

THE SITUATION OF THE CATHOLIC DENOMINATION IN THE ROMAN CATHOLIC ARCHDIOCESE OF BUCHAREST (1948-1964)

Abstract: This study describes the situation of the Roman Catholic Archdiocese of Bucharest between 1948 and 1964. During this period, which can be described as one of extreme persecution for the Catholic Church in Romania, the Catholic clergy had to suffer as a result of their disobedience to the communist regime. Throughout this while, the members of this clerical elite were convicted and sentenced to many years in prison, after the state authorities rejected the Draft Statute for the Latin Rite the Catholic Church and suspended Bishop Alexandru Theodor Cisar. To compensate for the shortcomings of such an approach, the Communist government attempted to overlay an institution with an ephemeral vocation on the institutions of the Church. The “Catholic Action Committee” failed dismally and the “democratic priests” who attempted to create this parallel church were excommunicated. In this climate, the Holy See appointed and consecrated bishops without the recognition of the Romanian state, and continued to exist even after some of its institutions were suppressed. All these issues will be examined in the present study in detail, and the conditions under which the Church of Rome stayed in existence will be explained accordingly.

Keywords: Archdiocese, Archbishop, Cisar, Canon, jurisdiction

This study describes the situation of the Roman Catholic Archdiocese of Bucharest between 1948 and 1964. During this period, which can be described as one of extreme persecution for the Catholic Church in Romania, the Catholic clergy had to suffer as a result of their disobedience to the communist regime. Throughout this while, the members of this clerical elite were convicted and sentenced to many years in prison, after the state authorities rejected the Draft Statute for the Latin Rite the Catholic Church and suspended Bishop Alexandru Theodor Cisar. To compensate for the shortcomings of such an approach, the Communist government attempted to overlay an institution with an ephemeral vocation on the institutions of the Church. The “Catholic Action Committee” failed dismally and the “democratic priests” who attempted to create this parallel church were excommunicated. In this climate, the Holy See appointed and consecrated bishops without the recognition of the Romanian state, and continued to exist even after some of its institutions were suppressed. All these issues will be examined in the present study in detail, and the conditions under which the Church of Rome stayed in existence will be explained accordingly.

General historical background

Contemporary researchers have written about the Roman Catholic denomination during the “Iron Curtain” period using empirical methods and without being familiar with the

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ecclesiastical language. In general, the situation is significantly different from that presented by secular historians, who do not present the historical context and who do not highlight the temporary nature of the appointments of the Roman Catholic clergy, an option dictated by the impulse of force. These confusions, especially those of a canonical nature, have led to an unwarrantable interpretation of the documents underlying the writing of ecclesiastical history, with reference to the Church of Rome. By taking into consideration only the documents issued by the totalitarian Communist state and ignoring the acts enacted by the Holy See, ecclesiastical history is obscured by the opinions of characters that belonged to the regime, with a questionable education, who describe the Catholic Church in surreal terms. In mentioning the communist era, the “Final Report of the Presidential Commission for the Analysis of the Communist Dictatorship in Romania,” submitted in 2006, devotes only one page to the Roman Catholic Church in Romania, and only a few lines to the situation of the Catholic Church in the Old Kingdom, attesting to the “collaborationist” character of the two clerics, Stanislav Traian Jovanelli² and Francisc Augustin,³ who did not even have canonical jurisdiction for the Archdiocese of Bucharest.⁴ Moreover, these two Catholic priests, who occupied a peripheral position in the Catholic hierarchy, were constantly invited to collaborate with the Communist regime and were imprisoned for various reasons. The former, on charges that he had allegedly mismanaged the vineyards from Topoloveni, belonging to the Roman Catholic Archdiocese of Bucharest, “and that he has behaved like a true bourgeois exploiter,”⁵ in April, and the latter, on the grounds that he had supported a, “imperialist power,” the Vatican, carrying out an activity of “espionage” in favour thereof, in opposition with the interests of the “popular democratic” state. At the time when the two were arrested, on the territory of the Roman Catholic Archdiocese of Bucharest there was a strong opposition manifested by the Roman Catholic priests. The many attempts to intimidate the latter were doomed to failure. In an attempt to assess the situation of the Catholic denomination, a top secret document of the Central Committee of P.M.R., dated 7 April 1949, stated the following: “Unlike the Orthodox denomination, where bishoprics are rather administrative institutions, Catholic dioceses are true centres of spiritual resistance, especially given the large number of canons, honorary deans and Monsignors revolving around them. And

² Dănuț Doboș, “Din istoria Arhiepiscopiei Romano-Catolice București,” in *Pro Memoria*, no. 10-11/2011-2012, p. 290. Citing documents from the archives of the archdiocese, the researcher Dănuț Doboș mentions the following: “On 21 December 1949, can. Stanislav Traian Jovanelli was arrested by the Communist authorities and remanded to the Court of Muscel County, which, on 9 January 1950, sentenced him to one year and two months in prison, for violating Articles 3 and 6 of the Decision of the Ministry of Agriculture no. 547/1949 and of Ordinance no. 90/1949 issued by the Muscel County Committee, in conjunction with Article 2, letter a) of Decree no. 183/1949.”

³ As regards Francisc Augustin, he had a conviction in File No. 4563/953 - 4632/53 issued by the Bucharest Military Tribunal for “complicity in the crime of high treason p.p. under 191, comb. with Art. 190 C.P., comb. with Art. 6 of Decree 199 in that he facilitated at the same time the espionage activity of the above through their activity.”

⁴ ****Raportul Final al Comisiei Prezidențiale pentru Analiza Dictaturii Comuniste din România* [Final Report of the Presidential Commission for the Analysis of the Communist Dictatorship in Romania], Bucharest, 2006, p. 465.

⁵ Dănuț Doboș, *op. cit.*, p. 290.

the believers are involved in a series of religious associations, called congregations, such as the “Third Franciscan Order,” the “Congregation of Mary,” the “Altar,” the “Rosary” and so on; through these, they are instilled with religious fanaticism and are imposed the anti-democratic line of this church.”⁶

Alongside these descriptions, deliberate exaggerations were also used in order to distort the image of the Catholic Church in the Old Kingdom. For instance, the same aforementioned document mentioned the following: “the tactical line adopted by the Catholics in R.P.R. is that of apparent obedience in public,” but manifesting “a fierce resistance against the authorities’ actions, of challenges with a view to a new war (...) thus, Archbishop Alexandru Cisar receives his visitors with two fingers raised, meaning ‘another 2 months until the use of the atomic bomb’.”⁷ Throughout this while, “in Wallachia, emphasis is laid on the Bulgarians from Popești-Leordeni and Cioplea, as evidence that this belief is spreading among the Slavs too.”⁸ These were actually two communities of Catholic Pavlikeni Bulgarians, converted over 500 years before, in the surroundings of Nicopolis and moved from Bulgaria into the Romanian Countries, at around the time of the Russo-Turkish War (1806-1812), by the Italian Catholic missionaries, who had canonically administered the area north of the Danube too.⁹

Several levels can be distinguished in the analysis of the age under study, the first of which is represented by the concerns of the policy makers in Bucharest as regards the Catholic Church, while the second targets the opposition of the church, which wanted the Code of Canon Law enacted in 1917 to be respected, as the only legal instrument in force, at that time, aside from the Concordat, which regulated both the juridical relations within the Roman Catholic Church and its organisation. On 19 July 1948, without taking into account its rigors, the state unilaterally denounced the Concordat of 1929, between the Romanian state and the Church of Rome.¹⁰ On 3 October 1948, the Department of Religious Affairs demanded the senior Catholic hierarchy in Romania to submit a draft statute of organisation and operation “placed in accordance with the laws of the country.”¹¹ The only residential Catholic bishops who were still in office at that time, Márton Áron and Anton Durcovici, submitted a draft statute on 3 November 1948, which was rejected by the representatives of the Department of Religious Affairs on the grounds that it “does not respect the laws of the country or the principles of the popular Constitution.”¹²

We must emphasise that, at that time, Márton Áron and Anton Durcovici were the only titular bishops Latin bishops who held a position in the Catholic hierarchy at

⁶ The National Archives of Romania, the Central Historical Archives Service [hereinafter, ANRSANIC] fund: CC of PCR, the Administrative-Political Department, file 33/1949, f. 3-4.

⁷ *Ibidem*, f. 6.

⁸ *Idem*.

⁹ For an overview of the Pavlikeni population in Bulgaria and Wallachia, see, for example: Eusebius Fermendžiu, *Acta Bulgariae Ecclesiastica ab anno 1565 usque ad. a. 1799*, Academia Scientiarum ed Artium Slavorum Meridionalium, Zagrabie, 1887, Volumen Decimus Octavum, III.

¹⁰ Cornel Damian, “Concordatul între Sfântul Scaun și România. Aspecte istorico-juridice,” in *Pro Memoria*, no. 1/2002, p. 89.

¹¹ ANRSAIC, fund: Ministry of Religious Affairs. Studies Department, file 31/1956, f. 91.

¹² *Idem*.

the time, after the forced retirement of Augustin Pacha¹³ and the withdrawal of Alex. Th. Cisar,¹⁴ both measures being dictated by the Great National Assembly. The attitude of the Catholic episcopate, which did not accept allegiance to the regime, was natural, given that the Communist authorities had unilaterally denounced the Concordat with the Holy See, had dismantled the denominational schools and the religious orders, had expelled the diplomatic corps members of the Nunciature in Bucharest and had reduced to two the number of Catholic dioceses in Romania.¹⁵ After the arrest of Bishops Márton Áron and Anton Durcovici, their vicars general submitted a new draft statute on 6 September 1949, which did not differ from that drawn up by the Latin Rite Catholic bishops.¹⁶ Meanwhile, a part of the priests had been forced to join the “Catholic Action Committee” and the “democratic priests” had organised the conferences from Tg. Mureș (27 April 1950), Bucharest (24 May 1950) and Gheorghieni-Ciuc (5 September 1950), with the avowed aim of taking a stand against the senior Catholic hierarchy that had “disregarded the will of the clergy and the faithful.”¹⁷ On this occasion, they recorded a dismal failure, as these meetings did not reach the purpose for which they had been intended. To compensate for the shortcomings of these actions, the so-called “Calls to Peace” were launched, in order to eschew the Catholic priests unaffiliated to the “Catholic Action Committee.”

Thus, many priests were forced to sign these peace calls. Masking this initiative, what was attempted through the government representatives in the territory was the juxtaposition of an institution with an ephemeral vocation to a manifestation of faith, already present in the collective memory of the priests who had been through the two world wars.¹⁸ These manifestations did not bring anything new in the ecclesiastical landscape. The same clerical institution had consistently expressed its concern about the existence of armed conflicts, during the two world wars, and invited the priests and the laity to self-introspection. The papal encyclicals on this issue are suggestive; issued throughout the interwar period, they were replete with statements and calls about and for peace. Like the “Catholic Action Committee,” chaired by priests who had been excommunicated by the Holy See, the peace meetings found an echo only briefly

¹³ Claudiu Călin, “Dr. H.C. Augustin Pacha (1870-1954). Succint excurs biografic al primului episcop de Timișoara,” in *Banatica*, no. 19 (2009), Reșița, p. 252.

¹⁴ Dănuț Doboș, “Preoți catolici în captivitatea comunistă. Arhiepiscopul Alexandru Theodor Cisar,” in *Pro Memoria*, no. 8/2009, p. 173.

¹⁵ Decree no. 177/1948 *for the general regime of religious denominations* (published in the Official Gazette no. 204 of 3 September 1948), mentioned the following provisions in Art. 22: “The religious denominations with diocesan organisations can have a number of dioceses proportional with the total number of believers. For the establishment and operation of eparchies (dioceses, superintendents), 750,000 faithful will be counted on average in every eparchy. The delineation of the eparchies and the distribution of believers into eparchies will be made by the statutory bodies of the respective denomination and will be confirmed by a decree of the Presidium of the Great National Assembly at the proposal of the Minister of Religious Affairs.”

¹⁶ ANRSAIC, fund: Ministry of Religious Affairs. Studies Department, file 31/1956, f. 91.

¹⁷ *Idem*.

¹⁸ See, for instance, the Encyclicals of Pope Pius XI: “*Acerba Animi*” (1932), “*Ad Salutem Humani*” (1930), “*Caritate Christi Compulsi*” (1932), “*Dilectissima Nobis*” (1933) etc. Through these encyclicals, the Sovereign Pontiff expressed his concern about the situation in the aftermath of the war, calling the Catholic priests and the believers of various denominations to self-communion for peace.

among the Catholic clergy. As Ovidiu Bozgan was to write, “Catholicism was one of the most formidable opponents of the Communist regimes in Eastern Europe and, logically, it was the victim of relentless repressive policies.”¹⁹

The particular situation of the Roman Catholic Archdiocese of Bucharest (19 July 1948-7 January)

The anti-Catholic policy began, as mentioned above, on 19 July 1948, through the unilateral cancellation of the Concordat between the Holy See and Romania (1929) by the Petru Groza Government. Immediately after the termination of the concordat convention with the Vatican, the subservient press triggered a furious campaign against the Catholic Church, coordinated by Ana Pauker, Gh. Gheorghiu-Dej and I. Chişinevski, the latter being appointed by Moscow to deal with the fate of religious denominations.²⁰ Shortly thereafter, on 3 August 1948, under Decree 176, and on 4 August 1948, under Decree 177, the denominational education system was disbanded and the statute governing the denominations in R.P.R. was reorganised.²¹ As a result of these measures, school education became the responsibility of the state; the religious orders were suppressed or tailored down their activity, while others left the country. The number of Catholic dioceses in Romania was also reduced, and Archbishop-Metropolitan Alexandru Theodor Cisar was “placed in retreat” on 18 September 1948, under Decree no. 1596 issued by the Presidium of the “Great National Assembly.”²² Without the possibility of exercising canonical jurisdiction, the Bishop of Bucharest handed his resignation to the apostolic Regent Gerald Patrick O’Hara, who, on 17 January 1948, notified Anton Durcovici, Bishop of Iaşi, that Pope Pius XII had accepted the resignation of Bishop Al. Th. Cisar and had appointed Anton Durcovici apostolic administrator of the Archdiocese of Bucharest.²³

The Archdiocese of Bucharest and the Diocese of Iaşi had been merged and were operating under the titlature of the Archdiocese of Bucharest-Iaşi, under the same Decree 177/1948. Thus, the canonical problems in the two existing dioceses (of Bucharest and of Alba Iulia) had to be subjected to the consultations of the two prelates, who still exercised their canonical jurisdiction.²⁴ By the express will of the Pope Pius XII, all the decisions that concerned the Latin Rite Catholics in Romania had to be taken after consulting Bishops Márton Áron and Anton Durcovici.²⁵ Having exercised their

¹⁹ Ovidiu Bozgan, *Cronica unui eşec previzibil. România şi Sfântul Scaun în epoca pontificatului lui Paul al VI-lea (1963-1978)*, Bucharest: Ed. Cartea Veche, 2004, p. 36.

²⁰ Dănuţ Dobos, “Aspecte ale represiunii comuniste împotriva Bisericii Romano-Catolice (1945-1964),” in *Pro Memoria*, no. 4/2005, p. 199.

²¹ *Ibidem*, p. 38.

²² ****Martiri pentru Hristos, din România, în perioada regimului comunist*, Bucharest: Editura Institutului Biblic şi de Misiune al Bisericii Ortodoxe Române, 2007, p. 141.

²³ *Idem*.

²⁴ It should be noted that in jurisdictional terms, the Catholic dioceses had been disbanded only before the civil authorities of the Romanian state, as the Holy See did not recognise this suppression and appointed Substitute Ordinaries for the Catholic Dioceses of Oradea, Timişoara and Satu Mare, with canonical jurisdiction over these diocese, which, in practice, continued to function.

²⁵ ****Martiri pentru Hristos, din România, în perioada regimului comunist*, Bucharest, 2007, p. 142.

powers under the Code of Roman Canon Law and having manifested themselves openly against the Communist regime, in June 1949 both Catholic bishops were arrested by the Securitate. On 29 June the same year, Apostolic Nuncio Alexandru O'Hara informed Alexandru Theodor Cisar that after the imprisonment of Bishop Anton Durcovici, the episcopal see of Bucharest had become vacant, and the Holy See had appointed Alexandru Theodor Cisar as apostolic administrator *ad nutum sedis* of the Archdiocese of Bucharest, without the authorities' consent.²⁶ Less than a year later, in May 1950, under a directive issued by the Communist government, supported by Stanciu Stoian, Minister of Religious Affairs, Alexandru Theodor Cisar had his domicile fixed in the Franciscan monastery from Orăștie. The Catholic bishop protested against the action of the Great National Assembly to have him removed from office, arguing that in the Latin Rite of the Catholic Church, there was no such practice of removing a priest from his position before he reached the canonical age, except with the approval of the Holy See. Under these circumstances, unprecedented for the Latin Church, given that the representatives of the Department of Religious Affairs had informed the Catholic bishop of the existence of an "expulsion order," the latter convened the Apostolic Regent, Gerald Patrick O'Hara, to the office of the Archdiocese to submit his mandate, the office he had received and the canonical jurisdiction, together with all the related responsibilities.²⁷ In light of this situation, the Apostolic Regent was forced to seek a replacement. Making use of the special faculties acquired from Pope Pius XII, and in accordance with the provisions of the Code of Roman Canon Law and the particular law of the Catholic Church, His Holy Eminence O'Hara convened the vicar of St. Joseph's Cathedral in Bucharest, Iosif Schubert, to the Apostolic Nunciature in Bucharest. On 30 June 1950, the latter was consecrated in clandestinity, in the chapel of St. Joseph's Cathedral, as auxiliary Bishop of Bucharest, with the canonical title of Ceramussa. According to the decree issued by the Bishop of Rome on 29 June 1948, entitled "De Nominatione Substitutozum,"²⁸ which provide that for the prevented episcopal sees (without the possibility of having a titular bishop appointed²⁹), successors should be appointed to the helm of the Catholic dioceses. In this climate, on 12 February 1951, Bishop Iosif Schubert appointed the Catholic parish priest of Predeal, Heronimus Menges, as his first successor at the head of the diocese, should he be deprived of freedom.³⁰ On 16 February 1951, a second priest was appointed as successor of Bishop Schubert at the helm of the Archdiocese, namely Fr. Mathias Pojar, who served as vicar at Saint Joseph's Cathedral.³¹ The following priests were also appointed at the head of

²⁶ Dănuț Doboș, *op. cit.*, p. 202.

²⁷ *Idem.*

²⁸ The decree "De nominatione substitutorum," of 29 June 1948, in Latin, was published in Mircea Birtz and Manfred Kierein, *Fărăme din prescura prigoanei (1948-1990)*, Cluj: Ed. Napoca Star, 2008, pp. 282-291.

²⁹ According to this decree, those assigned to lead a diocese, in clandestinity, are referred to as *Ordinarius Substitutus*.

³⁰ Dănuț Doboș, "Din istoria Arhidiecezei Romano-Catolice București," in *Pro Memoria*, no. 10-11/2011-2012, p. 286.

³¹ Dănuț Doboș, *op. cit.*, p. 286; Mircea Birtz and Manfred Kierein, *op. cit.*, p. 23. The work of the authors Mircea Birtz and Manfred Kierein mentions yet another list of jurisdictional succession than the one

the diocese: Iosif Gunciu, Haider Xaveriu and Francisc Augustin, as successors if the canonically appointed predecessors were to be arrested.³² On 17 February 1951, the clandestine Bishop Iosif Schubert was incarcerated. In this context, the management of the diocese was incumbent upon Heronimus Menges, as *Ordinarius Substitutus*.³³ On 22 February 1951, Stanislau Traian Jovanelli was released after a detention of nearly two years, but without knowing about the situation existing at that time. It appears that the Communist authorities had forced matters as regards canonical jurisdiction when, on 4 April 1951, bringing together all the canons in Ploiești, they made available all the means of electing Jovanelli as vicar capitular. The latter was excommunicated by the Holy See, when, in a press release on the radio, the official mouthpiece of the Church from the Vatican announced that this appointment was not “appropriate” and that it violated the provisions of the decree “De Nominatione Substituorum.”³⁴ Moreover, the Holy See had been notified of Bishop Schubert’s decision to appoint Heronimus Menges as his successor, if he were to be imprisoned. Under these conditions, the provisions of the decree issued by the Holy See could not be enforced, as there was canonical succession to the leadership of the Roman Catholic Archdiocese of Bucharest. It should be noted that the appointment of Menges had been confirmed by the announcement made on the “Vatican Radio,” whereby the election in Ploiești choice had been dictated by the communists, so as to proceed with the investment of a vicar-capitular. It may be assumed that, on the election and consecration of Bishop Iosif Schubert as auxiliary Bishop of Bucharest, he sent Patrick O’Hara a list of his two successors, to be presented to the Holy See. Given the situation in Romania and the decree aforementioned, the probability that the Apostolic Nuncio had requested this list is very high, for one cannot explain otherwise the promptness with which the news of Jovanelli’s excommunication was announced, as one who had accepted an office and violated the provisions of canon law. During all this while, the Communist government had supported, in Bucharest, in a meeting of the Catholic Action Committee from 24 May 1950, the working group led by Andrei Agotha, involving: Kulcsar Mihail, Török Ladislau, Köpéczy Ioan, Mikés Ioan, Kadar Josub and Kastal Ioan.³⁵ A notification submitted to the Department of Religious Affairs by the so-called “democratic priests” expressed “the ardent desire of the servants of the Catholic Church in R.P.R. and its believers to see some problems solved, fully confident about the benevolence and the wisdom of the Country’s government.”³⁶ On this occasion, they also expressed the desire to overturn the decision to suspend the salary payments and the return of the nationalised assets. It should be noted that in a notification issued by the vicar general

presented by Dănuț Dobos. This included: Mons. E[d]mund Barciowski, Bishop Iosif Schubert, and Canon Árpád Horvát.

³² Ovidiu Bozgan, *op. cit.*, p. 376. The last of those designated for canonical succession had his appointment withdrawn, while he was in prison, by Mons. Schubert, as Fr. Iosif Gunciu confessed when he was released from prison.

³³ Eduard Ferent, “Apărarea identității noastre creștine, prilej de maturizare umană și spirituală,” in *Dialog teologic*, 25 (2010), p. 19.

³⁴ Dănuț Dobos, *op. cit.*, p. 291.

³⁵ ANRSAIC, fund: Ministry of Religious Affairs. Studies Department, file 17/1950, f. 5.

³⁶ *Idem*.

on 29 March 1949, Edmund Barciovski, Archbishop of Bucharest requested the clerical staff to waive the stipends owed by the state to the Catholic priests until the matter of the status of the Catholic Church in Romania was resolved.³⁷ Many Catholic priests relinquished the official salary. In response, the Department of Religious Affairs issued decision no. 12301 of 10 May 1949, communicating a long list of priests who would no longer be eligible for remuneration, as of 1 February 1949. This was inserted in the *Universul* newspaper of 29 May 1949 and included the two Roman Catholic bishops in Romania, with responsibilities in the exercise of canonical jurisdiction, Márton Áron and Anton Durcovici.³⁸ Moreover, this was not the only delayed reaction of the policy makers, who did not know the matter in detail, or canon law.

The matter of jurisdiction in the Roman Catholic Archdiocese of Bucharest, which arouses great interest today, too, has also been recounted in the relatively recent historical studies of Ovidiu Bozgan and William Totok, the latter taking over, without prior documentation, the information obtained by Ovidiu Bozgan from the former archive of the Department of Religious Affairs, faultily processed and without knowing the historical truth.³⁹ In fact, the entire departmental archive contains conflicting, poorly documented and inaccurate information. Moreover, when the latter took over the raw information, he did not even mention that Stanislau Traian Jovanelli had never held canonical jurisdiction, which pertained to Monsignor Hieronimus Menges.⁴⁰ The latter could not, given the position he held within the Church, perform his duties. Any other manifestation, in public, of canonical jurisdiction would have incurred retaliations. On 18 November 1952, the priests Hieronimus Menges, Iosif Gungiu, Xaveriu Haider, Vladimir Ghika and Francisc Augustin were apprehended by the Securitate, which had apparently learned about the list of priests who could hold canonical jurisdiction over the Roman Catholic Archdiocese of Bucharest.⁴¹ Thus, the holder of canonical jurisdiction could only be Julius Dwucet (from 18 November 1952 until 1 July 1953),

³⁷ *Ibidem*, f. 3. The document, in Latin, is included in the file submitted by the “democratic priests” to the Department of Religious Affairs and underlay the decision to suspend the priests’ salaries prior to relinquishing the amounts owed by the state. The appointment of Edmund Barciovski as vicar general was no longer valid when Anton Durcovici was arrested. Emanuel Cosmovici considers that the latter had stepped down so as to avoid being imprisoned. (Emanuel Cosmovici, *Mărturia Pr. Hieronymus Menges despre Monseniorul Vladimir Ghika la Uranus și la Jilava (1952-1954)*, see note 8, p. 8. The information is reproduced by Emanuel Cosmovici, on the site: <http://remusmirceabirtz.files.wordpress.com/2013/01/cosmovici-menges-ghika.pdf>, accessed on 23 September 2013).

³⁸ *Universul*, LXV, no. 124 of 29 May 1949, p. 3.

³⁹ In his book, *Episcopul, Hitler și Securitatea*, William Totok, citing the studies of Ovidiu Bozgan, *România versus Vatican. Persecuția Bisericii Catolice din România comunistă în lumina documentelor diplomatice franceze*, Bucharest: Sylvi, 2000, and *Cronica unui eșec previzibil. România și Sfântul Scaun în epoca pontificatului lui Paul al VI-lea (1963-1978)*, Bucharest: Ed. Curtea Veche, 2004, mentions the following: “in this context Bozgan also refers to Francisc [Franz] Augustin and Stanislau Traian Jovanelli, who led the Catholic Archdiocese of Bucharest after the clandestine Bishop Iosif Schubert was illegally imprisoned and then kept in house arrest in a rural village, managing to leave Romania permanently in the late 1960s. A prisoner between 1951 and 1955, Augustin took over, as vicar, in 1961, after the death of Jovanelli (excommunicated in 1952) - the leadership of the Archdiocese of Bucharest.”

⁴⁰ For more details, see, for instance: William Totok, *Episcopul, Hitler și Securitatea, Procesul stalinist împotriva “spionilor Vaticanului” din România*, Iași: Ed. Polirom, 2008, pp. 12-13.

⁴¹ Ovidiu Bozgan, *op. cit.*, p. 376.

the senior of the cathedral's canons, until the re-establishment of canonical succession. Ovidiu Bozgan mentions an "inquiry" of Canon Dwucet, from January 1953, when, according to the documents from the Department of Religious Affairs, he seems not to have reached any conclusion about canonical jurisdiction.⁴² On 1 August 1953, Archbishop-Metropolitan Alexandru Theodor Cisar returned from forced domicile, which had been set at Orăștie, to give the Sacrament of Confirmation in Saint Joseph's Cathedral, Bărăția in Bucharest, Cioplea and Popești Leordeni (the latter two being suburban communes), and administered Unction to 1,000 souls.⁴³ On this occasion, he consecrated the holy oils for all the canonical dioceses, consecrated 33 priests and celebrated a Pontifical Liturgy at the Episcopal Cathedral of Alba Iulia. It should be noted that at that time, Bishop Cisar was the only Catholic bishop in service throughout the country. Moreover, he was restored to the position of holder of canonical jurisdiction over the Archdiocese of Bucharest. Even though he had been kept under surveillance all this time and a file of informative surveillance had been drafted in his case, the ban against his leaving the Franciscan monastery from Orăștie was eventually lifted, and the decree of September 1948 was repealed, "Monsignor Alexandru Theodor Cisar having all his rights [and faculties, our note] to the Archdiocese of Bucharest-Iași recognised, with effect from 1 July 1953."⁴⁴

The canonical situation of the Metropolitan See of Bucharest (7 January 1954-4 August 1964)

After returning home from forced domicile, Archbishop-Metropolitan Alexandru Theodor Cisar led the destinies of the Catholic communities from the Roman Catholic Archdiocese of Bucharest until 7 January 1954, when he died under suspicious circumstances, unsolved to this day. At the time of his demise, which occurred at the bishop's residence in Bucharest, Gheorghe Gheorghiu-Dej admitted to the fact that Archbishop Cisar was murdered in January 1954. Thus, in a meeting of the Political Bureau of the C. C. of P.M.R., on 25 May 1954, attended by the political and the Securitate leaders of the time, Gh. Gheorghiu-Dej stated: "He died (Cisar, our note). The causes of death may be different. My opinion is that it was not by chance that he died suddenly, after the festival. We won't inquire now who killed him."⁴⁵

After Archbishop Cisar's disappearance in unclear circumstances, allegedly by poisoning,⁴⁶ the Metropolitan See became vacant, and the status quo (*sede vacante*) ceased only on 4 August 1964, when Bishop Schubert returned from detention.⁴⁷ Discussions continued after Cisar's passing away, and even nowadays, researchers of recent history have raised the question of jurisdiction in the case of the Catholic

⁴² *Idem.*

⁴³ Dănuț Doboș, *op. cit.*, p. 204.

⁴⁴ *Idem.*

⁴⁵ ****Martiri pentru Hristos, din România, în perioada regimului comunist*, Bucharest, 2007, p. 145.

⁴⁶ Mircea Birtz and Manfred Kierein, *op. cit.*, p. 24.

⁴⁷ For a possible succession of the substitute ordinaries, see, for example: Mircea Remus Birtz, *Cronologia ordinarilor diecezanilor greco-catolici (uniți) 1948-1989. Încercare de reconstituire*, Cluj: Ed. Napoca-Star, 2007, pp. 61-62.

denomination of Muntenia. Intensely debated, including by Ovidiu Bozgan, William Totok and other historians and researchers, this problem does not seem to have an answer. The lack of historical sources and the nationalisation of the archive pertaining to the Archdiocese of Bucharest, in 1974, which led to the disappearance of many ecclesiastical documents, cannot supplant the interpretations provided by the people of the Communist regime in its documents.⁴⁸ We must not forget that we do not have documents attesting the revalidation of Stanislau Jovanelli, that the documents invoked are pure suppositions, in the context in which he could only have been absolved by the Holy See, which did take such action, and not by a substitute ordinary, as suggested by the studies that are offered to the public. Also, the cathedral chapter, led by Julius Dwucet, consisted of priests whose age was too advanced to allow them to exert canonical jurisdiction. Moreover, Julius Dwucet died in February 1956, after long and hard suffering. Of the three remaining canons, Árpád Horvát and Gustav Müller did not have a decision of excommunication, while Stanislau Jovanelli was not absolved from excommunication.⁴⁹ But neither of the two priests who had not been excommunicated held a canonical appointment. From 15 to 17 July 1952, on the “Radio Vatican,” which broadcast shows in Latin on the situation of the Catholic Church in Romania, it was mentioned that the measures were maintained for the “vicar capitular” Traian Stanislau Jovanelli and the “parish priest of Saint Joseph’s Cathedral,” Andrei „Horn” Despina, the ones who had accepted offices that were not recognised by the Church hierarchs and that had been obtained with the help of the communist authorities, which did not recognise the particular provisions of the Catholic Church.⁵⁰ In the Archdiocese of Bucharest, the situation became very confused. On 8 July 1958, Cardinal Dominico Tardini, Secretary of State of the Holy See, requested Márton Áron to document the issue of jurisdiction for the Archdiocese of Bucharest. Unexpectedly, the Bishop of Alba Iulia got into contact with the representatives of the Church in Bucharest and concluded that there was no one in this archdiocese who held canonical jurisdiction.⁵¹ Ovidiu Bozgan is wrong to call Francisc Augustin, the one released from prison in 1955, a Substitute Ordinary. From the evidence obtained after 1964 from Fr. Iosif Gunciu, it may be ascertained that during his detention, Francisc Augustin had been deprived of canonical succession by Iosif Schubert himself, who had appointed him in a long line of canonical successors. Referring to the problem of Francisc Augustin, Márton Áron

⁴⁸ Based on a report of 7 February 1974, for compliance with the provisions of Decree 472/1971, Art. 23 and Art. 52 and circular no. 4994/1973 of the Religious Affairs Department, action was taken by the State Archives to abusively dispossess a significant part of the documents of historical and administrative import from the archives of the Roman Catholic Archdiocese of Bucharest. Some of these described the legal situation of the Archdiocese of Bucharest, including the appointment of Iosif Gunciu.

⁴⁹ Ovidiu Bozgan, *op. cit.*, p. 375.

⁵⁰ The Catholic clerics Traian Stanislau Jovanelli and Andrei “Horn” Despina had accepted positions in the Church without the permission of the superiors recognised by the Holy See, the former, without his knowledge, the position of vicar-capitular, while the latter, that of rector of St. Joseph’s Cathedral. Filling these positions amounted, at that time, to collaboration with the regime, which the Church disavowed. By special provisions of the Church we understand all the documents it prepared and submitted, given the state of emergency that the Catholic Church in Romania was facing, other than the Code of Canon Law applicable at that time.

⁵¹ Ovidiu Bozgan, *op. cit.*, p. 377.

himself suggested that he should address the Holy See for settling the existing situation.⁵² Although the Romanian government repeatedly made arrangements for the recognition of Francisc Augustin as Bishop of Bucharest, the Holy See never validated him. Not even through Bishop Schubert's release from prison did Francisc Augustin regain jurisdictional powers, and Monsignor Schubert oftentimes avoided meeting him. Perhaps the suspicion that he may have accepted to collaborate, since he was the first of the prisoners in his group to be released, has strengthened the conviction of Iosif Schubert, the auxiliary Bishop of Bucharest, that Francisc Augustin did not deserve to lead the Catholics in Muntenia spiritually. In fact, Fr. Iosif Gunciu became the holder of canonical jurisdiction for the Archdiocese of Bucharest⁵³ when, as Iosif Schubert left the country in 1969, the latter ceded to him the powers with which he had been invested by Pope Pius XII. Iosif Gunciu served as *Ordinarius Substitutus*⁵⁴ until he reached the canonical age of 75 years, under the new Code of Roman Canon Law from 1983, which entered into force on the first Sunday of the year 1983.⁵⁵ That very same month, Iosif Gunciu reached the canonical age, and the confirmation for the new administrator and the episcopal consecration of the new Bishop of Bucharest, Ioan Robu, came in December 1984.

Conclusions

The present study has addressed the critical situation of the Roman Catholic Archdiocese of Bucharest and the circumstances in which the Catholic denomination carried on its existence in Muntenia in the period between 1948 and 1964, with examples of a canonical nature and using carefully selected documents and studies in light of the Magisterium of the Church.⁵⁶ The documents issued by the authorities and

⁵² *Idem*.

⁵³ The author holds a copy of the dimissorial letter (in Latin, *litterae dimissoriae*, a letter of recommendation given by a bishop, attesting that the subject has all the necessary faculties required by canon law to perform a function, our note), whereby Bishop Iosif Schubert I appointed the priest Iosif Gunciu as substitute ordinary, and which states the following: "by virtue of my proxy received from the Most Blessed Father Pope Pius XII whereby the Apostolic Nuncio to Bucharest His Exc. Patrick Gerald O'Hara was appointed Apostolic Administrator of the R.-Catholic Archdiocese of Bucharest and my appointment has not been revoked, I hereby empower H.H. Rev. Dr. Iosif Gunciu as a substitute with canonical jurisdiction for the R.Cat. Archdiocese of Bucharest under C[odex].J[uris].C[anonici]. and the instructions received. I therefore issue this letter. †Joseph Schubert, Bucharest, 24.I.1969."

⁵⁴ Emanuel Cosmovici, *op. cit.*, p. 33. Emanuel Cosmovici confirms the moment when Iosif Gunciu received the necessary faculties from Bishop Iosif Schubert to lead the Roman Catholic Archdiocese of Bucharest, stating the following: "The day after the departure of Bishop Schubert from the country, on 24.I.1969, Fr. Gunciu received a letter from the bishop, through the latter's brother. In the letter, Monsignor Schubert gave him jurisdiction over the Archdiocese of Bucharest. Father Gunciu presented himself before Monsignor Augustin and showed him the letter. Monsignor Augustin told him to wait, because he would receive an answer, which did not happen until his death, which took place fourteen years later."

⁵⁵ Cf. *Codul de Drept Canonic Roman*, Iași: Ed. Sapientia, 2004, p. 24.

⁵⁶ In the Catholic Church, the Magisterium (Latin, *Magisterium*) is the authority of the teaching of the Church. According to the Catechism of the Catholic Church: "The task of interpreting the Word of God authentically has been entrusted solely to the Magisterium of the Church, that is, to the Pope and to the bishops in communion with him" (the Catechism of the Catholic Church, 1997, Section 1, Article 2). The Magisterium of the Church has two types of functions: the sacred and infallible magisterium (the pope's

kept in the C.N.S.A.S. archive have been avoided for reasons that pertain rather to their precarious interpretation of historical facts by people with minimal education, presenting biased opinions on the Catholic Church. In exploring the events under study, the already established situations have been approached using related sources, interpretations of prominent historians and contributions that are based on the disclosure of a truth obscured by the silence that has enveloped, in time, this matter related to the Church of Rome. Without claiming to undertake a comprehensive analysis, the author has used the documentation of the Church and assessed it from a personal standpoint. These references to the historical documents and their succession cannot go unnoticed, primarily because of the magnitude of the events, and secondly because of the response provided by the Church to the attitude of the officials. While the Communist state resorted to measures of arrests, imprisonment, forced domicile or the duplication of ecclesial institutions with others, of an ephemeral vocation, the Church understood that only by militating could it survive. Today, over sixty years later, we may examine the ecclesiastical documentation and history in a detached manner. Of course, in asserting historical events what prevail are the subjective outlooks of those involved in the discovery of a particular history, but only by expressing ourselves in this way can we avoid in the future the same mistakes that led to the fateful events of 1948. The period between 1948 and 1964 can be described as one of extreme persecution against the Catholic Church, which has survived despite adverse conditions.

extraordinary declarations, stated “*ex cathedra*,” or in the Ecumenical Councils, through Synods, canons and decrees, our note), and the universal magisterium (the decrees of the popes and of the universal councils, our note).