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On the 90th anniversary
of the signing of the Lateran Pacts.
Their genesis, most important
provisions, and significance

<http://dx.doi.org/10.12775/SIT.2019.018>

The year 2019 marks the 90th anniversary of the signing of the Lateran Treaties. Their conclusion led to the normalisation of relations between Italy and the papacy, the creation of the Vatican City State (Stato della Città del Vaticano), and the conclusion by representatives of the Holy See and the Italian government of a concordat ending a nearly sixty-year conflict between the Italian Kingdom and the Church. Its functioning is connected with the Roman Catholic Church and the Holy See, the seat of the Popes. Thanks to the Treaties, the Church State, which had previously existed for more than eleven centuries, was resurrected and the concordat that Italy concluded with the Holy See reorganised mutual relations in church matters.

We should agree with those native researchers in Italy's political history who believe that the so-called "Roman Question" began as early as the end of the 18th century with the French Revolution¹.

¹ It is assumed that the so-called „Roman Question” was initiated by the French Revolution. This was a consequence of the annexation of Avignon in

The first resolutions of the National Constituent Assembly, and in particular the Civil Constitution of the clergy (1790), triggered a long-standing and ever escalating conflict between the French state and the Church. Thus, the time came for an increased persecution of the French Church². Pope Pius VI (1775–1799) was a strong opponent of the revolution and consistently rejected the possibility of recognising the civil clergy's constitution as contrary to the principles of canon law and the interests of the Church and the papacy. Therefore, he actively supported the next anti-French coalition led by Austria (1795–1797). Only when threatened directly by the French offensive of Bonaparte, appointed by the Directory a few months earlier as the commander of the Italian campaign, did he agree to the conclusion of a truce in Bologna (June 1796) and to Napoleon's forced issue of the *breve Pastoralis sollicitudo* at the beginning of July that year, in which he called on French Catholics to obey the existing authorities³.

1791 (which had remained part of the papal possessions since 1348), the separation of the northern part from the Church State, which was incorporated into the Cisalpine Republic (1797), and the French occupation of Rome (1798) and the proclamation of the Roman Republic (1798–1799). W. Jakubowski, *O Roma felix. Geneza i przeobrażenia instytucji politycznych Państwa Miasta Watykańskiego*, Warszawa 2005, p. 41; Z. Zieliński, *Papiestwo i papieże dwóch ostatnich wieków*, Warszawa 1999, pp. 57, 63–65.

² M. Żywczyński, *Kościół i rewolucja francuska*, Warszawa 1951, p. 39 et seq.; F.K. Seppelt i K. Löffler, *Dzieje papieży. Od początków Kościoła do czasów dzisiejszych*, Poznań 1936 (reprint – Wydawnictwo Gutenberg Print), Warszawa 1995, p. 465; B. Kumor, *Historia Kościoła*, part 6: *Czasy nowożytne. Kościół w okresie absolutyzmu i oświecenia*, Lublin 1985, pp. 189–193; M. Banaszak, *Historia Kościoła Katolickiego*, vol. 3*: *Czasy nowożytne. 1758–1914*, Warszawa 1991, pp. 32–40; M. Szczaniecki, *Powszechna historia państwa i prawa*, ed. K. Sójka-Zielińska, Warszawa 2016, p. 395; A. Nowicki, *Papiestwo w walce z francuską rewolucją burżuazyjną (1789)*, in: *Szkice z dziejów papiestwa*, ed. K. Piwarski, Warszawa 1961, pp. 180–187 and 198–203; K. Kamińska, A. Gaca, *Historia powszechna ustrojów państwowych*, Toruń 2011, pp. 674–675.

³ M. Żywczyński, *Kościół*, pp. 41–43 and 53; F.K. Seppelt, K. Löffler, *Dzieje*, p. 466; J. Mercier, *Dwadzieścia wieków historii Watykanu*, Warszawa 1986, p. 229; M. Banaszak, *Historia*, vol. 3*, p. 42; A. Nowicki, *Papiestwo*, p. 208. General Bonaparte, forcing the Pope to agree to a ceasefire (in Bologna), also demanded that Pius VI pay a high contribution and hand over to France

However, already in August 1796 the negotiations between the Holy See and the French government were broken off. After the destruction of the Austrian relief effort to free the besieged Mantua, the defenders capitulated (January 1797) and soon all northern Italy fell into the hands of the French. Using the papal preparations for the war caused by Austria's short-lived successes, the French army entered the Church State supporting Austria at the command of the Directory and seized Rome. Pope Pius VI (1775–1799) was forced to conclude a treaty in Tolentino (16 February 1797), under which he renounced Avignon and Venaissin and agreed to join the Cisalpine Republic in the northern part of the Church State⁴. In addition, he was to withdraw from all anti-French alliances, pay a very high contribution, and hand over valuable works of art and manuscripts.

However, the uncertain balance achieved by the provisions of this treaty did not last long. In February 1798, breaking peace conditions, French troops, at the order of the Directory, invaded Rome, where the Roman Republic was proclaimed and the Pope's dethronement as a secular ruler was announced, leaving him with only spiritual authority (15 February 1798). The Pope was ordered to leave Rome. Pius VI refused to abdicate, and was interned and then deported to France, where he died in a prison in Valence (August 29, 1799)⁵.

The newly elected Pope Pius VII (1800–1823) arrived in Rome at the beginning of July 1800. The possibility of his residing in the capital of the Church State was a consequence of the previous collapse of the sister republics in Italy. In the Church State resur-

a certain number of priceless works of art and manuscripts. Z. Zieliński, *Papiestwo*, p. 75.

⁴ M. Żywczyński, *Kościół*, pp. 41 and 54; Z. Zieliński, *Papiestwo*, p. 76; J.A. Gierowski, *Historia Włoch*, Wrocław–Warszawa–Kraków–Gdańsk–Łódź, p. 359; K. Górski, *Papiestwo w Rzymie*, Kraków 1990, pp. 31–33; B. Kumor, *Historia*, part 6, p. 192.

⁵ M. Żywczyński, *Włochy Nowożytne 1796–1945*, Warszawa 1971, p. 58; W. Jakubowski, *O Roma*, pp. 41–42; A. Nowicki, *Papiestwo*, pp. 208–210; B. Kumor, *Historia*, part 6, p. 182; M. Banaszak, *Historia*, vol. 3*, p. 43.

rected by Napoleon as a result of the Treaty of Luneville (February 1801) within the limits of the peace treaty of Tolentino (1797), which remained under the actual protectorate of Bonaparte, the Pope was left with only spiritual power. It was to Pius VII that Napoleon Bonaparte turned as the first consul in June 1800 with a proposal for a settlement, which led to the conclusion of a concordat between France and the Holy See (15 July 1801). Shortly afterwards, the Pope approved him in Papal bull *Ecclesia Cristia* (13 August 1801), justifying his ratification with extraordinary conditions that forced him to agree to this concordat.

The signing of the concordat undoubtedly strengthened Napoleon's position and normalized Church relations in the state, but did not put an end to further conflicts with the papal curia. This was also influenced by the political and military situation of France, since both at the end of the 18th century and the beginning of the 19th century, one of the most important theatres of successive wars waged by the state was Italy⁶.

Relations between Napoleon and the Roman Curia were very quickly once again tense. In March 1805, the French Emperor, in keeping with the tradition of Charlemagne, crowned himself King of Italy in Milan. As a result of the military successes of the French army in the war with the third coalition in 1805, almost all of Italy came under the actual rule of France. In 1807 French troops entered the Church State again, on the pretext that the Pope had not complied with the Continental Blockade. In the following year (1808) Marchia was incorporated into the Kingdom of Italy, and in the remaining part (Rome with Umbria and Lazio) in 1809 into France. Thus, the Church State was formally incorporated into

⁶ M. Żywczyński, *Kościół*, p. 55 et seq; E. Bursche, *Historia konkordatów*, Kraków 1996, pp. 57–64; B. Kumor, *Historia*, part. 6, pp. 194–197; idem, *Historia Kościoła*, part 7: *Czasy najnowsze 1815–1914*, Lublin 1991, p. 12; M. Banaszak, *Historia*, vol. 3^o, pp. 48–51; J. Umiński, *Historia Kościoła*, vol. 2, Opole 1960, pp. 359–361; A. Nowicki, *Papiestwo*, pp. 212–214; W. Krynicki, *Dzieje Kościoła powszechnego*, vol. 2, Włocławek 1931, pp. 558–559; M. Szczaniecki, *Powszechna*, ed. K. Sójka-Zielińska, pp. 410–411; K. Kamińska, A. Gaca, *Historia*, pp. 692–694.

France by the decree “On the Papacy” of 17 May 1809, whereas Rome was declared a “free city”⁷.

Pius VII responded to this by announcing the bull *Ad perpetuam rei memoriam*, excommunicating the plunderers of *Patrimonium Sancti Petri*. In early July 1809, the Pope was arrested and deported to Grenoble, then to Savona and finally to Fontainebleau. Napoleon did not release him until after further military defeats, when at the beginning of 1814 he lost almost all of Italy, and half of France was conquered by enemy armies. At the end of May of that year, the Pope’s triumphant return to Rome took place⁸.

The Paris Treaty of late May 1814, concluded after the victory of the sixth anti-French coalition and the dethronement of Napoleon with the government of Louis XVIII (1814–1824), contained no provision on the fate of the Church State. Its reinstatement to Pius VI and the future status of the Pope’s secular leadership was to be decided by a peace congress convened in Vienna⁹. On the basis of the resolutions of the Congress of Vienna, although with some exceptions, as regards the territories previously owned within the former borders, the restoration of the Church State was completed¹⁰. The borders of the Church State were finally delimited on the River Po, including the territory of the legation: Ravenna, Bologna, and Ferrara, in whose take-over the Austrian Emperor was interested. The victory of the allied four great powers, which

⁷ W. Jakubowski, *O Roma*, p. 42; J.A. Gierowski, *Historia*, p. 375; J. Górdziałowski, *Historia Państwa Kościelnego*, Kraków 2007, p. 92.

⁸ R. Fischer-Wollpert, *Leksykon papieży*, Kraków 1997, pp. 157–158; F.K. Seppelt, K. Löffler, *Dzieje*, pp. 489–490; M. Banaszak, *Historia*, vol. 3^o, p. 56; W. Jakubowski, *O Roma*, p. 44; Z. Zieliński, *Papiestwo*, p. 98; J.A. Gierowski, *Historia*, p. 375; M. Żywczyński, *Włochy nowożytne*, pp. 75–76; J. Górdziałowski, *Historia*, p. 92.

⁹ The army of King Joachim Murat of Naples, using the so-called „One Hundred Days”, entered the territory of the Church State, forcing the Pope to leave Rome; he returned there only shortly before signing the Final Act at the Congress of Vienna on June 9th. J. Mercier, *Dwadzieścia*, p. 237; F.K. Seppelt, K. Löffler, *Dzieje*, p. 493.

¹⁰ J.A. Gierowski, *Historia*, p. 388.

played a decisive role in Vienna, led to the regaining of power in Vienna by Pope Pius VII¹¹.

As a result, as Mieczysław Żywczyński reminds us, “because [cardinal Hercules Consalvi, the Pope’s representative in Vienna – A. G.] could not reclaim everything, he addressed a protest to the participants of the Congress against its decision, pleading the invalidity of the peace in Tolentino in 1797 and in Paris in 1814. Moreover, the Pope supported the protest in his allocution of 4 September 1815, solemnly declaring the above decisions invalid. However, this papal act also failed to echo among politicians”¹².

Pius VII and his subsequent successors (Leo XII, Pius VIII and Gregory XVI) supported by reactionary forces in the Holy See itself, endeavoured to preserve, to the extent possible, the old rights vested in the Church. This meant that they were unable to halt the development of various progressive ideologies and radical movements throughout Italy. They underestimated the national aspirations of the Italians, which were particularly awakened during the Napoleonic period, and in order to maintain the order established by the Congress of Vienna, they opposed the emerging unification tendencies and the spreading slogans of liberalism¹³.

The immediate successor to Pius VII, Leo XII (1823–1829), achieved a number of successes in foreign policy. In exercising secular power in his country, he followed the political line of the Holy Covenant, which was the guardian of the political order in Europe established in Vienna. The signatories of this reactionary agreement assumed the imperative of combating revolutionary

¹¹ The representatives of the powers that were decisive in Vienna, in view of the social and political situation in Europe at the time, and considering the Church State to be “the oldest and most legal monarchy”, could not disregard the fact that Pius VII was the political ally of successive anti-French coalitions formed against revolutionary France and Napoleon; S. Włodarski, *Zarys dziejów papieżstwa*, Warszawa 1961, pp. 135–136.

¹² M. Żywczyński, *Włochy*, pp. 87–88.

¹³ Z. Zieliński, *Papiestwo*, p. 105 et seq.; J.A. Gierowski, *Historia*, pp. 394 and 397–398; B. Kumor, *Historia*, part 6, p. 184; idem, *Historia*, part 7, pp. 13–17; M. Banaszak, *Historia*, vol. 3*, pp. 46–48, 50–55, 65–66 and 74–77.

ideology, independence movements, and all actions against state power and the existing social order.

The beginning of the pontificate of Gregory XVI (1831–1846) coincided with the period of revolutionary turmoil in Europe, which began in France in July 1830. As a determined opponent of liberalism, the Pope, striving to centralise the Church and underestimating the social and political problems growing in the Church State, brought about many social disorders and revolutionary uprisings in various provinces of his state (inter alia in the 1830s and 1840s). This may justify why, according to Zygmunt Zieliński, the death of Gregory XVI “evoked joy in all those who, as a result, expected a liberal era in the Church State, as well as in those who thought that with it the last obstacle to the unification of Italy had collapsed”¹⁴.

In June 1846, Cardinal Mastai-Ferretti became Pope and took the name Pius IX (1846–1878). This descendant of an impoverished noble family, famous for his attachment to liberalism, enjoyed a reputation as a progressive man. He was seen as the reviver of the freedom and greatness of Italy, who would lead the movement for the liberation of Italian territories from the rule of Austria and the unification of Italy into a single state organism.

At the beginning of his long pontificate, the newly elected Pope introduced a series of progressive political and economic reforms that caused widespread enthusiasm. Influenced by the rapid development of the revolutionary situation in Europe, including the Italian states, and by the demand for a constitutional form of government, Pius IX promulgated a fundamental law on 14 March 1848, the so-called “Fundamental Statute for the Secular Government of the States of the Church”.

The outbreak of the revolution in Vienna (March 3, 1848) and the deepening internal crisis in the Habsburg monarchy contributed to the insurrection against the Austrians in Lombardy. Charles Albert, the ruler of Piedmont, tried to support the Lombardines and declared war on Austria. Among the general enthusiasm, a coal-

¹⁴ Z. Zieliński, *Papiestwo*, pp. 180 and 194.

tion of Italian states against Austria began to form. The regular Piedmont-Sardinian army was joined by thousands of volunteers from all over Italy. Tuscany, Parma and Modena joined the so-called First War of Independence. The Pope and King Ferdinand II of Two Sicilies also sent reinforcements, but their troops retreated after a few weeks.

In the end, Pius IX announced on April 29, 1848, during the Cardinal's consistory, an allocution entitled *Non semel*, declaring categorically that as Pope he could not wage war as his mission was transnational and as the head of the Church he maintained peace with the entire world. The Pope's position was met with widespread social disillusionment, especially among Italian liberal and revolutionary circles, treating the Pope's withdrawal as a betrayal of Italy's national interests¹⁵.

Despite its initial successes, the Italian army finally failed at Custozza (25 July 1848), forcing it to take a rapid retreat. On 9 August, a ceasefire took place, resulting in Austria obtaining Lombardy and Venice and influence in Parma and Modena where the troops entered. This led to a significant increase in radical and republican sentiment against the Italian monarchs, in particular the secular power of the Pope, who suddenly became the number one enemy of the country and a traitor to the national idea.

Pius IX, under pressure from the growing violent demonstrations against him and the growing radicalisation of moods in the Church State, secretly left Rome, asking for intervention from several European powers to restore papal authority in the Church State¹⁶. On February 9, 1849, the Legislative Assembly gathered in Rome resolved to abolish the secular power of the Pope and to transform the Church State into the Republic of Rome¹⁷. However, it survived

¹⁵ J.M. Villefranche, *Pius IX*, Warszawa 2002, p. 51; F.K. Seppelt, K. Löffler, *Dzieje*, p. 533; L. Ranke, *Dzieje*, s. 671; J.A. Gierowski, *Historia*, p. 435.

¹⁶ F.K. Seppelt, K. Löffler, *Dzieje*, pp. 538–539; G. Procacci, *Historia Włochów*, Warszawa 1983, p. 333; M. Żywczyński, *Włochy*, p. 132.

¹⁷ It was headed by Carlo Armellini, Giuseppe Mazzini and Aurelio Saffi, forming its governing body in the form of a triumvirate, with Mazzini presiding over it; J.A. Gierowski, *Historia*, p. 442; M. Żywczyński, *Włochy*, pp. 135–136.

less than five months and was abolished on July 3, 1849, at the same time as the conquest of Rome by the French army on July 4, 1849. On April 12, 1850, Pope Pius IX returned to Rome.

After the collapse of the revolutionary movements known as the Spring of Nations, in Italy, as in almost all of the continent, reactionary governments prevailed and there was a return to the old order. Almost the whole of Italy was overwhelmed by a wave of repression. Only Victor Emanuel II (1849–1878), head of the Sardinian state (called Piedmont), continued to apply the provisions of the March 1848 constitution and maintained parliamentary rule. This won him the popularity and support of many representatives of Italian progressive forces and facilitated Piedmont's future leadership as the main centre of Italian unification.

This is important, because the failure of the progressive forces at that time, just as Italy's earlier attempts at liberating itself from Austrian rule, did not deter Italy from striving for national unity. On the contrary, the restoration of the former absolutist order and the preservation of Austria's influence in defeated Italy brought this political goal closer, with the Kingdom of Sardinia becoming the centre of the Italian national movement. This was mainly thanks to Prime Minister Camillo Cavour, who directed the internal and the external policies of the country and thus united the Italian lands under the sceptre of the Savoy dynasty. The struggle for Italian reunification led by Piedmont had a significant impact on the future of the Papacy and the Church State.

The new phase of the "Roman Question" is linked to the events of 1859–1860. In fear of the occupation of Rome by Giuseppe Garibaldi and the proclamation of republics in central Italy, Piedmont's troops occupied most of the provinces of the Church State¹⁸. After

¹⁸ The war of 1859 led to the occupation of Romagna, which was a significant part of the Church State. The following year the Italians, with the silent consent of Napoleon III, who feared the introduction of a republic in Rome, quickly defeated the papal army, defeating it in the battle of Castelfidardo (18 September 1860). Further areas of the papal state were incorporated into the emerging Italian Kingdom, including the area around Bologna, Ravenna, Ancona, and Ferrara, as well as Marche and Umbria, resulting in its area shrinking

conducting the plebiscite, a significant part of it was incorporated into Piedmont. Pope Pius IX maintained power only in Rome and the vicinity thanks to the French troops stationed there. In December 1861, he declared that he “would not renounce any of the stolen provinces [...] and expressed his conviction that if not he himself, his successor would return to them”¹⁹.

The ultimate unification took place a few years later, when in the new war (1866) Prussia defeated Austria, and Italy, which supported Prussia, received Venice and the Veneto region. During the so-called Third Independence War, the French defeated Garibaldi’s army at the Battle of Mentana (November 1867) and for three consecutive years were able to support the Pope’s sovereign power in Rome. Only when the French expeditionary corps protecting the Pope for three years, after the failure of Napoleon III in the war with Prussia (the battle and defeat of France at Sedan and the dethronement of the Emperor) left the city, and the papal forces capitulated, did the Piedmont troops seize Rome (20 September 1870) and incorporate it after a plebiscite to the Kingdom of Italy (2 October 1870).

It is assumed that the final stage of the process of unification of the Italian state was completed with the takeover of Rome and its being declared the official capital of the Kingdom by referendum. At that moment, the Church State, in which the Popes exercised secular power from the mid-eighth century, after more than eleven centuries, ceased to exist. This was described as the *debellation* of the Church State, which meant the incorporation of most of its territory into the new territory of the Kingdom of Italy²⁰.

In order to regulate the situation of the Holy See under the new circumstances, on 13 May 1871 the Italian Parliament adopted what is known as the Law of Guarantees (*la legge della garantigie*),

to about 214 square miles with 690,000 subjects; J. A. Gierowski, *Historia*, pp. 465–469; Banaszak, *Historia*, vol. 3*, pp. 199–200; A. Gaca, Z. Witkowski, *Zjednoczenie Włoch. W 150. Rocznicę wydarzeń roku 1861*, in: Toruńskie Studia Polsko-Włoskie, red. Z. Witkowski, C. Bronowski, VII, Toruń 2011, pp. 27–28.

¹⁹ M. Żywczyński, *Włochy*, pp. 162–163.

²⁰ The Pope, renewing excommunication, made efforts to obtain external intervention from the European rulers; J.A. Gierowski, *Historia*, pp. 482–483.

granting the Pope, as a “holy and inviolable” person, the independence and freedom to exercise his spiritual and honorary functions and, inter alia, the extraterritoriality of the Basilica of St. Peter, the Vatican Palace, the Lateran and Castel Gandolfo (13 May 1871). This immunity was extended to include conclave and council venues. Pius IX (1846–1878), who confined himself to the Vatican palaces, rejected this law as a unilateral act with the *Ubi nos* encyclical of 15 May 1871 and declared himself a “prisoner of the Vatican”²¹.

It is worth quoting here the view of a well-known historian of law, Leon Halban, who in his work published two years after the signing of the Lateran Treaties, explained the uncompromising position of Pope Pius IX, who strongly rejected the guarantee law: “It was unconceivable to consider that the position of the Pope, or the legal existence of the Church and its organizations, could be regulated by a unilateral legislative act of any state. It was and remains an inseparable article of the faith of the Church that it owes and relies for its existence on the divine law [...]. According to its doctrine, the Church therefore exists under its own law, independent of any external factor. In its scope it has an independent legislative authority and is bound to carry out the tasks assigned to it, irrespective of any obstacles which may arise”²².

Over the next decades, the conflict between the Holy See and the Kingdom of Italy, known in history as the “Roman Question”, was not only not resolved, but rather escalated. On 1 November 1870, with the encyclical *Rescriptores* condemning the annexation of the Church State, the excommunication of King Victor Emmanuel II and the Savoy dynasty, Pius IX responded to the deprivation of his temporal power. Proclaiming himself a “prisoner of the Vatican”, he stayed there until his death. In response to this anti-Italian policy of the Pope, according to the then Italian government, in the early 1870s several dozen monasteries were liquidated, many church estates (mainly Jesuit) were confiscated, civil marriages

²¹ M. Żywczyński, *Włochy*, p. 171; J. Czaja, *Prawnomiędzynarodowy status Watykanu*, Warszawa 1983, pp. 57–58; R. Fischer-Wollpert, *Leksykon*, p. 161; J. Mercier, *Dwadzieścia*, pp. 249–250.

²² L. Halban, *Pakta Laterańskie*, Warszawa 1931, p. 26.

were introduced, clerics were subjected to military service, and severe sanctions for anti-state propaganda by the Roman Curia were announced. Also, a part of the Italian press harshly attacked the Pope and the clergy²³.

The voluntary status of a “prisoner of the Vatican” was also accepted by the successors of Pius IX: Leon XIII, Pius X, Benedict XV and Pius XI, who did not leave the walls of the Vatican even once until 1929. They all believed that the Church State was annexed by force, which means that the territorial sovereignty, i.e. a kind of “temporal authority” of the Popes, should be recognized and maintained in order to ensure the Pope’s independence. They unanimously and consistently asserted that the Italian government had unlawfully usurped the territory of the Church State before 1870 by annexation²⁴.

However, during the long pontificate of Leo XIII (1878–1903)²⁵, pursuing a consensual policy towards the government of Francesco Crispi, who took over the presidency of the Council of Ministers in 1887, the Pope’s representatives negotiated a mutual agreement with him as Minister of the Interior in the previous government. The talks, however, were not successful and for various reasons no agreement was reached between the Vatican and the Kingdom of Italy²⁶.

The failure of previous negotiations led the Italian government to resume its anti-church policy. Among other things, the teaching of religion in primary schools was banned, the assets of religious confraternities were secularised or anti-Papal manifestations were supported or even organised. The mood in Rome at the end of the 90s caused Leo XIII to seriously consider leaving it. It was only at the end of his reign that Crispi significantly mitigated the anticlerical course of his policies. This was undoubtedly greatly influenced by the development of social radicalism in the country (especially in

²³ J.A. Gierowski, *Historia*, p. 486; M. Żywczyński, *Włochy*, pp. 179–180.

²⁴ A. Gaca, Z. Witkowski, *Podstawy ustroju konstytucyjnego Republiki Włoskiej*, Toruń 2012, p. 92.

²⁵ Leo XIII is widely regarded as the greatest Pope of his century.

²⁶ J.A. Gierowski, *Historia*, p. 502; M. Żywczyński, *Włochy*, pp. 192–193.

southern Italy) and the Pope's own attitude towards the campaign in Abyssinia, which did not enjoy wider public support and ended in a severe defeat.

He also regarded the reunification of Christians divided in the faith as an important task of his pontificate. It is noteworthy that this eminent Pope dedicated many of his encyclicals to difficult political and social matters and in his concessions, finally agreeing to liberalism, he recognized the Republican governments, claiming in the words of the encyclical *Libertas*, issued in 1888, that "the Church considers the rule of one or many to be appropriate, as long as it is just and aimed at the common good"²⁷. Leo XIII gained popularity in particular by publishing the first social encyclical *Rerum novarum* (1891), in which he sought to assume a mediating position between employers and workers.

During the rule of Giovanni Giolitti, an important role in the political scene of Italy was played by the Catholic movement, which began in the mid-1870s and was later called Christian Democracy. The radical part of the movement was primarily aimed at social reforms. The young Catholic radicals were in favour of the settlement between the Church and the state and sought the participation of Catholics in parliamentary elections, which was contrary to the decision of Pius IX, who as late as 1871 still prohibited Catholics from participating in the political life of the Italian state, reiterating this principle in his encyclical *Non expedit* of 1874²⁸. However, in 1905, Pope Pius X (1903–1914), for fear of increasing socialist influence, agreed in the encyclical *Il fermo proposito* to the participation of Catholics in Italian parliamentary life²⁹.

²⁷ S. Włodarski, *Zarys*, p. 148.

²⁸ This principle was confirmed by Leo XIII (1886), who allowed only Italian Catholics to participate in provincial and municipal elections, „working towards a better future”. F.K. Seppelt, K. Löffler, *Dzieje*, p. 594.

²⁹ Catholics were able to exercise their right to vote and stand for election to the Italian Parliament since the announcement of this encyclical, but only in agreement with the local bishops. M. Żywczyński, *Włochy*, pp. 218–220; J. A. Gierowski, *Historia*, pp. 528–529; F.K. Seppelt, K. Löffler, *Dzieje*, pp. 610–611 and 629–631.

This Pope also went down in the history of the Church as a reformer of the Roman Curia, unchanged since the pontificate of Sixtus V, reducing the number of congregations and introducing a new division of their tasks. Prior to this he prohibited, under the threat of excommunication, any interference of state factors in the Pope's election. He was also the initiator and organizer of changes in church law crowned with the announcement of the codification of canon law three years after his death (1917; *Codex Juris Canonici*). In the last days of his pontificate, in view of the threat of the outbreak of World War I, he called nations to peace and called upon them to pray for peace³⁰.

His successor, Benedict XV (1914–1922) began his pontificate shortly after the outbreak of the World War I. This thoroughly educated Pope, in his international politics, primarily took up activities aimed at ensuring the Holy See's neutrality. In his first public allocation, and then in the first encyclical *Ad beatissimi* (1 November 1914), he called upon the warring nations to come to an agreement and reconcile, repeating these appeals in the subsequent years of war and attempting peacemaking mediation. He also developed large-scale humanitarian and charitable action for the most severely injured victims of the war, particularly the wounded, prisoners of war, and civilians. At the beginning of September 1917, he formulated for the first time the conditions for future peace and appealed to the warring parties and the leaders of nations to achieve a just agreement and to disarm³¹.

Although theoretically the principles he followed were not different from those of his predecessors, he took a conciliatory, not to

³⁰ R. Fischer-Wollpert, *Leksykon*, pp. 166–167; F.K. Seppelt, K. Löffler, *Dzieje*, pp. 616–617.

³¹ That appeal was not, in principle, accepted by the central states, in particular Germany, which accused the Pope of being biased in favour of the Allied States. B. Kumor, *Historia*, part 8, pp. 17–20; F.K. Seppelt, K. Löffler, *Dzieje*, pp. 640–648; Z. Zieliński, *Papiestwo*, pp. 381–393; M. Banaszak, *Historia Kościoła Katolickiego*, vol. 4: *Czasy najnowsze 1914–1978*, Warszawa 1992, pp. 16–17; R. Aubert, P.E. Crunican, J.T. Ellis, F.B. Pike, J. Bruls, J. Hajjar, *Historia Kościoła*, vol. 5: *1848 do czasów współczesnych*, ed. L.J. Rogier, R. Aubert, M.D. Knowles, Warszawa 1985, pp. 398–401.

say benevolent, stance, anticipating a close solution to the “Roman question”, and was not willing to do anything that might aggravate relations with the Italian government. The situation was complicated by Italy’s accession to World War I and by the government’s efforts to carry out, in the so-called London Pact (1915), a resolution excluding the Vatican from peace negotiations and leaving aside the “Roman question”. The further cooling of relations between the Vatican and the Italian government occurred shortly before the end of the war. For Pius XI, it was essential that the final solution of the “Roman question” as an international problem should take place at the same time as proper regulation of the situation of the Church in Italy³².

Back in 1919, Mussolini, known for his atheistic and anticlerical views, demanded the confiscation of property belonging to religious congregations and the seizure of all the income of the bishops, and his supporters proclaimed the slogan “no Pope”³³. In his first speech in the House of Representatives (21 June 1921), when the Fascists won 35 seats in parliament, he said, however, that Catholicism represents “the Latin and imperial tradition of Rome” and he called for an agreement with the Vatican, gradually seeking to resolve the previous conflict and to normalise bilateral relations, calling for an end to old prejudices against the papacy and supporting the Church’s efforts to normalise mutual relations. This was supported by the growth of the Vatican’s authority and the then position of the papacy on the international forum³⁴.

Not without significance was also the very attitude of Cardinal Achilles Ratti, who, as newly elected Pope Pius XI (1922–1939), and at the same time the former nuncio of the Holy See in the newly formed Polish State (1919–1921), where he personally survived

³² B. Kumor, *Historia*, part 8, p. 19; F.K. Seppelt, K. Löffler, *Dzieje*, pp. 654–659; Z. Zieliński, *Papiestwo*, pp. 398–401; R. Aubert, P.E. Crunican, J.T. Ellis, F.B. Pike, J. Bruls, J. Hajjar, *Historia*, vol. 5, p. 409.

³³ M. Żywczyński, *Włochy*, p. 269.

³⁴ L. Halban, *Pakta*, p. 37; R.O. Paxton, *Anatomia faszyzmu*, Poznań 2005, p. 79; S. Sierpowski, *Faszyzm we Włoszech 1919–1926*, Wrocław–Warszawa–Kraków–Gdańsk 1973, p. 269; Z. Zieliński, *Papiestwo*, p. 421 and 446–449.

the threat posed by Bolshevik victory, considered the fight against communism and socialism as one of the important goals of the Church, while maintaining the appearance of neutrality³⁵. Moreover, as Jan Gordziałowski pointed out: “Pius XI, almost 60 years after the events of 1870, was aware that the reality of the Roman question had changed and it was no longer about the temporal power of the Popes, but about the spiritual freedom of the Holy See”³⁶. What this period meant for both sides is best reflected in the concise words of the famous politician and eminent French historian Gabriel Hanotaux: “For the papacy, agreement was needed, for the Italian government indispensable”³⁷.

In order to strengthen his position and achieve the intended political goals, Mussolini strived hard to gain representatives of the Catholic hierarchy, often emphasizing in his speeches, inter alia, deep respect for religion and its representatives, or emphasizing the need for religious education. He hoped that the Church won over by concessions would become one of the foundations of fascist power. Therefore, he personally contributed, in October 1926, to the establishment of unofficial talks between the lawyers of the Italian state and the Holy See in the greatest secrecy in order to positively resolve the disputed problems and prepare the conditions for mutual understanding.

The Italian Government set up a special committee for this purpose consisting of 3 lawyers and 3 prelates. In principle, an initial compromise on the regulation of the “Rome question” itself was reached in the same year. Negotiations on the establishment of specific financial and concordat matters were considerably extended³⁸. Overall, since 1926, more than 200 meetings had been held to resolve a number of difficult issues for both sides, with the brother of the future Pope Pius XII, the Vatican lawyer Francesco

³⁵ M. Żywczyński, *Włochy*, p. 269; idem, *Papiestwo*, pp. 422–427; B. Kumor, *Historia*, p. 7, pp. 11 and 25; F.K. Seppelt, K. Löffler, *Dzieje*, p. 665.

³⁶ J. Gordziałowski, *Historia*, p. 96.

³⁷ As cited in: L. Halban, *Pakta...*, p. 41.

³⁸ Z. Zieliński, *Papiestwo*, p. 448; W. Jakubowski, *O Roma Felix*, pp. 103–104; J. Gordziałowski, *Historia*, p. 96.

Pacelli, and the government's representative of the Italian MFA, Domenico Barone. Official talks were then held at over a hundred conferences and an even greater number of hearings with the Pope, who was personally interested in the course of the negotiations. The original text of the agreements was prepared at the end of 1926 and was the subject of further discussions with experts³⁹.

Resolution of the "Roman question" by regulating relations between Italy and the Vatican City was finally achieved by virtue of the mutual agreement of 11 February 1929 signed at the Lateran Palace between the Government of the Kingdom of Italy (Benito Mussolini) and the Holy See (Secretary of State, Cardinal Pietro Gasparri), known as the Lateran Pacts or Agreements (or Treaties). On the next day, the Pope solemnly confirmed this event in St. Peter's Basilica⁴⁰. On June 7, Mussolini, as the King's representative, appeared in the Vatican, and exchanged the instruments of ratification. As Zygmunt Zieliński points out: "Thus the 'Vatican captivity' ended, to the benefit of both sides, but maybe especially of the Church". In turn, as Bolesław Kumor perhaps arguably observes, these agreements "definitively stated that the former Church State no longer exists and that the Church has no political power", adding that "the fact that the papacy became its most lively centre was of particular importance for the history of Christianity at that time"⁴¹.

The Lateran Pacts resulted in three Treaties:

1. Under the first Treaty, the two parties solemnly declared the hostile relationship that had lasted for so many years to be over. The "Roman question" was therefore finally resolved. Pius XI recognised the existence of the Kingdom of Italy

³⁹ Stanisław Sierpowski mentions the confidential talks he had held three years earlier on Mussolini's initiative concerning the mutual relations between the Italian state and the Vatican, held in the private apartment of the Catholic senator, Count Carlo Santucci. S. Sierpowski, *Faszyzm*, p. 338; Z. Zieliński, *Papiestwo*, pp. 448–449; J. Gordziałowski, *Historia*, p. 96.

⁴⁰ The Lateran Pacts entered into force with the exchange of ratification documents on 7 June 1929. W. Jakubowski, *O Roma felix*, pp. 115–118; Z. Zieliński, *Papiestwo*, pp. 449–450.

⁴¹ B. Kumor, *Historia*, part 7, p. 7.

with Rome as its capital, and Italy the establishment of an independent and fully sovereign Vatican City State under international law (*Stato della Città del Vaticano*). It was to cover 44 hectares of territory. The Kingdom of Italy recognised there the sovereign power of the Popes and the international position of the Holy See. The government was to separate this state from the rest of the city by a wall, set up a separate railway station, post office, telegraph, telephone, radio, and water supply for the Vatican City. The neutrality of the Vatican City State and the question of its citizenship were determined (the treaty contained 27 articles and four annexes: I – Territory of the Vatican City State; II – Property with right of extraterritoriality; III – Property exempt from expropriation and taxes and IV – Financial Agreement)⁴².

2. An amicable convention was concluded (*Convenzione finanziaria*) in financial matters (regulating the question of compensation to the Holy See for the losses suffered as a result of the liquidation of the Church State). As compensation for the losses incurred since 1870, the Vatican received 750 million liras and a pension of one billion liras in Italian government bonds (equivalent to 85.5 million liras of annual income) along with guarantees of the tax immunity of the papal institutions⁴³.
3. An integral part of the Lateran Agreements was also the signing of 45 articles of concordat between the Holy See and the Kingdom of Italy. Its provisions established the Catholic religion as “the only state religion” in Italy. It stipulated that all future legislation must comply with canon law. An oath to the king and state was in force. The Church was to enjoy full freedom, and bishops were to be appointed by the Pope⁴⁴. The Vatican City had the right to maintain its own army, police, judiciary, prison, newspapers, radio station, and post office.

⁴² Z. Zieliński, *Papiestwo*, pp. 450–51.

⁴³ J.A. Gierowski, *Historia*, p. 596; Z. Zieliński, *Papiestwo*, p. 450.

⁴⁴ *Ibidem*. By the outbreak of World War II, the Holy See had concluded eleven concordats and three agreements; B. Kumor, *Historia*, part 7, p. 25.

The Concordat gave the Italian Church a privileged position, especially in education and marital law. Religion was to be an obligatory subject in primary and secondary schools. School curricula could not be contrary to the principles of faith⁴⁵.

In addition, the concordat guaranteed numerous privileges to the Church. Church holidays acquired the character of national holidays. Although the Church was to communicate with the government when staffing dioceses and parishes, bishops had unlimited freedom to publish their official writings. The buildings in which the papal offices were located were exempt from taxes. In primary and secondary schools, compulsory religious education was introduced, and alumni of clerical seminaries were exempted from military service. The form of contracting a marriage was to remain in the hands of the Church. Church marriages received full legal force – they no longer had to be confirmed in the form provided for by civil legislation. Moreover, the state undertook not to employ former priests in any of its institutions. Finally, as was very important for the Pope, the Church was given the opportunity to continue to run its own associations of lay people. Certain restrictions were also placed on the freedom of worship and promotion of Protestant beliefs⁴⁶.

In conclusion, it is worth adding that, as a consequence of the signed treaties, the signing of which undoubtedly brought a number of benefits to both parties, their assessment is, however, ambiguous, and at the same time is the subject of a very rich literature. A view that their conclusion was one of the most important ecclesiastical and political achievements of Pope Pius XI⁴⁷ during his pontificate

⁴⁵ Z. Zieliński, *Papiestwo*, p. 450.

⁴⁶ M. Clark, *Współczesne Włochy 1871–2006*, Warszawa 2009, p. 401; J. Gierowski, *Historia*, p. 596; M. Żywczyński, *Włochy*, pp. 293–294.

⁴⁷ *Ibidem*, pp. 294–295. The author of this work believes that Mussolini gained much more from the Lateran pacts, as it was thanks to them that the *sui generis* „canonisation” of the fascist regime took place, which proved to be particularly important in the era of the coming global economic crisis and facilitating its survival. Martin Clark takes a similar stance, claiming: „The pacts were a triumph duce [...] his regime was sanctified and blessed by the Mother Church”, but he added that: „The Church also had reason to rejoice.

(1922–1939) is common. It is worth noting that the subsequent form of coexistence between the fascist regime and the Holy See underwent many phases – from close cooperation to far-reaching rivalry, not to say that in some periods – reiterating after the English scholar of the history of 19th and 20th century Italy, Martin Clark – “the Cold War” phase⁴⁸.

It can therefore be argued that the conclusion of the Lateran Pacts did not protect the Vatican from conflicts with the fascist government. Already during the ratification of the concordat in the parliament, Mussolini spoke out once again in favour of the state’s monopoly in educating young people. He began to realize this goal, inter alia, by establishing one youth organization, Opera Nazionale Balilla, on June 9, 1931. Pius XI issued an encyclical *Non abbiamo bisogno*, which, among other things, was a protest against the dissolution of Catholic youth associations and limiting the activities of Catholic Action, created by the Pope in 1922. It was an organization of lay people willing to aid the clergy in carrying out its apostolic functions⁴⁹. Józef Andrzej Gierowski believes that Pius XI, when publishing this encyclical, “cut himself off from dependence on a totalitarian state, as he was already aware of the danger that might arise for the Church”. In his opinion, even deeper opposites between the Italian state and the Church became apparent when the fascist regime, following the example of Hitler’s Germany, adopted a racist policy⁵⁰.

After World War II, in 1947 the Lateran Treaties and the Concordat were incorporated into the Italian Constitution⁵¹. The final reconciliation or so-called *conciliazione* between the parties to

It finally won sovereign territory, financial security and, above all, recognition of the inviolability of its mission [...] it obtained the right to peaceful coexistence – undoubtedly a success in a notoriously totalitarian state”; M. Clark, *Współczesne Włochy*, p. 401; cf. J. Mercier, *Dwadzieścia*, pp. 259–260.

⁴⁸ M. Clark, *Współczesne*, pp. 401–404.

⁴⁹ S. Włodarski, *Zarys*, p. 161; M. Banaszak, *Historia*, vol. 4, p. 31; Z. Zieliński, *Papiestwo*, p. 451; J. Gierowski, *Historia*, p. 597.

⁵⁰ *Ibidem*.

⁵¹ J. Gordziałowski, *Historia*, p. 98.

this historic dispute was referred to by the President of the Italian Republic, Giorgio Napolitano, during a ceremonial sitting of the Italian Parliament on 17 March 2011, on the 150th anniversary of the reunification of Italy, saying that with the reunification of Italy a truly immense and memorable work was done in the history of Italy. Speaking at the Vatican on the occasion of the solemn celebration of the same jubilee, also Pope Benedict XVI (2005–2013) stressed that “the unity of Italy, which took place 150 years ago, is not only some kind of artificial political construction made up of various forms of identity, but is proof of the natural political outlet of one strong and deeply rooted national identity”⁵².

STRESZCZENIE

W dziewięćdziesiątą rocznicę podpisania traktatów laterańskich. Ich geneza, najważniejsze postanowienia i znaczenie

W ubiegłym roku minęła 90 rocznica podpisania traktatów laterańskich. Ich zawarcie doprowadziło do normalizacji stosunków między Włochami a papieżem, powstania Państwa Miasta Watykan i zawarcia przez przedstawicieli Stolicy Apostolskiej oraz rządu włoskiego konkordatu kończącego blisko sześćdziesięcioletni konflikt między Królestwem Włoskim a Kościołem, określane często tzw. kwestią rzymską. Wielu badaczy uważa, że jej geneza sięga wydarzeń i skutków Wielkiej Rewolucji Francuskiej, a dalszy rozwój przypada na pierwsze dekady II połowy XIX w. Już od października 1926 r. prowadzone były rozmowy prawników reprezentujących rząd włoski i Stolicę Apostolską mające doprowadzić do pozytywnego rozwiązania spornych problemów i przygotowania warunków wzajemnego porozumienia. Nastąpiło ono dopiero na mocy aktów z 11 lutego 1929 r. podpisanych w pałacu w Lateranie między rządem Królestwa Włoch (Benito Mussolini) a Stolicą Apostolską (sekretarz stanu kardynał Pietro Gasparri), zwanych paktami albo układami (bądź traktatami) laterańskimi. Rezultatem układów laterańskich było zawarcie trzech traktatów. Na mocy pierwszego obie strony uznały trwający od tylu lat wrogi stosunek za zakończony. Nadto papież Pius XI uznawał istnienie Królestwa Włoch z Rzymem jako stolicą,

⁵² A. Gaca, Z. Witkowski, *Zjednoczenie*, p. 32.

a Włochy utworzenie samodzielnego i w pełni suwerennego w znaczeniu prawa międzynarodowego Państwa Miasta Watykan. Celem zawarcia ugodowej konwencji w sprawach finansowych (*Convenzione finanziaria*) było uregulowanie kwestii rekompensaty dla Stolicy Apostolskiej za straty poniesione w związku z likwidacją Państwa Kościelnego. Integralną częścią układów laterańskich było także podpisanie liczącego 45 artykułów konkordatu między Stolicą Apostolską a Królestwem Włoch.

Słowa kluczowe: Kościół; Stolica Apostolska; „kwestia rzymska”; traktaty laterańskie; Pius XI; Benito Mussolini

SUMMARY

On the 90th anniversary of the signing of the Lateran Treaties. The genesis, main provisions, and meaning

Last year marked the 90th anniversary of the signing of the Lateran Treaties. Their conclusion led to the normalisation of relations between Italy and the Papacy, the creation of the State of the Vatican City, and the conclusion by representatives of the Holy See and the Italian government of a concordat ending nearly sixty years of conflict between the Italian Kingdom and the Church, often referred to as the “Roman question”. Many researchers believe that its origins date back to the events and effects of the French Revolution, with further developments occurring in the first decades of the second half of the 19th century. As early as October 1926, talks were held between lawyers representing the Italian government and the Holy See, with the aim of achieving a positive solution to the problems in question and preparing the conditions for mutual understanding. Such a mutual agreement was reached by virtue of the Acts of 11 February 1929 signed at the Lateran Palace between the Government of the Kingdom of Italy (Benito Mussolini) and the Holy See (Secretary of State Cardinal Pietro Gasparri), known as the Lateran Pacts or Treaties. The result of the Lateran Pacts was the conclusion of three treaties. Under the first one, both parties considered the hostile relationship which had lasted for all those years to be over. Moreover, Pope Pius XI recognized the existence of the Kingdom of Italy with Rome as its capital, and Italy {recognised/accepted?} the establishment of an independent and fully sovereign Vatican City State under international law. The purpose of the conciliatory convention on financial matters (*Convenzione finanziaria*) was to regulate the question of compensation to the Holy See for the losses suffered as a result of the

liquidation of the Church State. An integral part of the Lateran Agreements was also the signing of a concordat, comprising 45 articles, between the Holy See and the Kingdom of Italy.

Key words: Church; Holy See; Roman question; Lateran Treaties; Pius XI; Benito Mussolini

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