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DOCTORAL THESIS

LAZĂR IACOB AND HIS CANONICAL-LEGAL WORK.

**A CANONICAL-LEGAL EVALUATION OF HIS CONTRIBUTION TO THE
DEVELOPMENT OF CHURCH LAW**

RESUME

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The topic studied in the doctoral thesis is entitled „*Lazăr Iacob and His Canonical-Legal Work. A Canonical-Legal Evaluation of His Contribution to the Development of Church Law*” and falls within the area of canonical-legal and historical law studies, which offers the possibility of an interdisciplinary approach. The chosen subject is a real challenge, because many of the aspects mentioned in the paper with reference to the canonical work of Professor Lazăr Iacob, needed a careful study of the archive documents. There was also a need to study works and research topics in the field of Church law and civil law, published in the late nineteenth and early twentieth centuries. I encountered certain difficulties in recovering the works of some Hungarian jurists and canonists, quoted by Lazăr Iacob in his work, reference names in the world of constitutional law and Church law. They published works on the connection between the state and the Church in Hungary, a particularly important topic for establishing the right of supreme patronage in Romania after the Union.

The history of Transylvania at the beginning of the twentieth century, the Great Union, the cultural recovery of Transylvania, the establishment of the legal relationship between the state and the Church, the relations with the Catholic Church and especially with Hungarian Catholics protesting against the rule of law, were central research topics in Lazăr Iacob’s work, this being unique from the perspective of the approach. Although there are many authors who have had similar concerns, some of them presented in this paper, Lazăr Iacob is differentiated by the theological imprint on his work.

The topics studied by the professor of canon law Lazăr Iacob, remain unique from the perspective of comparative Church law. The author proves an exceptional erudition both in the knowledge of Orthodox and Catholic canon law, but also in the thorough knowledge of civil law, which allowed the elaboration of pertinent works of historical, canonical and legal analysis of the Orthodox Church and the Romanian state problems. His works have always been uncomfortable, both for the post-Union political clientelism and especially for the communist regime, which made both his person and his work be forgotten. During the communist period, few authors dared to write a few lines about Lazăr Iacob, that made laudatory mentions of his work and life, but without a thorough analysis. In addition to the theological importance of his studies in terms of Church law, his work is the work of a faith confessor, who actually writes history, going through the most important moments of the twentieth century by direct involvement: Apponyi’s reforms, First World War, the Great

Union he participated directly in as a delegate of Arad, the Agrarian Reform, the first Constitution, the Concordat with the Vatican, the Agreement with Rome, the Law of Cults, Second World War, the installation of communism and the moral destruction of the law state he fought with his whole being for. I believe that Lazăr Iacob's work deserves due attention. Rediscovering his life and the subjects he deals with so much passion are a real support for the development of Church law, especially in the current conjuncture of postmodernity when some try to break ties with traditions and the past and the hostile media attempts to minimize till extinction, the role played by the Romanian Orthodox Church in the history and culture of the Romanian nation.

Within our Romanian theology there were several authors who wrote about the life and work of Lazăr Iacob, most of them being evocations due either to the celebration of the Great Union, or to the celebration of the centenary of the Faculty of Theology in Bucharest, or on the centenary of his birth. The writings are well documented and of real use for the present study, containing valuable information on the titles of Lazăr Iacob's work, biographical data, and how he knew to preserve Orthodox theological thought in the secular space of law schools.

Among the authors who wrote about the life and work of Lazăr Iacob, first of all I mention the authors who were close to him, former colleagues and collaborators. The first mention of Professor Lazăr Iacob and the joy of his appointment at the Faculty of Theology in Arad goes to Teodor Botiș, his friend and collaborator from this faculty, who encouraged many of the efforts made by Lazăr Iacob to reform the theological education of Arad. Teodor Botiș mentioned him in his work „Istoria Școalei Normale și a Institutului Teologic Ortodox Român din Arad” (History of the Normal School and the Romanian Orthodox Theological Institute in Arad), a work that appeared in Arad in 1922 (p.656-657), the year Lazăr Iacob was already transferred to the Academy of Law in Oradea.

The first study on the work of Lazăr Iacob belongs to the canonist Valerian Șesan, professor of Church law at the Faculty of Theology in Chernivtsi. He was a disciple of professor Clementie Popovici, the one who coordinated Lazăr Iacob's doctoral studies and a man of deep erudition; he praises the activity and personality of his colleague Lazăr Iacob, in the study „Dr. Lazăr Iacob profesor de drept bisericesc la Facultatea de Teologie București” (Dr. Lazăr Iacob - professor of Church law at the Faculty of Theology Bucharest). The study appeared in the magazine *Candela* from Chernivtsi, in 1938 (pp. 394-401), and it mentions

some of the important studies made by Lazăr Iacob trying to group them according to the topics approached: „*All the works in this cycle form a well-knit chain that begins with the „Regimul cultelor” (Regime of Cults), the prologue, and ends with „Natura juridică a patronatului suprem” (The Legal Nature of the Supreme Patronage), the epilogue of this cycle. „Biserica Dominantă” (Dominant Church) is the culmination, bringing to expression the main purpose of the entire action to defend the prestige of the dominant Orthodox Church in the Romanian state to elucidate the confessional issue both in light of the laws of the Romanian state and the canons of the Orthodox Church*”. This is the first competent evaluation of Lazăr Iacob's work.

In 1971, in issue 3-4 of the journal *Studii Teologice*, Liviu Stan published a study entitled „Contribuții și poziții ale teologilor români în probleme de drept bisericesc” (Contributions and positions of Romanian theologians in matters of Church law), (pp. 591-592). He mentions here the main work of Lazăr Iacob, but also the fact that it represented "the same canonical orientation as that of his contemporaries, Nicolae Bălan and Nicolae Popovici", mentioning that the work of Lazăr Iacob is written in a critical and dialectical legal spirit. Liviu Stan states the essential contribution made by Lazăr Iacob for the development of Church law. Special considerations towards Lazăr Iacob were also mentioned in his obituary published in the magazine „Biserica Ortodoxă Română“, no 4-5 from 1952, p. 255-260 entitled *Necrolog: Profesorul Iacob Lazăr (Obituary: Professor Iacob Lazăr)*.

Academician Caius Iacob, son of Professor Lazăr Iacob, evokes his father's life in the article „Răsfoind paginile ziarului „Românul“ din Arad” (Browsing the pages of the newspaper "Românul "from Arad) published in the magazine „Biserica Ortodoxă Română“, no 9-12 from 1979 (p. 1232-1236) in which he recalls the struggle for the great union and the articles published by Lazăr Iacob in the newspaper *Românul*.

In a study published in 1981 in the homage issue of the journal *Studii Teologice* dedicated to the centenary of the Faculty of Theology in Bucharest, Iorgu Ivan mentions the personality and work of Professor Lazăr Iacob. His study „Catedra de Drept Bisericesc la Institutul Teologic din București” (Department of Church Law at the Theological Institute in Bucharest) (p. 591-592) mentions some data regarding the biography and work of professor Lazăr Iacob where he was assistant for 10 years. This study does not mention all the works of Lazăr Iacob, but the most important ones with reference to the relationship between the state and the Church and to relations with the Catholic Church, including the Concordat with the

Vatican. In this study, Iorgu Ivan reveals the importance of Lazăr Iacob's work, to expose the mistakes "made by the previous political regimes out of bad faith or out of ignorance of the canonical Roman Catholic Codex". He emphasizes the rigorous scientific work of the professor written in the extremely difficult context of the years after the union, for the defence of the Romanian Orthodox Church rights.

The mentioned study did not include the complete work of Lazăr Iacob, reason for which, on the centenary of his birth, Iorgu Ivan published an article in the magazine *Biserica Ortodoxa Romana* no. 7-8 from 1985. This article was entitled „ Aniversări, evocări, profesor dr. Lazăr Iacob 1884-1951” (Anniversaries, evocations, professor Dr. Lazăr Iacob 1884-1951), and he resumed in full the list of all the works belonging to Lazăr Iacob in chronological order. In addition to the known works, Iorgu Ivan mentioned here an unnoticed one, "Bihorul strajă la hotare" (Bihor County. Guardian at the Frontiers), written together with Teodor Neș and Ștefan Mărcuș. In his capacity as president of the Bihor National House, Lazăr Iacob requested participation in an anti-revisionist demonstration. Regarding this work, Iorgu Ivan mentions that Lazăr Iacob wrote the preface, but the work also includes two more articles and the correspondence between Lazăr Iacob and the state institutions.

Ioan Pogană mentions some biographical details about Lazăr Iacob's life and work in the study "Prof. dr. Lazăr Iacob 1884-1951", published in the magazine *Mitropolia Banatului* in 1982, no 1-2 (p. 689-691).

In 1984, on the occasion of Lazăr Iacob's birth centenary, Professor Mihai Bulacu wrote an article mentioning the work, life and contribution he had in the fight for the Romanian Orthodox Church. The information provided by Mihai Bulacu is very valuable because it comes from a colleague, being with Lazăr Iacob at the Theological Academy of Oradea during 1926-1929. During this period Lazăr Iacob was a professor at the Faculty of Law in Oradea and at the Theological Academy as well, and then between 1936-1948 they were colleagues at the Theological Institute in Bucharest, where Mihai Bulacu taught Catechesis and Homiletics. The study is also valuable by emphasizing the life of the great patriot Lazăr Iacob, the man who stood by his Church in the most important moments of the history.

Father Vasile Crăciun wrote an article about Lazăr Iacob's activity in „Îndrumător bisericesc, misionar și patriotic”, Oradea 1984 (p.94-96)

Also, in 1984, Father Vasile Coman published an article in issue 21-25 of the *Telegraful Român*, entitled „Din activitatea profesorului dr. Lazăr Iacob la Oradea” (From the Activity of Professor Dr. Lazăr Iacob in Oradea).

Ioan Floca, professor at the Law department from the Faculty of Theology in Sibiu, evoked Lazăr Iacob’s activity and his contribution to Church law in the article "Professor Lazăr Iacob" in *Telegraful Român*, from 1991, no 33-34 (p.6-7).

Irimie Marga, Associate Professor of the Department of Canon Law at the Faculty of Theology in Sibiu, evoked the life and activity of Professor Lazăr Iacob in the study entitled "Fr. Prof. univ. Dr. Lazăr Iacob (1884 - 1951)" published in the volume *Academia Teologică Ortodoxă Română Oradea. 70 de ani de la înființare (Romanian Orthodox Theological Academy from Oradea. 70 Years since its Establishment)* (p. 38 – 42). The study appeared in Oradea in 1995 and offers some valuable details on his activity as a founding member of the "Teachers' Meeting in Arad", where he vigorously defended the confessional schools in neighbouring counties, publishing the magazine of the same title, where he was permanent collaborator.

Mircea Păcurariu mentioned Lazăr Iacob in his work „Dicționarul Teologilor români” (*Dictionary of the Romanian Theologians*) published in 2002 at Editura Enciclopedică, constituting a valuable historical material for any theologian or historian. He mentions Professor Lazăr Iacob with precise historical data, along with his work rendered in chronological order. (p. 217-218)

Concerned with the history of Arad, Pavel Vesa mentions Lazăr Iacob in his work „Clerici cărturari arădeni de altădată” (*Scholar Clergy of Arad from the Past*), published at Arad in 2008 (p.359-363). This is an historical study with archival documentation, which mentions some important details from Lazăr Iacob’s life: that of deputy and senator in the Romanian parliament, editor of the magazine „Reuniunea învățătorilor” and the mention of the pseudonym "li" used in the newspaper „Românul”, from 1918, due to the political difficulties of the moment.

Răzvan Mihai Neagu, doctor of history, publishes an interesting study entitled „Studenți din comitatul Bihor la Facultatea de Teologie a Universității din Cernăuți 1875-1918” (*Students from Bihor County at the Faculty of Theology of the University of Chernivtsi 1875-1918*) where he mentions Lazăr Iacob too along with other people from Bihor who later

became teachers in Arad as Teodor Botiș and Gheorghe Ciuhandu. The study is valuable in terms of historical data provided and the bibliography based on the newspapers of the time.

Florentina Chirodea writes a valuable doctoral dissertation entitled „Învățământul superior la granița de vest a României Mari – Academia de Drept din Oradea 1919-1934” (Higher Education at the Western Border of Greater Romania - Law Academy of Oradea 1919-1934) published at Oradea in 2011. The study is very well documented historically in terms of the activity of Professor Lazăr Iacob at the Faculty of Law in Oradea, with extremely useful information for this period. Being a historical study, it is limited only to this aspect of the professor's activity.

Sebastian Ghiurcuța wrote an interesting and well-informed study about the period of professor Lazăr Iacob's activity in Oradea, entitled „Activitatea orădeană a profesorului Lazăr Iacob” (The activity of Professor Lazăr Iacob at Oradea), published online at: <http://istorielocala.ro/index>, on Monday, September 24, 2012. The study comes with details on the academic activity within the Law Academy of Oradea, as well as his activity related to the National House, where Lazăr Iacob had a rich cultural activity.

All these mentioned works contain important bio-bibliographical data, landmarks and references to Lazăr Iacob's work. In my study, in addition to the data mentioned by those who studied the life and work of Lazăr Iacob, I managed to add important information from the studied archives, providing a more complete benchmark of the life and work of Professor Lazăr Iacob. None of the mentioned studies deals extensively with the canonical-legal work elaborated by Lazăr Iacob, in this sense the study I carry out will be the first. The subject regarding the work and life of Lazăr Iacob is not exhausted by this thesis, because I will keep the limits of the research and I will approach only his canonical-legal work. However, Lazăr Iacob's life includes many moments that could be studied in detail: his collaboration with the Orthodox Brotherhood, with the Teachers' Reunion in Arad, the activity within the Bihor National House or the activity within his senator's mandate. All these moments in his life can become further studies, which will certainly enrich the image of who was Rev. Professor Lazăr Iacob, or as he signed all his works, Dr. Lazăr Iacob.

In addition to the desire to reintroduce the work of Lazăr Iacob among contemporary theology, I chose this theme for a missionary reason. In this period of history characterized by the ideologies of postmodernity that shape the world we live in, there is an alarming process of denationalization and cultural levelling, man being urged by all means of modern

technology to reinvent himself, to rewrite from different perspectives the entire cultural and historical dowry, to discover the whole or holistic truth.

Most of the time we remain passive in this approach, helplessly witnessing the stripping of meaning of our entire culture, the desecration of the spiritual life, which remains outside the ecclesial life, developing in isolation and often against the Christian faith. The demolition of old structures, or their *disaggregation*, a preferred term of modern thought, also proposes the construction of a new beginning, from which we cannot escape, because all modern thought proposes an approach to the universe and man from the perspective of the whole, of which each individual is part until identification.

Given these aspects, which have become unhappy and destructive cultural interfaces to the Romanian people and the Christian faith, it is imperative to rediscover the past and authentic theological thinking, which offers correct ways to approach human issues in all its complexity. Given that national values are minimized to extinction, and it is unjustly considered the Romanian nation did not have and does not have values worthy of consideration, that the Romanian Orthodox Church has failed to identify with spiritual and cultural needs of the nation in history, the presentation of the life and work of the great personalities of the Romanian nation become a duty of honour for every Romanian.

The theological-pedagogical institute from Arad, through the teachers and students who made considerable efforts to overcome the cultural barrier imposed by the Hungarians, became the providential place of the perpetuation and development of the Romanian culture and language. But it also became the historical place of promoting the ideal of national unity, through people of undeniable moral and cultural value who, through their journalistic and departmental activity, managed to create a climate favourable to the great changes of the early twentieth century. Lazăr Iacob was also part of this institution, a man who militated for the national unity of all Romanians, for the unity of theological education throughout the metropolitanates and for the continuous development of the culture of the ministering priests.

Lazăr Iacob was one of the great Romanian theologians, with real contributions to the development of Church law, a discipline that placed him in the academic world, the history of the Universal Church and the history of Romanian Law, a subject taught at the Faculty of Law in Oradea and Cluj. Although he had a prestigious academic career and a rich cultural activity, Lazăr Iacob is unfortunately little known to the general public, although in addition to his academic and cultural activity he was one of the participants in the events that

generated the Union on December 1, 1918 with significant contributions in solving the administrative and legal problems that troubled the reunified Romania. Thus, from the perspective of Church law, he will analyse the problem of the *supreme patronage*, through a reference work in this research topic. He is to date the only Romanian canonist with a study of this kind, who demonstrates through historical, and canonical analysis and related to the Hungarian civil law that the right of supreme patronage returns after the union to the King of Romania, a right categorically refused by the Hungarians in Transylvania, by virtue of medieval laws that could not meet the requirements of a modern state. The interfaith issues in Transylvania, deepened by the Great Union, were permanently in the attention of the great professor, who will address the issue of signing the Concordat with the Vatican in his works. Thus, he will bring pertinent arguments, obtained through the canonical, civil and international law analysis of the text issued by the Vatican, in favour of the Romanian state, demanding the denunciation of the Concordat and showing the danger hidden in its articles against the national Church and the rule of law.

Following the signing of the Concordat with the Vatican by the Romanian State and the Agreement with Rome, he will try to inform the Romanian public opinion on the non-observance of the constitutional provisions regarding the situation of the Romanian Orthodox Church after the union. They defined the Orthodox Church as *national and dominant* with clear explanations of the relationship between the state and the Church and of the unconstitutional and unjust privileges granted to the Catholic Church by signing this document. He will draw the attention of decision makers that after the signing of the Concordat, the Greek Catholic Church, which was mentioned in the Constitution as a national Church alongside the Orthodox Church, became a cult like any other one, listed among Catholic rites, which was a real danger for the preservation of the national being, the Greek-Catholic Church becoming the spearhead of Catholicism in Romania.

Extremely demanding in his study and publications, Lazăr Iacob is able to carry out pioneering work in the study of canon law, a discipline he excelled in and where he was applauded by students due to new research and teaching methods that pursued not the accumulation of information but their understanding. He wanted the formation of theologians with autonomous, deep thinking, able to understand the great social and cultural transformations of the moment, without the limitation offered by the „culture of Euchologion”, as he often defined the lack of theological culture.

He wrote a course of *Church law*, intended for teaching in law schools, in his opinion very necessary for the training of future lawyers, who will encounter various Church problems in practice in law firms and which had to be solved correctly and without bias. During his dean's office, he elaborated the functioning statute of this institution together with his colleagues from the Law Academy from Oradea, intensely dealing with the strengthening of the academic discipline. Strongly anchored in the historical realities he was going through, he was able to respond to the challenges of his time. The answers offered by Lazăr Iacob to the many problems that the Church and the country faced in the years after the Great Union, will always be clear and perfectly applicable, because they came from an exceptional specialist, who in his canonical work had a clear and non-equivocal expression, always looking for simple and especially correct solutions from a canonical or legal point of view. He had a clear mind, his formulations being concise and almost mathematically thought out, which makes his work an exceptional one.

His entire canonical, legal and historical work is approached with firmness and courage, which brings special respect from the reader, from this perspective the author being among the confessors of the faith. His intellectual qualities acquired after years of study are linked to his spiritual qualities, being a simple but not simplistic man, with a modest material life, a perfect friend and comrade. This is how the former collaborators from the Faculty of Theology in Arad, the Faculty of Law in Oradea, the Faculty of Law in Cluj, the Faculty of Theology in Bucharest characterized him, as well as colleagues from the editorial offices of various publications or cultural associations, where Lazăr Iacob worked with full success.

Given these brief considerations concerning his life and work, the thesis I wish to present will also be a tribute to the great professor. I will try not to turn the doctoral thesis into a simple monograph, although there is no larger work that deals with the life and work of the professor with deserved attention, but I will try to focus more on his canonical-legal and historical work in which Lazăr Iacob debates extremely important issues for the Romanian theology and history. In an unfavourable historical and political context, with many challenges, Lazăr Iacob finds the balance, courage and strength to solve burning problems, being a visionary of his time, providing an example of a theological approach valid to date.

His ideals with reference to a free and assumed theology responding to the time that the Church crosses, as well as the development of its own pedagogy to address modern man, able to instil the thirst for knowledge to theologians, includes the administration of the

Theology Faculties so they become *home* and not just an institution. These guiding ideas developed in his work could become examples for a living theology, strongly anchored in the present, but attentive to the value of the past and the perspective of the future.

The paper will be structured in six chapters; chapter I includes the life and chronology of Lazăr Iacob's works, and the other five chapters will deal with analysis and comparison of the most important topics in his canonical work. The topics addressed were presented in the order of appearance, respecting the chronology, but also thematically in the sixth chapter, which will address the relationship between Church and state, in the canonical vision of the professor. In the research method, where I considered necessary for argumentation, I resorted to the bibliography indicated and used by the author himself, some belonging to honest Hungarian canonists, who through their works come to strengthen the justice of his canonical thinking. The Hungarian translations belong to me. Also, in the selective bibliography, that is the arguments regarding some opinions of the author Lazăr Iacob, I tried to appeal to Church writers, historians and lawyers, especially from Transylvania, because they knew better the confessional problem and the tensed connection among the cults of Transylvania, through their concerns and feelings. No one could know the problem of Church autonomy in the Transylvanian Orthodox Church, like those people who experienced it, among whom the priest professor Lazăr Iacob is in place of honour together with the hierarchs Andrei Şaguna and Nicolae Bălan.

I limited the research to the study of the canonical and legal work, i.e. the subjects of Church law, which were by far the passion of the great professor and I remembered his historical and political writings due to the importance of some events. I approached his life and his activity within the Bihor National House only as a chronology, since he had a considerable contribution for the promotion of the Romanian culture and language, in a period of rediscovering our Romanian identity. This topic will be a possible further study.

Through this study, I would like to bring to the attention of the theologians and believers of our Church, the personality and work of a teacher with real contributions to the development of Romanian theology and especially Church law, a discipline to which he dedicated his life. As I mentioned in the title of the study, I will deal especially with the canonical-legal work of Professor Lazăr Iacob, with an introductory part that will refer to his life and work in various universities. I will then review his journalistic activity and I will mention in particular the articles that played a decisive role in mobilizing the Romanian spirit

in achieving the great union, and maintaining territorial unity, against Hungarian revisionism. In this chapter I will use the *historical research method*, the chronological establishment of the events and the study of the documents from the archival funds being a priority in the exact establishment of the events.

The professor's university career was an exceptional one, his organizational qualities being recognized by the highest academic forums, for this reason being elected delegate to the university senate in Bucharest. For this reason, I will try to present some aspects regarding the way in which Lazăr Iacob could solve the most diverse administrative problems, problems that arose especially during his deanship at the Faculty of Law in Oradea. All the steps initiated by Lazăr Iacob to solve various problems, especially those related to completing the chairs, academic discipline, participation in the external life of the Faculty by the presence of professors at various activities organized by either the Prefecture or City Hall or the Episcopate, have always had the expected end, because his order and discipline, brought the necessary determination to those around him. In the description of the administrative problems I will also use data obtained mainly from the archive funds, the *research method being the historical one*.

In analysing the teacher's canonical legal work, I will try to keep both the clear and concise way he used in the presentation and the legal language used, even if today some words are no longer used in the current language. Thus, in analysing the problems arising around the exercise of the supreme patronage right, I will frequently use the *method of comparing the text*, with the text quoted by the author from the work of Hungarian canons and jurists (translated from Hungarian by the author), with the original text, where I will consider it necessary. This is to provide a broader perspective on this issue and to remove any doubt about the veracity of what the author stated.

The issue of the supreme patronage and of the rights of supreme inspection and control that belonged by right to the Romanian state reflected logically and legally on the new territory that joined the Crown of Romania, i.e. Transylvania, even if some Hungarian authors had different opinions. By studying this important text for Church and administrative law, I want to illustrate the masterful way in which Lazăr Iacob manages to prove that the claims of Hungarians grouped in the Catholic Status of Transylvania are unfounded. And the laws of royal law which they invoke were not applicable even in Hungary, where the rights of supreme patronage were ascribed to the king, but not in his capacity as papal legate, or

apostolic king, as the Hungarians tried to prove, but in his capacity of sovereign. Possession of the supreme right of patronage based on sovereign rights meant for Romania the right to patronize and verify the immense Roman Catholic wealth in Transylvania, which came from state donations.

In studying the problems arising from the signing of the Concordat with the Vatican, in addition to the comparative method, I will also use the *logical* and *historical* method, two research methods specific to the legal sciences. They allow the logical analysis of the texts elaborated by the Vatican diplomacy from the perspective of the Catholic canon law and in their direct connection with the intentions of political and ecclesiastical domination, seen in the whole of their historical development. The same method of analysing the text will be used in the research of issues of Church discipline, materialized by the author in two studies with reference to the second marriage of priests and the obligation of marriage before ordination.

In the study of the reform initiated by the author for changing the structure of theological education, we tried a systematic and historical approach. Thus, I tried to analyse comparatively the author's connection with the Faculty of Theology in Budapest, the performance of the Hungarian system compared to that of the Institute of Arad, as well as the changes brought by Lazăr Iacob in the educational system, to meet the needs of his time. Lazăr Iacob analyses the education system in the Hungarian Faculty and tries to adopt this system in terms of the structure of hours and semesters, but does not copy this system as we would be tempted to believe at first reading. The subjects targeted by Lazăr Iacob for study are the Orthodox ones, and the vision on the integral theological education that should include both intellectual and especially spiritual education, belongs entirely to him.

In this study we tried a systematization of the canonical works with reference to the confessional problems in Transylvania, especially the one that establishes the connections and turmoil with the Hungarian Catholics. This is because almost the entire work of Lazăr Iacob tries to respond to the claims of Hungarian Catholics, illegally grouped around an association that did not have recognition even in Hungary, called *Status Romano Catholicus Transilvaniensis*. This organization always had the support of the Catholic clergy, although among it were several lay people with influence among the Hungarians. Under the guise of a cultural association, they carried out an extensive revisionist activity trying to recover the lost Transylvania. In order to protest against the Hungarian irredentism, Lazăr Iacob will organize an anti-revisionist demonstration in Oradea, with the participation of all the representatives of

the civil society, including the minorities, who no longer wanted a Hungarian administration. In dealing with this aspect, I will also use the research method specific to history and law, trying to reproduce as accurately as possible the events that took place at the initiative of the Romanian canonist.

By researching the archival fund of C.N.S.A.S, I discovered certain aspects of Lazăr Iacob's life that were not accessible when some authors tried to write about his life and work. From these documents it is confirmed that he was a senator from Bihor, that he wrote a study that made him known probably to the security organs, because the personality and work of the professor were well known in the cultural and academic society of the interwar period. Following historical research and logic, we considered that the study in question is *Biserica și transformările sociale (The Church and the Social Transformations)*, a disturbing study at that time (1945) and which was probably considered a real danger because of the subject approached regarding the connection between the State and the Church. The Security in Oradea will request the General Directorate of State Security, the verification of professor Lazăr Iacob at home and the elaboration of an informative file. The communist authorities did not imprison him just because he was old and ill. Also following the research, I discovered in a paper, which Lazăr Iacob was given only the preface, two more extremely acid articles on irredentist circles, which requested the revision of borders and their reconfiguration in the version before the act of December 1. 1918 and the Treaty of Trianon.

Bio-bibliographic landmarks. The life and work of professor Lazăr Iacob

Lazăr Iacob (1884-1951) was born into a priestly family in Transylvania, on March 28, 1884, in the village Peștiș-Bihor. After attending the first elementary class in the Romanian Orthodox confessional school in his native village, he continued his studies at the Reformed Hungarian confessional school in Aleșd, where he graduated the elementary courses. In Beiuș, he attended the eight classes of the secondary cycle at the Romanian Greek-Catholic high school in this city, where he passed the maturity exam (baccalaureate) in 1902. He attended the Orthodox Theological Institute from Arad, graduated in 1905, then continuing his doctoral courses at the Faculty of Theology in Chernivtsi, where he will obtain his doctorate after 3 years of work. In 1908 he was appointed substitute professor and then full professor, at the department of Church Law at the Theological Institute of Arad, a position

held until 1921. As a teacher in Arad, he also received the priest ordination. In 1921 the Faculty of Law was established in Oradea, and Lazăr Iacob was called to work at the department of Church Law at the new faculty and to be a substitute at the department of Roman Law History. The substitution lasted until 1928, but he continued to be a professor of Church law until 1934 when the Faculty of Law in Oradea merged with the Faculty of Law from the University of Cluj. Professor Lazăr Iacob was employed and worked at the Faculty of Law in Cluj, also at the Department of Church Law until 1938, when by vacating the Department of Church Law at the Faculty of Theology in Bucharest, he will hold this position for ten years until in 1948 when he retired. During 1940-1941 he also held the position of dean.

In addition to teaching, Professor Lazăr Iacob also carried out a rich public, administrative, organizational, journalistic and scientific activity. He was an active member of Astra „*Delegate of Arad to the Great Assembly from Alba Iulia from December 1, 1918; priest, archpriest, member of the Diocesan Assemblies of Arad and Oradea, of the Diocesan Council of Oradea and of the National Church Congress. He published papers debating the issue of cults in Romania in the interwar period, advocating for their freedom and equality, studied the issue of the Concordat, calling for its abolition, as well as that of the supreme Catholic patronage, demanding its exercise by the Romanian state, the issue of legal personality of the Church*”

In the publishing activity related especially to Arad (and then to Oradea, Cluj and Bucharest) the city where the ideas of national emancipation took shape also due to his personal writings and activity, he will stand out through numerous articles written in the press of the time, especially in the newspapers *Biserica și Școala* and *Românul* edited in Arad (being the editor of the newspaper in 1918) where he tries to make the voice of the Transylvanian Romanians heard.

The work of professor Lazăr Iacob

The work of Professor Lazăr Iacob is particularly important for theology in general and for Church law in particular, through the details that lead to the clarification of the relationship between the state and the Romanian Orthodox Church, the relationship between the state and other cults, but also the relationship between the Romanian Orthodox Church and the existing cults in Romania from the perspective of the Romanian Orthodox Church position as the dominant Church after the realization of the Romanian unitary State. His work

written from the perspective of Church law comes to the aid of the Romanian State, by signalling the existing legal difficulties in the text of the Concordat with the Vatican and later of the Agreement with Rome, which put the Romanian State and the Romanian Orthodox Church in an inferior position to the Catholic Church. This negative aspect of the life of the Romanian society, brought great dissatisfaction among the Romanians from Transylvania, who noticed the painful aspect arising from the Concordat, that even now when the Romanians are the majority in their country, they are still subject to old injustices. During this paper I will try to analyse the canonical-legal works of Lazăr Iacob, presenting the historical circumstances of the moment but also his masterful way of argumentation and analysis, because as to the analysis of the relationship between state and Church, his work is unique.

Chronological list of works

The dictionary of Romanian theologians mentions the following works written by the scholar: *Căsătoria a doua a preoșilor (The Second Marriage of the Priests)*, Arad 1911, *Reorganizarea învățământului teologic și a educației seminariale (Reorganizing the Theological and Seminary Education)*, Sibiu 1917, *Istoria Bisericii Române din Transilvania (The History of the Romanian Church from Transylvania)*, lithographed course, Arad 1917, *Dreptul Bisericesc Ortodox (The Orthodox Church Law)*, Arad 1918, *Regimul Cultelor în România (The Regulation of the Cults in Romania)*, Craiova 1930, *Cultul catolic în România. Concordatul cu Vaticanul (The Catholic Cult in Romania. The Concordat with the Vatican)*, Oradea 1933, *Politica scaunului papal (The Policy of The Papal State)*, Cluj 1936, *Biserica dominantă și egala îndreptățire a cultelor (The Dominant Church and the Equal Entitlement of the Cults)*, Arad 1936, *Natura Juridică a Patronatului Suprem și Drepturile Suverane ale Statului Român (The Legal Nature of the Supreme Patronage and the Sovereign Rights of the Romanian State)*, Cluj 1938, *Dreptul bisericesc la Facultățile de drept (The Church Law at the Faculties of Law)*, București 1939, *Ordinele și congregațiunile religioase mai noi (Newer religious Orders and Congregations)*, București 1940, *Stat și Biserică (State and the Church)*, București 1942. We can add the work *Bihorul Strajă la Hotare (Bihor County. Guardian at the Frontiers)*, to these research topics materialized in important studies of Church law, although it is not a work of canon law, but very important for the modern history of Romania. It was less known to the general public, being published at the National House of Bihor County and printed at the Oradea Diocesan Printing House, in 1933, a work written together with Teodor Neș and Ștefan Mărcuș.

To these fundamental works, the studies published in specialized journals are added: *Situația de drept a Ordurilor și Congregațiilor religioase în România (The Legal Situation of Religious Orders and Congregations in Romania)*, study published in Homage to His Eminence Dr. Nicolae Bălan Metropolitan of Transylvania at twenty years of pastoral care, Sibiu 1940, *Personalitatea juridică a Bisericii (The Legal Personality of the Church)*, work published in the magazine *Studii Teologice*, 1940, *Ordurile și congreagațiile religioase în Concordatele noi (Religious Orders and Congregations in the New Concordats)*, București 1943, *Conștiința ortodoxă în Ardeal (The Orthodox Consciousness in Transylvania)*, work published in *Biserica Ortodoxă Română*, București 1943, *Biserica și transformările sociale (The Church and the Social Transformations)*, in magazine *Biserica Ortodoxă Română* 1945, *Împăratul Justinian ca legislator bisericesc (Emperor Justinian as Church Legislator)*, in magazine *Biserica Ortodoxă Română* 1948.

Short chronological presentation of the main works

The works of Lazăr Iacob in the field of canonical research, reflect the capacity for analysis and erudition in the theological approach to bring certain controversial topics of theological and political interest to public discussion. His work can be included in the field of theological works that brought "a significant contribution, either to the questioning only, or to the clarification of some issues of Church law, whose debate was demanded by the needs and interests of the Romanian Orthodox Church in the first half of the twentieth century".

Therefore, Lazăr Iacob's work is that of a visionary theologian, who wanted a reform of theological education, to develop the cultural horizon of the clergy in the fight against the challenges of time, challenges that were not few due to historical, social and political circumstances. Through his writings in the field of canon law, Lazăr Iacob answers important questions for the destiny of the Romanian Church, managing to express a clear position of theology and Romanian law on the sensitive issue of the legal nature of the Romanian state supreme patronage and sovereign rights, the Concordat of Vatican, the remarriage of the clergy and marriage before ordination. All these studies demonstrate lucidity in dealing with the problems from the perspective of the modern time towards which Romania was advancing, but also of the tradition and the Orthodox canon law. As to the presentation of Lazăr Iacob's canonical work, there are several authors who tried to compile a list of his work. Thus, in the homage article written at the "centenary of the Bucharest Theological Institute", Professor Iorgu Ivan, former assistant of Lazăr Iacob, mentions some of the works of his former coordinator, respecting the chronology. But among them, there were listed only

the most important, i.e. those relating to the cult regime and their equal justification, the issue of Concordat, the Agreement with Rome, i.e. the reference works, being omitted the other works of canonical and historical law. Thus, Iorgu Ivan lists the following works: *Regimul cultelor în România (The Regulation of the Cults in Romania)*, *Cultul catolic în România. Concordatul cu Vaticanul (The Catholic Cult in Romania. The Concordat with the Vatican)*, *Natura juridică a patronatului suprem și drepturile suverane ale Statului Român (The Legal Nature of the Supreme Patronage and the Sovereign Rights of the Romanian State)*, *Politica scaunului papal (The Policy of The Papal State)*, *Confesiunile din Transilvania (Confessions in Transylvania)*, study published at the end of his teaching career in 1946 in Paris, in which he showed the complaints made by the Catholic Hungarians were unfounded, with reference to the discriminations made by the Romanian State against the Hungarian Catholic minority. He noticed that this list is not complete and resumes the approach to the issue in a tribute article on the occasion of the 100th anniversary of the birth of Lazarus Jacob, published in the journal *Biserica Ortodoxă Română*, entitled „*Aniversări, evocări, profesor dr. Lazăr Iacob 1884-1951*” (*Anniversaries, Evocations, Professor dr. Lazăr Iacob 1884-1951*). Here is the most complete list of the works of Professor Lazăr Iacob in chronological order. Given that Iorgu Ivan was his close collaborator, I consider it the most valuable. Thus, they are mentioned here in order: *Căsătoria a doua a preoților (The Second Marriage of the Priests)*, Arad 1911, *Reorganizarea învățământului teologic și a educației seminariale (Reorganizing the Theological and Seminary Education)*, Sibiu 1917, *Regimul Cultelor în România (The Regulation of the Cults in Romania)*, Craiova 1930, *Cultul catolic în România. Concordatul cu Vaticanul (The Catholic Cult in Romania. The Concordat with the Vatican)*, Oradea 1933, *Politica scaunului papal (The Policy of the Papal State)*, Cluj 1936, *Biserica dominantă și egala îndreptățire a cultelor (The Dominant Church and the Equal Entitlement of the Cults)*, Arad 1936, *Natura Juridică a Patronatului Suprem și Drepturile Suverane ale Statului Român (The Legal Nature of the Supreme Patronage and the Sovereign Rights of the Romanian State)*, Cluj 1938, *Situația de drept a ordurilor și congregațiilor religioase (The Legal Situation of Religious Orders and Congregations in Romania)*, Sibiu 1940, *Personalitatea juridică a Bisericii (The Legal Personality of the Church)*, București 1940, *Stat și Biserică (State and Church)*, București 1942, *Ordinele și congregațiunile religioase mai noi (Newer Religious Orders and Congregations)*, București 1944, *Conștiința ortodoxă în Ardeal (The Orthodox Consciousness in Transylvania)*, București 1944, *Biserica și transformările sociale (The Church and the Social Transformations)*, București 1945,

Împăratul Iustinian ca legislator bisericesc (Emperor Justinian as Church Legislator), București 1948.

They are omitted from the list of works: *Istoria Bisericii Române din Transilvania*, (*The History of the Romanian Church from Transylvania*), lithographed course, Arad 1917 , *Dreptul Bisericesc Ortodox (The Orthodox Church Law)*, Arad 1918, *Dreptul bisericesc la Facultățile de drept (The Church Law at the Faculties of Law)*, București 1939 and *Confesiunile din Transilvania (Confessions in Transylvania)*, 1946 Paris. A plus of this list of works is the mention of the book *Bihorul Strajă la hotare (Bihor County. Guardian at the Frontiers)*, published at Oradea in 1933, with the mention that Iorgu Ivan states that only the preface belongs to Lazăr Iacob, although as shown in the chapter on his activity in Oradea, he wrote two more articles in this paper. However, Iorgu Ivan's contribution is important for the complete image of Lazăr Iacob's work, being the only Romanian canonist who competently evoked the life and work of his predecessor, professor Lazăr Iacob.

Works published during the period he worked as a professor at the Church law department

It can be seen from the list of works published during his teaching career in Arad, that Lazăr Iacob did not write much, not for lack of interest, but for extremely difficult political and social reasons. Suffice it to mention here, the First World War with its challenges and Apponyi's laws, which imposed some restrictions, as well as the existence of a permanent supervisory commissioner within the institution, to ensure the smooth running of the pedagogical approach. For these reasons, the attention of the teachers from Arad, was directed towards the academic courses and towards the education of the young generations in the spirit of love of nation and country. In addition to the political problems, there was also the material problem, the teachers from Arad facing big problems, which can be seen in the detailed analysis of the reform project initiated by Lazăr Iacob. Only in this context, we can appreciate at fair value, the boldness and lucidity of the ideas expressed here. In view of the historical and political conjuncture, we will be able to understand why Lazăr Iacob chose a reference model for his reform, the Faculty of Catholic Theology in Budapest, knowing in this case the Hungarian authorities will not be able to intervene. Even if Lazăr Iacob did not write much in Arad, his writings are particularly important, each of his studies occupying an important place in this work. I will briefly present the two papers:

Căsătoria a doua a preoților (The Second Marriage of the Priests) is the first work of canonical concern written in Arad in 1911, being a remarkable study that demonstrates a perfect knowledge of canon law regarding this issue and legal scholarship. He debates one of the most discussed issues in Church Law, critically and in a broader framework than the traditional one, formulating a theologoumena favourable to the second marriage, in which he argues that certain canonical administrative norms can be reconsidered. Through this possibility of canonical revaluation, he did not seek to shake the canonical ordinances in force that do not allow the second marriage of priests, but only offered the possibility of a dialogue between the autocephalous Orthodox Churches, to establish clearly what the new provisions are with a clear assessment of the real situation at that time.

Reorganizarea învățământului teologic și a educației seminariale (Reorganizing the Theological and Seminary Education). It was written during the period he was a teacher in Arad, in 1917, being published in Sibiu, but the full text also appeared in the magazine „Biserica și Școala”, being a real success through the vision on the organization of theological education. Due to the importance and realism of a real and beneficial reform for the Arad Institute presented in the pages of this paper, the then bishop Ioan Ignatie Papp, will allow Professor Lazăr Iacob to make certain administrative changes to move to a successful education.

Istoria Bisericii Române din Transilvania (The History of the Romanian Church from Transylvania). This work is a lithographed course, composed in Arad in 1917, which represents a synthesis of the historical development of the Romanian Orthodox Church in Transylvania, in the social and political conditions of the times up to 1917. The paper probably includes also the course taught by Lazăr Iacob at the Theological Institute and at the Girls' School, which functioned under the guidance of the Diocese of Arad, through the special care of the bishop Ioan Ignatie Papp. A large part of the content of this paper will probably become the necessary support for the teaching of the Church History course at the new Faculty of Theology in Oradea during the time he was a professor of law at the King Carol Academy. I mention that this lithographed course is not available in any archive or library, but the ideas regarding the national history of the Romanians are resumed in other works, therefore some conclusions are possible.

Dreptul Bisericesc Ortodox (The Orthodox Church Law) was written in Arad in 1918, shortly after his appointment as professor of law at the Faculty of Theology, being a work mentioned by all his biographers, but impossible to recover.

Works published during the period when he worked as a professor at the Church law department at the Law Academy of Oradea

The period of his teaching in Oradea was for Lazăr Iacob one of the most beautiful in his career. He came to Bihor, the place of his childhood, he was a full professor and dean, and then director of the Student Home, which he took care to renovate, being a real success of the Romanian administration, in a city dominated by Hungarians for many years. It was also a period that included the great turmoil around the crystallization of the rule of law following the union, the Church unification, the signing of the Concordat with the Vatican, the law of cults that comes with discrimination against the Romanian Orthodox Church, the issue of equal rights of cults before the law and the Orthodox Church in its new capacity as the dominant Church according to the law, but inferior to the Catholic Church according to wealth and influence. All these problems determined the writing of works in which Lazăr Iacob expresses the position of the Romanian Orthodox Church and Church law in a clear and concise way, without the possibility of further interpretations.

Regimul Cultelor în România (The Regulation of the Cults in Romania) was written during his teaching at the Faculty of Law in Oradea and published in Craiova in 1930. This study analyses the constitutional basis of the cult regime in the country, according to the law for the general cult regime of 1928, elaborated after the signing of the Concordat and in such a way that the privileges obtained by the Roman Catholic Church through the Concordat are not reached. Thus, although the Romanian Orthodox Church was considered dominant, by the number of believers, the Roman Catholic Church remained dominant from a material point of view. The Romanian Orthodox Church has been relegated to the background, in terms of the material endowment necessary for religious worship and education. Lazăr Iacob also presents the legal contradictions that the Law of Cults of 1928 included in relation to the principles enshrined in the Constitution, pleading for the amendment of this law.

Cultul catolic în România. Concordatul cu Vaticanul (The Catholic Cult in Romania. The Concordat with the Vatican). An important work for Church law, it was published in Oradea in 1933. In this study, Lazăr Iacob makes a historical and canonical presentation of the Catholic cult on the territory of our country and shows the privileged positions he managed to secure both in the economic field and in the field of Public Law, the Catholic cult in Romania. It deals mainly with the analysis of the Concordat concluded in 1927 and ratified in 1929 between Romania and the Vatican, revealing that the process for preparing the signing of the document was not legal, given that, at the time of negotiations and the

conclusion of the Concordat, the Vatican did not have the quality independent state. A special emphasis in this study is the aspect of state sovereignty, according to which the Romanian state could establish a collaboration relationship with the Roman Catholic Church by state law, as in the case of other cults. The signing of the Concordat with the Vatican, put Romanian diplomacy in an inferior position, which ended up by accepting some articles that harmed the security of the state and the dignity of the Romanians. Of course, these concerned the oath of allegiance to the king of Romania, the aid that could enter and leave without control from the state, the correspondence of the hierarchs directly with the Vatican, without the control and approval of the ministry of cults. Given these considerations, Lazăr Iacob informed the Romanian political class, pleading on legal and political grounds for denouncing the Concordat.

Bihorul strajă la hotare (Bihor County. Guardian at the Frontiers), published in Oradea 1933, work following the anti-revisionist assembly, written with Teodor Neș and Stefan Mărcuș, the edition being taken care of by the National House of Bihor County, at the Diocesan Printing House. Historical work, in which Lazăr Iacob as president of the National House, will write the preface and two more articles, motivating the events, as a natural reaction of Romanians and other ethnic and religious minorities, who wanted to live in peace in unified Romania. The action targeted the demands of the Hungarians, who wanted to return to the old administration and territory.

Works published during the period when he worked as a professor at the Church law department at the Faculty of Law in Cluj

The years 1934-1938 is the period when Professor Lazăr Iacob worked at the Faculty of Law, within the King Ferdinand University of Cluj. He taught particularly important courses on issues related to the legal personality of the Church, the relationship between the state and the Church, but during this period he was most concerned with the illegal activity of the association *Status Romano Chatholicus Transilvaniensis* and the issue of supreme patronage. Thus, appeared the following studies:

Politica scaunului papal (The Policy of the Papal State). Study conducted in Cluj in 1936. He is concerned about the danger the Romanian people and for the Romanian Orthodox Church faced coming from the papal policy, which had succeeded by the law of cults of 1928 and the concordat of 1927 ratified in 1929, to secure privileged positions that were not held in our country even under previous political dominions that declared

themselves Catholic. In a historical exposition, the author shows the goals of papal policy and the ways in which the Vatican conspired to carry them out in various countries, especially after the First World War. In their light, by bringing new evidence he denounces the dangerous path that the Romanian state took by concluding the Concordat with the Vatican and on the unclear issues regarding the organization called „Status Romano-Catholicus Transsylvaniensis” whose situation is not mentioned in the Concordat.

Biserica dominantă și egala îndreptățire a cultelor (The Dominant Church and the Equal Entitlement of the Cults). It was written in Cluj, but published in Arad in 1936. In this thorough writing, the author reveals the total insincerity and inconsistency of the policy of past regimes towards cults and especially towards the Romanian Orthodox Church which was severely damaged. He also shows the policy of enslavement of the state, towards the Roman Catholic Church with all its rites, to which such privileges were created by signing the Concordat with the Vatican from the position of which it had in fact become dominated. While the Romanian Orthodox Church, although it was called dominant by law, had in fact reached a much lower position than the Catholic cult. Not claiming here any kind of privileges on behalf of the Orthodox Church, the author points out that no cult is entitled to any special privilege, which applies without discrimination equal treatment of all cults in the country.

Natura juridică a patronatului suprem și drepturile suverane ale statului roman (The Legal Nature of the Supreme Patronage and the Sovereign Rights of the Romanian State), written in Cluj in 1938, is probably the most important work of Church law in the matter of supreme patronage, by which Lazăr Iacob proves historically, canonically and legally, that the Roman Catholic claims regarding patronage are unfounded.

Lazăr Iacob signals the problem of sovereign law, in a barely made country (the work was written in 1938, 20 years after the great union), with administrative problems generated by the act of union, he brings to the Romanians problems that required immediate resolution, because any delay (the Romanian state had not yet clarified the status of Catholics in Transylvania, regarding patronage) could be speculated by the Catholics. After the achievement of national unity, the Catholic cult does not recognize the king of Greater Romania "any right deriving from the supreme patronage motivating that the king does not have the quality of apostolic king". *Natura juridică a patronatului suprem și drepturile suverane ale statului roman* represents the most valuable contribution that has been made for Public Law and for Church Law in general, so far, in order to clarify the position of the

institution known as „Status Romano-Catholicus Transsylvaniensis” By this was meant the specific organization of the Catholic Diocese of Alba Iulia, with a large participation of the secular element together with the clergy, in the administration of the patrimonial and cultural affairs of the diocese. The clarifications made by Lazăr Iacob both from the perspective of the Romanian and Hungarian public law and from the perspective of the canon Law of the Roman Catholic and Orthodox Church, clarified the newly created situation following the act of union of Transylvania with Romania. Based on historical and legal research signed by various well-known authors of the time, specialists in canon law and civil law, with a clear perspective on these issues due to the specialization in both canon law and civil law, the author reaches relevant conclusions, being landmarks for subsequent dialogues. Through his research and conclusions, the author did not plead for the abolition of the traditional institution called "Status" and asserted by Catholics regarding patronage, but for its just inclusion in the new realities of life and among contemporary legal institutions. That is, the medieval character of this institution and *its former privileges*, for which there is no justification today (with all the effort of the Catholic side) to be erased or reduced to appropriate proportions. The further development of things, aiming at the Catholic cult in Transylvania, confirmed the correctness of the point of view presented by professor Lazăr Iacob in this matter.

Works published during the period when he worked as a professor at the Church law department at the Faculty of Theology in Bucharest

The political situation in Romania as a whole caused the discipline of Church law to be removed from the Faculties of Law, which in the eyes of Professor Lazăr Iacob was a big mistake, because it deprived students of a wealth of knowledge absolutely necessary to regulate relations between the state and Church, the lack of this discipline being noticeable at the signing of the Concordat and at the elaboration of the law of cults. Due to the abolition of the department of Church law in Cluj, Lazăr Iacob will be appointed professor at the Faculty of Theology in Bucharest, until his retirement in 1949. During his teaching career in Bucharest he published:

Dreptul bisericesc la Facultățile de drept (The Church Law at the Faculties of Law), published in 1939 in Bucharest, with the intention of proving the wrong attitude of the political class that abolished this department within the Faculties of Law. This discipline was present in the Faculties of Law in the former Austria-Hungary, because the religious structure of the empire required such a comparative canonical study, to provide law students with a

sufficient canonical culture to solve problems arising on religious issues. In this sense, Lazăr Iacob's university course was an interfaith course, with an emphasis on confessional issues in Transylvania. The Romanian state considered that after the achievement of administrative and ecclesiastical unity, the confessional problems ceased, without taking into account the specifics of Transylvania, in which there was a religious mosaic and old turmoil between confessions. Not only were they not extinguished by union, but they were accentuated, because the Catholic Hungarians did not recognize any quality regarding the supreme patronage to the King of Romania. The conclusion of the Concordat with the Vatican in 1927 and the law of cults in 1928, to which is added the shameful Agreement with Rome of 1932, come to demonstrate the justice of Lazăr Iacob's thinking. He often called for the discipline of Church law in law schools, pointing out the importance of this discipline for the knowledge of Catholic canon law, which tended to become state law by signing the Concordat. Although the paper presents the importance of Church law studies, being extremely well documented, it did not have the necessary resonance, although this chair functioned in much more advanced countries on the path of modernism in Europe, an example of this being offered by major universities in France and Germany, where the discipline of Church law was of due importance.

Situația de drept a ordurilor și congregațiilor religioase (The Legal Situation of Religious Orders and Congregations in Romania), published at Sibiu in 1940, in the volume „Omagiu Înalt Preasfinției Sale dr. Nicolae Bălan, la douăzeci de ani de arhipăstorire” (High Tribute to His Holiness Dr. Nicolae Bălan, twenty years of Archpastoral Care), study in which Lazăr Iacob tries to show how Catholic religious orders and congregations of this cult were active in Romania and their relationship with the Romanian state. Following the signing of the Concordat with the Vatican, but especially through the Agreement with Rome of 1932 "which legalized the unfounded claim of the organization *Status Romano Catholicus Transivaniensis* as well as the justification for the canonical and legal existence of newer orders and congregations". The study also presents the proselytizing activity of this congregation, as well as that „the privileges enjoyed by these orders had no legal basis, contrary to the provisions of the Concordat”. The study falls within the scope of Professor Lazăr Iacob's concerns, to balance the issue of cults in Romania, because after signing the documents mentioned by the Romanian state, the Romanian Orthodox Church was clearly disadvantaged, although it was legally considered the dominant Church.

Stat și Biserică (State and Church), published in Bucharest in 1942, in which Lazăr Iacob clearly presents the relationship between Church and state, trying a presentation from the point of view of Byzantine Church law in which the connection between the two institutions is a symbiosis, using to express this connection, the plastic image of the limbs of the human body.

Ordinele și congregațiunile religioase mai noi (Newer Religious Orders and Congregations). Work published in Bucharest in 1944. In this work the author dealt extensively with the proselytizing and anti-national nature of the activity carried out by the Catholic religious orders and congregations on the territory of our country, which through the laws accepted by the Romanian State, created cult privileges for the Catholic Church, revealing their anti-national character and pursuing the games and political interests of expanding the Vatican. In the paper, the author presents the illegality of the privileges granted by the Romanian state, not only through the text of the Concordat but also through the recognition, validity of the provisions of the Canonical Codex of the papacy regarding orders and congregations. He pointed out that a large part of the assets of the Roman Catholic Church in Transylvania are state donations, received with the right of usufruct and over which the Romanian state has the right of control. In other words, Lazăr Iacob showed what those who concluded the Concordat with the Vatican probably did not want, that, through this agreement, the Romanian state accepted a lot of provisions of the Papal Canonical Codex as norms with validity of international law, therefore superior to the norms of its internal public law.

Împăratul Iustinian ca legislator bisericesc (Emperor Justinian as Church Legislator), Bucharest 1948, written before his retirement from the chair of Church law, in which he makes an assessment of Eastern Church law from the period of Byzantine glory, with the regret of having seen the whole development of events that led to the enslavement of the Church by the communist state, that the correct relations of life and collaboration between the two fundamental institutions, the Church and the State, were no longer possible.

Works published in the press and magazines of the time

The first article written by Lazăr Iacob in his teaching career was of course in Arad, the city of his academic debut. The war brought a lot of mourning among the professors from the Arad Theological Institute, by passing on to the eternal ones their colleague professor Avram Sădean, fell on the Galician front during the First World War. On the occasion of his

memorial service, served in the Cathedral of Arad, on November 9/22, Lazăr Iacob gives an emotional speech, entitled: „Cuvântare rostită la parastasul celebrat pentru profesorul Dr. Avram Sădean în catedrala gr.-or. rom. din Arad” (Speech delivered at the memorial service celebrated for Professor Dr. Avram Sădean in the Romanian Greek Orthodox Cathedral from Arad) and published in *Biserica și Școala*, year XXXVIII, Arad, 16/29 November 1914, no. 46. In this funeral speech, he evokes the life of the young and talented professor from Arad, a good comrade and a hopeful Romanian, emphasizing the sacrifice of this nation in the service of the crown.

„Trebuie să fie căsătoriți preoții ?” (Do priests have to be married?) is the title of the second editorial appearance of Professor Lazăr Iacob, a study that appears in *Biserica și Școala* year XLI Arad, 1/14 January 1917, practically defending the celibacy of the clergy, less common in the Romanian Orthodox Church in Transylvania, but possible from a canonical point of view. The author analyses biblical and canonical texts, noting that in both Holy Scripture and the Holy Tradition of the Eastern Church, marriage remains an option and not an obligation, so no one can force a priesthood candidate to marry if he chooses celibacy. The study announces a much broader concern on this topic, being a continuation of the paper *Căsătoria a doua a preoților (The Second Marriage of the Clergy)*, extensive canonical analysis of the discipline of the clergy.

„Reorganizarea învățământului teologic și a educației seminariale” (*Reorganizing the Theological and Seminary Education*), fundamental study of Church law, which appears in full in several issues of the magazine *Biserica și Școala*, year XLI. Arad, 15-28 October 1917. No. 42 and following (in 12 issues). The study had a special impact on the Arad intellectuals, who wanted a change for the better of the Theological Institute, a place of preparation for Romanian intelligence in Austria-Hungary. Although the paper also appears in a separate edition being printed in Sibiu in the same year, the newspaper articles held the whole Romanian breath, because it was extremely well known that the Theological Institute of Arad was monitored by Hungarian inspectors, who were watching the whole cultural activity here, aware that due to the war there was a separatist danger.

„Preoți cu crucea-n frunte” (Priests with the cross on their foreheads), moralizing article appeared in *Românul*, newspaper from Arad, on November 13, 1918 year VIII, no.4, in which Lazăr Iacob encourages Arad public opinion to be fearless and to support the approach of the Orthodox and Greek Catholic hierarchs in their approach to realize the eternal dream of all Romanians, i.e. the union with the motherland.

„La Alba Iulia” (At Alba Iulia) is also an article of exhortation to participate in the events of December 1918, when the souls of the Romanians were with the deed and the thought in the city of the union. The article is published in the newspaper *Românul* in Arad, year VIII, no.12 on November 23, 1918, a week before the big event.

„Zi de sărbătoare” (Feast Day), the flagship article of triumph of the entire Romanian nation, of the entire city of Arad, the place where without exaggeration the great union was made by the providential people of the moment. The article appears in the newspaper *Românul*, year VII, no.19, on December 1, 1918 and evokes the joy and hope of a spiritually oppressed nation, which embarks on a new destiny, a destiny of its own.

A month later, the first reactions of Hungary to the political act of December 1, 1918 appear. Alexandru Wekerle, former president of the Hungarian parliament, made some extremely outspoken assessments towards the Romanians. In the paper „Morala unui politician” (The Morale of a Politician), published in newspaper *Românul*, on January 7, 1919 no 47, Lazăr Iacob makes a lucid analysis of the political situation, recalling the moments when Hungary was big and strong, when certain provisions of international law were foreign to them and the political situation of the moment after the union, when Romanians became masters of their own destiny and Hungarians complained unnecessarily at the courts of the great masters.

„Personalitatea juridică a Bisericii” (*The Legal Personality of the Church*), canonical study, especially important, appears in the Journal of the Faculties of Theology *Studii Teologice* in 1940 no 1, in which Lazăr Iacob presents the Church as a legal personality, based on canonical provisions and historical realities.

„Conștiința ortodoxă în Ardeal” (*The Orthodox Consciousness in Transylvania*), historical study in magazine of the Holy Synod, *Biserica Ortodoxă Română*, in 1943, no. 10 – 12, in which he presents the secular struggle of the Romanian Orthodox Church in Transylvania, for the preservation of the Romanian nation, the Orthodox faith and the confessional school, an aspect of exercising Church autonomy, won by the great Metropolitan Andrei Șaguna, who managed to offer religious freedom by law to the Romanians from Transylvania.

„Biserica și transformările sociale” (The Church and the Social Transformations) appears in particularly difficult time from a political point of view, because after August 23, 1944 the Church entered a new era, the communist era of persecution. The study will be

published in *Biserica Ortodoxă Română*, year 1945, no 7-8 , being an attempt on the part of Professor Lazăr Iacob to present again what the relationship of collaboration between the state and the Church should be, without the interference of the state in Church affairs and without the interference of the Church in the problems of the state. He shows that members of the Romanian Orthodox Church have always been in support of the state, the reasons for loyalty being spiritual, because every political leadership is allowed by God. The article caught the attention of the communists and although the title of the paper is not mentioned in the security briefing file, *Biserica și transformările sociale*, it is in fact the study that was considered dangerous for the socialist state.

„Împăratul Justinian ca legislator bisericesc” (*Emperor Justinian as Church Legislator*), was an article in *Biserica Ortodoxă Română*, year 1946. no. 4-9, with the same intention, to establish a normal relationship between the Church and the communist state.

CONCLUSIONS

Lazăr Iacob remains one of the most representative personalities for Romanian theology in general and for Church law in particular. His work was unfairly overlooked, both during his lifetime and by the theology of the communist captivity, due to the disturbing content of his work. It concerned the clarification and clear definition of the relationship between the state and the Church from the Orthodox Christian point of view, but also of the just relationship between the existing cults within the whole of Romania. His warnings regarding the danger of signing the Concordat with Rome during the analysis of the projects prior to the signing, and later of the final text, materialized in comments that sanctioned the hidden dangers in ambiguously elaborated legal texts, precisely to create undeserved favours to the Catholic cult, demonstrated the lucidity of his canonical and legal thinking, although Romanian theology avoids quoting it in the elaboration of more recent works. His entire work bears the imprint of the struggle for the achievement of national and Church unity.

It is equally true that his work is difficult to recover, all his works being published in times of great turmoil for the Romanian people, in limited editions, being available only in some libraries and private collections. The effort of reading the work of Lazăr Iacob brings to clarification the multiple problems encountered both by the Romanian state and especially by the Orthodox Church in the interwar period, when the union was actually achieved in all its aspects. The Church unification and the way in which the Romanian state saw this unification

in the Constitution of 1923, in the Law of Cults of 1928, as well as in the subsequent provisions was not easy to achieve. In this sense, the work of Lazăr Iacob represents a competent reference point, which demonstrates a deep knowledge of Church laws and the laws of the Romanian state, civil and international law, which allowed the author a unique analysis. Lazăr Iacob is the last professor of canon law to teach this discipline in law schools, thus bringing in the secular academic space, an ecclesial approach, so important for a country that had a multitude of denominations in its composition, each with its specifics and history. In Lazăr Iacob's vision, the study of Church law was not only a discipline that would satisfy the general culture of future jurists, but an indispensable discipline meant to train jurists capable of understanding the situation of relations between the state and the Church.

His concerns regarding the observance of Church autonomy by the Hungarian state, but at the same time the achievement of a Romanian unitary state, in which the Romanian Orthodox Church should no longer be tolerated and Romanians should be masters, have been cardinal concerns since the early years at the Theological Academy in Arad.

The newspaper *Biserica și Școala* was for Lazăr Iacob the possibility of his launch in the journalistic and academic life, the Arad newspaper being a landmark through the Christian and nationalist attitude, able to keep awake the national consciousness of the Romanians. This made the Great Union possible, noting also the articles written by theology teachers from the Arad seminary, who made a rich theological material available to students in this way.

The role of this newspaper was overwhelming in promoting our Romanian values, being at the same time a Church, political, pedagogical, cultural and historical journal, offering Professor Lazăr Iacob the opportunity to present the public opinion from Arad, the beauty and shortcomings of Arad theology. In the pages of this journal, the Orthodox Romanians found all the information about the Romanian life of the diocese of Arad, which also had the counties of Bihor and Timiș under its jurisdiction. Any important event in Arad was mentioned in the pages of this newspaper, which became in time a useful course for theological students, through theology studies published by the professors of the Institute.

Lazăr Iacob contributed fully to the development of Arad theology, through his studies of canon law published in the pages of the Church newspaper in Arad, demonstrating lucidity, erudition and a great love for the students he was trying to form. It offers a solution to solve the problem of theological education in Arad through a coherent curriculum, in

which the theological disciplines are clearly highlighted, requesting a uniformity of the plan throughout the metropolitanate, so that theology graduates receive the same information. His works demonstrate rigor, clarity in ideas and real possibilities of application in concrete life. Although his ideas were not always in line with the official position of the Church in Transylvania, they were taken into account due to the correctness and the way of solving the problems approached. His concerns regarding the strengthening of the faith, the clarification of the relations between cults, the relationship between the state and the Church, the development of the quality of Romanian theological education, recommend Lazăr Iacob as a man, priest, teacher, lawyer and last but not least, a Romanian promoter of verticality and correctness, qualities promoted throughout his career.

A doua căsătorie a preoților (The Second Marriage of the Clergy) was and will remain one of the major canonical issues closely related to the life and family of priests and the community. Being a close associate of Bishop Ignatie Papp and his collaborator in solving the canonical problems of the diocese, Lazăr Iacob was aware of the disciplinary problems of priests. He understood them especially from the position of professor of canon law at the Faculty of Theology in Arad and member of the Consistory of the Diocese of Arad, his opinion in solving certain disciplinary problems, or establishing the granting of Church divorce being appreciated and followed by Bishop Ignatie.

Knowing well the problems of his time, but also the period of great social transformations at the beginning of the twentieth century, Lazăr Iacob will be among theologians with real concerns in the administrative reform of the Romanian Church in Transylvania, left for multiple reasons following the development of other cults within the Austro-Hungarian Empire. Thus, in order to strengthen the Church, he considered it absolutely necessary to start a reform in theological education, so as to develop the priestly and national consciousness among the young people, without which it was not possible to serve the Church and the Romanian nation. The strengthening of the priestly family was to begin with the creation of a theological elite, which through experience and culture would be able to break down the cultural barrier established by Apponyi's reforms. Because of this, divorce among priestly families, which were to become living examples of Christian life, was inconceivable. Despite all these imperatives worth following, modern life also had its new challenges, and the family of priests was no exception to the challenges of modernism. There were cases of divorce among priests, but especially there were cases of widowhood, which led to a number of problems.

Problems related to family law solved by the canonical norms issued by the ecumenical councils were in some places, difficult or impossible to apply. Because of this, there were many cases of cohabitation among priests who did not find an agreement with the bishops to whom they belonged canonically. In this sense, Lazăr Iacob will support with deep canonical and theological motivation, the opinion formulated by one of the great canons of the twentieth century Bishop Nicodim Milas, who proposed the analysis and re-evaluation of the canons that stopped the second marriage and the attempt as a consensus between autocephalus Churches to solve this delicate problem of ecclesiastical discipline.

Nicodim Milaș's opinion, regarding the possibility of renouncing some canonical provisions, which did not have a reference to the norms of faith but were disciplined decisions that served the current interests of the Church and corresponded to the needs of those times, was accepted in some theological circles. But it was harshly criticized by the defenders of the application of the canons with exactitude, among which was a group of professors from Chernivtsi, a famous university centre in Austria-Hungary, led by Emilian Voiutschi, professor of Moral Theology. He believed that such an approach to canonical discipline would bring great disservice to the Church and contribute to the weakening of Church authority among lay people. The opinion of the conservatives was unanimous, the widowed and divorced priests to restrain themselves, and the canonical norms to be applied in their letter, until other dispositions given by an ecumenical synod, a synod that was delayed due to the tense political situation.

The analysis of the canonical norms that ordered the prohibition of the second marriage in the case of priests, regardless of whether they were widowed or divorced, determined Lazăr Iacob to be fully on the side of the canonists who considered it possible to grant exemptions from too harsh canons in this regard. They demonstrated that the canonical norms mentioned are not norms belonging to divine law and thus a violation of the canonical provisions issued to regulate these cases would not be a violation of the provisions of Holy Scripture, which on the contrary recommends the remarriage of widows in Pauline texts. Therefore, accepting the remarriage of priests would not be a violation of divine law, because it was never considered an absolute obstacle to marriage until the Synod in Trullo, 691. For centuries the Church practice was different and bishops could choose marriage.

The ban on marriage after ordination, introduced by the Synod in Trullo, which would be the basis for opposing the acceptance of a second marriage, cannot be an impediment because marriage has never been an obstacle to receiving the grace of the priesthood. In the

case of the Synod in Trullo and other synods that issued disciplinary canons, it should be noted that the decisions taken by the synods sought the stability of the Church at that time. The unanimous opinion of the mentioned canonists, including Lazăr Iacob, is that the second marriage would not in any way harm the dogmatic teaching of the Church. Its acceptance can be made exactly in the way in which the marriage of bishops was banned, i.e. out of disciplinary reasoning, following the realization of the Church welfare. The fact that these provisions were adopted by an Ecumenical Council *apparently* makes it difficult to adopt other provisions that are contrary to the initial canons.

Lazăr Iacob recalls the reasoning of Nicodim Milaș, which he understands perfectly when he appeals to *Consensus ecclesiae dispesae* and mentions that it is not necessary to repeal the old canonical norms. Although in this case a consensus like a synodal decision can be reached, by the simple acceptance of the autocephalous Churches of the application of some dispensations in cases studied and approved by the Church authority.

In the opinion of the great Romanian canonist, the whole theological approach of this problem can be solved, analysing each case separately, and through this mode of operation, there would be no abuses and especially no Church divorces will be granted to clergy except in extreme cases. The application of the canonical norms with the observation of the real necessity of the problem, does not mean in his opinion a violation of the canonical norm, but an inclination towards the increasing needs and demands of the priests. The disciplinary problems related to the life of the priests are not the only ones that troubled the Church at the beginning of the century and for which Lazăr Iacob dedicated a part of his studies. The Church was facing poverty, the preferential application of the Church autonomy law by the Hungarian administration, the First World War and clear Hungarianization trends initiated by a complex of laws aimed at supporting the reforms of Count Apponyi, the Hungarian minister of public education.

Against the background of the mentioned external problems, Lazăr Iacob identifies great deficiencies within the theological education of Arad, later reported publicly in the newspaper *Biserica și Școala*. The greatest urgency for the Bishopric of Arad and for Bishop Ignatie Papp, was in the opinion of Lazăr Iacob, that of the theological education of Arad, which had great organizational problems at the beginning of the twentieth century. These were largely due to the lack of material means, both in terms of endowing the library and the salary of the clergy and implicitly the poverty in which the students of this institution struggled. The material endowment of the school, the students' scholarships, depended

entirely on the Church administration of the diocese, which was also suffocated by the difficulties of the moment.

The reform of the seminary education foreseen by Lazăr Iacob, comes at a particularly difficult moment for all the Romanian nation that generated a whole wave of reactions that included the dissatisfaction of the Romanians from Transylvania, which culminated with the problem of confessional education. The great dissatisfactions from the Transylvanian Romanians also regarded the cultural marginalization to which they were subjected as a result of the denationalization policy promoted by the Budapest government, a policy which our deputies witnessed helplessly, their vote being insufficient to change the fate of millions of Transylvanian Romanians. With a tradition of one hundred years of theology and pedagogy at that time, the Theological Institute of Arad had serious problems, largely generated by the shortcomings mentioned. But in addition to these, Lazăr Iacob has the courage and lucidity to mention the bureaucracy of time, the lack of subjects systematic organization, as well as the lack of candidates with serious training at the Faculty of Theology.

The state of affairs mentioned by Lazăr Iacob, which aimed at the pathetic state of the Arad seminary, was not one that could promote a quality education, the teachers at the Institute being unduly paid for their services, the salary being insufficient to cover the expenses necessary for a decent living, according to their position. The working hours were much above the didactic norm practiced at other faculties, in addition to the existence of those *private theology courses* for pedagogy students, who within a few months of study received priestly qualification. This was a huge mistake in the opinion of Professor Lazăr Iacob, because the pedagogical students took the equivalence exams being insufficiently prepared, which caused dissatisfaction in Arad's theology. The influx of pedagogical students to theology specialization, without a prior discipline and without a precise statistical calculation, by analysing the need for priests and considering the shortage of teachers existing at that time, led to a crisis of pedagogical education, subsequently generating a real crisis of confessional education due to the lack of teachers. This triggered a series of measures applied to mature theological students (students with higher education who were still quite rare), being forced to obtain a double theological and pedagogical qualification in order to be teachers until the time of ordination, in order to save confessional school.

Over all these internal problems of the seminar, the bill initiated by Apponyi imposes another difficult task for the education of Arad. The further functioning of the school

depended on the knowledge of the Hungarian language at a satisfactory level, which was established by specifically sent Hungarian inspectors. If students did not demonstrate sufficient knowledge of the Hungarian language, the school shifted from the care of the Orthodox Church to the care of the state, which had effective methods for monitoring language studies. The cultural barrier imposed on Romanians was also achieved by increasing the salaries of teachers in Hungary, at a level to which the Orthodox Church could not align, which fuelled on the one hand the dissatisfaction of some teachers who threatened to move to better paid state education. On the other hand, it endangered confessional education by the future lack of staff. Who would want to become a teacher in the Orthodox confessional school, given that a more advantageous salary was offered at state schools? It was natural for better prepared students to opt for better schools, which in the longer term was the equivalent to destroying Orthodox denominational education, and the Romanian school - the place that prepared the future intellectual elites in the Romanian spirit, able to fight for the welfare of Romanians in the Budapest parliament.

Through his study, Lazăr Iacob demonstrates that what the Episcopal Consistory envisages in this regard will not lead to the salvation of confessional education but to its abolition, at the same time as the destruction of theology. It is important to note in Lazăr Iacob's approach, the courage and freedom with which he discusses delicate issues, without trying to beautify them. It is an aspect worth following for any contemporary theologian. Lazăr Iacob is the promoter of a living theology, which corresponded perfectly to the needs of that moment, so that all his ideas were anchored in the immediate reality. Not only his way of thinking is important to follow but also that of Bishop Ignatie Papp of Arad, who offered as much as possible support. Following the notifications, he conducted a lively dialogue between the diocesan administration and the Faculty of Theology, perfectly applying the principle of Church autonomy in terms of decentralization and offering freedoms to theology teachers. They were strongly trapped in outdated conceptions that put a wall between students and the department, between teachers and the diocesan centre, perfectly understanding the delicate historical moment and the decisive role for the future of the Church and the Romanian people. As a parenthesis, this model offered by the Arad theology regarding the connection with the diocesan centre and granting a certain administrative autonomy to the Arad Institute, could be a model for exercising Church autonomy after the Union during attempts to implement this administrative principle in ecclesiastical politics, for all cults.

The Transylvanian Orthodox people were the only ones who went through such an experiment, the only ones able to apply the principle of autonomy, because they also had the necessary methods. For eighty years, they have been able to experience how the Church can be administered according to the stated principle, in extremely harsh conditions and without any help from the Hungarian state. Due to this, the Transylvanian model of exercising Church autonomy was not agreed by the Romanians from Moldova and Wallachia, even suggesting that the Transylvanianization of the Church is pursued. From an administrative point of view, the Transylvanian Orthodox Church was far above the Romanian one, and in this case, Arad was an example worth following. Lazăr Iacob played an extremely important role in the dialogues carried out after the union for the Church unification, implementing of course the experience gained during the years lived in the Arad administration.

Strange for the time we live in today, Professor Lazăr Iacob's courage to experiment with new teaching methods, and to identify organizational problems, did not arouse envy from colleagues, more experienced teachers, but on the contrary, it was an impetus for all in the direction of academic performance. In the newspaper *Biserica și Școala*, it is mentioned the manifesto of professor Teodor Botiș when taking over the management of this newspaper, to try to make a high-profile newspaper which should become the flagship of the diocese with the help of colleagues from Arad theology. Exactly in this first issue, Lazăr Iacob will print the first chapters of the planned reform in the Institute of Arad. About the climate of collegiality and mutual respect within this institution, we can realize on the occasion of professor Avram Sădean's colleague and close friend of Lazăr Iacob, who will write the funeral word dedicated to the evocation of his life. The Arad Institute represents a lot for its teachers and students, for the work to which they were called in the first line, that of being worthy servants of the ancestral altars. In this sense, Lazăr Iacob did everything, and for his erudition and dedication, the newspaper *Românul* will publish his article that ignited the hearts of all Romanians, in its December 1 issue on its front page.

Returning to the administrative problems of the Arad Institute, it is important to mention that on the shoulders of theological students there were enormous tasks and pressures due to the mentioned reason, being forced to take parallel courses which made theology studies almost impossible, at the appropriate level. Lazăr Iacob has the great merit of having pointed out the difficult problems within the theological education of Arad and of having had the courage to systematically state the reasons why the reform was obligatory. As always, he found understanding with Bishop Ioan Ignatie Papp, the man who saw the

organizational potential and independent and strong spirit of Lazăr Iacob, offering him a scholarship from the diocese to study in Chernivtsi, and then insisting he become a professor at the institute where he was once a student. Ioan Ignatie Papp took note of those listed by Lazăr Iacob and tried as far as possible to meet his requests.

Thus, even in the first weeks, major changes were made in the structure of the school year and the curriculum that did not exist until then by introducing biennial courses, i.e. the coupling of related theological disciplines in a single course. This led to a reduction in the teaching rate from twenty hours to thirteen, fourteen hours, close to the teaching rate of the Faculty of Catholic Theology in Budapest, whose curriculum inspired Lazăr Iacob. Mihályfi Ákos' work entitled *A papnevelés története és elmélete* adică, (*Istoria și pedagogia educației clericale - History and Pedagogy of Clerical Education*) was the work that constituted a point of reference in the organization plan of the Arad institute after the model of the Hungarian Catholic one, because it was the closest to the real possibilities of the Arad institute. Lazăr Iacob does not copy anyone, but only compares the project of the Hungarian theologian with what Arad had at that time, by making a projection in the future with what should become the Arad institute, which was far behind other theologies. When elaborating the curriculum, he took into account the Romanian and Orthodox specifics and introduced subjects considered deficient in theological studies. He decongested the departments of practical theology by introducing biennial courses where strictly necessary, resulting in a reliable and efficient project that contributed to the transformation of the old seminary into a prestigious institution.

He solved the problem of pedagogical students' migration to theology, and in order to strengthen the confessional school with competent teachers, he introduced a rigorous selection for admission to theology, following the criteria practiced at famous faculties in Europe and demonstrating lucidity and concern for the future of the institution.

Being loyal to the program initiated for raising the standards in theological education, in order to advance the Arad institution to the rank of Theological Institute, he encouraged the presence at the selection exam in the largest possible number of candidates with such training. This happened by eliminating the obligation of double qualification and exaggerated demands on mature students, precisely to provide theology departments with a high audience, able to assimilate the new courses raised to another level of teaching. Thus, the internal organization of the Institute underwent beneficial changes, by the full application of a unique principle at that time which consisted in involving students in certain organizational aspects,

so that the Institute was organized according to more what students wanted and less what teachers did. Even today, we cannot boast of such performances and such a way of applying the principle of Church autonomy which brought remarkable results. In this sense, Lazăr Iacob was not only an admirable pedagogue, but also a visionary, and his activity at the university departments where he worked fully demonstrates this.

By applying this principle, Lazăr Iacob did not seek popularity among students, but to transform the institute into a place where study prevails, being the result of their own desire for knowledge and personal development, and not an act imposed by constraints as in medieval monastery seminars. He was helped in this sense by his vast theological culture, by his intellectual training at the prestigious Theological Institute in Chernivtsi where he obtained the title of doctor, but also by his double specialization being a graduate of the Faculty of Law at the University of Chernivtsi. The possibility to understand German and Hungarian perfectly, opened a special path in the study of Church law, which involved a perfect knowledge of the disciplines in the field of law research. All these allowed access to a prestigious university career, unique of this kind within the Romanian Orthodox Church, but very little publicized. If we talked about his quality as a reformer of Arad education, we must also mention the careful study of the great European universities that had in their composition faculties of theology. Of course, being in the same country, the Faculty of Catholic Theology in Budapest was a real and close model both geographically and administratively, which competed with the most important European university centres. The Hungarian theological education system was one of the most advanced, because the study of theology and selection for the priesthood began very early, from the age of 10, through a partnership program between Church, school, and family, which worked extremely well.

For this reason, Lazăr Iacob made some recommendations with clear allusions to this system, because due to the lack of a coherent system to ensure serious candidates for the theology department and for the priesthood, within the Romanian Orthodox Diocese of Arad, there was the dramatic situation of accepting very poorly prepared students, which led to a decrease in the level of teaching, of course adjusted to the audience. Thus, an important place in his reform was played by the development of future priests' character, who were encouraged to think by themselves and freely so as not to be moulded in systems often foreign to Orthodoxy. I note here that in his studies, Lazăr Iacob proposes the application of the education system in Budapest, but adapted to our needs, that is of the Orthodoxy in Hungary at that time. All points in his educational platform refer to an education within the

Church and not separately, which was very important. For this reason, not only in Arad but also in Bucharest, he has always insisted that the theological students should benefit from accommodation in the dormitory, where there is the possibility of carrying out a specific program, with participation in common prayer, access to information and personal privacy, which was extremely necessary for the formation of the future theologians' characters.

In this way an important role was given to integral education, in which students were taught to communicate, to behave, to eat, to dress cleanly and appropriately to their calling, elegance being assimilated to cleanliness and perfect order both in clothing and inside the faculty, all at a higher level than the time and society they lived in. Within this integral, systematic preparation, the attention was also directed towards the spiritual preparation which, in the reform vision of Lazăr Iacob, had an even greater role than the cultural preparation.

For the realization of this educational project, he greatly encouraged private prayer, so that students can sit with their own thoughts and meditate on the path they were to follow, out of the desire to develop the personality of each student. Lazăr Iacob wanted to give strong characters to the Church and society, capable of striving for their faith and nation.

He did not agree with the austere measures practiced in some theological schools, because he believed that in theology, the atmosphere of study should be relaxed, not tense. He tried to remove the barriers department - student, and to encourage common communication and collaboration within the Institute. Nevertheless, even if it was not fully applied, Lazăr Iacob's reform reached the important points, giving Arad the joy of having a Theological Institute, which could compete with other centres in the country. Analysing the reform project submitted by Lazăr Iacob to the Consistory of the Diocese of Arad and the Council of Professors of the Theological-Pedagogical Institute of Arad, today we can see the shortcomings of an education from a historical perspective, that were broken by the realities facing the Church and civil society in those moments. Arad was caught in the middle of fierce struggles, for the imposition of a cultural barrier, which targeted the entire western part, in order to strengthen the Hungarian element, in all its aspects of manifestation. In this sense, the Apponian laws tried to destroy the confessional education, education that ensured the continuity of Romanian culture and language, by introducing standards difficult to meet in terms of knowledge the Hungarian language, inspectors finding that in these schools, called Greek Orthodox, there were major deficiencies in teaching and knowledge of the official language.

Lazăr Iacob's reform strengthened the Romanian element in Arad, being an act of moral reparation, proving to the Hungarian administration that the Romanians are able to apply the principle of autonomy gained by the Saguna Statute at the academic level and with all its difficulties. For that time, it was an enormous performance, which history deserves to record in the pages dedicated to Arad and the Romanian nation, in its struggle for national emancipation.

He showed the same special care for the academic training of the students from the two Faculties of Law in which he worked, the Church law department finding Lazăr Iacob the most brilliant professor. This discipline was studied at the Transylvanian faculties, following the model of the faculties in Austria-Hungary, being in fact present in the important faculties in Europe, where the Catholic element dominated, precisely out of the desire for future jurists to better know the legal relations between state and Church. Given the fact that Transylvania was part of Hungary, at the two law faculties in Oradea and Cluj, Church law was a separate department, and will provide the necessary legal knowledge to maintain the existing collaboration between the two fundamental institutions in any modern state. The usefulness of canon law chair of in law schools is often emphasized by Professor Lazăr Iacob, who remained the last professor of this subject. Unfortunately for Romania, after the union, the usefulness of this discipline was not found, although in Romania there were a multitude of problems the solution was related to the competencies offered by this department.

I can't help but remember here, the conflict of Lazăr Iacob, with the Jewish students from the Faculty of Law from Oradea, against the background of some problems related to our Romanian history, to the origin and continuity of Romanians in this space. How fiercely did the Transylvanian Romanians defend their Romanian position and the teacher who was humiliated by the students who were not able to speak Romanian correctly. In some circles it is insinuated that Lazăr Iacob was anti-Semitic, because he demanded the punishment of those students, but from the attached documents it is easy to see that when he became dean, just one month after the events mentioned, he will be called to answer a delicate problem. One of the teachers (Dimitrie Mototolescu) received the rightly suspended Jewish students in class, because not only did they offend Lazăr Iacob's reputation as a professor of Romanian law, but they were convinced that the union of Transylvania with Romania was a theft, and the teaching about the continuity of the Romanian element in Transylvania a lie, which was contradicted by the Jewish thinkers, mentioned in the attached documents.

Lazăr Iacob did not seek revenge, but acted as an Orthodox priest, which he was, although he did not pay attention to this aspect, considering that the fellow professor acted correctly when he annulled with his own power the interdiction given by the teaching council, without continue with sanctions against recalcitrant students or the undisciplined teacher. The special character of Lazăr Iacob made him so respected in the law faculty, both in Oradea and in Cluj, after the merge of the two faculties. As a useful parenthesis, Lazăr Iacob was the professor who discussed the conditions of transfer with the dean of Cluj through his diplomacy and priestly quality, so no professor from Oradea lost the chair, because he managed to apply what he experienced with success in Arad, i.e. the doubling of the departments.

Church law was for Lazăr Iacob not only a simple academic discipline, but a way of life, being on any occasion, the balanced man, elegant and modest at the same time, lucid and able to offer the most perfect solutions to difficult and urgent problems solved, so that most of the time nothing could be added to what he stated.

Thus, Lazăr Iacob became the most competent voice in terms of relations with the Catholic Church, especially the Concordat and the Agreement with Rome, as well as the supreme patronage, topics debated in the Church law department with students and later by his doctoral students. He had the courage to bring the burning issues of the moment to the students, not only by identifying them but also by offering clear solutions in favour of the Church and the rule of law. He highlighted the sovereign rights of the state and the need to exercise its supreme patronage, being an appeal against the dilettantism with which these issues were addressed, thus reducing the external prestige of the Romanian state and harming the national Orthodox Church, which was dominant only in name.

A special aspect that arises from the establishment of the right of supreme inspection and control that seriously affected the external image of Romania, was the refusal of the Hungarian Catholics from Transylvania to recognize the king's right of supreme patronage, a right exercised together with state institutions. This refusal was not formulated politically, in order not to provoke a diplomatic conflict, but religiously, under the guise of Hungarian Catholic traditions and canon law. Here is once again the important role played by Church law as a department with multiple implications in establishing correct relations between the state and the cults.

Regardless of the claims of the Catholic Church in terms of supreme patronage, no matter what motivations they have tried to bring, this right is a sovereign right and it derives from the sovereignty of the state. Hungarian Catholics tried unsuccessfully to prove that the supreme patronage was a special grace, a merit won by the first king Stephen I and transmitted on the basis of the title of apostolic king, to all the kings of Hungary. This myth has been dispelled even by Hungarian Catholic jurists and canonists, quoted by Lazăr Iacob to show that the right of supreme patronage has always been exercised as a prerogative of the sovereign on the basis and in accordance with the laws of state. The donations or benefits as they are defined by Catholic theologians were state donations, not from the king's personal fortune, and the state made the donations with a dual purpose, ecclesiastical and political, because the Church was also responsible for the care of the army. The donations received by the Church are therefore attributed from the goods of the state and belong to all, the state can thus dispose of those goods.

Even though the kings of Hungary exerted some positive influences on the prosperity of the Catholic Church during the Middle Ages, in modern history after 1848, equal justification of all cults is proclaimed, and the Catholic Church ceases to be considered a national Church, even if Hungarian kings were Catholics. Based on the supreme right of patronage and not as an apostolic king, Hungarian kings donated episcopal benefits, and the appointed bishops were later confirmed by Rome, which generated countless conflicts with the Vatican and created the impression of autonomy of the Catholic Church in Hungary.

I mention that the autonomy of the Hungarian Catholic Church was only apparent, because we cannot speak of autonomy in Catholicism. Only the Hungarians managed through aggressive policies to tacitly obtain some economic independence from the Vatican. The kings of Hungary far exceeded their sphere of influence, even appointing bishops, drawing the boundaries of dioceses and metropolies, or intervening in issues of various denominations in their territory, as happened with the Transylvanian Orthodox Church.

After 1918, the administrative political situation will impose new laws in Romania, which could not allow the non-canonical and illegal existence of the Roman Catholic Status of Transylvania, a feudal institution without canonical recognition by the Vatican and legal by the state. Catholic Status denies the right to exercise the supreme patronage of the King of Romania by invoking exactly those Hungarian feudal laws contained in the alleged Bull of Pope Sylvester, proven false even by Hungarian Catholic theologians, and Werboczi's

Tripartite, a compilation of feudal laws that gave unlimited rights to Hungarian kings due to their quality as apostolic kings.

By virtue of the apostolic royalty, and protected by the Catholic Church, which was considered in conservative circles as the legal successor of this royalty, the Hungarians from Transylvania carried out various actions to denigrate the Romanian state. They tried to obtain the protection of the Vatican, publicly considering that Christ is their only king and the pope is his deputy in the Hungarian press in Transylvania and abroad, so they are not obliged to take an oath of allegiance to the king as head of state or accept supreme patronage.

The entire Romanian media was full of articles in which Romanians expressed their disagreement with the signing of a Concordat with the Vatican and yet, the political class started negotiations in total ignorance of Catholic canon issues. These were not just simple rules of canon law, but at the same time the laws of the state, or more precisely of a super-state, which wanted to position itself as a world leader. What was actually happening with this document and why the whole of Transylvania was against him, here is the question to which Lazăr Iacob will try to offer an answer and in the opinion of Iorgu Ivan, the most competent answer. Iorgu Ivan was right when he made this statement, because no one has addressed the issues arising from this document with the competence of Lazăr Iacob, the man who had both a canonical and a legal knowledge at his disposal. His approach is based on analysis, from the perspective of Church law, receiving aspects related to undermining the authority of the Romanian Orthodox Church and defining the relationship between state and cults related to this document, which clearly favours the Catholic Church, deliberately violating the principle of equal rights before the law, a fundamental principle for establishing a correct relationship between cults and the state.

The concordat guarantees full freedom to the Catholic Church, as this freedom is guaranteed in the other concordats concluded with the states under the sphere of Vatican influence. However, the document signed by Vasile Goldiș was concluded at a time when the Vatican was no longer what it wanted to be, i.e. an independent state. Political sovereignty of the Vatican was only a hope, the papacy benefiting from an international respect at that time, gained through a smart policy especially in the war years, when the pope invited world political leaders to peace negotiations, peace being the main topic addressed with predilection in almost all speeches. The pope sincerely believed that he would be invited to the peace treaty in Paris, where he would occupy an important place, after so much effort in the area of preaching peace, and the political leaders of the participating states would review and resolve

the Roman issue, i.e. the official recognition of the Vatican State and implicitly the pope as president of that state. But the hope of the Holy See was not fulfilled at the Paris Peace Conference, the situation of the papal state remaining an unresolved issue of international law. At the time of signing the Concordat with Romania, the pope did not have the quality of state head, so he did not have the capacity to sign such an agreement, which was more political than religious.

For this reason, in the opinion of Lazăr Iacob, the conclusion of the Concordat with Romania is far from being a binding law, as the Catholic signatories claimed, even if it was promulgated. Lazăr Iacob's opinion in this sense is extremely clear, being in fact the opinion of some notorious teachers at that time. For example, Onisifor Ghibu was appointed by the government to analyse the problems related to the concordat and the Catholic state and analysed the difficult problem from the perspective of the diplomatic relations established with the Vatican after the union and the projects initiated to sign a future agreement.

As a Romanian diplomat but also a skilled historian, he will make available an impressive set of documents to the government and his majesty, illustrating the not exactly correct interests of the Vatican. Likewise, in the studies of Lazăr Iacob, the same tendency is observed, to identify the Vatican's subversive policies, which he justifies by the serious documentation made available to any man of good faith. He was on the same position with his colleagues from the King Ferdinand University of Cluj, Onisifor Ghibu, Ion Lupaş and Alexandru Lapedatu, together forming a true guard to defend the interests of the Romanian state and the Orthodox Church. Through the legal approach, Lazăr Iacob's thinking distances himself from those of history teachers, of course, using the research data made by his colleagues. It is important to mention the way in which Lazăr Iacob emphasizes the aspect of Vatican sovereignty, as a point of support for the denunciation of the Concordat. He is the only author who starts to formulate the request for annulment of this agreement, from the analysis of the text and not from external issues, although he also confirms them, but considers it important to start from the assertion in the text of the document, that it can be terminated. In fact, in his opinion, here is the gate through the Romanian state could get rid of a yoke, which it assumed too easily.

If the idea of the interwar media and most politicians is accepted, noting that the papal state did not have the capacity to sign such an agreement, I mention that the Vatican becomes an independent state only two years after the signing of the Concordat with Romania, through the Lateran Agreements signed in the year 1929, agreements that put an end to *the delicate*

Roman issue and give the Vatican the lost prestige. So, there is also such a possibility to request the denunciation of the document, a possibility on the effectiveness of which Lazăr Iacob shows reservations. He does not dispute this aspect related to international law, but considers the variant proposed by him much easier, especially since he knew extremely well the text of the document and its correct interpretation from first-hand information, namely his friendship with Vasile Goldiș author of the last text of the Concordat with Vatican.

Vasile Goldiș's statement that the state could denounce the Concordat at any time only by the simple legal procedure required, of six months' notice, was worthy of consideration, because the nature of the agreement itself allowed this, without concessions from the Vatican and without any legal step on the part of the Romanian state. Time has confirmed that Lazăr Iacob's view was correct, but not implemented by decision makers. In this sense, I am inclined to believe the statements of Lazăr Iacob, that there were interests foreign to the Romanian people, orchestrated in the shadow by the Hungarian diaspora. This unofficial aspect is also underlined by Onisifor Ghibu, who had the impression that in the Vatican negotiations, they did not speak with Cardinal Pietro Gasparri, but with the Hungarian interest group, so determined was Vatican diplomacy to represent the national interests of Hungarians in Transylvania. Moreover, Professor Onisifor Ghibu was convinced that there were huge foreign interests, to make important documents disappear from the Romanian archives. This was the reason why he would make that set of documents available to the state, in order to preserve them from destruction or theft.

Considering that I did not find at the Arad County Service of the National Archives of Romania, the document of the Tribunal from Arad, File c. ir. 22/1933 The Prosecutor's Office of the Tribunal Arad, Nr. cr. 9570/1933, mentioned by both Lazăr Iacob and Onisifor Ghibu in his collection, a document that presents Vasile Goldiș's explanations in court, about the interpretation of certain articles in the Concordat and about the regulations regarding the Catholic status, therefore extremely important for understanding the justice of Lazăr Iacob's interpretation, I am inclined to agree with Onisifor Ghibu.

The study of the Romanian Concordat from the perspective of civil and canon law practically proves the nullity of this document, because at the time of its conclusion the Vatican was no longer a sovereign state, even if it had an honorary sovereignty and could not conclude a Concordat that is considered bilateral. In the case of the Romanians, the Concordat was not an international bilateral treaty, whose validity does not cease when governments change, because the Vatican could not issue such claims in the political

situation from the date of signing the document, but could be considered at most an agreement concluded to clarify certain issues, which could be revisited at any time. It is in fact the idea from which Lazăr Iacob starts in the analysis of the Concordat and the involvement of this document in the Church organization in Romania and implicitly of the effect that the document had in the elaboration of the law of cults, a law that will be promulgated after the Concordat, with clear influences dictated by the Vatican on its basis. Although it starts from this idea that actually represents the desire of the political class, Lazăr Iacob argues it and considers it possible but not the best.

The Romanian state not only had the right to denounce the Concordat, but based on the extremely thorough documentation provided by an entire elite of professors specialized in civil and international law, canon law and history, our politicians had at least a moral obligation to start this approach and be able to clarify the situation of the relationship between the Catholic Church and the state in reunited Romania, by state law and not by special convention. Why should the Concordat be denounced? Because this document highlighted the entire Romanian diplomacy in an unfavourable light, suggesting that the young state is unable to manage the situation of cults, which is related to the internal organization of the state and needed the Vatican to regulate a situation that fell within its competence.

The Concordat contained several elements that did not appear in the concordats concluded by the Vatican with other states. Statements and provisions seemingly insignificant, slipped between the lines but which did not escape the careful analysis of Lazăr Iacob, showed that although seemingly harmless these differences, cleverly added and with special dedication to Romanians, harmed the state and implicitly the dominant Orthodox Church. Probably the Vatican's policy relies on the fact that being a young country with a young government, Romania will accept without hesitation the demands of the papacy, by virtue of the pacifying reputation, amplified during the war. It seems that the Vatican was not wrong. Our politicians ignored all the signals from specialists, bringing great disservice to the country, and the Vatican saw itself as the successor to the Hungarian crown in Romania, obtaining rights that it did not even dream of or receive in any country with a serious national policy.

I mention here such Catholic artifices, which the Romanian politicians, without understanding the gravity of the situation, accepted without reservations: for example *article IV* provided for free communication between the Catholic hierarchs in Romania and the

sovereign pontiff, religious leader and apparently also political, who resides outside the country, without any control from the state, which could create great harm to the Romanian state. *Article VIII* of the Concordat mentioned that bishops have full freedom in the administration of the diocese, according to the prerogatives of their episcopal office in accordance with the canonical and disciplinary norms of the Catholic Church. They were free to transmit decisions in the moral, religious and ecclesiastical spheres, these decisions being notified to the Ministry of Cults according to the Concordat, only after their publication and only if they are of general interest. Therefore, through the Concordat Romania leaves the gate of the country open, through which Catholics, especially Hungarian Catholics could communicate freely with Rome, not only in spiritual matters but more in political matters, clearly related to irredentist actions, Rome often becoming in this sense, the fulcrum in the fight of the Hungarians against the Romanian state. Onisifor Ghibu's observation in this regard is more than edifying.

Speaking of the episcopal office, in the opinion of Lazăr Iacob, the wording of the *article VIII from the Concordat* is very vague, the bishop will function according to the canonical discipline approved exclusively by the Catholic Church, an assertion that does not appear in other concordats, where the state approves all the rules of the Church in common agreement with those responsible for worship. This aspect is a flagrant violation of the Church's autonomy, a principle according to which the state-cults relationship was organized in the whole of Romania and in any other modern state.

According to the Concordat, the appointment of bishops becomes a right exercised exclusively by the pope, who has the obligation only to notify the Romanian state, in order to agree, whether or not there are political restrictions on the elected person, so without the rights of the supreme patronage where the king appoints and the papacy approves. We see a clear reversal of the situation, because that common agreement, with reference to possible political restrictions, is not contained in any other agreement, because it is clear that certain political issues are related to *state sovereignty* and internal organization and not to an agreement signed with the papacy. In this respect, too, the principle of religious autonomy, which admits collaboration between the state and the Church, is violated, the state having this duty to rule relations between religions, applying the principle of equal rights, or in this case, Catholics were favoured over other cults to the detriment not only of the dominant Church, but even of the rule of law.

In this respect no foreign power, much less the papal state, with the clear emphasis on its position, that *it was not sovereign at that time*, could make judgments to a sovereign state in the manner used in the Concordat, without seriously harms the sovereignty of the state.

Just as a canonical decision is not subject to the appreciation of the state but admits the appreciation of secular power, it is natural that the state does not admit the interference of a foreign power in religious matters, given that the Vatican would become an independent state two years after signing the Concordat. At the time of signing the document, the Vatican dreamed of achieving its political autonomy, but the quality of aspirant to sovereignty does not offer the ability to ascertain with another sovereign state by mutual agreement, whether or not there are political reasons against an episcopal appointment.

Another serious problem pointed out by Lazăr Iacob, which I think is extremely important, stems from the text of the Concordat on the issue of *citizenship*, which is extremely vague and also harms the integrity of the country, due to the fact that we Romanians have accepted what others countries did not want to accept. We are talking here about the *exceptional cases*, which provided in the Romanian agreement, the functioning of bishops, priests and theology teachers, who did not have Romanian citizenship, in case of necessity, without specifying those cases, which brought the Romanian Concordat, in clear inferiority and in this respect, compared to other concordats in which *citizenship was compulsory*.

The Concordat with the Vatican was not able to solve by far the confessional problems in Reunified Romania, because the serious problem of the supreme patronage was not discussed in this document. The right to supreme inspection and control deriving from the Constitution was also deliberately ignored, rights that are sovereign and to which all cults within the country must submit. For example, the Romanian Orthodox Church was subjected to severe state control, especially in the area of patrimony, of land acquired from the state with the right of usufruct and which had a special regime of exploitation. I mentioned the case in which the state, through the Ministry of Cults, notified "*abuses*" made by some bishops, who for the good of the Church, did not respect certain provisions of the protocol, only to manage to cover the multiple expenses for which they did not have funds.

All this time, through the Concordat with the Vatican and the Law of Cults, a law issued with the solemn promise to the Vatican, that it would not infringe any provision of the

Concordat, the Catholic Church enjoyed preferential treatment and especially a fortune on which the Romanian state had no control and had to be subject to state control, being mostly donated by the state. Of course, the politicians did not notice this aspect, although Lazăr Iacob notified the decision-makers through writings of an amazing analysis and lucidity. Moreover, Catholics also received help from the state budget. In the form of an annuity, for land expropriated during the agrarian reform, under extremely advantageous material conditions, provided that such land actually belonged to the State. The situation was hallucinatory and it is surprising that often the hierarchs of the Orthodox Church notified the Romanian state to impose measures to balance the economic situation between cults and no longer grant subsidies to the Catholic cult. It owned an immense fortune by usufruct that belonged by right to the Romanian state and also claimed to receive aid from the state budget, in equal measure with the dominant Orthodox Church. The Concordat failed to solve the thorny issue of the Catholic status in Transylvania, whose canonical legal situation was not mentioned in the Concordat, leaving more confusion after the signing of this document about the action of this association, which operated on the basis of medieval traditions, without any approval from the Romanian state.

The works of Lazăr Iacob written precisely to support the state and the Orthodox Church, come to clarify certain political situations, but especially canonical ones, regarding the relations of the Romanian state with the Catholic Church. They show that for the regulation of these relations it was not necessary or opportune to sign a Concordat with the Vatican and as in the case of other cults it was enough the State approval of a functioning status, according to the *cult law* that appears to Romanians very late in 1928, one year after the Concordat. Theoretically, things should have happened the other way around, the state should have drafted the law of cults, the relationship with Catholics should have been established as that of the Orthodox by this law and by the status of the cult but approved by the state, and any ambiguities, only if the state deems it necessary had been established by Concordat. It is clear to anyone studying these aspects that the Catholic element in Transylvania was unfairly favoured by the Romanian state itself, which in fact had to prevent and sanction such shortcomings. Interwar political clientelism, the extremely fragile international situation, the political instability generated by the frequent change of governments, made possible this legal and canonical error, which was the Concordat with the Vatican. The document was harshly criticized by Lazăr Iacob, who demanded the Romanian state denounce it immediately.

The Concordat disfavoured Romania and aroused waves of indignation, being harshly criticized by the Orthodox Church, who tried to thwart this political plan through hierarchs, teachers, priests and students, but without a favourable result. After signing, they demanded the denunciation of the agreement, which at that time was not fully understood by the political class in all its seriousness, but without a notable result. One of the great problems of the Concordat was the ignorance of the canonical and legal regulation of the association *Status Romano Catholicus Transilvaniensis*, which functioned unhindered on the territory of Romania, and which exerted a strong influence in the religious and economic life of the Transylvanian Catholic Church. In this sense, based on a solid historical, canonical and legal analysis, Lazăr Iacob demonstrates the illegality of its functioning on the Romanian territory, even if it functioned for a long time. The Status functioned illegally, because its official recognition did not exist in Austria-Hungary, its canonical existence was not confirmed by the Vatican, after the union the Romanian state did not recognize its official quality. The Concordat does not mention it as a legal personality, so its prohibition was more than necessary, because in addition to the fact that it operated illegally, it brought enormous disservices to the Romanian state. It published some derogatory articles against the state, the Orthodox Church and the Romanian people in the foreign press, accusing that the rights of Hungarian Catholics are violated in Romania, although the Catholic Church received more in Romania than it had in Hungary at that time, as dominant Church. The irredentist activity of the Hungarians continued, oriented against the rule of law, which led Professor Lazăr Iacob to find that sometimes writing, analysing the text, blatantly demonstrating the false history, are not enough to defend both the rule of law and the rights of the dominant Orthodox Church. Of course, by this term, he understood the meaning offered by the author in his work, i.e. a simple honorary title, received following the contribution to the consolidation of the rule of law, the achievement of union and the preservation of national identity.

In the opinion of Lazăr Iacob, the existence on the territory of Romania of such an association and the fact that Romania tacitly tolerated the activities of the Hungarians grouped under the shield of the Church, represented a real danger to the unity of the Church. This was the cause that determined Lazăr Iacob to organize an anti-revisionist protest, on May 28, 1933, started by a motion that includes the rights of Romanians and cohabiting minorities, to live in the territorial space established in 1918 in Alba Iulia. I reminded that all the representatives of the civil society from Bihor and neighbouring counties, but also the representatives of the religious cults participated in this event.

It is also important to mention that among the participating cults were also the representatives of the Jewish minority, both through the rabbi and through the president of the Jewish federation in Romania. Their participation, as well as the letters addressed to Lazăr Iacob as organizer and implicitly to the Romanian state by which they confirmed their loyalty to the state and the desire to live under the Romanian administration not under the Hungarian one, prove that Jews in Romania did not ally with Hungarian revisionist attitudes, consequently they were not followers of Rösler's theories. I am referring, of course, to the incident in 1924 when Lazăr Iacob had come into conflict with several Jewish students, who offended him for his statements about the continuity of the Romanian element in Transylvania. The decision of the Teachers' Council to punish by temporarily excluding from classes the Jewish students involved, and later the incident with Professor Mototolescu, which overruled the decisions of the Teachers' Council, led some recent writers to suggest that Lazăr Iacob was anti-Semitic. The fact that after becoming dean, i.e. one month after the incident, he did not take the necessary measures against Professor Mototolescu and the students recorded, moreover, considering the written complaint of the other students that Professor Mototolescu acted correctly in violation of the ban and receiving the students enrolled in the courses, amply demonstrates that Lazăr Iacob had nothing to do with anti-Semitism in its present meaning. In my opinion, the fact that the Jews leaders participate with him in such a demonstration is an additional guarantee that Lazăr Iacob was not anti-Semitic and those who know his life and work can come with additional confirmation. There is not a word in his whole work that can suggest such a thing. His militant attitude, always oriented on the legal situation of the Romanian state in relation to cults, can be explained by the fact that Lazăr Iacob was raised in a priestly family in Transylvania, studied and worked as a law professor in three Transylvanian faculties and knew very well the situation of the relationship between the state and the cults of the former Hungarian administration.

Thus, Hungarian Catholics could not make claims based on canon and civil law, regarding the patrimony and rights held in Hungary, because Lazăr Iacob was among the few jurists and canonists who knew the real situation of both the Catholic cult and the relationship between cults and the Hungarian state. Considering this aspect but also the fact that Lazăr Iacob spoke Hungarian perfectly, we can consider him the most competent authority in this field. For these reasons, his writings deserve a correct evaluation, especially from the perspective of Church law, a department he served with so much professionalism, an evaluation that I hope I made in this study. His extraordinary human quality, materialized in

his immense capacity for work and dedication to the fate of the ancestral Orthodox Church, puts Lazăr Iacob back in the place of honour he deserves among the theologians and professors of Church law, who have honoured this department.

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