

NORMALIZATION OF CHURCH-STATE RELATIONS IN YUGOSLAVIA, 1945–

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As soon as WW II had ended, a period that in many ways compromised the Catholic Church in the eyes of the new Yugoslav authorities, the Vicar General of the bishopric of Ljubljana, Ignacij Nadrah, proposed a reconciliation with the new government. As early as 15 May 1945 they issued a joint declaration in which they expressed their loyalty to the new government.¹ The declaration assumed that the government would grant freedom of worship and religious instruction.

On 11 July 1945 the clergy of Ljubljana issued another declaration of loyalty and decisive support, "To our National Government in Ljubljana and our Central Government in Belgrade." It was signed by all the leading members of the diocesan and monastic clergy, including the Vicar General of the Bishop of Ljubljana, Anton Vovk, who had been in charge of the diocese since 5 May 1945 due to Bishop Gregorij Rožman's (1930–1945/59) withdrawal to Carinthia along with 275 priests, a substantial portion of the Slovene clergy.² In the declaration the signatories stated a sincere willingness

to support in our professional work the efforts of the national authorities for the welfare of the nation, and to implement our national and civil duties in our provinces with conviction and *alacrity*, as our faith commands.... We declare our sincere devotion, respect, obedience and loyalty to our national government, as we are ordered to by our moral ethic and

¹ Archdiocesan Archives of Ljubljana, Ordinariat 1901–1956, number 892/1945; France M. Dolinar, "Sodni proces proti ljubljanskemu škofu Gregoriju Rožmanu od 21. do 30 avgust 1946," *Zgodovinski časopis* 50 (1996): 266–67.

² Archdiocesan Archives of Ljubljana, Državna zadeve 1945; France M. Dolinar 267–69. Priests remaining in Slovenia were permitted to carry out their pastoral duties only with the explicit approval of the political authorities. At times permission was withheld for months, and the priests in question were strictly monitored. The authorities severely punished any unsanctioned act in the course of pastoral duties.

particularly divine commandment, and also as it is spontaneously awakened and kindled by our national belief.

The signatories of the declaration also expressed deep regret for and strongly condemned, the wrongdoing of some Slovene clergy and lay movements during WW II, and they identified themselves completely with the new authority in Slovenia.

Both declarations represented more a request on the part of the clergy to regularize the status of the Catholic Church in the new country than observations on the situation as they perceived it. Affairs, however, did not develop as church representatives expected, and the Yugoslav bishops expressed great disappointment over conditions in the new state in a special pastoral letter to the clergy on 20 September 1945. Later they wrote that "the federal government in Belgrade issued a solemn declaration to respect freedom of religious belief and freedom of conscience, as well as that of private property." The bishops also asserted that the direction of developments in Yugoslavia was contrary to their expectations. They were worried about the fate of many members of the clergy. The courts were pronouncing death sentences even after the completion of military operations.³ Those clergy who had been imprisoned first learned of the charges against them only in court, and they had no chance to prepare a defense. The bishops' declaration did not deny the fact that some clergy had compromised themselves during the war, but, they wrote, these were few, and the bishops questioned whether these clergymen were such criminals that they deserved the death sentence. The bishops further protested against the drastic curtailment of the religious press, the confiscation of Catholic printing houses, the closing of religious schools and boarding schools, and the seizure of their premises and property. Further, they protested against organization of various gatherings at the same time as religious services on Sundays, and against the hindrance of their charitable work. The bishops also stated that agrarian reform had meant a reduction in church lands, which used to be a funding source for cultural and religious improvement of welfare. They pointed out that a

³ The pastoral letter referred to the execution of 243 priests, nineteen deacons, three monks, and three nuns. According to their figures eighty-nine priests were not at their posts, sixty-nine of whom were in prison.

materialist spirit prevailed and that the position of the Church had completely changed, becoming restricted *to narrowly religious activities*. As concerns court proceedings, the bishops reported that on several occasions they had demanded explanations from the authorities about missing persons, interceded on behalf of those condemned to death, and pleaded for the release of those imprisoned in various camps without a conviction—*all to no avail*. The pastoral letter concluded with an assurance that the bishops had no intention of creating tensions with the authorities, yet they wrote, "We demand complete freedom, which shall be achieved by respecting the teachings of the Christian faith and its morals."⁴

The position of the church was particularly difficult in the Diocese of Ljubljana. The diocese suffered from a scarcity of priests. The authorities took advantage of the fact that Bishop Rožman had left the country in May 1945 and strove to convince people that the Catholic clergy were traitors to the nation by the very dint of their calling as priests, and should thus be barred from public life. The bishops further reported that the new authorities had closed down all religious schools, with the exception of the Theological Faculty in Ljubljana, which was separated from the university.⁵

The first Yugoslav constitution, ratified on 21 January 1946, legalized the separation of church and state, but it granted freedom of religious belief and freedom of conscience. Persecution of the church in the media escalated into physical violence against clerics. As a matter of course the police did not find those responsible and if they did the criminals received reduced or symbolic sentences. The most well-known instances of violence against priests, which had particular resonance abroad, was the elimination of France Močnik, apostolic administrator of Gorica, and the immolation of Bishop Vovk at the Novo Mesto train station. In the latter case, an "enraged crowd" even denied the bishop necessary emergency medical aid. As a mark of support for the "suffering Church of Yugoslavia," Pope Pius XII named the

⁴ Archdiocesan Archives of Ljubljana, Supplement to official papers of the Diocese of Ljubljana for 1945.

⁵ Decree of the Council for Education and Culture (Svet za prosveto in kulturo) number I. 1147/1, signed by the secretary of the Committee on Scholarship and Higher Education (Odbor za znanost in visoke šole), Mirko Tušek. Significantly, it was to take effect on 31 July 1952.

Archbishop of Zagreb, Alojzij Stepinac, a cardinal. The Yugoslav Government considered this an act of interference by the Vatican in Yugoslav internal affairs—Stepinac had been sentenced to home arrest in his birth place, Krašiči, as a war criminal after a political trial—and initiated the severance of diplomatic relations with the Holy See.

The founding of the Ciril and Methodius Society of Slovene priests in 1949 was another move intended by the Slovene political authorities to divide the bishops and priests. Thanks to the society's wise leadership (Stanko Cajnkar, Janez Oražem, Maks Miklavčič, and others) that aim was not fully realized. The state accorded a number of privileges to society members: retirement and life insurance, permission to teach religion, to print catechisms, and take up collections. The Slovene bishops likewise displayed wisdom in this regard, not publishing in 1950 the Vatican's law against organizing societies of priests. (The famous "non expedit" formally concerned the Slovene society, although it did not name it explicitly.) In so doing the bishops avoided further animosity between the church and political authorities in Slovenia. Many priests refused to join the society, thus becoming under various pretexts victims of widespread harassment and judicial persecution. The society was disbanded in 1990. Nonetheless, state security organs managed to place their agents close to the bishops in Ljubljana and Maribor. During remodeling work in the Ljubljana bishop's residence and rectory, as well as at his vacation home at Bohinj, extensive systems of listening devices were uncovered. Due to such pressures by the authorities, priests enjoyed general, great respect among believers: The church was the only institution that contested the communist state's absolute monopoly on power.

The legal position of the Catholic Church in Yugoslavia had started to change when the law on the status of religious communities was passed on 22 May 1953.⁶ According to this law the Catholic Church was recognized as a partner of the Yugoslav authorities for the first time since 1945. Until then, the Yugoslav government had been prepared to negotiate only with the clergy who had been favorably inclined towards the new regime. The new law thus afforded, at least theoretically, some

⁶ *Uradni list Federativne Ljudske Republike Jugoslavije*, 27 May 1953: 209–10.

legal protection to the Church against the arbitrariness of local authorities.

The state's new political line in regard to the church was prompted by a number of domestic and foreign factors. Not to be overlooked was the growing tension in Yugoslav domestic affairs. The rigid and static centralism of the federal government in Belgrade presented an ever increasing burden for local officials in the individual Yugoslav republics. They demanded more consideration of their republics' interests, as well as greater jurisdiction over their economies, cultures and educational systems. They demanded the separation of state from the leadership of the Communist Party. The first step in that direction was taken in 1952, when the party, monolithic until then, was transformed into the Union of Communists of Yugoslavia. In Slovenia it was evident to party leaders that persecution of clerics had not produced the desired results. Church attendance was still high; believers supported the priests both morally and financially. For this reason the authorities opted for another tactic. In 1953 many priests were released from prison and the Theological Faculty began to receive support from the state. Its students were granted permission to study abroad. Already in 1952 the apostolic administrator in Gorica, Mihael Toroš, was allowed to found a home for seminarians in Vipava, where future students of theology were prepared. Until 1957 seminarians attended the state gymnasium in Ajdovščina, then a diocesan secondary school was opened in Vipava. Also in 1952 Toroš was permitted to publish the biweekly *Družina*—first only for Primorsko but then for all of Slovenia—and in 1965 the monthly for youth *Ognjišče*. In 1958 Maribor Bishop Maksimilijan Držečnik (1949–78) obtained permission to publish a new translation of the Bible. It appeared in four volumes between 1958 and 1961. Držečnik was the first Slovene bishop to visit the Pope in Rome after WW II. This so-called *ad limina apostolorum* visit is performed regularly at five-year intervals by Catholic bishops of the provinces to inform the Pope about conditions in their dioceses. Two years later, the administrator of the Diocese of Ljubljana, Bishop Vovk, was allowed to perform the same "ad limina" visit. His visit was to become an outright

sensation for the Roman and international public, because of the violence that the communist authorities did to him.⁷

In the field of foreign policy, Yugoslavia was forced into greater flexibility by its diplomatic isolation following the 1948 Cominform meeting, and events in Hungary and Poland in 1956. The new policy of non-alignment opened Yugoslavia up to the outside world as well. Simultaneously, these circumstances presented an opportunity for the Catholic Church in Slovenia to restore relations that had been severed with foreign countries, in particular with the ecclesiastical authorities in Rome.

With the new 1961 legislation on the legal status of religious groups persecution of priests, it appeared, abated somewhat, but pressure on lay believers increased. Candidates for advanced state service positions and, especially, in teaching and cultural work had to possess "moral political qualities"—that is, convinced, practicing Catholics were not suited for such jobs. At the same time the Commission for Relations with Religious Groups encouraged new religious organizations in order to lessen the prominence of the Catholic Church in Slovene society. In 1960 "coordinating committees" were formed with the Socialist Union to "resolve" conflicts between religious groups and local communities. Religious representatives, including Catholic priests, sympathetic to the regime were involved in the committees.

Further normalization of the relations between the Catholic Church in Slovenia and the party was influenced primarily by two events. In 1960, the first negotiations between Yugoslavia and the Holy See took place. They resulted in the signing of an official protocol on 25 June 1966, according to which the Holy See was obliged to control the clergy of Yugoslavia in such a way as to limit their activities to non-

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For months the bishop had been inhumanely interrogated by night. Moreover, the attempt on his life became public knowledge: on 20 January 1952 an assassin had drenched him in gasoline and set him on fire at the railway station in Novo Mesto. The incident evoked dismay in foreign countries, causing a number of inconveniences for Yugoslavia in international affairs. No wonder that the Slovene party authorities were severely criticized by the Yugoslav president, Josip Broz Tito.

political, religious, and church functions. The Yugoslav government, in return, recognized the church as an integral part of Yugoslav society.⁸

The Second Ecumenical Council of the Vatican (1962–65) was another important event that opened up the church to contemporary society. The Yugoslav government looked favorably on the papacy of John XXIII. His social encyclicals had even been published in the state press. It was probably on account of this that the Slovene bishops were allowed to attend all the council meetings.

All these positive changes in church-state relations produced changes in the outward structure of the Slovene church. In 1964 the Holy See adjusted the borders of the Diocese of Ljubljana and the Diocese of Maribor to parallel the state borders. In the same year, a special apostolic administration was established for parts of the dioceses of Trieste, Gorizia and Rijeka, with its own bishop, who was freed from the ecclesiastic jurisdiction of the bishops abroad. This was the first step towards the ecclesiastical-administrative independence of the Catholic Church in Slovenia.⁹

⁸ The fact that the Yugoslav government never published this protocol in the official paper of the federal republic indicates its uncertainty over the settlement of relations with the Catholic Church and its unpreparedness to realize accepted international obligations at home. The summary of the protocol can only be gleaned from reports to the Commission for Relations with Religious Groups after restoration of diplomatic relations between Yugoslavia and the Holy See. The government published only a report of restoration of relations do so was taken by the Federal Executive Council on 28 September 1966 and reported in the official paper of the federal republic on 12 October (785). See Arhiv Republike Slovenije, Komisija za odnose z verskimi skupnotmi, files 1 and 2; Vjekoslav Cvrlije, *Vatikan u suvremenom svijetu* (Zagreb: školska knjiga, 1980) 316–321; Jožica Grgič, *Odnosi med Vatikanom in Jugoslavijo po letu 1960* (Ljubljana: Delavska enotnost, 1983) 59–69, 109–112.

⁹ After the peace treaty between Italy and Yugoslavia in 1947, the Holy See established three apostolic administrations for parts of the Rijeka, Trieste, and Gorizia dioceses in Slovenia. In 1964 they were united in one, collective apostolic administration. The new apostolic administrator, Bishop Janez Jenko, established himself in Koper, and in so doing showed the possibility of restoring the Koper diocese in Slovenia.

Preceding that, the post-WW II state boundaries had fundamentally altered Slovene ecclesiastical jurisdictions. Twenty-five parishes, which had been administered by the bishop of Szombathely were returned to the Maribor diocese. In addition, three Graz parishes and thirteen in the Klagenfurt area that new state borders put in Yugoslavia were appended to it.

The situation in Primorsko after WW II was more complicated. Thirteen Rijeka parishes came under the Republic of Slovenia when the new borders were drawn, as well as thirty-eight Trieste and 139 Gorizian parishes. (The Italians had founded the Rijeka bishopric in the ethnically mixed littoral region in 1925.) Rijeka was annexed to the Republic of Croatia. Although Trieste's legal status was not internationally fixed in 1945, from the time the free zone of Trieste was formed the Italians possessed the bishopric. The same was true of Gorizia, and the archbishopric remained in Italy. Of course, the new government of the People's Republic of Slovenia did not permit contacts between Slovene priests and their superiors in Trieste and Gorizia. Only after the peace treaty of 1947 could the Holy See begin to regularize the status of those portions of the Gorizia and Trieste dioceses that were in Slovenia. It founded three independent apostolic administrations for those areas. The first administrator of the archbishopric of Gorizia in Slovenia was Franc Močnik (appointed 15 September 1947), who was beaten by hired "provocateurs" and thrown over a fence on the Italian border. His successor was Mihael Toroš (1948–63). Out of fear of the Slovene authorities he first settled in Poreč and only in November 1949 moved to Kapela near Nova Gorica. Following his death Andrej Simčič was named administrator (1963–64). Močnik had been simultaneously named administrator of the Slovene part of the Trieste-Koper diocese. Dragutin Nežić took his place on 15 November 1947 in Pazin because he, too, did not dare reside within Slovenia. Auxiliary Bishop Vovk assumed the administration from him in 1951, followed in 1955 by Toroš and in 1961 by Albin Kjuder. The Slovene part of the Rijeka diocese was administered by Karel Jamnik from 1947 to 1949; by the bishop of Krk, Josip Srbernič until 1951; followed by Vovk and Kjuder in 1961. In 1964 the Holy See entrusted all three administrations to the general vicar in Belgrade, Janez Jenko, who was at the same time received the title Bishop of Acufido, and settled in Koper. On 21 February 1964 the Holy See combined all three administrations into the Apostolic Administration of the Slovene

Littoral (Slovensko Primorje), effective 1 January 1965. The old Koper diocese was separated from the Diocese of Trieste in 1977, and at the same time to it was appended a large part of the littoral administration.¹⁰ From this point the borders of all three Slovene dioceses correspond to Slovene state borders, with the exception of the Razkrižje parish, which remained under the archbishop of Zagreb.

The Ljubljana diocese, which during the war had been divided between the bishops of Klagenfurt (German-occupied territory in Gorenjsko) and Ljubljana (the Italian-occupied so-called Ljubljana province [pokrajina]), was reunited. The Ljubljana diocese received the Davča parish from the Gorizia archbishopric and two Jezersko parishes from Klagenfurt. In 1961 Ljubljana was elevated to an archbishopric and the Diocese of Maribor was joined to it.¹¹ The process of reorganization of the Catholic Church in Slovenia was continued by Pope Paul VI with the establishment of the Slovene Ecclesiastical Province on 22 November 1968. It became the seat of the newly instituted metropolitanate of the Slovene ecclesiastical province for the second time (the first time had been in 1788).¹² Thus the process of juridical-administrative regulation of the Catholic Church in Slovenia was completed after having remained unresolved since the disintegration of the Habsburg monarchy in 1918.

Relations between Yugoslavia and the Holy See were further advanced by the re-establishment of diplomatic relations on the ambassadorial level, on 14 August 1970.¹³ The Republic authorities established special coordinating committees with the Socialist Union for the handling of the local church problems, with clergy among their members. Measures against the church abated after the visit of Marshal Tito to the Vatican in 1971. They were also superseded by new legislation on the legal status of religious communities, which this time

¹⁰ France M. Dolinar, "Slovenska cerkvena pokrajina," *Acta Ecclesiastica Sloveniae* 11 (1989): 216–19.

¹¹ France M. Dolinar 1989: 213–15.

¹² France M. Dolinar 1989: 213–15.

¹³ In 1970 the Vatican paper *Osservatore Romano* reported on the elevation of the Yugoslav legation to an embassy. Neither was this step reported in Yugoslavia's official federal newspaper. See Cvrnje 331–34 and Grgič 77–82, 113–14.

was passed separately by the republics; Slovenia did so first on 26 May 1976.¹⁴

The gradual process of normalization of relations was not, however, approved of by the orthodox communists with a Soviet orientation. In 1970, a letter written by the elderly President Tito initiated a new ideologization of relations between church and state. Liberal politicians were removed from the government. (In 1972 the government of Stane Kavčič had to resign in Slovenia.) Once again, "moral-political qualities" were required when applying for a job in order to deny devout citizens, who were considered "morally objectionable" by the party authorities, access to positions of responsibility, particularly in schools and in state administrations, but also in state enterprises. The requirement that the school could not be neutral, and that a devout teacher had no place in it, originated there. It was in this spirit that the third Yugoslav constitution was promulgated on 21 February 1974¹⁵ and that Slovenia adopted the 26 May 1976 law on the legal status of religious bodies, the first Yugoslav republic to do so. The Slovene law was unique in that it denied the Catholic Church even charitable activities. In contrast to a similar law on the legal position of the religious communities in Croatia, the Slovene law prohibited all forms of charitable activities (fourth article). The law reaffirmed the equality of all religious groups and forbade limitations on religious rights. The activities of religious communities were under the supervision of the Commission of the Socialist Union for Religious Affairs (sixth article), a kind of intermediary between the members of the religious communities and the party authorities of the country. The stricture against spiritual pastoring in hospitals, the military, and prisons remained in force. Anti-church propaganda continued in schools, the police, and military. However, the new law permitted private schools for the formation of priests and theological instruction in parish buildings other than the church. (Services were still allowed only in churches.) This law regulated Slovene state organs' church-state policies until the break-up of Yugoslavia in 1990, and its basic principles remain current.

¹⁴ *Uradni list Socialistične Republike Jugoslavije*, 6 June 1976: 794–96.

¹⁵ *Uradni list Socialistične Republike Jugoslavije*, 21 February 1974: 209–63.

Popular religious life in this period experienced a blossoming. In 1972 an addition to the Theological Faculty was finished. Even before that, in 1968, the faculty established a department in Maribor. In 1965 the faculty once again began publishing its periodical, *Bogolslovni vestnik* (1921–45). Faculty professors gave courses to laymen starting in 1967 in theology and in 1969 in pastoring, which soon became a regular form of lay education and turned into intensive criticism of Marxist-communist ideology of denying believers their rights in public life. Individuals who later took an active part in the democratic changes in Slovenia were in these courses. The increasingly greater awareness of a partly conservative Slovene Catholic Church led inexorably to sharp conflicts not only with the regime, which was becoming destabilized, but with an increasingly modern and liberal Slovene society. Internally, official church representatives wished to initiate an intensive reform in the spirit of Vatican II. In this period the number of vocations to the priesthood and religious life greatly grew. The religious press also expanded. *Družina* became a weekly, its circulation increasing to 130,000; and that of *Ognjišče* to 105,000. A popular spiritual movement spread across Slovenia. Youth and student groups also became more involved in church life. With the help of foreign bishops' organizations (e.g., Ostpriesterhilfe, Kirche im Not, Caritas, and others) Slovene theologians could continue their education at universities abroad. Many churches were renovated and built. The Catholic Church reconsidered its role in society at the synods in Ljubljana (1988–91), Maribor (1989–90), and Koper (1990–92).

Since 1918 the Slovene bishops had been members of the Yugoslav Conference of Bishops, whose chairman was always from Zagreb and vice-chairman as a rule the Ljubljana (arch)bishop. Language differences and differing church, faith, and legal heritage motivated the Slovene bishops to found their own liturgical commission within the conference in 1964. In 1983, at the urging of Archbishop Alojzij Šuštar, they formed the Slovene Province Conference of Bishops, which operated under the aegis of the Yugoslav conference until the break-up of Yugoslavia. The Slovene conference formally separated from the Yugoslav on 28 April 1992. The Holy See recognized its independent juridical status on 19 February 1993.

POVZETEK**KATOLIŠKA CERKEV V SLOVENIJI PO DRUGI SVETOVNI VOJNI**

V pričujočem sestavku opozori avtor najprej na problematiko katoliške Cerkve v Sloveniji neposredno po drugi svetovni vojni. Cerkev je bila na eni strani soočena z velikim pomanjkanjem duhovnikov (skupaj z ljubljanskim škofom Gegorjem Rožmanom je domovino zapustilo 275 duhovnikov), na drugi strani pa ji je nova komunistična oblast očitala medvojno kolaboracijo z okupatorji in jo tudi zato želela izriniti iz javnega življenja. Svoj sestavek je avtor razdelil v tri dele in sicer: razvoj dogodkov do leta 1953 (obdobje političnega preganjanja duhovnikov in vernikov); Pot k sožitju (1953-1966, z zakonom o pravnem položaju verskih skupnosti je oblast želela pravno utemeljiti svoj odnos do katoliške Cerkve v Jugoslaviji. Pri tem je prihajalo do razlik v odnosu do Cerkve v posameznih jugoslovanskih republikah); Po protokolu 1966 (s podpisom protokola med Jugoslavijo in Svetim sedežem je Jugoslavija tudi na mednarodni ravni urejala svoj odnos do katoliške Cerkve v vsaki republiki nekoliko drugače).