Antal János:

Transylvania, the champion of religious tolerance

Because of the extraordinary richness of its denominations, the territory of the Hungarian Kingdom, including Transylvania, has a special place in religious history. For instance, the Transylvanian Diet issued a law on religious tolerance in 1568, before and during the time religious wars were escalating throughout the European continent. Transylvania (now in Romania) was the most eastern European territory that Reformation had reached; in fact, it was – and still is – a border zone between Latin and Byzantine Christianity.[1]

From the beginning of the 15th century, defence against the Turks became the central topic in East Central and South East Europe. In fact, the Hungarian Kingdom – the Carpathian-Basin – became the battlefield between the Turkish and Habsburg empires. According to contemporary chroniclers,[2] Hungary "was ground between two pagans." In other words, not even the "Apostolic Kaisers" of the Habsburg dynasty, who were labelled as champions and saviours of Christianity, would treat Hungary any better than the "pagan" practices the Ottoman Empire applied to them. Therefore, both of these empires threatened Hungary's very existence.

After the Ottoman conquest in the 16th century, the Hungarian Kingdom was divided into three parts: Royal Hungary (under Habsburg rule), Turkish Hungary (under Ottoman rule) and Eastern Hungary (Transylvania and some eastern sections of the Hungarian Plain, i.e. the Partium). This framed the birth of the Transylvanian Province as a "true state", acquiring autonomous political organisation

[1] Piotr Eberhardt: The Concept of a Boundary Between the Latin and the Byzantine Civilizations of Europe (2016). *Comparative Civilizations Review*: No. 75, Article 6.

[2] Szamosközy István (1570-1612) történeti maradványai (Edited by Szilágyi Sándor, I-IV.,Bp., 1876-1880. Monum. Hung. Hist. II., 21.

despite being under Ottoman supervised sovereignty. As an independent principality, Transylvania soon became a significant player in European international relations: it was an important mediator in the Long War (1591–1606) and was a signatory to the Peace of Westphalia that ended Thirty Years' War (1618–1648).

Being ground between the two profane forces of the expanding Muslim Ottoman and Catholic Habsburg empires, Hungary's population decreased dangerously and its social and moral order wavered. There was an immense need for consolation, spiritual support, for a strength-giving, saving faith and life-giving hope. Hungary needed a spiritual force strong enough to assure its survival and rebirth, despite the destruction which all but threatened its demise. In these circumstances, the Swiss-based Calvinism spread rapidly following the great success of Lutheran teachings in Hungary during the mid-1500s. In Hungary, among the first to proclaim Calvinist teachings was Márton Kálmáncsehi Sánta (1500–1557). He immediately familiarised himself with the teachings of Calvin and Zwingli. Sánta was credited with advancing the 1552 Synod of Beregszász (Berehovo, now in Ukraine), which accepted the Helvetic teachings for the first time in Hungary.

By the end of the 1550s, the leading personalities of Transylvania, the Transtibiscan region and the Danube-Tisza interfluve became converts of the Helvetic-oriented Reformation. Between 1550 and 1600, the Lutheran and Calvinist churches organized themselves.[3] Subsequently, radical elements, such as the Anti-Trinitarians in Transylvania (Unitarians), broke away from these establishments. Later, the Protestants themselves split into different branches and churches. However, in 1610, the complete separation between Lutherans and Calvinists became official.[4]

[3] Graeme Murdock, Calvinism on the Frontier 1600-1660. International Calvinism and the Reformed Church in Hungary and Transylvania [Oxford Historical Monographs]. Clarendon Press, Oxford, 2000.

[4] István György Tóth: Old and New Faith in Hungary. In: R. Po-chia Hsia (editor): A Companion to the Reformation World (2004). Blackwell publishing. p. 205-222.

In the following decades, Debrecen, in eastern Hungary, became the centre for Hungarian Calvinism. It was a city belonging to the Transylvanian principality and also lay on the border of three "countries": Habsburg-Hungary, Transylvania, and Turkish-Hungary. Influenced by Péter Melius Juhász (1532–1572), the 1567 Synod of Debrecen accepted the Second Helvetic Confession of Faith. This was also remarkable because the Second Helvetic Confession, composed by Heinrich Bullinger, was made public only one year earlier by the Swiss Reformers. With this action, after many hesitations and doctrinal uncertainties, the young Hungarian Reformed Church joined the mainstream of European Calvinism.

A distinctive feature of the Hungarian Reformation was its largely bloodless evolution. In the 16th century, bloody European wars raged over religion. In Hungary, only a few exceptional cases could be found of those martyred for their faith. While the two rival kings of Hungary, Ferdinand of Habsburg (1526–1564) and John of Szapolyai (1526–1540) were both fervent Catholics, they fought each other in a civil war. Furthermore, Szapolyai's widow, Queen Isabella of Jagellon (1519–1559) – the mother of the first Transylvanian Reigning Prince, John Sigismund – was also Catholic. Protestantism could wage and win its battles virtually unhindered.

The rapid succession of the "new faith" over the "old religion" was overwhelming. By the 1550s, the intellectual superiority of Protestantism was unmistakable; practically no single important Transylvanian scholar supported the old religion anymore.

In the heyday of the Renaissance, the Transylvanian Province was a bastion of political and religious tolerance. Asylum was given to members of persecuted confessions of Western Europe (e.g., the Hutterites). Furthermore, in the first case in recorded history, the Edict of Torda (Romanian: Turda; Thorenburg in German) legally guaranteed 'freedom of conscience' for religious communities, in 1568:

> His Majesty [John Sigismund, Reigning Prince of Transylvania], in what manner he, together with his realm [i.e.: members of the diet], legislated in the matter of religion at the previous diet, in the same matter now, in this diet, he reaffirms that in every settlement preachers shall preach and explain the Gospel according to their own understanding of it. If the congregation likes it, it is fine; if not, no one shall compel them, for their souls would not be satisfied, but they shall be permitted to keep a preacher whose teaching they like and approve. Therefore, according to the previous statutes, none of the superintendents or others shall offend the preachers; no one shall be insulted for his or her religion by anyone, and it is not permitted that anyone should threaten anyone else by imprisonment or by removal from their pulpit for their teaching, for faith is the gift of God, which comes from hearing, which hearing is by the Word of God."[5]

A quarter century before the Edict of Nantes (1592), Transylvania recognised "*respecta religio*." All three Protestant churches (Lutheran, Calvinist, and Unitarian) and the Catholic Church gained equal status, while the Byzantine Orthodox religion gained a "tolerated status": no church was persecuted. Byzantine Orthodox religion was practiced by the ethnic Romanian population of Transylvania.

Furthermore, unlike the Edict of Nantes, the Edict of Torda was never revoked by any Transylvanian Diet or reigning Prince. The Revocation of the Edict of Nantes by Louis XIV, in 1685, led to most violent outbursts and *the suppression of the Reformed Church in France and forced Protestants into exile or hiding. As a result, they lost all social identity.*[6]

[5] Szilágyi Sándor, ed., Erdélyi Országgyűlési Emlékek, Budapest, 1877, vol. II, p. 374. Own interpretation of the original Hungarian language passage; Transylvanian diets used Hungarian (and not Latin or German) to draft their decisions between 1566 and 1714.

[6] Menna Prestwich: Review: The Revocation of the Edict of Nantes. History, Vol. 73, No. 237. Wiley, 1988, p. 63-73

The Transylvanian elite decided on a crucial matter in 1568. For the people of the era God, faith, religion and church were primary concerns and everyday issues of life. Practically, this law stated that all Christian denominations were equal, and this was quite unparallelled in the socio-political context of 16th century Europe. However, any "back-projection" of modern concepts – ethnic inclusion, social cohesion, personal liberties etc. – to the tolerance edict might be erroneous and deceptive.[7] The Edict of Torda should neither be venerated as a liberal attitude concerning the freedom of individual conscience, nor neglected by claiming that the spirit of tolerance did not become established by 21st century standards. The Hungarian wording of the Edict clearly granted the right of existing Christian faith communities to choose between the teachings of different preachers. In addition, interpreting it as a legalisation of the individual's freedom of conscience would be completely out of historic context. In the 16th century, freedom of conscience could only refer to communities, if at all, and by no means to individuals. Yet, there hardly were similar examples in contemporary Western Europe.

The 17th century basic law of the Transylvanian Principality, the *Approbatae Constitutiones Regni Transsylvaniae et Partium Hungariae Eidem Annexarum* (1653) reiterated the Edict of Torda and in its very first sentence established the following order of values:[8]

> "It was very accurate and an act worthy to be followed of the homeland that whilst intending to conclude about the universal welfare in national assemblies, they [i.e. members of the diet] had begun their deliberations first of all by discussing the issues concerning the service of God."

[7] István Pásztori-Kupán. A secular decree on interfaith acceptance based on the Bible. Annales Apulensis. Series Historica, 2010, p. 19-41

[8] C. Scott Dixon, Dagmar Freist and Mark Greengrass (eds). Living with Religious Diversity in Early-Modern Europe. St Andrews Studies in Reformation History. Routledge, 2016.

With this secular law, although in a religious framework, the diet nevertheless legalised the dawning thought of "freedom of conscience" and clearly expressed this ripening concept of humankind, by substantially surpassing the spirit of the age. All this happened at the periphery of Europe, a continent haunted by religious wars.

No wonder, that West European references process the 1568 Transylvanian Edict as a mere bagatelle – if mentioned at all. Besides others, the French Jesuit scholar, Joseph Lecler praises the Catholic emperor Maximilian II for promoting civil tolerance for various denominations within his domains in the year 1568, yet he largely diminishes the importance of the Transylvanian religious freedom edict.[9]

The idea of religious tolerance was accepted neither by medieval nor by the reformed, modern Christianity. The Roman Catholic Church labelled every deviation from its dogmas as heresy and punished its bearers as sinners against God by burning them at the stake. Not even Reformation brought understanding, tolerance and an improving attitude towards other religious concepts for quite some time.

John Calvin focused his attention upon eternity, yet in this matter he could not surmount his own time: he turned against one of his former fellows, Sebastien Castillo, in a printed pamphlet when the latter raised his voice for the sake of tolerating religious concepts different from his own.[10] It is also known that Calvin agreed with the execution of Michael Servetus, who denied the Holy Trinity.

[9] Joseph Lecler, S.J.: Toleration and the Reformation (1960), trans. T. L. Westow, 2 vols, Longmans, vol. I. p. 268.

[10] See e.g. Perez Zagorin, How the idea of religious toleration came to the West, Princeton, Princeton University Press, 2003, pp. 78–82, 114–122.

The important theologians of the time professed similar principles. Theodore Beza as well as the Anglican preacher Thomas Edwards argued that the idea of freedom of conscience (Latin: *libertas conscientiae*), the concept of tolerating other beliefs, was the invention of Satan; as such, it was merely to raise doubts within people and to weaken their faith.[11]

Not one religious trend opposed this standpoint, but the conviction that they had the right to spread their religion even by force prevailed. Furthermore, Pierre Jurieu, the Huguenot preacher who had to flee France because of his religion, proclaimed in his controversial book published in 1687 that it was the right, moreover the duty of the Calvinist Church to force "true faith" upon those erring in other religions.[12]

Ironically, only a few humanists formed the exception. Generally speaking, tolerance towards other religions and the idea of accepting freedom of community conscience was not present in the time of the Reformation.

The Peace of Augsburg (1555), which acknowledged the Reformation, put an end temporarily to the religious wars in Germany. It ensured the political equality of rights for those in power regardless of their religion as well as their election to imperial offices and the final possession of the so far secularised ecclesiastical properties. According to the principle '*cuius regio, eius religio*,' the Augsburg Settlement ordered that the nobles of the Empire, the rulers of the territories and the cities could choose their religion – either Catholic or Lutheran – and they were given the right to determine the religion of the people and communities subordinated to them. Moreover, it only ensured equal rights for the Lutherans, excluding the Calvinists and the 'sectarians.' Subjects, citizens, or residents who did not wish to conform to the prince's choice were given a grace period in which

[11] Zagorin, How the idea of religious toleration came to the West, pp. 122–132.

[12] Pierre Jurieu, The accomplishment of the Scripture prophecies, or, The approaching deliverance of the church. London, 1687.

they were free to move to different regions in which their desired religion had been accepted. Article 24 stated:[13]

> In case our subjects, whether belonging to the old religion or the Augsburg Confession, should intend leaving their homes with their wives and children in order to settle in another, they shall be hindered neither in the sale of their estates after due payment of the local taxes nor injured in their honour.

Nevertheless, Augsburg did not bring a long-term peace, since the counter-Reformation, which began in 1545 in the Synod of Trent, harshly affected the German territories. Reformist preachers were simply expelled.

The Edict of Torda influenced legislation in the multi-religious Polish–Lithuanian Commonwealth. [14] On 28 January 1573 the Sejm (or general assembly) passed the so-called Warsaw Confederation, which contained an article on religious freedom. The article remained in force until the middle of the 17th century. William of Orange of the German Lowlands, who, in the 1578 religious peace of Antwerp, wanted to put an end to religious hatred, stated that no denomination could disturb the other and each of them were allowed to serve God according to their own concepts.

William's concept, together with the Warsaw Confederation five years earlier, and the edict on tolerance by the Diet of Torda ten years earlier, were extreme exceptions in those times, since the issue did not remain on a theoretical level, but led to bloody religious wars throughout the larger part of the European continent.[15] These phenomena, movements and religious wars manifested their effects in wide circles.

[13] The Religious Peace of Augsburg, 1555. E. Reich (ed.), Select Documents (London 1905), p. 230-232

[14] MacCulloch, Diarmaid: The Reformation: A History. Viking, 2003.

[15] Rober von Freideburg: Self-Defence and Religious Strife in Early Modern Europe – England and Germany, 1530-1680. Routledge, 2017. p. 91-128

The Biblical sentence of the Diet of Torda concerning faith as the gift of God precludes the thinking of later centuries which considers religion independent of ethnic or political affiliation and respects every conviction of faith as a "human right." The principle of religious freedom proclaimed in Transylvania was considerably ahead of all that had been achieved in Western Europe after the appearance of Reformation. It obviously offered more than the Peace of Augsburg, and its wording contained elements that pointed towards entirely modern thoughts like 'religious tolerance' and 'freedom of community conscience.' Although the nations of Europe had to wait for centuries until the final victory of the principle of 'freedom of conscience,' it is beyond doubt that in Transylvania religious peace and tolerance was partially achieved.

Being religiously divided, Transylvanian nobility realised realised that had to practise reconciliation rather than enmity or confrontation lest they open the way for their outside enemies – Ottomans and Habsburgs – to conquer their land. The devastating religious wars throughout Europe, which demanded tremendous human sacrifice and material loss, could have also stood as deterring examples when they made their decision.

Indeed, the Edict of Torda was issued only four years before the bloodshed of sorrowful memory of the St. Bartholomew's Day (1572), which has been living in the conscience of European nations as a symbol of religious intolerance.

The legalised principle of religious freedom was effectively validated throughout centuries in Transylvania: the people of towns and villages decided themselves about their faith, they elected their own pastors. In January 1571 the Diet of Marosvásárhely[16] asserted again: 'the Word of God should be preached freely everywhere, nobody should be harmed for his or her confession, neither the preacher, nor the listener.'

[16] Mihály Balázs: Tolerant Country – Misunderstood Laws. Interpreting Sixteenth-Century Transylvanian Legislation Concerning Religion. Hungarian Historical Review 2, no. 1, 2013. p. 85–108

The spirit of the 1568 decision remains through the entire Transylvanian history. Its content was not only validated in the 17th century practice of the Principality, but even the Habsburg Empire, which took the country over at the beginning of the 18th century, promised respect of the "accepted religions" in the *Diploma Leopoldinum*. It is true that after the Habsburg occupation the law was trimmed back, and the Roman Catholic Church broke into the forefront, nevertheless, the law of tolerance still remained valid in substance and served as a continuous basis of reference.

With the assertion of the principle that "faith is a gift of God" (see Paul's Epistle to the Romans 10:17) and with its decision to entrust the local community with choosing its religion, the Transylvanian state provided a unique example in its time and transformed Transylvania into the traditional territory of religious freedom. This was a remarkable attempt towards the validation of the thought of the great humanist Erasmus of Rotterdam: "*Ex fratrum concordia maxime floret genus*" [i.e., the concord of the brethren flourishes the family/kinfolk/nation fully].

The Edict of Torda in principle concerned every religion. However, its validity did not extend outside the religions of the three nations (Latin: *nation,* i.e. *natio politica,* nobility), i.e. Hungarian, Hungarian Szekler and German Saxon. Since the Romanians did not have a legally recognised ruling class, their Greek Eastern, i.e. Orthodox, religion did not receive a legal recognition (the *Approbatae Constitutiones* was formulated, as follows: 'the Vlach (Wlach or Wallachian, i.e. Romanian) *natio* in the homeland was not enumerated among the 'statuses' [classes, nations] and its religion is not part of the *recepta religiones*; nevertheless, *propter regni emolumentum* [for the peace/advantage of the kingdom/country] their religion is tolerated.'[17] The fact that the Romanian Orthodox Church was regarded as a 'tolerated faith community' (*religio tolerata*) and not an

[17] Ibid.

'illegal ecclesiastic entity' within the majority Protestant country of 16th century Transylvania was already a virtue[18] – especially comparing this against the climate of contemporary Western Europe. Truly, what kind of confusion would have been caused in Transylvania by the introduction of a law following the principle of '*cuius regio, eius religio*'? What would have happened if anyone had intended to compel Transylvanian Romanians to abandon the Orthodox religion to follow the Catholic, Reformed, Lutheran or Unitarian faiths of their landlords? However, exactly the opposite happened: the greatest Transylvanian reigning princes supported the cultural-religious development of the ethnic Romanian inhabitants. It was a big step forward when reigning prince István Báthori, striving to strengthen the organisation of the Orthodox Church, nominated an Orthodox bishop. On the cultural level a whole range of institutions and other factors (printing press, Bible translations, solving the situation of priests etc.) financed by the reigning princes invigorated the emancipation of Transylvanian Romanians.

In the 17th century however, during the counter-Reformation and re-Catholicisation, the Habsburg Dynasty forced Orthodox Church believers to become Catholic. Consequently, the Transylvanian Orthodox Church was renamed the "Romanian Greek-Catholic Church." The Greek-Catholic Church recognised the Pope, allowing ecclesiastical officers to hold administrative state offices.

In 1690, the Ottoman Empire was defeated, and Transylvania became part of the Habsburg Empire. It became a Grand Province ruled by the Habsburg Emperor, who held the title: "Hungarian King and Grand Governor of Transylvania." A "*gubernator*" was named to serve on his behalf. During Transylvania's three periods of rule (province, independent province, and grand province), the reigning prince, governor, and gubernator all shared legislative power with the

[18] See István Pásztori-Kupán: A secular decree on interfaith acceptance based on the Bible.

Transylvanian Diet (the constitutional and political body). Therefore, under autonomous rule, Transylvania practiced constitutional law, by creating its own laws, from 1542.

After the Hungarian Revolution of 1848, the Transylvanian Diet declared economic and political emancipation. Regardless of their nationality, all serfs were freed, obtained land, and the right to vote.[19] Election to office was based on tax census, conforming to contemporary European trends. Subsequently, the Austrian and Russian armies crushed the Hungarian Revolution. In effect, the Holy Alliance (a coalition of Austria, Prussia, and Russia) overturned the enacted laws. However, the Transylvanian Diet, Transylvania's Gubernator, and civil servants resisted the monarchist powers.

The Austro-Hungarian Compromise of 1867 partly re-established the sovereignty of the Kingdom of Hungary. Afterwards, Transylvania enjoyed a socio-economic prosperity for half a century. Its infrastructure (e.g., railways and roads) connected it to Central Europe and the Balkans. The Minority Act of 1868/No. 44 guaranteed the minority rights of Romanians in Transylvania and Serbs in the Banat; similarly, the Law on Church Affairs (1868) recognised the Romanian Orthodox and Romanian Greek-Catholic churches, as national churches in Transylvania.[20] It guaranteed their cultural, educational, institutional, and linguistic autonomy.

One week after the Austria-Hungary Truce was signed in the villa Giusti near Padua, on 3 November 1918, to end World War I, Romania declared war again on the Central Powers. It coincided with Germany signing an armistice at Compiegne (France) and the German Revolution of 9 November 1918. To obtain military support, in a national assembly of 1,228 envoys, the Romanian elite of Hungary and Transylvania adopted the proclamation of the Gyulafehérvár

[19] Zoltán Szász (edited): History of Transylvania. Columbia University Press, New York, 2002.

[20] Corpus Juris Hunrarici 1000-1895. Budapest, 1896.

(Romanian: Alba Iulia, or Weissenburg in German). The first article of the decree, stated the "unification of territories inhabited by Romanians with the Romanian Monarchy." In December 1918, the Romanian King annexed Transylvania and all other eastern Hungarian territories. It was instituted by decree and military occupation. This police-action violated the long-standing rights of self-government, impacting one and one-half million Hungarians and one-half million German-speaking Saxon and Schwab.

In 1919, the Romanian military occupied Transylvania, which was acknowledged by the Paris Peace Conference negotiated on 9 December 1919. The 1920 Treaty of Trianon annexed 102,000 square kilometres (39,382 square miles) from Hungary and appended them to Romania. The treaty guaranteed the constitutional protection and rights of minorities, who represented 28% of the population. The Treaty of Trianon enumerated the individual rights of minority groups, guaranteed collective linguistic rights, and promised the educational and religious-church autonomy in the Szekler and Saxon communities, respectively, in paragraphs one to eight, paragraphs 9 and 10, and paragraph 11.[21] In the period between the two world wars, no ethnic minority group could exercise its collective rights in Romania.

The re-annexation of Northern Transylvania from Romania to Hungary, between 1940 and 1944, partly eased the injustice of the Treaty of Trianon. But paradoxically, Hungary was occupied by the Nazis in 1944, which hastened the mass deportation of Jews (Hungarian-speaking) for extermination in the lagers and concentration camps. In 1945, Transylvania became subject to a communist Romanian government. Between 1945 and 1948, the People's Republic of Romania nationalised all private enterprise, abolished all private organisations, confiscated private, community

[21] Kiraly, Bela K.: Total War and Peacemaking. In: Kiraly, Bela K. et al.: War and Society in East Central Europe. New York 1982, p.15 – 21.

and church property, and introduced a one-party dictatorship. In 1956, the Romanian Socialist Republic imposed imprisonment, forced labour, and ideological persecution against Transylvanian minorities. Hungarian rights were terminated; an act of reprisal for sympathising with the anti-Soviet Hungarian Revolution (1956). Outstanding intellectuals, religious leaders and their church members were imprisoned.[22]

Minority churches were persecuted and the printing of Bibles and hymn books was forbidden. A genuine totalitarian state prevailed. By 1987, intellectuals published samizdat, factory workers demonstrated, and Hungarians protested against the demolition of Transylvanian villages – the so called "systemization plan" involved bulldozing more than 7,000 settlements.

The Bush-Gorbachev Summit of 1989 paved the way for sweeping change. In December 1989, the Reformed Congregation of Temesvár (Romanian: Timişoara, or Temeschwar in German) was resisting communist despotism. This triggered mass protests in university towns, leading to the collapse of the Ceauşescu dictatorship. Since 1990, the multi-party democracy has failed to legally recognise autonomous structures for Romania's minorities.

Thirty years after the fall of the Berlin Wall, following a 50 years period of institutional persecution of churches during atheist communism, religious freedom and equality of denominations are still facing serious problems despite Romania's EU membership since 1 January 2007. Minority churches are criticising the Law on Religions, arguing that it institutionalises discrimination against religious minorities. The Constitution of Romania grants full religious freedom, the Government however exercises considerable influence over religious life through laws and decrees; which restrict

[22] Balázs Szalontai, The Dynamics of Repression: The Global Impact of the Stalinist Model, 1944–1953. Russian History/Histoire Russe Vol. 29, Issue 2-4, 2003. p. 415–442

the rights of minority religious groups. By government decrees, the majority Orthodox Church receives immense financial allocation and considerable estate property. In the lack of regulations by the law the issue of state subsidisation of church activity will only increase tensions between churches. Additionally, the pace of church property restitution was extremely slow, and the majority of religious property restitution cases remained unresolved. Minority churches in Transylvania presented re-claims for over 4,000 estates, which are necessary for their religious, charitable, educational and social activities. Up to this day minority churches still demand over 50% of their confiscated property to be returned.[23]

For one thousand years, Transylvanians exercised their self-government rights, through civil administrative institutions or ecclesiastical legislative leadership. While the Edict of Torda bestowed authentic political and religious tolerance to all citizens, Romania continues to practice intolerance, despite its membership in the European Union. Transylvania's history of ethnic tolerance demands reciprocity in the 21st century.

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