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H. David Baer: “Let Us Make Them In Our Image:” How Hungary’s Law on Religion Seeks to Reshape the Religious Landscape¹

In 2011 Hungary enacted a new law on “the Right of Freedom of Conscience and Religion, and on the Legal Status of Churches, Religious Denominations, and Religious Communities” (Act CCVI of 2011) which had enormous implications for religious freedom. Prior to 2011, religious communities in Hungary were registered in accordance with a 1990 law which treated all groups equally. Act CCVI, however, abolished the previous practice and replaced it with a tiered system of recognition that distinguishes between “incorporated churches,” which receive numerous rights and privileges, and “organizations conducting religious activity,” which receive far fewer rights and privileges. In introducing this tiered system, Act CCVI repealed the legal status of numerous recognized churches. While estimates concerning the number of deregistered churches vary, a reasonable estimate is around 200.²

From the start, Hungary’s religion law was subjected to intense domestic and international criticism. First passed in June 2011, the law was soon struck down by Hungary’s Constitutional Court on technical grounds. The law was quickly passed again, however, in December 2011, and subsequently criticized in a report by the Venice Commission. A year later, in February 2013, Hungary’s Constitutional Court again struck down significant portions of the law. Parliament (in which Viktor Orbán’s party, Fidesz, held a supermajority) responded by amending the constitution and the religion law to overturn, in effect, the high court’s decision. The religion law was again criticized by the Tavares Report,³ which was adopted by the European Parliament in July 2013. In April 2014, the European Court of Human Rights found that Hungary’s religion law violated the right of religious freedom as protected in the European Convention. How the Hungarian government will respond to this decision, and whether it will appeal to the Grand Chamber, is not clear at the time of this writing.

Given the scope and severity of the criticism, one might wonder why the Hungarian government has insisted so inflexibly on keeping the law. To discern political intentions is always difficult, of course, but one can attempt to discern those intentions by examining the

¹ I would like to thank István Kamaras, Mark Chaves, and Jörg Stolz for helpful comments on an earlier draft of this paper.

² In its decision on Hungary’s religion law, *Magyar Keresztény Mennonita Egyház and Others v. Hungary*, the ECtHR stated there were 406 churches registered in Hungary prior to 2011. This number is almost certainly too high. The lists of registered churches prior to 2011 which I have seen invariably contain redundancies. When I discussed this question with András Csepregi, the government Secretary for Church Relations between 2006 and 2010, he reported to me that during his term as secretary he had never been able to track down an accurate list of registered churches, and that he believed no such list existed. His estimate was that there were somewhere between 200 to 250 registered churches in Hungary prior to 2011.

³ Rui Tavares: Committee on Civil Liberties, Justice and Home Affairs, EU Parliament 2012.

way the religion law functions sociologically; that is, by considering how the law impacts the dynamics of religious life in Hungary. As we shall see, Act CCVI of 2011 imposes disparate burdens on different religious communities depending upon whether or not a group enjoys political favor. By imposing costs on undesirable religious groups, the law seeks to alter Hungary's religious landscape and the shape of civil society.

1. Changes in Hungary's religious landscape since the fall of communism

As part of the attempt to understand the intention behind the religion law, let us first consider changes that have taken place in Hungary's religious landscape over the past twenty-five years. Evidence suggests that in the 1980's and 90's Hungary experienced something of a religious revival, which, while only affecting a minority of the population, was still significant. In the late 1970's, charismatic Christian movements began to appear in Hungary. In the 1980's, the Bokor movement, a loosely organized group of Catholic base communities associated with the dissident priest György Bulányi, grew significantly. Interest in Buddhism, facilitated by a Budapest based Hungarian Buddhist Mission, also appears to have grown significantly in the 1980's.⁴ Survey data suggests, further, that in this period the attitude of Hungarians toward religion was changing. According to the World Value Survey, the percentage of Hungarians between 1981 and 1990 who identified themselves as religious increased from 43% to 57%. Similarly, the number of Hungarians who stated they took time to pray or meditate increased in this period from 45% to 57%.⁵ Data from the European Value System study indicates, further, that between 1981 and 2008 the percentage of Hungarians who believe in God rose from 45% to 67%, those believing in life after death from 14% to 33%, those believing in hell from 10% to 24%, and those believing in Heaven from 16 to 33%.⁶

This resurgence in Hungarian religiosity coincided with the liberalization of Hungarian society. Hungary's communist regime softened progressively throughout the 1980's, opening up space, one imagines, for religious groups to respond to suppressed religious demand. The process of liberalization accelerated dramatically after 1990, when Hungary introduced a law on religion that guaranteed robust and equal freedom for all religious groups. At the same time, however, liberalization also brought pluralism, and with pluralism came changes to the religious landscape.

Minority religious groups and new religious movements, unencumbered by a repressive state, were able to organize and grow. This growth is indicated by changes in Hungarian census data from 2001 and 2011. Although the census data about religious affiliation is problematic and should be interpreted cautiously, it still provides clear evidence of growing religious movements. From 2001 to 2010, the number of people indicating they belonged to religious communities other than Hungary's historical churches increased by 70%.⁷ Perhaps the most striking example of this type of growth is Faith Church (Hit Gyülekezete). Faith Church has its origins in a charismatic Christian movement of the 1980's. Today, according

⁴ On the growth of Buddhism in Hungary in the 1980's see Attila Márton Farkas, *Buddhizmus Magyarországon: avagy az alternatív vallásosság egy típusának anatómiája* (Budapest: MTA Politikai Tudományok Intézete Etnoregionális Kutatóközpont, 1998): 16-19. Also, Ágnes Kárpát, *Buddhizmus Magyarországon: avagy egy posztmodern szubkultúra múltja és jelene* (Budapest: MTA PTI Etnoregionális Kutatóközpont Munkafüzete 76, 2001): 12-13.

⁵ Paul Froese, "Hungary for Religion: A Supply-Side Interpretation of the Hungarian Religious Revival," *Journal for the Scientific Study of Religion* 40.2 (2001) 251-268: 257.

⁶ István Kamarás and Zsuzsa Bögre, *Vallásszociológia* (Budapest: Luther Kiadó, 2013): 201.

⁷ Ibid: 202.

to the census data, it has 18,000 members and is one of the larger churches in Hungary. The 2011 census also indicates close to 10,000 Buddhists, a religious group that did not appear at all on the 2001 census. Additional data suggests a small rise in the number of Baptists, Adventists, and Jehovah Witnesses.⁸

The census data also suggests, however, that over the last few decades Hungary's historical churches have experienced a decline in membership. A comparison of the 2001 and the 2011 census indicates that Roman Catholic, Reformed, and Lutheran church membership each declined by approximately 30%. Admittedly, the significance of this data is highly controverted. In both 2001 and 2011, those filling out the census had the option not to indicate religious affiliation at all by selecting "Do not wish to answer" (Nem kíván válaszolni). The number of people selecting this option increased significantly in 2011, and some argue on methodological grounds that those survey results should be discarded as defective. The prominent Hungarian sociologist András Máté-Tóth, for example, released a statement on the census results in which he said the following:

In interpreting the 2011 census data concerning religious and denominational distributions, one must take into account the high number of those refusing to answer the question. Of those surveyed, 27.2% did not select the optional choice on the question about religion. At the time of the 2001 census, 1.85 million more people were willing to provide an actual answer. In light of the high number of those refusing to answer the question, only the religious and denominational distributions among those giving actual answers can be considered valid in the current data. This means that there is no significant difference with respect to denominational membership when compared to 2001, which is in conformity with the trends seen in national and international survey data over the last 10 years.⁹

In considering this argument, however, we should note that "refusal to answer" was in fact one possible answer on the survey. The choice not to answer the question was not equivalent to a choice not to answer the survey (an option also available, since this part of the census was voluntary). The assertion, therefore, that the survey results are invalid in cases where participants selected "do not wish answer" could be disputed. Nevertheless, as Máté-Tóth suggests, the appropriate interpretation of this data is not clear.

One plausible hypothesis is that the census data reflects the decreasing significance of religious affiliation as an identity marker. Because Hungary is not religiously homogenous, denominational membership has historically been an important identity marker.¹⁰ The importance of that marker, however, has decreased in tandem with the modernization of Hungarian society, a fact already evident in the 2001 census. According to a census from 1920, 64% of the population was Roman Catholic, 21% Reformed, 6% Lutheran, and 6%

⁸ Based on census data, between 2001 and 2011 Baptists grew from 17,705 to 18,211; Adventists grew from 5,840 to 6,213. According to the 2011 census, Hungary has 31,727 Jehovah Witnesses, but Jehovah Witnesses do not appear on the 2001 census. According to 1993 data from the *East-West Church and Ministry Report*, Hungary had 27,800 Jehovah Witnesses. (Data included in Froese, *ibid*: 260).

⁹ Public statement released by Dr. András Máté-Tóth, March 28, 2013.

¹⁰ According to Péter Tibor Nagy, "in a society which has traditionally been multi-denominational – and where there have sometimes been disputes between, and prejudice among, the various denominations – the question 'What religious denomination do you belong to?' is more likely to be answered than in uni-denominational societies where giving a response does not mean . . . differentiation from other people, but a person's belonging to a specific denomination – the only one under consideration." See, Péter Tibor Nagy, "A Version of the Education and Religiosity in Budapest at the Millennium," in *Tilalomfák ellenében*, Tamás Majsai, ed. (Budapest: Wesley János Lelkészképző Főiskola, 2010): 123. First published in *Social Compass* 57.1 (March 2010): 60-82.

Jewish.¹¹ Those percentages were significantly reduced by 2001. At the time of the 2001 census, 52% of the population identified itself as Roman Catholic, 16% identified as Reformed, 3% identified as Lutheran, and 0.1% identified as Jewish. Years of communist rule as well as modernization had clearly weakened the sense of denominational identity within the Hungarian population.

One should also keep in mind that these membership numbers were never a measure of religious participation. In Hungarian surveys about religiosity, participants are usually asked to rate themselves as “not religious,” “religious in my own way,” or “follow church teachings.” According to data compiled between 1997 and 2000 by the TÁRKI group, 21% of persons identifying themselves as Roman Catholics, 24% of those identifying themselves as Reformed, and 27% identifying themselves as Lutheran, also stated they were “not religious.”¹² According to 2008 data from the European Value Study, only about 55% of the Hungarian population considers itself the member of a religious denomination. Only 62% of those baptized in the Catholic Church, 61% of those baptized Reformed, and 52% of those baptized Lutheran consider themselves as belonging to those denominations.¹³ Given that a large percentage of those registered as members in the historical churches are not personally committed to their denominations, one can speculate that over time this group would increasingly secularize, especially as the social significance of denominational markers decreased.

Ironically, declining membership numbers for the historical churches would not necessarily reflect declining religious participation within those churches, since, if taken as a measure of participation, the membership numbers were always inflated. In any case, the data regarding religious participation in Hungary over the last few decades is not unambiguously clear. Membership in small churches and religious communities has clearly increased. Also, the number of youngsters participating in first communion or confirmation, which increased in the initial years after communism, has remained steady at around 50% of the population.¹⁴ At the same time, the percentage of the population attending church weekly decreased from 13% to 9% between 1991 and 2008, and those attending church at least once a month decreased from 23% to 15%.¹⁵

A person looking at changes in Hungary’s religious landscape over the last twenty-five years might conclude that liberalization has hurt the historical churches, even if the reality is much more complicated. Certainly, if one compares religious membership and participation to what it was 100 years ago, the historical churches are worse off and the minority groups are doing better. But if one compares religious membership and participation to what it was in the communist period, then both the historical churches and the minority groups are doing better. Similarly, if one thinks of religious participation within society as a kind of zero sum game, assuming (without evidence) that those joining small religious communities are the same people leaving the historical churches, then one might seek to regulate religious activity in ways that hinder people from joining small religious groups. Quite arguably, this is what Hungary’s new law on religion, Act CCVI of 2011, attempts to do.

¹¹ Margit Balogh and Jenő Gergely, *Egyházak az újkori Magyarországon: 1790-1992* (Budapest: MTA Történettudományi Intézete, 1996): 165.

¹² This data was provided to me by Péter Tibor Nagy from the Wesley Research Center for Sociology of Church and Religion.

¹³ Gergely Rosta, “Vallásosság a mai Magyarországon,” *Vigília* 76.10 (2011): 741-750: 742.

¹⁴ Miklós Tomka, *Vallás és társadalom Magyarországon* (Budapest: Pázmány társadalomtudomány 4., 2006): 272-273.

¹⁵ Rosta, *ibid*: 743.

2. Manipulating costs through legal discrimination

Act CCVI of 2011 seeks to influence religious behavior in Hungary by introducing a system of legal discrimination between religious communities. The law's two-tiered classification system allows the state to distribute financial benefits unequally in ways that directly affect the cost of supplying religious services. The law also allows the state to impose indirect costs on undesirable groups by affording them fewer protections against bureaucratic harassment. Further, the current Hungarian government discriminates against religious minorities by refusing to comply with the law in instances where it affords them protection. I shall discuss these three tactics in turn.

The first and most direct way Act CCVI of 2011 manipulates costs is through the unequal distribution of tax exemptions and public money. Hungary's system of public church financing is extremely complicated and less than fully transparent, which makes describing and discerning its full effect difficult. The basic pillars of the system, however, are as follows. (1) "Incorporated churches" are entitled to various tax exemptions; the salaries of clergy are partially or sometimes fully tax exempt, and certain church properties are also subject to tax exemptions. "Religious organizations" are not eligible for these tax exemptions. (2) Incorporated churches receive public funding from the state by way of income tax deductions. Taxpayers have the option of donating 1% of their income tax to an incorporated church. The state uses the aggregate sum of those donations to calculate an additional, supplemental subsidy that is distributed to incorporated churches. Furthermore, taxpayers have the option of donating a second 1% of their income tax to a civil association, a sum which is also enhanced by a supplemental state subsidy. Incorporated churches are allowed to maintain associations, which effectively means they are eligible to receive 2% of tax donations plus supplemental subsidies. Religious organizations are not eligible for the 1% church tax, but they are eligible for the 1% civil association tax with subsidy. (3) Incorporated churches receive direct state subsidies to support their institutions, such as schools, charity organizations, and so on. Civil associations, including religious organizations, are also eligible to receive direct subsidies for institutions, provided they negotiate an agreement with the state. Even in those cases, however, the subsidies distributed to incorporated church institutions are calculated differently, and are therefore greater than the subsidies distributed to civil institutions. (4) Incorporated churches as well as civil associations are eligible to apply for EU funds, but their applications are handled by the Hungarian government. An application without the support of the Hungarian government will not be supported by the EU.

Public financing of organized religious life in Hungary is extensive, and in many cases indispensable to sustaining important civil activities conducted by the churches. Although people sometimes criticize this system of public financing, arguing that churches should be self-sufficient, the truth is that state financing of religion is the norm in Europe. Furthermore, in post-communist countries like Hungary, state financing of churches is an important tool in helping to build civil society. Healthy civil society depends on healthy institutions, which facilitate social cooperation, sustain local initiatives, strengthen local communities, and so on. Those kinds of institutions were decimated under communism, and to expect them to reappear vigorously on their own is unrealistic. As the distinguished Hungarian sociologist Miklós Tomka pointed out, the public financing of religious communities in Hungary is closely tied to the reemergence of civil society:

By its nature, modern and pluralist society is articulated and diverse. Its freedom and energy emerges only when it builds from below and promotes diversity with strategies suitable for individual sectors, groups, and circumstances. . . . The task of the state is not to compel uniformity, but to foster and support – not least of all materially – a diversity of civil

initiatives. Denominational social institutions are one of the most important precursors of diversity and the development of civil society in Hungary today.¹⁶

Indeed, although post-communist transition in Hungary presented numerous social, economic, and political challenges that the country failed to meet, one area where transition proved successful was in the emergence of a pluralistic and increasingly vital religious sphere. Act CCVI of 2011 upended that successful arrangement, seeking instead to restrict pluralism by limiting the freedom of action of certain religious groups. Moreover, because civil society in Hungary is weak and vulnerable, the government's effort to refashion Hungary's religious landscape cannot be separated from a broader attempt to refashion civil society.

The second way in which Hungary's new religion law allows the state to impose unequal costs is by exposing religious organizations to bureaucratic harassment. Incorporated churches not only enjoy greater levels of financial support than religious organizations, they also enjoy greater autonomy. For example, the clergy of incorporated churches enjoy rights of confidentiality that clergy in religious organizations do not.¹⁷ Most significantly, incorporated churches are subject to different and more permissive financial regulations than religious organizations. According to the law, the state may not examine "the receipt and use of income for religious activities."¹⁸ Furthermore, a government decree in 2013 allows incorporated churches to perform their accounting in accordance with internal bookkeeping rules, thereby exempting them from certain tax regulations.¹⁹ No such privileges are afforded to religious organizations. Thus, religious organizations are vulnerable to audits and other forms of bureaucratic interference in ways incorporated churches are not. Many representatives of religious organizations have confided to me that they worry about the tax authority. At any time the government can order the audit of a religious community it dislikes, and because the accounting laws are complicated and constantly changing, the tax authority can always discover an irregularity and levy a fine large enough to ruin a small religious community. Indeed, critics of Viktor Orbán's government have accused it of using the tax authority as a weapon against political enemies.²⁰

Third, Hungary's current government also imposes costs by refusing to comply with the law in cases where it favors religious organizations. For example, the government has brazenly ignored the rulings of Hungary's Constitutional Court. To understand how, one must know something about the legislative history of the religion law. The first version of the law was passed in June 2011. At that point, numerous legally recognized churches were deregistered. In December 2011, the Constitutional Court struck down the law in its entirety. As a result, deregistered churches regained their legal status, effective retroactively. A few days after the court's decision, Parliament passed another version of the religion law, which went into effect on January 1, 2012. Once again, approximately 200 churches were deregistered. About a year later, in February 2013, the Constitutional Court struck down significant sections of the religion law, including those parts which had

¹⁶ Tomka, *ibid*: 88-89.

¹⁷ Act CCVI of 2011, section 13 (2)

¹⁸ Act CCVI of 2011, section 23 (1)

¹⁹ "Lázabban költekezhetnek az egyházak" August 2, 2013 *Index* (http://index.hu/belfold/2013/08/02/lazabban_koltekezhetnek_az_egyhaziak)

²⁰ See, for example, József Debreczeni, *A fideszes rablógazdaság* (DE.HUKÖNYV: Miskolc, 2013): 64-65.

deregistered previously recognized churches. Once again, therefore, the court restored the legal status of deregistered churches, effective retroactively. Responding to the court's decision, Parliament modified the constitution twice in March and September 2013, and modified the religion law in July 2013.

Setting aside troublesome questions about a government which amends the constitution to overturn an unfavorable judicial ruling, the Hungarian government also refused to adhere to those parts of the court's decision which were left in place. The court had restored the legal status of numerous deregistered communities, a legal status Parliament could only repeal by modifying the religion law. Those legally restored churches were therefore entitled to the 1% church tax and supplemental subsidy at least until July 2013. Most of the religious communities I have interviewed report, however, that they have not received the church tax as far back as 2011.²¹ Moreover, the tax authority refused to issue these churches a "technical number" in 2012. The technical number is used by taxpayers to identify the church to which they wish to donate their taxes. Thus taxpayers wishing to direct their donations to the churches deregistered unconstitutionally by Parliament were unable to do so.

In fact, after the Constitutional Court decision in February 2013, the Minister of Human Resources should have placed those deregistered religious communities back on the official registry of churches. According to point 217 of the court's decision:

the minister registers churches. Church status is not created by the minister's act of registration; rather one of the requirements of possessing church status is that the minister must place religious communities that possess such status on the registry. Since, as a consequence of the Constitutional Court's present decision, the provision is no longer in effect which stipulates the minister's act of registration is tied exclusively to Parliament's recognition of a church, there is no legal obstacle preventing religious communities, whose applications were rejected by the decision of Parliament, but who, as a result of the retroactive effect of this decision have not lost their church status ... from reporting their data to the minister who can then register them.²²

In other words, the relevant government official, in this case the Minister of Human Resources, Zoltán Balog, had a responsibility to place legally recognized churches on the official registry if they submitted an appropriate request. This was something Balog consistently refused to do. For example, in March 2013 the president of the Hungarian Evangelical Fellowship, Gábor Iványi, officially requested that his church be placed on the registry. A month later, the ministry rejected this request in a letter with the following explanation: "According to the church law [section] 7 § (4) 'churches recognized by Parliament are listed in the appendix.'"²³ The letter from the ministry neither referenced nor acknowledged the Constitutional Court's decision, which had stated explicitly that the number of legally recognized churches was not limited exclusively to those listed in the appendix of the religion law. When the Evangelical Fellowship challenged this action in court, the ministry responded by claiming it had never rendered a decision refusing to

²¹ A few deregistered communities have reported receiving their 2011 church tax. Although I do not have sufficient data to identify with certainty the variables that might explain why some groups received the 2011 church tax and others did not, the groups which reported having received the 2011 church tax were all groups that did not contest their deregistration. This raises the troubling possibility that the government withheld the 2011 church tax selectively, with the intention of punishing those groups which challenged them in court.

²² ALKOTMÁNYBÍRÓSÁG IV/2352/2012.

²³ Letter from György Hölvényi to Dr. Gábor Iványi, dated April 17, 2013; Iktatószám: 17480-4/2013/EKEF

register the church, but only issued an informatory letter. Evangelical Fellowship then sued in court, asking a judge to determine whether in fact the Ministry had rendered a decision or only written a letter. The judge ruled in favor of Evangelical Fellowship, but ordered a new proceeding, which is where things stand at the time of this writing.

Other deregistered churches have had similar experiences. Unlike the Hungarian Evangelical Fellowship, however, they do not all have the resources to sustain protracted legal battles with the Hungarian state. Thus most have been forced to reconcile themselves to discrimination rather than fight it.

4. Two short case studies

One of the best ways to understand the sociological function of the religion law is through case studies. In this last section, I will discuss two small religious communities whose actions have been curtailed as a consequence of Act CCVI of 2011. Their stories illustrate concretely how the Hungarian government employs a combination of tactics to curtail the freedom of action of religious communities it dislikes.

4.1 Jai Bhim Network

Jai Bhim Network is a Buddhist community with a predominantly Roma membership. The president of Jai Bhim is János Orsos. Orsos grew up in the gypsy ghetto of a small Hungarian village, in a 27 square meter house with his mother and seven siblings. His mother tongue is a Romanian dialect spoken by some gypsies. At the age of 15, Orsos dropped out of school and began working in a factory. He used his salary to support his mother and siblings, and also to build a 29 square meter house to provide more living space for his siblings. In 1993, however, at the age of 18, he lost his job. After drifting for several years, he started to attend vocational courses offered by the Roman Catholic Church. Then, at the age of 23, he enrolled himself in secondary school.

At the same time, Orsos started to become disaffected with the Catholic Church, because of his encounters with prejudiced priests and parishioners. He got involved with Amrita Community House, an organization dedicated to helping Roma children pursue education. He also became friends with Tibor Derdák, a Hungarian working with gypsies, and a Buddhist. Orsos started taking courses at Dharma Gate Buddhist College in Budapest, which he attended for three years. At college, he learned about a western Buddhist order doing work in India with Dalits, or “untouchables.” The parallel between Indian Dalits and Hungarian gypsies made an impression on Orsos. In 2005 he traveled to India to learn about the educational institutions there that work with untouchables. While in India he also committed himself publicly to Buddhism. Two years later, in 2007, Orsos registered a Buddhist religious community in Hungary called the Jai Bhim Network. “Jai” means victory, and “Bhim” is taken from the name of Bhimrao Ramji Ambedkar, the first minister of law in independent India. Ambedkar was an untouchable who had been able to pursue higher education in Bombay and the United States. Ambedkar was also a convert to Buddhism.²⁴

Jai Bhim Network has a special mission to educate disadvantaged Roma children. The community operates an independent secondary school in the town of Sajókaza, named after Dr. Ambedkar, and it offers educational programs in other parts of Hungary as well. Jai

²⁴ My biographical account of János Orsos relies partly on a personal interview with Orsos, but more heavily on “European Dalits: The Role of Buddhism in Social Integration of Young Roma in Hungary” *Central-European Religious Freedom Institute* (<http://cerf-institute.org/2012/10/29/european-dalits-the-role-of-buddhism-in-social-integration-of-young-roma-in-hungary>)

Bhim Network was deregistered by Act CCVI of 2011. The loss of church status increased Jai Bhim's costs dramatically, and reduced the scope of its activities. For example, Jai Bhim had been renting out several classrooms from a school in the city of Ózd. Because deregistration entailed a loss of legal status, Jai Bhim's rental contracts were nullified. The city leadership in Ózd was unwilling to negotiate new contracts, and so Jai Bhim had to abandon its work there. The loss of those contracts also meant Jai Bhim lost European Union funds that had been supporting its work. Of course, Jai Bhim can apply for EU funds again, but applications for such funds must be endorsed by the Hungarian government. Jai Bhim's activities were also adversely affected by the loss of state subsidies supporting its schools. The Dr. Ámbédkar School in Sajókaza used to operate a nursery where students could leave their children while attending classes; but after losing state subsidies, the school was forced to shut down the nursery.

At roughly the same time Jai Bhim was leaving Ózd and shutting down a nursery, the Roman Catholic, Greek Catholic, Reformed, and Lutheran churches launched new "Roma boarding schools."²⁵ The mission of these schools is to support Roma students attending college, and they are certainly doing good work. They are also financed with EU money, which means they were established, at least in part, at the expense of groups like Jai Bhim with more experience working with gypsies. The Roma boarding schools represent a new venture for the historical churches. By contrast, Jai Bhim Network, whose activities are being restricted, has an established track record working with Roma. Indeed, the leader of Jai Bhim is man who raised himself out of the gypsy ghetto to pursue higher education, and who understands on the basis of personal experience how to work effectively with disadvantaged gypsy children.

Moreover, because Jai Bhim is no longer a church, it is vulnerable to political and bureaucratic harassment. In 2011 Hungary conducted a national census, which included a question about religious affiliation. In the town of Sajókaza, where Jai Bhim is active, more than 300 gypsies identified themselves as Buddhists to census workers. Shortly thereafter, local police went knocking door-to-door in the Roma neighborhood, asking if the residents had identified themselves as Buddhists on the census.²⁶ According to some news reports, the mayor of Sajókaza later informed the town's gypsies that the Catholic priest would neither bury Buddhists nor baptize their children.²⁷ A few months later, the Hungarian Labour Inspectorate, responding to an anonymous tip, audited the Dr. Ámbédkar School. Because the school was no longer operated by a church, the regulations pertaining to it had changed. The school now needed to keep a record not only of the hours teachers spent working in the classroom, but also the hours teachers spent outside the classroom preparing for class. Because the school failed to do this, it was fined 1.75 million HUF (approximately \$8,000), a sum which certainly impinges on the operating budget of a small private school.²⁸ Paying the fine is even more difficult now that Jai Bhim no longer receives the 1% church tax and supplemental subsidy it used to as a church.

4.2 Church of God United Pentecostal Church

²⁵ See, "Roma-szakkollégiumokat indítanak az egyházak" *Magyar Kurír* March 17, 2011 (<http://www.magyarurir.hu/hirek/roma-szakkollegiumokat-inditanak-az-egyhzak>)

²⁶ "A sajkázai romák vallására kíváncsi a rendőrség" *Index* February 20, 2012 (http://index.hu/belfold/2012/02/20/a_sajokazai_romak_vallasara_kivancsi_a_rendorseg)

²⁷ "Tudja-e, hogy a buddhistákat nem temeti el a pap?" *Index* October 29, 2011 (http://index.hu/belfold/2011/10/29/tudja-e_hogy_a_buddhistakat_nem_temeti_el_a_pap)

²⁸ "Meg a kávéfőzőt is ellenőrizték: büntetés vár a sajkázai iskolára" *hvg.hu* April 18, 2012 (http://hvg.hu/itthon/20120418_sajokaza_iskola_buntetes)

Pentecostalism began to appear in Hungary following the First World War. Hungarian POWs returning from Russia, and Hungarian émigrés returning from America, brought the movement to Hungary.²⁹ Church of God United Pentecostal Church traces its origins to Ferenc Dávid Rároha, a Hungarian émigré living in Cleveland, who returned to Hungary with his wife in 1927 to engage in mission. Converting an old theater in Budapest into a worship house, Rároha evangelized with great success. But the character of Pentecostal evangelism, which includes speaking in tongues, faith healing, and baptism by immersion in rivers, soon elicited displeasure from local authorities, and Rároha was expelled from the country after only a few years. In 1935, the Hungarian Pentecostal movement began to splinter. One group, closely associated with Rároha's followers, became Church of God's Mission in Hungary (Isten Gyülekezete Missziója Magyarországon). This group later became Church of God United Pentecostal.³⁰

After World War II, the history of Church of God was marked by a number of strong personalities, one of the most interesting of which is Sándor Horváth. Horváth served as President of the church from 1995 until his death in 2013. Born in 1926 to a Lutheran family, Horváth enrolled in the Lutheran seminary in Sopron in 1944. The war front was then moving through Hungary, however, forcing the school to close and seminarians to flee for safety. Attempting to work his way across the country in a war zone, Horváth found refuge with a family of believers in the village of Somogyeszi. That evening he attended a revival service, and listening to the preacher, broke out in tears and collapsed on the floor before experiencing the love of God. Soon afterwards he was baptized by immersion and later anointed a preacher.

In 1954 Horváth was leading a revival in Szabolcs County. He was preaching about how Adam and Eve had been unable to hide their sin from God, reminding those assembled that, "God sees you, and he sees your deeds." A man stealing a basket of stolen corn heard Horváth's voice through an open window. Thinking Horváth was speaking directly to him, the man dropped the basket, entered the room, fell on his knees and converted. Afterwards, the same man, who was gypsy, asked Horváth to come preach in the gypsy ghetto, which Horváth did.

Sometime after that, Horváth was walking to the Szamos river with a group of gypsies dressed in white gowns to be baptized. Crossing to the river, they passed by other gypsies working in the field, who started to follow them. When the group reached the Szamos, Horváth commenced to preach and baptize to great effect. But the police also noticed what was going on. To abandon work in the middle of the day was a crime in Hungary in 1954. Horváth was dragged off to prison, where he was beaten nearly to death (suffering injuries to his legs so severe that, later in life, complicated by diabetes, they had to be amputated). Moved to a hospital, Horváth had either a dream or a vision. A man appeared to him dressed in white. Horváth confided to him that he feared his life had been in vain. The man in white showed Horváth a flower garden and said, "Sándor, your life hasn't been in vain; look at all these flowers you planted in the garden." Then the man pointed in the distance, to lilies surrounded by shrubs and weeds, and said, "Do you see those lilies, Sándor? You need to dig up those lilies and plant them in this garden." When Horváth asked, "Who are

²⁹ "A Magyar Pünkösdi Egyház (MPE) megalakulása Magyarországon" (<http://www.punkosdi.hu/content/hazai>)

³⁰ Imre Bogdán, *Isten Gyülekezete Szövetsége Missziója története 1926-tól* (Pünkösdi Teológia Főiskola házi dolgozat, 2007).

the lilies?" the man pointed to a sign above the gate of the garden which said, "The Gypsies of Hungary."³¹

Today the leadership of Church of God United Pentecostal estimates that its membership is 70-80% Roma. After the fall of communism, the church became an affiliate of United Pentecostal Church International (UPCI), based in St. Louis, USA. Although the members of Church of God belong to the poorest layers of Hungarian society, the church was able, with help from UPCI, to purchase ten worship houses in different parts of Hungary. Since being deregistered in 2011, however, Church of God United Pentecostal has come upon hard times.

The church has not received the 1% church tax and supplemental subsidy to which it is entitled since 2011. Although the sum only averaged 1-2 million HUF (\$5,000-\$10,000) per year, the money helped Church of God pay the maintenance and utility costs associated with its property. These costs are now covered directly through congregational giving. The pastors have had to forgo their salaries, which means they take up secular jobs alongside their ministerial work. When Sándor Horváth died in 2013, his congregation in Pécs was left without a regular pastor. The new president of Church of God United Pentecostal, Mihály Kovács, travels weekly by bus to Pécs from Szigetvár, where his own congregation is, in order to tend to the Pécs congregation. In addition to tending to two congregations, Kovács holds down a day job

When the leaders of incorporated churches visit their congregations, they travel in corporate automobiles with tax exempt license plates. If they are criticized for enjoying such privileges, they insist that state support of their activities is indispensable to the work they do. Even if that is true, one might wonder why the faith of Mihály Kovács or Sándor Horváth or János Oros counts for less than the faith of the leaders in Hungary's Catholic, Reformed, Lutheran, and other incorporated churches.

In addition to financial hardships arising from the loss of church tax, Church of God United Pentecostal has chosen to shoulder the burden of protracted legal battles with the Hungarian state. When Act CCVI of 2011 first went into effect, deregistered churches were told that if they did not register as civil associations their material assets would be liquidated. The deadline to apply for civil status was set on February 29, 2012, but later extended to April 30. Accordingly, Church of God submitted its application in April. However, a court in Veszprém ordered the church's assets to be liquidated, because its application had been submitted after February 29. Even though the court was egregiously in error, Church of God was forced to file a petition to prevent its property from being confiscated. After six months, a court in Győr overturned the Veszprém decision.

A few months later, in February 2013, Hungary's Constitutional Court struck down crucial passages from Act CCVI of 2011, restoring the legal status of deregistered churches. Based on the court's decision, Church of God withdrew its application for status as a civil association, requesting the court to stop the procedure. Ignoring the request, the court in Veszprém ruled that Church of God United Pentecostal was a religious organization. Once again, the church had to appeal the Veszprém court's decision, and once again that decision was overturned by the court in Győr. In the meantime, Church of God had also sent a letter to the Minister of Human Resources, Zolán Balog, asking that he comply with the Constitutional Court's decision by placing them on the official registry of incorporated churches. Balog refused.

³¹ My account of Sándor Horváth's life relies on personal interviews with Mihály Kovács, current president of Church of God United Pentecostal. Interviewed on November 9, 2013 and March 27, 2014.

Pursuing yet another route, Church of God submitted an application for recognition as an incorporated church according to the new conditions laid down in Act CCVI of 2011. Church of God satisfies those conditions by virtue of its affiliation with United Pentecostal Church International. As proof of that affiliation, Church of God submitted to the Ministry of Human Resources a signed and notarized declaration from the leadership of United Pentecostal Church International which stated Church of God was a member of UPCI. In response, the Ministry requested Church of God provide evidence that UPCI exists in countries outside the United States, and requested, further, that UPCI provide a copy of its American bylaws and a statement of faith, so that these might be reviewed by the Hungarian government. After Church of God supplied another signed and notarized statement from UPCI, Zoltán Balog forwarded the materials to an unnamed "expert" on religion, who concluded that while the two churches had clearly worked together closely over the years, they were not officially affiliated. Balog therefore ruled that Church of God did not meet the requirements for legal recognition. At the time of this writing, Church of God is attempting to appeal the decision of the Ministry in court.

Conclusion

Hungary's new law on religion, Act CCVI of 2011, has created legal and political space within which the government is free to discriminate against religious communities. Taking full advantage of that space, Hungary's current government employs a set of multifaceted techniques to restrict the religious freedom of groups it deems undesirable. Although Hungary's Constitutional Court vacated significant portions of the law, and although the European Court of Human Rights (ECtHR) recently found the law in breach of the European Convention, the government of Hungary remains recalcitrant. Reacting to the decision of the ECtHR, a Hungarian spokesman announced not only that the government may appeal the case to the Grand Chamber, but also that Hungary is not obligated to comply with rulings by the European Court.³² Based on the government's record of disregarding and circumventing the law, one cannot help but be skeptical that the situation in Hungary will improve any time soon.

One might also be skeptical, however, about the long term success of the current religion policy. That policy aims to reshape an important segment of Hungarian civil society by increasing the visibility and social presence of certain churches. It pursues this aim by regulating religious activity. Rather than building up civil society by supporting local initiatives, the policy seeks to reshape civil society by increasing the religious sector's dependence on political power. Although this approach certainly brings material benefits to Hungary's incorporated churches, it may also contribute unintentionally to a decrease in religious participation. When the prosperity of certain churches is guaranteed by the state, people may become socialized into low commitment patterns. If the churches provide their services for free, people may see no reason to support them with their own time and money. A passive attitude toward church membership, in turn, contributes to lower overall religious participation.

Ironically, the government's regulation of religious life, which aims to restore a handful of Hungary's churches to their historical prominence, may also be reactivating habits of passivity and dependence learned in the communist era. Those bad habits left Hungary's historical churches largely unprepared for the challenges of freedom which arrived in 1990. The same bad habits may also leave them unprepared, when the current Hungarian regime

³² "Itt a kormány válasza a strasbourgi ítéletre" *Világgazdaság online* April 9, 2014. (<http://www.vg.hu/kozelet/jog/itt-a-kormany-valasza-a-strasbourgi-iteletre-425267>)

comes to an end, to meet the challenges of secularization confronting all of Europe. Like the seeds in the parable of Jesus, which grew up quickly when cast upon the stones, Hungary's incorporated churches may wither and dry once the roots of their current prosperity are exposed to the light of day.