

The Application of the Principle of Subsidiarity in the Transylvanian Diocese

Habilitation Thesis

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Abstract

I submit the following thesis in the kind attention of the members of the Theological Committee of the National Council for Attesting Titles, Diplomas and Certificates. The habilitation thesis presents the results of my researches made following my promotion as an assoc. professor related to the role of the laics in the Roman-Catholic Church.

In this research I present the engagement of layman in the life of the church in a theological context, embedded in a short history of the origins of the autonomy in Transylvania and the Transylvanian Roman Catholic Status, during this I would like to prove the implementation of the principle of subsidiarity in its early appearances. The basic thesis is that the principle of subsidiarity known from the social teaching of the Church and the Quadragesimo anno encyclical of Pope Pius IX. from 1931 has been implemented by these two institutions of the Transylvanian Diocese (the parish and the Status) centuries earlier. As formulated in the encyclical letter: *„As history abundantly proves, it is true that on account of changed conditions many things which were done by small associations in former times cannot be done now save by large associations. Still, that most weighty principle, which cannot be set aside or changed, remains fixed and unshaken in social philosophy: Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate organizations can do. For every social activity ought of its very nature to furnish help to the members of the body social, and never destroy and absorb them.”*(QA 79)

Although the idea of taking responsibilities in community sometimes even in the 20th century is a novelty, in the Transylvanian Diocese it has a dual practice rooting back into centuries. On the one hand on the level of parishes before the Reformation, each Catholic family's head (householder) worked for the Church, following the path known from the world

church practice called parton rights and obligations. That is why can be legally distinguished the autonomous concept of the parish from the top-down concept of legal hierarchical parish.

For the Transylvanian Diocese initially was only representative the parish organized from down to top in the Szeklerland, and the exercise of their specific rights developed on the basis of customs, as there was a lack of universal church law. In the circular nr. 2200 from 1869, issued by bishop Fogarasy Mihály appears for the first time the method of setting up the parish councils, and this was compulsory for the whole diocese. This circular in its introductory sentence referred to several already existing and operating parish councils. Accordingly there can hardly be found any populous Catholic parish where the priest is not being helped in the maintenance of the properties of the local church and school's by an elected committee.

On the other hand, after the Reformation in the time of expulsion of the bishop, the clergy and the religious orders, while Catholicism seemed to disappear, its secular representatives started to speak and to stand for their oppressed church in front of the authorities, organizing the religious education and operated the foundations made for religious purposes. With the exception of the matters under the exclusive jurisdiction of clerics, having a good collaboration with the few remained clerics, without a bishop, still they effectively led the diocese. This Catholic community which represented the interests of the community was mentioned under the name "Status Catholicorum Dominorum" on the National Assembly of the Principality of Transylvania in 1615, held in September-October in Cluj.

The lay Catholic diocese was without a bishop, and at this early stage the initial advocacy work might not even be called the realization of subsidiarity. The historical constraints launched, and the no-bishop situation, there was no other board or forum, organized at a higher level and a greater partnership" whom could overtake the tasks and responsibilities they were dealing with, or a board that could "unlawfully" undertake in the spirit of subsidiarity. However, lately beginning from 1716, from the return of the bishop, in any case, we should consider a manifestation of subsidiarity the hierarchically organized institution named Status, working exactly according to the canonical standards in the diocese. Although the absolutist ambitions of Maria Theresa in 1767, somehow limited the law and the operations issued by the Status, but it did not stop functioning, and presenting over and over its grievances the Status survived the absolutism, and following the reconciliation after the revolution in 1848 a reorganization came in 1873 for this institution, which created legal base to complete its historical tasks.

This apostolic work carried out by lay people since the second half of the 20th century

under the pressure of socialist-communist social order was constricted into the background, but now building on the inherited traditions, the social encyclical *Quadragesimo anno* which formulated the principle of subsidiarity, and in the light of the teaching of the II. Vatican Council increases our responsibility to serve more effectively the cause of the kingdom of God, the clergy and laity all together.

Related to the habilitation thesis I find it important to note that the Transylvanian Roman-Catholic Status Foundation as a heir of the former *Státus*, entrusted me the custody of its archives. In the archives there can be found all the protocols and registry books from the absolutism (1787-1849), of the work done by the ecclesiastical, educational and foundation committees of *Comissio Catholica* founded by Maria Theresa. Beginning with this time until 1947 we have all the documents, the protocols and registry books, and the complete written material from 1861 till 1970. The exploration of the huge amount of documents from the archive, and the socio-ethical interpretation might be the sequel of the present habilitation thesis.

A handwritten signature in blue ink, appearing to read 'F. J. J. J.', is positioned in the lower right quadrant of the page.