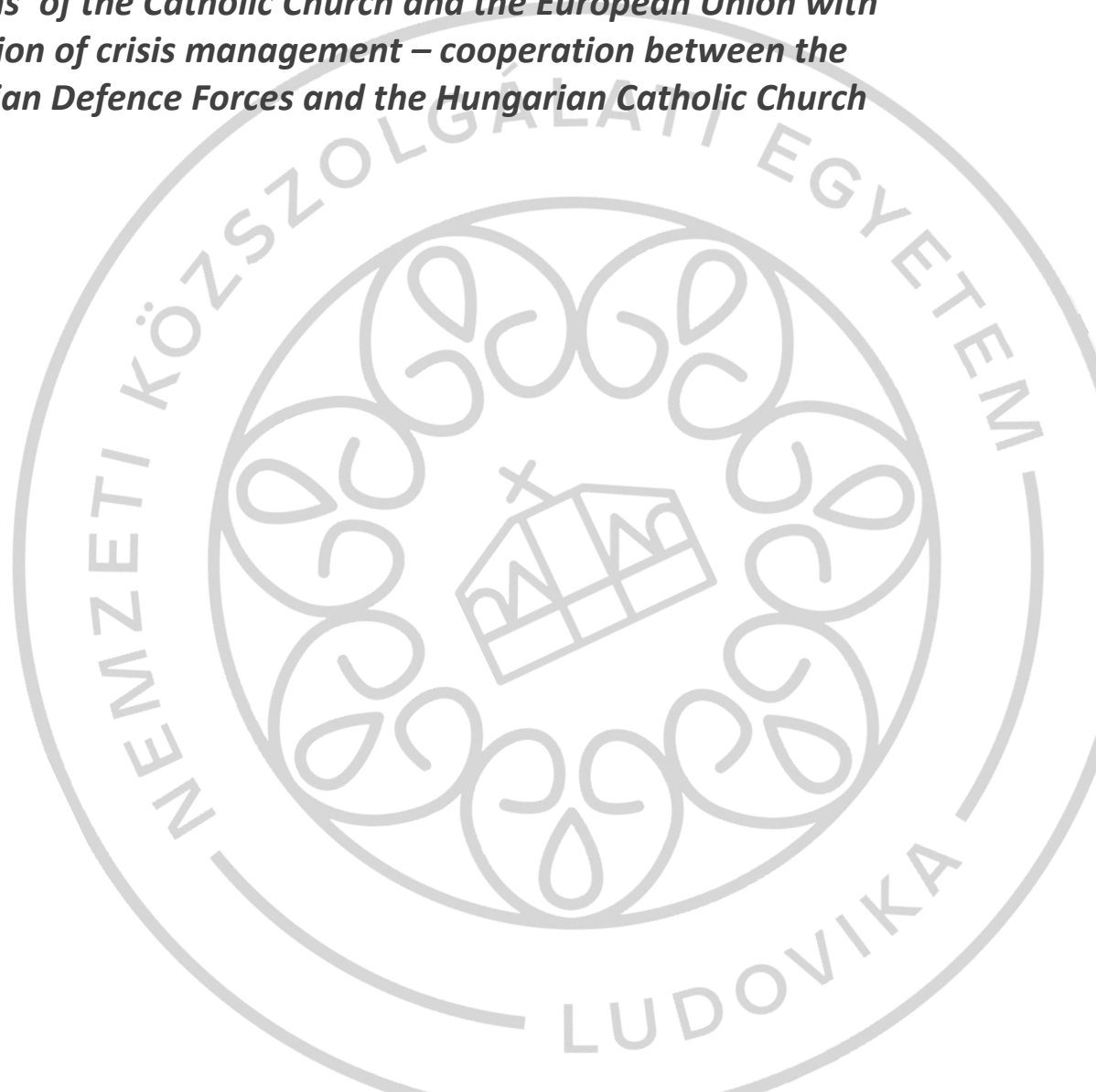


**NEMZETI KÖZSZOLGÁLATI EGYETEM**  
**VÉDELMI-BIZTONSÁGI SZABÁLYOZÁSI ÉS KORMÁNYZÁSTANI**  
**KUTATÓMŰHELY**

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**VÉDELMI-BIZTONSÁGI SZABÁLYOZÁSI ÉS**  
**KORMÁNYZÁSTANI MŰHELYTANULMÁNYOK**  
2021/21.

**PETRUSKA FERENC – UJHÁZI LÓRÁND**  
*Relations' of the Catholic Church and the European Union with  
reflection of crisis management – cooperation between the  
Hungarian Defence Forces and the Hungarian Catholic Church*



## Rólunk

A műhelytanulmány (working paper) műfaja lehetőséget biztosít arra, hogy a még vállaltan nem teljesen kész munkák szélesebb körben elérhetővé váljanak. Ezzel egyrészt gyorsabban juthatnak el a kutatási részeredmények a szakértői közönséghez, másrészt a közzététel a végleges tanulmány ismertségét is növelheti, végül a megjelenés egyfajta védettséget is jelent, és bizonyítékot, hogy a később publikálandó szövegben szereplő gondolatokat a working paper közzétételekor a szerző már megfogalmazta.

A Védelmi-biztonsági Szabályozási és Kormányzástani Műhelytanulmányok célja, hogy a Nemzeti Közzolgálati Egyetem Védelmi-biztonsági Szabályozási és Kormányzástani Kutatóműhely küldetéséhez kapcsolódó területek kutatási eredményeit a formális publikációt megelőzően biztosítsa, segítve a láthatóságot, a friss kutatási eredmények gyors közzétételét, megosztását és a tudományos vitát.

A beküldéssel a szerzők vállalják, hogy a mű megírásakor az akadémiai őszinteség szabályai és a tudományosság általánosan elfogadott mércéje szerint jártak el. A sorozatban való megjelenésnek nem feltétele a szakmai lektorálás.

A műfaji jellegből adódóan a leadott szövegekre vonatkozó terjedelmi korlát és egységes megjelenési forma nincs, a szerzőtől várjuk az absztraktot és a megjelentetni kívánt művet oldalszámozással, egységes hivatkozásokkal.

A szerző a beküldéssel hozzájárul, hogy a művét korlátlan ideig a sorozatban elérhetővé tegyünk, továbbá vállalja, hogy a working paper alapján megírt végleges szöveg megjelenési helyéről a szerkesztőséget legkésőbb a megjelenéssel egy időben értesíti.

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*Védelmi-Biztonsági Szabályozási és Kormányzástani Kutatóműhely*

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## RELATIONS' OF THE CATHOLIC CHURCH AND THE EUROPEAN UNION WITH REFLECTION OF CRISIS MANAGEMENT – COOPERATION BETWEEN THE HUNGARIAN DEFENCE FORCES AND THE HUNGARIAN CATHOLIC CHURCH

*During the past decades the role of the organizations of the Catholic Church in international law and community not only has been analysed in general,<sup>1</sup> but through the European integration and European organizations as well.<sup>2</sup>*

*The Catholic Church established a complex relationship with European organizations, which can be traced back to the beginning of the integration process.*

*Our working hypothesis is that the often significant changes in the relation between the Catholic Church and the European Union and its predecessor organisations can be interpreted highly along certain local Catholic Churches and its activates at the forefront. Secondly, peace efforts, which appears in EU common policy as well, formed a constant element in the relation of the two institutions. This always accelerated to continue building stagnant institutional relations. We will prove my hypothesis with the qualitative method, I will use and compare the local church utterances regarding integration. Common policy elements concerning global and regional peace and social*

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<sup>1</sup> Louis DUCHESNE: *The Beginnings of the Temporal Sovereignty of the Popes*. New York, Benziger, 1908; Robert GRAHAM: *Vatican Diplomacy: A Study of Church and State on the International Plane*. Princeton, Princeton University Press, 1959; Eric HANSON: *The Catholic Church in World Politics*. Princeton, NJ: Princeton University Press, 1987; Gaetano ARANGIO-RUIZ: On the Nature of the International Personality of the Holy See. *Revue Belge de Droit International*. vol. 2 (1996) pp. 355–369; ARAUJO R. John: The International Personality and Sovereignty of the Holy See. *The Catholic University Law Review*, vol. 50, issue 2 (2001) pp. 292–336; Mariano BARBATO: A State, a Diplomat, and a Transnational Church. *Perspectives*. vol. 21, issue 2 (2013) pp. 27–48; Matthew BATHON: The Atypical International Status of the Holy See. *Vanderbilt Journal of Transitional Law*. vol. 34, issue 3 (2001) pp. 597–632; MORSS, R. John: The International Legal Status of the Vatican/Holy See Complex. *European Journal of International Law*. vol. 26., issue 4 (2015) pp. 927–946

<sup>2</sup> Michael VORBECK: Perceptions of the Churches by the European Institutions. In: Barnett JAMES (ed.): *A Theology for Europe: The Churches and the European Institutions*. Bern, Peter Lang, 2005 pp. 197–211.; Sergei A. MUDROV: *Christian Churches in European Integration*. London, New-York, Routledge, 2016; Sergej, A. MUDROV: The Christian Churches as Special Participants in European Integration. *Journal of Contemporary European Research*, vol. 7, issue 3 (2011) pp. 363–379; Anthony O'MAHONY: The Vatican and Europe: Political Theology and Ecclesiology in Papal Statements from Pius XII to Benedict XVI. *International Journal for the Study of the Christian Church*. vol. 9, issue 3 (2009) pp. 177–194; Giulio VENNERI – Paolo FERRARA: Alcide De Gasperi and Antonio Messineo: A Spiritual Conception of Politics and a Pragmatic Idea of Religion? *Religion, State and Society*, vol. 37, issue 1–2 (2009) pp. 115–129. Partly, Daniel PHILPOTT – Timothy SHAH: Faith, Freedom and Federation: The Role of Religious Ideas and Institutions in European Political Convergence. In: Timonhy A. BYRNES - Peter J. KATSENSTEIN (ed.): *Religion in an Expanding Europe*. New York, Cambridge University Press, 2006, pp. 34–65; Lucian LEUSTEAN (2009): What is the European Union? Religion between Neo-functionalism and Intergovernmentalism. *International Journal for the Study of the Christian Church*, vol. 9, issue 3, pp. 165–176 Wider, but rather political theory and secular approach monograph: Petr KRATOCHVÍL– Tomáš DOLEŽAL: *The European Union and the Catholic Church*. Hampshire, Palgrave, Macmillan, 2015; Contrary to its title, in a large part it deals with the relation between the Catholic Church and European organizations: Lucian LEUSTEAN: *The Ecumenical Movement and the Making of the European Community*. Oxford-New York, OUP, 2014

*issues will get the focal point. Finally, We will try to forecast the directions of the future cooperation between the EU and the European Churches. It is clear that wider security questions are in the same in perspective for the EU common policy and the Catholic Church.*

*Keywords: Catholic Church, European Union, Hungarian Defence Forces, crisis management, common policy, peace, defence and security policy*

## **1. Starting point towards understanding the relation between the European Union and the Holy See**

Both the Holy See and the EU are special, sophisticatedly „*sui generis*” factors of international relations. Due to their international legal entities, structure and nature, they can only be compared to territorial states. The literature on the history and the operation of the European Union leaves no doubt that the EU is “a construction established with an international treaty among sovereign states”.<sup>3</sup> Due to its features – budget, community law system, decision-making methods, ‘citizenship of the union’<sup>4</sup> – it goes beyond the known international organizations, nevertheless, it is an international organization: mainly it disposes powers granted by the member states.<sup>5</sup> Concerning the European Union and its predecessor organisations, inter-governmentalism versus supranationalism developed, and – in spite of the never ending dispute over federalism versus confederalism – it can be seen that EU is secondary to territorial states, and its existence depends on the will of the member states. Regardless the fact that with the Lisbon Treaty, according to some authors *de facto* before that, the EU acted as an international legal entity,<sup>6</sup> on the basis of the history and ethnical diversity of the continent, the disintegration process of the EU, the change or the termination of the current structure is indeed possible.<sup>7</sup> Then there is the practice that on several areas member states keep competencies that – in case of federal organizations – belong to the federal level undoubtedly. In relation to certain crisis management, security issues – such as migration – or to corona virus recently, the organizations of the European Union were criticized, even by the member states.<sup>8</sup>

The sovereignty of the Apostolic Holy See, contrary to the EU as an international organization, does not depend on the joint or majority will of member states. The basis of its sovereignty is

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<sup>3</sup> ARATÓ, Krisztina – KOLLER, Boglárka: *Európa utazása. Integrációtörténet*. Budapest, Gondolat, 2015. p. 16 A wider view: KIRÁLY, Miklós: Európa keresztény gyökerei és az alkotmányos szerződés. *Iustum Aequum Salutare*, 2006/2, pp. 67–72

<sup>4</sup> SZABÓ Marcel: Az alkotmányos szerződés nemzetközi jogi kérdései. *Iustum Aequum Salutare*, 2006/2, p. 72

<sup>5</sup> ARATÓ - KOLLER op. cit. p. 16

<sup>6</sup> ‘The European Union that came to life with a constitutional treaty is the legal successor of the European Communities and the European Union established with the Maastricht Treaty. The fact of its being a legal successor we have the right to assume that the European Union effectively possessed a legal entity since the Maastricht Treaty. We can say that it is something like we conclude someone’s existence from their last will and testament.’ SZABÓ (2006): op. cit. p. 69

<sup>7</sup> The best example is the process of Brexit. DE GRAUWE, Paul (2016): What Future for the EU After Brexit? *Leibniz Information Centre for Economics*, Vol. 51 issue. 5, pp. 249-251

<sup>8</sup> About the regional role of the Catholic Church, see: Tanja ŽIGON - Boštjan Udovič: Cerkev mora ostati ljudem blizu ne glede na čase: prvi val koronavirusa (COVID-19) in versko življenje v Sloveniji – analiza primera. *Bogoslovni vestnik/Theological Quarterly* vol. 80, issue 4, (2020) pp. 765-781

not state sovereignty - *conditio sine qua non*: the supreme power over territory, population, state population and territory<sup>9</sup> -, which was claimed strongly since the 19<sup>th</sup> century, nor the 'capacity to enter into relations with the other states', which was added by Montevideo Convention of 1933.<sup>10</sup> The 'pseudo-positivist' approach, which claims that there was no entity that bore the international legal entity of the supreme management of the Catholic Church from 1870, when the State of the Church ceased to exist, till 1929, when Lateran Treaty was signed 'creating' the State of the Vatican City (Stato della Città del Vaticano), is wrong. Now this view is contradicted by the fact that – since WWII – entities without territories become international legal entities. However, the sovereignty of the Holy See goes further back. In the Middle Ages, '*communitas Christiana*' was made up by European Christian states and the Holy See, as the spiritual power.<sup>11</sup> Namely, the Holy See - under customary law - a priori was a member of this international community.<sup>12</sup> It had the right to send and receive legates, it concluded concordats and could be a member of 'international' alliances.<sup>13</sup> Based on this custom, the Congress of Vienna (1815) stated that 'the Treaty does not introduce any reformation regarding Papal delegates', for whom Catholic states could grant that they could be honorary leaders - *doyen* - of the diplomatic body.<sup>14</sup>

If we want to understand the special international legal status of the Holy See, we cannot neglect the Pope's special role in the Catholic Church. As a 'state leader', he is the head of the State of Vatican, and as a religious leader, he is the head of the Holy See. This double 'service' cannot be separated due to the special hierarchical structure of the Church. The interpretation of sovereignty connected to the Pope's personality partly corresponds the classical approach of sovereignty, which meant the person themselves and not the abstract concept used for a state and its power. The abstract concept of state sovereignty only gradually took over the place of personalized sovereign. The sovereign was the person to whom everybody was bound to obedience.<sup>15</sup> Actually, there is more to it, as the Pope's supreme governmental power is not, or not in particular, state theory question but theological. According to the reflection of the Church, which says that the primary consecrating, teaching and governmental activity is carried out by Saint Peter's successor, the Pope's primacy can be traced back to Christ's, the founder's will.<sup>16</sup> Therefore human power cannot change it. According to the short phrasing of

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<sup>9</sup> „Staatsgebiet, Staatsvolk, Staatsgewalt”. Jelinek „Drei-Elemente Lehre – see also TAKÁCS, Péter: Államelmélet a XIX-XX. században Georg Jelinek elmélete. *Pro publico bono*, 2011/2, pp. 1-7

<sup>10</sup> The Catholic Church has always rejected the idea of sovereignty on excessively territorial basis consistently. Cumbo op. cit. p. 603

<sup>11</sup> Rolf KNUBBEN: *Die Subjekte des Völkerrechts*. Stuttgart, Kohlhammer, 1928, pp. 424-438

<sup>12</sup> Detailed introduction in Colin MORRIS: *The Papal Monarchy. The Western Church from 1050 to 1250*. Oxford, Clarendon Press, 1989.

<sup>13</sup> The nature of the concordat is disputed by some authors in terms of international law, but the features of a concordat – the need of ratification, changes can be made only in case of mutual agreement, it must be introduced into domestic law – highlight that concordats have the same features as international treaties.

<sup>14</sup> About papal legates in details: Adolfo LONGHITANO: *Il diritto nel mistero della chiesa*. Roma, Pontificia Università Lateranense, 2001, pp. 549-551

<sup>15</sup> Malcolm N. SHAW: *Nemzetközi jog*. Budapest, Osiris, 2002, p. 432

<sup>16</sup> GÁ, Ferenc: Primátus: In: DIÓS István (ed.): *Magyar Katolikus Lexikon*. Budapest, Szent István Társulat, vol. IX., 2006, pp. 274-275 The Christ like origin of the Pope's supreme power is emphasized. Carlos J. ERRÁZURIZ: *Il diritto e la giustizia nella chiesa. Per una teoria fondamentale del diritto canonico*. Milano, Giuffrè, 2000, p. 158, 'Il primato papale di giurisdizione significa che nella Chiesa l'istanza ultima di decisione è legata alla persona di chi succede a Pietro (...)' On the contrary, Hermann Pottmeyer thinks that the excessive strengthening of the theological theory of the Pope's primacy in the 19<sup>th</sup> century was worded against historical situations, Gallicism, the officialdom of national states towards regional Churches, the spreading the power of

canon 331, 1983 Code of Canon Law, 'By virtue of his office he possesses supreme, full, immediate, and universal ordinary power in the Church, which he is always able to exercise freely.'<sup>17</sup> The general phrasing of the canon makes sense when specific church governmental questions are discussed, being either of pastoral nature or areas of foreign and security policy, relation with states and international organizations concerning the supernatural mission of the Church indirectly. It can be seen that the Holy See and the EU are both special actors of international relations, but the origin, tradition and self-reflection of the two entities are significantly different. While the existence of the EU traces back *de facto* to the will of nation-states, the sovereignty of the Holy See is independent both of the will of states and of the modern approach to 'state sovereignty' and its above mentioned indicators.

It is obvious that not only contrasts but similarities also exist between the two entities. For example, Péter Erdő illustrates the relation between the Holy See and Vatican with the relation between the EU and the member states. According to this 'the states that join the EU pass the EU such powers that (...) belong to the scope of sovereignty'.<sup>18</sup> According to this approach the State of Vatican bears sovereignty 'derived' from the Holy See. The approach, which studies the two entities regarding legal hierarchy – as universal ecclesiastical laws have priority to particular laws, likewise the legislative decrees of the EU have priority to the laws of the member states on the same question -, also emphasizes the similarity.<sup>19</sup>

## **2. Institutional relationship between the Catholic Church and the offices of the integration**

The Apostolic Holy See maintains diplomatic relations not only with international organization but with each country. The relations with international organizations – due to their newness and the political neutrality of the Holy See – are very diverse. The institutionalization of diplomatic relations started to speed up in the light of the teaching 'on The Church's Relationship with the World' of Vatican Council II during Paul VI's papacy. Before this the relation between the member states and the Catholic Church was maintained by the local

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the state over the Church and spiritual trends ('nationalism, materialism, atheism and liberalism', which questioned the fundamentals of Christian faith). Those, especially ultramontanists, who worried about the unity, independence and independent faith of the Church saw the solution in strengthening the pope's authority. Hermann J. POTTMEYER: A pápai primátus az I. Vatikánumtól XVI. Benedekig. *Vigília*, 2008/73, pp. 171-182, The author criticising Vatican Council I (1867-1869), stated when the Pope's primacy was worded, 'it was on the basis of monarchical sovereignty concept' It did not get in the texts of the Council, which was dissolved prematurely due to historical difficulties), and only some comments reveal that 'the Council did not want to restrict the divine rights of bishops, and hence it did not want to define primacy as the Pope's monarchical sovereignty.' According to the author, 'the one-sided wording of the doctrine and the deriving maximalist interpretation publicly make the impression that the Council really declared the Pope the absolute and sovereign monarch of the Church.' Regarding the subsidiarity theory, namely the relation between the Pope and regional bishops, see: Ulrich MOSIEK: *Verfassungsrecht der Lateinischen Kirche. Grundfragen*. Freiburg, Verlag Rombach, 1975, pp. 59-73

<sup>17</sup> About the power of the Roman Pontiff in the Catholic Church: Eduardo MOLANO: The Supreme Authority of the Church. In: Ángel MARZOA - Jorge MIRAS - Rafael RODRÍGUEZ-OCAÑA (szerk.): *Exegetical Commentary on the Code of Canon Law*. Montreal, Wilson and Lafleur. vol. II/1., 2004, pp. 581-603

<sup>18</sup> ERDŐ, Péter: Állam, Egyház, Szuverenitás. In: *ibid.* (ed.): *Jog az egyház hagyományában és életében*. Budapest, Szent István Társulat, 2016, p. 60

<sup>19</sup> To Church laws, see: Julio GARCÍA MARTÍN: *Le norme generali del Codex Iuris Canonici*. Roma, Ediurcla, 2002, pp. 100-102 To EU legislation, see: SIMON Zoltán: *Döntéshozatal és jogalkotás az Európai Unióban - Elmélet és gyakorlat*. Budapest, L' Harmattan Kft, 2013

church and the basically grassroots Catholic Secretariat for European Problems, and later. Considering that both the Holy See and the institutions of the integration were committed to realizing European (and global) peace, Pope John XXIII would have open and let the Holy See create a 'formal' diplomatic relation with the institutions of the integration.<sup>20</sup> The High Authority of the European Coal and Steel Community was already in informal relation with Catholic Church leaders and the State Secretariat before 1962.<sup>21</sup> Both with the European Coal and Steel Community and with the European Economic Community the above mentioned Secretariat and the Catholic Information Centre were in relation, not the Holy See. In 1962 the Holy See, through Silvio Oddi nuncio, stated that it would like to enter into diplomatic relations with the European Economic Community. Since the Holy See entered into diplomatic relations with countries and not with international organizations so far, a new situation appeared. Therefore, Jean Rey, European Commissioner for External Relations, in agreement with Walter Hallstein, President of the Commission of the European Economic Community preferred the common decision of the member states in this question. The European Commission passed the right of the decision to the Permanent Representation in Brussels. The papal nuncio's seniority arose as a technical question. According to the tradition, strengthened by Vienna Convention on Diplomatic Relations, in most of the member states papal nuncio ambassador is due to seniority.<sup>22</sup> However, in the Netherlands, which country did not ratified the convention, the papal nuncio was not due to seniority. The Pope was represented by the inter-nuncio. Finally, due to Pope John XXIII's death, the diplomatic relation was taken off the agenda.<sup>23</sup> In 1964, the Holy See visited Karl Carsten, secretary of state at the Foreign Office, through the Apostolic nuncio in Bonn<sup>24</sup> to suggest – again - building the diplomatic relation.

They emphasized again that the European Economic Community would be the first international organizations to receive a nuncio the Holy See. Then enquiries were made towards the Italian, French and Belgian delegations in Brussels. Later the French opposition and the internal problems of the EEC obstructed the successful negotiations.<sup>25</sup> Although France made supporting declarations, by 1964 the French government had taken the view that that the Holy See had cultural and religious mission in the first place in Europe.<sup>26</sup>

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<sup>20</sup> Azione per la pace e per lo sviluppo. *La Civiltà Cattolica*, vol. 121, issue 4, (1970) p. 477

<sup>21</sup> Especially during the period of Piero Malvestiti's, who had good relations with Italian politicians. LEUȘTEAN op. cit. p. 99

<sup>22</sup> '1. Heads of mission shall take precedence in their respective classes in the order of the date and time of taking up their functions in accordance with article 13.

2. Alterations in the credentials of a head of mission not involving any change of class shall not affect his precedence.

3. This article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See.

Article 16 of Vienna Convention on Diplomatic Relations. Done at Vienna on 18 April 1961. Entered into force on 24 April 1964. 2021.02.24.

<sup>23</sup> In order to strengthen the relations, both the European Commission and the office for foreign affairs of the High Authority sent delegation to Pope Paul VI's inauguration. LEUȘTEAN op. cit. p. 100

<sup>24</sup> The permanent office had German leadership that time.

<sup>25</sup> SZABÓ, Marcel: Az európai unió nemzetközi jogalanyisága és jogi természete. *Iustum Aequum Salutare*, 2006/2, pp. 67–84; NAGY, Károly: A jogalanyok körének bővülése a nemzetközi jogban. *Acta Universitatis Szegediensis: acta juridica et politica*, 1996/49, pp. 399–426

<sup>26</sup> The Dutch viewpoint changed on the contrary: The Netherlands first objected to building diplomatic relations with the Holy See, then it took the view if the other member states did not object, the Netherlands did not put obstacles in way. More details approaching the Holy See this way: David M. JAEGER: *The Holy See Understanding*



Therefore until 1969, De Gaulle's resignation, the diplomatic relations was not deepened.<sup>27</sup> So it is understandable that the above mentioned Catholic European Study and Information Centre, which opened its office in Brussels in addition to the one in Strasbourg, played a key role in the relation between the Catholic Church and organizations of the integration.

In 1970, archbishop Iginio Eugenio Cardinale, Apostolic nuncio to Belgium and Luxemburg, handed in the application to the European Community again, this time successfully.<sup>28</sup> He became the appointed nuncio to the European Community and the special legate and permanent observer to the European Council. Iginio Eugenio Cardinale already seized the opportunity then to introduce the social teaching of the Church and the process of the codification of the 1983 Code of Canon Law.<sup>29</sup> The permanent observer got legal authority to take part in the sessions of the European Council, later to be present in the meetings of the Council of the European Union and of the Parliament later. The representatives commented on several ethical and social questions that belonged to - in a wider sense - (human) security areas: culture, asylum seekers, human rights got special attention. As early as then ecological questions, the protection of cultural heritage, demographic problems and the significance of a social net were pointed at. Until Iginio Eugenio Cardinale's death the mentioned four positions were in one hand. A short report about laying the foundation of diplomatic relations appeared in *L'osservatore Romanoban* in 1970. The report called attention to the fact that the Catholic Church were interested in supporting organizations that were committed to promoting regional peace and development.<sup>30</sup> Archbishop Cardinale wrote a comprehensive monography about the history of Holy See diplomacy, to which he used his own experiences, too. This work is a bright spot of the relation between the European integration and the Holy See.<sup>31</sup> After the nuncio's death in 1983, the representation to European Community and European Council separated. Today two different legates fill the representation of the Holy See. One is present at the European Union as the Holy See nuncio - in the position of the ambassador -, the other at the European Council as a special legate and permanent observer. After Archbishop Cardinale's death, the nuncio - the second - appointed to the EEC was the legate of the Holy See to Belgium and Luxembourg at the same time. These two nuncio positions separated only in 1999, with the appointment of a third legate.

As for the legates of the EU to the Holy See, the process was slower. The EU accredited its first delegate to the Holy See in 2006 under Luis Rito's leadership. The decision was made after José Manuel Barosso's visit to Pope Benedict XVI's on May 5, 2006. Barosso declared that he was open to build a complete, bilateral diplomatic relation between the Holy See and the EU.<sup>32</sup>

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of Religious Freedom. In: Malcolm EVANS – Peter PETKOFF – Hulan RIVERS (szerk.): *The Changing Nature of Religious Rights Under International Law*. Oxford, University Press. 2015, pp. 235-237

<sup>27</sup> Nevertheless, De Gaulle was a dedicated Catholic. Erin R. MAHAN: *Kennedy, de Gaulle, and Western Europe*. Hampshire Palgrave, 200, p. 14

<sup>28</sup> LEUŞTEAN op. cit. 151

<sup>29</sup> MESSINA op. cit. 266

<sup>29</sup> Marcel PRÉLOT: *Storia del pensiero politico*. Milano, Mondadori (Oscar Studio) (1975).

<sup>30</sup> From: New York Times: *Vatican Establishes Ties With the Common Market*.

<https://www.nytimes.com/1970/11/11/archives/vatican-establishes-ties-with-the-common-market.html>

<sup>31</sup> Eugenio Iginio CARDINALE: *Le Saint-Siège et la diplomatie: Aperçu historique, juridique et pratique de la diplomatie pontificale*. Paris, Rome, Tournai: Desclée & Cie, 1962

<sup>32</sup> EUROPEAN UNION EXTERNAL ACTION: *The Holy See and the EU*:

[https://eeas.europa.eu/headquarters/headquarters-homepage\\_en/2355/The%20Holy%20See%20and%20the%20EU](https://eeas.europa.eu/headquarters/headquarters-homepage_en/2355/The%20Holy%20See%20and%20the%20EU)

This declaration raised the one-sided relation on the part of the Holy See to the level of 'reciprocity'. Today the accredited delegate of the EU to the Holy See represents the EU to the Rome based organizations of the UNO. Laurence Argimon-Pistret, who was the delegate between 2012 and 2016, presented his credentials to Pope Benedict XVI. The majority of his delegate activities fell on Francis' papacy. He met the Pope several times, when they discussed issues, mostly security policies, that were the matter of common interests. He praised the Pope's similar initiatives on several forums. So when encyclical, „*Laudato si'*” was presented in front of Food and Agriculture Organization of the United Nations, he emphasized the significance of the environmental direction of the Church, the protection of the created world and the commitment to the poor.<sup>33</sup>

It seems that the deepening of the diplomatic relation and the cooperation, in the light of newer security challenges, was the EU's interest, too. Since the Holy See, as I have already noted, had more developed organization system and diplomatic relations on several areas than the EU. However, the EU realized the significance of the two entities' cooperation in certain foreign and security policy issues during the past few years in the light of increasing security challenges. Namely, the tension regarding Central African Republic and South-Sudan, or the easing of Israeli-Palestinian or Syrian refugee crisis. The cooperation runs on areas of common interest such as interreligious dialogue, defeating poverty and starvation and promoting the protection of environment. The EU appointed Jan Tombinski to be the leader of the accredited delegation to the Holy See in 2016.<sup>34</sup> In one of his first reports he referred to a closer 'value-based' cooperation between the EU and the Holy See. According to the new representative, the EU made efforts to protect basic human rights with its political tools and initiatives all over the world. He counted on the cooperation with the Holy See to accomplish these common goals, such as making common efforts to reject capital punishment collectively or suspend it internationally. The representative had conversations with Cardinal Pietro Parolin, Secretary of State and with Cardinal Peter Turkson, then President of the Pontifical Council for Justice and Peace.<sup>35</sup> The possibility of joint actions arose in conflicts such as of Central African Republic, Venezuela<sup>36</sup> or Sudan.<sup>37</sup> The Iranian diplomatic relations of the Holy See were marked up for the EU.<sup>38</sup> According to Jan Tombinski, as the European Union, similarly

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<sup>33</sup> Laurence ARGIMON PISTRE: Responsibility towards the environmental crisis, the poor and the future generations. In FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (ed.): *Laudato si'. On care for our Common Home*. Rome, Fao Dialogues, 2016, pp. 21-28

<sup>34</sup> Anna T. KOWALEWSKA: "Close relations between Europe and the Holy See" for Jan Tombinski, new EU envoy to the Vatican, 2016, <https://agensir.it/europa/2016/11/10/close-relations-between-europe-and-the-holy-see-for-jan-tombinski-new-eu-envoy-to-the-vatican/>

<sup>35</sup> Since then, the Pontifical Council, with other three pontifical councils, was merged into the Dicastery for Promoting Integral Human Development, which was also under the leadership of Bishop Turkson. See: UJHÁZI, Lóránd: A szentszéki strukturális és jogszabályi módosítások az európai migrációs válság fényében. *Acta Humana: Hungarian Centre for Human Rights Publications*, 2017/5, pp. 19-41

<sup>36</sup> Raymond J DE SOUZA: The curious Vatican diplomacy in Venezuela. 2017. <https://cruxnow.com/commentary/2017/06/24/curious-vatican-diplomacy-venezuela/>. See. MARSAL, Viktor Válságok Közép-Afrikában: a dél-szudáni és a közép-afrikai polgárháború. *Nemzet és biztonság*, 2014/7, PP. 26-47

<sup>36</sup> Pope Francis to open Holy See's first embassy in South Sudan. <https://www.thetablet.co.uk/news/9216/pope-francis-to-open-holy-see-s-first-embassy-in-south-sudan>

<sup>37</sup> THE TABLET: *Pope Francis to open Holy See's first embassy in South Sudan*. 2018.

<https://www.thetablet.co.uk/news/9216/pope-francis-to-open-holy-see-s-first-embassy-in-south-sudan>

<sup>38</sup> Robert WARGAS: Why Iran is really cosying up to the Vatican. 2016. <http://catholicherald.co.uk/issues/january-29th-2016/why-iran-is-really-cosying-up-to-the-vatican/>

to the Holy See, was making efforts to settle crises – strengthen peace – peacefully,<sup>39</sup> the EU had to form closer relations with the Holy See. Furthermore, the EU intended to establish cooperation with Catholic international organizations – e.g. Community of Sant'Egidio – that took part in different crisis management or in the solution of social problems. Jan Tombinski says that he counts on the Holy See in prevention, that is the cooperation in the earliest period of crisis management.

### **3. The cooperation of the Groups of Episcopal Conferences in Europe**

Beside the diplomatic relations between the Holy See and the European Union, the institutional 'groups' of European Episcopal Conferences are worth being mentioned. It is obvious that their legal entities cannot be compared to that of the Holy See, but with their activities, they contribute significantly to deepening both the Catholic interaction with the EU and the connection among Bishops' Conferences, but to accomplishing the security policy goals of the EU and the Holy See.<sup>40</sup> Today the 'groups' of European Episcopal Conferences have two forums: The Council of Bishops' Conferences of Europe and the Commission of the Bishops' Conferences of the European Union (COMECE).<sup>41</sup> As far as the general principle of the union of the Episcopal Conferences concerned Vatican Council II – on one hand – emphasizes bishops' universal pastoral responsibility. (LG 23). On the other hand, it encourages the 'communications between episcopal conferences of different nations'. (CD 38) The principle, based on a theological basis and later got canonical wording, eminently justifies the need of cooperation among episcopal conferences either all over Europe or in the territory of the European Union. Canon 459 of the current Code of Canon Law (1983) – issued in the middle of European integration - speaks according to the above mentioned principle: 'Relations between conferences of bishops, especially neighbouring ones, are to be fostered in order to promote and protect the greater good (Can. 447).' (par. 1)

The 1998 *motu proprio*, *Apostolos suos*,<sup>42</sup> besides promoting the greater good, 'calls for the joint action of Bishops include, ..., relations with civil authorities'. (section 15) In case of the union of Bishops' Conferences, this means establishing and fostering relations with international organizations, and so with the EU. The *motu proprio* finds the reason for the communication between Bishops' Conferences and civil authorities in protecting human lives, peace, human rights and promoting social justice. The reasons for cooperation, expressed the *motu proprio*, are expressly among the basic values and common policy aims of the EU.<sup>43</sup> *Apostolorum successores*, Directory for the Pastoral Ministry of Bishops – not a decree, but a direction – issued by the Congregation for Bishops, repeated the paradigm of the Council and

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<sup>39</sup> RESPERGER, István: A válságkezelés új megközelítése. *Hadtudományi Szemle*. 2016/9, pp. 30-56

<sup>40</sup> Di Livio Missir LUSIGNANO: Diritto canonico e Unione Europea (nella visione di un Latino d'Oriente). In: Juan Ignacio ARRIETA – Gian Piero MILANO: *Metodo, fonti e soggetti del diritto canonico*. Pontificia Università della Santa Croce – Univesrità di Roma Tor Vergata. Città del Vaticano, Libreria Editrice Vaticana, 1999, pp. 704-708

<sup>41</sup> Beside these, there are regional meetings, such as the regular meetings of the Bishops' Conferences of Central and Eastern Europe.

<sup>42</sup> Pope John Paul II: *Motu Proprio. Apostolos suos*. 21/05/1998 *Acta Apostolicae Sedis*, vol. 90, issue 9 (1998) pp. 641–658

<sup>43</sup> CSUHÁNY, Péter: Az Európai Unió csatlakozása az emberi jogok európai egyezményéhez. *Jogi tanulmányok*. Vol. 2, Ünnepi konferencia az ELTE megalakulásának 375. évfordulója alkalmából, Budapest, ELETE. 2010, pp. 371-385

the Code regarding the cooperation among Bishops' Conferences in 2004, during the important period of European unification.<sup>44</sup>

The first paragraph of Canon 459 speaks generally. Therefore 'relations' can be understood either as formal, 'institutional' or informal. In both cases the goal is to promote much greater pastoral and social good.<sup>45</sup> So this way they can cooperate without any institutionalization, and Bishops' Conferences do cooperate with one another and civil authorities to promote common good and peace. This can mean common declarations, pastoral letters, programs or easing a humanitarian catastrophe, or the common management of a security challenge.<sup>46</sup>

Bishops' Conferences are not parts of the Apostolic Holy See, but the Holy See, as a supervisory body, play roles at their foundation (Can. 459, par. 2 'Whenever conferences enter into actions or programs having an international character, however, the Apostolic See must be heard. '), in authorizing their regulations and in controlling their activities.<sup>47</sup>

Basically, the Council of Bishops' Conferences of Europe is a communication forum among European Bishops' Conferences, and between bishops and the Pope. It was established in 1971 to promote a wider unity among bishops supported by the Council. Due to the geopolitical changes in Europe, the constitution of the organization was changed significantly in 1995. It was declared that the organization assimilated Bishops' Conferences, and the conferences were represented by their presidents.<sup>48</sup> Today there are thirty-three Bishops' Conferences in Europe. The Archbishops of Luxembourg and Monaco, the Maronite Archbishop of Cyprus, the Bishop of Chişinău (Republic of Moldova), the Greek-catholic bishop of Munkachevo (Ukraine) and the Apostolic Administrator of Estonia are all members of the organization. Its main goal is pastoral, the re-evangelization of Europe, but it deals with security issues: such as the freedom of religion, relations to orthodoxy and poverty caused by economic crises. Apart from the fact that the Council of Bishops' Conferences of Europe focuses on European issues, on the pastoral options of the Church and on the communication between conferences, it has initiatives over the continent. These focus on African, South-American and Asian security issues, too. Therefore, the Council of Bishops' Conferences of Europe built relations with the Bishops' Conferences of the regions and with the alliances of the conferences.

Regarding the relations to European organizations, the Commission of the Bishops' Conferences of the European Union is more significant. It expressly deals with the observation of certain common policy and security issues: the question of migration and refugees, ethical

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<sup>44</sup> „These structures are a natural consequence of the ever-deepening human and institutional relations between the countries of a particular geographical region. Their purpose is to guarantee a stable relationship between the Episcopal Conferences that are represented, so as to facilitate cooperation between Conferences and to serve the local hierarchies of the nations concerned. Congregation for Bishops: Instr., *Apostolorum successores*. issue 23,

[http://www.vatican.va/roman\\_curia/congregations/cbishops/documents/rc\\_con\\_cbishops\\_doc\\_20040222\\_apostolorum-successores\\_en.html](http://www.vatican.va/roman_curia/congregations/cbishops/documents/rc_con_cbishops_doc_20040222_apostolorum-successores_en.html)

<sup>45</sup> Ignatio J. ARRIETA (ed.): *Codice di Diritto Canonico e Leggi Complementari Commentato*. Roma, Colletti a San Pietro, 2004, p. 363

<sup>46</sup> PADÁNYI, József: A menekültek és a hontalanok visszatelepítése Bosznia-Hercegovinába. *Hadtudomány*, 2000/10, p. 116–121

<sup>47</sup> Giangiacomo SARZI SARTORI: Comment on Canon 459 of 1983 Code of Canon Law In. QUADERNI DI DIRITTO ECCLESIALE (ed.): *Codice di Diritto Canonico*. Milano, Ancora, 2001, p. 418

<sup>48</sup> CCEO (n. d.): *Chi siamo*. <https://www.ccee.eu/ccee>

and ecological questions, sustainable development, fundamental rights, inter-cultural dialogue, the freedom of religion and foreign relations.<sup>49</sup> Its task is to inform Bishops' Conferences about the work going on in the European Community. It cooperates with the Apostolic nuncio and other Catholic organizations in Brussels. The Holy See approved its constitution in 1980.

The Commission of the Bishops' Conferences of the European Union was born in a long process that was difficult to track and thanks to the preliminary activities of different church leaders and Catholic organizations, who or which found it important to establish institutional relations between European organizations and the Catholic Church. However, it is easy to see that the main areas of the cooperation gather around those common policies that touch – in a wider sense - security policies. This way, on October 5 1949, thirty Catholic priests and lay people, who declared that the Catholic Church had to take part in rebuilding Europe more vigorously, established a community in Luxembourg.<sup>50</sup> They started from that idea that such institutionalized framework was needed that was close to political organizations, and monitored European events and evaluated them in the light of Catholic teaching. To promote this the Catholic Secretariat for European Problems was established in 1949, which was in close relation with the Conference of International Catholic Organizations. It was deliberately established to evaluate international political and security issues and to cooperate with international organizations.<sup>51</sup> By WWI, it had already developed skills in monitoring the activities of international organizations.

The Conference of International Catholic Organizations chose Strasbourg as its headquarters, and significantly relied on the support from the diocese of Strasbourg. The secretariat was not the official representative of the Holy See.<sup>52</sup> In lack of considerable material funds, the office was closed in 1952, and it was reopened in 1956 under a new name: Catholic European Study and Information Centre. It was the first Catholic organization that – first in Strasbourg, then in Brussels – officially supported the dialogue and information change between the Catholic Church and the integration. It monitored the economic, security and common policy goals of the integration, and evaluated them in the light of the Catholic doctrine and pastoral aims. The Catholic Church.<sup>53</sup> That is why the Information Centre became the most important partner for the later Bishops' Conferences, which served as a base for formal relations. It maintained this position until today, under a new name since 1991: Office for Catholic Initiatives in the Promotion of Europe.<sup>54</sup> The office was under Jesuit direction. Till today, Jesuits are active participants of the dialogues with EU organizations, especially in security, social and societal issues.<sup>55</sup>

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<sup>49</sup> COMECE (n. d.): <http://www.comece.eu/site/en/externalaction/index1.html>

<sup>50</sup> LEUȘTEAN op. cit. p. 91.

<sup>51</sup> To its history, see: François BLIN: *Repères pour l'histoire de la Conférence des organisations internationales catholiques: (1927-2008)*. Grand-Saconnex, Editions Eclectica, 2010.; Kevin AHERN: *Structures of Grace: Catholic Organizations Serving the Global Common Good*. New York, Orbis Books, 2015.

<sup>52</sup> Furthermore, it was also criticized, that it represented its own interest not the interest of the Holy See.

LEUȘTEAN: op. cit. p. 92

<sup>53</sup> Lucian L. LEUȘTEAN: What is the European Union? Religion between Neofunctionalism and Intergovernmentalism. *International Journal for the Study of the Christian Church*. 2009/9, p. 166

<sup>54</sup> *Európa Fejlődését Segítő Katolikus Kezdeményezések Irodája*. In: Diós, István (ed.): Magyar Katolikus Lexikon. <http://lexikon.katolikus.hu/E/Eur%C3%B3pa%20Fejl%C5%91d%C3%A9s%C3%A9t%20Seg%C3%ADt%C5%91%20Katolikus%20Kezdem%C3%A9nyez%C3%A9sek%20Irod%C3%A1ja.html>

<sup>55</sup> MUDROV op. cit. p. 90

Certain Belgian dioceses and their bishops played important roles in forming the relations between Catholic and European organizations. It did not mean financial support only. They encouraged the clergy and lay people to participate in promoting, as far as possible, the integration and to help the institutionalized rapprochement of the Church.<sup>56</sup> In 1959, the journal of the Information Centre, *'La Lettre de l'OCIFE'*, appeared, which reached the Catholic clergy, the faithful, other papers and politicians.<sup>57</sup> In the relation between the integration and the Catholic Church two aspects appeared that was ahead of its time, as both became significant in the 'post Vatican Council II' theology and canon law: on one hand, it is lay people's role, on the other hand, taking 'person principle' into consideration in pastoral work. As far as lay people concerned, they played an important role in supporting the integration and similarly, in evaluating the common policies of the institutions of the integration in the light of the social teaching of the Church.<sup>58</sup> In connection with 'person principle', it soon became obvious that the service of Catholic people coming from abroad could not be done via the traditional parish system, organized on a territorial principle. Separate priest had to be appointed for this job. Later, the Information Centre established good relations with local clergies and different Catholic organizations. Congresses were held where security challenges – in a wider sense - were discussed, such as the common market and developing countries, free movement of workers, agriculture, cultural and social questions. That is to say, particular elements of common policies were discussed. More and more international European Catholic organizations or leaders offered their help to the Information Centre.<sup>59</sup> An idea came to life according to which the Information Centre should not be only an information-fusion centre, but it should affect European organizations and their forming common policies, and security issues. In addition to the Strasbourg headquarters, the Centre opened its office in Brussels in 1963, which widely dealt with those security issues that came into the scope of the European organizations.

Pope John XXIII's, who not only declared to support European integration processes but made the first steps towards building institutional and diplomatic relations, papacy gave stimulus to the development of the Information Centre. Furthermore, this fitted well in the 'good Pope's' foreign policy concept, as he was committed to building peace through international organizations. That is another aspect that became an important starting point for the documents of Vatican Council II and later, for the diplomacy of the Holy See.

In 1963, Jean-Julien Weber, the bishop of Strasbourg, mentioned that Vatican Council II was a great opportunity for the Information Centre – on one hand - to get closer to the hierarchical leadership of the Church, and – on the other hand – for the bishops of the integration to meet

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<sup>56</sup> It was true for Cardinal Archbishop Josef Ernest van Roey (1874-1961), more to his successor Leo Joseph Suenens 1904-1996 Leon-Joseph SUENENS: *Memories and Hopes*. Dublin, Veritas Publications, 1992.; Mark J. HURLEY: Book review: Leon-Joseph Memories and Hopes. *The Catholic Historical Review*, 1993/79, pp. 130-131.; Besides, the Holy See nuncios of the time also supported the positive initiatives between the regional Catholic leadership and the organizations of the integration. So did Nuncio Efreim Forní, who was a determinant Holy See diplomat of the 1950s. (1953-1962)

<sup>57</sup> Strasbourg organizations were informed in other forums as well. LEUȘTEAN op. cit. p. 96

<sup>58</sup> A comprehensive study on this by the determinant lay researcher of the time: Rosemary GOLDIE: The Idea of Europe and the Catholic Laity. In: Herbert SCHAMBECK (ed.): *Pro Fide et Iustitia. Festschrift für Agostino Kardinal Casaroli*. Berlin, Duncker-Humblot, 1984, pp. 137-153

<sup>59</sup> E.g. Pl. Catholic Committee for Intra-European Migration (Comité Catholique pour les Migrations Intra – Européennes), International Federation of Christian Trade Unions (Confédération Internationale des Syndicats Chrétiens. Or Angelo Pedroni, the permanent observer of the Holy See to UNESCO.

each other. On November 23 1963, the meeting in which the bishops of the European Community took part was held. In the meeting there was the possibility to discuss the security, social and political issues of the region from common pastoral view.<sup>60</sup> The general opinion was that security, social and economic changes would motivate the establishment of other Catholic organizations. It came up that those initiatives had to be coordinated in the European relation of Church hierarchy. It was an element again that got strengthened in ecclesiastical legislation and in practice after Vatican Council II, that is to say, it was the free initiative of Christians' to promote the goals of the Church under the (looser) coordinating and controlling activities of the hierarchy.<sup>61</sup> The first meeting of Rome gave definite impulse for the institutional cooperation of the later European (Union) bishops' conferences. Lay people still played key roles in the everyday life of the Centre in keeping touch with the fellow workers of European offices. Furthermore, the above mentioned 'person principle' prevailed, as pastoral life and especially holy masses could be celebrated – in the light of the teaching of the Council – in national languages, they had to be adjusted to ethnicities and language knowledge. In 1962, the pastoral letter, *Communitas* started, which directly reached the fellow workers of European organizations. By that time, they had wide – financial – support, involving the support of Italian Ministry of Foreign Affairs, European Commission and EURATOM. Bishops of the countries involved in other integrations showed low activity towards common action in this period.<sup>62</sup> That is why the above mentioned Bishop Weber came up with the necessity of another meeting in 1964. In the meeting the bishops did not listen to lectures,<sup>63</sup> but they together discussed the security challenges that co-occurred with European integration and the deriving pastoral tasks. Two committees were established. One of them is European Mobility. The other, closely related to the previous one, studied the pastoral areas appearing with European migration. The first committee reported to the Catholic Information Centre, the other one gave written reports to the International Catholic Migration Commission.<sup>64</sup> After the Council the annual meetings became regular. It was suggested that - due to the increased mobility – in order to accomplish pastoral tasks successfully the strong cooperation between European Bishops' Conferences was essential. Furthermore, common declarations were not enough regarding European common policies, but a mechanism had to be established that controlled the communication between Catholic international organizations and European institutions. That how the European Catholic Pastoral Information Service (SIPECA, 1976-1980) came to life, which was the formal channel of communication between European Bishops' Conferences and European institutions in the 1970s until the regulation of the Commission of

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<sup>60</sup> Several well-known researchers held lectures. Louis Duquesne de La Vinelle, the professor Leuven Catholic University, spoke about European economic growth, the common market, the ratio of agricultural workers; Wilhelm Dörr (European Commission), Felix Paul Mercereau (Euratom) spoke about social issue, the common market and - in connection with it – about the tasks of the Church. They found that educational institutions would have special significance in this context. LEUȘTEAN op. cit. p. 102

<sup>61</sup> Alvaro Del PORTILLO: *Laici e fedeli nella Chiesa. Le basi dei loro statuti giuridici*. Milano, Giuffrè, 1999, pp. 114-124; 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, p. 196 Quotes: Scema Decreti de Apostolatu laicorum, issue 62, 22/04/1963, AS III, IV, p. 700

<sup>62</sup> Apart from Gerhard Henricus de Vet, Bishop of Breda, who took part in the meeting in Rome, and issued a pastoral letter referring to European issues. LEUȘTEAN op. cit. p. 105

<sup>63</sup> But they asked for written material from the researchers of the academy. LEUȘTEAN op. cit. pp. 107-108

<sup>64</sup> UJHÁZI, Lóránd: A menekültek lelkipásztori és humanitárius segítése a katolikus egyházban. *Iustum Aequum Salutare*. 2016/12, p. 321

the Bishops' Conferences was approved.<sup>65</sup> First, as the commission of the conferences was rather autonomous, it caused a problem that the commission appeared as a parallel communication channel beside the official representative of the Holy See.<sup>66</sup> Concerning public law, bishops' conferences are not the official representatives of the Holy See. They represent European bishops' conferences, but the legate of the Holy See represents the whole Universal church. The latter can be regarded as the official mouthpiece of the Holy See.<sup>67</sup> However, in case of the commissions of conferences we cannot ignore that moral and legal dependence which exists in the Catholic Church towards the Pope and the Holy See from each official ecclesiastical legal person.

The organization has a permanent secretariat, in which several lawyers work beside Catholic theologians and priests. It is understandable, as the cooperation with European organizations and the control over this activity is connected to legislation processes and to the evaluation of legal theory, public policy, security and/or moral questions.<sup>68</sup> The organization frequently updates the observations of the EU regarding security and political questions on its website. Besides, it issues publications in different languages in relating themes.

#### **4. Cooperation in crisis management**

In the migration crisis, Hungary is mostly just a transit country for most migrants. Most of them intend to find temporary asylum in Hungary and a home in Western Europe. Consequently, the main responsibility of Hungary and Hungarian catholic charity organizations is providing short-term humanitarian care such as drink, food, shelter, psychological and medical assistance. Thus, it is unnecessary to build programs that offer long-term integration programs for migrants. The Hungarian Catholic Caritas has also played a key role in handling this crisis. The volunteers of the Order of Malta, the Sant'Egidio Community and other private associations of faithful and the members of monastic and other religious orders assisted it.<sup>69</sup>

The Catholic Church and the Hungarian Defence Forces have a long history and experience of joint humanitarian aid in the country, dating back to the First World War. In the the 1990's, thousands of migrants from former Yugoslavia generated radical changes in Hungary.<sup>70</sup> During the migration wave started in 2015, a significant number of migrants have moved to Hungary illegally. These migrants needed support. Several Hungarian religious communities responded to the challenges with immediate assistance. Among these, the Hungarian Catholic Church deserves special mention.<sup>71</sup> The Hungarian Charity Service of the Order of Malta's staff with expertise in refugee and migration activities participated in the relief effort and supported the efforts of the Hungarian Defence Forces. Doctors, a psychologist and an interpreter were

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<sup>65</sup> KRATOCHVÍL – DOLEŽAL op. cit. p. 87

<sup>66</sup> Jean SCHLICK: Civil association and association of Church problems of dual membership, *Legal Praxis and Religion*, vol. 2, 1985, pp. 248–265

<sup>67</sup> MUDROV op. cit. p. 69

<sup>68</sup> Supposedly, Article 17 of the Treaty of Lisbon and Article 11 of the Treaty of Amsterdam are expressly the success of COMECE.

<sup>69</sup> UJHÁZI, Lóránd: The Hungarian Catholic Church in the Current Migration Crisis. *Hadtudományi Szemle*. 2018/2, pp. 217-219.

<sup>70</sup> UJHÁZI, Lóránd: A Magyar Katolikus Egyház szerepvállalása a migrációs válság kezelésében. *Honvédségi Szemle*. 2017/1. pp. 140-148.

<sup>71</sup> „Looking for a Home | The Economist”, 2015. augusztus 27., <https://www.economist.com/europe/2015/08/29/looking-for-a-home> (Downloaded: 30-11-2021)



involved in the assistance with a significant amount of bandages and medicines.<sup>72</sup> The Hungarian Interchurch Aid<sup>73</sup> has been at the forefront in working with partners at home and abroad to support migrants in disasters and crises situations.<sup>74</sup> It also runs a stand-alone aid programme in Slovenia, one of the aims of which is to support the most vulnerable groups of migrants, including women and children.<sup>75</sup>

Migration will continue to increase and persist in the future. We must consider that shortly the migration process induced by the current wars will be accelerated by climate change and instability of water resources. Hungary has always been at the forefront of border protection, mainly carried out by the Hungarian Defence Forces and police. A mutual agreement has been reached between the military leaders of the V4 to preserve stability in Central Europe, where the primary challenges are illegal migration and human trafficking. Hungary has spent nearly 500 billion HUF on migration management and border protection.<sup>76</sup>

## 5. Conclusion

The relations between the Catholic Church and the EU, as the organizations themselves, are multi-coloured. Both of them are special subjects of international communities. While the existence of the EU depends on the will of the member states, the Holy See cannot be derived from the will of any country. What is more, if we examine the two entities. It can be seen that while the existence of the Holy See precedes territorial states, the existence of the EU can be interpreted only from member state will.

The international relation system of the Holy See was country centred in the first place. Therefore, it was not simple to build up the diplomatic relation with the predecessor organisations of the EU. So, in the beginning there was no consistent system, they reached the level of mutuality gradually, it is true that it happened due to the unsettled position of the EU, and its predecessor organisations, in international communities. Today, both organizations are represented at ambassador (nuncio from side of the Holy See) level to the other party.

Beside the representation of the Holy See, the presence of Catholic organizations is also strong in the EU. From the beginning of the integration, European Catholic communities tried to communicate with European organizations, and to evaluate certain common policies, especially those connected to security and peace efforts. Nowadays, many catholic organizations are in connection with the different institutions of the EU, too. They do not represent the Holy See officially. Neither do the European Bishops' Conferences, which built more and more determinant relations with the organizations of the EU since the 1980s, represent the Holy See. The theological teaching of the Church, the compulsory orders of the Canon Law or current papal and Holy See instructions are always guiding points for them, too.

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<sup>72</sup> The story of the Hungarian Charity Service of the Order of Malta <https://maltai.hu/mmsztortenete> (Downloaded: 30.11.2021)

<sup>73</sup> Hungarian Interchurch Aid <https://segelyszervezet.hu/en/> (Downloaded: 30-11-2021)

<sup>74</sup> Máltai kiadvány a migráns embereknek nyújtott segítségről - Gondoskodó kíséret <http://maltai.hu/kiadvanyaink/tartalom/2356> (Downloaded: 30-11-2021)

<sup>75</sup> PELLEK, Sándor: Katonaorvosi feladatok a migrációs válságban. *Hadtudományi Szemle*. 2018/2, pp. 331-332.

<sup>76</sup> „Németh Szilárd: megvédjük Magyarországot és Európát az illegális migrációtól”, <https://honvedelem.hu/hirek/nemeth-szilard-megvedjuk-magyarorszagot-es-europat-az-illegalis-migraciotol.html> (Downloaded: 30-11-2021)

They largely contribute to the continuous evaluation common-, foreign-, and security policies of the EU.

A special aspect of the relation between the Holy See and the integration is the eminent appearance of some concepts of Vatican Council II: personal principle in pastoral work, lay people's participation, cooperation with international organizations, acknowledging the values of the rule of law and social care, cooperation of regional bishops' conferences and higher pastoral effectiveness to promote security and universal common good. Furthermore, some of these synodical principles appeared in the relation between the integration and the Catholic Church before the Council. Therefore, it is not an exaggeration to state that the relations between the organizations of the integration and the Catholic Church can be considered as the 'dry run' of synodical principles among international relations.

