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**Towards the 1868/69 Jewish congress in Hungary: Minister Eötvös's project of
confessional autonomy and the Emancipation Act in 1867**

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Comprehending the role played by Baron József Eötvös, Minister of Religion and Education, in connection with the 1868/69 Jewish congress in Hungary is of paramount importance in better understanding the events that led to the schism of the Orthodox and Neolog Jewry. To fill a long-standing gap in the scholarship regarding the contextualisation of the congress, its preparations, and its repercussions in the religious policies of the Hungarian government, my paper presents the first year of Eötvös's alliance with the Neolog party. It shows that the minister's project of confessional autonomy from mid-1867 fundamentally predetermined the outlines of the congress.

Key words: József Eötvös; Hungary; Neolog Jewry; Emancipation Act 1867; confessional autonomy

The rupture between the traditionalist (Orthodox) and the modernist (Neolog) element of Hungarian Jewry became visible at the latest by an assembly of Orthodox rabbis in

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Nagymihály/Mihalovce in 1865 and in the resolutions adopted by it.¹ The definitive schism was accelerated by a general assembly which was summoned to overcome the existing differences: the Hungarian Jewish congress held in Pest during the winter of 1868/69. As the congress, as well as its major preparatory events – the Neolog memorandum in March 1867, the enactment of the emancipation of Hungarian Jews in December 1867, and the conference of the Jewish Notables in February 1868 – took place after the Austro-Hungarian compromise in early 1867 which made the formation of a new Hungarian constitutional government possible, a third major player entered the scene of the inner-Jewish controversies of the two ‘camps’ or ‘parties’: the Ministry of Religion and Education, first and foremost represented by its minister, Baron József Eötvös (1813–1871) personally. As an internationally renowned liberal political thinker and leading Hungarian intellectual with a vision of an all-encompassing confessional regulation, Eötvös became deeply involved in the matter from early 1867 until mid-1870, obstructing the efforts of the Orthodox party and promoting the cause of his Neolog allies who he thought to be in alignment with his personal ambitions. This aspect of Eötvös’s religious policies in relation with the Jewish congress 1868/69 provides the main focus of my paper.

The aim of the present study is to piece together the activity of Baron József Eötvös in the year from early 1867 to early 1868, which was crucially important in terms of the direction the preparations of the Jewish Congress of 1868/69 took with the convention of the Conference of the Notables in February 1868. To contextualise the actual course of events from the March 1867 Neolog memorandum to the Jewish Emancipation Act in December 1867 to the conference, I reconstruct Eötvös’s position towards liberal Catholicism, ‘received’ religions, and confessional autonomy in 1867 as well as his latitude in the House of Representatives in religious matters. It is against this background that I seek to answer the question of why the common plan of the minister and the Neolog party to convene a synod of

Jewish believers was modified to become a congress of Jewish citizens, and their common goal from solving an inner-Jewish religious conflict to creating a unified, 'laic' Jewish organisation.

For the discussion of Minister Eötvös's conduct concerning the 1868/69 Jewish congress in Hungary from a new perspective, in addition to the documentation, pamphlet literature, and press coverage of the congress, I also made use of hitherto under-explored or from this perspective unevaluated sources. The source base of the present study consists primarily of the relevant pieces of his extended correspondence and the protocols and papers of both houses of the Hungarian Parliament in 1867.

As a result, I shall show that in 1867, the common goal of the Neologs and the minister was modernisation as a first step towards integration. In early 1868, however, Eötvös's main objective consisted in the creation of an encompassing regulation of confessional autonomy for all the major denominations, and the Neologs had to adapt their plans to the modified intentions of the minister.

The research question in context

From the point of view of Baron József Eötvös, the Jewish Congress 1868/69 constituted two intertwined but different stories in terms of his agency, communication style, and personal engagement.² The first one is that of the conflict of the Orthodox association Guardians of Faith (*Hitőr*) with the minister who wanted nothing but to distance himself from the whole Orthodox business. Apart from the memoranda addressed to him, he probably did not read anything from the Orthodox press or their polemic brochures. He did not correspond with them personally, nor did the theological or cultural content of the Orthodox movement and its antecedents in the international context occupy him. Minister Eötvös regarded the Hungarian

Orthodox Jewish party as a hindrance in the way of his plans and acted towards it accordingly.

Based mainly on press sources, such as the *Allgemeine Zeitung des Judenthums* or *Der Israelit*, the latter definitely unsympathetic to the minister's Jewish policy, Jacob Katz magisterially reconstructed the story of the feud between Eötvös and the association *Hitör* in his *A House Divided: Orthodoxy and Schism in Nineteenth-Century Central European Jewry*. He gave a detailed account of how representatives of the Orthodox Jewry kept asking the minister in various ways to respect their points; how Eötvös kept rejecting their claims in his own ministerial sphere of discretion as long as he could; how, finally, the advocates of the Orthodox party attacked Eötvös in the House of Representatives from mid-1869 to force him to abandon the plan of imposing the statutes of the Congress on the whole of the Hungarian Jewry by way of decrees. In this clash with the minister, each subsequent step of interaction was initiated by the Orthodox party. Eötvös's behaviour was solely reactive: remaining silent, giving elusive answers, or reiterating his untenable arguments in defence of the idea of a single Jewish organisation in Hungary. On his own initiative, however, he never turned to Orthodox Jewish people, communities, or the *Hitör* association. Little wonder then that frustrated members of the Orthodox party (and also, to some extent, historians such as Jacob Katz) were finally inclined to see the motivation of the minister's stance, a celebrated pioneer of the Jewish emancipation in Hungary in the 1840s, in his changed, now presumably 'anti-Jewish' (*judenfeindliche*) attitude.³

My study focuses on another series of events that have appeared so far rather marginally on the horizon of previous research dealing primarily with the undeserved hardships of Orthodox Jewry. In the alliance of József Eötvös with the Neolog party during the 1868/69 Jewish Congress (including its preparation and aftermath) it was the minister who was pulling the strings: he not only negotiated and corresponded, formally or informally, with

the members of this party but also accompanied the events with reflections and accounts in his personal notices and correspondence. In other words, he was intensely engaged in the cause of the Neologs. My study aims thus to constitute a further step towards the fulfilment of a long-standing desideratum of the research into the history of the 1868/69 Jewish congress in Hungary. As Nathaniel Katzburg wrote in 1966:

It is impossible to understand the role that the government, the House of Representatives, and the King have played in the whole process related to the Jewish Congress, without being familiar in their entirety with the problems of State and Church, the nationality problem – and with the aspirations of the state, re-establishing itself in the wake of the agreement with Austria (the ‘Compromise’ of 1867), to settle these problems.⁴

From the Neolog memorandum of March 1867 to the Conference of the Notables in February 1868

The present study aims to provide a precise account of the minister’s stance towards the formulation, submission and enactment of the Jewish Emancipation Act in order to shed new light on the differences between the March 1867 Neolog memorandum and the standpoint of the conference in February 1868 in terms of the minister’s goals and intentions. The 1867 March memorandum expressed its wishes in a political environment lacking general religious regulation as well as a completed Jewish emancipation. It planned a synod that should decide in controversial questions of rite and the statutes of which could be implemented by any government with no matter what kind of legislative background. The speeches opening the Conference of the Notables in February 1868, promised, on the contrary, the regulation of organisational matters within the framework of the enacted emancipation as a surrogate

measure instead of a thoroughgoing regulation of religious matters in Hungary. To achieve this objective, the participants of the conference proposed a congress that would exclude all issues of rite and observance.

Contrary to the contemporary account of Eötvös's chief advisor in Jewish matters, Ignác Hirschler, or some modern historians of the Jewish congress,⁵ the establishment of the Conference of the Notables in February 1868 was not an immediate consequence of the acceptance of the Neolog memorandum by the minister in March 1867. Actually, every element of the orchestrated plan had changed within a year apart from the wish that Hungarian Jews should hold a general assembly.

The rhythm in which the preparations for this Jewish convention were evolving depended only on the minister's decisions. In fact, he seems to have preferred timing every subsequent, publicly visible, step towards the congress in the gaps between parliamentary sessions, probably for practical reasons as well as to avoid any interference of the House of Representatives into his Jewish policies other than an eventual sanctioning of the fait accompli. Due to this arrangement he was, in turn, able to fine-tune his plans in terms of changing tendencies in parliamentary politics. This strategy was working quite well until the Orthodox party upset the apple cart in the spring of 1869 and sought direct contacts with the newly elected Parliament. Accordingly, in April 1867 Eötvös still hoped that the assembly petitioned by the March 1867 memorandum would take place 'until the autumn,'⁶ i.e. between the spring session ending on 2 July and the autumn session beginning on 30 September 1867. Eventually, he launched his autonomy project during the summer break instead. The Emancipation bill was submitted by the Ministry of Religion and Education after Eötvös had started the autonomy scheme in his letter from July 1867 to János Simor, Archbishop of Esztergom and Primate of Hungary.⁷ After the Parliament had passed the Emancipation Act at the end of 1867, Eötvös proceeded with the preparations of the Jewish assembly (by now it

had become a ‘congress’) with the Conference of the Notables between the end of the 1867 autumn session on 30 December 1867, and the beginning of the spring session on 11 March 1868. The congress opened the day after the autumn session had ended on 9 December 1868.

The word ‘autonomy’ had not been mentioned in the March 1867 memorandum. To overcome the existing animosity between the factions of the Israelite confession, the common intention of the minister and the Neolog party, as stated by the Neolog party themselves, consisted in the establishment of a Jewish ‘nationwide, general community and its central representative organ’ (*országos egyetemes község és központi képvisellete*). To achieve this, members of the Pest community asked permission to hold an assembly (*gyűlés*) on the basis of the important historical precedents of feudal Hungary, at the time of which ‘holding such nationwide, general assemblies (*országos összyűlések*) had been a custom’.⁸ According to the memorandum, this nationwide organisation should be subsumed under the ministry, and in consequence, the ministry would be in a position to solve some basic internal problems of Hungarian Jewry. This is the reason why Eötvös wrote in April 1867 to his political ally Miksa Falk about the upcoming convention of a ‘Jewish synod’ (*zsidó zsinat*) to take place by the autumn of 1867. In this letter, the various religious projects – the countermanding of the 1859 Protestant patent, the Eastern (Greek) Orthodox Christian Serb Church and education system, and the Jewish assembly – had not yet been unified in a vision of comprehensive regulation.⁹

In February 1868, however, the concerned parties were discussing the plan of a nationwide Jewish association that was supposed to solve internal problems of its membership independently and whose statutes should be set out by a congress and not a ministerial decree. It is not historical custom that would give legitimacy to this assembly but the act of civil emancipation that enabled the Jews to assemble in order to regulate their own confessional

issues. The word 'autonomy' appeared for the first time in the introductory speech of the minister for the conference as the principle of this regulation:

[T]he equal legal stance (*Gleichstellung*) of the Israelites once achieved, they are entitled as a confession too to organise and administer their internal issues under the supervision of the State autonomously.¹⁰

József Eötvös on European civilisation and the Jews

Regarding his religious policy after 1867, the political Catholicism of József Eötvös's family bears more relevance than his personal faith. Unlike his father, Ignác Eötvös Jr., József became a Liberal: a Catholic Liberal rather than a Liberal Catholic, i.e. a Liberal who wanted to instrumentalise his Catholicism to attain political goals. Because of the Catholic-Conservative stance of his family, József Eötvös maintained good contacts with the Habsburg House, the Catholic aristocracy, and the high clergy even after joining the party of liberal opposition. It is from the position of this double engagement that he advocated the Jewish emancipation before Catholic prelates and aristocrats in the Upper House of the Hungarian Diet in 1840. This subject matter, along with the penitentiary reform and other things, was one of those through which Eötvös made Hungarian public opinion acquainted with some universalistic human rights arguments, indirectly attacking at the same time the political and social privileges of the Hungarian political class (the nobility). Eötvös's study, *The Emancipation of Jews (Die Emancipation der Juden, 1841)*, reaching Gentile Liberals in Hungarian, and Hungarian Jews in German, founded his reputation as a pioneer of Jewish emancipation.¹¹

Minister of Religion and Education in the 1848 constitutional government, József Eötvös left the country in October 1848 after the radicalisation of the Revolution in Hungary and spent two years of self-imposed exile in Bavaria to distil the experiences of the years of 1848/49 into works of political theory. Not least due to the lessons he had learned as a minister about Serb and Romanian national movements, Eötvös interpreted nationalism as a feeling of national supremacy that aspired for the congruence of state and nation. As religion had become the battlefield of nationalism in 1848, the issue of confessional emancipation was thoroughly separated from its theological aspects in his theory. In the brochure *On the Equal Rights of the Nationalities in Austria (Über die Gleichberechtigung der Nationalitäten in Österreich, 1850)*, he treated religion as a phenomenon accompanying and reinforcing national movements. Since his thoughts were primarily occupied by the threats the identitarian movements would pose for the existing states of Europe, Eötvös regarded ‘the tiny people’ (*das kleine Volk*) of the Jews as a negligible factor and did not take them into consideration while developing a general theory of equal national rights within the Habsburg Empire.¹² The movements of European Jewry after 1848 did not appear on his intellectual horizon.

Eötvös held that modern national movements constituted a danger not only for the continued existence of the Austrian empire but also for the European political balance of powers and its foundations, European (as he usually wrote: ‘Christian’) civilisation. In his two-volume *The Impact of the Dominant Ideas of the 19th Century on the State (Der Einfluß der herrschenden Ideen des 19. Jahrhunderts auf den Staat, 1851–54)*, which was meant to be a historical diagnosis of the 1848 crisis of Western civilisation, Eötvös conceived religion as an eminently political question, although he excluded theological points from his analysis. In conformity with this, he regarded Jewish religion (together with the Roman tradition, medieval Catholicism that maintained the balance of Empire and papacy, as well as Early

Modern religious reform) as one of the historical mainstays of individual freedom, the principal value of European civilisation in his view. These historical phenomena constituted, according to Eötvös, the milestones of progress: a feature that Eötvös thought, together with so many of his fellow Liberals contemporaries, to be the specific difference of the Western world. Accordingly, he held the view that theological aspects in the political anthropology of European humankind had become of secondary importance by the 19th century. They can, and even should, be put aside to achieve progress. Hence, the preconditions, according to Eötvös, are that the Jews set aside those components of their theology that are incompatible with Christianity in order to be able to benefit from modern institutions of individual freedom: bourgeois society and free market capitalism.¹³

Eötvös's project of confessional autonomy

The idea of a uniform confessional autonomy based on his theory of European civilisation seems to have offered to Eötvös a way out from the puzzle that the varieties of proposals for religious regulation in the House of Representatives had posed to him in the spring of 1867. Soon after the March 1867 Neolog memorandum it became clear that debates in the House would be shaped not along the subsequent enlargement of the privileged group of 'received' religions but the urging of a wide-ranging religious legislation against revered historical prerogatives. For Eötvös, this degradation of the so-called 'historical' Christian religions was unacceptable, and he supposed for good reasons that it would also be unacceptable for the Catholic Church. As a third way, he opted for giving voice to the concept of the equal autonomy of all confessions, received or not, in Hungary. That is why he wanted to avoid the procedure of passing the regulation of the Israelite confession through the legislative by asking the authorisation of the congress from Francis Joseph I as King of Hungary.

One of Eötvös's aims was indeed to strengthen the lay element in the leadership of the religious denominations;¹⁴ an even more important aspect was, however, that he wanted to implement this change not within the existing system but in connection with the long-term transformation of the denominations to civil associations. The main example of the feasibility of Eötvös's project would have been the Israelite confession with its association-like organisation even if the established denominations temporarily retained their existing hierarchy. This difference was highlighted in the minister's opening speech during the Jewish congress:

[T]he task of this congress is to achieve that the Israelite confession (*hitfelekezet*) in this country, also in its quality as a religious association (*mint vallásos társulat is*), form such a free, independent, and autonomous body (*testület*) as the autonomous Christian churches (*keresztény autonóm egyházak*).¹⁵

Eötvös's drive towards confessional autonomy had its pre-modern antecedents in the Protestant confessions, its domestic preconditions from the year 1848 in the Orthodox Greek Church, and its international context in the Roman Catholic Church. Although these phenomena were far from being uniform, the minister was able to publicly communicate the umbrella project of confessional autonomy in liberal clothing through different arguments adapted to each confession. It was the logically uniform master-plan of an intellectual that was impossible to convey to the Hungarian public. Eötvös hoped that his autonomy plan would influence the European scene in two aspects: in its exemplarity concerning the regulation of Church-State relations and in the beneficial impact the eventual success of an all-European regulation would exert on the future of European civilisation.

The one side of his wishful thinking, i.e. his ambition to become the founding figure of the practical implementation of the Liberal Catholic principle ‘free church in a free State,’ was imparted in his private correspondence to two people close to him who were under-informed in confessional matters in Hungary: his 20-year-old son, Loránd, and the by then heavily ill and politically disgraced leader of the French Liberal Catholic movement, Count Charles de Montalembert. Both were without a say in Hungarian religious politics and withheld any commentary on it in their letters to József Eötvös. Therefore, Eötvös’s reflections on his ambitious project to his son and his friend remained a self-reassuring monologue rather than responsible political thinking.¹⁶

The other characteristic of his plan, the presumed beneficial impact of confessional autonomy on European civilisation, was articulated in one of his fragments dated 1867–1868:

The task is to organise each Church in such a way that the lay element have an overwhelming influence in each of them.

Thereby two things can be achieved.

1) The general progress of civilisation and its consequence, the transformation of ideas, will necessarily have an impact, through the influence of the laity, on the Churches as well and stagnation becomes impossible in this field as well as in any other circumstances.

2) Since civilisation is a commonly shared thing in our time, the unyielding opposition, in which the confessions stay against each other, will cease to exist in the same proportion as the lay element gains influence in the Churches. Humans will get closer to each other in religious aspects as well as we experience it in other circumstances of our life.

In our country, a third consequence of this kind of organisation of the Churches can be expected. The autonomous organisation of the Churches, by the establishment of other large organisations instead of [i.e. besides] the state, which are not concentrated around the national sentiment, will push national aspirations into the background. In this part, we can surely refer to our experience that shows that the Protestant [i.e. Lutheran] Church, consisting in large parts of Slavs and Germans, served yet as a strong support for the Hungarians, mainly because this Church is best organised among the autonomous Churches.¹⁷

This fragment can be interpreted as follows. The threefold benefit, i.e. the influence of the lay element, the 'progress,' and the surmounting of national antagonisms, can be obtained by each confession with due consideration of their original conditions. Each Church has to be transformed in different ways to fulfil all three criteria. The involvement of the lay element had been achieved by the Protestants in the past and could be achieved by the Greek Orthodox and the Jews in the present. The Catholics should arrive from the condition of power to the condition of freedom and progress, while the Protestants (in the past) and the Jews (in the present) from that of outlawry. The Catholics were trustees of 'progress' in the past, the Protestants in the present, while an internal discord between the partisans of 'progress' and those of 'stagnation' should be surmounted by the Jews. As to the third criterion, while no tension whatsoever exists between religious and Hungarian national identity for the Catholics (and the reformed Protestants), this tension was smoothed for the Lutherans in the past and should be smoothed for the Greek Orthodox in the present. As to the Jews, it is desirable that the autonomy project be led by those who are interested in the minimisation of the tension between religious and national identity. Now, if the majority of the criteria are met by each confession, then the final result could serve as strong empirical evidence for the feasibility of

Eötvös's plan on the basis of which the minister could have urged the Catholics to fill the last gap in this system: the enhancement of the influence of the lay element in their Church.

Hungarian Jewry and religious reception

The laconic Jewish Emancipation Act ('It is declared that the Jewish inhabitants of the land have the right to enjoy all civil or political rights on an equal footing with the Christian inhabitants'¹⁸) happened to become so minimalist primarily because of the lack of consensus in 1867 about the future of received religions in Hungary. Of the three components of a full emancipation – individual equality before the law, religious equality, and social advancement¹⁹ – only the first was provided by the Emancipation Act as a precondition of the third benefit. The second – equality for Jews as a religious community – was not guaranteed by Article 1867:17, which was enacted as a no longer deferrable legal minimum compatible with all the three available options: an extension of the historical privilege of the status of 'received' religions, a comprehensive liberal legislation, and finally 'autonomy'.

The issue of received religions seems crucial for the understanding of the minister's position towards the regulation of the legal stance of the Jews in Hungary.²⁰ In theory, Eötvös simultaneously advocated confessional autonomy and the institution of received religions and therefore he saw himself obliged to find different practical solutions to make his principles compatible to each other in the case of each confession.

Ideally speaking, for Eötvös, churches in Hungary should have been organised on the basis of the autonomy principle as civil associations for satisfying the religious needs of the citizens. The preponderance of the lay element would mean that, just like in a chess club, it is the membership (the believers) and not the presidency (the clergy) that would decide in matters of the association, e.g. what objectives the state subvention should be used for.

A not insignificant difference between a church and a chess club consists in the fact that in return for state support, churches contributed to the organisation of the citizens' lives from their birth, to education and marriage, to their grave; a contribution which was indispensable for the proper functioning of society. Now, the institution of a received religion (*bevett vallás*) means that only 'equally' (*egyenlően*) and 'reciprocally' (*viszonosan*) received religions are entitled to perform these services for the state, which, in turn, allows them the free practice of their rite, providing subvention and, if necessary, protection of their functioning by police force.²¹ Their equality signifies no more and no less that each received religion can establish a claim for this stance towards the state. The autonomy that Eötvös offered to the Jews was compatible with the institution of received religions up to this point. Reciprocity, on the other hand, denotes that an individual may resort freely and without any detrimental consequences to the services of no matter what received religion during their life. From this point of view, Eötvös held the opinion that the Jewish religion had yet to be assimilated to the Christian denominations to the extent that would justify its received status. One of the main objectives of the congress would have consisted in accelerating this assimilation process, hitherto not achieved by slow and organic change, by an act of voluntarism.

In the case of Christian denominations, Eötvös's task consisted in the harmonisation of the principle of association with those of equality and reciprocity, though the Catholic Church already felt short-changed solely by the enlargement of the number of received religions. The 1848 legislation went on in this process by the reception of the Unitarian (explicitly by Act 1848:20, § 1) and Greek Orthodox churches (by Act 1848:20, § 6–8 that, together with Acts 1790:27 and 1792:10, were consensually interpreted as their reception) without touching upon the internal organisation of any Christian church in Hungary. The 1867 government, while it declared its legal continuity with the 1848 regime and ignored the measures of religious

regulation during the New Absolutist era, was determined to promote the Europeanisation of Hungary by legislation in conformity with liberal ideas. There were, as said, two rival conceptions to achieve this objective. The first consisted in a comprehensive religious legislation that would set aside the whole institution of received religions and, consequently, the prerogatives of received confessions at schooling and marriage. The second was autonomy. The political class in Hungary proved to be unable to decide in this dilemma for long decades. The outcome of this procrastination was the reception of the Israelite religion as late as in 1895, i.e. the victory of the historical constitution over both liberal principles.²²

Religious legislation in 1867 and the Jewish Emancipation Act

As to the available options during the second half of the year of 1867, i.e. after the beginning of Eötvös's autonomy project and before the enactment of the Emancipation Act, Mór Mezei's recollections are particularly informative about the intentions of both the Neolog and the minister:

We wanted § 1 [of the planned legislation on the status of the Jews] to give equal civil and political rights to the Jews; § 2 to declare the Jewish religion a received religion; § 3 to secure rights of self-determination to the [Jewish] confession in analogy to Article 1848:20, § 8, and to order the government to summon a congress so as 1848:20 did it in the case of Greek Orthodox believers. Baron József Eötvös was of a different opinion so far as he thought that in order to establish the organisation of self-government a congress could be summoned on the basis of a royal resolution by the government too, even if it had not been ordered by legislation. If it would be necessary, the statutes of the congress could be sanctioned by Parliament posteriorly [...].²³

As Mezei's impressions show, the joint action of the Neologs and the minister after the enactment of the Emancipation Law was launched in full accordance with the minister's intentions, but not the Neologs'.

In conformity with his intent to transform the House in Jewish issues into a mere voting machine, the minister seemed ostentatiously inactive during the discussions of the Emancipation bill. On 26 March 1867, i.e. immediately after the Neolog memorandum, Kálmán Tisza, then a centre-left oppositional Member of Parliament, put a question to the Minister of Religion and Education about a comprehensive bill concerning:

[T]he relation of every confession to each other as well as the state on the basis of equal rights, extending it to those confessions, too, to which it had not been extended by our laws so far.²⁴

An overall regulation scheme as it was, Tisza's proposal seems to have been incompatible with that of a separate Jewish Emancipation Law; on the other hand, this proposal made it evident that confessional autonomy had not been on the horizon of the legislative body at the moment when it took up the religious issue. Eötvös (an advocate of the institution Tisza's proposal was meant to abolish) promised an answer later. This governmental response was finally given on 5 April 1867, not by him but by Minister of Justice Boldizsár Horváth who declared in general terms that the government was indeed planning a bill on this matter.²⁵ Horváth (and the government) may have wanted only to gain time; nonetheless, the issue of the legal stance of confessions surfaced time and again in the House of Representatives during

discussions concerning the institutional framework of a constitutional Hungary. For example, while debating the Coronation Act on 4 June 1867, a problem emerged regarding whether members of non-received religions (typically Jews) were able to function as Guardians of the Crown.²⁶ The decision towards a separate regulation of the emancipation of Jews was probably accelerated by the ranking Member of Parliament, Zsigmond Bernáth, who submitted a bill of his own on Jewish emancipation on 24 June 1867.²⁷ It is in the wake of this catalysing intermezzo that an interpellation was addressed to Minister Eötvös, asking him whether the Ministry of Religion and Education was planning the submission of the Emancipation bill immediately after the summer break. As it was the greatest legal and political authority of the governing party, Ferenc Deák, who challenged the minister, this may indicate that the interpellation was a prepared choreography to enable the minister to retake the initiative in this issue. In his somewhat impersonal response, Eötvös declared:

[T]hat the ministry appreciated the importance of this question in its full extent and understood its urgency. That is why it will submit a bill [...] in the beginning of the next session [...].²⁸

The bill, however, was submitted as late as on 25 November 1867, and not by Eötvös but by Prime Minister Count Gyula Andrassy. The opinion of the Central Committee of the Parliament from 18 December 1867 on the Jewish Emancipation bill urged once again a comprehensive legislation on religious matters:

It [i.e. the Central Committee] would, however, be solicitous to express its wish to the Parliament that the ministry submit a bill concerning the guarantees of the freedom of religion and cult as well as the civil and political equality of rights of various denominations.

Kálmán Tisza used the opportunity to reiterate his proposal towards a general regulation accepting, at the same time, the Jewish Emancipation bill in the conviction that debates on comprehensive regulation would only ‘delay the emancipation of the Israelites’.²⁹

Neither in the discussions nor behind the wording of § 1 of Act 1867:17 can Eötvös be detected as a driving force of the Jewish emancipation during the legislation procedure. Although Eötvös was present during the vote in the House of Representatives on 20 December and the Upper House on 23 December 1867, he kept his silence on both occasions.³⁰ Furthermore, Zsigmond Bernáth reminded the House of the fact that the formulation of § 1 of his proposal from 24 June 1867, had ‘almost literally’ been the same as that of the bill with one single difference: he had proposed the word ‘our compatriots’ (*honfitársaink*) rather than ‘inhabitants’.³¹ A further modification in the text of the Act with relation to that of the original bill reveals that neither of them was formulated by Eötvös personally. The expression ‘equally enabled’ (*egyenlően képesítetteknek*) was re-formulated as ‘in equal measure entitled’ (*egyaránt jogosítottaknak*). In contradistinction to the wording of the original bill, Eötvös did not use the word ‘*képesítés*’ (‘qualification’) in his correspondence, while the word ‘*képesség*’ (‘ability’) was used by him at that time exclusively in the meaning of ‘talents’ or ‘natural ability’. And unlike in the final version, the word ‘*jogosít*’ (‘be entitled with a right by law’) was usually used by Eötvös, whose native tongue was German, in the meaning of ‘*feljogosít*’ (‘be empowered by someone else to do something’) and vice versa.³²

Conclusion

My study complemented the research on Minister Eötvös's relations to the Hungarian Jewry concerning the 1868–69 Jewish congress by focusing on his collaboration with the Neolog party. Confining its chronological scope from early 1867 to early 1868, it gave an account of the initial phase of their contacts, showing that their original unity of intentions aiming at a joint action towards the modernisation and organisation of Hungarian Jewry had been broken in 1867. Consequently, only a single element remained unchanged of the plan by February 1868, that of a general Jewish assembly. Hence, the joint action was to be continued from early 1868 in order to pursue partly separate goals. This study has shown the space the minister had in 1867 in matters of religious policy and the motives of his positional change which resulted in the delay of the assembly which eventually took place not as a synod but a congress.

On the basis of the outcomes of this paper, further research should give an account of the unity of action between József Eötvös and the leaders of the Neolog party during the 1868/69 congress of Hungarian Israelites in the interest of the establishment of a single, unified Jewish organisation in Hungary. This investigation should also extend to the subsequent year when the minister and his allies made every possible effort to defend the resolutions of the congress against the all-out counter-offensive of the Orthodox party. Extenuated by never-ceasing illnesses and worn out by the personal attacks of the newly elected parliamentary opposition taking up the cause of the disappointed Orthodox Jewry, Minister Eötvös withdrew from this alliance in mid-1870, coming to terms with the utter failure of this most cherished project which aimed at subsuming all Jews and Christians in Hungary under a uniform scheme of confessional autonomy.

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Declaration of interest statement

I wish to confirm that there are no known conflicts of interest associated with this publication.

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Notes

¹ For more detail, see Jacob Katz, *A House Divided: Orthodoxy and Schism in Nineteenth-Century Central European Jewry*, trans. Ziporah Brody (Hanover: Brandeis University Press, 1998), 77–85; and Michael K. Silber, “The Emergence of Ultra-Orthodoxy: The Invention of a Tradition,” in *The Uses of Tradition: Jewish Continuity in the Modern Era*, ed. Jack Wertheimer (New York/Jerusalem: Distributed by Harvard University Press, 1992), 50–9.

² Previous accounts: Leopold Löw, *Der jüdische Kongress in Ungarn, historisch beleuchtet* [The Jewish congress in Hungary, historically elucidated] (Pest: L. Aigner, 1871), 281–322; Sándor Büchler, “Eötvös József báró és a magyar zsidóság [József Eötvös and Hungarian Jewry],” *Izraelita Tanügyi Értesítő* 38, no. 8 (1913); Zsigmond Grossmann, *A magyar zsidók a XIX. század közepén* [Hungarian Jews in the middle of the 19th century] (Budapest: Egyenlőség, 1917), 82–136; József Bánóczy, “Eötvös és az emancipáció [Eötvös and the emancipation of Jews],” *Évkönyv, kiadja az Izraelita Magyar Irodalmi Társulat* 42 (1918), 7–11; Lajos Venetianer, “Az emancipáció története [A history of the emancipation],” *ibid.*, 32–52; Nathaniel Katzburg, “The Jewish Congress of Hungary, 1868–1869,” in *Hungarian-Jewish Studies*, ed. Randolph L. Brahm (New York: World Federation of Hungarian Jews, 1969), vol. 2, 1–33; Thomas Domján, “Der Kongress der ungarischen Israeliten 1868–1869 [The congress of the Hungarian Jews 1868–1869],” *Ungarn Jahrbuch* 1 (1969): 139–62; Brigitta Eszter Gantner, “Az egyetemes izraelita kongresszus 1868–69-ben. Küzdelem az asszimilációért és ellene [The Universal Congress of the Israelites in 1868–69. Struggle for and against assimilation],” in *Honszeretet és felekezeti hűség: Wahrman Mór 1831–1892*, ed. Tibor Frank (Budapest: Argumentum, 2006), 91–110; Katz, *House Divided*, 89–203; Nathaniel Katzburg, *Fejezetek az újkori zsidó történelemből Magyarországon* [Chapters of modern Jewish history in Hungary] (Budapest: MTA Judaisztikai Kutatócsoport – Osiris Kiadó, 1999), 96–8; Miklós Konrád, “Eötvös József és a zsidók [József Eötvös and the Jews],” *Történelmi Szemle* 56, no. 3 (2014): 504–7. In conformity with the usual denominations of the Jewish factions in the scholarship as well as Eötvös’s usage – ‘Orthodox and Innovator’ (*ortodoxok és újítók*), I write ‘Orthodox’ and ‘Neolog’ in this study. Eötvös to Loránd Eötvös, 28 October 1868. József Eötvös’s letters to Loránd Eötvös, Collection of Letters, National Széchényi Library, Budapest, Hungary, letter no. 18. With incorrect date in: József Eötvös, *Levelek* [Letters], ed., foreword Ambrus Oltványi (Budapest: Magyar Helikon, 1978), 570. For the historical semantics of these words see Tamás Turán, “Ortodox, neológ: a magyar zsidó valláspártok elnevezéseinek történetéről [Orthodox, Neolog: On the history of the denominations of Jewish religious parties in Hungary],” *Regio: Kisebbség, Kultúra, Politika, Társadalom* 24, no. 4 (2016), <http://dx.doi.org/10.17355/rkkpt.v24i3.128>.

³ *Rabbinische Gutachten über die Statuten und Beschlüsse des ung.-isr. Kongresses* [Rabbinic report on the statutes and resolutions of the Hungarian-Jewish congress], (Pest: I. Neuer, 1869), 4; cf. Katz, *House Divided*, 181.

⁴ Nathaniel Katzburg, “Ha-Kongress ha-yehudi be-Ungarya bi-shnat Tav-Resh-Khaf-Ṭet. Reshimah shel meqorot,” *Areshet* 4 (1966), 325. Tamás Turán’s translation. On the Jewish congress with relation to Eötvös’s religious policies see Paul Bödy, *Joseph Eötvös and the Modernization of Hungary 1840–1870* (Philadelphia: The American Philosophical Society, 1972), 115–24; and András Cieger, “Az elvszerűség paradoxonjai. Eötvös József második minisztersége (1867–1871) [Paradoxes of the politics of principles: József Eötvös’s second Ministry],” in *A kincset csak fáradsággal hozhatjuk napvilágra. Tanulmánykötet báró Eötvös József születésének 200. évfordulójára*, ed. Gábor Gángó (Budapest: ELTE Eötvös József Collegium, 2013), 337–57.

⁵ *A Magyar Országgyűlés mélyen tisztelt Képviselőházához intézett Emlékirata az izraelita egyetemes gyűlés bizottságának az 1868. évi december 10-ére meghívott izraelita congressus által hozott határozatok tárgyában* [Memorandum to the House of Representatives by the Committee of the Jewish Congress concerning its resolutions] (Budapest: Pesti Könyvnyomda, 1870), 6; Katzburg, *Fejezetek*, 84.

⁶ Eötvös to Miksa Falk, 26 April 1867. Eötvös, *Levelek*, 479.

⁷ *Ibid.*, 493–500.

⁸ *A Magyar Országgyűlés*, Annex ‘a,’ 2.

⁹ Eötvös to Falk, 26 April 1867. Eötvös, *Levelek*, 480. For the distinction between a synod and a congress, see C. Wilke’s paper in the present issue.

¹⁰ *Allgemeine Zeitung des Judenthums* 32 (1868), no. 11 (10 March 1868), 204. Cf. Katz, *House Divided*, 100.

¹¹ For an interpretation, see Steven Béla Vardy, “The origins of Jewish emancipation in Hungary: The role of Baron Joseph Eötvös,” *Ungarn-Jahrbuch* 7 (1976): 137–67; Konrád, *Eötvös*, 495–500; a review article: Enikő Gyarmati, “Eötvös József: *A zsidók emancipációja*: Historiográfiai áttekintés 1913–2013 [József Eötvös: *The Emancipation of Jews*: A historiographical overview 1913–2013],” *Kisebbségkutatás* 23, no. 3 (2014): 124–46. For the broader context, see Ernő Bródy, “A magyar szabadelvűek mozgalmá a zsidók egyenjogúsításáért 1840-ben [The movement of Hungarian Liberals in 1840 for the emancipation of Jews],” *Magyar Zsidó Szemle* 50 (1933): 201–47; Béla Bernstein: “A zsidókérdés 1848 előtt [The Jewish question before 1848],” *Magyar Zsidó Szemle* 53 (1936): 160–72; Ernő Ballagi “A magyarországi zsidóemancipáció előzményei [Antecedents of the emancipation of Jews in Hungary],” *Magyar Zsidó Szemle* 58 (1941): 59–77; and Michael K. Silber, “The

Entrance of Jews into Hungarian Society in Vormärz: the Case of the ‘Casinos’,” in *Assimilation and Community: The Jews in Nineteenth-Century Europe*, ed. Jonathan Frankel and Steven J. Zipperstein (Cambridge: Cambridge University Press, 1992), 284–323.

¹² József Eötvös, *Über die Gleichberechtigung der Nationalitäten in Österreich* [On the Equal Rights of the Nationalities in Austria] (Pest: Hartleben, 1850), 3. Cf. Gábor Gángó, *Eötvös József az emigrációban* [József Eötvös in exile] (Debrecen: Kossuth Egyetemi Kiadó, 1999), 140–81.

¹³ Joseph Eötvös, *Der Einfluß der herrschenden Ideen des 19. Jahrhunderts auf den Staat* [The impact of the dominant ideas of the 19th century on the State], Theil 1 (Vienna: Fr. Manz, 1851), 96–7. Cf. Konrád, *Eötvös*, 501; Gábor Gángó, *Eötvös József uralkodó eszméi: Kontextus és kritika* [József Eötvös’s dominant ideas: Context and critique] (Budapest: Argumentum, 2006).

¹⁴ Bödy, *Eötvös*, 116; Katz, *House Divided*, 91–2.

¹⁵ Quoted after Lajos Venetianer, *A zsidóság szervezete az európai államokban* [The organisation of Jews in European countries] (Budapest: Franklin-Társulat, 1901), 509.

¹⁶ See above all Eötvös to Loránd Eötvös, 7 December 1868. Eötvös, *Levelek*, 572: ‘The House finishes on 10 December and I summoned the Jewish congress on the same day. [...] It attempts the solution of a problem that this way had not been attempted by anyone yet’; and Eötvös to Montalembert, 15 December 1868. Győző Concha, *Eötvös és Montalembert barátsága* [The friendship between Eötvös and Montalembert] (Budapest: Szent István Társulat, 1918), 319; in Hungarian translation: Eötvös, *Levelek*, 573–4: ‘I hope that still in the year of 1869 [...] I can see the autonomous organisation of all the religious communities in Hungary and thus I can carry out the principle “free Church in a free State” at least in one single country.’

¹⁷ József Eötvös, *Vallomások és gondolatok* [Confessions and Thoughts], ed., foreword Miklós Bényei (Budapest: Magyar Helikon, 1980), 729–30. Bernát Heller highlighted as early as in 1913 the relevance of these thoughts to Eötvös’s policies concerning the Jews. Bernát Heller, “Eötvös József báró [Baron József Eötvös]”, *Évkönyv, kiadja az Izraelita Magyar Irodalmi Társulat* 36 (1913), 44.

¹⁸ Quoted in English translation after Katz, *House Divided*, 89.

¹⁹ Ulrich Wyrwa, *Juden in der Toskana und in Preußen im Vergleich: Aufklärung und Emanzipation in Florenz, Livorno, Berlin und Königsberg i. Pr* [Jews in Tuscany and Prussia in comparison: Enlightenment and emancipation in Florence, Livorno, Berlin, and Königsberg in Prussia]. (Tübingen: J. C. B. Mohr, 2003), 8. For the broader context, see Jacob Katz, *Zur Assimilation und Emazipation der Juden* [On the assimilation and emancipation of the Jews] (Darmstadt: Wissenschaftliche Buchgesellschaft, 1982).

²⁰ For the institution of received religions, see A. Prebuk’s paper in the present issue, and the next note.

²¹ “Bevett vallás [Received religion]”, in *Magyar Katolikus Lexikon*, ed. István Diós and János Viczián (Budapest: Szent István Társulat, 1993–2014) <http://lexikon.katolikus.hu>; Tamás Turán, “As the Christians Go, so Go the Jews” – Hungarian Judaism in Its Denominational Matrix in the Mid-Nineteenth Century,” in *Dubnow-Institut Yearbook 16 (2017)*, ed. Yfaat Weiss (Göttingen: Vandenhoeck & Ruprecht 2019), 61–93, here: 66, note 20; Katz, *House Divided*, 90. Previous discussions: Gábor Gyáni and György Kövér, *Magyarország társadalomtörténete a reformkortól a második világháborúig* [A social history of Hungary from the Reform Era to World War II] (Budapest: Osiris, 1998), 127–32; and László Péter, “Church-State Relations and Civil Society in Hungary: A Historical Perspective,” in László Péter, *Hungary’s Long Nineteenth Century: Constitutional and Democratic Traditions in a European Perspective. Collected Studies*, ed. Miklós Lojók (Leiden: Brill, 2012), 405–25.

²² For a detailed account of this transition period, see A. Prebuk’s study in the present issue.

²³ Mór Mezei, “Visszaemlékezés az emancipáció idejére [Recollections from the time of the emancipation],” *Évkönyv, kiadja az Izraelita Magyar Irodalmi Társulat* 42 (1918): 29–30.

²⁴ *Képviselőházi napló* [Protocols of the House of Representatives] 1865–1868, vol. 4 (Pest: Emich Gusztáv, 1867), 55.

²⁵ *Ibid.*, 4: 149. It seems an exaggeration to interpret this episode as a debate between Horváth and Eötvös: Ernő Ballagi, “A magyar zsidóság harca az emancipációért [The struggle of Hungarian Jewry for emancipation],” *Évkönyv, kiadja az Izraelita Magyar Irodalmi Társulat* 62 (1940): 166; Ballagi, “Szabadelvűség és magyar zsidóság [Liberalism and Hungarian Jewry],” *Évkönyv, kiadja az Izraelita Magyar Irodalmi Társulat* 63 (1941): 224. For Horváth’s role in the Jewish Emancipation Act, see Attila Katona, *Zsidóság és zsidókérdés Vas vármegyében 1910–1938* [Jewry and the Jewish question in Vas County, 1910–1938], (PhD Diss., University of Pécs, BTK Interdisciplinary Doctoral School, Pécs, 2009), 17. Cf. Miklós Konrád, “A galíciai zsidó bevándorlás mítosza [The myth of the Jewish immigration from Galicia]”, *Századok* 152, no. 1 (2018): 40.

²⁶ *Képviselőházi napló*, vol. 4, 245–6.

²⁷ Árpád Zeller, *A magyar egyházpolitika 1847–1894* [Religious policies in Hungary, 1847–1894], vol. 1: 1847–1872. (Budapest: Boruth E., 1894), 264.

²⁸ *Képviselőházi napló*, vol. 4, 311.

²⁹ *Képviselőházi napló*, vol. 5 (Pest: emich Gusztáv, 1868), 234; Zeller, *Egyházpolitika*, 261, 263, 263–4. Previous discussions: Róbert Jánosi Engel “Báró Eötvös József és a magyar zsidóság emancipációja [Baron József Eötvös and the emancipation of Hungarian Jewry],” *Évkönyv, kiadja az Izraelita Magyar Irodalmi Társulat* 38 (1914): 22–3; Ballagi, “A magyar zsidóság harca,” 166–7.

³⁰ *Képviselőházi napló*, vol. 6 (Pest: Emich Gusztáv, 1868), 254; *Főrendiházi napló* [Protocols of the Upper House] 1865–1868 (Pest: Athenaeum, 1869), 307.

³¹ Zeller, *Egyházpolitika*, 264.

³² ‘Képesség’: Eötvös to Loránd Eötvös, 23 February 1868, 12 December 1868, and 17 August 1870. Eötvös, *Levelek*, 530, 576, 669. ‘Jogosít’: Eötvös to Menyhért Lónyay, 9 September 1868. *Ibid.*, 567; Eötvös to Gedeon Tanárky, 5 September 1868 and 17 August 1869. *Ibid.*, 564, 606. ‘Feljogosít’: Eötvös to János Simor, 19 December 1869. *Ibid.*, 624, 634.