyramid we find our physical-physiological needs, and as we climb up the pyramid we find layers of security, love, esteem and at the top, self-fulfilment. The levels of this pyramid build on each other and the different levels influence each other. We also need to maintain a level of reciprocity and some elements of hierarchy. So, if the links that connect the different levels of the pyramid are intact, then we can argue that the pyramid also represents the common good. However, we must not forget that we must always concentrate on satisfying our needs at the lower levels before moving on to the higher ones.

Let us now approach the Christian interpretation of the common good, *bonum commune*, from a negative angle. From this perspective, the common good is not

1. the totality of goods, *summa bonorum*, that exist in a given society. Instead, radical individualists agree with this point.
2. The shared ownership of all goods, *communio bonorum*, within a given society. Instead, radical collectivists support this idea.
3. The same as a generally high standard of living. Because the common good is a tool that enables us to achieve this goal.
4. Is not a self-centred concept. Instead, the common good exists “to enable each member of a given community to achieve his or her individual goals”. Although everyone can enjoy the benefits of the common good, no one owns the common good and no one can expropriate it. Instead, the common good exists for the benefit of the whole community.⁴⁴ Another important feature of the common good is that it must be used in such a way as to ensure that only those who are in need of a certain level of support can benefit from it.

According to Sándor Horváth, OP “societies are created to serve aims which are mere individual goals. Societies exist to serve the common good and to create the ideal man in the multitude by the multitude. Society has a message for individuals if they disregard society’s existing legal framework or their underlying motivation for resetting a society’s boundaries is based on individual self-interest.”⁴⁵ According to the same author,

the common good is not the sum of those goods owned by the members of society. Instead, the relationship between personal goods and the common good is quite similar to the differences that separate general values from particular values. Namely, the common good articulates a society’s final goals and its key values. This can help those who belong to society in two ways. Firstly, everyone will clearly understand their role in society so they can make efficient contributions to these societal aims. Secondly, people will understand the limits of their freedoms. This ensures they will not hurt other people’s freedoms and

⁴² Helen Alford – Michael Naughton: *Managing as if Faith Mattered*. Notre Dame, Indiana, Notre Dame Press, 2001. 59.

⁴³ *Ibid.* 56–59.

⁴⁴ Somogyi (1943): *op. cit.*, 3–4. és 8.

⁴⁵ Horváth, Sándor: *Örök eszmék és eszmei magvak Szent Tamásnál. Bölcséleti és hittudományi tanulmányok. Szent Tamás állameszménye*. Budapest, Szent István Társulat, 1944. 286.

they will also know how to strengthen, and not to undermine, the community's peace. [...] The common good is [...] the measuring rod for societal norms and legal activity, as a *causa exemplaris et finalis*, [...] so the common good is every community's most cherished possession. The common good is also the foundation of every earthly empire. Therefore, it must be protected and preserved at all costs. However, this task can only be achieved if rulers and subjects stand shoulder to shoulder because nature only gives us general guidance about the common good and every society has to define the common good for itself.⁴⁶

The latter is especially important since "governance can only be effective if defines everybody's place in society so they can efficiently serve the common good and if everyone follows instructions issued by the government."⁴⁷

However, the common good is a very complex concept that can be interpreted in many ways, and yet many of these different interpretations are not necessarily contradictory. So let us add a third thought from the Tomist scholar Sándor Horváth. According to Horváth

we have two ways of defining common good. The common good can be understood in an overly general, supranational way as a norm under natural law. If we interpret the common good this way then the main reason for the existence of the common good is to serve humanity. As a result, the common good can override certain particular interests and values. Common good also has a concrete meaning which defines this term as the embodiment of a social formation's relative final goals. So when we describe the common good we have to cooperate with every subject who falls under *iustitia legalis* and we have to accept that the content of the common good might change. The concrete common good is rooted in the general common good. The common good is only protected under natural law if the universal norms included in the common good are beneficial for the whole humanity.⁴⁸

According to this famous Tomist scholar

we cannot liberate individuals, social groups or even large, self-sufficient groups (*societas perfecta*) from two types of common goods. The first is the common good of humanity, the *bonum commune humanum*, which is a singular, immanent factor while the second is the eternal, superior and transcendent common good, the *bonum commune divinum*. So people in power only possess the virtue of real legal justice, *iustitia legalis*, if they serve their various lower-level communities according to the spirit to the above mentioned two interpretations of the common good. The connection to the concept of general good and great, universal values is the source that facilitates every social change and this also provides justification for change under natural law. Finally, these connections also have a major role in creating those forces which hold viable, long-lasting communities to-

⁴⁶ Horváth, Sándor: *A természetjog rendező szerepe*. Budapest, Jelenkor, 1941. 50.

⁴⁷ Horváth (1927): op. cit., 179.

⁴⁸ Horváth, Sándor: *Társadalmi alakulások és a természetjog*. Budapest, Jelenkor, 1942. 3–4. footnote number 2.

gether. Another factor which ensures the longevity of these organisations is that they are also sanctioned and protected by nature.⁴⁹

If we are not committed to the common good, then the links that bind individuals, society or different communities will not develop. Without these links, the only way to hold the state together is to use force, but the problem is that the use of force is only a temporary solution, and a state that relies on pressure to maintain its rule will inevitably collapse after a while. Good governance must therefore fulfil two key conditions. First, it must be able to hold the various elements of the state together, and second, it must preserve the health of the social organism of the state. Our judgments about different forms of government must be based on how effectively they serve the common good. In this sense, then, the forms of state and government are merely tools that also promote the common good.⁵⁰ The reasons for the existence of public authorities or power, and the extent of the power they may exercise, are defined by the common good. For the common good, in this sense, includes the purposes and the means available to governments. Therefore, the common good also holds societies together.⁵¹ This statement is true for the leaders of any natural or artificial community. However, these partial common goods are not independent of public authorities, which must coordinate, protect and enforce their activities.⁵² Furthermore, a correct understanding and/or enforcement of the common good can protect public authorities from adopting extremist policies motivated by liberalism, totalitarianism, individual or group self-interest.⁵³ The problem with these ideologies is that in liberalism the state is a tool to serve individual interests, whereas in totalitarianism the individual is not protected from the excesses of the state.⁵⁴ Thus liberalism selfishly sacrifices the public interest to please the individual, while totalitarianism sacrifices the individual to establish an all-powerful public authority. These excesses create a permanent tension between the individual and the community, or between the citizen and the state. The truth is to be found in the zone that exists between the various extremes. For example, when an individual serves the public interest, he also serves his self-interest, or when the state transfers some public goods to individuals, it also serves its self-interest. Therefore, the common good can only take precedence over individual rights if and only if individuals have duties to fulfil because they belong to a community”.⁵⁵ However, liberal and especially neo-liberal or neo-contractualist thinking denies this organic interpretation of the development of human societies. These two schools of thought deny the existence of social justice because they believe that society is merely an aggregate or set of individuals, institutions and structures. These two schools also deny the central

⁴⁹ Ibid 5.

⁵⁰ Paluscsák (1909): op. cit., 393.

⁵¹ Guido Gatti: Autorità. In Lenadro Rossi – Ambrogio Valsecchi (eds.): *Dizionario enciclopedico di teologia morale*. Roma, Edizioni Paoline, 1974. 67.

⁵² Joseph Höffner: *Keresztény társadalmi tanítás*, Budapest, Szent István Társulat, 2002. 44.

⁵³ Erdő, Péter: A közjó témájához. In Beran Ferenc (ed.): *A közjó az Egyház társadalmi tanításában*. Budapest, Szent István Társulat, 2008. 14–15.

⁵⁴ Eglis, István: *A keresztény szociológia főbb kérdései*. Budapest, Actio Catholica Országos Elnöksége, 1948. 32–34.

⁵⁵ Höffner (2002): op. cit., 46.

role of the common good in society. They achieve this either by eliminating the concept from political discourse altogether or by completely reinterpreting it. A good example is that they replace the term common good with the term public goods, i.e., by demanding that everyone has access to healthy air or clean water.⁵⁶ Others equate the common good with material well-being or political stability, or use it to legitimise or evaluate their political actions. All these innovations violate the original, classical-Tomistic, core meaning of the common good.⁵⁷

According to the Christian worldview, society is a complex system which “ is divided into social layers according to functions. For Saint Thomas Aquinas the common good, *bonum commune*, is the most important force which holds this hierarchical human society together. According to Aquinas, the common good is created by the integration of material, mental and spiritual values. [...] The common good also defines the primary aims of states or political communities. And what is the primary aim of a state? To provide a framework that can turn the common good into reality.”⁵⁸ This framework is partly shaped by a system of shared values. For example, the common good is nothing more than a system of shared values.⁵⁹ The other key force which influences this framework is justice. This is the ability that, like a *virtus superior*, guides every virtue towards the common good.⁶⁰ So the common good is “justice in its completely realised form.”⁶¹ We would like to mention that our views on justice are influenced by our definition of the common good and our concept of the common good is shaped by our approach to the concept of justice. We must never forget that the Christian model of justice is holistic, since it encompasses the relationships that exist between two individuals, between an individual and a community, between an individual and the state, between the state and the individual, and finally, the relationship between the state and smaller social organisations.⁶² We will study the relationship between the common and justice in the latter part of our paper.

According to Christian scholars the most important aims of Christian political activity, including the legislative process, is motivated by the common good⁶³ and

⁵⁶ Rybka (2019): op. cit., 368–369.

⁵⁷ Ornaghi (2004): op. cit., 72–73.

⁵⁸ Rigó, Balázs: A szociális igazságosság Varga László S.J. munkásságában. In *Történelem és politika régen és ma. Tanulmányok*. Budapest, Modern Minerva Könyvek 6., Heraldika Kiadó, 2013. 21.

⁵⁹ Benkő, Ágota: A közjó és a családbarát társadalom. In Beran Ferenc (ed.): *A közjó az Egyház társadalmi tanításában*. Budapest, Szent István Társulat, 2008. 16.

⁶⁰ Frivaldszky, János: A közjó Szent Tamásnál és a neotomista természetjogi gondolkodásban. In Frivaldszky, János: *Jó kormányzás és a közjó politikai és jogfilozófiai szemszögből*. Budapest, Pázmány Press, 2016. 13–16.

⁶¹ Erdő (2008): op. cit. 11–12.

⁶² For more information see: Höffner (2002): op. cit., 67–74.; Giuseppe Mattai: Giustizia. In Rossi Lenadro – Valsecchi, Ambrogio (eds.): *Dizionario enciclopedico di teologia morale*. Roma, Edizioni Paoline, 1974. 456–469. Mauro, Cozzoli: Giustizia. In Francesco Compagnoni – Giannino Piana – Salvatore Privitera (eds): *Nuovo Dizionario di Teologia Morale*. Cinisello balsamo, Edizioni San Paolo, 1999. 498–517. Francesco D’Agostino: Giustizia penale. In Francesco Compagnoni, Giannino Piana – Salvatore Privitera (eds): *Nuovo Dizionario di Teologia Morale*. Cinisello balsamo, Edizioni San Paolo, 1999. 517–525.; Joseph, Pieper: *The Four Cardinal Virtues*. Indiana, University of Notre Dame Press, 1966.

⁶³ Rybka (2019): op. cit., 373.

every legal instrument reflects the given groups views about the common good. For it is the common good that defines and limits the freedom of action of each individual, state or other smaller social entity. The role of the moral order is also interesting because it is the most appropriate measuring rod for the content of the common good and the legal system. The common good, if we interpret this term as a collection of social norms, cannot survive for long if it violates the principles of the existing moral order.⁶⁴

Individuals are not totally independent beings because they are always part of a society. For this reason, they always have to respect various social interests, even in their personal lives. For example, becoming a drug addict, even if it happens without any compulsion, is not just a personal matter because he/she may hurt himself/herself, harm others, cause an accident, or simply need medical treatment. Individuals must therefore “serve the common good by their moral private lives” and by their law-abiding behaviour.⁶⁵ Or to paraphrase the same idea “nobody who rejects justice and justice can be classified as a moral person.”⁶⁶ That is why everyone must make responsible choices throughout their lives and constantly strive to do what is right and true. However, this is only possible if the common good is still alive and if society is committed to upholding fair social rules. Otherwise, those who cannot enjoy the benefits of the common good, for example because of fierce social rivalries, will not care about upholding ethical or legal norms that are theoretically binding. People must therefore do all they can to protect the moral order, while the state must act as the guardian of the common good.

As we have already mentioned, the concept of the common good includes the whole of human culture, which includes “making possible the community’s existence, survival and development; respecting the community’s calling and its moral values; turning as many communal aims as possible into reality [...] The totality of the common good also includes several other factors, like those material and spiritual goods or those rules and institutions, which enable the community’s continued existence, order or operation.”⁶⁷

Culture contains those “human goals and ideals which enable the flourishing of human talents while preserving the essential unity of the human being.”⁶⁸ A person who is hungry for culture will do his/her best to “establish his/her world view, understand and evaluate reality along universally accepted norms. Such a person’s usual behaviour reflects the wholeness of his/her character.”⁶⁹ However, culture does not exist for art’s sake, because it can give people earthly and incomplete happiness and perfection, or it can provide humanity’s necessities, such as its material, moral and spiritual needs. This means that culture can lay the foundations for a good life.⁷⁰ A good life is a moral life, and a good life includes fighting for and protecting

⁶⁴ Somogyi (1943): op. cit., 10.; Kuncz, Ödön: *A jog birodalma. Bevezetés a jog- és államtudományba*. Budapest, Grill Károly Könyvkiadóvállalata, 1946. 14–15.

⁶⁵ Paluscsák (1909): op. cit., 368.

⁶⁶ Paluscsák (1909): op. cit., 371.

⁶⁷ Kecskés (1938): op. cit., 89. 156.

⁶⁸ *Ibid.*, 157.

⁶⁹ *Ibid.*, 157.

⁷⁰ Rybka (2019): op. cit., 373.

a free, responsible way of life, bourgeoisisation and a proper understanding of autonomy, which is not the same as *independence*.⁷¹

In conclusion, we would like to describe how Gusztáv Gecse sums up Thomas Aquinas' views on the common good "although Aquinas does not define the meaning of *bonum commune* or the common good. Yet, he uses the term so many times in his works that we can easily infer Aquinas' understanding of the common good. For Aquinas the common good is a.) not the sum of private goods, yet it is not independent of private goods and it is not a different type of good; b.) not just a material good, it also includes spiritual and moral goods; c.) an inevitable condition which enables the private happiness of those individuals who belong to society; d.) created by societies; e.) regulated by universal justice/justice; f.) protected by state power."⁷² The true common good therefore holds societies together because it acts as a unifying and levelling force.⁷³

4. SUMMARY

We are witnessing in our modern era that, in spite of much popular talk, social injustices are increasing, not decreasing, while myths of progress and earthly paradise have become idols that constantly torture humanity. This regression is inseparable from the fact that the creation of wealth, science and technology, culture, the family and politics are no longer under the aegis of Christian morality or natural law. Secular legislators seem to tolerate, and in some cases encourage, dishonesty, exploitation of others, modern slavery, trafficking in women, speculative banking, the proliferation of dirty news media and pornography. All these developments are extremely contrary to the common good, and they also endanger many cherished individual goods.⁷⁴

The Catholic Church relies on its social doctrine as a prophetic vision that offers alternatives to these examples of satanic and global injustice. The Church also uses every morally and ethically permissible means in the fight against these idols or diseases. The common good is one of the main pillars of Catholic social teaching and plays an important role in this struggle. The Church's main argument is that if we are to correct our current situation, the above activities must be brought back under the authority of moral rules and natural law.⁷⁵ The Catholic Church understands the true meaning of the common good. However, this common good can only be realised if every actor, individual and authority, is willing to accept and acknowledge the categorical imperatives of the moral order and natural law. The first step in this struggle is for individuals to change their lives by paying attention to the right things. For it is not unimportant for society "whether its members live a moral life and have they defeated their harmful instincts. These two questions matter, because the first violations of justice frequently happen due to licentiousness.

⁷¹ Virt (1999) 100.

⁷² Gecse, Gusztáv: Iustitia. Aquinói Tamás tanítása az igazságosságról. *Világosság*, 15. (1972) 12. (appendix) 13.

⁷³ Ibid 12 és 13.

⁷⁴ Paluscsák (1909): op. cit., 373. és 376.

⁷⁵ Ibid. 374.

So, if people can defeat their passions, they can also practise the virtue of justice.”⁷⁶ Authorities also need to change in this area, and they also need to formulate and apply a more correct version of law and justice.

The interpretation of the common good in Christian philosophy is quite diverse, but there is also a consensus on the essence of the term. Society behaves in much the same way. There are many goods, communities and organisations within society, and all of these groups have a distinct common good. These include families, nations, sub-state social formations, religious organisations, states and ultimately humanity as a whole. The great challenge for the various authorities, and for states in particular, is to create and maintain harmony between all these common goods.

The concept of the common good is deeply imbued with the worldview of the thinkers. Therefore, it is logical that people want to spread their interpretation of the common good in society. Based on our historical experience, there are two main schools of thought about the common good. The first is the utilitarian school. Adherents of this school may hold individualistic or totalitarian views of the common good. Often, however, they use the common good to cover up individual or group selfishness. The second school of thought belongs to the ethical or Christian tradition. The first acts like a parasite, enabling the perfect dead ends and runaway events of cultural evolution, while the second acts like a symbiont. As a result, it creates a culture that is perfectly compatible with the biosphere and the cosmic order.

The former also atomises human communities and destroys the inner capacities of human beings. This turns society into a mass of individuals, leading humanity towards dictatorship and chaos⁷⁷ and society will be driven by its members’ primitive or base instincts.⁷⁸ Moreover, this school replaces true justice with the practice of exchange, and for them the common good is at best a synonym for common profit. Not surprisingly, most states governed in this way focus on the interests of the rich and ignore the interests of the destitute.

The second school, on the other hand, subordinates the morally inferior interests of individuals, communities and social organisations to the morally superior. They do this neither democratically nor despotically. Consequently, loyalty to the moral law enables individuals and social institutions to use their capacities in a way that serves the greater, better and truer good. This will also make the behaviour of these actors more balanced.⁷⁹ The fact that this school interprets justice and the common good in a holistic way ensures that the more powerful do not exploit the less powerful. Instead, they are prepared to defend them.

The dynamism of sentient human nature also proves that “humanity’s God-given nature and the direct open nature of conscious personal human activities almost

⁷⁶ Ibid. 378.

⁷⁷ Now people fight against their own nature, which is their main enemy, to totally transform and ‘emancipate’ themselves. Robert Cardinal Sarah – Nicolas Diat: *The Day is Now Far Spent*. Dallas, Ignatius, 2019. 229–275.

⁷⁸ This arrogant, ruthless and in some cases cruel personality is entitled to a very specific name: He/she is classified as a primitive man regardless of the strength of his/her intellect or his IQ level. Today this is the type of person who rules the world by sly, evil and satanic policies. Ryszard Legutko: *A közönséges ember diadala*. Budapest, Rézbong, 2018.

⁷⁹ For further details consult: Vértesi, Frigyes: *A lelki béke pszichológiája*. Pécs, Dunántúl Egyetemi Nyomdája, 1928.

naturally lead every person towards the final goal.”⁸⁰ However, the final goal must be transcendental otherwise “we have to accept that human will is something which can never be fully satisfied so it is doomed to experience frustration or failure.”⁸¹ When a person finds, identifies, knows, believes in or supposes the existence of an ultimate goal, he/she will inevitably hear a voice saying, “Come and commit yourself to serve Me and Me alone. But if people misuse their freedom here and make a serious mistake because “ whether something is good and bad is decided by whether the proposed action is congruent with the final goal or not. This also means that an individual’s morality is also defined by his attitude towards the final goal. Therefore, a person’s views about the final goal will also define his/her attitude towards what is ethically good or bad. So everything which helps the person reach his/her final goal will be classified as good, while everything that hinders that will be treated as something bad.”⁸² So human dignity is closely linked to the nobility provided by morality because “ morally wrong actions always damage the human personality.”⁸³ Furthermore, “the eternal Final Goal plays a significant role in the development of our individual world views and how we see the world itself.”⁸⁴ Nevertheless, the pursuit of our final and intermediate goals requires constant effort, for the task before us is both valuable and challenging.

The previous paragraphs illustrate the absolute nature of the final goal. For Christian social philosophy, however, it is also important how we get there, by realising the immanent and transcendent goals of humanity, or the common goal. Moreover, we must not forget that the common good exists on several levels and contains everything for which people, individuals and communities should live, fight or, in extreme situations, die. In conclusion, “we can also describe our absolute goal as a transcendental common goal or *bonum commune divinum*. Since our absolute goal is God himself, who is the source and goal of everything, we can not separate from him neither the concrete common good of smaller or bigger social organisations, *bonum commune particulare*, nor humanity’s direct earthly common good, *bonum commune humanum*. These direct earthly common goods all belong to the transcendent common good. Therefore, a partial value can only fulfil its mission when it is a constituent part of the whole. Consequently, earthly common goods must not be separated from the morality, which is created by the transcendental common good, so they can be transferred to the world of legality.”⁸⁵

If an individual wants to fulfil his destiny, (s)he must always respect and promote the common good of his/her community. Looking after the earthly common goods can become a cult of relative absolute which may “enable the development of the whole human race to perfect human nature.”⁸⁶ If we are to slowly solve our current social problems, we must return to the classical scholastic tradition. This should become a primary task for every authority figure, but especially for our teachers

⁸⁰ Hosszú, Lajos; Horváth Sándor, a szintézis tudósa. *Teológia*, 18. (1984) 3. 24–25.

⁸¹ *Ibid.* 25.

⁸² *Ibid.* 26.

⁸³ *Ibid.* 26.

⁸⁴ *Ibid.* 26.

⁸⁵ Hosszú (1984): *op. cit.*, 27.

⁸⁶ *Ibid.* 27.

who work in our schools.⁸⁷ Once the people have been properly educated to understand this fact, they will be willing to promote the triune laws of the common good: *salus animarum*, *salus rei publicae* and *salus generis humani* in their circles.

Finally, it is important to understand that while this paper draws heavily on Catholicism, Christian social teaching, including the concept of the common good, is not a strictly Christian concept. Rather, these ideas are the product of serious scientific endeavour. Therefore, any person who is willing to use his or her mind and will properly, regardless of religion, ideology or ethnicity, can accept the validity of these ideas and their unconditional normative value. Once he/she has accepted the universal validity of these ideas and values, his/her active participation in the political and social sphere can illustrate his/her commitment to the common good. Furthermore, he/she can also try to peacefully persuade others to join in this peaceful struggle for the common good.

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⁸⁷ Lippmann (1993): op. cit., 161.

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CHURCH-STATE COOPERATION IN SOCIAL SERVICES

1. INTRODUCTION

The question of how religious charities can operate in different areas of contemporary social policy is not a new one. But it is a question that is extremely relevant when we analyse the transformations of the welfare state. What role(s) can church charities play within advanced state welfare systems? In this paper I will argue that social services should be treated as one of the areas where churches and the state can cooperate in contemporary social policy. In order to justify this thesis, it is necessary to consider the political and social aspects of church-state relations. This issue will be discussed in the second part of the article, where I will present the three main European models of church-state relations. In the last part I will give a concrete example of the participation of church organisations in the Polish system of social services.

2. SOCIAL SERVICES AS AN OBVIOUS AREA FOR COOPERATION

The first point here is to justify the thesis that social services are a logical area in which church and state can cooperate. What is the proper definition of social services? They are a set of activities that support those individuals, families or social groups who are in difficult circumstances and need special help.

[They] are often meant to achieve a number of specific aims:

- they are person-oriented services, designed to respond to vital human needs, in particular the needs of users in vulnerable position; they provide protection from general as well as specific risks of life and assist in personal challenges or crises; they are also provided to families in a context of changing family patterns, support their role in caring for both young and old family members, as well as for people with disabilities, and compensate possible failings within the families; they are key instruments for the safeguard of fundamental human rights and human dignity;
- they play a preventive and socially cohesive role, which is addressed to the whole population, independently of wealth or income;
- they contribute to non-discrimination, to gender equality, to human health protection, to improving living standards and quality of life and to ensuring the creation of equal opportunities for all, therefore enhancing the capacity of individuals to fully participate in the society.¹

¹ Commission of the European Communities: Communication from The Commission to The European Parliament, The Council, The European Economic and Social Committee and The Com-

This means that the contemporary concept of social services encompasses many activities that have been provided by the charitable work of the Church for many centuries. From the very beginning, the Christian Church has supported the poor, the sick, the lonely, the disabled and others who were unable to solve their problems and provide for their own needs. Since the appointment of the first deacons, soon after the foundation of the first Christian community, the Church has established numerous relief agencies and provided specialised forms of assistance. All this happened long before the state ever offered social assistance. In the Middle Ages, for example, there were *hospitale pauperum* to help the hungry, lepers, invalids and orphans. The French priest Vincent de Paul (1581–1660), the Polish Jesuit Piotr Skarga (1536–1612) or the Scottish pastor Thomas Chalmers (1780–1847), all prominent Christian scholars, contributed to the development of modern social work. This centuries-old experience of charity alone would support the claim that churches should cooperate with the state in the field of social services. After all, the state used to be the monopolist in this field, and the situation did not change radically until the 20th century.

Academic studies in the field of social policy provide further evidence. From the early 1970s, academic studies began to raise the issue of the potential crisis of the welfare state. Their main conclusion was that, despite the undoubted successes of the period between 1945 and 1973, the welfare state was unable to solve many social problems. Indeed, the welfare state has had some unforeseen consequences, such as the exacerbation of social inequalities and the disintegration of family ties. These existing problems were exacerbated by economic problems and political unrest, leading experts to search for new solutions. The two main challenges were the inability of an overly centralised and bureaucratic system to provide good quality social services and the fact that many welfare recipients became dependent on the support they received rather than empowered to become independent.² The concept of a multi-sectoral social policy was one of the many reform proposals. The concept of a multi-sectoral social policy is quite useful, essential if we want to find a scientific rationale for church-state cooperation in the provision of social services.³

Multi-sectoral social policy can be defined as “the activities of various entities involved in social initiatives of the public, civil, private and informal sectors, aimed at satisfying the social needs of citizens and alleviating and/or eliminating social problems, using the pluralist potential of the welfare state, civil society and social capital, in a spirit of shared responsibility for social cohesion and integration and social security”⁴. This definition therefore includes the charitable organisations of the churches, either as part of the so-called third sector (as NGOs) or as a separate

mittee of the Regions Accompanying the Communication on “A single market for 21st century Europe” – Services of general interest, including social services of general interest: a new European commitment [COM(2007)725 final]. Online: [https://ec.europa.eu/transparency/documents-register/detail?ref=COM\(2007\)725&lang=enp](https://ec.europa.eu/transparency/documents-register/detail?ref=COM(2007)725&lang=enp). 7

² Mirosław, Grewiński: *Wielosektorowa polityka społeczna. O przeobrażeniach państwa opiekuńczego*. Warszawa, WSP TWP, 2011.

³ Tadeusz, Kamiński: *Caritas i polityka. Podmioty wyznaniowe w systemie pomocy społecznej*. Warszawa, Wydawnictwo Uniwersytetu Kardynała Stefana Wyszyńskiego, 2012.

⁴ Grewiński (2011) op. cit., 37.

entity.⁵ Today's social policy is pluralistic in terms of the multiplicity and diversity of its actors. Church-related organisations can therefore be classified as non-profit providers of social services. Such bodies are defined at European Union level as "Institutions or organisations created to produce goods and services whose status does not permit them to be a source of income, profit or other financial gains for the units that establish, control or finance them."⁶ This is particularly true in the field of social services, where cooperation between churches and the state is particularly well established.

3. THE SOCIAL AND POLITICAL CIRCUMSTANCES OF COOPERATION

Cooperation in the provision of social services always takes place within a given social and political context. In this respect, the position of the Church and the confessional structure of society are of particular importance. In some countries, such as Poland, the Catholic Church still has a rather strong social position. This is largely due to the legacy of the communist period, when the Church performed many substitute functions. For example, the Catholic Church provided the only space where independent civic activity was possible. During the period of martial law between 1981 and 1983, the Catholic Church was the only reliable institution that allowed the distribution of material aid from the West.

Today, religiosity in Poland is gradually declining, but it is still much higher than in the radically secularised Czech Republic, for example. And yet even the Czechs see the churches as useful partners in education or social welfare.⁷ We can therefore assume that, whatever the actual denominational structure of a state, both society and the authorities value the practical participation of the Church in certain areas of social life. This appreciation, or lack of it, is embodied in the legal rules governing the relationship between Church and State. We will now examine this question in more detail.

There are three main models of church-state relations in Europe.⁸ Firstly, some countries, such as France, maintain a strict separation of Church and State. In this case, churches do not have legal personality under public law and function as associations established for the purpose of religious worship. This approach does not necessarily imply hostility to religion as such, and the state may even recognise the social benefits provided by religious communities in promoting the common good. However, even in France, which is officially a secular state, religious charities can become charitable foundations and their activities can even be financially supported

⁵ Kamiński (2012) op. cit.

⁶ Richard Polacek et.al: Study on social services of general interest. Final report, European Commission, Directorate General for Employment. *Social Affairs and Inclusion*. Brussels. Online: <https://core.ac.uk/download/pdf/2800112.pdf> 312.

⁷ Petr, Fiala: *Laboratorium sekularyzacji. Kościół i religia w społeczeństwie niereligijnym*. Kraków, Ośrodek Myśli Politycznej, 2016.

⁸ Sławomir, Sowiński: Modele stosunków państwo-Kościół w Unii Europejskiej. *Studia Europejskie*, (2008) 3. 39-51.

by the state.⁹ For example, Secours Catholique became a public charity in 1962 and is still the largest charity in France in terms of volunteers and fundraising.¹⁰

Secondly, there is the model of autonomy and cooperation between state and church. This approach can also be described as “mutual cooperation where the separation of Churches is partial”. This model exists in two varieties: the endorsed church model and the recognised communities model. The endorsed church model is present in countries such as Italy, Malta, Bulgaria or Poland, where the state, at least symbolically, favours a single, historically influential church.¹¹ Under the recognised communities model, multiple churches are treated as important and socially useful institutions, making them eligible for substantial financial support from the state. This approach is used in Germany, Austria, Belgium and Hungary.¹² The model of autonomy and cooperation provides a good framework for the involvement of churches in state-run welfare systems. In Germany, for example, the Catholic Caritas and the Protestant Diakonie Deutschland, while in Poland the Catholic Caritas are important partners of the state in the provision of social services.¹³

The third approach is the state or established church model. In this case, the historically close relationship between the state and a particular religious denomination is often recognised by legal instruments, often by the constitution of the state. The head of state is also the head of the established church, and clergy are in principle employed by the state. This model exists, for example, in Denmark, Norway, Sweden and Great Britain, although in recent years the state has gradually relinquished some of the powers it once exercised over national churches. Interestingly, the national church model does not mean that religious organisations are automatically involved in the provision of social services. In the wealthy Scandinavian countries, this is probably related to the fact that the extensive welfare state has not left much room for non-governmental initiatives in the social sphere.¹⁴

The day-to-day cooperation between churches and the state in the field of social services is determined not only by the nature of the relationship between the state and the church, but also by the legal regulations governing social policy. The last part of this study presents how the state and the church cooperate within the framework of the Polish welfare system.

⁹ Brigitte, Basdevant-Gaudemet: State and Church in France. In Robbers Gerhard (ed.): *State and Church in the European Union*. Baden-Baden, Nomos Verlagsgesellschaft, 2005.

¹⁰ Ingo, Bode: A New Agenda for European Charity: Catholic Welfare and Organizational Change in France and Germany. *Voluntas. International Journal of Voluntary and Nonprofit Organizations*, 14. (2003) 2. 205–225.

¹¹ Robertas, Pukenis: The Models of Church and State Relations in a Secularised Society of European Union. *Asian Journal of Humanities and Social Studies*, 2. (2014) 3. 500.

¹² Sowiński (2008) op. cit., 39–51.

¹³ Kamiński (2012) op. cit.

¹⁴ Piotr, Sałustowicz: *Pomoc społeczna w wybranych krajach Unii Europejskiej*. Warszawa, Instytut Rozwoju Służb Społecznych, 2009. 150.

4. COOPERATION IN PRACTICE – THE EXAMPLE OF SOCIAL SERVICES IN POLAND

Since 1990, when Poland began its democratic transition, social services and activities have been provided by public institutions in cooperation with other organisations, including churches¹⁵). These activities are governed by detailed legislation, including (in chronological order):

- Act of 27 August 1997 on Vocational and Social Rehabilitation and Employment of Disabled Persons
- Act of 23 April 2003 on Charity and Voluntary Work
- Act of 13 June 2003 on Social Employment
- Act of 12 March 2004 on Social Assistance (replacing the Act of 1990)
- Act of 20 April 2004 on the Promotion of Employment and Institutions of the Labour Market
- Act of 27 April 2006 on Social Cooperatives
- Act of 9 June 2011 on Family Support and the Foster Care System.

These laws lay down the principles of cooperation between the public administration and the churches and specify the institutions that the churches may establish and provide social services to the population. Furthermore, following the logic of the Concordat, the social activities of church organisations have the same status as services provided by public institutions.

According to a 2021 report published by the Statistics Institute of the Catholic Church,¹⁶ religious charities are responsible for more than 6500 different relief initiatives or projects in Poland. These projects are carried out by 891 Catholic charities, including 445 women's religious orders, 239 men's religious orders and 207 diocesan charities. The main focus of these organisations' efforts is the provision of food aid, essential equipment and emergency relief. Another important area of religious charity in Poland is support for the homeless, disabled, sick, elderly, addicted, unemployed, migrants and refugees. In 2019, about 4.1 million people benefited from the charitable activities of religious organisations.

These activities are largely carried out in cooperation with the public administration. This is true at both national and local levels. This fact is reflected in the way these activities are financed by these organisations. Almost 60% of the organisations receive funds from local governments, while more than 40% receive financial support directly from central government (ministries, provincial offices or the National Health Fund). Formally, these funds are provided through competitive grant applications and public tenders. Grants awarded to church organisations are evidence

¹⁵ Tadeusz, Kamiński: Cooperation Between the State and Churches in the Provision of Social Assistance in Poland. In Ilona, Pešatová – Beata, Szluz – Paweł, Waławender (eds.): *Interdisciplinary Approach in Social Problem Solving*. Univerzita J. E. Purkyně v Ústí nad Labem, Ústí nad Labem, 2015. 16–25.

¹⁶ ISKK: *Katolickie organizacje charytatywne. Raport z badań katolickich organizacji charytatywnych oraz przyparafialnej aktywności charytatywnej*. Instytut Statystyki Kościoła Katolickiego SAC im. Witolda Zdaniewicza, Warszawa, 2021. Online: http://www.iskk.pl/images/stories/Instytut/dane/ISKK_organizacje_charytatywne_2021.pdf

of the quality of their bids, recognition of their relevant experience and the trust of the beneficiaries of their services.

Act of 19 July 2019 on Social Services Provided by Social Service Centres,¹⁷ which entered into force on 1 January 2020, may provide new opportunities for cooperation between churches and the state. This law does not abolish the above-mentioned regulations. Instead, it helps to coordinate welfare initiatives carried out by social service centres, a newly established local government institution. Importantly, the law includes a list of activities that it legally recognises as social services. These include:

1. family-friendly policies
2. family support
3. foster care
4. social assistance
5. health promotion and protection
6. support for the disabled
7. public education
8. efforts to combat unemployment
9. culture
10. physical culture and tourism
11. promotion of civic initiative
12. housing
13. environmental protection
14. professional and social reintegration.

The law states that the state may delegate the provision of social services to churches and other religious associations. The transformation of existing welfare centres into the new social service centres is voluntary, but most importantly, this law upholds the existing principles of cooperation between churches and public administration. The need to comply with more precise legal requirements in the field of social services is a great challenge for church welfare organisations. However, experience shows that they will rise to this challenge.

5. CONCLUSION

The above considerations lead us to conclude that the provision of social services is an obvious area for cooperation between the state and the churches, since the Church has many centuries of experience in helping the poor, the sick and the socially excluded. In addition, churches know how to meet the educational, health and cultural needs of the population. An important factor in the social activities of religious communities is the model of state-church relations chosen by a particular state. However, it turns out that even the strict separation of these two institutions does

¹⁷ Ustawa z dnia 19 lipca 2019 roku o realizacji usług społecznych przez centrum usług społecznych, *Dziennik Ustaw*, poz. 1818. 2019. Online: <http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190001818/T/D20191818L.pdf>

not exclude the possibility that some forms of initiatives undertaken by church organisations may be treated as socially beneficial. The size or political standing of a particular church does not play a major role in determining the conditions of cooperation in the field of social services. Similarly, the level of religiosity in a society is irrelevant to the formal possibility of such cooperation.¹⁸ In countries that have adopted the model of autonomy and cooperation, legislation provides a range of opportunities for church organisations to participate in the provision of social services. This is confirmed by the above-mentioned activities of the Catholic Church in Poland in the field of social work over the last thirty years.

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¹⁸ Tadeusz Kamiński: *Religious Policy and the Charitable Activities of Churches in Poland, the Czech Republic and Hungary after 1989*. *Journal for The Study of Religions and Ideologies*, 20. (2021) 58. 52–65.

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THE ROLE OF THE CATHOLIC CHURCH IN PROMOTING SOCIAL INCLUSION OF THE DISABLED

1. INTRODUCTION

Pieter Bruegel was a prominent figure in the Dutch Renaissance. His paintings are snapshots of human life, cities and celebrations of his time. There is no lack of smiles and happiness in his paintings.¹ We can say that his art radiates the happiness and joy of everyday life in a thousand colours. That is why Bruegel's *The Beggars* or *The Cripples*, "hidden" in the Louvre, is so shocking.² We can describe this picture with a single word: reality. This is a realistic picture of the situation in the 16th century, when people were marginalised because of their disability. At that time, the concept of social inclusion did not exist and disabled people languished in conditions far removed from the living standards of other citizens.³ The second half of the 20th century brought significant changes in this area.⁴ On the one hand, international⁵ and

¹ Walter Gibson: *Pieter Bruegel and the Art of Laughter*. Berkeley, University of California Press, 2006.

² Peter Russell: *Complete Works of Pieter Bruegel the Elder*. Kindle edition, 2016.

³ To the historical aspect, see: Kálmán, Zsófia – Könczei, György: *A Taigetosztól az esélyegyenlőségig*. Budapest, Osiris, 2012; Kriskó, Edina: *Fogyatékosággalélőkkel történő bánásmód a hivatásban*. Budapest, NKE, 2013.

⁴ The Fundamental Law of Hungary; Act III of 1993 on Social Governance and Social Benefits; Act XXVI of 1998 on Assuring Equal Opportunity for Persons with Disabilities.; Act C of 1999 on the Proclamation of the European Social Charter; Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities; Act XCII of 2007 on the Promulgation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol; Act CXXV of 2009 on Hungarian Sign Language and the use of Hungarian Sign Language; Resolution No. 38/2011 (29/06) of Ministry of National Resources on the National Register of Sign Language Interpreters; Resolution No. 62/2011 (10/11) of Ministry of National Resources on Sign Language Services and the Conditions of their Usage; Act V of 2013 on The Civil Code; Government Resolution No. 1653/2015 (IX. 14.) on National Disability Action Plan 2015-2018, Government Resolution No. 1257/2011. (VII. 21.) on the selection strategy for beds in social institutions nursing and caring for disabled persons and on the Government tasks related to its implementation.

⁵ Universal Declaration of Human Rights; Convention on the Rights of the Child; International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; Convention on the Rights of Persons with Disabilities and the Optional Protocol; Documents of the EU: Charter of Fundamental Rights; Convention for the Protection of Human Rights and Fundamental Freedoms; The European Social Charter; Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation; Resolution ResAP(2001)1 on the introduction of the principles of universal design into the curricula of all occupations working on the built environment ("Tomar Resolution"); Improving the quality of life of the disable: Towards full social inclusion of people with disabilities (Malaga, Spain, May 7–8, 2003); Madrid Declaration: Non Discrimination + Positive Action = Social Inclusion; European strategy for persons with disabilities 2010-2020; Strategy for the Rights of Persons with Disabilities to ensure their full participation in society – European Strategy of Equal Opportunity.

national legislation was amended to make life easier for people with disabilities. On the other hand, in addition to laws prohibiting or in some cases penalising negative discrimination, the concept of positive discrimination has become more accepted. Those who support the concept of discrimination believe that society must provide additional rights and privileges to those who are disadvantaged because of a disability. We can only speak of success when the basic paradigms and protective rules of the legal system have permeated every corner of society. It is therefore not enough to issue clever exemptions and to make the legal framework favourable to the disabled. To protect the rights of disabled people, we need to talk to various national and international communities. However, if you want to achieve meaningful change in society, you have to go beyond legal tinkering and reach individuals and humanity on a personal level, because this problem affects the whole of society. We cannot find more authentic words than a message from Pope Francis on the International Day of Persons with Disabilities: “The decision to include or exclude those lying wounded along the roadside can serve as a criterion for judging every economic, political, social and religious project. Each day we have to decide whether to be Good Samaritans or indifferent bystanders”⁶ In this study I show how various pieces of legislation, statements and practices of the Catholic Church have increased the social inclusion of disabled people and made society more aware of their plight. My main hypothesis is that if one wants to understand the roots of contemporary European social inclusion, one must be familiar with the activities of Christianity, and especially the Catholic Church, in favour of the disabled. As a preliminary point, I will use historical examples and Church texts to show that when the Church cares for the poor, it also cares for the disabled. Furthermore, when quoting from a primary source, I will use the original terms, which are not always politically correct.

2. THE THEOLOGICAL FOUNDATIONS OF SUPPORTING THE DISABLED

The Roman Empire was a multi-ethnic and multi-religious polity. Historians of theology have several theories about how Christianity became a recognised and then established religion. These include that Christianity won a power struggle between several rival religions,⁷ that Christianity succeeded because it conquered the armed forces,⁸ and the theory of a political Christianity that responded correctly to security challenges. According to Miklós Maróth, none of these theories could explain

⁶ Message of the holy Father Francis for the International Day of Persons with Disabilities: “*Building Back Better: Toward a Disability-inclusive, Accessible and Sustainable post-COVID-19 World*” Online: http://www.vatican.va/content/francesco/en/messages/pont-messages/2020/documents/papa-francesco_20201203_messaggio-disabilita.html

⁷ Leif E. Vaage: Ancient Religious Rivalries and the Struggle for Success: Christians, Jews, and Others in the Early Roman Empire. In Leif E. Vaage (ed.): *Religious Rivalries in the Early Roman Empire and the Rise of Christianity*. h.n. Wilfrid Laurier University Press, 2006. 3–20.

⁸ Roger Beck: *The Religion of the Mithras Cult in the Roman Empire*. Oxford, Oxford University Press, 2006.

the success of Christianity.⁹ According to Professor Maróth, Christianity was able to provide a ‘social network that none of the other religious communities possessed’. Thus, he argues, the religion that provided social care in an empire that lacked a social safety net became attractive to those on the margins of society, which included many people with various disabilities.

These people belonged to a social group that was completely dependent on the goodwill of their communities and families. The pagan emperor Julian described the Christians, whom he called impious Galileans, as ‘they support our poor in addition to their own [poor]’. This statement could be interpreted as a compliment, but Emperor Julian was outraged by it. In the letter to Tertullian and Diogenetus, the following maxim is used to describe Christians: “See, how they love one another.”¹⁰ This maxim also appears in the title of Steven C. Muir’s monograph on the charitable activities of early Christianity.¹¹ Muir emphasises that, on the one hand, Christianity developed the foundations of the theoretical ethical doctrine of compassionate kindness and, on the other hand, Christianity established an advanced – by the standards of the time – network of support for people living on the margins of society. The disabled were part of this group.¹² According to Muir, charity was an ideological element that permeated the everyday practice of the religion.¹³ Some religious philosophers highlight the undeniable theological fact that a heavenly reward for those who look after the downcast appeared quite early in Christianity.¹⁴ This view was dominant not only in the Holy Scripture but also in apocryphal apocalyptic books.¹⁵ Religious philosophers emphasise the practical usefulness of this fact. We cannot ignore the relevance of this fact when we examine the impact of Christianity on the legal and social systems of Western democratic societies, on the emergence of fundamental rights and on the social inclusion of disabled people.

We must also identify the theological elements that have enabled Christianity to serve the most vulnerable for almost two thousand years. Luis Navarro points out that for ecclesiastical organisations, helping the downtrodden is not just philanthropy, but part of the nature of the Church.¹⁶ For Christians, unlike most ‘pagan’ Roman religions, caring for the downtrodden is not just a combination of tactics, religious doctrine within a more or less structured system. Instead, the willingness

⁹ Maróth, Miklós: *A nesztorianizmus – elveszett keresztény közösség: tanulságok napjaink valálasközi párbeszédjéhez*. The lecture was held on the conference “Persecution of Christians in history” (11/04/2019) University of Public Service, Faculty of Military Science and Officer Training, Zrínyi Miklós and University Campus, Auditorium.

¹⁰ Tertullian: *Apollogeticum*. 39. 7.

¹¹ Steven C. Muir: *Look How They Love One Another”: Early Christian and Pagan Care for the Sick and Other Charity*. In Vaage, E. Leif (ed.): *Religious Rivalries in the Early Roman Empire and the Rise of Christianity*. h.n. Wilfrid Laurier University Press, 2006. 213.

¹² *Ibidem* 214.

¹³ *Ibidem*. 218.

¹⁴ González Justo: *Faith and wealth: A history of early Christian ideas on the origin, significance, and use of money*. San Francisco, Harper and Row, 1990, 75-78. Especially in the Gospel of Matthew: Pennington, T. Jonathan: *Heaven and Earth in the Gospel of Matthew*. Leiden–Boston, Brill, 2007.

¹⁵ Kovacs, Judith – Rowland Christopher: *Revelation: The Apocalypse of Jesus Christ*. Oxford, Blackwell Bible Commentaries, 2004.

¹⁶ Luis Navarro: *Le iniziative dei fedeli nel servizio della carità. Fondamento e configurazione giuridica*. In Jesús Miñambres (ed.): *Diritto canonico e Servizio della carità*. Milano, Giuffrè, 2008. 196.

of Christians to perform acts of charity towards the poor and the sick can only be understood through the doctrine of *imitatio Christi*. *Imitatio Christi* is not only a doctrine of Christianity, but its *conditio sine qua non*, because it encourages believers to imitate the founder, Jesus of Nazareth, as perfectly as possible. This approach permeates the whole Church.

The Protestant church historian, Adolf von Harnack, notes that the ‘charity’ of the individual and the institutional ‘charity’ of the Church were not the same in the 3rd century.¹⁷ The necessary elements of the most perfect way to follow Jesus are described in the Gospels, which present the life and teaching of the Founder.¹⁸ A Christian can become more perfect by following the examples he/she has read about. It is significant for theology and for the development of a reasonable European attitude towards the disabled that, as Pope Benedict XVI said, the Christ of faith and the Jesus of history are the same.¹⁹ The approach of religious studies is exactly the opposite.²⁰

Moreover, since Rudolf Bultmann, the concept of “Entmythologisierung” (demythologisation) has been introduced, which has become the fundamental thesis of the hermeneutics of religious philosophy.²¹ The concept promotes the idea that we need to remove the “mythical features”, mainly the miracles, from the Scriptures in order to reveal the authentic historical personality of Jesus. However, according to Catholic theology, the removal of miracles would create a “distorted image of Jesus”. Apart from the Christological aspect of the question, the removal of miracles from the Gospels would make the history of ideas fragmentary. Throughout the centuries, the figure of Jesus, who healed “the lame, the blind, the deaf and other sick people”, has been the example that Christ’s followers have sought to imitate. It is therefore undeniable that examples of miraculous healing are key building blocks of the Jesus story.

The Scriptures, however, typify the stories by not describing the diseases in detail, but by using different generic terms to cover all kinds of disabilities. In general, Jesus heals the lame (Mt 9:1–8; 2:1–12; 5:17–26; Jn 5:1–18), a man with a withered hand (Mt 12:9–13; Mk 3:1–6; Lk 6:6–11.) or lepers (Mt 8:1–4; Mk 1:40–45; Lk 5:12–16; Lk 17:11–19). Other typical miracles include healing the blind (Mt 9:27–30; 20:29–34; Mk 8:22–26; 10:46–52; Lk 18:35–43; Jn 9) or the deaf and dumb. (Mk 7:31–37). At one point Jesus heals “a man suffering from an abnormal swelling of his body” on the Sabbath. (Lk 14:1–6). In other cases, the text does not define the nature of the disease, but only mentions the healing itself, as when Jesus heals the centurion’s servant in Capernaum, (Mt 8:5–13; Lk 7:1–10) or when Jesus

¹⁷ Adolf von Harnack: *Mission und Ausbreitung des Christentums in den ersten drei Jahrhunderten*. Leipzig, 4 Ed. 1902. 1920.

¹⁸ Paul N. Anderson – Felix Just – Tom Thatcher (eds.): *John, Jesus, and History. Aspects of Historicity in the Fourth Gospel*. Atlanta, Society of Biblical Literature, 2009.

¹⁹ Benedict XVI: *Jesus of Nazareth: From the Baptism in the Jordan to the Transfiguration*. New York, Doubleday, 2007.

²⁰ Bruce J. Malina: *The Social World of Jesus and the Gospels*. London – New York, Routledge, 1996.

²¹ Rudolf Bultmann: *Glauben und Verstehen*. Tübingen, J. C. B. Mohr, 1966; idem: *Geschichte und Eschatologie* Tübingen, J. C. B. Mohr, 1964, For explanation, see: William O. Walker: Demythologizing and Christology. *Forum*, 3. (2014) 2. 35–45.

heals the son of a royal official (Jn 4:46–54). In other cases, the writer of the Scriptures does not even give so many details, he simply mentions that a crowd, or at least a larger group, was healed. (Mt 8:16; 11:4–5; 12:15–21; 14:34–36; 15:29–31; 19:1–2; 21:14; Mk 1:32–34; 3:7–12; 6:1–6; 6:53–56; Lk 4:40–4; 6:17–19; 7:21).

Biblical studies – especially exegesis – offer many explanations for Jesus’ miracles. In this case, I will summarise the meaning of miracles in the field of the history of ideas with a quote from the Holy Scriptures, when the holy author sums up Jesus’ motivation before healing by mentioning that “Jesus was filled with compassion” (Mk 1:40–45).²² This single sentence contains the essence of every healing story. Yet, it is not only Jesus, the lonely itinerant preacher, who took pity on the sick. Imitating Christ became the benchmark for every apostle, so that following Christ meant that members of the Church had to care for the most vulnerable.²³ Disabled people are clearly part of this group. Furthermore, Christians have been motivated not only by the example of Jesus but also by his words. For example, when Christ answers a question from the disciples of John the Baptist about whether or not Jesus is the Messiah, he does not give a clear answer. Instead, he tells them the essence of his mission: to help the weakest: “Go back and tell John what you hear and see: The blind receive their sight, the lame walk, the lepers are cleansed, the deaf hear, the dead are raised, and the poor have the gospel preached to them”. (Mt 11:4–5). This statement can be interpreted in the apocalyptic dimension of the messianic age, since the restoration of these groups is a possible characteristic of the messianic era.²⁴ Helping the sick is also mentioned when Jesus gives the great commission: “Go rather to the lost sheep of Israel. As you go, preach this message: ‘The kingdom of heaven has come near.’ Heal the sick, raise the dead, cleanse the lepers, cast out demons. Freely have you received; freely give.” (Mt 10:6–8).

3. THE PERSISTENCE OF JESUS’ EXAMPLE AND COMMANDMENT: THE WAY TO PROTECT THE RIGHTS OF THE DISABLED

Although the scriptural examples mentioned above belong to the category of pious preaching according to Bultmann’s classification, we must emphasise their social significance. Nothing illustrates the change of era better than the differences between the treatment of lepers in the Old Testament and the behaviour of Jesus.

The book of Leviticus is one of the most important collections of laws in the Old Testament, giving detailed instructions on how lepers should be treated. Leviticus devotes an entire chapter to various skin diseases and their social consequences. Chapter 14 summarizes what must be done when the Levites “diagnose” someone

²² A man with leprosy came to him and begged him on his knees: “If you are willing, you can make me clean.” Jesus was indignant. He reached out his hand and touched the man. “I am willing”, he said. “Be clean!”.

²³ In his classic spiritual book Thomas Kempis puts it in a prominent position. Thomas Kempis: *The Imitation of Christ*. Mineola, New York, Dover Publications, 2003.

²⁴ No wonder the area has a prominent place in apocryphal apocalyptic texts. The area has been thoroughly analysed by Joseph Lumpkin. See: e.g., Joseph Lumpkin: *The Apocrypha: Including Books from the Ethiopic Bible*. Blountsville, Fifth Estate Publishers, 2009; idem: *Lost Books of the Bible: The Great Rejected Texts*. Blountsville, Fifth Estate Publishers, 2009.

with a serious skin disease called leprosy: “Anyone with such a defiling disease must wear torn clothes, have his hair unkempt, cover the lower part of his face, and cry out, ‘Unclean! Unclean!’ As long as they have the disease, they remain unclean. They must live alone; they must live outside the camp”. (Lev 13:45).

We must add two comments to this. On the one hand, the Old Testament authorises the Levites to decide whether someone is clean or unclean. This proves that leprosy is not only a health issue, but also a sacred issue. Clean is dear to God, unclean is not. On the other hand, according to our social values, it may be humiliating to call someone a leper or an unclean person, but before we condemn the ancient Israelites, we need to understand the self-defence mechanisms of similar communities. When we analyse the discriminatory Old Testament practice, we need to be aware of two key factors that characterised other contemporary ancient societies. First, other peoples of the time treated the sick in a similar way.²⁵ Because medical care was very primitive, potentially infectious people had to be isolated from the healthy community to maintain hygiene standards.²⁶

However, the community still needed an explanation for why these people had to be treated so harshly. The simplest explanation was that the illness was a sign of divine retribution for sins committed by the person or their ancestors. This explanation is quite persistent in late Judaism. It is found not only in the Book of Job but also in the New Testament. In the latter text there is a story about “a man who was blind from birth” and his disciples ask Jesus: “Rabbi, who sinned, this man or his parents, that he was born blind?” (John 9:2) The way Jesus’ followers asked the question shows that they accepted the concept, supported by the Old Testament, that any serious human illness was justified divine retribution for some past personal or generational transgression. Since this concept affected social, legal and sacred life, Jesus had to give an answer that affected all three. Jesus closed the issue by saying “Neither this man nor his parents sinned” (Jn 9:3).

This short but significant statement leads us to our second example. “Life” (Explores) is a magazine that dedicated an entire issue to Jesus’ miracles and how they have changed our attitudes towards the sick and the desperate.²⁷ The magazine argues that it is because of the influence of Christianity that the Western world has created a legal framework that protects and helps the disabled. The significance of this article is that this magazine is not associated with the church or religion. So, such a magazine must acknowledge the social shaping power of Christianity. Therefore, we can propose that Christianity has started a new era for the disabled. However, this new era goes beyond social and legal aspects, because Jesus’ teachings and Christian practice focus on the person, the individual.

In fact, the social reintegration of disabled people improves their self-image and self-esteem. People who have to live outside the city are no longer ‘unclean’ and ‘untouchable’. As Holy John Paul II said in his encyclical *Evangelium Vitae* on the value and inviolability of human life:

²⁵ Hulse, E. V.: The Nature of Biblical ‘Leprosy’ and the Use of Alternative Medical Terms in Modern Translations of the Bible. *Palestine Exploration Quarterly*, 107. (1975) 87–105.

²⁶ Davies, T. Wytton: Bible Leprosy. *The Old and New Testament Student*, 11. (1890) 3. 142–152.

²⁷ Life (Explores): *Jesus How His Lessons, Miracles and Devotion Changed the World*, 2019.

And yet the courage and the serenity with which so many of our brothers and sisters suffering from serious disabilities lead their lives when they are shown acceptance and love bears eloquent witness to what gives authentic value to life, and makes it, even in difficult conditions, something precious for them and others. The Church is close to those married couples who, with great anguish and suffering, *willingly accept gravely handicapped children. She is also grateful to all those families which, through adoption, welcome children abandoned by their parents because of disabilities or illnesses.*²⁸

4. FROM THE EARLY CHRISTIAN ERA TO THE PRESENT

As we have seen, one of the earliest teachings of the Church is to imitate and follow Christ's example and teaching as perfectly as possible. The canonical book that shows us the birth of the Church, the Acts of the Apostles, describes as its first miracle story the healing of a man born paralysed.²⁹ The process of restoration described by this story is extremely significant because Luke's two-part work, since Luke is the author of one of the Gospels and the Acts of the Apostles, was written to meet a theological need. This need was to draw theological parallels between the life of Jesus and the activities of the early Christian communities.³⁰ The author wanted the reader to understand that the activities of the Apostolic Church and the Apostles themselves were inspired by the life and teachings of Jesus. In this sense, the first miracle describes the healing of a man born paralysed. Furthermore, the story also describes the reintegration of this man into the church community, which can illustrate the entry of the Jewish nation into the institutions of the Church.³¹

We can also draw an ecclesial conclusion from this miracle. It is no coincidence that the two apostles who appear in this story are Peter and John. Peter is the prince of the Apostles. His example motivates the members of the Church to show mercy to the handicapped. Peter's successors have always followed his example in the face of social and societal challenges.³² Their activities can take place at different levels. In theory, social encyclicals, which can raise awareness throughout the community, are extremely important. These documents discuss important social and legal issues

²⁸ John Paul II Enc., *Evangelium Vitae*. 25/03/1995, 88. n. *Acta Apostolicae Sedis*, 87. (1995) 5. 500–502.

²⁹ One day, Peter and John were going up to the temple at the time of prayer—at three in the afternoon. Now a man who was lame from birth was being carried to the temple gate called Beautiful, where he was put every day to beg from those going into the temple courts. When he saw Peter and John about to enter, he asked them for money. Peter looked straight at him, as did John. Then Peter said, "Look at us!" So the man gave them his attention, expecting to get something from them. Then Peter said, "Silver or gold I do not have, but what I do have I give you. In the name of Jesus Christ of Nazareth, walk." Taking him by the right hand, he helped him up, and instantly the man's feet and ankles became strong (Acts 3: 1–7).

³⁰ The two works are comprehensive monographies on social philosophy and authorial motivations. Alexander Loveday: *The preface to Luke's Gospel Literary convention and social context in Luke 1:1–4 and Acts 1:1*. Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, Sao Paulo, Cambridge University Press, 1993.

³¹ To the significance and such functions of the Church, see: Timothy Wardle: *The Jerusalem Temple and Early Christian Identity*. Tübingen, Mohr Siebeck, 2010.

³² Wilhelm Levison: Zur Vorgeschichte der Bezeichnung *Servus servorum Dei*. *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung*, 6. (1916) 1. 384–386.

concerning disabled people.³³ John is the other character in the story. John, the beloved apostle, whose charismatic enthusiasm also inspired the Early Christian Church to perform acts of merciful love and to love the disabled.

John is the other character in the story. John, the beloved apostle, whose charismatic enthusiasm also inspired the early Christian Church to acts of compassion and love for the disabled.

Later, many of the early Church Fathers played a major role in developing this concept. They were influential in making such charitable activities an integral part of theoretical theology. Almost without exception, these authors wrote about different aspects of caring for the vulnerable. Examples include the First Letter of Clement (54.4; 55.2); the Apology of St Justin (1 Apol. 1.67); the Letter to Diognetus (10.6); the Shepherd of Hermas (1.5, 8–9; 3. 7); Tertullian (Apol. 39.5–6, 16; 42.8), Clement of Alexandria (Quis div.), Lactantius (Div. Inst. 6.12.), or the works of Eusebius of Caesarea (Eusebius, Hist. eccl. 9.8.). The developing theoretical/theological and practical sides of the question were in close interaction in the early Church. The veneration of the saints also contributed to this process. In the early Christian centuries, martyrdom was seen as the best way to imitate Christ,³⁴ and images of these saints also showed them caring for the disabled.

In Hungary we remember the story of Saint Martin. St Martin was a respected soldier, bishop and monk³⁵ who shared his robe with a beggar. Although most sources only mention that the person St Martin helped was simply a beggar, there are some artistic depictions where the beggar is suffering from some kind of musculoskeletal disorder. The ‘reputation’ of these saints was deepened by the Fathers of the Church, who often described the charitable activities of the saints in their sermons. St Ambrose, for example, wrote of St Martin: “(...) he resurrected the dead, cast out evil demons from the bodies possessed by them and healed the sick with the medicine of salvation”.³⁶

³³ Leo XIII: Enc., Rerum novarum. 15/06/1891, *Acta Sanctae Sedis*, 23. (1891), 641–670; Pius XI: Enc., Quadragesimo anno. 15/05/1931, *Acta Apostolicae Sedis*, 23. (1931) 6. 177–285; John XXIII: Enc., *Mater et magistra*, 15/05/1961, *Acta Apostolicae Sedis*, 53. (1961) 401–464; Paul VI: Enc., *Populorum progressio* 26/03/1967, *Acta Apostolicae Sedis*, 59. (1967), 257–99; Paul VI: *Octogesima adveniens*. 14/05/1971, *Acta Apostolicae Sedis*, 63. (1971) 8. 401–444; John Paul II: Enc., *Laborem exercens*. 14/09/1981, *Acta Apostolicae Sedis*, 73. (1981) 9. 577–647; John Paul II: *Sollicitudo rei socialis* 30/12/1987, 80. (1988) 5. 513–586; John Paul II: *Centesimus annus*. 01/05/1991, *Acta Apostolicae Sedis*, 83. (1991) 10. 793–867; Benedict XVI: Enc., *Deus Caritas est*. 22/12/2005, *Acta Apostolicae Sedis*, 98. (2006) 3. 217–79; Benedict XVI: Litt. Ap. MP. *Intima Ecclesiae natura*. 11/11/2012, *Acta Apostolicae Sedis*, 10. (2012) 12. 996–1004. Comprehensive work to this: Bernard A. Hebda: Where Canon Law Connects with Caritas: The Norms of Intima Ecclesiae Natura. A Year of Mercy Examination of Challenges to Compliance in a US Context. *The Jurist*, 76. (2016) 2. 339–359.

³⁴ Maarten Taveirne: Das Martyrium als imitatio Christi: Die literarische Gestaltung der spätantiken Märtyrerakten und -passionen nach der Passion Christ. *Zeitschrift für Antikes Christentum/ Journal of Ancient Christianity*, 18. (2014) 2. 167–203.

³⁵ Ujházi, Lóránd – Kliszek Németh, Noémi: A szerzetestől és püspöktől a katonáig, avagy a Szent Márton kultusz formálódása. *Felderítő Szemle*, 15. (2016) 4. 32–41; Ujházi Lóránd – Horváth Tibor: The Cult of Saint László (Saint Ladislaus) in the Hungarian Army. *Hadtudományi Szemle*, 13. (2020) 193–210.

³⁶ De Voragine, Jacobus: *Legenda aurea*. Budapest, Neumann Kht., 2004.

Later it became a tendency in the biographies of saints to show how he/she helped the disabled, even though the saint served the Church in another area. Later, this tendency became stronger as the era of martyr saints, except for some missionary regions, ended after the 4th century due to social changes. Thus, helping the weakest, including the disabled, became an increasingly dominant role in the imitation of Christ. The images of well-known saints illustrate the image of a “merciful” Christ. Scenes showing the saints helping lepers or the paralysed (St Francis of Assisi, St Elizabeth of Hungary) occupy a prominent place in their biographies. It is not negligible that these moments, which also sensitised the whole of society, became quite widespread in Christian art. Christine M. Boeckl has devoted an entire monograph to the theme of Christians helping lepers in Christian art and iconography.³⁷

Next, I will mention a few relevant examples from the monograph. Let us take the case of St Francis of Assisi, who was one of the most influential figures in medieval Christianity. There are several scenes from his life that have been frequently depicted in Christian art. As the Franciscan order spread throughout Europe, these works of art can be found all over Europe. For example, Boeckl mentions Master Hertul’s illustrated collection of legends from Hungary showing St Francis of Assisi bending over either a leper or a person suffering from palsy.³⁸ The artistic composition is reminiscent of the Last Supper, when Jesus bends down to wash the feet of his Apostles and instructs them to be charitable: “For I have given you an example, that you should do to others as I have done to you”. (Jn 13:15).

Society was made more aware of the disabled because several monarchs and nobles who directly influenced the life of medieval societies appeared in public as patrons of lepers, the paralysed and the disabled. Some great examples of such activities include Saint Elizabeth of Hungary (1207–31), Louis IX of France (1214–70) and Philip Benizi de Damiani (1233–85). Saint Elizabeth of Hungary was a descendant of the House of Árpád. Catholic literature praises her heroic sacrifices for those suffering from serious illnesses, making her a lasting example for the Christian faithful. In the Baroque period, Domenico Maria Manni wrote this about Saint Elizabeth: “(...) she visited the sick and the lepers, dressing them so that she had nothing left to wear but a small, miserable skirt. After being widowed, she became a nun until her death, and all her life she longed to serve and help the poor, the sick and the lepers. She served them, changed their clothes and washed them: she took a sick person to the outhouse six times a night”.³⁹ Although we may question the authenticity of devotional literature and the content of legends.⁴⁰ For us, it is more important that stories of Catholic nobles and monarchs helping the disabled had a sensitising effect on society.

³⁷ Christine M. Boeckl: *Images of Leprosy Disease, Religion, and Politics in European Art*. Kirksville, Missouri, Truman State University Press, 2011, Especially, chapters 4, 5, 6.

³⁸ *Ibidem* 84.

³⁹ Vita di Santa Elisabetta. In Domenico Maria Manni (ed.): *Vite di alcuni Santi*. Firenze, 1735. 705–726.

⁴⁰ For comprehensive analyses, see: Szűcs, Kata: A Szent Erzsébet-kultusz Magyarországon és Portugáliában. In *Adsumus XII. Tanulmányok a XIV. Eötvös Konferencia előadásaiából*. Budapest, Eötvös Collegium, 2014. 115–135.

We also need to discuss how the Church provided institutional care for the disabled. In the Acts of the Apostles we find faint signs that the community was moving from individual charity to a communal response. For example, the apostles elect seven deacons “to take care of the poor”. (Acts 6:2–3, 5–6) It is no exaggeration to say that they were the first officials whose main task was to care for the weak.⁴¹ The existence of the Parabolani community dates back to the pre-Constantinian era. It was probably formed during plague epidemics to care for the sick. Its members did not take an oath to obey orders, nor did the community have any special rules. However, this group is not mentioned in the Justinian era. John A. Knight, in his book on consecrated life, points out that the name of the group is quite significant because the original meaning of the word *paraboleus amenos* is risky. The caregivers deliberately used this expression, which was originally used to describe gamblers, to illustrate that they were dedicating their lives to serving the downtrodden.⁴²

In later periods, the provision of institutional care was gradually taken over by hospitaller orders. From a historical perspective, we cannot find any religious or secular group that did more for the disabled. In general, Miklós Krutsay summarises the mission of these orders as follows: “(...) they educate the deaf and dumb and take care of the disabled”.⁴³ The best-known hospitaller orders are the Hospital Brothers of Saint Anthony, the Sovereign Military Hospitaller Order of Saint John of Jerusalem, the Military and Hospitaller Order of Saint Lazarus of Jerusalem, the Jesuits, the Ignorantines and the Camillians. Several works deal with their history and current activities. Anna Esposito and Andreas Rehberg have published a monograph on the Hospitaller orders in general.⁴⁴ Doctor Krutsay’s summary may illustrate the society-building power of these orders better than cold, hard historical facts. As a doctor, he not only points out the historical aspects of the work of these orders, but he also talks about the diseases that could not be cured because people did not know their causes. The Hospitaller orders continued to provide care in these situations, even when the material situation was dire. This shows the commitment of these orders to their patients. One of the diseases Krutsay studied was ergotism, caused by infected grains: “Hands and feet became black, withered and mummified”.⁴⁵ It is worth mentioning that some orders, despite their different charisma, helped the disabled.

5. DISABILITY SERVICES IN THE CATHOLIC CHURCH

The national confession of the Hungarian Constitution acknowledges the important role played by Christianity in the history of the country. For example, in the Freedom and Responsibility section, the fundamental law states that „The State and religious

⁴¹ Ujházi, Lorand: The Significance of Charity (Caritas) in the Governing, Sanctifying, and Teaching Mission of the Church. *Bogoslovni Vestnik*, 80. (2020) 4. 783–802.

⁴² John A. Knight: *The Holiness Pilgrimage*. Kansas City, Beacon Hill Press, 1986. 19–20.

⁴³ Krutsay, Miklós: Betegápoló szerzetesrendek. *Osteologiai Közlemények*, 1–2. (2018) 52–54.

⁴⁴ Anna Esposito – Andreas Rehber: *Gli ordini ospedalieri tra centro e periferia*. Roma, Ricerche dell’Istituto Storico Germanico di Roma, 2007, Hungarian reference: Falus, Orsolya: *Ispotályos Keresztes Lovagrendek az Árpád-Kori Magyarországon*. (PhD thesis). Pécs, Pécsi Tudományegyetem Állam- és Jogtudományi Kar, 2014.

⁴⁵ Krutsay (2018): op. cit (Footnote 45) 52.

communities may cooperate to achieve community goals". (Article VII) There is no more sensible area in which the two parties can work together than in the case of the disabled. They can improve the social acceptance of the disabled or they can carry out a very specific activity.

History proves that the Church did not ignore the fate of the disabled in times when the State did not pay enough attention to this group. In the 20th century, however, states became more active in this field. They enacted national and international legislation and established social and health care institutions for the disabled. This change took place because of the great social and political changes that took place in those decades. The Church and its institutions did not simply fill a gap, but supported the state in its social activities.

When we examine the activities of the Catholic Church today, we have to make several distinctions. The universal Church and the particular Churches promote the cause of the disabled through formal and informal means. The latter include, for the universal Church, an annual speech by the Pope on the International Day of Persons with Disabilities or his statements on the subject on other occasions.

The Popes who led the Church in the second half of the 20th century expressed their deepest sympathy for the disabled on several occasions. They also tried to make society more accepting. For this reason, it is not possible to give an exhaustive list of such messages. At the same time, the Church's activity in this area demonstrates the importance of the disabled in the social visions of these Popes.

The most prominent type of communication that the Popes can issue are the papal encyclicals, which examine the issue from all angles. For example, *Casti Connubii*, an encyclical issued by Pius XI, protects disabled people in the area of marriage and from the punitive power of the state.⁴⁶ John Paul II's *Redemptoris mission*, states that disabled people are special targets of the Church's global mission.⁴⁷ *Sacramentum caritatis*, Benedict XVI's post-synodal apostolic exhortation on the celebration of the sacraments states that mentally and physically disabled people should have access to the widest possible range of sacraments. In addition to the usual theological arguments, the exhortation also contains practical advice, such as: "Special attention should be given to the disabled. When their condition permits, the Christian community should make it possible for them to attend the place of worship. Buildings should be designed to allow easy access for the disabled".⁴⁸

Pope Francis' social sensitivity has been evident since his election. Helping people with disabilities fits in with the Pope's social vision, which calls for fair treatment of the downtrodden, the refugees and those living on the margins of society. In *Amoris Laetitia*, Pope Francis declares when he speaks of families, "dedication and concern shown (...) and to persons with special needs alike is a sign

⁴⁶ Pius XI: Enc., *Casti Connubii*, n. 2, 31/12/1930, 2. *Acta Apostolicae Sedis*, 22. (1930) 12. 539–592.

⁴⁷ John Paul II: Enc., *Redemptoris missio*, n. 60. 07/12/1990, 7, *Acta Apostolicae Sedis*, 89. (1990) 308.

⁴⁸ Benedict XVI: Esort. Post. Synod. *Sacramentum caritatis*, n. 58, 22/02/2007, *Acta Apostolicae Sedis*, 99. (2007) 3. 150.

of the Spirit.”⁴⁹ In his latest encyclical, *Fratelli Tutti*, Pope Francis puts the protection of the disabled at the heart of armed conflicts. He states that “respect for the sacredness of life” is a must, “Some parts of our human family, it appears, can be readily sacrificed (...) when they are poor and disabled, ‘not yet useful’ – like the unborn, or ‘no longer needed’ – like the elderly.”⁵⁰

Pope Francis is not just talking about this issue. He is making his wishes known to various institutions of the Roman Curia so that his words can be followed by action. The current Pontiff’s *motu proprio*⁵¹, *Humanam progressionem*, which was promulgated on August 31, 2016, Pope Francis established a new Holy See office: The Dicastery for Promoting Integral Human Development.⁵² The new dicastery integrated four Holy See offices, *Iustitia et Pax*, *Cor Unum*, Pontifical Council for Health Care Workers and Pontifical Council for the Pastoral Care of Migrants and Itinerant People, into one. The *motu proprio* that established the dicastery summarises the mission of the new office. Vulnerable social groups are openly mentioned: “those in need, the sick, the excluded”.

This is not to say that, before the Pope’s measures, there was no single pontifical office responsible for the disabled. On the one hand, before Pope Francis’ reforms, no single pontifical office had the task of protecting vulnerable groups. On the other hand, the Pope has reformed these institutions to ensure that the top organisation of the Roman Curia is not a dicastery that focuses on theoretical issues, but one that actively helps the oppressed.⁵³

At the level of local churches, episcopal conferences and particular churches often make statements on the issue and work to raise awareness in society.⁵⁴ In addition to communication, the local churches carry out many charitable and pastoral initiatives. In the latter area, it is very important to catechise the disabled and prepare them to receive the sacraments. Another pastoral initiative is linked to Michel Aupetit, the Archbishop of Paris, who created a new vicariate in September 2019 to make it easier for disabled people to join parish communities. Some disabled people are involved in a working group to sensitise parishes.⁵⁵

Finally, I must mention that democratic states, international organisations and the Catholic Church do not fully agree on all issues related to the protection of disabled people. This is because the Catholic Church’s definition of disability is broader than

⁴⁹ Francis: Enc. *Amoris laetitia*, n. 47. 19/03/2016, (2016) Online: https://www.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf

⁵⁰ Francis: Enc., *Fratelli Tutti*. Acta Apostolicae Sedis, 11. (2020) 112. 969–1074.

⁵¹ Francis: *Motu proprio*, *Humanam progressionem*. Online: https://w2.vatican.va/content/francesco/it/apost_letters/documents/papa-francesco-lettera-ap_20160817_humanam-progressionem.html.

⁵² Ujházi Lóránd: Amendments to the Governance Structure of the Holy See and Canon Law during the European Migration Crisis, *American Diplomacy* 12. (2017) 1.

⁵³ Iannone, Filippo: Curia Romana Semper Reformanda Le riforme postconciliari. *Asprenas*, 67. (2020) 5–27

⁵⁴ Péter, Erdő: The Role of the Bishops’ Conference in a Modern State. Ujházi Lóránd – Petruska Ferenc – Nándor Birher – Brigitta Pulay (eds.): *Serving out of love: Theory and practice in the social teaching of the Catholic Church*. Budapest, Szent István Társulat, 2023.

⁵⁵ Diocèse de Paris: *Le Vicariat des personnes handicapées*. Online: <https://www.youtube.com/watch?v=ecZHhorVkJ7U>. 2019.

the national and international standard. Catholic doctrine opposes abortion simply because the foetus might have a disability or suffer from a foetal malformation.⁵⁶ For this reason, the Holy See does not sign international agreements that interpret the protection of the disabled in a narrow way, and they do not include the protection of the foetus.⁵⁷

6. CONNECTIONS BETWEEN CANONICAL AND SECULAR LEGAL SYSTEMS IN SUPPORT OF DISABLED PEOPLE

Explicitly, canon law does not deal with specific issues relating to the situation of disabled people. Implicitly, the theological and social principles mentioned above can be applied in place of overt canonical rules. A typical example is when the Church tries to open the door as wide as possible for disabled people to join the Church. In addition, the 1983 Code of Canon Law recognises the concept of canonisation, whereby existing secular laws are transferred into canon law.⁵⁸ This concept arose from the logical recognition that there could be many areas which, because of their social importance, concerned the Church, but which, by their very nature, were the subject of comprehensive legislation by a State organisation. The topics subject to canonisation are exhaustively listed in the current Code of Canon Law. Laws concerning the disabled do not fall into this category. This does not mean that this area cannot be canonised in the future. However, the most dominant view today is that of *Christus Dominus*, a decree on the pastoral office of bishops in the Church, which asks bishops to encourage the faithful to observe just secular laws.⁵⁹

⁵⁶ It appeared in several pontifical documents, especially: "Prenatal diagnosis, which presents no moral objections if carried out to identify the medical treatment which may be needed by the child in the womb, all too often becomes an opportunity for proposing and procuring an abortion. This is eugenic abortion, justified in public opinion by a procedure that is consistent with the demands of "therapeutic interventions"-which accepts life only under certain conditions and rejects it when it is affected by any limitation, handicap or illness." John Paul II (1995) op cit (29 footnote) 416 Pope Francis speech for a family association: "It is fashionable, or at least usual, that when in the first few months of a pregnancy doctors do studies to see if the child is healthy or has something. (...) The first proposal in such a case is, 'Do we get rid of it?' (...) The murder of children. To have an easy life, they get rid of an innocent." (...) I am telling it with pain. Last century, the whole world was scandalized by what the Nazis did to purify the race. Today, we do the same thing but with white gloves. It is violence, but we do the same" 19/03/2021) Other time: „a human being can never be incompatible with life (...) those children deserve health service in the womb who are likely to die at birth or a bit later”.

⁵⁷ *Holy See cannot Join Convention on Disabled People*. <https://www.cirkev.cz/archiv/070201-holy-see-cannot-join-convention-on-disabled-people>.

⁵⁸ Dalla Torre, Giuseppe: *La città sul monte. Contributo ad una teoria canonistica sulle relazioni tra Chiesa e comunità politica*. Roma, AVE, 1996, 19–21. See: Klenar, Matjaž Muršič: Možnosti dialoga v sodobni sekularni družbi Abstract Possibilities of Dialogue in the Modern Secular Society. *Bogoslovni vestnik*, 80. (2020) 3. 575-584.

⁵⁹ „Assuredly, while sacred pastors devote themselves to the spiritual care of their flock, they also, in fact, have regard for their social and civil progress and prosperity. According to the nature of their office and as behoves bishops, they collaborate actively with public authorities for this purpose and advocate obedience to just laws and reverence for legitimately constituted authorities.” (CD 19)

Those secular laws that promote the rights and opportunities of disabled people fall into this category of ‘just secular laws’. In addition, there are many regulations, state laws and international treaties that the Church must follow, either because it is a public body or because it is interested in social engagement. In these cases, the law is not created by the Church’s internal legislator.

There is also some sectoral legislation for the benefit of the disabled that the Church and its institutions must follow. A typical case is making newly built church infrastructure accessible to disabled people.⁶⁰ Paragraph 4 of Act XXVI of 1998 on the Rights of Disabled Persons and on their Equal Opportunities covers rehabilitation activities in the fields of health care, mental hygiene, education, training, retraining, employment and social care, in which religious institutions, which receive public funds to carry out these activities, play an important role. In these institutions, the operators have to abide by secular laws and accept the right of the state to control their activities.

However, if we approach the question from the point of view of the state, we have to answer an interesting question. Does the state have to allow disabled people to participate in religious activities? First and foremost, it must protect freedom of speech and expression, which is a fundamental right. From this right we can derive freedom of conscience and religion, which must also be protected by the state.⁶¹

It is a legitimate expectation that the state should guarantee the fundamental rights of people with disabilities, as these people are more vulnerable in the area of exercising their rights. This fact is underlined by several international human rights treaties that have been ratified by several nation states. These include the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities of 1994. Rule 12 of this document states: “States will encourage measures for equal participation by persons with disabilities in the religious life of their communities. 1. States should encourage, in consultation with religious authorities, measures to eliminate discrimination and make religious activities accessible to persons with disabilities. 2. States should encourage the distribution of information on disability matters to religious institutions and organizations. States should also encourage religious authorities to include information on disability policies in the training for religious professions, as well as in religious education programmes. 3. They should also encourage the accessibility of religious literature to persons with sensory im-

⁶⁰ Par. 2 of Act LXXVIII of 1997 on the Formation and Protection of the Built Environment is about the accessibility of churches. The resolution of Equal Treatment Authority (384/1/2008. [I. 23.] TT.) is about the obligation of accessibility. Online: http://www.egyenlobanasmod.hu/index.php?g=hirek/TTaf_200802-2.htm See: Magyar Civil Caucus *Fogyatékos személyek jogai vagy fogyatékos jogok?* Budapest, SINOSZ – MDAC – FESZT. 2010, 120.

⁶¹ About the rights of the disabled in general: Bárd, Petra: A fogyatékosággal élő személyek jogai. In Jakab, András – Könczöl, Miklós – Menyhárd, Attila – Sulyok, Gábor (eds.): *Internetes Jogtudományi Enciklopédia* <http://ijoten.hu/szocikk/a-fogyatekossaggal-elo-szemelyek-jogai> (2019). Online: <http://real.mtak.hu/94351/1/a-fogyatekossaggal-elo-szemelyek-jogai.pdf> We have to see that guaranteeing the right to the freedom of religion to the disabled changes significantly in each cultural sphere. Petruska, Ferenc: A vallásszabadság jogának keretei keleten és nyugaton. In Kaló, József; Ujházi, Lóránd (ed.): *Budapest-Jelentés a keresztényüldözésről 2018 Budapest*. Budapest, Dialóg Campus Kiadó, 2018. 173–180.

pairments. 4. States and/or religious organizations should consult with organizations of persons with disabilities when developing measures for equal participation in religious activities.”⁶²

2. CONCLUSIONS

No other religion is as committed to the sick and disabled as Christianity. The most obvious reason for this is that Jesus of Nazareth, the founder of the religion, preached about helping people who were on the margins of society because they were sick. In addition to his ‘miracles’, his sermons also encouraged his followers to perform acts of charity. From early Christian times, an ideal Christian was one who followed his Master as perfectly as possible. Charity became an inseparable part of following Christ. Individual initiatives were complemented by institutional action. The latter included enthusiastic lay movements, dedicated hospitaller orders and modern charitable organisations. The relationship between secular and ecclesiastical laws, structures and hierarchies is relatively complex. However, all these parties have one thing in common: they want to help the most vulnerable members of society, the disabled. These activities have continuously sensitised the society in which they work.⁶³

Sadly, even in Christian centuries, disabled people have not always received the respect and help they deserve. This does not mean that the Church’s teaching needs to change, but Adolf von Harnack was right when he realised that there were more “benevolent people than saints” when the number of Christians was growing very fast and Christianity was on its way to becoming an established religion. Many ‘saints’ behaved heroically towards the disabled.

However, the Church expected general goodwill from everyone. It tried to promote this positive attitude through preaching, in-depth theological writings and sermons, and by creating saints who acted as role models for various segments of society. The role of Christian art, which permeates European culture, is not negligible in making society more tolerant towards the disabled. People have seen touching representations of compassionate love in churches, art galleries or town squares. They have seen images of Christ washing the feet of his disciples, or the scene in which Saint Martin covers a paralysed beggar with his cloak.

In the light of the results of the Second Vatican Council, the Church sees the State and international organisations as partners in the promotion of the common good. A beautiful and noble part of this cooperation is the support of the disabled, which is realised both in the universal Church and in the particular one, either in theory or in practice. As we have seen, it is no exaggeration to say that by the end of the twentieth century democratic states had caught up with the Church’s teaching in their mentality and had arrived at the doctrine of positive discrimination, but there are still areas where most national and international legislation does not correspond to the Church’s concept. A typical example is the possibility of abortion if the child

⁶² United Nations: *UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities*. 1994. Online: <https://www.un.org/esa/socdev/enable/dissre00.htm>

⁶³ Ujházi, Lóránd: *A Világi Törvények Átvétele A Kánonjogba – A Kanonizáció Intézménye* (22. Kán.). *Iustum Aequum Salutare* 3. (2013) 4. 143–167. Harnack, Adolf von: *Mission und Ausbreitung des Christentums in den ersten drei Jahrhunderten*. Leipzig. Ed. 4, 1902.

is likely to be born with a disability. It is to be hoped that state and international trends will one day catch up with the Church's view, and that the state will offer greater protection to the unborn child who is likely to be disabled.

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COOPERATIVE EFFORTS OF THE CHURCH AND STATE IN HUNGARY

1. INTRODUCTION

Religious charity has a long tradition in Hungary. However, during the decades of communism, the social activities of Hungarian religious communities were extremely limited. What is the role of the Church in the social sector today? What are the social activities of religious communities during the COVID-19 pandemic? What kind of cooperation between Church and State is most beneficial for the social sector? These are the questions I would like to explore in this paper, in order to prove that religious communities are essential actors in Hungarian social security. In several chapters I will describe how the Church is involved in the Hungarian social sector.

2. THE SOCIAL SECTOR IN HUNGARY

First of all, we need to clarify what is included in the definition of social work and what is outside the social sector. The social sector includes various public services that provide financial and emotional support to disadvantaged social groups. These services are provided either by the state or by non-governmental organisations such as churches. The Hungarian state and churches have extensive welfare programmes that provide a wide range of social services to meet a variety of needs within Hungarian society. Today, social services are mainly provided by the state and the churches. The reason why both parties put a lot of effort into this area is related to Christian beliefs, democratic principles and cultural values.

The Hungarian Fundamental Law states: “By means of separate measures, Hungary shall help to achieve equality of opportunity and social inclusion. By means of separate measures, Hungary shall protect families, children, women, the elderly and those living with disabilities.”¹ “Hungary shall strive to provide social security to all of its citizens. Every Hungarian citizen shall be entitled to assistance in the event of maternity, illness, invalidity, disability, widowhood, orphanage and unemployment for reasons outside of his or her control, as provided for by an Act. Hungary shall implement social security for those persons referred to in paragraph (1) and for others in need through a system of social institutions and measures. The nature and extent of social measures may be determined in an Act in accordance with the usefulness to the community of the beneficiary’s activity. Hungary shall contribute to ensuring a life of dignity for the elderly by maintaining a general state pension system based on social solidarity and by allowing for the operation of voluntarily

¹ *Hungarian Fundamental Law Article XV.*

established social institutions. An Act may lay down the conditions for entitlement to state pension also with regard to the requirement for stronger protection for women”.² Social services provide a wide range of services such as public and higher education, food banks, universal health care, fire services, public transport and public housing.

3. ORIGIN OF THE COOPERATION

The roots of state social policy were laid in the Middle Ages by the Church, guilds, local communities and landowners. The Church worked to alleviate mass poverty, while the latter tried to help individuals and families: guilds helped their members, and landlords cared for their servants. Monastic orders treated the sick, established schools and gave alms to the poor (Benedictines, Cistercians, Franciscans, Jesuits, Hospitallers of St John of God and Paulines). Since the foundation of Hungary, various Hungarian priests and other religious institutions have helped the hungry, the poor, the sick, the invalids and the orphans, long before the state started its social activities. Here are a few examples.

Saint Elizabeth of Hungary (1207–1231) founded a shelter for the poor, where she and her companions cared for them with great devotion until her death. After the death of Bolesław V, Saint Kinga of Poland (1224–1292) distributed her wealth among the poor and became a nun in a convent in Sary Sącz, Poland. She spent the rest of her life in contemplative prayer, constant almsgiving and patient care. Blessed Vilmos Apor (1892–1945) began organised religious education in Gyula and visited the slums around the city. He was called the “priest of the poor”. He was famous for his charitable activities, donating the parish’s crockery and practically all its funds to help the poor. He also founded the Social Missionary Society and several institutions (school, nursery, soup kitchen, house of love, etc.). He died a martyr’s death after Győr was taken by the Red Army. Blessed László Batthyány-Strattmann (1870–1931), known as the “Doctor of the Poor”. He regularly helped the poor with money, clothes, food and firewood. The church had a monopoly on social cooperation until the middle of the 20th century. The Church’s centuries of experience make it an excellent partner for the Hungarian state in the field of social services.

After 1990, the Holy See established contractual relations with a number of Central, Eastern and South-Eastern European states. The first of these was signed with Hungary on 9 February 1990. This agreement provided for the re-establishment of diplomatic relations and stipulated that matters concerning the Church in Hungary would be dealt with in principle and that specific matters of mutual interest requiring bilateral agreement would be resolved in the future by mutual agreement between the parties. The Agreement was amended in 2013.³ The amendment concerned the training of clergy, religious education, moral education, university educa-

² *Hungarian Fundamental Law Article XIX.*

³ Act CCIX of 2013 on the proclamation of the Agreement amending the Agreement between Hungary, of the one part, and the Holy See, of the other part, on the financing of the public service and religious activities of the Catholic Church in Hungary and on certain questions of a material nature, signed on 20 June 1997 (Original title: 2013. évi CCIX. törvény; text translated by the author)

tion, religious and cultural heritage. Although the wave of codification that accompanied the change of regime raised many issues of mutual interest, the government did not consult the Holy See on them, but chose to legislate unilaterally. This was the case with the laws on the ownership of former ecclesiastical property, public education and higher education. The nature and structure of this agreement is striking. While other concordats are generally more general, this one is more detailed. For reasons of Hungarian constitutional law, the state must guarantee the same rights to the different churches, or at least distinguish between them only according to their actual role in society. Thus, what Hungary has undertaken to grant to the Catholic Church in the Covenant, it must also grant to other religious communities with a similar social role. In this way, this agreement has not only served as a model for agreements with other denominations, but has also influenced Hungarian concordatario law as a whole with regard to all religious denominations. The past decades have also shown that the culture of the rule of law cannot be taken for granted today. It must be surrounded by guarantees of rights. The concordat has become an essential guarantee of religious freedom.⁴

4. CURRENT AREAS OF SOCIAL COOPERATION

In every area of social service, the Hungarian State and the Church support each other's activities intensively. I will not discuss all possible areas of social cooperation, but only those in which the relationship between the state and the church is particularly intense. In many cases, a third party, the state, intervenes between the Church and its members.

4.1. Prisons

The basic purpose of a prison is to enforce sentences passed by the courts. In order to achieve this goal, the law imposes additional burdens on the prison and the prisoners. However, even in such circumstances, prisoners are entitled to exercise their rights, which are governed by specific prison rules.

When a person is serving a sentence or is in pre-trial detention, the prisoner or remand prisoner may practise his/her religion if he/she complies with the applicable prison regulations. The basic principle is that a prisoner's right to worship must never jeopardise the safe operation of the institution. Prisoners must be allowed to have religious marriages and funerals and to be baptised. Prisons have an independent prison chaplaincy service. People can become prison chaplains with the approval of their ecclesiastical or denominational superiors. A prison chaplain must carry out his religious activities in accordance with the internal rules of his church, respect the autonomy of other religious communities and be subject to the exclusive direction and supervision of his church: He must also cooperate with the director of

⁴ Schanda Balázs: A Vatikáni Megállapodás 15 éve. *Pázmány Law Working Papers*, 9. (2014) Budapest, Pázmány Péter Katolikus Egyetem.

the prison. In correctional institutions⁵ the detailed rules of religious practice are laid down in the house rules. Every prison must have a place suitable for holding religious services. Prisoners and their spiritual advisers have the right to unsupervised contact.⁶

4.2. Hospitals

Patients also have the right to practice their religion freely in health care institutions. This places an active obligation on hospitals to provide uninterrupted patient care and to facilitate religious practice at both the individual and collective levels. Blood transfusions and organ transplants are a very specific part of hospital care, as some people object to such therapies on the basis of their religious beliefs. In some circumstances, an ethics committee of five to eleven members, appointed by the head of the medical institution, can overrule the wishes of the individual and authorise the procedure. These cases are exceptional, as in other cases the committee can only make recommendations.⁷ Catholic, Protestant chaplaincies have existed since 2002 in Budapest, Debrecen, Nyíregyháza, Miskolc, Eger, Esztergom, Kalocsa, Pécs, Szeged, Székesfehérvár and Szombathely. The services provide free pastoral care for patients, their families and hospital staff. The hospital chaplaincy service is supervised by the local diocese.⁸

4.3. Education

After nearly half a century of a centrally run public education system that promoted the communist worldview, Hungary switched to a highly decentralised public education system after 1990, which created a new set of problems. To address the problems created by the post-1990 educational environment, the Hungarian parliament passed a new public education law in 2011. The rationale for a new law was that history had shown that neither a centralised system with an atheistic approach nor a public education system fragmented in content and organisation could fulfil the basic functions of education.

Therefore, the state had to redefine itself, including its role in public education, and rethink the proper relationship between church and state in this area. Educational institutions run by the State and local authorities must impart knowledge, religious and philosophical information in an objective and diversified manner, respecting the religious and philosophical convictions of the child, the pupil, the parents and the teacher throughout the educational process, and allowing the child or pupil to participate in optional religious instruction and compulsory religious or ethical instruction.

⁵ Correctional institutions are supposed to make the prisoners more rational and humane.

⁶ Schanda Balázs: *Állami egyházjog*. Budapest, Szent István Társulat, 2012. 109.

⁷ Schanda (2012): opt. cit. 108-109.

⁸ Hospital Chaplaincies, 2020.

The State must be neutral in matters of religion and conscience and must create conditions for the free development of individual convictions. At the same time, the separation of the State from the Church does not mean that it can ignore certain facts. The state is not obliged to establish church schools, but it must allow the churches to do so. In these schools run by churches or religious associations, the Church may discriminate on religious grounds in the selection of its staff and students/pupils. The Church has the power to include religious education in the curriculum and to make it compulsory for pupils to attend such courses. In addition to choosing the faculty and setting the curriculum, churches can place religious symbols in classrooms. They can also lay down specific rules governing pupils' behaviour (e.g., compulsory attendance at mass) and appearance (e.g., enforcing strict dress codes). Furthermore, during the first decade after the change of political regime, those students who did not wish to continue their education in church-run schools had the right to transfer to a state-run school.⁹

In Sajószentpéter, for example, the first church-run public educational institution was opened on 15 September 2020. The building, which was handed over by the municipality, will house two kindergarten groups. The land was owned by the Municipality of Sajószentpéter, but the construction was made possible by a significant government grant. The buildings are well equipped, environmentally friendly and fully child-friendly.¹⁰

Although the number of church-run universities and colleges is increasing (Education Office, 2020; Felvi.hu – Universities and Colleges, 2020), the number of students enrolled in these institutions is very low (Education Office, 2020). After the change of political regime, the adoption of the Law on Higher Education on 13 July 1993 made it possible for churches to run higher education institutions. Since 1993, these have been listed in an annex to various higher education acts.

A bilateral agreement between Hungary and the Holy See, signed on 20 June 1997, led to the adoption of a law granting similar privileges to other religious communities. For example, students enrolled in state-funded courses at Church-run universities are entitled to the same educational standards and student grants as those studying at state institutions: They are also entitled to all other privileges granted to other students under the Higher Education Act. On the other hand, the churches have much more flexibility in running their higher education institutions.

The Pázmány Péter Catholic University is one of the most important universities in Hungary, with almost 8,000 students. Too many campuses (Budapest, Piliscsaba, Esztergom) have significantly hindered the efficient development of the institution in line with the needs of the 21st century, so a new development concept was needed to create a consolidated campus. The exploration of this possibility had already begun with a government decision,¹¹ but the decision-making process was only completed with the adoption of *Act XVI of 2020 on the free property transfer to the Hungarian Catholic Bishops' Conference for the purpose of promoting the educa-*

⁹ Schanda (2012): opt. cit.,102-104.

¹⁰ *Atadták az első egyházi fenntartású köznevelési intézményt Sajószentpéteren.* Online: <https://www.migorkat.hu/hirek/atadtak-az-első-egyházi-fenntartásu-koznevelési-intezményt-sajószentpéteren>.

¹¹ Government Resolution 1213/2018 (IV. 6.) on the measures necessary to eliminate the fragmentation of the Pázmány Péter Catholic University.

tional tasks performed by the Pázmány Péter Catholic University. The area for the campus expansion was designated by Parliament and four large plots of land were transferred to the Hungarian Catholic Bishops' Conference.

The construction and future operation of the new campus is a strategic element of the University's goal to make its teaching, research and scientific activities more effective in the future, both at home and abroad. The expansion of the University's Budapest campus is also justified by the challenges of innovation, and will include laboratories and technical research centres, a modern university library and associated reading rooms. The campus will also include a sports field, which will be used by the local community and will be unique for its location in the centre of the capital. The new facility will also be able to host concerts. The new university campus will offer a new infrastructure designed to meet the needs of the 21st century for both teachers and students.¹² The project is not only a transformation of buildings, but also a major urban development. The spaces and buildings will not only provide quality university education, but will also preserve the historical and architectural heritage in a dignified way, creating a liveable and high-quality environment, while the university's inner garden will be open to the public during the day.¹³

The appointment of university professors illustrates an interesting aspect of church-state relations. Teaching posts at a denominational university can be classified as ecclesiastical posts, but in principle only the President of the Republic can appoint university professors. This is still the case today, but the appointment of theology professors does not require the approval of the Hungarian Higher Education Accreditation Commission.¹⁴ Furthermore, the same body cannot review the content of religious courses, specialisations and further education courses. Crucially, the law allows church or, more often, church-run higher education institutions to sign cooperation agreements with the Hungarian state.

4.4. *The pandemic*

In my view, the most important cornerstone of Church-State relations at the moment is close cooperation to ensure the implementation of epidemiological measures during the pandemic. Moreover, during a pandemic, it makes no difference what kind of rules govern church-state relations in a given country. Pandemic preparedness efforts have raised other questions about church-state relations. For example, state authorities banned all non-essential gatherings, while church services were allowed to continue if churches still wished to hold them.

In all cases, religious communities in Hungary have complied with government regulations and church leaders have urged their followers to do the same. Although the churches themselves were not closed, services were held without worshippers.

¹² *Bródy-project.* Online: <https://ppke.hu/uploads/articles/1528383/file/%C3%96sszegez%C3%A9s.pdf>.

¹³ *Vízióink: A jövő egyetemét építjük.* Online: <https://ppke.hu/egyetemunk/campusfejlesztes/a-projektrol>.

¹⁴ Schanda (2012) opt. cit. 105–106.

The majority of priests and pastors responded by using digital communication tools in an agile and resourceful way.

While examining the relationship between the state and the church, it is worth mentioning that the state pays a significant subsidy to Hungarian churches to enable them to maintain their properties. On 19 May 2020, the Hungarian Parliament passed Act XXVIII of 2020, which strengthens the role of churches in social and child protection activities. Although the law did not come into force until 1 August 2020, it transferred 29 properties to church ownership.

5. FINANCING

It is a universally accepted fact that churches and other religious communities should fund their operations from the financial contributions of their followers and supporters. The other aspect of religious freedom is that the state should not interfere with the activities of legitimate churches. For many churches, this has not been the case for centuries, as they have received extensive land grants since the establishment of the Christian Hungarian state. These churches owned some 800,000 acres of land, which enabled them to maintain their infrastructure and establish a network of educational, cultural and social institutions.¹⁵

However, until the 20th century, these lands were not owned by the Church, but were held in trust. Any substantial change, such as alienation, encumbrance or use, therefore required the approval of the state, represented by the Minister of Religion and Public Education. When Hungary became a communist dictatorship, the new regime nationalised all these properties and restricted the free practice of religion. The democratic change at the end of the 1980s removed the legal barriers to the free exercise of religion, but religious communities still suffered from financial restrictions.

The state must actively promote independent action in the field of sport and culture without infringing on the autonomy of religious communities. We must not forget that churches are also recognised by law as organisations that uphold values, but they cannot receive public funds unconditionally. However, not every religious community is committed to the promotion of social goals, so they will not receive the same amount of funding from the state. Therefore, the public financial support that churches receive must be proportionate to their social support activities. The alpha and omega of church funding is to create rules that promote religious freedom without infringing on the autonomy of the churches.

Although there was no general reprivatisation of all pre-1945 church property after 1990, a significant amount of property was returned to churches that had suffered greatly under the communist regime. However, churches were able to reclaim some of their property that had been nationalised without compensation after 1 January 1948 and was owned by the state or a municipality on 30 July 1991. The churches could choose those buildings which had a clearly defined religious or public function, the seat of the church administration, a chapel, a place of worship,

¹⁵ Schanda (2012) *opt. cit.* 130–131.

a conference hall, a priest's house, etc. The deadline for the completion of this restitution was postponed from 2001 to 2011. By 1999, 1062 properties had been transferred to churches, and in some cases, instead of restitution, the State provided either replacement property or financial compensation to the applicants.¹⁶

The Church allows everyone who pays income tax to allocate 1 per cent of the tax they pay to a charitable organisation and another 1 per cent to a religious community. This type of revenue is normative, which excludes the possibility of political interference. We would like to stress that this source of income, which has been in place since the mid-1990s, is available to any NGO or church without any restrictions. They are an important source of income for churches, as about half of all taxpayers exercise this right every year on 20 May, which is the Hungarian Income Tax Day.¹⁷ Currently, in order to avoid the fragmentation of these funds, individuals can only donate these sums to a registered NGO, a religious community with a technical number or a priority budget allocation.¹⁸ In the present day, individuals must choose to direct their contributions exclusively towards a registered non-governmental organisation (NGO), a religious group possessing a technical identification number, or a priority budget allocation, to prevent the dispersal of these financial resources.

The social relevance and authority of churches in society, whatever their religious convictions, is strengthened by those activities which serve the common good. Compensation for these efforts cannot be given on an ad hoc basis. Instead, we need to establish a normative system that ensures a predictable, reliable and politically neutral allocation of resources.

Support for public education is provided through so-called public education agreements. Established churches are eligible for additional budget support if they are prepared to promote fundamental values and carry out other public activities. The application for this subsidy must be submitted by the representative of the leadership of the established church to the Minister responsible for coordinating relations with the churches.

According to a 1993 ruling by the Constitutional Court, "the right of parents to choose is as important as the State's duty to protect the institution. The State cannot legally prevent the establishment of schools, whether religious or secular, and must adopt the necessary legislation to this end. However, the state cannot be forced to establish non-neutral schools. However, if a church or a group of parents runs a non-neutral school, the state is obliged to support it proportionately, because these institutions perform a state function; the state may not refuse to support these institutions if it already provides funds to comparable institutions – there is no constitutional justification for such discrimination". The Supreme Court's recommendation on the provision of financial support was not strong enough, and the following year the Constitutional Court had to issue an injunction that led to the amendment of the Public Education Act.¹⁹ Therefore, the state budget contributes to the costs of reli-

¹⁶ Schanda (2012) opt. cit. 136.

¹⁷ Schanda (2012) opt. cit. 139–140.

¹⁸ Hogyan rendelkezhet adója 1+1 százalékáról?, *NAV tájékoztató*. Online: https://nav.gov.hu/nav/szjal_1/1_1_szazalek.

¹⁹ Schanda (2012) opt. cit. 15.; 142–143.

gious education provided by the churches through an annual budget allocation process. A similar approach applies to the financing of the maintenance, conservation and renovation of church-owned public property, the preservation of religious and cultural heritage, monuments, archives and works of art.

Finally, the total exemption of churches from personal income tax is often considered an indirect subsidy. This means that from 1 August 2013 they will not have to pay stamp duty and other legal costs when they acquire property. However, churches still have to pay a fee for making copies in archives: this costs HUF 200 per page, but not less than HUF 2,000 for certified copies made by church archives or copies and photocopies made by the client but certified by the archive.

On the basis of the Agreement between the Government of the Republic of Hungary and the Hungarian Catholic Bishops' Conference on the coverage of the income allowance of the clergy and the guidelines issued by the Bishops' Conference on the use of the income allowance, the Pope receives an income allowance. According to the distribution adopted at the spring plenary session of the Hungarian Catholic Bishops' Conference, the amount of the allowance for the archdiocese was paid to diocesan and monastic pastors serving in parishes under a dispensation valid for the territory of the diocese, and to lay workers serving on a commission basis. An agreement was required with each person concerned for the period 1 January – 31 December 2021. The agreements were concluded by the Archdiocesan Office. The lay workers were proposed by the parish priest/parish leader responsible for the area. The amount ranged from HUF 75,000 to HUF 135,000.²⁰ The income supplement has been paid for the period January – June 2021. The amount of the income supplement for the period July – December 2021 will be determined later. This amount will be lower than the amount determined for the first half of the year due to the expected later receipt of the amount. In the case of urban (Budapest) parishes in serious financial difficulty, the income supplement of HUF 25,000 will be paid, again in order to maintain the financial equilibrium of the parish. The appointment of lay workers will continue to be governed by the existing rules.²¹

6. SUMMARY

In democratic states, the churches' activities in the fields of education, training, social welfare, health, sport, child and youth protection are intensive and run parallel to state institutions. This inevitably raises the question of financial support. Churches, with few exceptions, are classified as non-profit organisations, and if they receive state subsidies, this can cause problems, even though these funds are earmarked for the social or educational activities of the churches and not for their pastoral mission.

In my view, there are many points of contact and areas of cooperation between Church and State. For this reason, it would be useful to examine the relationship between the churches and the State in the present day by studying the separation of

²⁰ The income tax allowance is tax-exempt income according to Annex 1, point 4.8/b of Act CXVII of 1995 (Income Tax Act).

²¹ Archdiocese of Esztergom-Budapest: *Circular letter 13/4/2021*. prot. no. 656/2021.

Church and State and the areas in which the two sides can interact. I am convinced that in the future research on State-Church law will have to focus primarily on the issues I have outlined here.

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THE IMPACT OF EU SANCTIONS AGAINST SYRIA ON THE HUMANITARIAN WORK OF CHURCHES AND OTHER ACTORS

1. HUMANITARIAN SITUATION IN SYRIA

The war in Syria is one of the worst humanitarian crises since the Second World War. More than 13 million people are in need of some form of humanitarian assistance, including 6 million in acute need. An estimated 6.2 million people, including 2.5 million children, remain internally displaced. Although some areas remain in active conflict, much of the country is now safer than it has been for several years. As a result, significant numbers of internally displaced persons (IDPs) have begun to return to their homes: 448,019 people spontaneously returned in 2020. The following figures for 2020 paint a devastating picture of the current humanitarian situation in Syria:¹

- Only 58% of hospitals and 53% of primary health centres are fully functional.
- Some 2 million people live in extreme poverty.
- 65% of the population is unable to meet basic household needs.
- 5.9 million people are in need of shelter.
- At least 12.4 million people are food insecure.
- 2.4 million children are not in school.
- 71% of Syrians have gone into debt to survive since August 2019.

Regular fuel shortages restrict critical agricultural and humanitarian activities.² The direct delivery of goods and services remains an important pillar of the humanitarian response in Syria. Authorisation for such activities was recently extended by the UN Security Council.³ In addition to states and international organisations, several churches and faith-based organisations are active in Syria. They provide funding, goods and services, and spiritual support to people in need, and their contributions alleviate the suffering of the Syrian people. For example, the Catholic charity network Caritas Internationalis has helped around 1 million people a year since the conflict began in 2011. Caritas Internationalis has distributed food, repaired homes, supported people's educational, psychological and health needs,

¹ *Syrian Arab Republic. 2021 Needs and Response Summary*. Online: <https://tinyurl.com/bz9y-kxkw>

² *Report of the Secretary-General, Implementation of Security Council resolutions*. 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018), 2449 (2018), 2504 (2020) and 2533 (2020). Online: <https://tinyurl.com/n98uxn5e>

³ *Security Council resolution 2585* (2021). Online: [https://undocs.org/en/S/RES/2585\(2021\)](https://undocs.org/en/S/RES/2585(2021))

implemented water and sanitation projects and, in recent years, run some projects to make Syrians more self-reliant.⁴ A total of 28 Caritas organisations are participating in or supporting emergency operations in Syria, Iraq and neighbouring countries. These activities are carried out by 2,100 professionals and 4,100 volunteers. Their operations help 2.1 million people a year and they have spent \$266 million on these projects.⁵

Between 2012 and 2017, Diakonie Katastrophenhilfe, a Protestant aid organisation, spent €54 million on emergency aid, early recovery and rehabilitation projects in Syria, Iraq, Jordan, Lebanon and Turkey. They ran more than 50 projects that helped more than 950,000 people.⁶ The Catholic Pontifical Foundation “Aid to the Church in Need” has provided around €42 million for projects in Syria since the beginning of the war.⁷

2. EU SANCTIONS REGIME (“RESTRICTIVE MEASURES”)

Restrictive measures, commonly known as “sanctions”, are a useful tool within the EU’s Common Foreign and Security Policy (CFSP). The EU uses restrictive measures to change the policy or behaviour of the targeted government, entity, group, organisation or person in order to achieve the objectives of the CFSP.⁸ Following the EU’s Basic Principles on the Use of Restrictive Measures, “sanctions should be targeted in a way that has maximum impact on those whose behaviour we want to influence. Targeting should reduce to the maximum extent possible any adverse humanitarian effects or unintended consequences for persons not targeted or neighbouring countries.”⁹ In addition, the sanctions should be proportional, as “the measures imposed must always be proportionate to their objective,” in accordance with the EU Guidelines on implementation and evaluation of restrictive measures (sanctions) in the framework of the EU Common Foreign and Security Policy (hereinafter, the “EU Guidelines”).¹⁰ Proportionality means balancing “effectiveness to achieve the desired results against the possible adverse consequences, including socio-economic and humanitarian consequences, for populations and third States.”¹¹

⁴ Stop Sanctions. After 10 Years of War Syria is Now Under The ‘Bomb’ Of Poverty. Online: <https://www.caritas.org/2021/03/10-years-of-war-syria/>

⁵ Caritas Internationalis: *Annual Report*. 2018, 17. Online: https://www.caritas.org/wordpress/wp-content/uploads/2019/08/en_annual_report_2018_screen_2a.pdf

⁶ *Diakonie Katastrophenhilfe*. Online: <https://tinyurl.com/3aje58mr>

⁷ *Diakonie Katastrophenhilfe*. Online: <https://acninternational.org/regional-activity/middle-east/syria>

⁸ Other countries such as Australia, Canada, Japan, Norway, Switzerland, Turkey, the United Kingdom and the Arab League have also applied financial sanctions, as well as asset freezes, travel restrictions and arms embargoes on Syria.

⁹ Council of the European Union: *Basic Principles on the Use of Restrictive Measures (Sanctions)*. 7 June 2004. Online: <https://tinyurl.com/3enz98n5>

¹⁰ General Secretariat of the Council: *Sanctions Guidelines – update*. 4 May 2018. Online: <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>

¹¹ *Resolution 60/1 of the UN General Assembly*. 2005 World Summit Outcome. Adopted on 16 September 2005, paragraph 106. Online: shorturl.at/iyJN9

3. HUMANITARIAN EXCEPTIONS AND EXEMPTIONS TO EU SANCTIONS ON SYRIA

The EU adopted the Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures because of the situation in Syria (hereinafter, the “Sanctions Regulation” or “SR”)¹² and the Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria (hereinafter “Council Decision” or “CD”), to address the human rights situation in Syria. The package imposes restrictions on export/import operations, participation in infrastructure projects, funding certain enterprises, the provision of financial services, transport and freezes the funds and economic resources of certain actors.¹³

The EU regulations provide for some exemptions (where the rules are not applicable in certain cases or situations) and exceptions (where specific derogations are granted in justified cases) to these sanctions, including humanitarian ones. Humanitarian exemptions can be individual (allowing listed individuals to receive assistance on a case-by-case basis to meet specific humanitarian needs) or sectoral (allowing humanitarian organisations and their representatives to effectively deliver aid). There are exemptions for the purchase or transport of Syrian crude oil or petroleum products into Syria. “to provide humanitarian relief or assistance to the civilian population in Syria, provided that such products are purchased or transported for the sole purposes of providing humanitarian relief in Syria or assistance to the civilian population in Syria.” (Article 6a.1 SR); or the transfer by or through the Commercial Bank of Syria funds or economic resources received from outside the EU and previously frozen, if the payment is made in connection with a specific trade contract for medical supplies, food, shelter, sanitation or hygiene products for civilian use (Article 21c.1.a SR). These humanitarian exemptions and exceptions, if properly activated and implemented, are sufficiently large and explicit to allow humanitarian actors to assist and support the Syrian population in addressing their needs. However, there are still significant obstacles to humanitarian action.

4. IMPACT OF SANCTIONS ON THE HUMANITARIAN SITUATION

As Zaidi has written in her contribution to the “UN Office of the High Commissioner for Human Rights Workshop on Unilateral Coercive Measures”, “a growing body of research since the sanctions decade has demonstrated that even the most comprehensive and universally enforced sanctions were rarely successful in changing state behaviour, and had disastrous humanitarian consequences for innocent people. National elites had the means to avoid the pain of sanctions; paradoxically, it has been shown that sanctioned governments often emerge stronger due to their ability to eliminate competition, control markets, establish monopolies, and strengthen their unilateral grip on power – not to mention the rally-round-the flag effect on

¹² Online: <https://eur-lex.europa.eu/eli/reg/2012/36/2021-05-08>

¹³ See also: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Recast), consolidated version (27/07/2021) Online: <https://eur-lex.europa.eu/eli/reg/2009/428/oj>

affected populations.”¹⁴ What the UN Committee on Economic, Social and Cultural Rights said in 1997 about the impact of economic sanctions on economic, social and cultural rights is seemingly applicable for the current situation of Syria, when they expressed “it is commonly assumed that these [humanitarian] exemptions ensure basic respect for economic, social and cultural rights within the targeted country. However, several recent United Nations and other studies which have analysed the impact of sanctions have concluded that these exemptions do not have this effect (...) a major study, prepared for the General Assembly by Ms Graça Machel on the impact of armed conflict on children, stated that ‘humanitarian exemptions tend to be ambiguous and are interpreted arbitrarily and inconsistently. (...) Delays, confusion and the denial of requests to import essential humanitarian goods cause resource shortages. (...) [Their effects] inevitably fall most heavily on the poor’”.¹⁵

The reality in Syria confirms the chilling effects of sanctions on the local population. The Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (9 August 2018) for the UN Human Rights Council, fully concurs with this assessment. Idriss Jazairy, the UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, (hereinafter, the “Special Rapporteur”)¹⁶ has expressed that sanctions were exacerbating the suffering of Syrian civilians due to their negative impact on human rights and humanitarian access. In his report, which was transmitted to the Human Rights Council on 11 September 2018, the Special Rapporteur argues that “despite the efforts to implement “smart” sanctions with humanitarian exemptions, the application of current sanction regimes has contributed to the suffering of the Syrian people. This report does not claim that the sanctions have caused the current humanitarian crisis, as it cannot be disentangled from the violence that has taken place in Syria since 2011. What is undisputed however is that they do contribute to a worsening of the humanitarian situation, contrary to their stated intentions.”¹⁷

It is widely recognised that the poorest individuals and families in Syria are most affected by the restrictive measures. While basic and luxury goods are generally available in Syria,¹⁸ The cost of imported goods has soared while the average worker’s wages have fallen. Prices have increased tenfold while wages have stagnated.¹⁹

¹⁴ Sarah Zaidi: *How Can the Humanitarian Effects of Sanctions be Mitigated?* Online: <https://www.ohchr.org/Documents/Events/Seminars/CoercitiveMeasures/SarahZaid.doc>

¹⁵ UN Committee on Economic, Social and Cultural Rights (CESCR): *General Comment No. 8: The relationship between economic sanctions and respect for economic, social and cultural rights*, 12 December 1997, E/C.12/1997/8. Online: <https://www.refworld.org/docid/47a7079e0.html>

¹⁶ United States Human Rights Office of the High Commissioner: *Rethinking sanctions that affect the rights of Syrians*. Paragraph 24. Online: <https://www.ohchr.org/EN/NewsEvents/Pages/Syria-Sanctions.aspx>

¹⁷ (27/07/2021) Online: <https://tinyurl.com/3n6vjb9a>

¹⁸ Humanitarian Needs Overview (HNO): *Syrian Arab Republic*. March 2019. 76. Online: https://reliefweb.int/sites/reliefweb.int/files/resources/2019_Syr_HNO_Full.pdf Syria launched a massive crackdown on goods smuggled in from neighbouring Turkey starting in the wealthiest neighbourhoods of the capital Damascus, where you can find “*from the Toblerone Swiss chocolate bars to the Italian fashion label Valentino*”: see Sami Moubayed: Syria cracks down on imported goods. *Asia Times*. Online: <https://asiatimes.com/2019/03/syria-cracks-down-on-imported-goods/>

¹⁹ Danny Makki: *Syria’s war economy exacerbates divide between rich and poor*. Online: <https://www.mei.edu/publications/syrias-war-economy-exacerbates-divide-between-rich-and-poor>

There is also a thriving black market, enabled by networks of smugglers who bring in embargoed goods from neighbouring countries.²⁰ The Special Rapporteur highlights the practical difficulties faced by humanitarian actors in Syria²¹:

- a) it is Difficult to import medicines and medical devices into the country, receiving donations from international sources is also complicated.
- b) Licences:
 1. High cost of licences, in legal fees, issued by Brussels (and Washington).
 2. Confusing and burdensome procedures.
 3. Sometimes they have to obtain licences for every project individually, donors trying to limit their exposure by only funding small projects and not multi-year initiatives.
 4. Specific licences are needed for every transaction which involves dual-use goods, which increases costs, makes financing more difficult, and creates long processing delays.
- c) Financial difficulties:
 1. Inability to use donor funds for Syrian operations, which was due, in part to the inability of transferring money to Syria as some mechanisms are not public or easy to discover.
 2. This hinders humanitarian entities to pay the salaries of the local employees which severely limits their ability to operate within Syria.²²
 3. Workarounds involve sending money to a neighbouring country, and then bringing the cash across the border in vehicles, or making use of informal money lenders.
 4. There is no clarity as to what level of due diligence is expected of exporters or financial intermediaries in the face of financial restrictions. E.g., UN staff reported that they could not open bank accounts or their mortgage applications were rejected when European banks found the word “Syria” in their job title.
 5. Humanitarian actors frequently move cash through the “hawala system”, it is difficult to audit those financial transactions which have been facilitated by the hawala system which creates concerns with donors and limits their fundraising ability.
- d) Transport and insurance difficulties:
 1. Most international shipping companies do not do business with Syria, this makes transportation of goods more complex and costly.
 2. Most Insurance providers do not insure shipments.
- e) The definition of dual-use goods is very broad.

The most serious challenge facing humanitarian actors in Syria, according to the Special Rapporteur, is that, despite the existence of humanitarian exemptions, many

²⁰ Al-Awsat Ashraq: *Smuggling from Lebanon to Syria Revived amid Market Shortages in Damascus*. Online: <https://tinyurl.com/26vfawu9>

²¹ Paragraphs 25 to 38, 45.

²² Syrian NGOs consistently cited bank de-risking and its consequences as the second most significant challenge they faced after general insecurity: see Stuart Gordon and others: *The impact of bank de-risking on the humanitarian response to the Syrian crisis*. Humanitarian Policy Group Working Paper. London, Overseas Development Institute, 2018. 23.

international private companies are unwilling to jump through the necessary hurdles to engage in transactions with Syria without being accused of unintentionally violating the restrictive measures, and therefore, “the complexity of the overlapping sanction regimes has created so much doubt and uncertainty on how to comply with all possible measures that banks, exporters, transportation companies and insurance companies have voluntarily refused to conduct business in Syria. While the current sanction regimes contain theoretically useable exception mechanisms, the fact that only the very largest international organizations can make use of them after seven years is a testament to the need to reform the system. This problem is particularly acute for banks, which rely on their industry reputation and trust with clients to operate. An inadvertent violation, leading to a public investigation, can be devastating, even if the bank is eventually found to be innocent.”²³ As Debarre expresses, there is “the perception that the humanitarian sector is high-risk, even though the reality is more nuanced.”²⁴

In 2015, the Financial Action Task Force on Money Laundering (FATF) recommended a risk-based approach to the regulation of non-profit organisations to prevent terrorist financing, stressing that non-profits should not be classified as high-risk clients simply because they operate in cash-intensive environments or in countries with high humanitarian needs. However, financial institutions often do not take this approach. IBAN and SWIFT bank codes block any reference to Syria and/or any city within Syria,²⁵ which makes it almost impossible for churches and charities to send humanitarian funds to Syria to alleviate the plight of the suffering Syrian people. For example, an over-zealous banking system blocks any financial donation or transaction destined for ‘Syriac’ Christians in Iraq. Moreover, a Syrian cleric cannot open a bank account in Lebanon if he mentions that he is a permanent resident of Syria. At the same time, some Arab states have set up a SWIFT-like banking system, which is instrumental in the uncontrolled and undeclared movement of money in the region.

There is a shortage of fuel, oil and gas in Syria, making heating, food preparation and transport very difficult.²⁶ The situation is particularly dire during hard Syrian winters when temperatures regularly dip as low as $-11\text{ }^{\circ}\text{C}$ in some parts of the country.²⁷ Despite international sanctions, oil is regularly bought and sold within Syria, but the prices are unaffordable for much of the population. As an alternative,

²³ See, for example, the case of the shipping company Dan-Bunkering, which has been preliminarily charged with violating the EU’s Syria sanctions regime by the Danish State Prosecutor for Serious Economic and International Crime, allegedly for having sold and supplied at least 30,000 tons of jet fuel for use in Syria from 2015 to 2017 through sales to the Russian shipping company Sovfracht. See: Online: <https://tinyurl.com/26vfawu9><https://tinyurl.com/bjnxbtvn>

²⁴ Alice Debarre: *Safeguarding Humanitarian Action in Sanctions Regimes*. New York, International Peace Institute, 2019. Online: <https://tinyurl.com/hxvpz8>

²⁵ See *SWIFT Response to the ESMA, EBA & EIOPA joint consultation paper ‘The Risk Factors guidelines’*. 2016. 2. Online: <https://tinyurl.com/h65mp443> and *SWIFT, “Corporate compliance: stepping outside the comfort zone”*. Online: <https://tinyurl.com/348ma5j6>

²⁶ Hamou Ammar – Mohammed Madhar Eyad – Edwards Madeline: *From one crisis to another: Gas queues and frustration as Damascus residents grapple with fuel shortages*. Online: <https://tinyurl.com/2wb3kpa3>

²⁷ Sandra Awad: *Warm Clothes for Syria in Winter*. Online: <https://www.caritas.org/2016/12/warm-clothes-syria-winter/>

many Syrians use alternative resources for heating, burning wood, old clothes and/or animal dung.²⁸ The Special Rapporteur on Sanctions already expressed in his report on Syria that “the embargo on oil trading not only affected Syria’s ability to export oil, it also dramatically raised the cost of fuel oil for heating, cooking and lighting. As government energy subsidies were gradually reduced, and poverty levels have increased, this situation has worsened dramatically, leaving many households unable to afford heating.”²⁹

Food is another critical resource in Syria. About 12.4 million people were suffering from food insecurity in 2020. This number has increased by 57 per cent or by 4.5 million people between 2019 and 2020. In 2020 twice as many people, about 1.3 million individuals, were classified as severely food insecure.³⁰ Sanctions have increased the cost of food, including basic products such as milk. A carton of milk costs 3,000 Syrian pounds (about EUR 5) in a country where the average income is 30,000 Syrian pounds (about EUR 50). For example, the Pontifical Foundation “Aid to the Church in Need” had to import milk from Singapore for its “A Drop of Milk” project. The Foundation had to do this because European transport companies refused to transport milk to Syria because, according to these companies, milk could be used for “other purposes”.³¹ This project was very important because it provided milk to Christian children in Aleppo under the age of 10.

5. WHAT SHOULD BE DONE?

The Vienna Declaration and Programme of Action³² called upon States to refrain from introducing unilateral measures that impede the full realization of human rights, as outlined by the Universal Declaration of Human Rights and other international human rights instruments. They must ensure that everyone should enjoy a standard of living adequate for their health and well-being by secure access to food and medical care, housing and the necessary social services. The Declaration also affirms that food should not be used as a tool of political pressure.³³

In its 2012 thematic study on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions to end such measures, the Office of the United Nations High Commissioner for Human Rights recommended that “all States Members of the United Nations should avoid the application of any coercive measures having negative effects on human rights, particularly on the most vulnerable. Where such measures are imposed, explicit safe-

²⁸ The Food and Agriculture Organization of the United Nations. *FAO/WFP Crop and Food Security Assessment Mission to the Syrian Arab Republic*, FAO/World Food Programme Special Report, 2019. 61. Online: <http://www.fao.org/3/ca5934en/ca5934en.pdf>

²⁹ *Op. cit.*, paragraph 49.

³⁰ World Food Programme: Syrian Arab Republic. *mVAM Bulletin*. Vol. 52. 2021. Online: <https://tinyurl.com/ax4jh3bv>

³¹ Aid to the Church in Need: “A Drop of Milk”: *ACN urgent request for help to the children in Aleppo*. Online: <https://acninternational.org/a-drop-of-milk-acn-urgent-request-for-help-to-the-children-in-aleppo/>

³² Adopted by the World Conference on Human Rights on 25 June 1993.

³³ Part I, paragraph 31.

guards to protect human rights are imperative.”³⁴ In order to align the implementation of EU sanctions against Syria with the protection of the human rights of the Syrian people, we need to review the implementation of the current framework and identify the various gaps and obstacles. Once this is done, we need to develop tools to mitigate these problems so that churches and other humanitarian actors can continue to provide assistance and uphold the human rights and well-being of the Syrian people.

The Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights stated in his report that “despite these provision of humanitarian exemptions, they have proven extremely difficult for humanitarian actors to use, and nearly impossible for those without an international presence.”³⁵ The complexity of the situation does not allow for oversimplification, but several factors make the situation for humanitarian actors, including churches, difficult and in some cases unsustainable. Sanctions and the overzealous behaviour of private sector companies overly concerned about their reputation make matters unnecessarily complicated. International sanctions on Syria make it difficult to determine with certainty whether activities are legal or not. Some companies offer legal advice on sanctions, but their fees are so high as to make this service unaffordable for small, medium and local humanitarian actors. In addition, and as a preventive measure, these companies discourage their clients from engaging in activities that could potentially attract the attention of sanctions enforcement authorities.

To ensure access, particularly for credit and financial institutions and other relevant economic operators, information on EU or national measures is not enough. We need more specific guidelines and Q&A documents that provide concrete, interpretative guidance for humanitarian actors, such as churches and religious communities, and the private sector.³⁶ The European Commission already published in 2017 its “Commission Frequently Asked Questions on EU Restrictive Measures in Syria”, an instrument which provided some useful information to NGOs and private sector entities potentially affected by EU sanctions. Nevertheless, this document did not remove all the uncertainties experienced by humanitarian actors and for-profit companies.³⁷

The private sector, which provides critical financial, insurance and transport services, classifies doing business with humanitarian actors working for or in Syria as ‘highly risky’. Yet the services they provide to humanitarian actors on the ground are essential. Private companies should be informed by EU Member States that their activities in support of humanitarian actors’ relief projects do not violate the

³⁴ United Nations. General Assembly: *Thematic study of the Office of the United Nations High Commissioner for Human Rights on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions aimed at ending such measures*. 11 January 2012, paragraph 41. Online: <https://tinyurl.com/yym96btn>

³⁵ Op. cit., paragraph 25.

³⁶ The US government, for example, has published several Guidelines and specific Q&A concerning sanctions to Syria that could be helpful to create certain clarity: U.S. Department of the Treasury: *Financial Sanctions*. Online: <https://tinyurl.com/2h9md8yb>

³⁷ European Commission: *Commission Frequently Asked Questions on EU Restrictive Measures in Syria*. Online: https://finance.ec.europa.eu/system/files/2020-01/170901-faqs-restrictive-measures-syria_en.pdf

EU sanctions regime against Syria, so that they are not punished or treated as suspects for their role.

In sensitive business sectors such as finance, banking or insurance, where trust is the most important asset, any association, however tenuous, with companies that violate international sanctions could be fatal. Such actions undermine the credibility of an institution and this will affect its reputation and the confidence of its shareholders, investors and customers.

We must encourage the state to create a favourable and positive environment in which private sector companies can freely support the activities of humanitarian organisations through their facilities. We need to convince companies that they will be perceived as ‘socially responsible’ actors if they do so. Companies should not be perceived as potential human rights violators when they support the activities of humanitarian actors. Instead, they should be treated as entities that facilitate the protection of human rights. Public authorities should also play a supportive role by introducing voluntary policy measures and, where necessary, complementary regulations to enable companies and business enterprises to fulfil their social responsibilities.

In this regard, the EU Best Practices on Effective Implementation of Financial Restrictive Measures urges that the Member States and relevant private organisations under their jurisdiction, such as credit and financial institutions, to maintain “a structured dialogue and cooperation on the implementation of freezing measures, in order to ensure effective implementation, optimise the instrument of restrictive measures, and seek to ease the administrative burden for these organisations to the extent possible.”³⁸ The document recommends that the Member States should establish channels that provide advice to financial regulators and financial institutions.³⁹ Finally, it is important to note that humanitarian actors, including churches, face many legal and other obstacles in Syria. Most of these arise because the Syrian government restricts access to certain areas of the country.⁴⁰ In particular, the Syrian government obstructs humanitarian activities outside government areas, making it difficult to deliver aid and humanitarian assistance to opposition-held areas.⁴¹

6. CHURCHES AND RELIGIOUS COMMUNITIES AS RELIABLE AID PARTNERS

Local churches and religious organisations are seen by the international aid sector as reliable partners for a number of reasons. Their leadership has a wealth of experience in humanitarian and development work, they are present in many remote areas, they have a community approach to overcoming difficulties, and they have

³⁸ Paragraph 93.

³⁹ Paragraph 95.

⁴⁰ See: UN Security Council Resolution 2401 (2018) and UN Security Council Presidential Statement S/PRST/2013/15 for Safe, Unhindered Passage For Convoys, Demilitarization of Medical Centres, Schools, Water Centres, 2 October 2013.

⁴¹ Jesse Marks: Humanitarian aid in Syria is being politicized – and too many civilians in need aren’t getting it. *Washington Post*. Online: <https://www.washingtonpost.com/politics/2019/08/06/humanitarian-aid-syria-is-being-politicized-too-many-civilians-need-arent-getting-it/>

access to charity workers, including young people and women. In addition, these organisations respect well-established humanitarian principles, in particular the principles of impartiality and neutrality. Despite these facts, certain EU development and humanitarian agencies are not willing to work with them in practice. This may be because these agencies assume that churches and religious communities are neither impartial nor neutral, but are treated as partisan, “sectarian” or “proselytising” organisations. This sometimes limits their eligibility for EU humanitarian and development funding.

Nevertheless, according to EU legislation churches can receive EU funds and become implementing partners of the EU, either explicitly or as an “NGOs” or as a constituent part of “civil society”.⁴² To be eligible for EU funding under Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (hereinafter “HAR”), NGOs must meet two criteria: (a) they must be an autonomous, non-profit-making organisation in an EU Member State in accordance with the law of that Member State; and (b) they must have their main headquarters in an EU Member State or in a third country benefiting from EU aid or, in exceptional cases, in a third donor country.⁴³

However, the principles of impartiality and independence must not be interpreted in such a way as to automatically exclude any ethos-based NGO, whether secular or religious, from receiving EU funding. Such an approach would violate EU legislation that establishes the principle of equal treatment in grant and tender procedures and rejects discrimination on religious grounds.⁴⁴

On the other hand, the European Consensus on Humanitarian Aid foresees that “specific ethnic or religious groups may require particular approaches, considerations and sensitivities, regarding e.g., the type of food provided for their consumption”.⁴⁵ This element is of interest as religious groups in need may in some cases be better served by NGOs which, by their nature or ethos, are better prepared to understand the particular needs of these communities. Churches, religious communities and faith-based organisations that respect humanitarian principles are part of the humanitarian community by vocation, nature and right, and must be treated on an equal footing with any other non-state, non-profit, NGO or civil society entity. They may be the last humanitarian actors present in conflict zones and deserve financial support to help people in need. The European Parliament has highlighted their importance when it stated that “as recognised by international organisations in their protocols and practices, churches, religious communities and associations, together with other religion- or belief-based organisations are among the frontline and long-standing

⁴² European Parliament: Resolution of 3 October 2017 on addressing shrinking civil society space in developing countries, D: Online: https://www.europarl.europa.eu/doceo/document/TA-8-2017-0365_EN.html “whereas civil society encompasses a wide and heterogeneous range of groups and aims, including not only CSOs, but also NGOs, (...) churches, religious associations and communities (...)”.

⁴³ Article 7.1 HAR: Online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01996R1257-20190726>

⁴⁴ Among others, Article 188 (equal treatment in grants) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union: Online: <https://eur-lex.europa.eu/eli/reg/2018/1046/oj>

⁴⁵ Annex, paragraph 5.

operational field actors in the provision of development and humanitarian assistance".⁴⁶

Another practical problem is that churches do not fit into certain aspects of the EU's current rather restrictive partnership framework. The problem with the framework is that it is designed for private associations run by a civil society group. For example, the professional staff of an NGO are 'employees' who have signed a legal contract with the organisation describing their responsibilities. On the other hand, nuns and clerics, even if they are employed under a contract, often go beyond their legal obligations because they also have a deep personal vocation, so that they are ready to sacrifice their lives for the well-being of other human beings who are brothers and sisters.

Religious persons do not give aid on the basis of a legal contract, but out of a deep love for their neighbours. At the same time, religious persons must be obedient to their religious superiors and their bishops, a hierarchical relationship protected from any undue interference. Another example: according to the European Commission "the weakness of the CSO sector is also reflected in low levels of internal governance, lack of 'constituency' in society and low levels of public credibility";⁴⁷ but this evaluation is not true for most churches. Churches are deeply rooted in communities, they operate in remote areas where no other state or non-state actor is present, they have profound convictions and motivations to help anyone in need, and they have a clear, hierarchical organisation. An overly general statement may have created an unfavourable operational environment for churches and religious communities wishing to cooperate with the EU in development and humanitarian activities.

7. CONCLUSION

There is a broad consensus among churches and other humanitarian actors about the negative impact of the sanctions against Syria, which are strictly enforced by the EU and other international bodies. These measures affect the population of the country, driving them into situations of extreme poverty and vulnerability. The dependence of humanitarian actors, including churches, on the private sector, banks, insurance companies and transport companies to channel much needed goods and money from third countries into Syria is a major obstacle, as companies fear sanctions and do not want to put themselves in situations that could jeopardise their economic interests or reputation. The EU and the international community, after talking to these companies, need to make it clear what business practices are acceptable and what kind of behaviour is beyond the pale. This would allow churches and other humanitarian actors to continue their indispensable work on behalf of the Syrian people. The humanitarian and development work of churches and religious organisations in Syria should be recognised by the European Union. The EU should

⁴⁶ European Parliament: Resolution of 3 October 2017 on addressing shrinking civil society space in developing countries. Online: https://www.europarl.europa.eu/doceo/document/TA-8-2017-0365_EN.html .

⁴⁷ European Commission: *Info Note: EU Country Roadmaps for Engagement with Civil Society*. 2017. 13. Online: <https://europa.eu/capacity4dev/public-governance-civilsociety/documents/info-note-eu-country-roadmaps-engagement-civil-society>.

provide financial support in a non-discriminatory way to the churches so that they can continue or even expand their vital activities in meeting the material and spiritual needs of many Syrians.

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THE LINK BETWEEN GLOBAL SECURITY AND THE PROTECTION OF RELIGIOUS FREEDOM

A Catholic Perspective

1. RELIGIOUS FREEDOM: A BROAD AGREEMENT IN THE ABSENCE OF A COMMON GROUND

Religious freedom is recognised as a fundamental human right by almost every country in the world and by most religious authorities. *The Universal Declaration of Human Rights* states in Article 18: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world (...). Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”¹ Ever since it was first drafted, this article has served as the cornerstone of the international framework for religious freedom and, together with other sources, provides the theoretical and legal means to ensure its implementation worldwide.

The Declaration clearly states that the promotion of religious freedom facilitates peace and reduces conflict. Moreover, religious freedom is intrinsically linked to other fundamental freedoms – civil, political and economic – and has far-reaching social implications. As Brian Grim has noted, “The presence of religious freedom in a country mathematically correlates with the longevity of democracy.”² He also points out that in regions where religious freedom is highly respected, we find fewer violent conflicts, better health prospects, higher income levels, and better educational opportunities for women. Furthermore, according to the Human Development Index, religious freedom is associated with higher levels of overall human development.³ However, these formal agreements have not produced a universally accepted definition of religious freedom. Nor is there a common understanding of the proper relationship between religious freedom and other fundamental rights. Finally, we do not know how to achieve religious freedom in different cultural contexts.

¹ *The Universal Declaration of Human Rights* (1948), Article 18, Online: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

² Brian J Grim: Religious freedom and social well-being: A critical appraisal. *International Journal for Religious Freedom*, 2. (2009) 1. 39.

³ Grim (2009): op. cit., 40.

Militant secularism, religious fundamentalism, government favouritism and legal restrictions are major threats to religious freedom. Data collected and analysed by internationally recognised research institutions, such as the Pew Research Center or the United States Commission on International Religious Freedom, are extremely worrying.⁴ Attacks on places of worship, cemeteries, monasteries and community centres are on the rise around the world. Religious freedom is also violated in more subtle ways. For example, authorities may abuse registration procedures to obstruct the construction or maintenance of religiously significant buildings, or they may over-surveillance worshippers to intimidate them. In 2019, several governments made intolerant statements about religious minorities, which increased religious persecution and violence against these communities. Religious and civil authorities sometimes export these incendiary interpretations to create a global community of followers or to gain external support.⁵

2. POLITICS AND RELIGION: ONTOLOGICAL DIFFERENCES AND ACTUAL INTERACTION

Politics and religion are often linked in conflicts involving religious persecution, and religion is heavily instrumentalised. As Thomas Scheffler rightly noted, “Since religion is related to space, and space is related to politics, there is no way of escaping the religious dimension of political conflicts.”⁶ Identity politics regularly misuses religion for its own ends. According to political journalist Malise Ruthven, those who immediately equate religion with conflict may be mistaking identity politics for religious disputes. Ruthven speaks of the ‘sacralization of identity’ and believes that the religious rhetoric and symbolism of such confrontations may have less to do with doctrinal differences than with questions of individual and collective identity.⁷ Others, such as Brian Grim and Roger Frinke, argue that religion and religious persecution are not simply a by-product of economic and political conflicts, and that religious causes or outcomes should not be underestimated.⁸

Without attempting to resolve the debate between religion and politics, we must be mindful of each religion’s self-definition, message and social teachings. It is equally important to us that a religious institution can add a religious tone to a dis-

⁴ Pew Research Center: *A Closer Look at How Religious Restrictions Have Risen Around the World*. Online: <https://www.pewforum.org/2019/07/15/a-closer-look-at-how-religious-restrictions-have-risen-around-the-world/>.

⁵ United States Commission on International Religious Freedom: *Annual Report*, (2020) 5. 89. Online: <https://www.uscirf.gov/publications/2020-annual-report>.

⁶ Thomas Scheffler: “*Interreligious Dialogue and Cultural Diplomacy in the Middle East*,” Paper prepared for the 10th annual congress of DAVO (Deutsche Arbeitsgemeinschaft Vorderer Orient, Hamburg, November 20–22, 2003), 5.

⁷ Malise Ruthven: *Fundamentalism and other Obstacles to Religious Toleration. Universal Rights in a World of Diversity. The Case of Religious Freedom*. Pontifical Academy of Social Sciences. *Acta*, 17. (2012) 456–474, 464. Online: <http://www.pass.va/content/dam/scienze-sociali/pdf/acta17/acta17-ruthven.pdf>.

⁸ Brian Grim – Roger Frinke: *The price of freedom denied: Religious persecution and conflict in the twenty-first century*. *American Sociological Review*, 72. (2007) 634.

pute, regardless of the original cause of the conflict. As a result, it can be difficult to separate the social, political and religious aspects of specific conflicts due to their unique geopolitical, religious and ethnic circumstances.

The aim of this study is to show that after the pontificate of John XXIII, the Catholic Church has been committed to the principle of 'healthy pluralism'. This meant that the Church was prepared to relinquish its dominant position in Catholic majority societies, and that the Church fundamentally redefined its relationship with civil authority.

3. THE LINK BETWEEN REGULATION AND TENSION

In their article "The price of freedom denied: Religious persecution and conflict in the twenty-first century" Grim and Frinke proposed and empirically proved, from a religious economies' perspective, that "less regulation prevents persecution by ensuring fair competition for all religions within a society".⁹ They define religious regulation as "the legal and social restrictions that inhibit the practice, profession, or selection of religion." According to these authors, less regulation means that the state offers equal privileges and treatment to all religions and power to none, so that no single religion can claim to possess public authority. This framework reduces grievances about the ability of any single religion to wield undue political power, and consequently there will be less inter-religious conflict and less religious persecution.¹⁰ The authors argue that the forms of regulation that exist in a culture, institution or movement are influenced by a dominant religion that either lacks the authority of the state or seeks to go beyond the actions of the state. They also stress that when the state leaves religious economies unregulated, religious communities tend to form religious cartels "in an attempt to restrict the activities of other religions".¹¹

Government restrictions on religion and social hostility are not necessarily the same and we can classify and measure them separately.¹² However, these factors are closely interrelated. Grim and Frinke identify three links that tie them together. First, legal restrictions on religion have social antecedents; second, their enforcement requires social cooperation; third, "when certain religions are targets of persecution, this may increase regulation either by mobilizing religious groups that cooperate with the regime or by mobilizing religious groups that counter the regime".¹³

The authors conclude that "religious regulation – composed of *social* and *government* regulation – helps explain *religious persecution*, a specific form of *social conflict*".¹⁴ They describe the process as an ongoing cycle¹⁵ whereby "Social pressures from competing religions, social movements, and institutions can prompt in-

⁹ Grim – Frinke (2007) op. cit., 636.

¹⁰ Grim – Frinke (2007) op. cit., 637.

¹¹ Grim – Frinke (2007). op. cit., 637.

¹² Pew Research Center (2019) op. cit.

¹³ Grim – Frinke (2007) op. cit., 637.

¹⁴ Grim – Frinke (2007) op. cit., 640.

¹⁵ Grim – Frinke (2007) op. cit., 637.

creased regulation; increased regulation holds the potential for unleashing persecution from or condoned by the state, and this persecution can stimulate greater social regulation in response”.¹⁶

4. *DIGNITATIS HUMANAЕ* ON THE ROLE OF THE STATE

The view, that the state is an arbiter that facilitated or regulates the free exercise of different religious beliefs is not alien from official Catholicism since the passing of *Dignitatis Humanae*, the Declaration on Religious Liberty, at the Second Vatican Council. In this document, the Council declared that “the right to religious freedom has its foundation in the very dignity of the human person as this dignity is known through the revealed word of God and by reason itself. This right of the human person to religious freedom is to be recognized in the constitutional law whereby society is governed and thus it is to become a civil right.”¹⁷ The document goes on to affirm that human beings are both driven by their nature and bound by a moral obligation to seek and follow truth, especially religious truth, and to live their lives in accordance with its demands (DH 1).

The dignity of the human person, their duty to seek the truth, and the freedoms and rights necessary for the realisation of these aims, through “judgments of conscience, with the use of all suitable means”, are all mentioned in Article 2 of *Dignitatis Humanae*. These responsibilities, however, can only be fulfilled if people have “immunity from external coercion as well as [enjoy] psychological freedom”. Therefore, no one can be forced to act “contrary to his conscience” nor be restrained from acting in accord with it (DH 3.)

Dignitatis Humanae asserts that “The social nature of man... requires that he should give external expression to his internal acts of religion: that he should share with others in matters religious; that he should profess his religion in community.” (DH 3) As a result, governments must treat all people equally and without bias, while protecting the religious freedom of their subjects in both the private and public spheres, “within due limits” (DH 2) to ensure that “the just public order”, which involves the common goods of justice, public peace and public morality, are observed (DH 7 Immunity from external coercion must also be maintained for those who do not belong to any religious community.¹⁸ In the public and legislative sphere, this is the cornerstone of religious freedom. Religious freedom thus has a collective and institutional dimension. In addition, each religion may establish its own laws, organise itself and disseminate its own doctrine.

The importance of the Church’s autonomy is matched by the authority of the State, which is limited to the preservation of the secular values of freedom and public order. The appropriate boundaries between faith and non-belief are deter-

¹⁶ Grim – Frinke (2007) op. cit., 652.

¹⁷ Paul VI: Declaration on Religious Freedom *Dignitatis Humanae* (DH) on the Right of the Person and of Communities to Social and Civil Freedom in Matters Religious. 7. XII. 1965. Article 2. Online: https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html.

¹⁸ *Dignitatis Humanae*, Article 2.

mined by the relationship to the common good of justice, social cohesion and public morality.

In his analysis, John Courtney Murray SJ, who played a key role in the drafting and adoption of *Dignitatis Humanae*, argued that the primary function of government in this area was juridical, namely “the protection and promotion not of religious truth, but of religious freedom as a fundamental right of the human person.”¹⁹ This means that the government can only interfere with religious practice or restrict the exercise of institutional religious freedom if such action is justified by the principles of public order and the common good. This line of reasoning demonstrates a linguistic and substantive congruence between international human rights theory and the doctrine of the Catholic Church. It strikes a balance between the demands of secularisation and the assertion of the autonomy of the Church, while at the same time being consistent with the freedom of all religions to practise their faith. It is the manifestation of a profound relationship between the duty to seek the truth and the right to find it freely.

In his essay on “The Problem of Religious Freedom,” Murray attempted to clarify the Church’s relationship towards “establishment” as

the status of legal privilege for the Church, with the consequent status of legal disadvantage for other religious bodies. Establishment is not an act of religion; it is a political act of the public power. (...) It may still be useful for the people of God in certain countries of the world today that the Church should be recognized by law as the common religion of the people. This would validate the judgment that the institution of establishment should be retained in those countries. But nothing can validate the judgment that this legal status is ‘ideal’ because it enlists the coercive power of government in the service of the exclusive rights of truth.²⁰

As the quote illustrates, according to Murray, the legal disadvantage of other religious entities resulting from one religion’s exclusive right to public power, and consequently the possibility of using the coercive power of government in the service of “truth”, ultimately violates the principle of religious freedom. This conviction is echoed in the first paragraph of *Dignitatis Humanae*, which emphasises that people should be encouraged to make their own decisions without any coercion.

As Thomas Ryan SM has pointed out, this view is in consistence with the long tradition of the Church, going back to St Thomas of Aquinas, who considered the situation of someone who wanted to know what was right but found himself in conflict with the teaching of the Church. Such people, according to Aquinas, should choose excommunication and not go against their conscience. Furthermore, according to Aquinas, it is inappropriate for someone to believe in Jesus Christ if that person is convinced that this belief is harmful. To go against one’s conscience is

¹⁹ John Courtney Murray SJ: The Issue of Church and State at Vatican II, *Theological Studies*, 27. (1966) 580–606. Online: <https://www.library.georgetown.edu/woodstock/murray/1966h>.

²⁰ John Courtney Murray SJ: The Problem of Religious Freedom, *Woodstock Papers*, 7. Westminster, MD: Newman Press. 1965. Online: <https://www.library.georgetown.edu/woodstock/murray/1964e>. 2021.

a sin. In Catholic moral theology, Aquinas' views on conscience are part of the mainstream.²¹

Nevertheless, Ryan highlights the difference between the liberal and the Thomistic understanding of rights as follows: “‘Rights’ language in the context of Liberalism puts the focus on ‘right’ in the subjective sense, ‘my claim’ against another. This contrasts with the more classical and Thomistic sense of the objective sense of *ius*, namely what is right or due to a person.”²² The liberal approach is based on the idea that personality is fundamentally autonomous and self-creative, whereas according to natural law self-development is a gift, an invitation from God to share his divine existence in openness to transcendence and humanity.²³

5. FREEDOM OF CONSCIENCE AND SECURITY IN THE PONTIFICAL DOCTRINE OF THE CHURCH

As Drew Christiansen has pointed out, “the Catholic understanding of peace necessarily entails a defense of justice and rejects passivity in the face of grave public injustice. In addition, the avoidance of war entails not just the prevention of conflict but the alleviation of the conditions that lead to conflict”.²⁴ The following section is an attempt to summarise, through a selection of papal statements, how freedom of conscience, pluralism and fairness towards other religious traditions have developed in the Church's normative teaching over the last sixty years. We will also show how this approach has been reconciled with a firm belief in the truth of Christian revelation, as transmitted and interpreted by the Church, to become a sign and instrument of salvation for all people.

We argue that, during the period under study, the three most significant aspects of official Catholic teaching on the relationship between religious freedom and security were 1. the articulation of a positive Catholic conception of human rights rooted in human dignity, including freedom for all religions; 2. the development of the concept of ‘healthy pluralism’; and 3. an increased emphasis on the creation of a political framework committed to fundamental and universal values and the promotion of the common good.

²¹ Thomas Ryan SM: Declaration on Religious Freedom: Three Developmental Aspects. *Solidarity: The Journal of Catholic Social Thought and Secular Ethics*, 8. (2018) 2. 7.

²² Ryan (2008) op. cit., 8.

²³ Ryan (2008) op. cit., 8.

²⁴ Drew Christiansen: Catholic Peacemaking, 1991–2005: The Legacy of Pope John Paul II. *The Review of Faith & International Affairs*, 4. (2006) 2. 22.

6. POPE SAINT JOHN XXIII: PEACE IS INEXTRICABLY LINKED TO HUMAN RIGHTS

According to Saint John XXIII, the substance of peace is the promotion, protection, and defence of human rights. In his encyclical *Pacem in Terris*²⁵ the Pope argued that natural law was the foundation of human rights in modern Catholic teaching, and he made governments responsible for defending those rights.

Pacem in Terris states that each human being is “endowed with intelligence and free will. As such he has rights and duties, which together flow as a direct consequence from his nature. These rights and duties are universal and inviolable, and therefore altogether inalienable.”²⁶ For Saint John XXIII, human dignity was not an abstract or metaphysical ideal, but something that could be achieved by improving the personal, social, economic and political environment. Human rights are those legal norms that enable each person to accomplish that which is consistent with his or her dignity.²⁷ In *Pacem in Terris* the pope also emphasized that everyone has “the right to be able to worship God in accordance with the right dictates of his conscience and to profess his religion both in private and in public”.²⁸ It is now an accepted fact that the philosophy of religious freedom in *Dignitatis Humanae* was influenced by these ideas.

6.1. Governments have to guarantee human rights

Saint John XXIII’s views on the functions of civil authority are based on the following premise. Man is by nature a social being, and a society cannot function effectively unless there is someone who can provide effective direction and unity of purpose. Therefore, every civilised community needs a governing authority that derives its power from nature. Ultimately, God is the source of its power.²⁹ The common good of individual states and of the world as a whole cannot be achieved without concern for the human person. Therefore, every public authority must have as its primary duty the recognition, respect, protection and promotion of human rights.³⁰ However, we must not assume that governmental authority is limitless,³¹ because of the moral order that comes from God.³²

Apart from God, no one can compel the interior obedience of another human being, because every human being has the same natural dignity.³³ The authorities must understand the nature and limits of their powers if they are to maintain the rule of law. They must respond to society’s most pressing demands, adapt laws to con-

²⁵ John XXIII: Enc. *Pacem in terris*. 11/3/1963, *Acta Apostolicae Sedis*, 55. (1963) 3. 257–304.

²⁶ John XXIII (1963) op. cit., n. 9.

²⁷ Gerald J. Beyer: John XXIII and John Paul II: The Human Rights Popes. *Ethos*, 27. (2014) 2. 59.

²⁸ John XXIII (1963) op. cit., n.14.

²⁹ John XXIII (1963) op. cit., n. 46.

³⁰ John XXIII (1963) op. cit., n. 139.

³¹ John XXIII (1963) op. cit., n. 47.

³² John XXIII (1963) op. cit., n. 51.

³³ John XXIII (1963) op. cit., n.48.

temporary realities and find appropriate solutions to emerging problems.³⁴ Since the pursuit of the common good is the sole reason for the existence of civil authorities, they must respect this fact³⁵ and act as a moral entity.³⁶ As a consequence, laws and decrees that violate the moral order, and thus the divine will, are not binding because “it is right to obey God rather than men”.³⁷

7. THE RIGHTS AND DUTIES OF MINORITIES

Saint John XXIII did not go into detail about religious minorities, but he did give some general guidelines for authorities about all kinds of minorities and their interaction with the majority. On the one hand, individuals and subordinate groups within the state must be adequately protected by law. This affirms their rights and enables them to fulfil their internal and external responsibilities.³⁸ Public authorities are also expected to improve the conditions of minorities. They must help them to preserve their languages, cultures and traditions, and give them equal access to education and economic activities.³⁹ On the other hand, minority groups need to build bridges with the majority and learn to appreciate their culture and customs. They should not emphasise their grievances in such a way as to hinder the political progress of the nation.⁴⁰ Human beings, regardless of their particular background, share with the rest of humanity some essential qualities that must be cherished as the basis for growth and self-realisation, especially in the area of spiritual values. Everyone has the right and responsibility to live in society with others.⁴¹

According to John XXIII, cooperation is based on a mutual willingness to promote the common good, to create equal opportunities in all spheres of life, to preserve the distinctive heritage of each community and to enrich society. Cooperation is made possible by a mutual commitment to promote the common good. The concept of equal opportunity, the right to preserve a particular heritage and the benefit to society are all fundamental components of John XXIII’s ideas on minority/majority relations. As we will see, some of these ideas were present in Pope Francis’ address to the Hispanic community and other immigrants in Philadelphia fifty-two years later.⁴²

³⁴ John XXIII (1963) op. cit., n. 72.

³⁵ John XXIII (1963) op. cit., n. 54.

³⁶ John XXIII (1963) op. cit., n. 48.

³⁷ John XXIII (1963) op. cit., n. 51.

³⁸ John XXIII (1963) op. cit., n. 69.

³⁹ John XXIII (1963) op. cit., n. 96.

⁴⁰ John XXIII (1963) op. cit., n. 97.

⁴¹ John XXIII (1963) op. cit., n. 100.

⁴² See Francis: *Meeting for Religious Liberty with the Hispanic Community and Other Immigrants*. 26 Sept. 2015, Online: https://www.vatican.va/content/francesco/en/speeches/2015/september/documents/papa-francesco_20150926_usa-liberta-religiosa.html.

8. POPE SAINT JOHN PAUL II: HUMAN DIGNITY IS A RIGHT AND A CONCERN FOR ALL

Saint John Paul II stressed in his first encyclical, *Redemptor Hominis*, that “the curtailment of the religious freedom of individuals and communities is (...) above all an attack on man’s very dignity, independently of the religion professed or of the concept of the world which these individuals and communities have.”⁴³ In a speech to the United Nations General Assembly in 1979, the Pope stated that human rights were not limited to matters of conscience and belief, but also included some socio-economic factors. According to John Paul II, the violation of any of these rights could lead to national or international conflicts.

For John Paul II, religious freedom is the most important human right because religion communicates a person’s deepest desires, determines their worldview, and influences their interactions with others. Therefore, spiritual values are primordial, as they bind people together, drive material needs, and ensure their just distribution and use,⁴⁴ and thus they might prevent conflicts. Violating human rights is “a form of warfare against humanity”.⁴⁵ In his speech on the World Day of Peace nineteen years later, Saint John Paul II expressed this idea thus: “Its inviolability is such that individuals must be recognized as having the right even to change their religion, if their conscience so demands. People are obliged to follow their conscience in all circumstances and cannot be forced to act against it. Precisely for this reason, no one can be compelled to accept a particular religion, whatever the circumstances or motives.”⁴⁶ He emphasised, by alluding to the resolutions of the Second Vatican Council, that preventing wars is an aspiration shared by many Christian and non-Christian religions.⁴⁷

9. A FRAMEWORK FOR IMPLEMENTING RELIGIOUS FREEDOM

In *Redemptor Hominis* Saint John Paul II exhorted the leaders of states and international organisations “to respect the rights of religion and of the Church’s activity. No privilege is asked for, but only respect for an elementary right. Actuation of this right is one of the fundamental tests of man’s authentic progress in any regime, in any society, system or milieu.”⁴⁸ Twenty-four years later, towards the end of his pontificate, he argued that religious freedom was “in a certain sense (...) the litmus test for the respect of all the other human rights”.⁴⁹ These texts show that, according

⁴³ John Paul II: Enc., *Redemptor hominis*, 4/3/1979, *Acta Apostolicae Sedis*, 71. (1979) 4. 257–324.

⁴⁴ John Paul II: *Address to the 34th General Assembly of the United Nations*, 2 October 1979, no. 14. Online: https://www.vatican.va/content/john-paul-ii/en/speeches/1979/october/documents/hf_jp-ii_spe_19791002_general-assembly-ONU.html. 1979.

⁴⁵ John Paul II (1979) op. cit., n. 16.

⁴⁶ John Paul II (1998) op. cit.

⁴⁷ John Paul II (1979) op. cit., n. 16.

⁴⁸ *Redemptor Hominis*, no. 17.

⁴⁹ John Paul II: *Address to the Participants in the Parliamentary Assembly of the Organization for Security and Cooperation in Europe*, 10 October 2003. no.1. Online: https://www.vatican.va/content/john-paul-ii/en/speeches/2003/october/documents/hf_jp-ii_spe_20031010_osce.html. 2003.

to John Paul II, each of us has a double responsibility: a vertical one towards God, which leads us to seek and preserve the truth, and a horizontal one towards our fellow human beings, so that they can do the same.

In a personal letter to the heads of state of the nations that signed the Helsinki Accords in 1975, John Paul II explained that state authorities and civil society alike must respect the free spiritual development of each individual, because each person has the right and the responsibility to seek the truth. The Pope reminded these politicians that professing and practising a religious faith involves a series of visible acts, which may be individual or collective, private or public. These acts establish communion between those who follow the same faith, but the intensity of this bond is not uniform, since it depends on the nature and precepts of the given faith.⁵⁰ Saint John Paul II gave a detailed list of what religious freedom includes. It includes the ability to hold or reject a particular faith or to join a confessional community, among many other things. Religious freedom also allows religious organisations to engage in educational, charitable and social activities.⁵¹ At the time, the Pope expressed his concern about the dangers of arbitrary rules when religious freedom is regulated without talking to those who are most concerned about it.⁵²

The state must protect this precarious balance by allowing full freedom of religious belief and practice, unless it threatens public order. According to Saint John Paul II's "Message for the Celebration of the World Day of Peace" issue on 1 January 1999 "When a state grants special status to one religion, this must not be to the detriment of the others".⁵³

John Paul II saw the secular nature of state institutions as both an opportunity and a threat to religious freedom because of misunderstandings of the concept. He claimed that "the positive role of believers in public life should be recognized," implying the existence of "a healthy pluralism" and demonstrating the genuine essence of democracy. Governments that are "disciplined and balanced in the expression of their secular nature" facilitate communication and cooperation between civil and religious sectors of society for the common good.⁵⁴ At the same time, he warned that "Just as damage is done to society when religion is relegated to the private sphere, so too are society and civil institutions impoverished when legislation – in violation of religious freedom – promotes religious indifference, relativism and religious syncretism, perhaps even justifying them by means of a mistaken understanding of tolerance."⁵⁵

Thus, according to John Paul II, secular authorities must respect and promote religious beliefs and practices and consult with representatives of these communities on matters of common concern. The Pope gave a concrete definition of religious freedom and highlighted the dangers of granting special status to one religious community at the expense of others. Accordingly, he emphasised the need for universal

⁵⁰ John Paul II: *Message on the Value and Content of Freedom of Conscience and of Religion*. 14 November 1980. 2. Online: https://www.vatican.va/content/john-paul-ii/en/speeches/1980/november/documents/hf_jp_ii_spe_19801114_atto-helsinki.html. 1980.

⁵¹ John Paul II (1980): op. cit., n. 4.

⁵² John Paul II (1980): op. cit., n. 3.

⁵³ John Paul II (1998): op. cit. no. 5.

⁵⁴ John Paul II (2003): op. cit., n. 2.

⁵⁵ John Paul II (2003): op. cit., n. 3.

respect as a guarantor of freedom over privilege. Rather than eroding religious values or replacing them with relativism, he sees “healthy pluralism” and authentic democracy as the best framework for preserving their presence and representation in the socio-political milieu.

10. LEBANON: THE FUTURE IS POST-CONFESSIONALISM

The following chapter presents some of the key concepts from “A New Hope for Lebanon”, the Post-Synodal Apostolic Exhortation of John Paul II. The document was published during his visit to Lebanon in May 1997 to officially close the Special Assembly for Lebanon of the Synod of Bishops. In this document, the Pope proposed a spiritual roadmap for a post-confessional, pluralistic Lebanon, based on citizenship, commitment to a common land and history, respect for religious values, human dignity and the building of relationships through mutual efforts for the common good.⁵⁶

The Pope urged spiritual communities in post-war Lebanon to commit themselves to the path of greater solidarity. He encouraged Christians and Muslims to work together for the common good and not for individual and community gain or to achieve a higher status in society.⁵⁷

Every politician, religious leader and other stakeholder must understand the legitimate demands and goals of every other actor. Those involved in public service, politics, business or social life must lead all citizens towards the common good by “understanding the real *res publica*”.⁵⁸ The rights of peoples and the institutions that protect them are indispensable points of reference. Within a national community, the spirit of fraternity and mutual support is based on the conviction that everyone has the right to participate in the social, political, economic, cultural and associative life of the community. Minorities may carry out such activities, provided that they are in harmony with the spiritual and cultural traditions of the territory or that their actions do not undermine the common good or public order.

Pope John Paul II has reminded us that Christian citizens cannot lead a double life: on the one hand, a so-called spiritual life, with its values and demands. On the other hand, a so-called secular life, with diametrically opposed or independent values. To penetrate the temporal order and be able to serve man and society in a Christian way,⁵⁹ the lay faithful should be involved in politics, in a wide range of economic, social, legislative, administrative and cultural activities, and in public service with their brothers and sisters of other religious communities, in order to contribute to the creation of a just and peaceful society.⁶⁰

John Paul II stressed that the legitimate authorities of a country must ensure that all communities and individuals have the same rights and are subject to the same

⁵⁶ John Paul II: *A New Hope for Lebanon*. Online: https://www.vatican.va/content/john-paul-ii/it/apost_exhortations/documents/hf_jp-ii_exh_19970510_lebanon.html. 1997.

⁵⁷ John Paul II (1997): op. cit., n. 90–91.

⁵⁸ John Paul II (1997): op. cit., n. 94.

⁵⁹ John Paul II (1997): op. cit., no. 112.

⁶⁰ John Paul II (1997): op. cit., n. 94.

duties, based on the principles of equity, equality and justice.⁶¹ Human rights must be treated as a fundamental part of positive law that must take precedence over any constitution and other legal instruments if we are to create a peaceful Lebanon and Middle East.⁶² The stability of a nation, and the future of humanity, is at risk if human rights are not protected. “Unity is a responsibility of each cultural and religious community [so that] no one will be afraid of the other; on the contrary, everything will be done so that the different components are respected and fully participate in local and national life” – the Pope concluded.⁶³ This text can be used as a blueprint if we want to create a functioning socio-political framework based on human dignity and human rights in a multi-confessional territory.

11. BENEDICT XVI: ELIMINATING RELIGION AND RELIGIOUS FUNDAMENTALISM ARE TWO SIDES OF THE SAME COIN

Pope Benedict XVI repeatedly emphasized the link between religious freedom and peace. He also argued that the “dictatorship of positivist reason”⁶⁴ and religious fanaticism were the two major factors that threatened human dignity, justice, and peace. On the World Day of Peace, 1 January 2011, he stressed that religious freedom is the source of moral freedom in human nature. According to Benedict XVI, religious freedom gives full dignity to each person and guarantees full mutual respect among individuals. This Pope also argued that the human being has two dimensions, a religious and a social, and when we combine these two, we can reach the state of interdependent unity, when one half cannot be fulfilled without the other.⁶⁵ Pope Benedict also stated that he respects the positive secularity of state institutions, while calling on the state to recognise the public dimension of religion.⁶⁶ He argued that since the religious dimension of human beings is “not a creation of the state, it cannot be manipulated by the state, but must rather be acknowledged and respected by it”.⁶⁷

For Benedict XVI, Enlightenment had two distinct legacies. One of these was that we have to oppose “a dictatorship of positivist reason” that seeks to exclude God from public life and deprive human beings of a unique criterion of judgment.⁶⁸ While the culture of “secularity”, which allegedly promoted the freedom of thought and the freedom from religious constraints, led to the exclusion of Christian content and values from public life. This exclusion is the source of the contemporary tendency

⁶¹ John Paul II (1997): op. cit., n. 115.

⁶² John Paul II (1997): op. cit., n. 116.

⁶³ John Paul II (1997): op. cit., n. 120.

⁶⁴ Benedict XVI: *Address to the Members of the Roman Curia at the Traditional Exchange of Christmas Greetings 22 December 2006*. Online: https://www.vatican.va/content/benedict-xvi/en/speeches/2006/december/documents/hf_ben_xvi_spe_20061222_curia-romana.html. 2006.

⁶⁵ Benedict XVI: *Religious Freedom, the Path to Peace*. No 3. Online: https://www.vatican.va/content/benedict-xvi/en/messages/peace/documents/hf_ben-xvi_mes_20101208_xliv-world-day-peace.html. 2010.

⁶⁶ Benedict XVI (2010): op. cit., n. 9.

⁶⁷ Benedict XVI (2010): op. cit., n. 8.

⁶⁸ Benedict XVI (2006): op. cit.

to regard “the entire realm of faith and morals as ‘subjective’”.⁶⁹ The Pope classified moral relativism as an illusory solution which creates an environment suitable for “the sway of idols, of relative goods which then become absolute.”⁷⁰ Since reason is inherently fragile, secular systems based on reason are also weak and expose their societies “to the risk of forms of political and ideological totalitarianism which emphasize public power while demeaning and restricting freedom of conscience, thought and religion as potential competitors.”⁷¹

12. REASON AND RELIGION ARE INTERTWINED

Nevertheless, according to Benedict XVI, one must acknowledge the true accomplishments of the Enlightenment, “human rights, and especially freedom of faith and practice, and recognize these also as essential elements for the authenticity of religion”.⁷² The Pope drew a parallel between religious fundamentalism and secularism because both reject legitimate pluralism and the principle of secularity. Moreover, both approaches promote a reductive and partial view of the human person, which is religious integralism in the one case and rationality in the other.⁷³

Before his pontificate, in a debate between Cardinal Ratzinger and Jürgen Habermas in Munich 2004, the would-be pope underlined “a necessary relatedness between reason and faith and between reason and religion, which are called to purify and help one another. They need each other, and they must acknowledge this mutual need”.⁷⁴ According to Cardinal Ratzinger, the dichotomy between reason and religion is false and he warned that rejecting the social and ethical contributions of religion makes it “difficult to guide societies towards universal ethical principles”.⁷⁵

Benedict XVI also emphasised that religious freedom in this sense is the product of a healthy political and legal culture that does not create obstacles for those who wish to convert to another religion or to profess no religion at all.⁷⁶ The Pope also asserted that tolerating religious or anti-religious fanaticism cannot be left to the discretion of the legislator or the majority in a legislative assembly.⁷⁷ Instead, he argued that states should look to international law, which does not allow for exceptions to religious freedom as long as the legitimate needs of maintaining public order are met.⁷⁸

About religious fundamentalism, Pope Benedict unequivocally stated that “the profession of a religion cannot be exploited or imposed by force.”⁷⁹ The abuse of

⁶⁹ Joseph Ratzinger – Marcello Pera: *Without Roots: The West, Relativism, Christianity, Islam*, Basic Books, New York, 2006. 116.

⁷⁰ Benedict XVI (2010): op. cit., n. 8.

⁷¹ Benedict XVI (2010): op. cit., n. 8.

⁷² Benedict XVI (2006): op. cit.

⁷³ Benedict XVI (2010): op. cit., n. 8.

⁷⁴ Joseph Ratzinger: *That Which Holds the World Together*. In: Jürgen Habermas and Joseph Ratzinger: *The Dialectics of Secularization*. San Francisco, Ignatius Press, 2006. 79–80.

⁷⁵ Benedict XVI (2010): op. cit., n. 7.

⁷⁶ Benedict XVI (2010): op. cit., n. 5.

⁷⁷ Benedict XVI (2010): op. cit., n. 8.

⁷⁸ Benedict XVI (2010): op. cit., n. 5.

⁷⁹ Benedict XVI (2010): op. cit., n. 7.

religious freedom to serve hidden interests, such as undermining the established order, accumulating wealth or limiting access to power to certain groups, can cause enormous harm to societies. Fanaticism, fundamentalism and the denial of human rights can never be justified, especially when done in the name of religion.⁸⁰

“Religious freedom is not the exclusive patrimony of believers, but of the whole family of the earth’s peoples,” – stated Benedict in his 2011 World Day of Peace message.⁸¹ The great religions can become important promoters of unity and peace in an increasingly multi-ethnic and multi-religious globalized world. Among the various religious cultures, we have to appreciate those elements that promote civil coexistence while rejecting anything that may violate human dignity.⁸² Pope Benedict XVI called the leaders of the world’s religions and states to renew their commitment to religious freedom, and particularly to the protection of religious minorities. The pope also emphasised that religious toleration does not threaten any majority’s identity. Instead, it creates “an opportunity for dialogue and mutual cultural enrichment”.⁸³

Benedict XVI has worked tirelessly to emphasise the importance of the social dimension of religious freedom. Religious freedom is based on the dignity of the human person, but it extends outwards and permeates every aspect of social and political life. The believer, like everyone else, is a citizen who has the right and the duty to contribute to society. To deny or arbitrarily restrict his freedom is to take a reductive view of the human person. The Pope reiterated that the activities of national or religious authorities can only be restricted when they violate the spirit of international law, which cannot be overridden by positivism, relativism or any form of religious fundamentalism.

13. POPE FRANCIS: AN INVITATION TO REDISCOVER AND REALISE FUNDAMENTAL TRUTHS

Pope Francis’ most recent encyclical, *Fratelli Tutti*, questions the actual meaning of freedom and justice. The pope notes that these concepts, similarly to other key expressions like democracy or unity, have become “meaningless tags that can be used to justify any action”.⁸⁴ The Pope is convinced that only a “global ethic of solidarity and collaboration”, serving a future of interdependence and shared responsibility for the whole of humanity, can bring true and lasting peace.⁸⁵ If we want to build a world that respects and guarantees human dignity and freedom, we need more than political action and the force of law.

Like his immediate predecessors, Popes Benedict XVI and John Paul II, Francis criticised relativism. According to Pope Francis, relativism, often disguised as tolerance, ultimately leaves the interpretation of moral norms to those in power and allows them to define the norms as they see fit. According to Francis, only objective

⁸⁰ Benedict XVI (2010): op. cit., n. 7.

⁸¹ Benedict XVI (2010): op. cit., n. 5.

⁸² Benedict XVI (2010): op. cit., n. 10.

⁸³ Benedict XVI (2010): op. cit. no. 10.

⁸⁴ Francis: Enc., *Fratelli Tutti*. *Acta Apostolicae Sedis*, 112. (2020) 11. 969–1074.

⁸⁵ Francis (2020) op. cit., n. 127.

truths, sound principles and universally accepted values can become the cornerstones of a robust and stable system of social ethics. These building blocks arise from certain basic structures inherent in human nature and exist to promote our development and survival.⁸⁶ Francis asserts that “Certain requirements thus ensue, and these can be discovered through dialogue, even though, strictly speaking, they are not created by consensus. The fact that certain rules are indispensable for the very life of society is a sign that they are good in and of themselves.”⁸⁷

Truth, according to Pope Francis, is not a concept, but rather “the search for the solid foundations sustaining our decisions and our laws.”⁸⁸ The search for truth, then, is a sincere endeavour that will lead us to fundamental principles and demands. That is why Pope Francis’ most important premise is that some fundamental truths should be preserved indefinitely. The decisive channel of this search for truth is dialogue, which is “illuminated by clear thinking, rational arguments, a variety of perspectives, and the contribution of different fields of knowledge and points of view”.⁸⁹ The fundamental values we have identified “rise above consensus; they transcend our concrete situations and remain non-negotiable”.⁹⁰ Their meaning and scope can change through time as “consensus is a dynamic reality – but in themselves, they are held to be enduring by virtue of their inherent meaning”.⁹¹

The backdrop for the inviolability of human dignity and human rights, such as religious freedom, is provided by this set of pre-existing and revealed principles. One such fundamental truth, according to Pope Francis, is that “every human being possesses an inalienable dignity (...) and no one can consider himself or herself authorized by particular situations to deny this conviction or act against it”.⁹² According to the pope, religious freedom “for believers of all religions” is an unequivocal, fundamental human right⁹³ since “the commandment of peace is inscribed in the depths of the religious traditions that we represent.”⁹⁴

The structure of the encyclical demonstrates that religious freedom is also the product of dialogue. For example, Pope Francis frequently quotes from the *Document on Human Fraternity for World Peace and Living Together* (Abu Dhabi 4 February 2019) which was signed by Pope Francis and the Grand Imam of Al-Azhar Ahmad Al-Tayyeb (paragraphs 5, 29, 131, 136, 192, 275, 283, 285). Besides the Muslim-Christian dialogue, Pope Francis also expresses his admiration for non-Catholic Christians such as Martin Luther King and Desmond Tutu, and the Hindu Mahatma Gandhi.⁹⁵ Ahmad al-Tayyeb is not only addressed at the beginning of the text (in paragraph 5) for encouraging the Pope to write an encyclical on human brotherhood, but Francis also describes him as one of the “religious leaders,

⁸⁶ Francis (2020) op. cit., n. 206.

⁸⁷ Francis (2020) op. cit., n. 212.

⁸⁸ Francis (2020) op. cit., n. 208.

⁸⁹ Francis (2020) op. cit., n. 211.

⁹⁰ Francis (2020) op. cit., n. 211.

⁹¹ Francis (2020) op. cit., n. 211.

⁹² Francis (2020) op. cit., n. 213.

⁹³ Francis (2020) op. cit., n. 279.

⁹⁴ Francis (2020) op. cit., n. 284.

⁹⁵ Francis (2020) op. cit., n. 286.

called to be true ‘people of dialogue,’ to cooperate in building peace not as intermediaries but as authentic mediators”.⁹⁶

When speaking about the mission of the Church, Pope Francis states that “Room needs to be made for reflections born of religious traditions that are the repository of centuries of experience and wisdom.”⁹⁷ Francis also believes that “Religious convictions about the sacred meaning of human life” enable us “to recognize the fundamental values of our common humanity, values in the name of which we can and must cooperate, build and dialogue, pardon and grow” rejecting discrimination, hatred and violence.”⁹⁸ Accordingly, the Church’s mission is not limited to the private sphere, because while it does not engage in politics, it cannot ignore the political component of life, since the Church has an interest in promoting the common good and integrated human development in accordance with evangelical values. The Church “has a public role over and above her charitable and educational activities” without competing with earthly powers.⁹⁹

14. THE RELIGIOUS DIMENSION IS NOT A SUBCULTURE

The theme of the relationship between the Church and civil authorities is developed in several other documents. Pope Francis gave a short and concise definition in one of his first messages stating that “civil power finds its limits before the law of God, reserving just space for the autonomy of conscience, with the awareness that ecclesiastical authority and civil power are called to cooperate for the integral good of the human community”.¹⁰⁰ In talking to the members of the European Parliament, he reminded them that “a two-thousand-year-old history links Europe and Christianity. It is a history not free of conflicts and errors, and sins, but one constantly driven by the desire to work for the good of all. (...) the time has come to work together in building a Europe which revolves not around the economy, but around the sacredness of the human person, around inalienable values.”¹⁰¹ These statements reveal a vision in which civil and religious authorities, while maintaining their autonomy, work together to promote human dignity and the common good.

This cooperation is only possible if the secular authorities recognise that “religion itself, the religious dimension, is not a subculture; it is part of the culture of every people and every nation”.¹⁰² Francis also asserts that “Our various religious traditions

⁹⁶ Francis (2020) op. cit., n. 284.

⁹⁷ Francis (2020) op. cit., n. 275.

⁹⁸ Francis (2020) op. cit., n. 283.

⁹⁹ Francis (2020) op. cit., n. 276.

¹⁰⁰ Francis: *Message of Holy Father Francis to the President of the Pontifical Council for Promoting Christian Unity on the Occasion of the 13th Inter-Christian Symposium*. Online: https://www.vatican.va/content/francesco/en/messages/pont-messages/2013/documents/papa-francesco_20130819_xiii-simposio-intercristiano.html. 2013.

¹⁰¹ Francis: *Address of Pope Francis to the European Parliament* (Nov. 25, 2014). Online: https://www.vatican.va/content/francesco/en/speeches/2014/november/documents/papa-francesco_20141125_strasburgo-parlamento-europeo.html. 2014.

¹⁰² Francis: *Meeting for Religious Liberty with the Hispanic Community and Other Immigrant*. Online: https://www.vatican.va/content/francesco/en/speeches/2015/september/documents/papa-francesco_20150926_usa-liberta-religiosa.html. 2015.

(...) remind us of the transcendent dimension of human existence and our irreducible freedom in the face of any claim to absolute power".¹⁰³ Therefore, the followers of the various religious traditions must firmly oppose any attempt "to suppress religious freedom, or...to try to reduce it to a subculture without right to a voice in the public square, or to use religion as a pretext for hatred and brutality" by.¹⁰⁴

Speaking to the European Parliament in Strasbourg, Francis warned against an individualistic interpretation of human rights detached from a "social context wherein his or her rights and duties are bound up with those of others and with the common good of society itself".¹⁰⁵ It is an urgent task to develop a culture of human rights "which wisely links ... the personal aspect, to that of the *common good*".¹⁰⁶ Because "unless the rights of each individual are harmoniously ordered to the greater good, those rights will end up being considered limitless and consequently will become a source of conflicts and violence".¹⁰⁷ As Joel Harrison has noted, Francis makes clear that secular authorities must cooperate with religion throughout the public sphere,¹⁰⁸ and this resonates with Zachary Calo's notion of "resacralizing" the political life of modernity.¹⁰⁹

During his visit to Iraq in March 2021, Pope Francis asked Iraqi decision-makers to "foster spirit of fraternal solidarity".¹¹⁰ The Pope also suggested that Iraq shall be a place for "all those citizens who seek to cooperate in building up this country (...) committed to reconciliation and prepared, for the common good".¹¹¹ Furthermore, the Pope reminded his audience that "it is essential to ensure the participation of all political, social and religious groups and to guarantee the fundamental rights of all citizens".¹¹² Pope Francis describe the Christian communities of Iraq thus "their age-old presence (...) and their contributions to the life of the nation, constitute a rich heritage that they wish to continue to place at the service of all. Their participation in public life, as citizens with full rights, freedoms and responsibilities, will testify that a healthy pluralism of religious beliefs, ethnicities and cultures can contribute to the nation's prosperity and harmony."¹¹³

Pope Francis' statement echoes some of the fundamental ideas of Saint John Paul II, which he delivered to the Lebanese people some twenty-five years earlier. The primacy of citizenship is based on the concept of civic identity, which guarantees equality before the law as well as rights and duties, such as freedom of worship and profession. For Francis, civil authority must strike a balance between the personal and the communal, recognising religion as part of culture and giving it a fair place in public life.

¹⁰³ Francis (2015): op. cit.

¹⁰⁴ Francis (2015): op. cit.

¹⁰⁵ Francis (2013): op. cit.

¹⁰⁶ Francis (2014): op. cit.

¹⁰⁷ Francis (2014): op. cit.

¹⁰⁸ Joel Harrison: Pope Francis, True Religion, and Religious Liberty. *Journal of Law and Religion*, 33. (2018) 447–480.

¹⁰⁹ Harrison (2018): op. cit. 456.

¹¹⁰ Francis: Full Speech to the Authorities of Iraq, March 5, 2021, *The Tablet*, Online: <https://thetablet.org/pope-francis-full-speech-to-the-authorities-of-iraq/>. 2021.

¹¹¹ Francis (2021): op. cit.

¹¹² Francis (2021): op. cit.

¹¹³ Francis (2021): op. cit.

15. CONCLUSION

The texts we have examined show that Popes John XXIII, John Paul II, Benedict XVI and Francis all understood that religious leaders must educate and encourage their members to exercise religious freedom in a trustworthy manner: They have also been committed to promoting their religiously grounded moral views in ways that are understandable to those who do not belong to their religious traditions. As they have often reiterated, religious authorities and their followers must reject ideologies that use or misuse religion for political purposes, to justify violence, or to strengthen their position within their own traditions.

It is worth quoting Joseph Weiler, who asserts that

the European version of the non-laique state is hugely important in the lesson of tolerance it forces on such states and its citizens towards those who do not share the 'official' religions and in the example it gives the rest of the world of a principled mediation between a collective self-understanding rooted in a religious sensibility, or religious history, or religiously-inspired values and the imperative exigencies of liberal democracy¹¹⁴

– or we may add, the requirements of respect for freedoms and universal human rights.

According to Thomas Ryan, the secular human rights paradigm was originally based on the dignity of the human person, created in the image and likeness of God, and underpinned by the idea of a covenant between God and humanity.¹¹⁵ In this paper we have shown that since the Second Vatican Council, official Catholic teaching has focused on the following issues: The relationship between created beings, the dignity of the human person, the avoidance of the pitfalls of relativism, the obligation to define truth in terms of fundamental values and universally binding principles, and the commitment to religious plurality within the limits of public order.

Some argue that, given the diversity of human societies, there is no single, universally applicable model of religious freedom that is suitable for every country, and that we do not need to implement fundamental rights in a uniform way. However, as past and recent history and the activities of Popes John XXIII, John Paul II, Benedict XVI and Francis have shown, human rights cannot become a reality if we do not accept that there is a set of universal principles that define their nature, their implementation and their subject, the human person.

¹¹⁴ Joseph H. H. Weiler: *State and Nation; Church, Mosque and Synagogue – On Religious Freedom and Religious Symbols in Public Places. Universal Rights in a World of Diversity. The Case of Religious Freedom. Pontifical Academy of Social Sciences, Acta 17, (2021), 581.* Online: <http://www.pass.va/content/dam/scienze-sociali/pdf/acta17/acta17-weiler.pdf>

¹¹⁵ Ryan (2008): op. cit., 7.

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THE PLACE OF CHRISTIAN INTELLECTUALS IN THE LIGHT OF THE SOCIAL DOCTRINE OF THE CHURCH

The Case of the Association of Christian Intellectuals

1. INTRODUCTION: THE RESPONSIBILITY OF CHRISTIAN INTELLECTUALS

At the beginning of the 21st century, the ideal Christian intellectual is a citizen committed to historically and culturally transcendent values such as personal dignity, freedom, justice, human rights and responsibility. And as a modern citizen, he or she can exercise these values as a volunteer in many community associations.

Many contemporary thinkers deny the existence of a Christian value system. For Christians, however, their dynamic relationship with God is the basis of those universal and eternal values (laws) that govern our reality on earth. The traditional values to which Christian intellectuals adhere have been shaped by the doctrines of faith, the living apostolic tradition and two thousand years of European Christian civilisation. This fact foreshadows the public responsibility of Christian intellectuals, for the Christian message must reach the whole community. Every Christian community is therefore responsible not only for its members but also for its environment. These tasks are concentric: activities motivated by the commandment of solidarity with one's neighbour must never jeopardise the Church's most sacred responsibilities: faith in God, family and nation.

To this end, Christian citizens create institutions that not only promote economic development, but also allow people to experience political freedom and are morally and culturally committed to human progress. Although the Enlightenment created the secular state, this does not mean that the irreligious masses are adrift on the waves of state politics. Deeply Christian communities can take advantage of the opportunities offered by the secular state by establishing their civil organisations, which can participate in policy-making and provide social guidance to the public. Our faith in God and commitment to Christian doctrine will create opportunities for our communities to serve the nation, the country and our neighbours, and to inspire more acts of charity towards the neglected and disadvantaged in society.¹

Society has always expected intellectuals to use their expertise to identify and help solve the problems of society. Indifference, resignation and the burdens of everyday life must not dominate Christian intellectuals, and these problems must not divert their energies from serving the community, from engaging in the spiritual life, or from thinking about the future of Christianity. Christian doctrine is a set of

¹ Muzslai, István: *Az Egyház szociális tanítása – A KÉSZ társadalomépítő programja*. Budapest, Márton Áron Kiadó, 2004.

spiritual values that are fundamental to society and that describe God, humanity and the relationship between the two. Every Christian intellectual must point out the dangers and extremes that threaten their communities, their nation, the Christian churches, or the values that guarantee the greatest intellectual freedom. They must honestly seek to find appropriate solutions to these challenges, in accordance with the teachings of Holy Scripture.²

In this area, the social teaching of the Church can be a guide. For one of the foundations of the social doctrine of the Catholic Church is the common good. The Church defines the common good as human fulfilment at the individual and community levels. The Church offers a very particular, non-hedonistic solution to the attainment of happiness that focuses on the journey itself. By committing oneself to this approach, one can be fulfilled and enriched because one is on the way to a concrete goal, such as improving one's relationship with God, building a community, supporting a family, or creating a work of art. For the Christian intellectual, Catholic social teaching is also a natural part of the Christian worldview because it provides a coherent and interdependent frame of reference for both the individual and the community, so that each can fulfil his or her divinely ordained mission and responsibilities.³

We cannot deny that a responsible conservative intellectual will always look at the world through the social teaching of the Church(es) and find answers to challenging questions about its relationship with creation. Religious people, communities of believers and the churches themselves cannot be excluded from public debates.

In most cases, it is precisely those organisations committed to tolerance or an open society and the inclusion of others that call for the silence of churches or religious organisations in public affairs. In practice, then, these bodies want to exclude a significant part of society from such debates. Responsible Christian intellectuals are committed to a Christian value system that guides their everyday morality and their attitudes towards nation, family, individual, justice, law, economics, in short, all that we call life. And this creates "critical solidarity" with those who believe in similar principles. At the same time, we must relentlessly criticise and call to account all those who seek to dismantle our values, our common cultural and social norms. In Hungary, the *Association of Christian Intellectuals* (KÉSZ) is a good example of these principles.

2. A BRIEF HISTORY OF KÉSZ

The Association of Christian Intellectuals is as old as modern Hungarian sovereign democracy. KÉSZ was one of the first non-governmental organisations to be officially registered by the Hungarian courts at the beginning of the regime change. This was made possible by the promulgation of the Act on the Right of Association in 1989. Article II of the Act stated that "everyone has the right to form organisations or communities with others or to participate in their activities". The law enabled the resumption of civic activity, which had been very active in Hungary in the past.

² Lakner, Zoltán: *Egyház és társadalom*. Budapest, Szent István Társulat, 2012. 51–73.

³ Pontifical Council for Justice and Peace: *Compendium of the Social Doctrine of the Church*. Vatican, Libreria Editrice Vaticana, 2014.

After the law was passed, a wide range of associations and self-organisations were established in our country. By 2021 KÉSZ had become the largest ecumenical, religious evangelising NGO in Hungary.

Béla Csanád (1926–1996), a theologian, priest, poet and teacher at the Theological Academy, held the founding meeting of the Association of Christian Intellectuals in Budapest on 30 January 1989. He hoped to create an organisation that would go beyond narrow religious issues and provide a national forum for the transformation of Hungary into a Christian-patriotic state. KÉSZ wanted to promote these aims not politically and not as a political party, but as an evangelising society. KÉSZ wanted to restore self-respect, civic spirit and Christian values among the intelligentsia after decades of repression, silencing and oppression.⁴

Interestingly, the founders of the Association did not associate the term intellectual with any kind of educational qualification, employment or social status. Instead, they believed that a commitment to an inner, spiritual and intellectual life, a deep self-awareness and faith, a sense of mission and a commitment to live according to these values made one an intellectual.⁵ The main aim of the Association is to offer Christian solutions to all those who seek guidance and support in areas of life that lie outside the framework of traditional religious activity – to achieve these goals through public activism, the preservation of Hungary’s cultural and natural heritage, and the development and documentation of Christian positions in all areas of life.

Thus, in the late 1980s and 1990s, the organisation’s position in political affairs became an important issue, as the leadership of KÉSZ was always committed to the public and intellectual engagement of Christians. As part of this process, KÉSZ launched a series of socio-political round tables in 1990. These events sought to define the duties of Christians in political and social life, to discuss the relationship between Christianity and liberalism, the relationship between modern economic conditions and Christian solidarity, or the situation of Hungarian minorities in neighbouring countries.⁶ The decision to launch a series of national congresses in the autumn of 1991 proved to be a defining moment for the Association. The congress, held under the patronage of Prime Minister József Antall, promoted the principles of solidarity and personal identity and the implementation of Christian values in education, health care and social policy. In addition to these issues, KÉSZ was committed to studying the path of intellectuals. (*Ki az értelmiségi*, 1993)

KÉSZ grew quite rapidly and by 1995 it had around 3,000 registered members in 39 local groups in the countryside and 9 working groups in Budapest. According to President Béla Csanád (1995): “with our very modest financial means we have been able to create a wealth of values not only in the fields of spirituality, culture, science, art, public life, but also in the fields of social care, social assistance, communication and publishing”.⁷

The association founded Hungary’s first ecumenical Christian primary school in Mosonmagyaróvár, while the local KÉSZ group in Baja ran a whole network of schools. The KÉSZ Round Tables became a national phenomenon, and the leader

⁴ Csanád, Béla: *Lectori salutem. Jel*, 1. (1989) 1–2.

⁵ Adalbertinum: *Az Adalbertinum első évtizede. Új Ember*, 54. (1989) 19.

⁶ Zachar (2019) op. cit.

⁷ Csanád, Béla: *A Keresztény Értelmiségiek Szövetsége. Vigilia*, 58. (1993), 12. 947–948.

of the Győr KÉSZ group, Erzsébet Lanczendorfer, became one of the driving forces behind this activity. The topics discussed at these meetings were not only the future of the Church, the possibilities of parochial schools, health and cultural issues, or the state of Hungary's youth and the country's demographic crisis, but also the future of Christian democracy and the possibility of establishing a Christian movement. At the same time, the association founded a Christian Free University, which supported lifelong learning projects by offering courses in philosophy, theology, Hungarian literature, history, religious ethnography and Christian social and political sciences.⁸

The idea of serving the unity of the Hungarian nation in the Carpathian Basin became an important pillar of KÉSZ's activities. Therefore, the presidency of KÉSZ wanted to discuss and address the existential problems of the Hungarian minorities in the neighbouring countries. From the spring of 1996, such events became commonplace, and KÉSZ began to cooperate with civil associations operating in the successor states of the former Kingdom of Hungary.

After the death of Béla Csanád in 1996, Father Zoltán Osztie became the second president of the organisation. In accordance with Béla Csanád's wishes, the new head of KÉSZ also represented the Catholic Church. In his inaugural speech, Father Osztie stressed the importance of evangelisation and the fact that Hungary is a missionary territory. Therefore, Father Zoltán Osztie emphasised the importance of preserving the liturgical dimension of the organisation from the very beginning in order to ensure the continuity of KÉSZ's dual mission of evangelisation and civic engagement.⁹ In this spirit, all existing programmes, such as round tables and congresses, were continued.

By the turn of the millennium, KÉSZ had 50 local groups and more than 4,500 members. This was partly due to the efforts of the new board to increase the organisation's presence in small, rural towns, and to the activities of committed, church-going, Hungarian-hearted Christian middle-class intellectuals. Alongside this growth and internal development of the organisation, KÉSZ became much more active in the area of public communication. For example, the leaders of the organisation appeared regularly in the media. They did this to make their voices heard on various issues and to support public evangelisation. KÉSZ also modernised its public relations. It issued regular press releases on specific issues, launched a website and started publishing an online magazine called JEL.

KÉSZ's most notable activity in the 2000s was a major tour of Hungary called "At Home in the Homeland – Christian Responsibility for the Nation" (2006). This event aimed to highlight the presence, strength and activities of local Christian communities to the non-Christian population, to raise issues affecting the whole nation and to present Christian responses to them. Another outstanding event organised by KÉSZ was "Christian Roots and the Blessed Hungarian Life" (2010), a series of seminars held in 17 locations to explore 10 themes. These lectures presented in

⁸ Zachar (2019) op. cit.

⁹ Zachar, Péter Krisztián: Misszió az evangelizációért, a kultúráért és a közéletért: A harmincéves KÉSZ története. In: Rochlitz, Bernadett (ed.): *"Mert nem csak magadnak születél"*. Jubileumi kiadvány a Keresztény Értelmiségiek Szövetsége alapításának harmincadik évfordulóján. Budapest, Keresztény Értelmiségiek Szövetsége, 2019. 15–89.

chronological order the inseparable links between Hungarians and Christianity, supported by archaeological findings, historical facts, cultural and social phenomena.

By its 20th anniversary in September 2009, the organisation had 84 local groups and over 6,000 active members nationwide. It has also sought to create a strong network of like-minded organisations for joint action. KÉSZ has carried out cooperation and consultation activities with the *Council of Hundreds* (Százak Tanácsa), joint programmes with the *Christian Public Academy* (Keresztény Közéleti Akadémia) and the *István Barankovics Foundation*. KÉSZ also has strong links with the *National Association of Large Families* and several pro-life Hungarian NGOs (e.g., *Pacem in Utero*). Finally, KÉSZ cooperates with several other organisations, including the *Rákóczi Association*, the *Battyhány Circle of Professors*, the *ÉRME network* and KETEG (Christian Social Principles in the Economy). In addition, KÉSZ was instrumental in establishing the still influential *Civil Cooperation Forum* (Civil Összefogás Fórum) in 2009.

After 20 years as President, Father Zoltán Osztie stepped down in the autumn of 2016. During the succession process, it became clear that the KÉSZ community is still committed to Béla Csanád's vision that the head of KÉSZ should always be a priest. The most likely explanation for this state of affairs is that having a cleric as president can guarantee the right spiritual direction in the midst of secular temptations. Thus, Ákos Makláry, a relatively young Greek Catholic parish priest, replaced Father Osztie as the new president of KÉSZ. The composition of the KÉSZ board also changed, as several younger candidates were elected to the board.

3. THE REACTION OF KÉSZ TO CONTEMPORARY CHALLENGES

When we examine the current public activities of KÉSZ, we cannot overlook the foundations and the environment. Christians do not only belong to the Church, they also exist in a secular society that affects everyone, whether existentially or spiritually. Therefore, believers and their civil organisations have the right to express their views on public affairs, including politics and public life. KÉSZ in Hungary has also, from the outset, sought to promote the social teachings of the Church and the adoption of secular norms that follow these guidelines. As Pope Benedict XVI wrote in *Deus caritas est* (2005): KÉSZ does not want to impose the social teaching of the Church as a political organisation. Instead, it wants to serve society and influence the consciences of politicians so that they have a clear vision of justice.

The Church's social teaching is based on human dignity, which cannot be ignored when seeking solutions or analysing and evaluating the structural relationships and functions of society. Within the Christian framework, man is a person who is responsible not only for himself but also for the community, the created world, whose behaviour within the community and relationship with society is as important as his personal choices.¹⁰ This is why the Christian position, despite its strong religious foundations, can be considered universal, since it is based on reason and natural law, i.e., values that are inherent in every human being. For this reason, KÉSZ explicitly encourages the participation of its Christian members in public life. KÉSZ carries

¹⁰ Lakner (2012) op. cit., 51–73.

out its mission to learn more about the truth of God, to defend human dignity and the created world, and to promote the just functioning of society.¹¹

Recently, KÉSZ has been raising awareness of Christian conservative solutions within Hungarian society. This evangelical approach has been particularly important in the face of the deepening crises of recent times. One of KÉSZ's most important social projects during this period was 'Signs of the Times', an event jointly organised by the *Association of Christian Intellectuals*, the *Hungarian Civic Cooperation Association* (Magyar Polgári Együttműködés Egyesület) and the *Batthyány Circle of Professors* (Professzorok Batthyány Köre). The three organisations analysed the state of Hungarian society, public life and politics from a Christian perspective. They examined the most important social issues in Hungary and tried to find specifically Christian answers to them. In addition, the organisation dedicated its usual series of round table discussions to "Hungary's solutions to Europe's problems". At several congresses, KÉSZ reacted to the tragic events of the period, wars, genocides, acts of terrorism, attacks on the self-determination of nations, and tried to respond to the challenges posed by moral relativism, aggression disguised as democracy, and unbridled liberalism.

In addition, KÉSZ has not forgotten the importance of sustainable development, the decline of Europe's population, the constant migratory pressure and the worldwide persecution of Christians. The association has tried to emphasise that solidarity with the world has always been a key Christian principle, and that the Hungarian state has always done its fair share in this area.

Studies carried out by KÉSZ, following the principle of *pacta sunt servanda*, prove that in the spirit of Christian charity every government must accept those asylum seekers who flee because of a sudden emergency. However, this process must follow a well-defined procedure to ensure that only those who are not trying to game the system are assisted. Moreover, the government cannot ignore the dangers of mass migration, which is often accompanied by an increase in human trafficking, corruption, violence and terrorism. Experts working with KÉSZ concluded that European solutions to Christian persecution and migration are often one-sided and do not provide valid and comprehensive answers. As Christians, we cannot accept superficial explanations. We cannot be satisfied with constant expressions of solidarity while European institutions ignore their responsibility to protect European Christian culture, the continent as a whole and human dignity.¹²

As a result, the global persecution of Christians has become an important topic at forums and prayer sessions organised by KÉSZ: for example, the organisation participated in the "Light a Candle – Walk for Persecuted Christians" event. It is also worth noting that through its participation and proactive engagement, KÉSZ also contributed to the success of the international consultation on Christian persecution launched by the Ministry of Human Capabilities in October 2017. The aim of this process was to find the most appropriate responses to this crisis. The statement issued after the consultation made it clear that the participants were not only con-

¹¹ Muzslai (2004) op. cit.

¹² Baritz, Sarolta Laura: Van-e helye az erkölcsnek a gazdaságban? In: Keresztény Értelmiségiek Szövetsége – Magyar Polgári Együttműködés Egyesület – Professzorok Batthyány Köre: *Az idők jelei*. Budapest, Kairosz Kiadó, 2016.

cerned about persecuted Christians. At the same time, the statement also condemned religious atrocities and the crimes of terrorist organisations, and called on global decision-makers to promote the free practice of religion in crisis regions and to seek long-term solutions to religion-based persecution.¹³

Recent KÉSZ statements have increasingly addressed contemporary issues such as gender theory, bioethics, the consequences of the free-market economy and globalisation in the aftermath of the economic crisis. KÉSZ proposes a return to Christian social principles in the economy and society as a solution to all these issues. Finally, the presidency of the association has issued statements on the importance of protecting creation and the intolerability of the slanders and attacks against Pope Francis.

Apart from these theoretical issues, KÉSZ is also concerned with everyday life in Hungary. On several occasions, for example, KÉSZ has issued statements expressing its concern about public discourse in Hungary, which has become increasingly polarised in recent years. According to the organisation, ‘derogatory terms used to describe leading politicians, public figures and religious symbols have infected everyday language, the internet and the media. KÉSZ therefore protested against the shameful and dishonest nature of public discourse in Hungary and Europe.

However, KÉSZ has never neglected its cultural activities. In this field, KÉSZ published a collection of folk songs from the Carpathian Basin, organised numerous theatre performances for Hungarians living outside Hungary, and established a new foundation, the *Foundation for the Evangelisation of Hungarians in the Carpathian Basin* (KÁMME), to support Christian sacred art. *Jel* (Sign), the organisation’s online journal, documents KÉSZ’s activities.

4. LOOKING AHEAD: AN AGENDA RATHER THAN A FINAL WORD

As we have said, society expects its intellectuals to identify problems and propose viable solutions. Therefore, Christian intellectuals must not be distracted from serving the community, pursuing the spiritual life and building the future of Christianity by indifference, resignation, distressing problems or the burdens of everyday life. They must continue the evangelism, social work and other constructive activities that he has already been doing in the current global and national political context. We must be the leaven or yeast Matthew 13:33; Luke 13:20–21 of Hungarian and European societies. This can be achieved through the KÉSZ network, the annual KÉSZ pilgrimages or the biennial congresses. The most important issues for contemporary Christianity are European values, the presentation of a religiously committed political opinion in public discourse, the issues of Christian freedom or the various forms of persecution of Christians should be kept on the agenda. KÉSZ’s network of local groups and its wider network of contacts in the Carpathian Basin can provide a suitable background for this activity. KÉSZ and its Hungarian Christian partner organisations (including Roman Catholics, Greek Catholics, Reformed,

¹³ Zachar, Péter Krisztián: The role and responsibility of Christian intellectuals in aid of persecuted Christian communities. In: Ujházi, Lóránd – Kaló, József – Petruska, Ferenc (eds.): *Budapest Report On Christian Persecution 2019*. Budapest, Háttér Kiadó, 2019. 283-291.

Evangelical Lutherans and Unitarians) can provide a suitable framework for studying these issues and disseminating the results to a wider public.

In addition, we must regularly invite Christian conservative experts and the leaders of the various Christian denominations to our round tables, discussions and lectures. This can be achieved if KÉSZ actively cooperates with other like-minded organisations. Finally, we must disseminate our findings through the press.

According to their mission, Christian intellectuals must make it clear that those who want to exclude Christianity, Christian values and Christian culture from European and global discourses are wrong. We must also oppose those related tendencies that lead to violent anti-Christian acts. In all this, the yardstick will not be the amount of aid, the number of petitions, or the number of awareness-raising lectures. Instead, the activities of Hungarian Christian intellectuals can create a novel solution that can spread throughout Europe and lead the fight against the total marginalisation of Christianity in the world. And in this struggle, every Christian intellectual must honestly examine his or her responsibilities and act to strengthen his or her communities, to consolidate faith and religiosity, and to reverse the process that seeks to gradually marginalise evangelical values from everyday life. If we strengthen our communities and study the social teaching of the Church, we will be able to support Christianity throughout the world and build a Christian socio-political order throughout the world.

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HUNGARY HELPS PROGRAM

The Hungarian Model of Humanitarian Assistance

“The development of peoples depends, above all, on a recognition that the human race is a single family working together...”¹

Pope Benedict XVI

INTRODUCTION

In this study the Hungarian model of humanitarian aid, called the Hungary Helps Programme is introduced. The programme, initiated by the Hungarian government, is not just a series of emergency humanitarian aid projects carried out after disasters. Instead, Hungary Helps is based on the principle of smart aid, which extends the four basic humanitarian principles – impartiality, neutrality, humanity and independence – to include the principle of local and direct aid: This is important because it enables Hungary to respond efficiently to real local needs.

In addition to emergency relief in the aftermath of disasters, the programme also provides rehabilitation support and post-conflict financial assistance to victims of wars, violent conflicts and terrorist attacks. The main objective of the Hungary Helps programme is to help the local population return to their normal lives. As a result of all these efforts, Hungary has doubled its foreign aid spending between 2015 and 2020, as measured by the OECD Official Development Assistance ratio. In my study, I present the principles and practical results of the Hungary Helps programme. In the second part, I will describe six projects in detail to illustrate the successes of the programme.

1. PRINCIPLES AND OBJECTIVES OF THE HUNGARY HELPS PROGRAMME

When the Hungarian government set up the Hungary Helps programme, it wanted to create a charitable organisation that would work in a similar way to Caritas Internationalis (Caritas). By providing humanitarian and rehabilitation assistance, the Hungarian Government contributes to the preservation of life, a more dignified life and the alleviation of misery. In addition, the Hungary Helps programme aims to support the needy population where there are shortages. The activities of the two

¹ Benedict XVI: Enc., *Caritas in Veritate*. 29/06/2009, *Acta Apostolicae Sedis*, 101(8). (2009) 641–709.

organisations and programmes are similar in that Caritas projects the love of volunteers and professionals to the people they support when they carry out Christian social work in the community. Acts of brotherly love, rooted in the love of God, must be carried out by every believer on the one hand, and by every ecclesial community on the other: from local communities to particular Churches (dioceses) to the universal Church.²

In the case of Hungary Helps, Hungarian society or the community of Hungarians as a whole feels a special responsibility for the environment, their own region or nation and people in need around the world. Hungary, as a Christian nation, wants to express its love for Christians all over the world.

Caritas wants to create a world where the words of the poor are heard and acted upon immediately, where everyone can develop freely, live in peace and dignity, and where our God-given natural environment is managed responsibly and sustainably for the benefit of all humanity. The objectives of the Hungary Helps programme are similar to those of Caritas, and the Hungarian government is convinced that the most effective way to help people in need is to take aid to the places where the problems are, and not to import these challenges to Europe and Hungary through mass migration. After man-made or natural disasters, extreme poverty, religious persecution and wars, whole communities often leave their homelands and try to find asylum and better living conditions in Europe.

The basic principle of Hungary's efforts is that we must enable communities affected by crises to stay in their homeland and enable refugees and migrants to return to their homes with dignity. The Hungary Helps Programme is the framework that guides the Hungarian Government's international development and humanitarian assistance activities. Through these activities, the Hungarian government contributes to several sustainable development goals, as outlined in the United Nations Framework for Sustainable Development Cooperation.³ In carrying out these operations, the Government will respect international humanitarian law, international human rights conventions, international migration law as shaped by international commitments and European Union policy, and the four humanitarian principles (impartiality, neutrality, humanity, independence) of the United Nations (UN) and the Organisation for Economic Co-operation and Development (OECD).⁴

These general principles are accepted by every democratic country in its international development work. However, Hungary has made an important innovation by also adhering to the concept of smart aid. This concept means that Hungary does not want to be smarter than the local population, but is willing to listen to what the local people in need need and how Hungary can alleviate them. Under Hungary Helps, resources are distributed through local religious or other non-governmental organisations. Caritas carries out its activities in a similar way: its workers listen to the poor and give them the necessary tools to change their own lives. The current

² Caritas: *Who we are*. Online: <https://www.caritas.org/who-we-are/>

³ Tristan Azbej – András Kóré – Péter Bálint Tóth: *Actions Taken by the Hungarian State in the Protection of Persecuted Christians*. In: *Budapest Report on Christian Persecution*. Budapest, Dialóg Campus, 2018.

⁴ Tristan Azbej: *The Situation of Persecuted Christians and the Hungary Help in 2020*, In: Kaló, József – Petruska, Ferenc – Ujházi, Lóránd (eds.): *Budapest Report on Christian Persecution 2020*. Budapest, Mondat Kft., 2020.

activities of Caritas are still guided by the deep moral and spiritual principles of dignity, justice, solidarity and care.⁵

Although the Hungary Helps programme is completely independent of the military, it meets many of the common objectives of peacekeeping and peacebuilding operations. For example, Hungary Helps-funded projects help victims of conflict to resume their pre-conflict lives, enable them to reintegrate into normal, peaceful life, and enable the rehabilitation of property and facilities.⁶ It is important to mention, that due to the success of the Hungary Helps programme, Hungary's Official Development Assistance⁷, as recorded by OECD, has doubled by 2019.

2. LEGAL AND INSTITUTIONAL FRAMEWORKS

Act XC of 2014 on International Development Cooperation and International Humanitarian Assistance (IDCIHA)⁸ established the legal frameworks which guide Hungary's development activities in international environments. The preamble of Act CXX of 2018 on the Hungary Helps Program (HHP)⁹ declares that Hungary provides humanitarian aid to stabilise crisis areas, migrant-sending and developing countries should, according to the priorities of the Hungarian government, in addition to the protection of human dignity and human rights, also defend Christian culture, i.e. the protection of the values of the Hungarian nation, as part of which is the survival of endangered communities belonging to Christian culture.¹⁰ The Hungary Helps programme is responsible for the actual implementation of projects according to IDCIHA regulations and focuses on the principle of effective aid.

3. THE STATISTICS OF A SMALL COUNTRY'S GENEROSITY¹¹

Since the establishment of the Hungary Helps programme in 2017, Hungary has allocated 50,429,282 euros to international development. With these funds, Hungary has financed 170 humanitarian and rehabilitation projects in 46 countries. By improving basic living conditions and increasing local prosperity, Hungary Helps has directly enabled 250,000 people and indirectly enabled around 1,500,000 people to return to or remain in their home countries. The programme has also spent 30,000,000 euros on 69 reconstruction and rehabilitation projects. It has supported 24 health projects worth EUR 5,128,000, 37 education projects worth

⁵ Caritas: op. cit.

⁶ András Kóré: The historical engagement of Hungary in the protection of persecuted Christians and its efforts in the present in supporting Christian communities in Africa. In: *Budapest Report on Christian Persecution*. Budapest, Háttér, 2019.

⁷ Official Development Assistance records humanitarian outlays by developed countries in developing countries, which enable the development of the world, as a percentage of GDP

⁸ Act XC of 2014 on International Development Cooperation and International Humanitarian Assistance.

⁹ Act CXX of 2018 on the Hungary Helps Program.

¹⁰ The Fundamental Law of Hungary.

¹¹ Hungary Helps Agency: *Közérdekű adatok*. Online: <https://hungaryhelps.gov.hu/kozerdeku-adatok/>

EUR 12,251,000, 15 emergency aid projects worth EUR 757,300 and 13 expert and other technical assistance projects worth EUR 1,150,000. In addition to these projects, Hungary provided emergency aid worth EUR 757,300 on 15 occasions and expert and other technical assistance worth EUR 1,150,000 on 13 occasions. The geographical distribution of these projects is as follows: 53 in the Middle East, 63 in Africa, 30 in Europe and 9 ongoing projects in South Asia. The largest beneficiary of Hungary's rehabilitation assistance was Syria, while Ukraine, a European country, received the largest share of Hungary's humanitarian assistance.

The sectoral distribution of projects is quite revealing. About half of Hungary's total aid and development budget was spent on rehabilitation and reconstruction projects, while a quarter of the funds were allocated to education-related efforts. These are followed, in reverse order, by education and health projects. Finally, about 10% of the total was spent on emergency aid and other purposes. Looking at the geographical distribution of Hungary Helps' activities If we look at the problem regionally, we see that the Middle East is the most important region for Hungary's humanitarian activity. If we look at the problem by country, Syria comes first, followed by Iraq, Lebanon, Nigeria and Ethiopia.

In the following this paper illustrates the activities of Hungary Helps with a handful of examples and presents six projects of which the organization is particularly proud of.

The Ethiopian Orthodox Tewahedo Church received funds for infrastructure development in the Mai Aini refugee camp, maintenance of the Migbare Senay Hospital in Addis Ababa and distribution of humanitarian aid to persecuted Christians. Funding for the Ethiopian Evangelical Church Mekane Yesus enabled it to build, expand and renovate schools and carry out several rehabilitation and peace-building projects. Finally, Hungary supported a project of the Ethiopian and Eritrean Episcopal Conference, which established a youth centre in Addis Ababa to promote the development of young people with limited opportunities.

In Kenya, Tangaza University in Kisumu was able to establish a new faculty dedicated to the promotion of sustainable agricultural methods. Funds provided through Hungary Helps enabled the Hungarian Charity Service of the Order of Malta to support the repatriation and reintegration of families from the slums of Nairobi and Mombasa. Another important Hungarian-funded programme in Kenya has enabled St Joseph the Worker Parish of the Roman Catholic Archdiocese of Nairobi to build a modern training centre for young people living in Kengam, a slum in Nairobi.

The Roman Catholic Diocese of Pemba and Caritas of the Roman Catholic Archdiocese of Nampula received grants to provide medical care to internally displaced people in Chiure, Mecufi, Nampula and Corrane. These people have become internal refugees due to the catastrophic security situation in Mozambique. The Roman Catholic Diocese of Sokoto, Nigeria, was able to carry out education and health development initiatives in Abuja and Sokoto. In north-eastern Ghana, the Roman Catholic Diocese of Navrongo-Bolgatanga was able to improve its education and health infrastructure with funding from Hungarian taxpayers.

In Iraq, the Syriac Catholic Patriarch of Antioch received grants for the renovation of houses and other humanitarian projects in Qaraqosh and Baghdad, while the Chaldean Catholic Archdiocese of Erbil was able to build the Maryamana primary school. Under the Hungary Helps programme, the Hungarian Interchurch Aid re-

ceived funding to support internally displaced people, the organisations that have helped them and the repatriation of these refugees to Qaraqosh, Bashiqa, Alkos, Karemles and Tel Kaif. In the Syrian Orthodox Archdiocese of Mosul of the Syrian Orthodox Patriarchate of Antioch, the Hungary Helps programme made possible the construction of the Meltho Syriac Orthodox School, Um Al-Noor Primary School. Finally, the Hungarian Charity Service of the Order of Malta was able to carry out a project that enabled the rehabilitation of several houses belonging to families in Homs, so that refugees could return to habitable surroundings.

4. SCHOLARSHIP PROGRAM FOR CHRISTIAN YOUTH

The *Scholarship Programme for Christian Youth* (hereinafter referred to as the Scholarship Programme) was launched in 2017 as a ministerial scholarship programme expressing the Hungarian government's solidarity with persecuted Christian minorities. The Scholarship Programme aims to create opportunities for Christian young people living in crisis regions of the world. These young people are often persecuted because of their religion, or face many threats in their home countries, or are unable to practice their religion without restrictions. The scholarship programme can improve the social status of these young professionals when they return home after completing their studies. The programme aims to achieve this by funding the full cost of a bachelor's, master's or doctoral degree at an accredited Hungarian university.

So far, 294 foreign students from Lebanon, Iraq, Israel, Palestine, Pakistan, Syria, Kenya, Ethiopia, Armenia and Nigeria have received grants from the scholarship programme. Since 2017, 51 students have graduated with bachelor's or master's degrees, and this year 72 more students will complete their studies in Hungary.

I must mention here that the largest state-funded scholarship programme in Hungary is called *Stipendium Hungaricum*. It is important to mention that Hungary's largest scholarship programme for developing countries is the *Stipendium Hungaricum*, under which some 12,000 students are studying at Hungarian universities, 80% of them from Muslim-majority countries.

5. CASE STUDIES:

THE RECONSTRUCTION OF DAMAGED HOUSES OF TELSQOF¹²

This town in northern Iraq was extremely important to the local Christian communities before the rise of ISIS. In 2014, the city was captured by ISIS, which severely damaged many residential buildings and the infrastructure as a whole, forcing most of the locals to flee their hometowns. After the fall of ISIS and the liberation of the city, most of the refugees were unable to return because the ruined city was unfit for human habitation. In order to make the city attractive to its former inhabitants, Hungary donated EUR 1,882,995 to the Archdiocese of Erbil, the Chaldean Catho-

¹² Hungary Helps Agency: op. cit.

lic Church of Babylon. This sum covered the restoration of 950 residential buildings, which was enough to persuade 1,000 persecuted Christian families to return home, out of a pre-conflict population of 1,300. In addition to these homes, the Hungarian funds have also been used to renovate the town's school, kindergarten and St George's Church, which bring the community together. The locals, who wanted to express their gratitude in some way, gave their town a new title, calling it "Daughter of Hungary". Hungary also funded reconstruction projects in two nearby small towns, also inhabited by Christians. 41 family houses in Bakfa and 42 in Batnaya were renovated as a result of Hungary's commitment.

6. THE OPEN HOSPITAL PROJECT OF AVSI FOUNDATION¹³

Through the Hungary Helps programme, the Hungarian government supported the AVSI Foundation's Open Hospitals Project with 1,591,905 euros. The project financed the operation of the St. Louis Hospital in Aleppo and the French and Italian Hospitals in Damascus for one year, as well as the purchase of new equipment. This grant enabled the three hospitals to financially support 549 doctors and nurses and treat 25,638 patients by 31 August 2019. These hospitals are open to all Syrians without any religious discrimination, as the most optimistic estimates put the proportion of Christians in Syria at 4%. The project, originally initiated by the Apostolic Holy See, has so far only received governmental support from the Hungarian government.

7. EMERGENCY ASSISTANCE AFTER THE EXPLOSION IN BEIRUT

On 4 August 2020, more than 2,500 tonnes of ammonium nitrate exploded in the port of Beirut. The blast killed 200 people and injured at least 6,000. The shockwave from the blast devastated much industrial and residential property in and around Beirut: more than 100,000 homes were damaged, forcing at least 300,000 people to leave their homes, and an Orthodox hospital was almost completely destroyed. The explosion destroyed Lebanon's largest port, more than three-quarters of the country's grain and other imports, including significant supplies of food and medicines. The material damage caused by this disaster was incalculable and a significant part of the city became uninhabitable. Hungary was one of the first countries to join the crisis management efforts in Lebanon to save lives, alleviate the plight of survivors and support the reconstruction of Beirut. There are 1.5 million Syrian and Iraqi refugees in Lebanon, and the country is a major migrant-receiving country, so the aid will help control a possible wave of migration from there.

The Hungarian government has granted EUR 1 million in emergency aid to the Maronite Catholic Patriarchate of Antioch. The Syrian Maronite Catholic Church in Antioch received the funds within 24 hours of the disaster. The money was mainly used to repair buildings damaged by the explosion and make them habitable again.

¹³ Hungary Helps Agency: op. cit.

Hungary's contribution enabled hundreds of houses to be rebuilt or reconstructed. The reconstruction of houses that were not seriously damaged has been completed and the Hungarian action has helped hundreds of Lebanese families.

8. HELPING THE YAZIDIS¹⁴

In 2014, ISIS forces captured the Sinjar district of northern Iraq, home to the Yazidi minority. As Iraqi forces evacuated the province, the terrorists faced no resistance during their occupation of Sinjar. The tragic events in this part of Iraq, now recognised by the United Nations as genocide, culminated in the massacre of at least 5,000 people and, according to some sources, the deportation of a further 10,000 civilians. In Sinjar, the men were killed, the women abducted and mostly forced into sex slavery, while the boys were forced into the terrorist organisation's training camps.

The military defeat of ISIS has created an opportunity for Yazidis to rebuild their shattered communities. However, former captives need support to reintegrate into society and find meaning in their lives. In addition to the loss of human life, the local population has experienced such severe psychological trauma that they need professional support to return to normal life. For example, Yazidi women suffering from social, emotional or psychological trauma received professional support to heal their wounds and prepare to resume their lives in a shelter established by the Chaldean Catholic Archdiocese of Erbil. This facility also provided accommodation and childcare for the participants.

The Free Yazidi Foundation received a grant of €499,327 for a joint project with Hungarian Interchurch Aid (hereafter HIA). The project was divided into three parts: the establishment of a bakery in Khanke, the renovation of a health centre in Wardiya and the reconstruction of a health centre in Rambosi, Iraqi Kurdistan, Dahúk Governorate in Northern Iraq:

Working closely with the Free Yazidi Foundation (FYF), a local NGO, HIA built a bakery next to a refugee camp in the Khanke region of Iraq. This new facility enabled internally displaced Yazidi women and girls to learn a new trade and find work there. In total, the project supported 96 Yazidi refugee women and their families. The women who participated in the programme were able to learn basic mathematics, business and financial skills during the theoretical part of the training. This is vital as, according to a survey, 42% of refugee women in Khanke camp have no formal education.

HIA and its local partner Sunrise renovated a health centre near Wardiya in Iraqi Kurdistan. Wardiya is an easily accessible town, and its health centre, located on the main road next to the recently renovated primary school, was in need of renovation. By the end of January 2021, the clearance of rubble and unexploded ordnance will be completed. Among the Sustainable Development Goals (SDGs), these projects promoted health and well-being, gender equality, decent work and economic growth, and peace, justice and strong institutions.

¹⁴ Hungary Helps Agency: *op. cit.*

9. THE EDUCATION AND HEALTH PROJECT AT THE DIOCESE OF MAIDUGURI, NIGERIA¹⁵

Since 2009, the terrorist organisation Boko Haram has regularly attacked Christian settlements, neighbourhoods and churches. Of all the Christian communities in Nigeria, the situation is most precarious in the Diocese of Maiduguri, located in the north-east of Nigeria, in the federal state of Borno, near the tri-border area of Nigeria, Chad and Cameroon. This is because the diocese of Maiduguri was one of the core areas of Boko Haram's operations.

It is also where Boko Haram's most notorious operation took place on 14 April 2014, when the terrorist organisation attacked a secondary school in the village of Chibok and kidnapped 276 schoolgirls, many of them Christians. These children were then taken to Chad and Cameroon, where many remain in captivity. Frequent attacks by Boko Haram have severely damaged, and in some cases completely destroyed the region's education and health infrastructure. In these circumstances, Christians have been forced to leave their homes and many have migrated to neighbouring areas or made the long journey to Europe.

Hungary, through the Hungary Helps programme, has allocated EUR 1,261,171 to the Diocese of Maiduguri to restore the severely damaged education and health infrastructure and to renovate the seminary. The first phase of the support included the reconstruction of the demolished St Joseph's Seminary, the reopening of the Bishop O'Donnell Memorial High School, the establishment of St Stephen's College and the renovation of the Bishop Timothy Cotter Memorial Hospital.

In the second phase of the project, the Hungarian contribution was used to equip the Bishop Timothy Cotter Memorial Hospital with medical instruments and to cover the salaries of health workers until 2021. During this phase of the project, a laboratory, operating theatre, maternity ward and pharmacy were fully equipped, allowing the hospital to resume normal operations.

The project was relatively successful because the restoration of these facilities improved the quality of daily life, reducing the pressure of migration from Nigeria. From the Sustainable Development Goals (SDGs), this project promoted poverty eradication, health and well-being, quality education, industry, innovation and training, and sustainable cities and communities.

10. SUPPORT FOR THE CLINIQUE OPHTHALMOLOGIQUE DE SAINT RAPHAËL IN THE CONGO¹⁶

After decades of bloody civil war, the Democratic Republic of Congo is experiencing one of the largest and most complex humanitarian crises in the world. The causes of this conflict include economic underdevelopment, a rapidly growing population and a lack of resources. The almost complete absence of a functioning health system has had particularly severe consequences. Publicly funded health care in the Democratic Republic of Congo does not cover the cost of specialist care. Although

¹⁵ Hungary Helps Agency: op. cit.

¹⁶ Hungary Helps Agency: op. cit.

there are several health facilities in the capital, there are none in the countryside. As a result, eye surgery, which is often provided by private hospitals, is not available to the majority of the population for financial reasons. To improve the situation, Hungary has donated €1,013,075 to the mission of Dr Richárd Hardi, which operates as Brother Richard's Foundation for Congolese Patients in the country. This grant has been allocated to a number of sub-projects. The first is to improve the facilities and medical equipment of the Clinique Ophthalmologique de Saint Raphaël in Mbuji-Mayi by building a new operating theatre and extending eye care to remote parts of the Congo where there is currently no medical presence.

The Eye Mission was founded as a Hungarian initiative by Dr Richard Hardi, and thanks to his commitment, more than 25,000 patients a year receive medical care in areas without permanent eye care. The clinic is accessible to 8 million potential patients and is the only facility in the country that performs specialised retinal surgery. From the Sustainable Development Goals (SDGs), this project promotes health and well-being, quality education, clean water and public health, and sustainable cities and communities.

11. SOCIAL DEVELOPMENT PROJECT BY THE ROMAN CATHOLIC ARCHDIOCESE OF NYERI¹⁷

The Archdiocese of Nyeri is engaged in a variety of activities to sustain the local Christian community. The Roman Catholic Archdiocese of Nyeri has designed a complex social development project based on five pillars, for which it received 477,099 euros from the Hungary Helps programme.

In addition to alcohol addiction, which is the most common addiction in Kenya, drug use is becoming increasingly prevalent in Kenyan society. The efficiently run Good Shepherd Rehabilitation Centre focuses on helping the poorest with its trained staff. The diocesan Caritas is expanding its mental health programme by increasing the number of staff, and more and more locals are getting involved in the alcohol and drug prevention programme.

The Youth Centre employs full-time mentors and counsellors who are available to local young people who need help. The centre has an auditorium which is used for educational, spiritual and recreational programmes, conferences and leadership training. In addition to these facilities, the centre also has pastoral and youth animation offices, a job centre, employment agencies, a psychological counselling centre and a micro-enterprise incubator facility. Currently, the diocese is working to create a chapel and community room within the centre, where free Wi-Fi will be available to researchers and young people alike. The Archdiocese is also organising health screenings for local young people, such as blood tests, blood pressure readings, and breast and cervical cancer screenings, at the same location. The Hungarian government is supporting the development of the site's digital infrastructure and the purchase of furniture for the centre, as well as covering the costs of the archdiocese's youth pastoral activities for two years. The Roman Catholic Archdiocese of Nyeri

¹⁷ Hungary Helps Agency: op. cit.

and Caritas Nyeri have an ex-offender rehabilitation and reintegration project that provides psychosocial, economic and integration support to inmates, victims and their families. Working with the prison authorities, they enable inmates to keep in touch with their families, provide training opportunities and free legal aid. The programme also strengthens the concept of social reconciliation and improves the process of reintegration of ex-convicts into the local community. The Hungarian government is funding the programme for two years to support the pastoral work of the archdiocesan Caritas. The support can be extended to include additional prison visits and the training of social workers. A training manual has been developed for this purpose.

The archdiocese has four seminaries, the largest of which is the Major Seminary of Christ the King, where 301 students are currently studying spirituality, philosophy and theology. Hungary is contributing to the development of the educational infrastructure of St Paul's Minor Seminary in Mathari in order to increase the number of people choosing the ministry. The Hungarian funds will enable the construction of a new dormitory (with an additional 25 rooms), the modernisation of the institution's heating system and the installation of a CCTV system. Finally, this grant will also cover the cost of a new garden block, which will make the seminary self-sufficient.

The Shrine of the Virgin Mary in Museve was built in 2014 in the diocese of Kitui in Kenya, which has a Christian population of 240,000. The Hungarian government is also providing financial support for the construction of the Mother of Divine Providence Monastery next to the shrine. The combination of shrine and monastery has the potential to become the intellectual and spiritual centre of the local Catholic community, which may help the population to preserve their Christian identity.

From the Sustainable Development Goals (SDGs), these projects promote poverty eradication; peace, justice and strong institutions; health and well-being; quality education; clean water and public health; sustainable cities and communities.

12. CONCLUSIONS

A total of 1,243,469 people have benefited from the Hungary Helps programme, which focuses on the concept of smart assistance. Hungary's action has helped these people to stay in their original homes or homelands, to remove the immediate threat to their lives or to lead a more developed lifestyle. The 30,000,000 euros provided through the Hungary Helps programme in the form of rehabilitation grants contributed to the success of peacekeeping and peacebuilding operations, helping to create a more sustainable security environment and a long-term future. All of this has been made possible by the solidarity of the Hungarian people and the recognition by the Hungarian government that aid should go where the problems and needs are, rather than importing problems to Europe. The greatest help we can give to people is to ensure that their miserable living conditions do not force them to leave their homes, homeland and relatives behind. The implementation of the Hungary Helps programme proves that with good intentions and heartfelt local support, illegal migration can be significantly reduced. Further research could examine how successful

the European Union, or some of its member states, could be in charity and development by implementing the Hungarian model, which focuses on raising living standards in the developing world.

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SERVING OUT OF LOVE

The Future Perspectives and Strategies of Caritas Internationalis

1. INTRODUCTION

Caritas Internationalis is at the heart of the Church's mission to serve, accompany and defend the poor. True service is born of love, and when service is combined with awareness and intention, it transforms everything. Service to others through Charity, or Diakonia, is a natural and constitutive part of the Church's mission, and Caritas Internationalis is one of the instruments for making this mission a reality.

The universal mission of Caritas is rooted in the conviction that love is the great gift that God has given to humanity and that it is incarnated in service to the least, with whom Christ identified himself. Serving others out of love is a duty for every Christian. Therefore, charitable activity is an integral part of every believer's life. Pope Benedict XVI writes in his encyclical *Deus Caritas Est* that "the Church's deepest nature is expressed in her three-fold responsibility: of proclaiming the word of God (*kerygma-martyria*), celebrating the sacraments (*leitourgia*), and exercising the ministry of charity (*diakonia*). These duties presuppose each other and are inseparable".¹

If the work of charity is to be liberating, it must follow the signs of the times. Pope Francis addressing the COVID Commission recommended the following: "whatever you do, do it with conviction following the signs of time and let each action be a model for others, who will continue what Caritas would have initiated."

The mission of Caritas, as stated above, is to serve with love, intentionality and awareness, and that service is a process. Caritas has to adapt its processes to changing contexts and Caritas also believes in "creative solidarity" because the poor deserve the best. Caritas acts with compassion, commitment, openness, a visionary attitude and is ready to face any challenge. The work of Caritas Internationalis must change as the world changes, so that the organisation can meet the changing needs of the least and most deserving.

At this moment of the Covid-19 pandemic, Caritas is preparing for the next decade, which will bring many challenges for the confederation. The pandemic has made it clear that the post-pandemic era will be very different from the pre-pandemic era. Therefore, Caritas Internationalis needs to rethink its governance, the way the confederation operates and the methods of fraternal cooperation. This process has been initiated by the leadership team of Caritas Internationalis. To achieve these

¹ Benedict XVI: Enc., *Deus Caritas est*. 25/12/2005. *Acta Apostolicae Sedis*, 98. (2006) 3. 217–279.

goals, they have set up a Think Tank to examine the future of our confederation, its operations and its *modus operandi*. This group aims to prepare Caritas Internationalis for the post-Covid-19 world and to maintain its relevance in the new era.

2. CARITAS RE-DEFINES ITSELF IN THE CHANGING ERA

Pope Francis reminded participants at the last General Assembly of Caritas Internationalis in May 2019 that, “Caritas is not an NGO nor is it the welfare bureau of the Church, Caritas carries out the mission of charity entrusted by the Church. which is an integral part of the Church’s mission”. Caritas Internationalis must always remember that its identity and mission is the continuation of the ministry of the Church. Caritas members are constantly called to reflect on the sources of inspiration, values and vision that drive Caritas and its mission. Reflecting on the identity of Caritas should strengthen the bond among Caritas workers to carry out their mission as a family united by the same vision. This reflection will improve the quality of Caritas’ charitable work so that it can serve even better. This is one of the strategic areas that the confederation will consider in the coming years.

3. FRATERNAL COOPERATION

One of the key lessons of the pandemic was the importance of the relationship between donor and recipient organisations. Before the pandemic, Caritas Internationalis members relied on donors not only for funding but also for the implementation of most of their projects. However, the pandemic, the various travel restrictions and other constraints have highlighted the importance of autonomy in charitable work. One of the most urgent needs is to find new methods that allow both parties to work as partners, and we also need to empower the organisations that implement our projects. This is particularly important for Caritas work in the Global South.

The empowerment of our member organisations from the least developed countries is a priority for Caritas Internationalis. This process will strengthen their capacities and develop their organisational structures. These steps are particularly urgent as Caritas seeks to localise its projects. Localisation requires more professionalism and better skills from member organisations working in the Global South. However, once these developments are completed, they will be able to implement projects on their own and gain more autonomy from the central leadership.

4. REFLECTIONS ON OPERATIONAL STRATEGIES

Caritas is also there to save lives in the aftermath of disasters, and Caritas Internationalis is often one of the first organisations to arrive in disaster areas and provide assistance to those affected. Once the scale of the disaster becomes clear, we have to coordinate all the activities that go beyond immediate relief. Unfortunately, the number of disasters is increasing and the disasters themselves are becoming more complex. We also need to prepare people for the future through disaster risk reduc-

tion. As part of this process, we need to assess local vulnerabilities and build the capacity of our members to cope with future tragedies, whenever they may occur.

Caritas will engage in emergency response in the spirit of Pope Francis' *Fratelli Tutti*:

True, a worldwide tragedy like the Covid-19 pandemic momentarily revived the sense that we are a global community, all in the same boat, where one person's problems are the problems of all. Once more we realized that no one is saved alone; we can only be saved together [...] Amid this storm, the façade of those stereotypes with which we camouflaged our egos, always worrying about appearances, has fallen away, revealing once more the ineluctable and blessed awareness that we are part of one another, that we are brothers and sisters of one another. [32]²

This is an area of major concern for the Caritas network and its members must commit themselves to strengthening themselves in the area of disaster risk reduction and disaster preparedness. Such activities need to be mainstreamed into all development activities undertaken by the member organisations of Caritas Internationalis. This will be a priority for the post-pandemic Caritas Internationalis.

At a time when localisation is becoming a reality, we need to ensure that member organisations are well prepared and ready to manage locally supported and implemented activities. If we are to increase our professionalism, it is essential to improve Caritas member organisations' competencies in accountability and reporting, monitoring, evaluation and learning, protection and safeguarding of vulnerable people, and project management. The Caritas Internationalis Minimum Standards serve as a basic reference for each member of the confederation.

Caritas Internationalis will also focus on advocacy. This includes denouncing cases of injustice and promoting solutions that respect the dignity of the poorest. Caritas advocacy is also committed to promoting sustainable and people-centred development. This approach is in line with the ideas of *Laudato Si'*,³ which emphasises the need for an integral ecology that places the human person at the centre of all activities. In line with the teachings of *Laudato Si'*, Caritas will also highlight several issues related to environmental justice, climate change and social justice. These include debt cancellation and ensuring that everyone, especially the poorest and most vulnerable, has access to integral health services.

Caritas Internationalis will focus on institutional and capacity development once the localisation process is complete. Caritas is committed to these activities to ensure that its members, especially the most vulnerable and fragile, receive all the support they need. At the end of this process, the members of Caritas Internationalis will be more professional and generally accepted as effective and efficient actors in the field of humanitarian action. Caritas will also improve its communication strategy in the future to ensure that its voice continues to reach the public. On the one hand, Caritas strives to be a living witness, informing people about what is happening around us. On the other hand, it wants to raise awareness of and solidarity with the poorest and those who are excluded from society.

² Francis: Enc., *Fratelli Tutti*. *Acta Apostolicae Sedis*. 112. (2020) 11. 969–1074.

³ Francis: Enc., *Laudato Si'*. *Acta Apostolicae Sedis*. 107. (2015) 9. 847–945.

5. CONCLUSION

Caritas, which carries out one of the most important missions of the Church, has reached a pivotal point through Covid-19. As Pope Francis has said, this pandemic is a once-in-a-generation opportunity to transform our societies and offer a better future to the most vulnerable. The Pope calls us to renew our hearts and minds, to think and act differently, and never to forget that we have a divine mandate to serve others out of brotherly love.

In *Fratelli Tutti*, the Holy Father says,

Yet this call to love could be misunderstood. Saint Paul, recognizing the temptation of the earliest Christian communities to form closed and isolated groups, urged his disciples to abound in love “for one another and for all” (1 Thess 3:12). In the Johannine community, fellow Christians were to be welcomed, “even though they are strangers to you” (3 Jn 5). In this context, we can better understand the significance of the parable of the Good Samaritan: love does not care if a brother or sister in need comes from one place or another. For “love shatters the chains that keep us isolated and separate; in their place, it builds bridges. Love enables us to create one great family, where all of us can feel at home... Love exudes compassion and dignity.[62]

This reflection encourages the members of the confederation that acts of charity must follow the signs of the times and that we must associate with the poor in a spirit of compassion. We must support them and at the same time accept our limits. The experience of the poor, as illustrated by the parable of the Good Samaritan, must encourage us to understand their suffering and to commit ourselves as Christians to their liberation.

By responding to the challenges posed by the signs of the times, the Caritas network is able to carry out its mission with humility, with the courage to change and to remain committed to helping the most vulnerable people in the world. Such action has a liberating power for both the giver and the receiver.

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THE EQUESTRIAN ORDER OF THE HOLY SEPULCHRE
OF JERUSALEM AND THE CHRISTIANS OF THE HOLY LAND
DURING A PANDEMIC

“It is important to go forth and carry the Holy Land
in our hearts, always, always.”¹

(Pope Francis, February. 6, 2021)

1. ABOUT THE EQUESTRIAN ORDER OF THE HOLY SEPULCHRE
OF JERUSALEM IN A NUTSHELL

The Equestrian Order of the Holy Sepulchre of Jerusalem, by virtue of its duties, vocation and commitments, closely follows developments in the Holy Land and actively supports local Catholic institutions. However, the Order carries out all its activities in the Holy Land within the institutional framework of the Holy See. The Order’s activities are coordinated by the Grand Magisterium in Rome, headed by the Cardinal Grand Master. The main channel of the Order’s support in the Holy Land is the Latin Patriarchate of Jerusalem, the highest representative of the Catholic Church in the region. By virtue of its foundation, history and mandate, the Holy Land is the Order’s primary area of responsibility. For the Order, the Holy Land includes the territory of the State of Israel, Palestine, the area controlled by the Palestinian Authority, and Jordan, roughly the area where Jesus lived some 2000 years ago.

There is no systematic religious persecution in the territory of the Roman Catholic Archdiocese of the Holy Land, so our faithful brethren are free to practice their religion. Nevertheless, the Patriarchate regularly reports cases of anti-Christian atrocities such as trespassing, expropriation, deprivation of rights, restriction of movement or expulsion. As a result of all these social, economic and political challenges, the rate of Christian emigration from the Holy Land is increasing. However, Israel has been able to keep the direct effects of the various crises in the Middle East outside its borders, which has also benefited the Christian minority.

The Equestrian Order of the Holy Sepulchre of Jerusalem, the only Equestrian Order recognised by the Holy See, has canonical legal and civil personality in the Vatican City State and enjoys the gracious patronage of the Apostolic Holy See. The Pope is the sovereign of the Order, while the Grand Master of the Order is a Cardinal appointed by the Pope and the Latin Patriarch of Jerusalem is the Grand Prior of the Order. The Order was founded during the Crusades. In 1847, after a long

¹ Francis: *Address of His Holiness Pope Francis to Participants in the General Assembly of the Focolare Movement*. Online: https://www.vatican.va/content/francesco/en/speeches/2021/february/documents/papa-francesco_20210206_focolari.html. 2021.

hiatus, Pius IX restored the Latin Patriarchate of Jerusalem and reorganised the Order. Pope Pius XII drafted a new constitution for the Order, which was finalised by Pope Paul VI in 1977.

On 21 January 1994, John Paul II issued a brevet in which the Holy Father declared the Virgin Mary, “Our Lady Queen of Palestine, Patroness of the Equestrian Order of the Holy Sepulchre of God”, to be the patroness of the Order. On 11 May 2020, Pope Francis signed the latest Statute of the Order, which has become a point of reference for the organisation. This document offers opportunities for the further development of our spirituality, perspectives for the future development of regulations and liturgical rites, and ongoing reflections on the admission of young people into the Order.

The Order’s motto is “Deus lo Vult”, which means “This is God’s will”. The members of the Order are knighted after having achieved the status of postulants and novices in a regulated way by the investiture. The Order has more than thirty thousand members in 55 Lieutenancies and Magistral Delegations in 42 countries of the world. The Order was active in Hungary until 1945, and the last investiture before the Second World War took place in 1935.

2. THE DUTIES AND MAIN FOCAL POINTS OF THE ORDER

The Holy See has given the knights of the Equestrian Order of the Holy Sepulchre of Jerusalem the task of strengthening the Christian life of its members and supporting the Christian inhabitants of the Holy Land. The popes have restored the original mission of the Order, although there is a significant difference. In the past, the mission was carried out with weapons, whereas now the Order is committed to providing spiritual and material support to the Christians living in the Holy Land. In practice, each knight must strive to represent the three characteristic virtues of the Order:

- support the weak and defenceless
- promote justice and peace
- promote a dialogue between religions.

The Order, in close cooperation with the Franciscan Custody of the Holy Land, supports the institutions of the Church, especially those of the Latin Patriarchate, and their religious, charitable, cultural, educational and social activities.

Over the last ten years, the Order has raised more than 120 million euros for the needs of Christians in the Holy Land, including 14 million euros in 2019. These funds are used to pay the bills of Christian orphanages, schools, hospitals and parishes, and to help refugee children living in Jordan. The educational institutions of the Latin Patriarchate, which are also supported by the Order, are not only attended by Catholic students. In fact, many of the pupils in these schools are not Christian, and in some schools the majority of the pupils are Muslim Arabs. Experience shows that these schools are free from discrimination and that those who attend Christian schools are spiritually and culturally protected from radicalism, fanaticism and any kind of fundamentalism.

3. THE ORDER'S ACTIVITIES DURING THE COVID-19 PANDEMIC

Despite the general crisis of the last two years, our commitment to the Holy Land has not diminished, but rather strengthened. Although we have not been able to go on pilgrimages, to meet, to participate or to organise fruitful initiatives, our formative work has not ceased and our generosity has even increased. After a difficult period due to Covid-19, which caused countless deaths, crises in relationships and economic problems, we are now full of expectations and hopes.

On the humanitarian front, the scale of suffering has increased exponentially, and we have had to adapt our efforts to ensure that we can reach the greatest number of people affected by the pandemic. Our main relief projects continued uninterrupted, and we were able to increase funding for medicines, medical aid, emergency care, education and social support, projects to help refugees and migrants, job creation initiatives in Gaza, and efforts to help marginalised communities in East Jerusalem. (Newsletter No. 60, January 2021, Equestrian Order of the Holy Sepulchre of Jerusalem).

Since May 2020, the Knights and Dames of the Order of the Holy Sepulchre have been even closer to their brothers and sisters in the Holy Land who are suffering the consequences of COVID-19. Despite the pandemic, the generosity of the Order's members has not diminished. Over the past few months, the Grand Magisterium of the Order of the Holy Sepulchre has been able to send the Latin Patriarchate of Jerusalem an additional 3 million euros, on top of its regular monthly contributions, to meet the increased humanitarian needs of the faithful there.²

“There is, in fact, no region in the world that has not been affected, to some extent, by Covid-19. The Holy Land, where the very economic life-blood of thousands of families lies in religious pilgrimages and tourism, has been seriously affected.” This is how Grand Master Cardinal Fernando Filoni described the situation in May 2020, when the Grand Magisterium of the Order of the Holy Sepulchre created a special “Covid-19 Humanitarian Support Fund”. Cardinal Filoni recalled that the Order of the Holy Sepulchre - which includes an institutional objective of supporting the Mother Church of Jerusalem and its schools, charities and social initiatives. So, understanding the new reality, the leadership of the Order created this special fund for the collection of extraordinary subsidies. This development raised about 2 million euros specifically for the Covid-19 Fund and 1 million euros for more general humanitarian expenses. The latter sum was much higher than the one that appeared in the initial 2020 budget approved at the beginning of the year.³

The Governor General of the Order of the Holy Sepulchre, Ambassador Leonardo Visconti di Modrone, commented: “During the days of lockdown, we reached out to the heads of the Lieutenancies who, despite needing to respond to the needs caused by the health emergency in their own countries, wanted to make their closeness felt to their brothers and sisters in the Holy Land who had been so sorely affected. We are grateful that the special aid sent to the Covid-19 Fund did not sub-

² Equestrian Order of the Holy Sepulchre of Jerusalem. *Newsletter*, 59. (2020)

³ Grand Master: *Message. Custodians and Missionaries of the Easter Proclamation, Jerusalem Cross OESSH*. 2020–21.

stitute the regular commitment of our members in contributing to the daily life of the diocese of Jerusalem, but rather was added to it.”⁴

The contributions sent to the Holy Land enabled the Patriarchate to respond immediately to several urgent needs. The Chief Executive Officer of the Latin Patriarchate of Jerusalem, Mr. Sami El-Yousef, summarised the actions undertaken: “With the humanitarian aid we received, we have been able to help to meet the basic need of over 2,400 families at more than 30 parishes with by supplying them with food coupons, hygiene products, baby supplies, medicines, and electric meter refills. This was done through the parish priests and parish councils who collaborated with local authorities to ensure fair distribution.” Furthermore, he continued that: “1,238 families in Jordan and 1,180 families in Palestine received help to pay off unpaid tuition fees”. As the situation in the Holy Land remained critical in the weeks and months that followed, as it was in several other countries, the Order continued to send funds to the region, not wanting to abandon those who were suffering in various ways.

According to Msgr. Pierbattista Pizzaballa, Latin Patriarch of Jerusalem “Thanks to the support of the Grand Master with the Grand Magisterium, our appeal to the Knights and Dames has had a reply that very much exceeded our expectations and has given us that necessary sigh of relief so that we can manage this emergency with greater calm. We have all been left astounded and touched by the immediate response and its scope.” According to the Patriarch, the Christians of the Holy Land have felt the support of Knights and Dames from all over the world in this moment of difficulty.⁵

Who would have thought that the pandemic, which a year ago everyone thought was over, would still be going strong? It has forced entire communities to live with uncertainty and restrictions. Who would have thought that tourism and pilgrimages to the Holy Land would come to an abrupt halt, putting tens of thousands of people out of work, leading to bankruptcies and a deep economic crisis? Who would have thought, for example, that reopening schools around the world would become such a difficult decision? Putting parents with school-age children in an unprecedented limbo. Who would have thought that even with a safe vaccine available, many people would be reluctant to be vaccinated? What has become clear, however, is that local communities in the Middle East, with their depressed economies, occupation-related problems, closures and severe travel restrictions, and dysfunctional health systems, have coped relatively well, unlike many other countries with more advanced economies and developed health systems.

The initial period of strict restrictions in Palestine, Israel and Jordan, which appeared to contain the spread of the virus, was followed by a period of relaxed regulations, which led to a worrying resurgence in the number of infections. People feared that the rise in infections would lead to further general closures, despite visible signs of fatigue and real problems with compliance. It was heart-warming to see how the Order’s aid, distributed through the local church authorities, enabled the beneficiaries to live a dignified life and gave them some hope. The close collaboration has not only strengthened the faith of these communities, but they are

⁴ Patriarchatus Latinus: *Jerusalem, Reflections from the Holy Land. Random Thoughts*. 2020.

⁵ Patriarchatus Latinus: *Jerusalem, General Administration, Reflections from the Holy Land, Status update – Coronavirus*. 2020

also receiving much-needed financial support to cover their rent, school fees and medical bills. The only source of spiritual and financial support for these people is the Church and its institutions.

After assessing these achievements, as described by Mr Sami El-Yousef, let us examine the response to two appeals to support the Patriarchate's struggles against Covid-19. The first such appeal to support the Latin Patriarchate of Jerusalem was launched by His Eminence Cardinal Filoni, Grand Master of the Order of the Holy Sepulchre of Jerusalem. The response to this appeal was extremely generous, as the various lieutenancies of the Order, in some cases forgetting their own local challenges, collected a great deal of money for this purpose. The appeal was launched by Archbishop Pizzaballa to find donors to cover the running costs of the schools run by the Latin Patriarchate of Jerusalem in Palestine and Jordan. Once again, the response was extremely generous, with various individuals, dioceses and even some governments donating large sums of money for this purpose. Funding education is vital if we are to keep children out of harm's way in the Middle East's ongoing conflicts.

In a unique way, the community spirit was most evident during the closure, when the crisis was at its worst. The schools have worked very hard to complete the academic year through distance learning. The success of this process was made possible by hard work and dedicated, hardworking staff. Later, these schools adopted hybrid learning, combining face-to-face teaching with online activities. However, the pandemic has taught us all the importance of patience, flexibility and perseverance.

4. FUTURE PLANS

Despite all the difficulties caused by lockdowns and difficult government regulations, the Order resumed the implementation of its plans after a break of several months. According to the Order's Governor General, Ambassador Leonardo Visconti di Modrone: „These developments will now enable the Latin Patriarchate of Jerusalem to look at the strategic issues facing the Church in the Holy Land and to work actively in finding adequate solutions to many challenges”.

As unemployment reaches unprecedented levels, the suffering of many communities continues, and without a clear political solution to major issues, we must not despair. The people of the Holy Land know that they are not alone, that they are not forgotten. This fact gives us a greater burden to continue the holy mission of the Church in the Holy Land.

As far as projects are concerned, the Grand Magisterium has decided that the Order will soon give priority to investment in human capital (training, humanitarian aid, pastoral activity) over the construction of new buildings. In particular, the Grand Magisterium wishes to devote a large part of the Order's resources to increasing the salaries of teachers, because well-paid teachers are essential if we are to improve the quality of education received by the younger generations.

The Governor-General also expressed: „We trust that the above proposals will give impulse to the Order's action in the Holy Land to meet the increasing spiritual and material needs in such difficult times. We can assume that the direction and orientation of the Grand Magisterium ensure the maximum coordination to guaran-

tee the best allocation of resources, respecting as much as possible the wishes of Lieutenancies and Magistral Delegations but at the same time ensuring the equilibrium of the interventions”.⁶

This is what Mr Sami El-Yousef, Chief Executive Officer of the Latin Patriarchate of Jerusalem said about the matter: “In a Holy Land, that has been marred with conflict, fighting, revenge and an ongoing state of war, ironically the coronavirus ravaging through the world has not discriminated against anyone based on nationality, religion, colour, sex, or any other classification. The spirit of cooperation among enemies brings a new breath of fresh air as Israelis and Palestinians have put their differences aside to fight a common enemy and to strategize together. Will the world emerge a more human one once we start to go back to our normal lives, whenever that happens? Will we learn our lessons and build a more human world for future generations? It is a time for reflection, deep prayer and a renewed commitment to a better world to come.”⁷ (Patriarchatus Latinus 2020/c)

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THE IMPORTANCE OF CHURCHES IN CIVIL-MILITARY COOPERATION

1. INTRODUCTION

The year 1995 was a turning point for civil-military cooperation (hereinafter referred to as CIMIC), although the impact of the civilian environment on military operations had already been recognised. However, in 1995, with the start of the NATO-led operation (IFOR), a situation arose in Bosnia and Herzegovina that made this field much more important, or even a prerequisite for success. As a result of this recognition, the field has gained new momentum and in recent decades has become one of the most dynamically developing areas of military activity in terms of organisation, organisation and doctrine.

2. THE RATIONALE FOR CIVIL-MILITARY COOPERATION

History has shown that the success of a military force is also influenced by the environment in which it operates. Combat does not take place in a vacuum; the terrain, the weather, and the local population have a direct impact on the army's operations.

The importance of the operational environment, especially the population, is emphasised in many classical Chinese works on military science. According to several works from the Warring States period, war must be won not only on the battlefields but also in the hearts of the people. Accordingly, the recently popular concept of “winning hearts and minds” was an important element of ancient Chinese military science.¹ Of course, the emphasis has changed over time and will continue to change in the future. However, winning over the local population and public opinion during a military operation will remain equally important.

In another chapter of the above work (Methods of Warfare), successful warfare is linked to the following priorities:²

“Providing the conditions and resources (labour, food) necessary for the daily life of the local population during the war”.

Therefore, it is crucial to satisfy the needs of the population, to keep them satisfied, to maintain a suitable general atmosphere, to adapt to the possibilities, and through all this to maintain the ability of society to function.

¹ Zsolt Tokaji – Sándor P. Szabó (eds.): *A kínai hadtudomány klasszikusai*. Budapest, Dialóg Campus Kiadó, 2018. (Excepts translated by the author.)

² Zsolt Tokaji – Sándor P. Szabó (2018) op. cit.

This idea created a perennial dilemma, which is well illustrated in the chapter “Conversations on Warfare” of the previous source. “There are three cases in which the (warlord) does not obey the monarch’s command: he would rather die than station (his army) in an unreliable place; he would rather die than send (his army) into a battle that cannot be won; he would rather die than turn his army against the people. Now, that’s what we call the three main principles.”³ The third principle has haunted political leaders throughout the ages and has become an insoluble dilemma for military commanders.

In the same chapter, the source also recognises that self-serving cruelty and abuse of power are counterproductive during a military operation. “The army of true kings will not needlessly kill the old and the weak; it will not trample the grain and other crops; it will not imprison those who surrender (...) (The occupied) territories will be divided and (their populations) reconciled.”

A similar thought guided Montecuccoli when he wrote the following:

Miklós Zrínyi (VII) reached the same conclusion when he discussed how to supply an army or how to procure food during a military operation. It is a seemingly quick, inexpensive, and easy method to take the army’s needs by force. However, in the long run, it is more practical to pay for the food using the state’s financial resources. Of course, you may have to pay a lot for such supplies, yet it is even more expensive if the soldier himself “takes away the bread from the house of a poor man. (...)”⁴ and bargains with the poor man using an axe.” It seems cheaper for the state not to pay, yet “the homeland’s money runs out more quickly when the poor man is on his uppers.”⁵ It can be seen that in this period the main driving force behind the thinking of military leaders was how to maintain the fighting capacity of their armies, how to feed their men and animals. This also created a framework for cooperation with the people on the ground. The importance of civil-military cooperation was recognised by all trained military leaders. Some were driven by compulsion, others by wit. Then, as the nature of warfare changed, the framework for civil-military cooperation was adapted to the new circumstances. NGOs emerged, the self-organising power of local populations increased, and the influence of churches and the press grew. A military force arriving in a crisis area had to take great care to create the right conditions for future political, economic and humanitarian development and to lay the foundations for a stable social and legal order. The best way to achieve this was to create and maintain a secure environment.

According to Admiral Leighton W. Smith, commander of NATO forces during the 1995 operations, peacekeeping operations in the aftermath of the Balkan civil wars increased the importance of civil-military cooperation: “A few days ago we didn’t even know what CIMIC was, and today we can’t even exist without it”.⁶ Soon after the start of the IFOR mission, it became clear that the deployed forces needed a component that could professionally and effectively coordinate the activities of

³ Zsolt Tokaji – Sándor P. Szabó (2018) op. cit.

⁴ Raimondo Montecuccoli: *A magyarországi török háborúkról*. Budapest, Dialóg Campus Kiadó, 2019. (Excerpts translated by the author.)

⁵ Iván Sándor Kovács (ed.): *Zrínyi Miklós összes művei*. Budapest, Kortárs Könyvkiadó, 2003. (Excerpts translated by the author.)

⁶ William R., Phillips: Civil-Military Cooperation: Vital to Peace Implementation in Bosnia. *NATO Review*, 46. (1998) 1. 22–25.

military and civilian actors, or act as a mediator when necessary. We need to answer the question of what made IFOR operations so different that CIMIC became a necessity.

In my view, the specific objectives of this operation required novel procedures and tools. In a conventional war, the objective of a military force is to defeat the enemy, to occupy his territory, to impose its will on him by any means necessary. To achieve these goals, you needed a massive military force, a huge arsenal of weapons and a constant pool of trained soldiers. IFOR, however, was a peacekeeping operation set up to enforce the provisions of the Dayton Accords. This required the creation of a secure environment, an area free of armed conflict and violence. Different objectives require different tools and methods, because it was recognised that a military force is doomed to failure if it cannot work with the local population. An effective tool for creating this atmosphere of cooperation is CIMIC.

3. ORGANISATIONAL FRAMEWORK

NATO's decision-makers also recognised the importance of civil-military cooperation and established a CIMIC Centre of Excellence in 2007. They established this facility (as described on its website, <https://www.cimic-coe.org>) to assess and disseminate as quickly as possible the available experience in the field of civil-military cooperation through an education-coaching-training framework.

The Hungarian Armed Forces have also established their own "Civil-Military Cooperation and Psychological Operations Centre". The Centre exists to

- develop and implement CIMIC or PSYOPS capabilities and operations in Hungary or abroad, following the basic functions of the Hungarian Armed Forces.
- Participate in the armed defence of the homeland, perform specific tasks during periods of special legal order, take part in joint operations with NATO allies and other operations within the framework of bilateral or multilateral international agreements.
- Support military force commanders in their efforts to cooperate with the civilian population, local authorities, governmental and non-governmental bodies and other national and international organisations within their area of operations.

The CIMIC Task System is intended to assist commanders and NGOs by setting out some general requirements.⁷ These are as follows:

- Know, understand and accept the civil environment and civil actors, including churches, in the area of operation. One of the most important tasks during the preparation phase is therefore the collection, analysis and evaluation of information. This is the only way for military forces to set up a functioning framework with as few trips as possible.
- Know and accept the objectives, operating principles, customs, symbols, and history of the governmental and non-governmental entities involved in the ope-

⁷ CIMIC Handbook 2020.

ration. This will create synergies during the operation that will strengthen the acceptance and respect for our forces through the principle of reciprocity.

- Clear separation of roles and responsibilities. The primary task of any military force is to fulfil its mission, which limits the extent to which it can help the local population. The latter task is primarily the responsibility of civil society actors.
- Respect for each other, i.e., openness, taking responsibility competently, demonstrating and using one's capabilities; in short, creating and maintaining an atmosphere of credibility and transparency. We are talking about mutual obligations; it doesn't work in one direction.
- Prepare and plan tasks together that are important to both parties. Define the path to the goal, clarify the nature of the joint effort, agree on the division of labour and responsibilities in a timely manner.
- Set up the organisational framework for the cooperation.

4. THE MILITARY CHAPLAINCY

The Military Chaplaincy plays an important role in the Hungarian Defence Forces, both on foreign missions and at home bases. According to the current organisation chart, the Military Chaplaincy Service is divided into three branches with the same legal status:

- Ministry of Defence Military Chaplaincy, Catholic Chaplaincy Service Branch, Catholic Military Ordinariate.
- Ministry of Defence Military Chaplaincy, Protestant Military Chaplaincy Service, Protestant Military Ordinariate.
- Ministry of Defence Military Chaplaincy, Jewish Military Chaplaincy Service, Military Rabbinate.

The purpose of the Military Chaplaincy is to provide religious practice and spiritual care within the formations of the Hungarian Defence Forces, institutions under the direct control and management of the Minister of Defence, and other organisations under his supervision.⁸

In addition to its daily tasks, the Military Chaplaincy is a strong link between the armed forces and the churches. Its members are able to communicate the values and interests that are important to both parties and, in times of crisis, it also acts as a channel for direct dialogue.

⁸ *Charter of the Ministry of Defense Camp Pastoral Service, consolidated with amendments.* Online: <https://net.jogtar.hu>. 2021.

4.1. Mission experiences

I was fortunate enough to experience the benefits of civil-military cooperation when I participated in a NATO-led peacekeeping operation in Bosnia and Herzegovina as one of the leaders of the Hungarian Technical Contingent, and later as the Technical Chief of SFOR.

The first soldiers of the Hungarian Technical Contingent arrived in Okučani, Croatia, at the end of 1995. As the contingent prepared for its deployment, it consulted with the local authorities in advance. As the Contingent Commander put it: "(...) It was very important to get to know our environment and our goals, so I made contact with the civilian and military leaders of the Croatian and Bosnian Serb States (...)" (Bombay 1997) The locals kept their distance from our soldiers, although they welcomed the presence of Hungarian soldiers, they had some reservations. These reservations were allayed by our willingness to work with them, without coercion. It also helped that we procured some of the basic food supplies for the soldiers locally, thereby strengthening the local economy. Most importantly, we quickly established a good relationship with the local parish priest, which was largely facilitated by the Contingent Chaplain.

As the situation returned to normal, the Contingent was able to carry out operations of direct benefit to the civilian population. For example, the Contingent used its equipment to enable the construction of the new Catholic church in Okučani. Or in Mostar, our soldiers took part in the restoration of the Old Bridge, one of the key symbols of Bosnian Muslim identity. The contingent also built a road on Serbian territory, which was blessed by a representative of the Serbian Orthodox Church. These tasks raised the profile of our soldiers among the civilian population and were well received by local community leaders, including church representatives.

Our own experience shows that if you want to gain the trust of the local population, you need to have a good relationship with the administrative and religious leaders. The contingent had to carry out many tasks away from its base. In order to reduce future tensions, we informed the local authorities of our imminent arrival and clearly explained our mission while surveying the base for our future operations. During the mission, we established a circle of partners with whom it was worth talking. During these years it became clear that informing and, if possible, gaining the trust of local mayors, priests and other respected members of the local community was very important if we were to succeed. The Contingent chaplains were always very effective in these activities.

It is worth looking at what the Contingent did during its six-year mission to improve civil-military relations, which were crucial to the success of the peacekeeping operation.

About 15% of the Contingent's 380 missions fall into this category. At the same time, it is difficult to draw a line because some of the tasks served both military and civilian interests. A few examples:

- Transporting debris, removing ruins, clearing land for reconstruction.
- The dismantling of a damaged well, the cleaning of the floodplain of the Slobostina River, and the construction of a disinfection bath marked the beginning of the restoration of civilian infrastructure.

- We ensured the freedom of the elections. This included setting up rapid reaction forces and carrying out tasks to ensure freedom of movement by repairing roads, building and repairing bridges, restoring destroyed buildings and providing electricity.
- The Hungarian participation in the reconstruction of the Catholic Church in Okučani was very important for the Contingent. The restoration of a church destroyed during a sectarian conflict had a symbolic meaning for the local population. Accordingly, the Contingent helped in any way it could. This commitment played an important role in our balanced relationship with the locals and we never had any security problems in the area.
- We also welcomed requests to carry out certain professional tasks if they helped to train our soldiers. So, we repaired roads, built roads and bridges that were useful to the Croatian, Serb and Bosnian populations. For example, we built a bridge to help farmers access their land; we improved roads to improve public transport; and we built a road to a new rubbish dump.
- Our efforts to help refugees return to their old homes are very popular. For example, the former inhabitants of the village of Basci told us that they would return to their old homes if we rebuilt the infrastructure destroyed by the war. So our soldiers rebuilt a road and two bridges to make this possible. In Pakrac, we demolished ruined houses to clear an area where houses could be built for returning refugees.
- Our involvement in the restoration of the Old Bridge in Mostar deserves a separate chapter in our analysis of civil-military cooperation. From the very beginning, Hungarian soldiers played a key role in this operation, which attracted worldwide attention. Our task was to locate and lift the elements of the destroyed bridge from the river, to build a footbridge and a platform to store the stones we lifted from the Neretva. This mission showed the world the high level of skill and training of Hungarian military engineers. Therefore, it is not surprising that in 1998 the Hungarian Technical Contingent was awarded the Grand Prize of the Engineers for Peace and Universal Culture Foundation and the Ostrovsky Medal.⁹

5. COOPERATION IN CRISES

Three relevant situations have arisen in recent years. One is the work in support of persecuted Christians, the second is the refugee crisis, and the third is the pandemic situation. In all these cases, the Ministry of Defence and the Hungarian Defence Forces have relied on the support of the churches and are interested in further cooperation.

When we talk about the protection of persecuted Christians, every idea we have talked about becomes an extreme idea. Because the persecution of Christians is a crisis that forces the military, international organisations, local communities, civil society, NGOs and the private sector to work together.

⁹ István, Görög – József, Padányi: *The IFOR-SFOR Hungarian Technical Contingent 1996–2002*. Budapest, Zrínyi Kiadó, 2005.

In Hungary, the issue enjoys strong government support. As a novel initiative, in 2016 the Hungarian Government established a Deputy State Secretariat for the Support of Persecuted Christians. In 2018, the Deputy State Secretariat became the State Secretariat for Aid to Persecuted Christians and for the Hungary Helps Programme. The aim of this body, as stated on its website,¹⁰ is to support the activities of the Secretary of State with a wide range of humanitarian aid and development programmes.

Let us review the recent contributions of the Hungarian Defence Forces to the objectives described above:

- The Hungarian Defence Forces (HDF) mobilised significant resources for the construction and maintenance of the temporary border fence. The HDF also deployed its personnel to the border to support law enforcement operations. These measures contributed to reducing the migratory pressure on Hungary. The approximately 300 km long temporary border fence was built by the Hungarian Armed Forces and the border was guarded by joint police-military patrols. Until the summer of 2018, a large number of soldiers were involved in this mission. After that, the Hungarian military supported police operations with small, specialised teams. When the situation changed in the summer of 2019, the HDF again sent a large number of soldiers to the border. You can see daily updates of their activities online.¹¹
- The Hungarian Armed Forces also contribute to reducing migration pressure by striving to create a secure environment. At the NATO Defence Ministers' meeting in Brussels in February 2019, the Hungarian Defence Minister announced that Hungary would increase the number of soldiers participating in NATO missions from 1,000 to 1,200 between 2019 and 2022.
- The Faculty of Military Sciences and Military Training of the National University of Public Service and the State Secretariat actively cooperate in the field of education and research. This cooperation made possible the publication of the "Budapest Report on the Persecution of Christians 2018".
- This volume, along with two others in 2019 and 2020, examines the persecution of Christians from different perspectives. In September 2017, the National University of Public Service established a Religion and Security Research Workshop at the Faculty of Military Science and Officer Training, which is conducting valuable research in this area. The staff of the workshop have created a postgraduate course, which provides information on "radicalism and religious extremism".

We must also mention the efforts of the Hungarian Defence Forces during the pandemic. The HDF has mobilised significant resources to support civil communities, including church organisations. Our soldiers have been and continue to be involved in supporting law enforcement activities, the efficient operation of hospitals and other health care facilities, the disinfection of high-risk locations, including church premises, and the transport, storage and distribution of medical equipment.

¹⁰ Hungary Helps Agency. Online: <https://hungaryhelps.gov.hu>

¹¹ HDF. Online: honvedelem.hu

We have also gained a lot of experience in civil-military cooperation. The most valuable lesson from the pandemic is that we can defend ourselves more effectively if the HDF can work with as many partners as possible. The other important lesson from the past two years is that the participation of the military in these tasks was well received by the public, because they felt that they were not alone; that the state was not leaving anyone behind.

6. SUMMARY

We could go on, but the examples we have given so far show that the military and the churches can work together effectively in this area. The army's unique resources, its specialists, its battlefield experience and its tried and tested procedures add value in many situations that cannot be ignored. Examples from the history of civil-military cooperation show that the military, in its missions and humanitarian operations at home and abroad, can effectively help the population, governmental and non-governmental organisations, churches, relief agencies and all those in need.

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STRENGTHENING PEACE AND DIALOGUE THROUGH INTERFAITH AND HUMANITARIAN ACTIONS BY MILITARY CHAPLAINS

1. INTRODUCTION AND TERMS

Interfaith and humanitarian activities can strengthen peace and dialogue. Military chaplains, who belong to the military, the civilian sector and a church or religious community at the same time, have a special role and opportunity in this endeavour. The role of religion and religious actors in humanitarian action involves a number of concepts that require precise definition or explanation. The term religious personnel refers to military or civilian persons, such as chaplains. “Religious personnel are exclusively engaged in the work of their ministry and are permanently or temporarily attached to the armed forces, civil defence organizations, medical units or medical transports of a party to a conflict, or medical units or transports seconded to a party to a conflict by neutral States or humanitarian organizations.”¹ Some chaplains have specialised knowledge and mainly play a supporting role during operations. They are responsible for a variety of activities, such as establishing and maintaining effective dialogue between parties, disciplines, fields of specialisation or two fields, such as between humanitarian and military actors. Military chaplains can perform these tasks quite effectively.

The United Nations (UN) Field Handbook on Civil-Military Coordination defines some important terms. One is humanitarian action, which includes relief, protection and advocacy activities undertaken on an impartial basis in response to humanitarian needs created by complex emergencies and/or natural disasters. The second is humanitarian crisis, which occurs when people’s lives, health or well-being are at risk following a disruption in their daily routine and when access to basic goods and services is limited. The next term is humanitarian actor, these people are civilians working for national, international, UN or non-UN, governmental or non-governmental organisations who are committed to humanitarian principles and engaged in humanitarian activities.²

After all, peacekeeping is the basic instrument of international peace and security.³ Peacekeeping is an ever-changing concept, but some principles rarely change.⁴

¹ Nils Melzer: *International humanitarian law a comprehensive introduction*. Geneva, International Committee of the Red Cross, 2016. 139.

² Office for the Coordination of Humanitarian Affairs (OCHA) & Civil-Military Coordination Section (CMCS): *UN-CMCoord, UN-CMCoord Field Handbook*. Geneva, United Nations (UN), 2013. 10–11.

³ *Action for Peacekeeping (A4P), United Nations Peacekeeping*. Online: <https://peacekeeping.un.org/en/action-for-peacekeeping-a4p>.

⁴ János Tomolya: *Békefenntartási kézikönyv*. Budapest, Zrínyi Kiadó, 2010. 27–28.

Although the religious interpretation of peace differs from the military one, the consequences of both are the same: to live in a state without fear.⁵

2. THE ROLE OF MILITARY CHAPLAINS IN HUMANITARIAN ACTION

On 31 October 2019, Pope Francis met with military chaplains from around the world who were attending a formation course on international humanitarian law at the Vatican. He said:

Safeguarding human dignity in the tragic context of armed conflicts means that they must be properly and rigorously respected and enforced. [...] as you carry out your mission to form the consciences of the members of the armed forces, I encourage you to spare no effort to enable the norms of international humanitarian law to be accepted in the hearts of those entrusted to your pastoral care. [...] based on the natural law, that can become a bridge and a platform of encounter with everyone. [...] The servants of Christ in the military world are also the first to be at the service of men and women and of their fundamental rights. I think of those among you who are close to military personnel in situations of international conflict; you are called to open your consciences to that universal love that brings one person closer to another, no matter what the other's race, nationality, culture or religion may be.⁶

In the speech, the Pope used many terms that are relevant to this paper. These included 'human dignity', 'conscience', 'international humanitarian law', 'natural law', 'fundamental rights' and 'universal love'. The Pope asserts that these laws and rights are all linked to the concept of universal love, which enables people to respect human dignity. Military chaplains, as soldiers, can act as first responders and are often the first to reach people in conflict and war, so they need to understand the precise meaning of these terms and carry out their ministry accordingly. As Dr. Fischl states in his paper, the most important goal is the *bonum publicum* (the public good), which can only be achieved if the person who has to carry out a mission has moral authority, and this is achieved when we respect natural law. The common good is therefore always based on natural law.⁷

⁵ Even the word Islam could mean peace, one of the most important greetings in Judaism is Salom, which means peace, and Christianity sees peace as something in Christ that transcends understanding. (see Phil 4:7). And the term security comes from the Latin *securitatis*, which derives from *sine+cura*, meaning without fear.

⁶ Address of His Holiness Pope Francis to the Fifth International Course for Catholic Military Chaplains on International Humanitarian Law. Pope Francis: *Address*. Clementine Hall, Thursday. Online: https://www.vatican.va/content/francesco/en/speeches/2019/october/documents/papa-francesco_20191031_cappellani-militari.html

⁷ Vilmos Fischl: The Role of the Ecumenical Council of the Churches in Aiding persecuted Christians. In Lóránd Ujházi – József Kaló – Ferenc Petruska (eds.): *Budapest Report On Christian Persecution 2019*. Budapest, Háttér, 2019. 259–272.

Love is a key word in Christianity. The manifestation of charitable love belongs to the church as it exercises the ministries of teaching, sanctifying and governing. Charitable activity is not a pre-determined task, but is generated by the spiritual motivation present in many Christian churches.⁸

3. MILITARY AND HUMANITARIAN ACTIONS

International actors can only participate in such a mission if an affected state agrees and/or requests their assistance for humanitarian aid (or humanitarian action). External actors may provide material aid, funding or other contributions, such as the deployment of military units. If the affected state does not consent to the proposed operation, the action becomes a humanitarian intervention.

Humanitarian aid focuses on providing short-term emergency relief, but its effectiveness and the transformation of short-term humanitarian missions into long-term development programmes is a complex issue. This is because each crisis is caused by a combination of factors that influence the outcome of the operation. One of the most important factors is the actor itself. Although the military is not a humanitarian actor, it has a very specific role to play during a crisis or humanitarian operation.⁹ Its most fundamental role is to provide a secure environment, which it does by drawing on a complex set of capabilities and resources.

Military forces may be deployed to participate in disaster relief or humanitarian assistance operations, or as a force under an international mandate. There are military regulations that guide their engagement with civilian and humanitarian actors. Military forces operate within a clear hierarchical structure with clear lines of command, control and communication. This hierarchical system defines the level of responsibility for a particular part of the military. For example, the tactical level is characterised by individuals or small groups. On the other hand, the strategic or operational level is driven by policy and the importance of personal relationships or encounters is much less.

A command is a position of authority and the highest responsibility during an operation. The commanding officer is legally responsible for ensuring that everyone under his command complies with relevant military regulations and international or national laws. Many military formations have a Chief of Staff who has a significant influence on the military structure. The staff is divided into nine sections (1–9), with the ninth section being the civil-military interface, political advisers, legal support and media. The ninth section is linked to the Cross-Cutting Topics (CCT), as described in NATO's AJP.3.19, Allied Joint Doctrine for Civil-Military Cooperation, which covers many issues that may affect the mission in a variety of ways, even though they are outside the primary responsibilities of the military.

Some key principles of humanitarian action, such as impartiality, can be quite challenging, especially for religious actors. It is often an advantage to be part of a party, which can be the basis for building trust with those involved in a conflict. For

⁸ Lóránd Ujházi: The Significance of Charity (Caritas) in the Governing, Sanctifying, and Teaching Mission of the Church. *Bogoslowni Vestnik*, 80. (2020) 4. 783–802.

⁹ UN-CM Coord, 2015. 15.

example, a French (military) imam can become a person of trust for a Muslim community in Iraq. To understand the sensitivities of a situation, we need to have a thorough understanding of the local religious circumstances, such as the local churches, their relationships, how deeply the conflict is linked to religion.

The military is often not involved in every humanitarian action in a theatre of operations, because some humanitarian actors are very protective of their independence from the military. Nevertheless, in peacekeeping and high-intensity operations, the military is called upon to carry out many humanitarian missions.

4. COMMON ELEMENTS OF RELIGION AND MILITARY

In general, religious tasks are outside the traditional remit of the staff. The main theoretical reason for this is the separation of state and religion. In Hungary, for example, the Military Chaplaincy, which is responsible for coordinating all spiritual activities with the Hungarian Defence Forces, is a background institution of the Ministry of Defence. However, the Ministry of Defence is only a supervising power, not a controlling power, because the chaplaincy is subordinate to different denominations.

Religion and the religious element are extremely important to the Ninth Staff Section. But if this is the case, why is the religious staff not attached here, as a subdivision?

Religious actors can be involved in humanitarian or peace-building activities, but first we need to analyse how religion affects conflicts. During the analysis, we have to identify those religion-specific elements that were either part of the conflict or were precursors to it. Then we have to refocus our analysis to find specific religion-specific elements that could influence the outcome of the conflict. Is it important to note that even when a conflict is described as religious, religion may not be the main driver of the conflict? And conversely, if a conflict is not classified as a religious conflict, it does not mean that it is free of religious influence. This is particularly important when we look at the time dimension, the timeline of the conflict, which can reveal significant changes in the conflict.¹⁰

5. MILITARY CHAPLAINS

– THE JOINT REPRESENTATIVES OF RELIGION AND THE MILITARY

Military chaplains fulfil many roles within the armed forces. Historically, military chaplains have acted as librarians, post gardeners, commissary and bakery managers, post treasurers and defence counsellors, as well as being religious leaders. During wars, they helped the wounded and helped to register graves. Even modern chaplains can help in this area by completing a Combat Life Saver (CLS) course. Chaplains may also organise cultural events or take part in Morale and Welfare Activity (MWA)

¹⁰ Marsden Lee: *Religion and International Security*. Cambridge, Polity, 2019.

programmes. However, military chaplains are first and foremost experts in the field of religion.¹¹

It is important to note that theology is not the same science as comparative religious studies. Theology is more subjective, whereas religious studies is more objective. For example, someone who studies Catholic theology will not become an expert on other religions. That is why some military chaplains continue their education as doctoral students or focus on counselling, canon law, education, art, etc. Because of their qualifications, chaplains can hold many positions within the military. For example, one chaplain held a position within the Civil-Military Operations Center (CMOC) in the city of Tuzla, while another served as an advisor to the Civil-Military Cooperation (CIMIC) Unit in Sarajevo.¹²

The role of chaplains has expanded in recent times. This is due to the diverse range of tasks that defence forces have to perform, the consequences of 9/11 or the expansion of the Islamic State, and the growing importance of religious freedom as a human rights issue. It would therefore make sense to introduce a religious element into the military hierarchy, for example as a branch of CIMIC activity. This would make efficient use of the existing skills of chaplains.

Church affiliation and different sensibilities make it difficult to bring military chaplains to the forefront of civil-military tasks. But there is one issue, the question of interfaith dialogue, which could open up new possibilities for the military, humanitarian action, non-governmental organisations (NGOs), private voluntary organisations (PVOs), international organisations (IOs) and even the churches themselves. The connection and cooperation between these entities is vital if we are to create a peaceful world. It is particularly relevant as new security challenges emerge, also at the national and international levels.

As Captain Paul McLaughlin asserts: “they can possess considerable information that may be essential to the success of the military operation as well and relief workers can more understand the needs of the threatened population. Working closely with people of the host nation, they have a better understanding of local culture and practices. [...] They can calculate more accurate analyses of the assistance needs of the affected population than the military.”¹³

The role of a military chaplain may vary slightly from country to country, but in general they usually serve at different levels. For example, the head of a chaplaincy, like a military ordinary, operates at the strategic level. The next level is the operational level within a larger operational formation. For example, at KFOR headquarters in Pristina, Kosovo, there is a position of Chief of Chaplains. This position reports to the Kosovo Force Commander (KFOR COM). The Chief of Chaplains has many mission-level responsibilities. For example, he or she organises meetings with the chaplains of the various units, meetings with local religious leaders or representatives of charitable organisations. Working with the commander of an operation could be beneficial when we want to establish a dialogue between a military

¹¹ In the United States of America, the military has its guide on how to conduct religious affairs in joint operations. See *Joint Guide 1-05*. Online: https://www.jcs.mil/Portals/36/Documents/Doctrine/jdn_jg/jg1_05.pdf

¹² McLaughlin (2002): op. cit. 15.

¹³ McLaughlin (2002): op. cit. 19.

force and a religious institution.¹⁴ On the tactical level chaplains work within the military unit. They may escort a patrol, which can enable them to establish contacts, and create primary sources of information, with the local population.

As a result of the strict military hierarchy, the commander's role could be decisive. As Chris Seiple mentions in his paper: "At the tactical level, chaplains work within the military unit. They may accompany a patrol, enabling them to establish contact with the local population and become a primary source of information. (...) commanders are not conceptually or practically equipped – that is, educated and trained – to think about or engage religious issues."¹⁵

According to Chaplain Steve Smith: "to get a historical background of the work done, political and social issues, a foundation for understanding cultural values and mores, and making connections with local Somalis of importance."¹⁶ The work of NGOs is also important because they do not leave an area after the military has completed its mission in that area. In fact, the presence of NGOs could allow the military to leave more quickly and safely. NGOs need to rely on the military during peacekeeping or humanitarian operations because the military can sometimes provide them with tools and create conditions conducive to NGO field operations. Chaplains, unlike most other soldiers, are closer to the civilian, non-military world for many reasons. Although the activities of military chaplains are not homogeneous, there are many characteristics that most chaplains share. These include the absence or relative absence of military rank, the fact that they are unarmed, the nature of their duty, their unique position within the military hierarchy and their relationships with others.

The non-combatant status of a chaplain could be an advantage in humanitarian and peacekeeping operations.¹⁷ This status can give the local people the impression that they are dealing with someone who is part of the military, but who is not armed and therefore not a threat. Even if the local population does not share the same religion as the chaplain, they may trust him more because of his status. But if a protected person, a medical or religious professional, violates that trust, the benefits could turn into a handicap. In Rwanda, for example, Emmanuel Rukundo,¹⁸ a Catholic priest, was convicted of genocide and crimes against humanity by the International Criminal Tribunal for Rwanda (ICTR) in 2009 for his role in the 1994 Rwandan genocide.¹⁹

¹⁴ An example for this: KFOR Public Affairs Office: *KFOR donated to Draganac monastery*. Online: <https://jfcnaples.nato.int/kfor/media-center/archive/news/2021/kfor-donated-to-draganac-monastery>

¹⁵ Chris Seiple: Ready ... or not? Equipping the U.S. military chaplain for interreligious liaison. *The Review of Faith & International Affairs*, 7. (2009) 4. 43–44.

¹⁶ U.S. Navy Chaplain Steve Smith, responses to the questionnaire in McLaughlin (2002): op. cit. 18.

¹⁷ Geneva Conventions I, Art. 24. See also Geneva Conventions II, Art. 36, and the UN Secretary-General's Bulletin, Observance by United Nations Forces of International Humanitarian Law, 6 August 1999. 3, Section 9.4. Online: UN Doc. ST/SGB/1999/13.

¹⁸ Lunze Stefan: *Serving God and Caesar: Religious personnel and their protection in armed conflict. International Review of the Red Cross*, 86. (2004) 69.

¹⁹ *United Nations International Residual Mechanism for Criminal Tribunals*. Online: <https://unictr.irmct.org/en/news/rukundo-sentenced-25-years-imprisonment>

As military chaplains have a good understanding of military rules and culture, as well as having civilian qualifications, they are less likely to violate principles or rules that are essential to humanitarian action when the military is involved in the operation. Military chaplains also have special relationship with each other. One of the most special and closest relationship is established between Catholic priests, because they belong to the same hierarchical system, follow the same leader, the Pope, have a common detailed directive described in canon law and dogmatics, and finally belong to a common institution, the Catholic Church, which also has a sovereign state, the Vatican. Cooperation between chaplains is useful, but a close relationship between a local priest and a military chaplain can be extremely beneficial to both. For example, a local Catholic priest and a Catholic military chaplain will usually have a very close relationship because of the structure of the Catholic Church, their common faith and because they can work together on pastoral matters. If we want to use military chaplains in humanitarian operations, we have to know the area well, because sometimes it is useful to use them, and sometimes it is not. Members of the Hungarian Defence Forces are deployed in various places around the world, participating in UN, EU, NATO and other missions. Hungarian military chaplains are currently present in Kosovo, Iraq and Bosnia-Herzegovina.²⁰

The Hungary Helps Programme is Hungary's international humanitarian assistance programme, launched by the Hungarian government in 2017 to provide effective support to people living in crisis areas or areas affected by man-made or natural disasters. The rationale behind the program is that Hungary wants to identify acute needs in these areas and provide assistance directly, rather than through major international organisations.²¹ Institutions such as these can be a good alternative for delivering humanitarian aid in conflict zones, failed states or even in areas where peacekeepers are present.²²

Holding services for people who share a common faith can provide a basis for dialogue and build bridges between different nations and ethnicities. For example, a military chaplain may hold services for local civilians and members of the local police or military.²³ Chris Seiple quotes a Marine colonel who did three combat tours in Iraq as saying that not taking religion into account in Iraq was like writing a five-paragraph order²⁴ without taking the weather into account.²⁵

²⁰ Katolikus Tábort Püspökség. Online: <http://www.ktp.hu>

²¹ For these claim about the principle see Online: <https://hungaryhelps.gov.hu/2020/08/17/magyar-lengyel-humanitarius-egyuttmukodesrol-irtak-ala-megallapodast/>

²² For the possible role of the military chaplains in these situations see Milán Mór Markovics: The Possible Roles of (Hungarian) Military Chaplains in Defence of Christians. In Lóránd Ujházi – Ferenc Petruska – József Kaló (eds.): *Budapest Report on Christian Persecution*. Budapest, Háttér, 2020. 351–360.

²³ For such these see for example Richard Hall: Reflections from a Military Chaplain on Operations, *MEDIUM*. Online: <https://medium.com/voices-of-the-armed-forces/reflections-from-a-military-chaplain-on-operations-1983c95b636c>

²⁴ The five paragraph order at the United States Army, United States Marine Corps and United States Navy Seabees – Situation, Mission, Execution, Administration/Logistics, and Command/Signal.

²⁵ Seiple (2009): op. cit. 43.

6. INTERRELIGIOUS DIALOGUE DURING HUMANITARIAN AND PEACE(KEEPING) OPERATIONS

Military chaplains have a great capacity to build interfaith links. They serve in a pluralistic environment where many religions are practised. They know how to treat people with respect who do not profess a religious faith or who do not follow the same religion as the chaplain. They serve without offending other religions, and they know how to work with people of other faiths, or at least how to live with them in peace. If we want to escalate or de-escalate a conflict, we need to be aware of local cultural and religious values, norms or rituals. Religion has access to special resources that are extremely useful in peace-building processes.²⁶

Religious actors can play many roles not only during conflict, in bello, but also after it, post bellum. They can promote reconciliation, re-establish relations between adversaries or play an active role in peace-building. The presence of a religious actor can be a special “ingredient” that is present in almost every conflict; sometimes they are peacemakers, sometimes they are the main instigators. The things that make religious actors special include their spirituality and religious identity, rituals, religious or sacred places, religious texts, religious values and their religious vocabulary. A religious text or leader can become a trusted mediator or bridge between adversaries. For example, a Protestant minister in Northern Ireland may invite a Catholic priest to his church. In the Philippines, there is a Bishop-Ulama Conference (BUC) that seeks to improve understanding between Muslims and Christians. One of the projects organised by the BUC is the Mindanao Week of Peace. The theme of the 2007 Bishops-Ulama Mindanao Week of Peace was “The Soldier as Peacebuilder” which focused on military-CRS-NGO engagement and peacemaking. It was one of the great successes of this event that it turned mere military chaplains into peacemakers.²⁷

“Peacekeeping is a technique designed to preserve the peace where fighting has ended and to assist in implementing agreements achieved by peacemakers. Over the years, peacekeeping operations have evolved from a traditional, primarily military, model of observing a ceasefire and the separation of forces after interstate wars, to incorporate a complex multidimensional model involving military, civilian and police components.”²⁸ In the post-bellum phase of operations, religion can play an important role in the reconciliation process. Following the wars in the former Yugoslavia, peacekeepers were deployed in many areas devastated by the conflict. This region is populated by Orthodox Christians, Roman Catholics and Muslims, so religion had to play an important role in the peace-building process. This was partly because religion is closely linked to the protection of one’s heritage, and partly

²⁶ Mohammed Abu-Nimer: Conflict Resolution, Culture, and Religion: Toward a Training Model of Interreligious Peacebuilding. *Journal of Peace Research*, 38. (2001) 6. 686.

²⁷ Maryann Cusimano Love: *Partnering for peace in the Philippines: military and Religious engagement. U.S. Commission on International Religious Freedom*. Online: <https://www.uscifr.gov/sites/default/files/resources/stories/pdf/maryann%20love%20philippines%20case%20study.pdf>

²⁸ UN Peacekeeping Operations: *Principles and Guidelines* (2008): op. cit. 19.

because religious issues cannot be ignored when trying to build a peaceful, multi-religious society.²⁹

War affects different groups of people in different ways. For example, women are often abused during armed conflict. In these circumstances, female volunteers, church representatives, pastors or nuns may be more effective in initiating a period of reconciliation or dialogue when we need to talk to a woman who has been abused during a conflict.

If more than one religion has chaplains in the military, this may indicate that religious freedom is important to the country and that soldiers can encounter different views and religious practices during their service and, finally, that the chaplain is their comrade.³⁰

7. CONCLUSION

Strengthening peace and dialogue could be supported through interfaith and humanitarian action. Military chaplains can occupy a special position in this process, as their participation in this activity can bring unique benefits. Although the mission of the military chaplain is primarily pastoral, it is inseparable from values such as human dignity or humanitarian rights.

Although the military itself is not a humanitarian institution or actor, it has many links with humanitarian activity. Religious institutions that are partly within the military, such as churches as chaplaincies or civil-military components that are or could be linked to religious issues, have certain advantages and disadvantages as they have a civilian and a religious dimension. Different levels of the military hierarchy have different roles and capabilities in humanitarian action. Some aspects of the process, such as the requirement for impartiality, can be challenging, but the benefits outweigh the risks if we want to build peace.

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²⁹ Anna Puskás: Monuments as ‚proxies of war‘? A societal security approach. In Lenka Čadová – Tomáš Havlík – Veronika Koleňáková – Ondřej Heřman (eds.): *New Approaches to State Security Assurance*. Brno, Faculty of Military Leadership University of Defence in Brno, 2021. 184.

³⁰ There is an example in Burkina Faso for this: Military chaplains: Their new role as peacemakers. *The Christian Science Monitor*; Online: <https://www.csmonitor.com/Commentary/the-monitors-view/2021/0420/Military-chaplains-Their-new-role-as-peacemakers>

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THE ECUMENICAL COUNCIL OF CHURCHES IN HUNGARY AT THE SERVICE OF PEACE

1. THE ROLE OF THE ECUMENICAL COUNCIL OF CHURCHES IN HUNGARY

The Ecumenical Council of Churches in Hungary (MEÖT) was founded in 1943. It currently has 11 member churches: Reformed Church in Hungary, Evangelical Lutheran Church in Hungary, Baptist Church of Hungary, Hungarian Pentecostal Church, United Methodist Church, Serbian Orthodox Diocese of Buda, Orthodox Exarchate in Hungary (this church is under the jurisdiction of the Ecumenical Patriarchate of Constantinople), Bulgarian Orthodox Church in Hungary, Romanian Orthodox Church in Hungary, Hungarian Orthodox Church (this church is under the jurisdiction of the Moscow Patriarchate), Saint Margaret Anglican Episcopal Church. In addition, 20 other denominations or church-related organisations participate in the fraternal activities of the Council. The Catholic Church in Hungary is an observer and cooperating member of the organisation.

The Hungarian Protestant churches founded this alliance of churches in order to implement the message of Jesus' High Priestly Prayer, which calls his followers to unity ("that all of them may be one" John 17:21 NIV).¹ Therefore, MEÖT was established as a platform where Hungarian churches and church-related organisations can cooperate and become common witnesses of Jesus Christ. The Council organises many programmes, national and regional conferences every year in order to achieve the aims of the organisation. Among the most important events organised by MEÖT are the Ecumenical Week of Prayer for Christian Unity in January, the Orthodox Church Days in April and the National Protestant Days in October.

The MEÖT is the Hungarian national organisation of the Geneva-based World Council of Churches (WCC) and an associate member of the Brussels-based Conference of European Churches (CEC), through which it represents the interests of its member churches to the European Union and the Council of Europe. The MEÖT maintains active relations with national church councils and international church-related organisations on five continents, coordinates the international activities of Hungarian churches, and organises a variety of international events in Hungary. We are convinced that only the existence of a fraternal community of Christians, which sends the message that we are all members of one body in Christ, can make the proclamation of the good news of the Gospel authentic.²

¹ Bible translation: *New International Version*. Online: <https://www.biblegateway.com/>

² Magyarországi Egyházak Ökumenikus Tanácsa. Online: <https://www.meot.hu/index.php/meotrol-m/>

The Ecumenical Council of Churches in Hungary is in regular contact with the Hungarian government and, through its member churches, participates in actions in support of persecuted Christians around the world.

2. COOPERATION BETWEEN HUNGARIAN CHURCHES AND THE HUNGARIAN GOVERNMENT IN SUPPORT OF VARIOUS CHRISTIAN COMMUNITIES IN NORTH AFRICA AND THE MIDDLE EAST

The past two decades have seen significant changes in security and defence policy. Today, we hear more and more about the conflict between Islam and the West. In my research, I comprehensively analyse the relationship, including the multiple conflicts, between Islam and the West. I will also study Islamic fundamentalism, one of the greatest challenges of our time. I also try to find answers that explain the rise of radical Islam's hatred of the West and the US. I also study the religious nature of radical Islam and the extent of its irrationality. I also try to find out whether we can stop radical Islam using Western methods? Is Islam really a religion of peace? Many Muslim scholars and people would like us to see Islam as such. But how many more Osama bin Ladens will emerge to argue that the ruthless destruction of the West is the only remedy for the general poverty and other social problems in their region?

The cooperation of church and politics, or the cooperation of Church and state, or their independence from each other, has always been a complicated issue. Different eras have had different solutions to this question. In this study I will examine how Church and state or Church and politics can work together. I will analyse the role of each party in this relationship. For example, what is the role of the Church in the world? Is it just to preach the gospel, comfort the needy and help people through its charitable activities, or should the church also make its voice heard in society's political or ethical debates? Should the church, by virtue of its mission, carry out its ministry in its entirety, or should the scope of its activity be defined by various external interests? (Fischl 2021, 21–30., 22.) For almost 2000 years, the Church has always been committed to its charitable or humanitarian work, because Jesus commands us to love our neighbour. And Jesus also teaches that Christians should help not only those who belong to their own people, nation, culture or religion, but everyone without exception, even their enemies. "Love your enemies and pray for those who persecute you. (Matthew 5:44)

Christianity is the most persecuted religion in the world. This statement is supported by a report prepared for Jeremy Hunt, the British Secretary of State for Foreign and Commonwealth Affairs, in May 2019. According to the report, "the persecution of Christians in some regions almost meets the definition of genocide".³ "The main reason for the decline in the number of Christians [in Egypt] is the constant confrontation with Islam, but there are other factors." (Ujházi 2019, 85)

I would like to describe the ways in which the European Union can build bridges with Arab-Muslim countries in North Africa, the Middle East and Asia. The most

³ Christian Persecution Review. Online: <https://christianpersecutionreview.org.uk/report/>

important pillar of this process is dialogue, especially diplomatic negotiations. I also examine whether Hungary or the Hungarian churches can play a special role in these negotiations. The aim of this activity is to create a stable relationship between the two parties. In the field of migration policy, the views and interests of Hungary and the EU are quite different. The EU focuses on the integration of migrants, while Hungary prioritises supporting people in their home countries. The point is that solidarity can be shown in different ways, and we need to know how a partner helps.

After the migration crisis of 2015, the relevance of this question cannot be questioned. The European Union and Hungary were not prepared for such an enormous wave of migrants. The majority of those arriving in Europe were Muslims, and only a minority of them were Christians, which posed a great challenge for all involved. The Hungarian churches, in cooperation with the secular authorities, helped those who arrived in Hungary by offering them temporary shelter. This was their most pressing need, as most of them wanted to reach the wealthier countries of Western and Northern Europe. This was the main reason why Hungary, in order to show its solidarity with Western Europe, decided to provide aid on the spot in several crisis areas within the framework of the Hungary Helps programme. The Hungarian government first established a state secretariat to support persecuted Christians in their home countries, such as Egypt, Nigeria, Syria, Iraq, etc. In these cases, the Hungarian government can distribute its humanitarian aid through the Hungarian churches, because they have a living relationship with the local churches.

If we want to understand the causes of migration, we must understand that many people flee their home countries because they do not feel safe. We need to know how local Christians live, including their traditions, if we are to understand why they leave their homes. There are countries, such as Nigeria, where the situation of Christians is truly dire because of the activities of Boko Haram. In this paper I will examine this problem from historical, ecclesiastical, political, ecclesiastical, security, legal and sociological perspectives.

3. THE RELATIONSHIP BETWEEN HUNGARY AND THE ARAB COUNTRIES

For Europe and Hungary, North Africa is an extremely important region in terms of security, economics, markets, raw materials and tourism. In our globalised world, many previously distant conflicts can have a significant impact on our region. For example, some of the perpetrators of the terrorist attacks in Madrid on 11 March 2004 came from the Maghreb. Is this region really a hotbed of terrorism? Is it true that local dictators trample on human rights? I try to find answers to these questions in the following section of this paper.

The Middle East is an important economic partner for the EU and Hungary, both economically and in terms of tourism. Israel also plays an important geopolitical role in the region. Therefore, it is not irrelevant for Israel and Europe what kind of governments are in power in the Arab world.

In the case of the Arab countries of the Middle East, our interests are more of an economic nature, and tourism is not as important, although there are some important

exceptions. I separate economic relations from tourism because of the different security circumstances: if economic relations dominate bilateral relations between two polities, only a very limited number of our citizens will be at risk in a crisis. Most of them are “only” business people who live in a country for several years, usually with their families. But if a country is also an important tourist destination and, for example, a civil war breaks out, the EU is suddenly exposed to a much greater risk because a relatively large number of EU citizens may be present there.

Not to forget cultural relations, as several European countries have bilateral education and cultural agreements with various Arab countries. Hungary, for example, has traditionally had good relations with Egypt through the Hungarian Cultural Institute in Cairo. Nevertheless, we need to constantly re-evaluate our position in this area. Libya, for example, is not the same country it used to be, nor is Tunisia or Egypt. The Gulf War also changed Kuwait in 1991, because after the war the Emirate re-evaluated its position in the region.

Pope Francis paid an official visit to Abu Dhabi in the first week of February 2019. (Pope Francis’ homily at Mass in the UAE: *May your communities be oases of peace.*⁴ The reason for the Pope’s visit to the United Arab Emirates was to draw the attention of Catholic believers to the importance of inter-religious dialogue, to strengthen Muslim-Christian relations and to follow the teachings of Jesus. But as well as promoting Muslim-Christian dialogue, the head of the Catholic Church could not ignore the millions of Christians who have been driven out of the region. By preaching on the Sermon on the Mount, Pope Francis underlined his message of the need for inter-religious dialogue in the resolution of international conflicts.

On the last day of his visit, he celebrated Mass with 135,000 faithful in the largest stadium in Abu Dhabi, the capital of the United Arab Emirates. About 90 per cent of the 9.5 million population of the Sunni Arab monarchy are guest workers: About 2.5 million of them are Catholics, mostly from the Philippines and India. Pope Francis must have been speaking to them when he said “It is most certainly not easy for you to live far from home, missing the affection of your loved ones, and perhaps also feeling uncertainty about the future”.⁵

Europe has to look stable, and when we talk about Europe, we can also use the word “West” when we compare it with Islam. The “West” is not just Europe or the United States, but the whole Christian world.

Most people who live in the Arab world are Muslims, although there are countries with significant numbers of Christians in Egypt, Jordan, Syria or Algeria. When we talk about a new dialogue with the Islamic world, we cannot ignore religion. According to Islamic thought, Christians belong to the “People of the Book”. This expresses a certain respect for us. Many people think that you have to approach the Arab world with a neutral worldview, which is a big mistake! If we approach an Arab or Muslim person as a Christian and represent Christian values, he will respect that because we respect his identity. I do not think we should argue in this way: we desperately need oil, so whatever, say, the new Libyan leadership asks for, we must

⁴ Francis’ Homily at Mass in the UAE: *May your communities be oases of peace.* Online: <https://www.vaticannews.va/en/pope/news/2019-02/pope-francis-uae-mass-homily-full-text.html>. 2019.

⁵ Francis (2019): op. cit.

do to get the oil. That kind of problem-solving is not the way forward, it is doomed to failure.

Although Hungary is not a large country, it has traditionally had good relations with many Arab countries. Why is that? I believe that the Hungarian way of thinking and the high level of professionalism are key elements of our success. There is a special kind of empathy in the Hungarian character that Arabs notice and often like. Moreover, the former communist countries of Central Europe can serve as a model for the nations of North Africa and the Middle East in their struggle for democracy and basic human rights, the NATO Secretary General told a conference in Warsaw.⁶

Relations with the Arab world can be built through politics, economics, culture (education), health, sport and by respecting each other's religious values. Our future relations with Arab countries that want to reform their governments and become democracies must be based on these new foundations. We must not be afraid of their religion, but understand that in Islam the religious and political functions are not separated, which is the essence of an organic religion. This is no longer the case in Europe, which is strange for many Muslims. But what we find strange in Europe is that in a country like Iraq or Lebanon, Shia and Sunni leaders have to be in parliament and in government.

I think the will of the people is important, and the countries of North Africa and the Middle East must be given the chance to try to organise their own lives. We have seen that more people have died after the 'end' of the war in Afghanistan and Iraq than during the pre-war totalitarian regime and the war as a whole. This is precisely why military intervention must be undertaken only after careful consideration. Let us not forget that the most negative consequence of war, despite the existence of ever more precise weapons, is the large number of dead innocent civilians. (Harai 2008, 7)

The populations of these Arab countries and the international public are eager to know what the future will look like after the civil wars. Security is hard to achieve and easy to lose. Our country is making serious efforts to maintain its level of security and to increase its citizens' sense of security. During the migration crisis, it became clear that this sense of security had deteriorated, and many were frightened by the image of masses of migrants crossing our country towards the West in search of a better future. (Padányi 2017, 27)

4. SUPPORTING SYRIAN CHRISTIANS THROUGH THE HUNGARY HELPS PROGRAM OF THE HUNGARIAN GOVERNMENT

Through the Hungary Helps programme, Hungary is financing the reconstruction of schools, hospitals and homes in Iraq and Syria; Hungary is also providing higher education opportunities at Hungarian universities for persecuted Christian youth

⁶ Rasmussen, A.F: "*Strengthening European security*" Speech by NATO Secretary General A. F. Rasmussen, Warsaw 17 Mar 2011. Online: https://www.nato.int/cps/en/SID-B32D1515-54E92105/natolive/opinions_71564.htm.

from the Middle East and Africa; and it is supporting the Syrian humanitarian initiative *Open Hospitals* with HUF 505 million (about EUR 1,450,000).⁷

Open Hospitals is the latest aid programme supported by Hungary. In Syria's hard-hit cities of Aleppo, Homs and Damascus, the programme supports the operation of hospitals that treat the poorest people in Syria. During Syria's eight-year civil war, 54 percent of the country's health infrastructure was destroyed. As a result, the number of people dying today due to the lack of healthcare infrastructure is higher than the number of people killed during the war.

It is in the interests of both Hungarians and Europeans to pursue a proportionate humanitarian policy beyond our borders and beyond Europe. This is why, for example, Hungary has decided to support Syrian Christians through the Hungary Helps programme. When the Hungarian government uses Syrian churches as intermediaries to run hospitals, they are helping every Syrian, because these hospitals treat everyone.

The Hungary Helps Programme is Hungary's international aid and development framework, which covers all the country's international humanitarian commitments in developing countries or crisis areas. One of the priorities of the Hungary Helps Programme is the protection of persecuted Christians. Hungary wants to help these Christians for humanitarian, migration and identity reasons. The first of these reasons is the most important. The Hungarian government has recognised that the persecution of Christians is one of the most serious humanitarian tragedies of our time. 70-80 per cent of the victims of religious persecution are Christians. Yet their plight is usually ignored by international politics, diplomacy or humanitarian aid programmes. According to statistics, Christians are persecuted in at least 80 countries, although not every case of persecution is publicly known.

In fact, at least 215 million Christians suffer genocide-like persecution, discrimination or other atrocities, and their human rights, freedom of religion and conscience are also severely restricted in many countries. According to recent estimates, the number of Christians in Syria has decreased by more than 50% in the past 10 years (from two million to eight hundred thousand), or by 80% in Iraq (from one and a half million to three hundred thousand).⁸

The Islamic State has tried to wipe out many Christian communities in the Middle East. Although they have not succeeded, many young people who would have been the future of their communities are still leaving their homes. To slow this trend, Hungary is funding a scholarship programme that offers European educational opportunities to beneficiaries who are willing to return home to help their communities after graduation. Some 170 students are currently enrolled in the programme. Iraqi students, for example, are studying petroleum engineering at the University of Miskolc. Those who wish to receive such a grant must have a letter of recommendation from their church confirming their willingness to return home to help their community and homeland.

⁷ Azbej Tristan: *A magyar kormány elsődleges feladata, hogy a magyar emberek boldogulását segítse*. Online: <https://www.echotv.hu/hirek/2019/01/23/azbej-tristan-a-magyar-kormany-elsodleges-feladata-hogy-segitse-a-magyar-emberek-boldogulasat>

⁸ Ildikó, Antal-Ferencz: *Magyarok az üldözött keresztényekért*. Online: <https://kepmas.hu/nemzeti-kuldetesunk-az-uldozott-keresztenyek-segitese>

Hungarian financial aid through the Hungary Helps programme is paid directly to local churches without intermediaries. The funds are sent either by direct bank transfer from the Treasury or through a charitable organisation running a project in the target country. In Syria, for example, this is done by the Hungarian Charity Service of the Order of Malta, while in Iraq the Hungarian Interchurch Aid plays a similar role.⁹

What more can the Hungarian churches do? The church must continue its mission in the midst of the current European migration situation. Migration is a real challenge for Christian communities in terms of how to deal with diversity, how to be inclusive. Being inclusive means loving people, taking them seriously and helping them to be themselves and not to feel threatened just because they are different. (Fischl 2021, 21–30, 27).

The Church must act in a spirit of solidarity because this is its mission. The Church maintains several institutions that help refugees at the borders of Europe. The church does not want to replace the state, but it must respond to human suffering. Churches must make it clear that all migratory movements must take place within a legal, reasonable framework, otherwise they will endanger public order.

5. CONCLUSION AND RESULTS

The European Union strives for a balanced approach in establishing rules for regular migration and combating irregular migration. Proper management of migration flows involves fair treatment of third-country nationals legally resident in a Member State, stepping up the fight against irregular migration and facilitating cooperation with third countries in all areas.¹⁰ The “only” question is what is meant by “regular”.

The principle of solidarity: under the Lisbon Treaty, immigration policy “shall be governed by the principles of solidarity and fair sharing of responsibility, including its financial implications between the member states”.¹¹

Finally, I believe that the existence of a local humanitarian agency is a prerequisite both for providing long-term, effective assistance to families in need and for mobilising additional international resources for other charitable activities. The aid programme for migrants is based on three pillars: humanitarian aid, training and developmental activities that facilitate the participants’ integration into society and their long-term prosperity. In recent years, Hungarian Interchurch Aid has helped many families, either Christians or members of other minorities persecuted by jihadists, who have had to flee the Islamic State. In order to make its and Hungary’s other humanitarian and international development activities more efficient, Hungarian Interchurch Aid established its permanent Humanitarian Centre in Erbil, Iraq, in June 2016. The establishment of this centre was supported by the Ministry of Foreign Affairs and Trade. The Centre aims to mobilise additional international

⁹ Antal-Ferencz (2021): op. cit.

¹⁰ It is the EU’s aim to establish a uniform level of rights and obligations for regular immigrants, comparable to that for EU citizens. Online: https://www.europarl.europa.eu/ftu/pdf/en/FTU_4.2.3.pdf

¹¹ TFEU Art. 80. Online: <https://eur-lex.europa.eu/legal-content/EN/TEXT/HTML/?uri=CELEX:12016E080&from=EN>

resources for successful humanitarian and development projects in the region for the benefit of internally displaced persons and refugees.

The threat to Christians in the global context is undeniable and has been exacerbated by the emergence of newer (radical) organisations. Unfortunately, cases of violence occur not only in crisis areas but also outside them. The Hungarian churches, in cooperation with various international church organisations and the Hungarian government, are trying to promote security by

- strengthening their national networks through post-graduate training, professional conferences and the use of technical tools;
- strengthening their relationships with churches and governments;
- in the area of security, the World Council of Churches and the Ecumenical Council of Churches in Hungary have regular consultations and discussions with high-level representatives of the Hungarian government;
- developing “soft policies” on cultural, educational and ethical issues, such as just war theory;
- establishing and maintaining contacts with relevant actors in crisis areas through church diplomacy;
- using ecumenical and inter-religious dialogue to consolidate peace;
- developing communication tools;
- regulating and supervising ecumenical humanitarian agencies as necessary.

This system is based on cooperation between church, state and their international partners. This poses a problem: Is it possible for Hungarian churches and the government to find international governmental and church partners with whom they can work effectively to protect Christians in the future?

Churches in Hungary face the following dilemmas

- How to help Christians in the Middle East and North Africa so that all can be happy, including those who support migration and those who do not?
- What can churches in Hungary do to make the rhetoric of church leaders in Hungary and in specific crisis areas, such as Ukraine (Transcarpathia), Syria or Iraq, similar?
- In what ways can local church people and theologians be like-minded in the field of religious or interreligious cooperation, for example at the parish level?

In my opinion, Christian churches today should do much more to help persecuted Christians nationally and internationally. However, we must not forget that the traditional tools of the churches allow only a limited role in preventing or managing crises. The Ecumenical Council of Churches in Hungary seeks to harmonise the diplomacy of the Hungarian churches and their cooperation with governmental organisations. To understand security challenges, we need to be aware of what has happened in the past. The security of Christians varies greatly from country to country. We may not even be able to develop a unified approach within a single region. So let us all, church and state professionals, do our best to study all of the above to ensure that we can help persecuted Christians as effectively as possible.

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SOCIAL AND HUMANITARIAN ACTIVITIES OF THE HUNGARIAN CATHOLIC CHURCH

1. SERVING THE POOR FROM THE START

The Church has always been committed to caring for the poor and performing acts of mercy. Christ's life is an example of how to love our fellow human beings, and Christians are commanded to help those who are in need. This new moral compass is present in Christ's teachings on brotherly love¹ when he commands his followers to help the hungry, the beggars and others in need. Christ's disciples therefore combined preaching and acts of charity to attract more and more followers. Later, bishops coordinated the charitable activities of the young church, and in early Christian communities, acts of brotherly love, such as helping widows, freeing slaves or supporting the poor, were extremely important. Thus, by the 3rd century, a contemporary feature of church charity was already present. Some tasks were carried out by those who believed in Christ, while others were carried out by the organised Church and its organisations.²

In later periods of church history, charitable work became more organised. For example, the Church created systems to encourage donations or set up registers of the poor within a given territorial unit. The rise of religious orders, hospitals, orphanages and parishes made church charity more methodical. For example, many of the great medieval saints³ showed people how to help those in need. Their work encouraged the founding of new hospitals and poorhouses, and monasteries became dedicated centres for helping the poor. The emergence of military orders was another important development in this field. In the 17th century, St Vincent de Paul reformed the Church's approach to the poor. Then, in the modern era, many prominent clerics improved the Church's humanitarian activities and reformed the Church's attitude towards orphans.⁴

As part of the Catholic Church's efforts to establish a well-regulated institutional framework, the ever-changing structure of Catholic charity became more structured. For example, the canonical and secular legal nature of Catholic charities was formalised in this process.⁵ The history of the Hungarian Caritas organisation, a na-

¹ Mt 22:37, Mt 25:32–40.

² Ujházi Lóránd: The Significance of Charity (Caritas) in the Governing, Sanctifying, and Teaching Mission of the Church. *Bogoslovni Vestnik*, 80. (2020) 4. 783–802.

³ Saint Benedict of Nursia, St Francis of Assisi and Saint Elizabeth of Hungary.

⁴ Zagyva, Richárd: *Lángoló szeretet – a Katolikus Karitás 80 éve*. Budapest: Szent István Társulat, 2011. 11–15.

⁵ Ujházi, Lóránd: Specific Apparatus of Vatican Diplomacy – Charity Organisations *Academic and Applied Research in Military and Public Management Science*, 18. (2019) 1. 149–168.

tional network that carries out a wide range of charitable activities and coordinates the Church's relief work as a whole, is a good illustration of this process. Due to various historical factors, Hungarian Caritas was not formally established until 1931. Under the post-World War II communist dictatorship, the nationalisation of its central office, the dissolution of religious orders and the general anti-religious policies of the one-party state made organised Caritas work in Hungary almost impossible. The situation changed only after Hungary's democratic transition, when the Catholic Church was able to resume its organised institutional humanitarian activities. Today, the Catholic Church and church-related organisations play an increasingly important role in the provision of relief and social services in Hungary. As a result, religious charitable activities are becoming more and more comprehensive.

2. THE SECULAR AND CANONICAL LEGAL STATUS OF CHARITABLE ORGANISATIONS AND COMMUNITIES

Works of charity are not just good deeds for the Catholic faithful. Rather, such acts are part of the mission given by Christ that believers are to help those in need, so that acts of brotherly love are an inalienable part of the Christian faith and the activity of the Church.⁶ In connection with the historical facts mentioned above, we would like to point out that the dual nature of charity is also mentioned in Pope Benedict XVI's *Deus caritas est*: "Love of neighbour, grounded in the love of God, is first and foremost a responsibility for each individual member of the faithful, but it is also a responsibility for the entire ecclesial community at every level: from the local community to the particular Church and to the Church universal in its entirety."⁷ Part I of Book II of the Code of Canon Law contains a number of canons which allow the Christian faithful to support apostolic work, to establish charitable organisations and to carry out charitable works. Furthermore, according to §2 of Canon 222: "They [Christian faithful] are also obliged to promote social justice and, mindful of the precept of the Lord, to assist the poor from their own resources."⁸

Since Christian believers also carry out the mission of the Church, their initiatives may support or promote the apostolic mission of the Church. However, they can only use the adjective "Catholic" in the name of their activity/organisation with the permission of a competent ecclesiastical authority. Nevertheless, Catholic Church law divides legal persons into two categories: personal and official. The difference between the two is that a *persona iuridica publica*, a public legal person, is treated as the representative of the Church, while a *persona iuridica privata*, a private legal person, represents only itself.⁹ Hungarian civil law recognises public legal persons

⁶ Ragadics Tamás: Egyházi szociális tevékenység Magyarországon, *Szociális Szemle*, 12. (2019) 1–2. 77–90.

⁷ Benedict XVI: Enc., *Deus Caritas est*. 22/12/2005, *Acta Apostolicae Sedis*, 98. (2005) 20. 217–79.

⁸ §2 of Canon 222 Code of Catholic Canon Law.

⁹ Erdő, Péter: Személyek az egyházjogban. In Jakab András – Könczöl Miklós – Menyhárd Attila – Sulyok, Gábor (eds.): *Internetes Jogtudományi Enciklopédia*. Online: <http://ijoten.hu/szocikk/szemelyek-az-egyhazjogban>

created by Catholic canon law and classifies them as ecclesiastical legal persons. The details of this legal category are regulated by Act C on the Right to Freedom of Conscience and Religion, and on the Legal Status of Churches, Religious Denominations and Religious Communities (2011, as amended 2019). According to this law “Organisations or units of a recognised, registered or listed church that have legal personality according to the church’s internal ecclesiastical rules shall qualify as legal persons”¹⁰

We need to treat separately those organisations which are legal persons under canon law and those groups which are not. The main difference between the two is that the first group operates under the direct control or supervision of the Church, while the second group is made up of Christian believers who carry out individual or collective charitable activities to fulfil their mission as followers of Christ.

A simple way to classify these organisations is to identify which are public legal persons under canon law and which are ecclesiastical legal persons under secular law.

1. *Charities run by the Hungarian Catholic Bishops’ Conference*

- Catholic Caritas or Caritas Hungarica (as the official charity of the Catholic Church, it co-ordinates the activities of the nationwide Caritas network and the work of Catholic social welfare agencies and related activities);
- Catholic Charity Service (it runs Catholic social care facilities and offers them methodological support);
- Kolping Educational and Social Institute Management Organisation (KOSZISZ).

2. *Charitable organisations/institutions which are run by the dioceses*

- Diocesan Caritas Organisations (16) (coordinate Caritas activity within the diocese);
- operate several other charitable and child care institutions;¹¹
- other social care and child protection entities;¹²

3. *Parishes and their charity organisations*

- the parishes themselves (the most obvious places to carry out acts of charity, visiting the sick, families and the elderly, bringing them goods);
- although the main coordinator of these activities is the parish priest himself, lay Christian faithful can also play an important role in these beneficial activities;
- local Caritas groups;
- other local charities.

4. *Religious orders*

There are currently 95 religious orders in Hungary. For some of these orders, social work is their main charism, while others carry out charitable or health care activities

¹⁰ §10 of Act CCVI of 2011.

¹¹ Examples [names in Hungarian] include Szent Ágota Gyermekvédelmi Szolgáltató, Szent Lukács Szeretetszolgálat.

¹² Like care homes or rehab facilities.

in addition to their main vocation.¹³ These organisations usually run institutions that provide some form of specialised assistance or social services to the needy.

We must also mention the various knightly orders, which are also active in the field of humanitarian activities. The extraordinary contributions of the Sovereign Military Hospitaller Order of Saint John of Jerusalem, of Rhodes and of Malta must be highlighted.

5. Spiritual movements

Christian believers often form groups of spiritual movements in order to carry out the Church's mission more effectively. Unsurprisingly, some of these groups have made charity work the focus of their activities, devoting much time and effort to helping the needy and those on the margins of society.¹⁴

Finally, we must mention another very common method of carrying out charitable works. Many groups linked to ecclesiastical organisations carry out the social mission of the Church, but they are not legal persons under canon law, although they are registered non-governmental organisations under civil law. These non-profit organisations can be established by parishes, dioceses, religious and knightly orders, charitable organisations which are legal persons under canon law, the leaders of such organisations and Christian lay people themselves. The most well-known religious NGO in Hungary is the Hungarian Charity Service of the Order of Malta, which is run by an association established by the Order of Malta. The sovereign Order of Malta carries out its humanitarian and social activities through selected organisations.

In 2010, the Government of Hungary and the Sovereign Order of Malta signed a bilateral agreement, which was also enacted as a law.¹⁵ This allows the two parties to cooperate in the fields of social and health care, humanitarian aid and international development. Under the Act, organisations affiliated to the Sovereign Order of Malta¹⁶ meet the legal definition of an ecclesiastical body operating institutions of public utility, and are therefore eligible for normative and complementary state funding. In addition to this prominent organisation, there are many foundations and associations that either support the charitable activities of parishes, religious orders, dioceses and other religious institutions, or replace them in order to ensure that the mission set by Jesus Christ is fulfilled.

¹³ Franciscan Sisters Looking after the Poor, Brothers Hospitallers of Saint John of God, Salesians of Don Bosco, Sisters of Social Service, Social Mission Society, Patrona Hungariae Franciscan Province.

¹⁴ New Jerusalem Community, Community of Sant'Egidio.

¹⁵ Act CXL of 2010 about the Promulgation of an Agreement between the Government of the Republic of Hungary and Sovereign Military Hospitaller Order of Saint John of Jerusalem, of Rhodes and of Malta.

¹⁶ Including the Association of Hungarian Maltese Knights, the Hungarian Maltese Charity Service Association, the Hungarian Maltese Knights Foundation, the Maltese Charity Service School Foundation.

3. DIFFERENT WAYS OF CARRYING OUT ACTS OF MERCIFUL LOVE

The Church's charitable activity is a task carried out by (groups of) Christian believers, various ecclesial communities and institutions. The beneficiaries of this activity are not only the poor, but the Church is committed to helping everyone who suffers from any kind of need or distress. Saint John Paul II underlined this fact in *Ecclesia in Europa*, an apostolic exhortation published in 2003, when he said that "By its very nature the witness of charity must extend beyond the confines of ecclesial communities and reach out to every person, so that *love for everyone* can become a stimulus to authentic solidarity in every part of society."¹⁷

Therefore, in addition to caring for the poor and marginalised, which has been a central part of the Church's humanitarian mission for almost two millennia, the Church must now reach out to the victims of globalisation who live in hard-to-reach places. Thus, the Church must support those who live in extreme poverty, suffer from serious illness, are in crisis or homeless, have some form of disability, belong to oppressed minorities, suffer from addictions (and their families), are refugees, or are victims of national disasters. But among the most vulnerable whom the Church must help are traumatised or victimised children, victims of trafficking, abduction and sexual exploitation, missing persons, those suffering from HIV or other epidemics, those discriminated against because of their disability, and anyone excluded from normal social activities through no fault of their own. Pope Francis often uses the term 'periphery' when talking about obscure cases of injustice, poverty and social exclusion. For Pope Francis, the periphery is the place where we can meet the poor, and this term sums up the essence of the message of the Gospels.¹⁸

Pope Benedict XVI's *Deus gratia est* openly promotes several key features of Christian charity. First, acts motivated by our brotherly love must not be superficial. The primary goal of Christian humanitarian activity is to alleviate the needs created by social problems and hardships. The role of Church charities is to provide materials and well-trained professionals for this mission. Nevertheless, Benedict stresses that "Those who work for the Church's charitable organizations must be distinguished by the fact that they do not merely meet the needs of the moment, but they dedicate themselves to others with heartfelt concern, enabling them to experience the richness of their humanity. Consequently, in addition to their necessary professional training, these charity workers need a "formation of the heart": they need to be led to that encounter with God in Christ which awakens their love and opens their spirits to others. As a result, love of neighbour will no longer be for them a commandment imposed, so to speak, from without, but a consequence deriving from their faith, a faith which becomes active through love (cf. Gal 5:6)."¹⁹

¹⁷ John Paul II Exort. post. synod. *Ecclesia in Europa*. 28/6/2003. n. 85. *Acta Apostolicae Sedis*, 92. (2003) 10. 649–719.

¹⁸ Gájer László: Christians on the Periphery: Dialogue, Mission and Solidarity. In Ujházi Lóránd – Kaló József – Petruska Ferenc: *Budapest Report on Christian Persecution 2020*. Vác, Mondat Kft. 227–237.

¹⁹ Benedict XVI (2005): op. cit., n. 20.

This means that the Church's charitable activities must be professional, organised, intentional and transformative. What distinguishes Christian charities from their secular counterparts, however, is that Christian charity is deeply imbued with love, which is linked to the workers' faith in Christ. Furthermore, these groups are committed to reaching as many people as possible who live on the margins of society. In this sense, the Church's charitable activity goes beyond the limits of a few frequently used terms such as care for the poor, social or charitable activities. Instead, the Church and its organisations, institutions, trained staff and volunteers carry out acts of brotherly love through social, child and health care, and through many educational institutions.

Church-run institutions, integrated into a national social safety net, provide many services such as basic and specialised social care, employment opportunities for people with disabilities, basic and specialised child protection and health care.²⁰ Churches and church-related organisations run many programmes outside the formal social care sector. For example, these organisations recruit volunteers who regularly visit patients in hospitals or people living alone, provide food and shelter to the homeless, and ensure that families in crisis have access to administrative, financial and spiritual support to help them continue their lives independently. Church charities also run a number of projects to integrate disadvantaged communities and groups into society. Church-related charities also carry out pastoral work in prisons and among the Roma or Gypsy minority in Hungary. A key area where organised religious charities can play an important role is in providing long-term care for those in need of such support. Finally, when disasters strike, communities can always rely on the expertise of religious charities in relief and recovery efforts. During the recent migration crisis, for example, religious charities played a major role in crisis management and also provided psycho-social and integration services for refugees.

However, Christian charities can only perform at such a high level if they constantly develop their skills and improve their organisation. Christian believers must also remain committed to carrying out acts of brotherly love because "The Church cannot neglect the service of charity any more than she can neglect the Sacraments and the Word."²¹ So we must not salve our consciences with one-off donations or good deeds. Instead, we must make the practice of acts of brotherly love an organic part of our lives.

4. SUMMARY

Historically, the Church has had two great missions: to spread the good news of Christ and to help the poor and oppressed. In every age, therefore, the Church has had to work out how to make Christ's teachings on compassion a reality. The second half of the 20th century, for example, was a period when strong state anti-clericalism

²⁰ Concrete examples include looking after vulnerable, often elderly, people who live in small villages or isolated farms, providing home care for people who suffer from a psychiatric or physical condition, operating care homes, operating rehabilitation facilities for people suffering from substance abuse, providing regular funds to prevent homelessness, making homes accessible for disabled people, supporting foster parents, operating children's homes and hospitals.

²¹ Benedict XVI (2005): *op. cit.*, n. 3.

severely hampered the churches' organised humanitarian activities. However, after the democratic transition in 1989, there was a revival of church charity in Hungary. Although the process started slowly, today religious charities have re-established their institutions, can count on their volunteers and can cooperate effectively with secular authorities within a well-functioning network, a national social safety net.

When we speak of acts of merciful love, which is one of the main tasks of the Church, we are not talking about occasional good deeds or random positive gestures. Rather, we should structure this activity in such a way that it provides meaningful assistance to as many people as possible in a systematic way. Religious charities, driven by the faith of their staff, must therefore adopt methods that enable them to make a real difference to the oppressed and those on the margins of society.

According to Catholic canon law, three types of organisations can carry out Church-related charitable work. These include public and private juridical persons, and those groups that have received permission to use the term "Catholic" in their name. However, if we go beyond the confines of canon law, we will find many individuals and non-governmental organisations that are not legal persons under canon law, but whose faith makes them willing to participate in the Church's charitable mission by serving others. It is therefore safe to say that in Hungary there is a complex network of entities, including formal and informal charitable organisations and individuals, which play an important role in making Christ's command to love our neighbours a reality. But this network is so complex that we cannot accurately describe it in a single academic paper. Instead, if we want to understand the intricacies of this structure, we need to carry out further research that would analyse in detail the various areas, institutions, organisations and activities of this system and provide the answers we are looking for.

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PRAGMATIC PRINCIPLES AND BASIC FOUNDATIONS
OF THE PRACTICE OF HUMANITARIAN AID AND HUMAN SECURITY

Reflections on the Peace-making Capacity of International Aid

1. INTRODUCTORY THOUGHTS

Occasionally, physical acts of mercy, motivated either by faith or humanity, do not seem to require any scientific preparation: giving food and drink, providing clothing, visiting the sick are the lay charities of everyday assistance. However, in more complex situations, or when organised institutions are involved in charitable work, appearances can be deceptive and we can easily harm the people we thought we were helping. For example, Amartya Sen, a Nobel Prize-winning Indian economist, mentions in his book that during the Bengal famine of 1943, which killed nearly three million people, the food stores of the mountainous region were full of food. It sounds unbelievable, but this food could not be delivered to the people in need, mainly because there was no community mobilisation. The authorities did not involve the local population in the transport.¹ Therefore, good agricultural plans made by well-trained and well-intentioned professionals failed with disastrous consequences because they ignored contemporary geopolitical realities and did not work effectively with those in need.

Another example of well-conceived plans having unintended consequences was the ‘Race for Africa’ or ‘Scramble for Africa’ between 1880 and 1914. In the struggle to create the Anglo-Egyptian Sudan, British colonial officials sought to establish a public administration modelled on Western principles. In addition to their self-interest, the British also wanted to create an organised administrative structure that would make use of local resources. Finally, they made Khartoum in the north of the country the capital of the new polity, and an Arabised, Islamised elite controlled the newly established public administration. This elite had access to certain privileges that were not available to the Christian and animist population living in the south of the country. Among other things, the elite could send their children to modern education organised by the British. The consequences of these factors were considerable. While the north experienced some development, little changed in the south. After a while, the gap between the two regions became insurmountable, creating a centre-periphery relationship that benefited one to the detriment of the other. We can assume that, once again, the regional imbalance between North and South Sudan is the unintended consequence of an unwise approach to development.

¹ Dave Beck: *Community Development for Social Change*. London – New York, Routledge, 2020. 21.

Another case, also from Africa, was identified by James Gordon Ferguson, an American anthropologist, in his study of the Thaba-Tseka project. This large-scale agricultural and livestock aid programme took place between 1978 and 1982 in Lesotho, a country in southern Africa. It was coordinated by ‘outsiders’, mainly Canadian and World Bank-linked experts, whose intentions were probably good. The programme included elements of cattle rearing for a group of local beneficiaries. However, as it turned out, these people were not cattle farmers, but former miners who knew nothing about animals, so the cattle were simply a commodity for them.²

Similar mistakes can be made in 21st century relief work. Working with the Asian groups of the Jesuit Refugee Service, I have accompanied several persecuted Christian refugees to official interviews conducted by organisations such as UNHCR, the United Nations High Commissioner for Refugees. Some of these interviews, conducted in the language of the victims, were facilitated by Muslim intermediaries. Often the interpreters did not translate the witnesses’ accounts accurately, either leaving out some details or changing the content significantly from the original. When we noticed the discrepancies, in one particularly sensitive case, the agencies changed their procedures by employing professional interpreters who followed a strict code of conduct.

Incidents of the same kind can also occur in bottom-up initiatives. For example, in 2015, the Hungarian authorities set up a temporary ‘refugee camp’ near Rösztke, a town on the Hungarian-Serbian border. This camp was set up to facilitate the transport of migrants by bus to Austria. However, the camp’s inhabitants created a considerable amount of waste, and waste disposal was not a high priority for those running the camp. To solve the problem, volunteers from a local environmental organisation stepped in. They soon chartered several garbage trucks to remove the waste from the narrow, sandy site, which was full of refugees, police, buses, charities and tents. But the heavy trucks got stuck in the sand. They could not turn around and blocked the camp’s only access road. As a result, the trucks could not remove the rubbish and the movement of refugees came to a standstill. This led to riots, as people lost patience after waiting for hours in almost 40-degree heat for buses that never arrived. In the end, the Hungarian authorities had to call in the police to solve the crisis. As in our previous cases, we cannot question the fair motives of the environmental organisation.

2. BEING IN THE RIGHT PLACE, AT THE RIGHT TIME

We could go on and on with similar stories, including examples from our own experience. Each of the above stories has negative, unwanted consequences, even though the underlying rationale behind each action was well-intentioned. Often we cannot foresee the possible consequences of our actions, so we can do harm when we want to do good. But is a possible negative outcome a reason for us to remain passive? And then, of course, we often argue that it is not our responsibility to make sacrifices in a given situation.

² James Ferguson: *The Anti-Politics Machine “Development”, Depoliticization and Bureaucratic Power in Lesotho*. United Kingdom, Cambridge University Press, 1990. 75.

Perhaps the Good Samaritan who helped a man who had fallen into the hands of robbers on the road from Jerusalem to Jericho faced the same dilemma. The most important message of this well-known parable for our theme is that it is not always the people whose “duty” or “task” it would be to help who do so. After all, as we know from the story, an (Israelite) priest and a Levite saw the injured man. Both ignored him. This is quite surprising because, according to the legal perspective of Old Testament theology, the quality of a Jew’s faith at that time was determined by how well he kept the prescribed moral and religious rules. And according to these norms, a Jew was expected to help the traveller in the parable of the Good Samaritan. But surprisingly, it was the Samaritan, an unclean heretic not bound by Jewish laws and traditions, whom an Israelite was not even allowed to touch, who took pity on the injured man. Many people have interpreted this parable in many different ways. For us, the most astonishing aspect of this story, which pierces our hearts, is that we help the needy just as the Samaritan did: without any rational expectation, without any external force or clear legal requirements. Instead, a voice comes from within. We take pity on someone.

The Hungarian expression for this can be translated as ‘his heart fell to pitying him’. Perhaps no other language expresses the feeling of our heart overriding logic as colourfully as Hungarian. In English we use *compassion* and *pity*, in French *pris de pitié*, in German *hatte Mitleid*. But none of these is as powerful as the Hungarian expression. The Latin *misericordia* (mercy) is closer to the Hungarian term, as it is derived from the words *misereo*, ‘mercy’, ‘pity’, and the word *cor*, ‘heart’.

However, the Latin word is related to a Greek expression that is the most evocative of all. The ancient Greek verb *splanchnidzomai* is derived from the word ‘bowels’, while the text refers to the movement of the internal organs.³ A pain in the guts! Indeed, it is. Meeting someone who is destitute, someone who is in dire need, takes us into a world beyond rationality, so that we can enter a new reality. Such encounters emanate a kind of sacrality that does not require any legal knowledge of religions. Rather, it is created by the deepest human contact and the feeling of solidarity. This experience touches our inmost being and creates a spiritual spiral that draws us inwards towards the core, a place where only the encounter is present, where our heart hears the plea for compassion and we can hear God’s silence. Whoever enters this inner path is not seeking the truth, but only to get closer and closer to the heart of the suffering world.

3. GOOD OR BAD SAMARITANS?

In his book *Bad Samaritans*, Ha-Joon Chang, Professor of Economics at the University of Cambridge, argues that we may be helping people in the wrong way, harming those we are trying to help. Chang’s research focuses on the role of institutions in international aid relations. Chang’s views are influenced by the fact that he was born in South Korea in 1963. At the time, South Korea was a poverty-stricken country where the average annual income in the 1960s was not much more than eighty dollars a year. Then the country experienced rapid economic growth over

³ Nemeshegyi Péter: *Megesett rajtuk a szíve*. Budapest, L’Harmattan Kiadó, 2012.

forty years. The per capita income of the population has increased fourteen-fold, so Chang is critical of the ‘charitable’ activities of governments and multilateral organisations. He argues that: “In relation to the developing countries, the neo-liberal agenda has been pushed by an alliance of rich country governments led by the US and mediated by the ‘Unholy Trinity’ of international economic organizations that they largely control – the International Monetary Fund (IMF), the World Bank, and the World Trade Organization (WTO). The rich governments use their aid budgets and access to their home markets as carrots to induce the developing countries to adopt neo-liberal policies.” In this book, Chang makes even stronger claims about the nature of political power, which ultimately only promotes the self-interest of the particular actor.⁴

Arturo Escobar, a Colombian anthropologist who is one of the most prominent proponents of post-development theory, which promotes alternatives to orthodox development and aid policies, argues in *Encountering Development* that not helping those in need because ‘more food creates more hunger’ is a cynical behaviour⁵. In this case, we can classify Escobar as a kind of ‘devil’s advocate’ or negative ‘vox populi’, since what he says is obviously absurd and malicious, and apart from occasional situations, nobody behaves like that. But let us not forget the Hungarian-born Péter Tamás Bauer, who worked for British Prime Minister Margaret Thatcher. Like the Austrian-British philosopher Friedrich Hayek, he denied that there is a moral obligation to help others. In his book, *Dissent on Development*, Bauer argues that the asymmetries that exist between individuals or states are due to the fact that everyone receives what they have earned through their efforts.⁶

Dambisa Moyo’s *Dead Aid*, written by a Zambian economist, highlights the responsibility of the individual as she examines social capital and the resources hidden in interpersonal relationships.⁷ She explains the theory that a nation’s willingness to care for those in need depends largely on the quality of these relationships. She also talks a lot about a concept called energy, which is an invisible link that connects individuals, and energy is the key factor that determines the manner and content of our actions. Although she recognises the importance of individual charity and ‘the responsibility of the social circle above the middle class’ in general, she is very critical of certain forms of aid.

As an African scholar, Moyo has personal experience of living in a country shackled by its dependence on foreign aid. In *Dead Aid*, she devotes a chapter, ‘World Without Aid’, to examining this situation. Drawing on the work of American psychologist Harry Frederick Harlow and others, she draws a parallel between individuals who cannot survive without the social safety net and those who must rely on states, organisations and larger systems. She argues that if an individual or a state has to rely on large amounts of outside financial support, it will not be able to de-

⁴ Ha-Joon Chang: *Bad Samaritans. The Guilty Secrets of Rich Nations and the Threat to Global Prosperity*. London, Random House Business Books, 2008.

⁵ Arturo Escobar: *Encountering Development. The Making and Unmaking of the Third World*. New Jersey, Princeton University Press, 1995. 21.

⁶ Peter Bauer: *Dissent on Development*. Massachusetts, Harvard University Press, 1976.

⁷ Dambisa Moyo: *Dead Aid Why Aid is Not Working and how there is Another Way for Africa*. London, Penguin Books, 2010.

velop independently. Moyo therefore challenges a commonly accepted justification for aid itself.

The above may seem theoretical, but they paint a vivid picture of the complexity of aid relations, the personal responsibility of aid workers and the subordinate position of aid recipients. These quasi-hierarchical relationships are present in any charitable, helping-healing relationship.

4. WHEN ACTION MATTERS

In the next part of our paper, we will give some practical examples of ‘caritas’, the practice of charity. We begin this discourse by stating that ethics, a set of underlying principles and a code of conduct during charitable operations, are perhaps the most essential pillars that will influence the outcome of charitable actions. The importance of these factors is underpinned by the idea that all helping and healing acts are *interventions* and are therefore responsible to the people who receive or are dependent on assistance. Surprisingly, the importance of moral elements in charity work is under-represented in professional discourse. This creates a situation where the importance of such factors in charity work is underestimated.

This is despite the fact that the *modus operandi* of charitable activity in the modern era is not a secret, inalienable knowledge that only the most experienced non-governmental organisations possess. On the contrary, humanitarian law and the basic principles of aid delivery have been known for decades, and these elements have been developed into a systematic body of knowledge by universities, various courses and professional events. The most important building blocks are the Sphere Standards manuals, the Principles of the Core Humanitarian Standard and the Foundations of Humanitarian Principles. These components have been developed into a coherent framework by international humanitarian organisations. These principles are well known in Hungary, where they are complemented by the Ethical Code of Social Work and the law that regulates voluntary activities that benefit the public. In the following part of the paper, we will analyse charitable activities from a different angle.

In a somewhat irregular way, we will draw a parallel between medicine and the practice of ‘caritas’, the provision of international aid. We will therefore apply the basic principles of medical ethics to everyday charitable activities. We do this because we believe that the origins of charity are closely linked to medicine, which sought to heal the physical and spiritual wounds of the population. We have chosen this methodology because we want to emphasise the importance of individual responsibility. Finally, we would like to give some practical examples that may be useful in any kind of humanitarian activity.

Our first argument is that those who receive any kind of help are always in a vulnerable position. Any aid or assistance is an act of cooperation. However, this relationship is based on an inherent imbalance of power. In almost all cases, the distribution of aid reinforces the subordinate/superior positions of the respective parties, thereby increasing the situational disadvantage of the aid recipients. Small differences in peacetime can become decisive when we, the party receiving our support, become exposed to or dependent on the aid donor, “just as, on a personal

level, the future of a hospital patient is determined by the staff of the health institution. It is no different in an aid organisation. Here, donors are the most influential actors, since they fund the resources distributed to aid recipients, and the organisations themselves practically report to them. As a result, charities have to meet their donors' expectations. This creates vulnerability or dependency".⁸

Our second argument is that aid needs to be delivered in the right way. We can describe this approach as either situational aid or, again using a medical concept, diagnosis-based aid. In other words, we have to give exactly what they need, when they need it. The aid must arrive without delay and meet local needs. Feeding the hungry, giving the thirsty something to drink... But even here we must not forget Maslow's hierarchy of needs.

For example, during a major disaster in Hungary that killed many people and severely damaged the environment, while the state and NGOs were busy saving lives and repairing the damage, an enthusiastic private entrepreneur gave plasma TVs to families in need. However, the houses were badly damaged and they probably did not even have access to the electricity grid, so our claim that this kind of aid was inappropriate is not an exaggeration.

Another example comes from a large Hungarian NGO working in one of the poorest settlements in our country. Despite the fact that this settlement had no access to running water or a sewerage system, the donors pushed through the construction of a fountain in the centre of the village to improve local morale. The list of such stories is almost endless, and many of us have memories of not getting what we needed in many situations. However, it is difficult to define what individuals actually need at any given time, and what is in their best interests is not always clear. This remains another point to which the following principle can be linked.

Our third argument, the concept of substitution, is closely related to the previous one. That is, those in need of assistance do not always know, or their assessments are not accurate, what they need for recovery or development purposes. Sometimes people misjudge their situation and try to meet their immediate needs, which is not beneficial in the long run. In other cases, they simply do not know what the right diagnosis-based intervention would be. As a result, every decision made by charities can go disastrously wrong.

The most important condition for making such decisions is that the donors know what is in the best interests of the recipients. This challenge is best illustrated by another medical analogy. We usually do not argue with our doctors because we accept that they not only want the best for us, but also know how to carry out that plan. Since we believe that they understand all the possibilities and potential consequences of whatever they do, we do not question that they will make the best possible decision. However, this is only true if everything goes right, because even in medicine mistakes and misunderstandings can happen and lack of preparation can be a problem.

In the field of charity and development, we can prevent these mishaps through community involvement. This means that programmes involving long-term presence and infrastructure development should always be preceded by in-depth discussions

⁸ Solymári Dániel: Társadalmi jelen és fenntartható jövő a nemzetközi segélyezésben. *Máltai Tanulmányok*, (2020) 3–4. 599–604.

with the beneficiaries, listening carefully to their opinions and assessing their needs. After all, if the aid does not meet the needs of the beneficiaries, they will feel ignored by the aid organisations, and these foreign charities will become ‘alien’ in the eyes of the population. There are many examples of poor aid and development practices, all of which can be traced back to a lack of community involvement. Of course, the need to consult with local people is not as acute in so-called humanitarian aid operations. In the event of a man-made or natural disaster, wounds need to be healed as quickly as possible, and aid agencies do not always have the opportunity to talk to those in need. But even in such cases, charities must not arrive uninvited, but must coordinate their activities with state or local organisations.

Our fourth argument is related to the principle of substitution, because there is a link between paternalism and autonomy in relief operations. In other words, to what extent does the aid worker act ‘paternalistically’ during an aid mission, does he understand the views and needs of the people he is assisting, or does he ignore them and act only as he sees fit? Since states, individuals or organisations can all act paternalistically, in this context we use paternalism as one of the characteristics of ‘action’.

In the medical field, certain treatments require the consent of the patient, as defined by medical law. This principle should be applied when we distribute aid to a community. However, the relationships are not always clear-cut, as the rational decision-making capacity and insight of the recipients may be limited by an authoritarian, controlling, impartial aid provider. In some situations, our potential partners are unconscious and unable to look after themselves. In other cases, objective circumstances may make cooperation very difficult, such as in the case of natural disasters. On other occasions, the other party simply does not know what is best for them. At the same time, the paternalistic approach has its advantages, because in certain cases it may be in the best interests of those who need external support to take responsibility for decisions. As a consequence, we can say that there are no permanent recipes, so the delivery of aid must always be tailored to the needs of a given recipient.⁹

We believe that *trust* and *responsibility* are among the most important characteristics of aid relationships. Trust in the expertise, intentions and actions of an aid provider is beneficial to the other side because it increases the speed of recovery and development. Moreover, aid workers will be more satisfied if they feel that their actions have been beneficial to those they have helped. So, following the logic of an Eastern proverb, aid agencies are not hospitals, they are healing institutions. This phrase sounds a little sentimental, but it nevertheless reflects the view that ‘development’, when done properly, is close cooperation between donors and recipients.

Our fifth argument focuses on the importance of person-to-person relationships. The essence of this P2P or people-to-people theory is that aid relationships must be built on the principles of reciprocity and cooperation. A key element in this area is community participation and development. It is no coincidence that the concept of human security has gained prominence in security studies and geopolitics since the 1990s, as scholars have shifted their focus from states to individuals. This bottom-

⁹ Maria Erikson Baaz: *The Paternalism of Partnership: A Postcolonial Reading of Identity in Development Aid*. London, Zed Books, 2005. 65.

to-top approach seeks to create a deprivation-free existence for individuals, rather than the overly abstract models that focused on political structures. In a sense, this development creates ‘counter-security politics’. This is why we have to choose methods for our aid operations that are compatible with the wishes and needs of the recipients.

This leads us to our final argument, that instead of dominance and strength, cooperation must be based on presence and immersion. In a sense, then, this argument is closely related to the individual-focused approach. One of the most important lessons of aid work is a product of honest self-reflection by charities after they realised that they did not understand the everyday realities of those who benefited from their work. This was a major problem as they could not meet the expectations of those they were trying to help. The new approach, closely linked to the views of the Jamaican-British sociologist Stuart Hall, is called *immersion* or *immersion visit*. If we want to understand those in need, we must turn to them or immerse ourselves in their lives. We must be present in these communities and remain committed to improving their long-term future. This model creates a spirit of mutual inclusion that builds trust between both parties. For example, a situational approach to aid always starts with a *look-and-feel*. In addition, aid workers must spend as much time as possible or necessary with the people or communities in need. This will enable them to understand local issues and find joint solutions to existing problems.¹⁰

5. CLOSING REMARKS

In our writing, we have reflected on the theoretical and practical elements of aid delivery. We wanted to find an answer to the question of how charities can ‘help well’. The paper made clear that this is a complex challenge. For some time now, the humanitarian profession has been using the term *humanitarian imperative*. The idea is that everyone has a right to help, and that charities must meet this demand. But how can this concept be translated into an everyday reality that everyone understands? Perhaps the shortest answer is that whenever we have to make a decision, we have to put people in need first. We must therefore find answers that will never make their situation worse, even if this means going against their superficial interests.

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¹⁰ Solymári Dániel: Dominancia helyett alámerülés? Hatalmi elemek a nemzetközi segélyezési kapcsolatokban. *Embertárs*, 4. (2020) 382–390.

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ELEMENTS OF PANDEMIC MANAGEMENT IN ROMANIA
WITH SPECIAL REFERENCE TO THE ROLE
OF SOME CHRISTIAN CHURCHES

1. FOREWORD

Three waves of the coronavirus pandemic hit the world between early 2020 and mid-2021. Experts expect a fourth wave by autumn 2021 at the latest. This is partly because of the faster spreading delta virus and partly because vaccination rates in some countries, such as Romania, are not high enough. Thus, by mid-2021, when the delta virus is spreading around the world, there is no guarantee that we will be able to avoid the next wave of infection. However, it seems certain that vaccination is the only way to avoid the serious consequences of possible infection.

In this study, we will examine the cooperation in Romania between the state bodies managing the epidemiological crisis and the religious communities and Christian denominations during the first 18 months of the pandemic. In addition, we would like to present some concrete signs of cross-border solidarity during this difficult period. Finally, based on conservative estimates, we will examine how the Christian faith in Romania will change after the coronavirus pandemic. In this work we draw on the following sources: surveys, online studies, articles, interviews, individual observations, articles on the philosophy and psychology of religion.

2. OUTBREAK AND EVOLUTION OF THE EPIDEMIC IN ROMANIA

According to Bloomberg, Romania has been hit hardest by the coronavirus outbreak in Eastern Europe.¹ This statement was mainly based on economic considerations. In Romania, for example, the number of employment contracts terminated or suspended as a result of the epidemic already exceeded 1 million at the beginning of April 2020. At the beginning of May, the Romanian Prime Minister reported that 1.3 million Romanian guest workers from several European countries such as Italy, Spain, Germany, France and the UK had returned home in about five weeks after 23 February 2020. According to some estimates, about 300-350 thousand of them would look for employment in Romania. The Council of Europe believes that this situation increases the likelihood that the unemployment rate in Romania could reach

¹ Andra Timu – Irina Vilcu: *East Europe's Worst Virus Spot Vows Old Economy Won't Return*. Online: <https://www.bloomberg.com/news/articles/2020-04-24/east-europe-s-worst-hit-virus-spot-vows-old-economy-won-t-return>

6%.² One year later, in May 2021, we know that these estimates were wrong. According to an official publication by the Romanian Ministry of Labour, only 1,859 returnees registered with the National Agency for Employment (ANOFM) in 2020. As for 2021, by the end of March, only 1,387 returnees had registered with the employment offices.³

However, let us briefly summarise the history of the coronavirus epidemic in Romania. On 26 February 2020, health authorities identified the first positive case in the country. On 22 March, the first coronavirus-related death was reported. By the end of April, the number of COVID cases had exceeded 10,000. The state reacted quickly to slow the spread, declaring a state of emergency on 16 March and switching schools and universities to distance learning. On 17 March, churches were allowed to hold communal services and masses. On 25 March, the government imposed a very strict curfew. During the day, people could only leave their homes in justified and urgent cases, i.e., for work, to obtain basic foodstuffs, for medical treatment, to care for family members, and even in these cases they needed an official permit. During this period it was also forbidden to travel in groups. People over the age of 65 could only leave their homes twice a day for two hours. Those who broke the curfew had to pay heavy fines. In terms of purchasing power, these fines were among the highest in Europe. Some 300,000 people were fined for violating these restrictions during the state of emergency, but these fines were later overturned by Romania's Constitutional Court. Furthermore, following the Supreme Court's decision, public authorities had to refund these unconstitutional fines, which severely restricted individual freedoms.⁴

The first wave of infection peaked in Romania at the end of April. On 15 May, the state of emergency was replaced by a state of alert and restrictions were gradually lifted. In preparation for the long Eastern Orthodox Pentecost weekend on 7 June, beaches along the Romanian coast were opened on 1 June, with compulsory masks and social distancing. Because many people ignored the rules during the summer holidays, Romania had the highest infection and death rate in the European Union by the end of July. It was during this period that the voices of those opposed to the restrictions grew louder. At the same time, conspiracy theories about the coronavirus began to spread, in some cases by Romanian politicians, Romanian Orthodox priests and well-known nationalist figures.⁵

In this atmosphere of COVID rejection and anti-restrictive sentiment, the government sought to win the confidence of the population through social dialogue. The state of emergency was not reinstated, nor were severe fines imposed on citizens.

² Daniel Florea: *Din 23 februarie, s-au întors în țară 1.279.000 de cetățeni români*. Online: <https://www.agerpres.ro/politica/2020/05/04/video-orban-din-23-februarie-s-au-intors-in-tara-1-279-000-de-cetateni-romani--498675>

³ Ramona Cornea: *Câți români s-au întors în țară în 2020?* Online: <https://www.zf.ro/eveniment/cati-romani-s-au-intors-tara-2020-ministerul-muncii-potrivit-unui-20100412>

⁴ Adi Mosoianu: *Instanțele au început să anuleze amenzile militare din starea de urgență. Statul trebuie să restituie banii încasați*. Online: <https://www.profit.ro/stiri/social/exclusiv-instantele-au-inceput-sa-anuleze-amenzile-militare-din-starea-de-urgenta-statul-trebuie-sa-restituie-banii-incasati-19413067>

⁵ Ion M. Ionita: *Propaganda câștigă, România merge cu viteză spre dezastru*. Online: https://adevarul.ro/news/politica/propaganda-castiga-romania-merge-viteza-dezastbru-1_5f05b1025163ec-4271c5f244/index.html

As a result, the second wave of infection did not peak until November. However, settlements with high levels of infection were quarantined if necessary. The fight against the epidemic was hampered by the poor condition of hospital buildings and other parts of the health infrastructure, the extremely high workload of medical staff and several serious fires in several hospital wards.⁶

The first doses of vaccine arrived in Romania at the end of December 2020. The vaccination campaign started with a group of healthcare workers, and after 15 January 2021, elderly people, patients with chronic health conditions and educators could register for vaccination. From 15 March, when the third phase of vaccination in Romania began, any adult could also register. A new wave of infections in March triggered a third wave that lasted until May. As this wave receded, the government gradually began to ease restrictions. Meanwhile, the vaccination campaign continued. By the end of May, about 26% of Romania's adult population had been vaccinated. Unfortunately, since the end of April, the population's willingness to be vaccinated has steadily decreased. In Transylvania, the vaccination rate is slightly higher than the national average, although there are some regional differences. In this part of Romania, the vaccination rate in Central and Southern Transylvania is excellent, while in Northern Transylvania and Szeklerland the number of vaccinated persons is below the national average. At the end of May, the number of registered coronavirus infections in Romania was approximately 1.1 million, and just over 30,000 people had died as a result of coronavirus infection.⁷

3. THE ATTITUDE OF CHURCHES AND BELIEVING CHRISTIANS TO THE SITUATION

In both 2020 and 2021, the Romanian-language press praised the way in which Catholic and Protestant Christians in Transylvania celebrated Easter and cooperated with state authorities during the epidemic crisis. For example, the traditional Easter food consecration organised by the Catholic Church on 4 April 2021 in the main square of Miercurea Ciuc, which followed all epidemiological regulations, was particularly praised by the Romanian-language press. Thanks to the World Wide Web, photographs of the participating Szekler men and women, dressed in their traditional costumes and behaving in an extremely disciplined manner, quickly spread throughout the country.⁸ Here is an example from a Romanian language website: "Szekler Catholics have taught Romania a lesson. Here we have a clear example of organisation, self-respect and people respecting each other."⁹

⁶ Jean-Baptist Chastand: *En Roumanie, des élections sur fond de coronavirus et de misère de hôpitaux*. Online: https://www.lemonde.fr/international/article/2020/12/04/en-roumanie-des-elections-sur-fond-de-coronavirus-et-de-misere-des-hopitaux_6062116_3210.html

⁷ Zsombor Csata – Gergő Barna: *Covid19-átoltottság: az első öt hónap eredményei*. Online: <http://statisztikak.erdelystat.ro/cikkek/covid19-atoltottsag-az-els-ot-honap-eredmenyei/84>

⁸ Raluca Heroiu: *Imagini impresionante din Miercurea Ciuc. Cum a fost celebrat Paștele Catolic*. Online: <https://www.puterea.ro/imagini-din-miercurea-ciuc-cum-a-fost-celebrat-pastele-catolic/>

⁹ Constantin Irina: *Paștele Catolic în Miercurea Ciuc, Lecție pentru România*. Online: https://www.dcnnews.ro/pastele-catolic-in-miercurea-ciuc-lectie-pentru-romania-sunt-imaginile-zilei-galerie-foto_812280.html

During the first, extremely difficult period of the pandemic, the newly appointed Archbishop of the Archdiocese of Alba Iulia, who was ordained and installed on 22 February 2020, encouraged and led by example. For example, Archbishop Gergely Kovács deliberately remained in complete isolation at home for four weeks due to the closure of international borders in mid-March. He spent half of his quarantine in Budapest and the other half in Alba Iulia.¹⁰ And when his coronavirus test came back positive in September and he had to spend several days in hospital, he asked for prayers and urged everyone to look after their own health and that of others.¹¹

The leaders of the Hungarian Christian churches in Transylvania were unanimous in their support for cooperation with the authorities and urged their congregations to do the same. Very few questioned the extent of state action, and few Christians complained about restrictions limiting the exercise of religious freedom. It can therefore be argued that the vast majority of practising Hungarian Christians behaved reasonably. Believers were also unanimously encouraged to receive the coronavirus vaccine.¹²

All this was in stark contrast to the behaviour of some leaders of the Eastern Orthodox Church. There is a well-known tension in the Romanian Orthodox Church between its more conservative-traditionalist bishops and those who are more open to the problems of society. This tension became much more pronounced during the coronavirus pandemic.¹³

The Archbishop of Constanta, Dr Teodosie Petrescu, is an example of this. Throughout 2020, he protested several times against state regulations that forbade the public celebration of the Holy Liturgy in churches. He interpreted the government's actions as an anti-Christian conspiracy, arguing that not even the communist dictatorship dared to do what the government had done under the pretext of getting rid of the epidemic. This included closing churches and intimidating, harassing and ridiculing Christians.¹⁴ This led to an unprecedented incident when Archbishop Teodosie publicly celebrated the Easter Liturgy on the night of 26 May 2020. He said that he wanted to fulfil the wishes of his followers who wanted to receive Holy Communion and take the Holy Fire home. For example, the Archbishop ignored the epidemiological regulations when he gave the Eucharist to his followers

¹⁰ Krónika: *Önkéntes karanténba vonult Kovács Gergely gyulafehérvári érsek*. Online: <https://kronikaonline.ro/erdelyi-hirek/onkentes-karantenba-vonult-kovacs-gergely-gyulafehervari-ersek>

¹¹ *Pozitív lett a gyulafehérvári érsek koronavírus-tesztje*. Online: https://romkat.ro/2020/09/09/pozitiv-lett-a-gyulafehervari-ersek-koronavirus-tesztje/?fbclid=IwAR2HBTu3MqxGTIhFq7LcjQ0x4nyljzytQvM5BExvsvbZ_INaZ7pMOORueJc&utm_source=mandiner&utm_medium=link&utm_campaign=mandiner_202107

¹² Anna Lőrinc: *A koronavírus elleni oltás beadatására biztatják a híveket az erdélyi történelmi egyházak vezetői*. Online: <https://maszol.ro/belfold/A-koronavirus-elleni-oltas-beadatasara-biztatjak-a-hiveket-az-erdelyi-tortenelmi-egyhazak-vezetoi>

¹³ Laurentiu Sirbu: *Cum s-a transformat Biserica Ortodoxa in principalul opozant al restrictiilor generate de pandemie*. Online: <https://ziare.com/stiri/proteste/biserica-ortodoxa-condamna-masurile-de-control-ale-pandemiei-1637173>

¹⁴ Victor Gheja: *Tudosie sfideaza din nou autoritatile statului. Slujba fara masca, in biserica cu zeci de oameni*. Online: <https://www.aktual24.ro/teodosie-sfideaza-din-nou-autoritatile-statului-slujba-fara-masca-in-biserica-cu-sute-de-oameni-video/>

with the same small spoon, according to Orthodox custom.¹⁵ According to Romanian sociologist Barbu Mateescu: “For the Romanian Orthodox Church, the observance of rules and rubrics is very closely linked to religious rituals and ceremonies, so without them, Easter 2020 could become a missed holiday for many people.¹⁶

An interesting snapshot in the history of the coronavirus epidemic in Romania occurred on 10 January 2021, when Pope Francis announced that the Vatican had launched its vaccination campaign and that he wanted to be vaccinated. The Pope also mentioned that in his opinion, for ethical reasons, everyone should be vaccinated.¹⁷ On 11 January, the Romanian Ministry of Health published an online press release issued by Daniel, Patriarch of Bucharest, stating that the Romanian Orthodox Church would support the vaccination campaign in the country.¹⁸ However, this support at that time only meant that the Romanian Patriarch would not oppose the whole vaccination effort.¹⁹ Interestingly, Patriarch Daniel was the first to mention the health crisis and pandemic in his 2021 Easter message. He called on the faithful to treat their lives and the health of their neighbours as a gift from God. And with these gifts comes a great spiritual and health responsibility. But the Romanian Orthodox clergy is divided. There is one camp that is vehemently anti-vaccination and another that supports the vaccination campaign. It is therefore reasonable to assume that this is one of the reasons why the pace of vaccination in Romania has slowed down so much.²⁰

4. SIGNS OF COOPERATION DURING THE PANDEMIC

In April 2020, the Research Institute for Quality of Life (ICCV), a sub-institution of the Romanian Academy of Sciences that provides synthetic answers about the quality of life of the Romanian population affected by the pandemic, published a scientific report. According to the report, solidarity became a very rare virtue in Romanian society before the pandemic. This was probably due to the fact that before the pandemic, personal interests outweighed the interests of the community. However, the outbreak of the pandemic seems to have changed this trend. The constant risk of infection has made people much more aware of social interdependence.

¹⁵ Matei Udrea: *Slujbă de Înviere cu repetiție la Constanța*. Online: <https://ziaristii.com/slujba-de-inviere-cu-repetitie-la-constanta-arhiepiscopului-teodosie-nu-placut-cum-iesit-primul-paste-din-2020-si-decis-sa-mai-puna-o-data-faza/>

¹⁶ Eliza Casandra: *Care este miza repetării slujbei de Paște de la Constanța?* Online: <https://www.rfi.ro/social-121387-care-este-miza-repetarii-slujbei-de-paste-de-la-constanta>

¹⁷ Pope: *World needs unity, fraternity to overcome current crisis*. Online: <https://www.vatican-news.va/en/pope/news/2021-01/pope-francis-interview-canale5-pandemic-abortion-us-congress.html>

¹⁸ Magda Prelipceanu: *Biserica Ortodoxă Română se implică în campania de vaccinare anti-covid*. Online: <https://www.rfi.ro/social-129314-biserica-ortodoxa-romana-implicacampa-nie-vaccinare-anti-covid>

¹⁹ Sabina Fati: *Cum (nu) susține BOR vaccinarea*. Online <https://www.dw.com/ro/cum-nu-sus%C8%9Bine-bor-vaccinarea/a-56233863>

²⁰ Emilian Isailă: *Patriarhul Daniel dă primele semne că susține vaccinarea*. Online: <https://spotmedia.ro/stiri/opinii-si-analize/patriarhul-daniel-da-primel-semne-ca-sustine-vaccinarea-preotii-antivaxeri-sunt-criticati-tot-mai-des>

During an epidemic, our health is affected by the health of others. Thus, solidarity has become a much more attractive concept.²¹

In the Roman Catholic dioceses of Oradea and Alba Iulia, we find concrete examples of community cooperation, including through the Catholic Caritas organisation. In the diocese of Oradea, a group of dedicated volunteers played an important role during the first phase of the pandemic.²² In May 2020, the Caritas of Alba Iulia launched an action called “Restart” to help Transylvanian families whose livelihoods have been severely affected by the pandemic. In the diocese of Satu Mare, the Hans Lindner Foundation, the Satu Mare branch of the Maltese Charity Service and the Caritas organisation of the diocese of Satu Mare launched their relief campaign called “Isolated, but not alone”.

A specific example of cross-border solidarity took place in the first half of April 2020, when the Hungarian government supported Hungarian communities outside Hungary with protective equipment. Another concrete example of international cooperation and solidarity took place in June 2020. Then the Central European Economic Development Network Nonprofit Ltd (CED), an institution supervised by the Hungarian Ministry of Foreign Affairs and Trade, launched a call for proposals to support cross-border projects.²³

5. THE TRANSFORMATION OF CHURCH PRACTICE DURING A PANDEMIC

In order to document the consequences of online religious life, the Cluj-Napoca-based Institute for Religious Research, led by sociologist Dénes Kiss, conducted an online survey entitled “Religious life in Transylvania at the time of the coronavirus epidemic”.²⁴ Data collection took place between 22 April and 2 May 2020, using an online questionnaire. The questionnaire was distributed via the websites of the main Hungarian churches in Transylvania, church mailing lists, Facebook groups and Hungarian websites in Transylvania. The questionnaire was completed by 3975 people, including 456 pastors and priests and 227 Transylvanian expatriates. The respondents were mostly young or middle-aged and had an above-average level of education. Due to the subject matter and distribution channels, they were also significantly more religious than the majority and much more committed to their churches.

More than 80 per cent of respondents would find the online broadcasting of services useful even after the pandemic is over. This is most desirable for those who rarely attend church, but 41.5% of those who attend church every week would also find such a service useful. The more often a person attended church before the pan-

²¹ Cătălin Zamfir – Elena Zamfir: *Calitatea vieții în timpul pandemiei: probleme și politici de răspuns. Un punct de vedere sintetic*. București, Academiei Române, 2020. 11–12.

²² *Emberek a gáton – a vírus idején helytálltak a Caritas önkéntesei*. Online: <https://romkat.ro/2020/06/07/emberek-a-gaton-a-virus-idejen-helytalltak-a-caritas-onkentesei/>

²³ *Pályázati felhívás határon átnyúló projektek támogatására*. Online: <https://ced.hu/ced20c>

²⁴ Dénes, Kiss: *Hitélet Erdélyben a koronavírus-járvány idején. Kutatási jelentés*. Online https://unitarius.org/wp-content/uploads/2020/05/Hit%C3%A9let-Erd%C3%A9lyben_kutatasi-eredmenyek.pdf

demic and the more religious they considered themselves to be, the more likely they were to return to face-to-face worship after the pandemic. Thus, the reason why people would choose off- or online services after the end of the pandemic is not only determined by personal problems, but also by the level of religiosity and attachment to the church. In comparison, the importance of gender, age and education is negligible.²⁵

In the aftermath of the pandemic, it may be interesting to use the tools of religious psychology, religious sociology, pastoral and spiritual theology to investigate whether the traumatic event of the pandemic has changed individual patterns of religious experience. In the light of the results of research on the psychology of religion, many people have argued that “religiosity may play a prominent role in the trauma process and in the growing progress that results from coping with negative life events”.²⁶ If we keep this in mind, the post-pandemic period will be a great challenge, but also a great opportunity for the renewal of our Christian Churches.

Catholic theology, as one of the visible faces of the Catholic Church in Transylvania, is in constant dialogue with other sciences within the institutional framework of the Babeş-Bolyai University, and can thus participate directly in the social discourse that will hopefully take place after the pandemic. Throughout Europe, including Romania, there is a danger that the public discourse will be determined by social prejudices and hostile images that will lead us away from the spirit of the Gospel.²⁷ At the same time, it is encouraging to recognise that “faith that goes through development after negative life events brings growth to all areas of life: it rearranges priorities, reveals new opportunities, and revives self-confidence.”²⁸

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²⁷ János, Vik – Klara, Csiszar: *Chancen und Herausforderungen der katholischen Theologie im Kontext Rumäniens. Zeitschrift für Pastoraltheologie,* 39. (2019) 2. 91–92.

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THE ROLE OF CHURCHES IN PROVIDING SOCIAL SERVICES

Social institutions in Hungary can be divided into two categories: social security institutions and other social institutions. The theoretical basis of the legislation on social services is that an individual's livelihood depends on the continuous reproduction of resources. As long as an individual's livelihood is not disrupted, his or her subsistence is more or less secure. However, if something undermines this relative stability, the individual's livelihood may be threatened. In this case, some kind of intervention is needed to deal with the problem. Since the individual is not able to solve these problems himself, we have to rely on various social, broadly defined as state or societal, solutions.

The essence of social care is to ensure that individuals can continue their lives when their normal livelihoods are disrupted. In that period when the individual is not able to look after themselves, we need to make sure that they can still get by. The ways in which society provides social care have changed significantly throughout history. Organised social care emerged in modern times with the rise of capitalism.

There are three ways of dealing with disruptions to our livelihoods. The first is individual responsibility. In this case, the individual does not consume 100 per cent of his resources, but saves them for a period when his livelihood might be threatened. The main problem with this solution is that it is difficult for individuals to predict situations in which they might need to rely on their savings. In addition, we face different challenges and priorities throughout our life cycle, making it even more complex to prepare for unforeseen events.

The second option, where social care is provided by charities, can provide more effective protection. Charitable work can be carried out by families, residential or working communities. The third option is the most organised and can therefore provide the most effective support to those who need it. This option involves the whole of society in social care. This means that the state is actively involved in social care. State involvement in social care can be based on market failure, paternalistic approaches that argue that the principle of self-reliance cannot be trusted because some people will never prepare for a rainy day, the need for redistribution or the administrative efficiency of state institutions. Another factor that has led to the emergence of state involvement in social care has been major political changes. For example, the disappearance of medieval structures with the rise of the modern bourgeois state meant that lords no longer had to worry about the welfare of their former serfs and vassals.

Preparing for unexpected disruptions to normal life was important to prehistoric societies. They dealt with this challenge by introducing a special division of labour

in which men were responsible for hunting and women for gathering food and household chores. During this period, young people had to help their parents and replace them over time. Finally, the management of the economic and social life of the family was carried out by the older generation on the basis of their experience.¹

Charity and support for the poor and needy have been an integral part of the Christian Church Programme from the beginning.² It is known that Jesus was poor, landless and homeless, and could only pay the temple tax after a miracle enabled him to take a coin from a fish's mouth to pay the tax collector. The apostles were poor too. In such circumstances, Christianity treats poverty as follows: to alleviate poverty is a duty and a virtue, to do so is a blessing, and to oppress the poor is such a grave sin against God that it prevents salvation.

Apostolic Christianity was so committed to helping the poor that some people left all their possessions to the young church so that the needy could receive the help they deserved.³ Medieval charity did not focus on the eradication of poverty, misery and disease. Its activities were inspired by love of God and the desire to earn merit before Him. Caring for the poor and needy was seen as a fundamental duty.⁴ The Protestant teachings of Martin Luther (1483–1546) and John Calvin (1509–1564) were characterised by a personal relationship with God and a more critical interpretation of the Bible.⁵ By the 16th century, poverty had become a serious problem. As a result, city and central governments were increasingly prepared to intervene proactively.⁶

In a bourgeois state, individuals shape political trends. However, individuals have a tendency to be independent and are willing to succeed at the expense of the weaker members of society. Moreover, they can only be compelled to act in the public interest when the force of ethics is insufficient, so that administrative action, support and intervention on behalf of the state is necessary.⁷ In the 19th century, the economy developed much faster than the socio-political structure. This situation led to unprecedented social and political tensions, which were partly resolved by the introduction of state-controlled social care.⁸

19th-century states attempted to solve social problems through novel social legislation.⁹ The first state-controlled national insurance schemes were introduced in Prussia by Chancellor Otto von Bismarck. The system developed gradually. It began in 1883 with sickness insurance. Accident insurance was added in 1884. In 1889, legislation introduced a national pension scheme, and in 1927 workers were entitled to unemployment benefits. In the early days, the scheme was known as workers'

¹ Pornói Imre: *Bevezetés a szociális gondoskodás elméleti és történeti alapjaiba*. Nyíregyháza, Krúdy Könyvkiadó és Nyomda, 2008. 11–12.

² Pornói, *ibid.*, 39.

³ Szabó Lajos: *Szociális munka a magyar református egyházban*. In Dr. Göllesz, Viktor (ed.): *Mozaikek a szociális gondoskodás hazai történetéből*. Budapest, Szociális Munka Alapítvány, 1993. 65.

⁴ Pornói, *ibid.*, 43.

⁵ Pornói, *ibid.*, 60.

⁶ Pornói, *ibid.*, 64.

⁷ Esztergár Lajos: *A szociális munka vázlata*. In Dr. Göllesz Viktor (ed.): *Mozaikek a szociális gondoskodás hazai történetéből*. Budapest, Szociális Munka Alapítvány, 1993. 49.

⁸ Pornói, *ibid.*, 77.

⁹ Pornói, *ibid.*, 79.

insurance. In 1903, however, civil servants became eligible for sickness insurance, and in 1911 the Prussian government created a unified social security system for all employees. The Prussian system played an important role in the development of social legislation in many European countries. Hungary was one of these countries, and until the end of the Second World War the Hungarian social security system was very similar to the Prussian one.

In addition to the state, religious service providers play an increasingly important role in Hungarian social care. This process has accelerated after 2010, as church-run services have become more relevant, although the churches have been active in this field since 1990. It can be argued that the churches used the opportunities provided by the legislator to become key players in social care because they wanted to fulfil an essential dimension of the mission of a Christian church, which is to help the poor and needy.

In the field of social services, the state and the churches can only achieve their goals if they are willing to work together. I believe that participation in the social security system should not just be a personal choice, but if we want to enforce this principle, then the state must enforce this position by passing appropriate legislation. Compulsory participation in social security is essential if we are to maintain the capacity of our health services. However, in the field of social care, the state should cooperate with other actors, such as the churches.

Current social security legislation in Hungary is based on two main types of principles: some defined by the Fundamental Law, others by statutes. The principles listed in the Fundamental Law define the place of social security among the institutions of the social structure, while the legal framework creates a coherent regulatory structure and develops a uniform practice of law enforcement. Article “E” of the Foundation of the Fundamental Law of Hungary states the following.

In order to enhance the liberty, well-being and security of the people of Europe, Hungary shall contribute to the creation of European unity. With a view to participating in the European Union as a member state, Hungary may, to the extent necessary to exercise the rights and fulfil the obligations deriving from the Founding Treaty, exercise some of its competencies arising from the Fundamental Law jointly with the other Member States, through the institutions of the European Union.¹⁰

European Union legislation can also create generally binding rules. Thus, the provisions of European Union law must be taken into account in the Hungarian legislative activity in the field of social policy. Article “O” of the Fundamental Law states: “Everyone is responsible for himself and is obliged to contribute to the fulfilment of state and community tasks according to his abilities and possibilities.”¹¹ Although it is not yet common practice, it is also possible to derive social obligations from this provision, which can mean, on the one hand, the individual’s responsibility for himself or herself and for providing for others, and, on the other hand, expectations of social risk-taking.

¹⁰ Article E, *Fundamental Law of Hungary*, Source: Online: <https://njt.hu/jogszabaly/en/2011-4301-02-00>

¹¹ Article O, *Fundamental Law of Hungary*.

In addition to these general remarks, Article XIX of the Fundamental Law contains a number of specific social policy provisions. It states that “Hungary shall endeavour to provide social security for all its citizens. Every Hungarian citizen shall be entitled to assistance in the event of maternity, sickness, invalidity, disability, widowhood, orphanhood and unemployment for reasons beyond his control, in accordance with the provisions of a law. Hungary provides social security through a system of social institutions and measures. The nature and extent of social measures may be determined by statute in accordance with the usefulness of the beneficiary’s activity to the community.”¹²

In the same Article, the Fundamental Law also expresses that the country “shall contribute to ensuring a life of dignity for the elderly by maintaining a general state pension system based on social solidarity and by allowing for the operation of voluntarily established social institutions. An Act may lay down the conditions for entitlement to state pension the requirement for stronger protection for women.”¹³ Finally, Article XX Paragraph (1) of the Fundamental Law, establishes the main principles of health care when it states that “Everyone shall have the right to physical and mental health.”¹⁴

The most important legal document in the field of social policy is Act CXXII of 2019 on Entitlements to Social Security Benefits and on the Financing of These Services (hereinafter referred to as: New Tbj.). The new Act states that social security in Hungary is provided by a risk-sharing community at the level of society. This community includes Hungarian citizens and other legal residents working in Hungary. Participation in the Hungarian social security system is compulsory. Within this system, the insured person and his/her family members are entitled to certain benefits based on the principle of individual responsibility and their contributions to the overall system. As a general rule, the amount of social security benefits in cash is proportional to the insured person’s income. Social security is also a legal relationship established by law. In order to ensure the efficient functioning of the social security system, employers have several administrative responsibilities and must deduct their employees’ contributions on behalf of the State Treasury. Foreign employers are not exempt from social security obligations in Hungary if they employ employees in Hungary in a way that is covered by the Tbj. In addition, foreign employers who employ people outside Hungary are also subject to the Tbj under EC regulations on the coordination of social security systems. Therefore, such employers must also contribute to the Hungarian social security system.

One of the basic principles of social security referred to by the Tbj. is that, according to the principle of social solidarity, laws may oblige individuals to bear part or all of the cost of their social security expenses. These funds are used by the state to protect the physical and mental health of the population, to maintain a state pension system and to make the right to social security a reality. However, simply contributing to various social security funds does not automatically confer the right to social security benefits. Furthermore, in order to ensure the efficient operation of the social security system, the State may require insured persons and their em-

¹² Article XIX, *Fundamental Law of Hungary*.

¹³ Article XIX, *Fundamental Law of Hungary*.

¹⁴ Article XX, *Fundamental Law of Hungary*.

ployers to provide the social security administration, on a regular or ad hoc basis, with the information necessary to establish, monitor or enforce their participation. These legal requirements create a functioning system of social rights and entitlements, made possible by the proportional participation of society as a whole.¹⁵ The role of the state in social security is therefore crucial.

At the same time, assistance also has an important role to play in social policy, since disadvantaged citizens who are either unable to provide for themselves or to contribute to the state social security system also need some form of social safety net. The main challenge for these people is that, with the exception of health care, social security benefits are linked to work. This means that potential beneficiaries have to have paid their social security contributions for a certain period, which is defined by law, before they are eligible to receive benefits. However, there are no such formal eligibility criteria when it comes to social assistance. Nevertheless, we still have to determine whether or not the people concerned need the assistance.

The legal framework for the provision of social services in Hungary is regulated by Act III of 1993 on Social Administration and Social Services (hereinafter referred to as: Szocvtv.). The Szocvtv. allows church organisations, such as established and registered churches and their ecclesiastical legal entities, to participate in the provision of social services. There is, however, an important restriction: potential religious social service providers must have an agreement with the state that covers social work, child welfare or child protection tasks. This follows rules established by Act CCVI of 2011 on freedom of conscience and religion and the legal status of churches, religious denominations and religious associations.¹⁶

In Hungary, the legal framework allows the State to cooperate with duly registered religious communities in order to promote the common good. The state can enter into formal agreements with such religious organisations to allow them to carry out certain activities. These include preserving historical and cultural values, running schools and hospitals, carrying out charitable projects or organising social, cultural or sporting activities. Churches may also be active in the field of family, child or youth protection and other public activities. These wide-ranging activities are made possible by the historical and social importance of the churches, the well-developed internal church institutions and the experience they have in the field of social care. The latter could be explained by the fact that historically these activities have been carried out by the churches, so that they are able to continue them in the 21st century.¹⁷

It is clear that the Hungarian state wants to cooperate with the churches in the provision of health and social services, but due to ecclesiastical autonomy, the churches themselves must decide, within the existing legal framework, what kind of health, charitable or social services they are willing to provide. Some non-state bodies may receive additional support through international agreements. In these cases, the minister responsible for social and pension policy appoints a church methodological

¹⁵ Section 2 (1) – (7) of Tbj.

¹⁶ Section 4 (1) Point (mb) of Act III of 1993 on Social Administration and Social Benefits (hereinafter referred to as: Szocvtv.)

¹⁷ Section 9 (1) of Act CCVI of 2011 on the Right to Freedom of Conscience and Religion and on the Legal Status of Churches, Religious Denominations and Religious Associations.

body. This body is elected either by the highest governing body of the church or by the representative of the non-state body operating the institution for a term of five years. At the end of the term of office of an ecclesiastical methodological institution, the same body may be reappointed for further terms of office.¹⁸

The tasks of the designated ecclesiastical methodological institutions include evaluating the professional programme of an organisation, auditing its activities, making proposals for the development of the national care system, providing methodological guides for ecclesiastical social or health care organisations. In addition, they have the power to make recommendations, issue publications, carry out experiments to improve the services provided, participate in the development of the quality development strategy, standards, service protocols, methods and procedures of professional control. Finally, they must monitor the results of scientific research on the health care system, promote their dissemination and practical application, and conduct research in this field.¹⁹ Based on the above facts, churches have a great opportunity to put into practice their views on social services. Given their role in the provision of social services, churches are eligible for support from the state budget. Among other things, church-run social service institutions that perform public functions as registered public service providers are also eligible for support, as stated in the Szocvtv.²⁰

This paper has attempted to summarise the participation of churches in the provision of social services in contemporary Hungary. Of the three principles of social policy in Hungary, namely the principle of security, the principle of assistance and the principle of normative benefits, churches can play an active role in the distribution of social benefits, which is motivated by the principle of assistance. This is the case because the Churches have always supported the oppressed, the helpless and the needy. I can affirm that in the 21st century and beyond we need and will continue to need the participation of churches in the field of social services, in accordance with the teachings of Christ.

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¹⁸ Section 58 (2) of Szocvtv.

¹⁹ Section 58 (6), Points a) to g) of Szocvtv.

²⁰ 58/A. § (1) of Szocvtv.

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CANON LAW UNDER THE TEST OF THE PANDEMIC

Critical Issues and Opportunities

In order to combat the serious epidemic crisis that has affected Italy, the President of the Council of Ministers has adopted some measures to contain the spread of coronavirus, extended to the entire national territory since 8 March 2020.¹

As a result, some of the fundamental rights recognised by the 1948 Republican Constitution have been restricted, in particular the right to freedom of religion.² Before the measures of conditional opening of places of worship, allowed as long as gatherings were avoided, and the suspension of religious ceremonies,³ including funerals,⁴ the Catholic Church immediately collaborated with the civil authorities, respecting the government's decisions "to contribute to the protection of public health".⁵

The indications given by the Italian Episcopal Conference were accepted both by the regional Episcopal Conferences and by the diocesan Bishops,⁶ who determined the "paralysis" and the temporary reduction of pastoral activities, including liturgy and the administration of the sacraments in the Church: By the directives of the regional assemblies and the norms of particular law established by the episcopal authorities, Eucharistic celebrations *cum populo* were in fact suspended, while the rite of ecclesiastical burial was replaced by the simple blessing of the body; furthermore, access to churches as sacred places was restricted to private worship, and likewise the celebration of some sacraments, such as baptism and marriage, was permitted only in the presence of the sacred minister and of sponsors and witnesses.⁷

¹ Government of Italy: *Coronavirus, le misure adottate dal Governo*. Online: <https://www.governo.it>.

² Antonio Fuccillo – Salem Abu – Ludovica Decimo: *Fede interdetta? L'esercizio della libertà religiosa collettiva durante l'emergenza COVID-19: attualità e prospettive*. Online: Intercultural Law and Humanities Review. www.calumet-review.it.

³ Vincenzo, Pacillo: *Il diritto di ricevere i sacramenti di fronte alla pandemia. Ovvero, l'emergenza da COVID-19 e la struttura teologico-giuridica della relazione tra il fedele e la rivelazione della grazia*. Olir. Osservatorio delle libertà ed istituzioni religiose (www.olir.it). Milano, Università degli Studi di Milano, 2020.

⁴ Anna Gianfreda: *Libertà religiosa e culto dei defunti all'epoca del Coronavirus*. Milani D. (ed.): *Olir. Osservatorio delle libertà ed istituzioni religiose* (www.olir.it), Università degli Studi di Milano, 2020.

⁵ Italian Bishops' Conference, March 8, 2020. Online: <https://www.chiesacattolica.it/decreto-coronavirus-la-posizione-della-cei/>.

⁶ Romeo Astorri: *Interventi delle Conferenze episcopali europee e delle conferenze regionali italiane in materia di Coronavirus*. *Quaderni di diritto e politica ecclesiastica*, 23. (2020) 2. 301–305.

⁷ Manuel Ganarin: *Especificidad y potencialidad del derecho canónico durante la crisis epidémica en Italia*. *Ius canonicum*, 61. (2021) 121. 199–243.

In a note of 12 March 2020, the Presidency of the Italian Bishops' Conference even suggested that the competent ecclesiastical authorities could adopt more restrictive measures than those introduced by the Italian government, not excluding "the decision to close churches" and thus to deny every believer the *ius aedeundi* recognised by can. 1214 of the Code of Canon Law, for "the sense of belonging to the human brotherhood exposed to a virus whose nature and spread we do not know" and for the need to responsibly ensure the safety of others.⁸

The Catholic Church in Italy, moreover, has followed pastoral guidelines essentially identical to those approved by specific juridical acts of the Holy See, which have established canonical emergency legislation to ensure the administration of some sacraments in exceptional circumstances, the provision of means of grace to make up for their absence, and the adaptation of liturgical legislation to health needs.

First of all, there were two interventions of 19 March 2020 of the "tribunal of the internal forum" of the Roman Curia, namely the Apostolic Penitentiary, which, with a note, specified that the Sacrament of Penance could be administered according to the extraordinary modality of collective absolution without prior individual confession, because of the serious need required by can. 961, § 1 of the 1983 Code and can. 720, § 3 of the Code of Canons of the Eastern Churches, "especially in the places most affected by the pandemic contagion [such as hospitals] and until the phenomenon does not return":⁹ however, cases of serious need were to be determined by the diocesan or eparchial Bishop, and in cases where it was impossible to obtain sacramental absolution, the faithful could obtain forgiveness of sins, including mortal sins, through perfect contrition "expressed by a sincere request for forgiveness [...] and accompanied by [...] firm resolution to have recourse to sacramental confession as soon as possible",¹⁰ in light of the provisions of n. 1452 of the *Catechism of the Catholic Church*.

The Apostolic Penitentiary also issued a decree granting, *ex auctoritate Summi Pontificis* and under certain conditions, special plenary indulgences in favour of the faithful affected by Covid-19, health care workers, members of their families and those who assisted them, and of all the faithful who prayed to God for the cessation of the epidemic, for the relief of the sick, for the eternal salvation of the deceased and, finally, for those who, at the time of their death, were unable to receive the Sacrament of the Anointing of the Sick and the Sacrament of Viaticum.¹¹

⁸ Italian Bishops' Conference, March 12, 2020. Online: <https://www.chiesacattolica.it/una-chiesa-di-terra-e-di-cielo/>.

⁹ Daniela Tarantino: "Ego te absolvo". *Il sacerdote medicus animarum ai tempi del Covid-19*. Online: <https://diresomnet.files.wordpress.com/2020/04/tarantino-pdf-ita-version-2.pdf>.; Stefano Testa Bappenheim: *La Pandemia Covid-19 autorizza a derogare la regola canonica dell'assoluzione necessariamente preceduta dalla confessione individuale?* Pisa, <https://diresom.net>, 2020.

¹⁰ Apostolic Penitentiary (March 19, 2020): Prot. n. 00379-IT.01. *Nota della Penitenzieria Apostolica circa il Sacramento della Penitenza nell'attuale situazione di pandemia*, 20.03.2020. Bollettino Sala Santa della Santa Sede. Online: <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2020/03/20/0170/00379.html>.

¹¹ Apostolic Penitentiary (March 19, 2020): Prot. n. 00379-IT.01. *Nota della Penitenzieria Apostolica circa il Sacramento della Penitenza nell'attuale situazione di pandemia*. Bollettino Sala Santa della Santa Sede. Online: <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2020/03/20/0170/00379.html>.

With regard to the liturgy, on 25 March 2020 the Congregation for Divine Worship and the Discipline of the Sacraments issued a decree, *de mandato Summi Pontificis*, concerning the rites of Holy Week for “countries affected by the disease, where restrictions on gatherings and the movement of people are foreseen”, this decree prescribes that the celebrations take place “without the participation of the people and in an appropriate place, avoiding concelebrations” and observing a series of precautions, such as avoiding the sign of peace, omitting the ritual of foot-washing and the procession on Holy Thursday, and reserving to the celebrant the act of venerating the cross by kissing it on Good Friday.¹²

The Italian Church and the Holy See, therefore, have adopted an attitude of full and total collaboration with the decisions of the public authorities: they have determined that the fundamental right of the baptized faithful to receive from their sacred pastors the assistance derived from the spiritual goods of the Church, especially from the sacraments (can. 213), which the sacred ministers cannot deny to those who seek them in due time, are properly disposed, and are not prohibited by law from receiving them, is being curtailed or violated (can. 843, § 1).¹³

But does the situation that has arisen in Italy (and in other countries) really correspond to that *sana cooperatio* between the Church and the political community defined in n. 76 of the Pastoral Constitution on the Church *Gaudium et Spes* of the Second Ecumenical Council?¹⁴ In this document, the Council Fathers, starting from the premise that the Church and the political community serve the personal and social vocation of man in different ways, affirmed that the Church has the right to exercise “her mission among men without hindrance” where this is required “for the salvation of souls”.

The *salus animarum* is the principle that should have guided the Church’s action and structured its law from the beginning of the health emergency:¹⁵ as far as possible with the requirements of the *salus corporis*, while avoiding that its strict observance should lead man to think that he is limited “only to the temporal horizon”, instead of opening himself up to his “eternal vocation” (*Gaudium et spes*, n. 76).

However, the ecclesiastical hierarchy seems to have opted for a “secularised” approach, protecting above all the goods of life and the physical integrity of the person, rather than promoting pastoral solutions in the name of that “creativity” which Pope Francis invoked during the *Angelus* of 15 March 2020, a tangible testimony of the closeness of priests who, with “apostolic zeal”, have not abandoned the People of God or ignored the spiritual needs of the faithful. In this delicate si-

¹² Congregation for Divine Worship and the Discipline of the Sacraments: “Torniamo con gioia all’Eucaristia!”. Lettera ai presidenti delle Conferenze episcopali sulla celebrazione della liturgia durante e dopo la pandemia del covid-19. August 15, 2020. Prot. n. 432/20. *L’osservatore romano*, Online: <https://www.osservatoreromano.va/it/news/2020-09/torniamo-con-gioia-all-eucaristia.html>.

¹³ Giorgio Feliciani: *Il popolo di Dio*. Bologna, il Mulino. 2003.; Matteo Visioli: Il diritto di ricevere i sacramenti (can. 217). *Quaderni di diritto ecclesiale*, 30. (2017) 4. 455–474.

¹⁴ Giuseppe Dalla Torre: Una Chiesa all’altezza dei tempi. In Luigi Alici – Giuseppina De Simone – Piergiorgio Grassi (eds.): *La fede e il contagio nel tempo della pandemia*. Editrice Ave, Roma, 2020.

¹⁵ Congregation for Divine Worship and the Discipline of the Sacraments: “Torniamo con gioia all’Eucaristia!”. Lettera ai presidenti delle Conferenze episcopali sulla celebrazione della liturgia durante e dopo la pandemia del covid-19. August 15, 2020. Prot. n. 432/20. *L’osservatore romano*, Online: <https://www.osservatoreromano.va/it/news/2020-09/torniamo-con-gioia-all-eucaristia.html>.

tuation, the juridical norm could be invoked, observed, adapted, but above all it could become the object of a “rediscovery”: in order to resume liturgical celebrations with due prudence, or at least to guarantee the continuity of the enjoyment of *bona spiritualia*, by recourse to the canonical provisions which, in regulating the administration of the sacraments in extraordinary circumstances, reveal the intrinsic elasticity of the *lex Ecclesiae*.¹⁶

Casus necessitatis, iusta causa, articulo mortis, gravis ratio are indeterminate legal concepts present in the Code which could remedy the interruption or postponement of the Church’s sacramental activity, and on which especially the diocesan Bishops could have relied with a sense of concern to promote, for example, the reception of Holy Communion *extra Missam* (can. 918), also with the collaboration of the lay faithful (can. 230, § 3), or the celebration of the Eucharist in an appropriate place as an alternative to the sacred place (can. 932, § 1), or the use of an instrument instead of the hand in the celebration of the Sacrament of the Anointing of the Sick (can. 1000, § 2).

It was only with the announcement of the measures taken by the Italian government to deal with the so-called “Phase 2” of the Covid-19 emergency that there was a firm reaction to the decision to reaffirm the suspension of religious ceremonies and to reserve the celebration of the funeral to family members with the participation of no more than fifteen people. In fact, the Italian Bishops’ Conference, in a press release issued on 26 April 2020, denounced the arbitrariness of the government’s decisions and asserted the Church’s right to “organise the life of the Christian community in the fullness of its autonomy” and therefore “the possibility of celebrating Mass with the people”, aware that faith “must be able to nourish itself from its sources, especially from the sacramental life”.¹⁷

The urgency of meeting the spiritual needs of the Church has led to a constant dialogue with the public authorities and the technical-scientific committee of experts. Thus, on 30 April 2020, the General Secretariat of the Italian Bishops’ Conference gave the Italian Bishops some indications for the celebration of the ecclesiastical funeral (can. 1176), in accordance with the health application measures identified by the Italian Ministry of the Interior;¹⁸ and on 7 May 2020, the President of the Italian Bishops’ Conference, the President of the Council of Ministers and the Minister of the Interior signed a security protocol that will allow the *Coram Populo* celebrations to resume on 18 May 2020.¹⁹

This is a problematic text because secular authorities have been able to deal with purely canonical issues (TIRA, 2020). Furthermore, the document excludes from the Eucharistic table the faithful who have respiratory symptoms or a body tem-

¹⁶ Bruno Fabio Pighin: *Diritto sacramentale canonico*. Venezia, Marcianum Press, 2016.; Tomás Rincón-Pérez: *La liturgia y los sacramentos en el derecho de la Iglesia*, Eunsa, Pamplona, 2007.; Jesu Pudumai: Sacramenti: un diritto dei fedeli? *Rivista liturgica*, 98. (2011) 11. 822–847.; Massimo Del Pozzo: *La giustizia nel culto. Profili giuridici della liturgia nella Chiesa*. Edusc, Roma, 2013.

¹⁷ Italian Bishops’ Conference, April 26, 2020. Online: <https://www.chiesacattolica.it/dpcm-la-posizione-della-cei/>.

¹⁸ Italian Bishops’ Conference, April 30, 2020. Online: <https://www.chiesacattolica.it/wp-content/uploads/sites/31/2020/04/30/Esequie-nota-complementare-30-aprile-2020.pdf>.

¹⁹ Italian Bishops’ Conference, May 7, 2020. Online: <https://www.chiesacattolica.it/dal-18-maggio-celebrazioni-con-il-popolo/>.

perature of 37.5° C or more, or who have been in contact with infected people, as well as the faithful who cannot enter the church because the maximum capacity of the building has been reached. For each of these, the Protocol gives priority to the “streaming transmission of the celebration” (point 5.3):²⁰ nothing else.

This shows that even in “Phase 2”, despite the restrictive measures taken by the government to protect human rights, the Italian Bishops’ Conference does not seem to have been sufficiently aware of the *sensus missionis* that should permeate, from a soteriological perspective, all the Church’s activities in a context as peculiar as that of the epidemic.²¹ However, the complementary contribution of particular law can be decisive if it rediscovers in its configuration the deeper meaning of the Church’s mission as a sacrament of salvation.

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²⁰ Alessandro Tira: *Libertà di culto ed emergenza sanitaria: il protocollo del 7 maggio 2020 concordato tra Ministero dell’Interno e Conferenza Episcopale Italiana*, Giustizia insieme. Online: <https://www.giustiziainsieme.it/it/diritto-dell-emergenza-covid-19/1089-liberta-di-culto-ed-emergenza-sanitaria-il-protocollo-del-7-maggio-2020>.

²¹ Vincenzo Pacillo: *La libertà di culto di fronte all’emergenza Covid-19. Il diritto ecclesiastico*. (2019), 11–33.; Geraldina Boni: *Il fondamentale diritto dei fedeli ai sacramenti*. Online: <https://www.centrostudilivattino.it/il-fondamentale-diritto-dei-fedeli-ai-sacramenti/>.

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RESTRICTIONS ON RELIGIOUS FREEDOM
IN THE ITALIAN GOVERNMENT'S RESPONSE
TO THE COVID-19 PANDEMIC

An Assessment in the Light of the Agreement with the Holy See

Over the past year, we have all experienced how the response to the COVID-19 pandemic has, to some extent, curtailed many of the freedoms that, in normal circumstances, would have been protected as fundamental rights. While some forms of restriction were certainly necessary to prevent the further spread of the disease, in some cases the measures adopted by various governments have raised serious legal questions.

Among these issues, we will focus on the restrictions on religious freedom imposed by the Italian government, and in particular how these regulations have restricted the religious freedom of the Catholic Church. Such restrictions, issued as part of a more general ban on mass gatherings, have been a recurring element in every Italian emergency decree since its inception. They were promulgated in February and March, first as local regulations and later as national ones.

In this context, Government Decree No. 19 of 25 March allowed the authorities to restrict access to places of worship and suspend religious activities. However, it was the Prime Minister's Decree of 10 March which made the opening of churches for private prayer conditional on the adoption of measures to prevent the assembly of the faithful and, more importantly, this legal instrument also ordered the unconditional suspension of all public religious ceremonies, including funerals. In order to fully understand the problematic nature of these measures, we have to bear in mind that the Italian legal system, like that of many other countries, provides for at least three "levels" of protection of religious freedom.

First, at the supranational level, Article 9(2) of the European Convention on Human Rights stipulates that "freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others". Therefore, according to the European Convention on Human Rights, governments can only restrict freedom of religion by law, and not solely by an administrative act such as the Prime Minister's decree mentioned above. Secondly, the Convention also states that these restrictions can only be enacted in order to achieve one of the objectives explicitly listed in the Convention itself, such as the protection of public health.

On the contrary, the article requires that restrictive measures can only be adopted if they are "necessary", i.e. not merely "useful" or "desirable", and if they respect

the principles of a “democratic society”.¹ In this sense, a clear explanation of the criteria established by the Convention is also given in the Guide to the case law on Article 9 of the Convention, prepared by the Directorate of Legal Affairs, which recalls that the European Court of Human Rights has consistently held that such restrictions must, in principle, be justified and proportionate to the legitimate aim pursued, i.e. “there must be no other means of achieving the same end that would interfere less seriously with the fundamental right concerned”.²

Moreover, the same jurisprudence guide also emphasises that “a national court cannot dispense with its obligations by merely endorsing an expert opinion” and that “all legal questions must be resolved exclusively by the courts”: such a clarification does not sound irrelevant in the present case. On the other hand, however, it should be noted that even the World Health Organization issued a document on 7 April 2020 entitled *Practical considerations and recommendations for religious leaders and faith-based communities in the context of COVID-19*: this publication advised believers to avoid large gatherings and to conduct religious activities remotely “whenever possible”, but it did not consider the complete suspension of religious activities as an inevitable necessity. Instead, the WHO publication included several recommendations on how to make religious activity safer, such as holding such gatherings outdoors or in an adequately ventilated place, maintaining social distance and holding more frequent services, which could make each celebration less crowded.³

However, even stricter rules can be found in the Italian Constitution. In fact, while the Constitution explicitly states that other fundamental rights may be restricted for proven reasons of public health or safety, Article 19 merely states: “Everyone has the right to freely profess his religious beliefs in any form, both individually and in a group, to promote them and to celebrate his rites, both in private and in public, provided that they are not contrary to public morality”. In this sense, freedom of religion is one of the fundamental rights guaranteed by the Constitution, which implies that the State must adapt its behaviour to certain responsibilities, duties and prohibitions.⁴

In addition, we must emphasise two key elements, both of which were also highlighted by the President of the Italian Constitutional Court in last year’s annual report of the institution, which was drafted and published after the adoption of the

¹ Javier Martínez-Torrón: The Permissible Scope of Legal Limitations on the Freedom of Religion or Belief: The European Convention on Human Rights. *Global Jurist*, 3. (2003) 2. 1–40.

² Directorate of the Jurisconsult (April 30, 2021): *Guide on Article 9 of the European Convention on Human Rights – Freedom of thought, conscience and religion*. Online: https://echr.coe.int/Documents/Guide_Art_9_ENG.pdf; see also Jean-Pierre, Schouppe: L’emergence de la liberté de religion devant la Cour Européenne des droits de l’homme (1993–2003). *Ius Ecclesiae*, 16. (2004) 3. 741–770.; Javier Martínez-Torrón: Manifestations of Religion or Belief in the Case Law of the European Court of Human Rights. *Religion & Human Rights. An International Journal*, 12. (2017) 2–3. 112–127.

³ World Health Organization (April 7, 2020): *Practical considerations and recommendations for religious leaders and faith-based communities in the context of COVID-19*. Online: <https://www.who.int/publications/i/item/practical-considerations-and-recommendations-for-religious-leaders-and-faith-based-communities-in-the-context-of-covid-19>.

⁴ Giuseppe Dalla Torre: *Il fattore religioso nella Costituzione. Analisi e interpretazioni*. Torino, Giappichelli Editore, 2003.

COVID-19 emergency legislation. First of all, the Constitution cannot be considered 'suspended' during the pandemic. This is because, unlike in other countries, the Italian legal system does not provide for a special form of emergency or crisis law that could legitimise the temporary suspension of certain constitutional rights or the modification of the normal power structures. The same report also expresses that the Constitution itself is "a much-needed compass to navigate the 'high seas' of the current emergency and the post-emergency period that awaits us".

Second, there is no hierarchy of fundamental rights. Therefore, the need to protect the right to health cannot be used to justify the broad restriction of other equally relevant rights. On the contrary, such decisions can only be taken if they meet the criteria of necessity, proportionality, justiciability and transience. Then, and only then, can we guarantee, as the report states, recalling the established case law of the Court of Justice, "the 'systematic and not piecemeal' protection of the principles and fundamental rights enshrined in the Constitution".⁵

In addition, and this is the third 'layer' we referred to, Article 7 of the Constitution states that "the State and the Catholic Church are independent and sovereign, each within its own sphere" and that "their relations are governed by the Lateran Pacts", which are binding international treaties between the two parties.⁶ In the same sense, the Agreement between the Holy See and Italy states that "the Italian Republic recognises the full freedom of the Church to carry out her pastoral, educational and charitable mission of evangelisation and sanctification" and that "in particular, the Church is guaranteed the freedom of organisation, of public worship, of the exercise of her Magisterium and spiritual ministry, and of the exercise of jurisdiction in ecclesiastical matters".⁷ The latter quotation reminds us that, according to the Code of Canon Law, "the Church fulfils her sanctifying function in a special way through the Sacred Liturgy", the order and direction of which "depends solely on the authority of the Church, namely, that of the Apostolic See and, as provided by law, that of the diocesan Bishop" (Canon 834 §1 and Canon 838 §1).

Within this framework, the relationship between the two parties is based on the principle of bilateralism. Therefore, like the Constitution, the Concordat cannot be considered 'suspended' in the event of exceptional circumstances. However, the Concordat itself defines what has to be done to ensure that its principles are fully respected. In this sense, Articles 13 and 14 both refer to additional matters requiring further cooperation between the Catholic Church and the State (Article 13) and to difficulties in interpreting the provisions of the Agreement (Article 14). The amicable settlement of these issues must be entrusted to a joint commission appointed by the two parties.

In the light of the above legal framework, at least two elements are missing from the restrictions imposed by the Italian emergency legislation. The first is the principle

⁵ Marta Cartabia: *Summary of the report on the work of the Constitutional Court in 2019*. Online: https://www.cortecostituzionale.it/documenti/relazione_cartabia/2_sintesi_eng.pdf

⁶ Giuseppe Dalla Torre: La «filosofia» di un Concordato. *Quaderni di diritto e politica ecclesiastica*, 12. (2004) 1. 81–92.

⁷ Ombretta Fumagalli Carulli: Lo Stato italiano e la Chiesa cattolica: indipendenza, sovranità e reciproca collaborazione (a proposito dell'art. 1 Accordo di revisione concordataria. *Stato, Chiesa e pluralismo confessionale*. Online: https://www.statoechurchese.it/images/uploads/articoli_pdf/fumagalli_lo_stato.pdf?pdf=lo-stato-italiano-e-la-chiesa-cattolica-indipendenza-sovranita-e-reciproca-

of proportionality, a requirement set out in the Italian Constitution and the European Convention on Human Rights. For example, access to commercial activities that do not enjoy similar constitutional protection and where the potential risk of infection is no lower, such as tobacconists, booksellers, perfume shops or pet shops, could continue if they complied with the infection prevention measures. On the other hand, the public celebration of Mass was suspended, regardless of the actual circumstances and the precautions taken. The spirit of bilateralism was also violated, since the emergency measures were taken unilaterally by the Italian government, disregarding Article 13, paragraph 2, of the Concordat, which states that “in the case of additional matters for which there may be a need for cooperation between the Catholic Church and the State, they shall be regulated by further agreements between the two parties or by understandings between the competent authorities of the State and the Italian Bishops’ Conference”.⁸

During the so-called ‘phase 1’ of the fight against the virus, which lasted until 4 May, the Italian government interfered with the freedoms of the Catholic Church. However, these measures did not lead to an institutional conflict only because the Bishops adopted the same measures on their own initiative. This was emphasised in a note of the Italian Bishops’ Conference of 12 March, which reads: “Everyone is asked to be extremely vigilant, because their own carelessness in complying with health measures could harm other people. The decision to close churches can also be an expression of this responsibility: not because it is imposed by the State, but out of a sense of belonging to the human family, exposed to a virus whose nature and spread we do not yet know”.⁹

However, this approach has not prevented all conflicts on certain specific issues, such as access to churches for private worship. In Italy, the details of this activity were regulated on 27 March by a note of the Ministry of the Interior. Contrary to the Hungarian Decree No. 71 of 27 March, which stated that the restrictions on movement must not hinder religious activities, the Italian regulation made the access of believers to places of worship subject to two mandatory requirements. First, they could only enter a church to pray if they were already on the move due to a “proven work necessity” or a “situation of need”; second, the church had to be located on the way to such a destination.¹⁰ These conditions contradicted the statement – made in the note itself – that the faithful could enter churches for private prayer if they took appropriate precautions during their visit.¹¹

Another serious problem was caused by law enforcement officers who interrupted Holy Masses and other celebrations when there were few worshippers pre-

⁸ Vincenzo Pacillo: La libertà di culto al tempo del coronavirus: una risposta alle critiche. *Stato, Chiesa e pluralismo confessionale*. (Online: https://www.statoechurchese.it/images/uploads/articoli_pdf/Pacillo_M_La_libert%C3%A0.pdf?pdf=a-chiare-lettere-confronti-la-liberta-di-culto-al-tempo-del-coronavirus-

⁹ Presidency of the Italian Bishops Conference (March 12, 2020): *Una Chiesa di terra e di cielo*. Conferenza Episcopale Italiana. Online: <https://www.chiesacattolica.it/una-chiesa-di-terra-e-di-cielo>

¹⁰ Ministry of the Interior (March 27, 2020): *Quesiti in ordine alle misure di contenimento e gestione dell'emergenza epidemiologica da Covid-19. Esigenze determinate dall'esercizio del diritto alla libertà di culto*. Ministero dell'Interno. Online: <https://www.interno.gov.it/sites/default/files/allegati/specifiche-chiese.pdf>

¹¹ Vincenzo Pacillo: La libertà di culto di fronte all'emergenza Covid-19. Profili di diritto canonico e di diritto ecclesiastico italiano. *Il diritto ecclesiastico*, 130. (2019) 1–2. 11–33.

sent.¹² This happened relatively often, despite the fact that Article 5 of the Agreement between the Holy See and Italy prevents the police from entering buildings open to worship in order to carry out their duties, unless they have first consulted the competent ecclesiastical authority or there is an urgent need¹³ – which this is not. In fact, a note issued by the Ministry of Justice in 1929 on the interpretation of the term “urgent necessity” stressed that “this expression must be interpreted in a very exceptional sense, taking into account the various circumstances relating to the objective pursued by the public force and, in the case of an arrest, the seriousness of the crime, the fact that it was committed in flagrante delicto, the possibility of the perpetrator escaping and, above all, the public alarm caused by the crime, especially if such alarm spread to the faithful present, the fact that it was committed in flagrante delicto, the possibility of the perpetrator’s escape and, above all, the public alarm caused by the crime, especially in a case where such alarm spread among the faithful present in the places of worship where the perpetrator sought refuge or committed the crime”.¹⁴ The interventions of the police during the pandemic therefore violated these principles. For example, to mention only the most obvious inconsistency, in such circumstances the ‘criminals’ who spread alarm among the faithful in the church were the very same faithful who were supposed to be alarmed by their own actions.

However, the conflict became institutionalised when the Prime Minister’s decree of 26 April launched ‘phase 2’ of the fight against COVID-19. While this decree allowed for the gradual reopening of other activities if they followed measures specifically agreed with the social partners, it extended most of the previous restrictions on religious activities. The only difference was that funerals could not be attended by more than 15 people. This choice highlights the lack of proportionality of the Italian emergency legislation. As a result, the Italian Bishops’ Conference reacted very strongly, issuing a note on the same day denouncing the violation of the ongoing negotiations and stating that the new restrictions arbitrarily exceeded the prerogatives of the government and interfered with the autonomy of the Church.¹⁵

Moreover, all these emergency regulations were promulgated by Prime Ministerial Decrees, which means that they were not laws passed by the legislature, but mere administrative measures. Compare this situation with Act XII of 2020 on the containment of coronavirus from Hungary, which was passed on 30 March 2020 by the Hungarian National Assembly with a two-thirds majority. Unlike Hungary, none of the Italian Prime Minister’s decrees ever involved the Italian Parliament. For this reason, several associations have filed a lawsuit with the competent ad-

¹² Mauro Ronco: *Cerimonie religiose: un caso sconcertante di vessazione amministrativa*. Online: <https://www.centrostudilivatinio.it/cerimonie-religiose-un-caso-sconcertante-di-vessazione-amministrativa/>

¹³ Daniele Arru: L’ingresso della forza pubblica negli edifici di culto. *Il diritto ecclesiastico*, 106. (1995) 3. 348–361.

¹⁴ Ministry of Justice: Circolare relativa alle disposizioni di esecuzione in materia penale in seguito al Concordato tra l’Italia e la Santa Sede. *Bollettino ufficiale del Ministero della Giustizia e degli affari di culto*, (1929) 26. 485–486.

¹⁵ Italian Bishops’ Conference (April 26, 2020): *DPCM, la posizione della CEI*. Conferenza Episcopale Italiana. Online: <https://www.chiesacattolica.it/dpcm-la-posizione-della-cei/>

ministrative court in Rome, asking for the illegality of the restrictions on religious freedom to be declared and, consequently, for them to be suspended.

Following these developments, on 7 May, negotiations between the government and the Italian Bishops' Conference finally led to an agreement that would allow the public celebration of Masses from 18 May, subject to strict mitigating measures.¹⁶ Even though this law may appear to be an improvement compared to the previous situation, many people still criticised the pervasive interference of the state in the freedoms of the Catholic Church. Suffice it to say that this agreement was the first occasion on which the Italian government interfered in determining how the Catholic liturgy could be celebrated. For example, the State demanded to have a say in the distribution of Holy Communion to the faithful: this violated the principle of laicity and the *libertas Ecclesiae*, a right expressly recognised in the Concordat and in the Italian Constitution. These two values forbid the State to interfere in liturgical and sacramental matters. On the contrary, as the above-mentioned note of the Italian Bishops' Conference of 26 April points out, the real duty of the State is to provide precise guidelines, but it is up to the Church "to organise the life of the Christian community in compliance with the measures laid down, but in the fullness of its own autonomy".

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“The book does not cover merely and predominantly theological studies. Naturally, it includes papers on the theological fundamentals of the charity work of the church, too. Furthermore, the practical activities of the church are also presented in it.

I do hope from the depth of my heart that this book will contribute to the better cooperation and understanding of state and church and achieve our shared goal of promoting public wealth.”

GERGELY DELI

(Rector, NKE, University professor)

“Our present book, which deals specifically with the charity activity of the church, has been launched with the active contribution of our international conference organised in cooperation with the Hungarian Catholic Caritas organisation. Our goal was all the time to elaborate on the high-level academic lectures of the conference and publish them in printed conference proceedings available for everyone.

I cordially hope that our present book will contribute on international church and academic levels to understanding the two central moments of the Last Supper: the foundation of the Eucharist and the love act of washing the feet. It would also enable us to accomplish the public good and create a more just society together.”

GÉZA KUMINETZ

(Rector, PPKE)



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