

Gary:

Here is a copy of the epilogue to *Hitler, the War, and the Pope*. There are two additional points that I'd like to note. These came up after the book was published:

1. Inside Hitler's Pope, before the text, Cornwell presents a quotation from Thomas Merton, a well-known contemplative monk whose writings have inspired many people. As butchered by Cornwell, the quotation says:

A Pius XII and the Jews.... The whole thing is too sad and too serious for bitterness. A silence which is deeply and completely in complicity with all the forces which carry out oppression, injustice, aggression, war.

This is a fairly shocking condemnation of the Pope from an esteemed Catholic thinker. If Merton had actually written this, it would indeed give one pause. Actually, however, this is not a true quotation. Cornwell manufactured it.

Cornwell gave no citation, so his deception was hard to uncover. The full quotation, which was written by Merton in his personal journal, is a complaint that he had been ordered not to publish his essay on nuclear war. The silence about which he complained was the silence that had been imposed upon him. It was unrelated to Pius XII. Merton actually wrote:

A grim insight into the stupor of the Church, in spite of all that has been attempted, all efforts to wake her up! It all falls into place. Pope *Pius XII and the the Jews*, the Church in South America, the treatment of Negroes in the U.S., the Catholics on the French right in the Algerian affair, the German Catholics under Hitler. All this fits into one big picture and our contemplative recollection is not very impressive when it is seen only as another little piece fitted into the puzzle. *The whole thing is too sad and too serious for bitterness*. I have the impression that my education is beginning - only just beginning and that I have a lot more terrible things to learn before I can know the real meaning of hope.

There is no consolation, only futility, in the idea that one is a kind of martyr for a cause. I am not a martyr for anything, I am afraid. I wanted to act like a reasonable, civilized, responsible Christian of my time. I am not allowed to do this, and I am told I have renounced this - fine. In favor of what? In favor of *a silence which is deeply and completely in complicity with all the forces that carry out oppression, injustice, exploitation, war*. In other words silent complicity is presented as a greater good than honest, conscientious protest. If it is supposed to be part of my vowed life, it is for the glory of God. Certainly I refuse complicity. My silence itself is a protest and those who know me are aware of this fact. I have at least been able to write enough to make that clear. Also I cannot leave here in order to protest since the meaning of any protest depends on my staying here.¹

¹Thomas Merton, Dancing in the Water of Life at 84. This passage was written in anger. The following day, Merton tempered his comments (and his anger) about having been ordered not to publish his essay.

Cornwell selected the phrases that I have placed in italics, linked them with ellipses, and committed academic fraud.

2. In his 2004 book, *The Pontiff in Winter*, John Cornwell admitted that *Hitler's Pope* lacked balance. He reported that in the light of the debates and evidence following *Hitler's Pope*, Pope Pius XII had so little scope of action that it is impossible to judge his motives while Rome was under the heel of Mussolini and later occupied by the Germans.¹ *The Economist* reported that he was chastened by the experience. In an article from *The Catholic World Herald*, entitled *I've never accused Pius of Being a Nazi*, Cornwell said: "A lot of people have misunderstood the book, and possibly it's my fault – the title could so easily be misunderstood."² He went on to explain: "I've changed my mind about the extent to which one could call in question Pius XII's motives and conscience over his silence."³ "I've never accused him of being a wicked man, a Nazi or anything like that."⁴ Cornwell remains critical of the centralization of power in the Church, and he thinks Pius should have explained himself better after the war, but the attack on Pius XII's motives is essentially recanted.

I think the following pages – the epilogue from my book – was a big part of the "debates and evidence" that forced Cornwell to change.

I hope this helps!

Ron

Epilogue: Hitler's Pope

After this manuscript was substantially completed, Hitler's Pope: The Secret History of Pius XII, by British journalist John Cornwell, was released by Viking Press. That book created quite a splash in the popular press and therefore merits some discussion. As the title suggests, it presents a very cynical portrait of Pope Pius XII.⁵ Cornwell's thesis is that Eugenio Pacelli was a single-minded Vatican lawyer and diplomat who, from the earliest part of his career, set out to establish the absolute authority of Rome over Europe's Catholic populations. According to Cornwell, Pacelli was vain, beady-eyed, and an overwhelmingly ambitious careerist who dominated Vatican policy long before he was elected Pope. Cornwell concludes that Pius XII was the ideal Pope for Hitler's unspeakable plan. He was Hitler's pawn. He was Hitler's Pope.⁶ Rather than a saint, Cornwell believes that Pius XII was a deeply flawed human being from whom Catholics, and our relations with other religions, can best profit by expressing our sincere regret.⁷

To reach his conclusions, Cornwell disregards much recent scholarship and provides quirky interpretations of well-known facts.⁸ As one reviewer (himself a critic of Pius) explained: Throughout the book Cornwell insists on interpreting every decision and action of Pacelli in a way most inimical to him. The author is so committed to demonstrating or proving everything prejudicial to Pacelli, that he weakens, almost to the point of destruction, his own basic argument.⁹ Those who read only Cornwell's book (as did far too many reviewers in the popular press) may think that he has established his case.¹⁰ A fair evaluation of the facts, however, reveals that he has not.¹¹

Before delving into a full analysis of Cornwell's work, brief mention must be made of the claims that he put forth regarding his faith and motivation as he worked on his book. Having raised these issues to bolster his credibility, and having made these claims an important part of his work, he has invited such scrutiny.

Cornwell claims that he decided to write on Pius after a conversation with some students several years ago.¹² He says that he wanted to write a new defense of Pius XII. He was convinced of Pius XII's evident spirituality and thought that the full story would vindicate him.¹³ So, assuring Church officials that he was on the Pope's side,¹⁴ Cornwell claims to have obtained permission to look at the Vatican's archives, including previously unseen material.¹⁵ Then, for months on end I sat in a windowless dungeon beneath the Borgia Tower in Vatican City while a silent factotum brought me Pacelli's files, which had been hidden from view for decades.¹⁶ By the middle of 1997, after studying the Vatican files, Cornwell claims to have found himself in a state of moral shock.¹⁷ He was now convinced that Pius XII had a soaring ambition for power and control that had led the Catholic Church into complicity with the darkest forces of the era.¹⁸ He concluded that Pacelli was an ideal Pope for the Nazis' Final Solution.¹⁹

One is always reluctant to comment on another person's beliefs, but Viking Press has marketed this book as having been written by a practicing Catholic who started out to defend Pius XII. Most reviewers took delight in calling Cornwell a good, practicing Catholic determined to defend his Church. Earlier accounts of Cornwell's background, however, paint a very different picture.

According to a 1989 report in the Washington Post, Cornwell was once a seminarian at the English College in Rome and knows the Vatican terrain, [but] he has long since left the seminary and the Catholic faith, and thus writes with that astringent, cool, jaundiced view of the Vatican that only ex-Catholics familiar with Rome seem to have mastered.²⁰ At that time he described himself as aapsed Catholic for more than 20 years.²¹ In The Hiding Places of God (1993) he wrote of his days in the seminary: I took delight in attempting to undermine the beliefs of my fellow seminarians with what I regarded as clever arguments; I quarreled with the lecturers in class and flagrantly ignored the rules of the house. He declared that human beings are Amorally, psychologically and materially better off without a belief in God. He also said that he had lost his belief in the mystery of the real presence of Christ in the Eucharist. Reviews of that book called Cornwell an agnostic and former Catholic.²²

Cornwell claims that the Vatican assisted him with his research for Hitler's Pope both because of his professed desire to defend Pius XII and because of his 1989 book, A Thief in the Night, which he says was favorable to the Holy See. It is true that Cornwell rejected rumors of a papal poisoning conspiracy in that book, but it was not friendly to the Vatican.²³ One reviewer of A Thief in the Night, wrote:

Cornwell lets his private journalistic ambition sully his integrity as a writer of supposed history. This man has a clear agenda: vilify the Vatican in every possible way, cast aspersions on those who cannot defend themselves, and where possible make the Catholic Church generally and the Vatican establishment in particular look like a bunch of power-hungry egomaniacs and a den of thieves.²⁴

George Weigel, Pope John Paul II's biographer, wrote that A Thief in the Night provided a skewed picture of the Holy See.²⁵ Cornwell himself wrote: "The Vatican expected me to prove that John Paul I had not been poisoned by one of their own, but the evidence led me to a conclusion that seems to me more shameful even, and more tragic, than any of the conspiracy theories."²⁶ It was hardly the kind of book that would win friends in high Vatican circles.

Perhaps more revealing about Cornwell's intent as he began this important project is the brief mention of Pope Pius XII in A Thief in the Night. On page 50 Cornwell mentions the alleged anti-Semitism of Pius without offering any defensive comment. Then, on page 162, he seemingly mocks Pius, saying that he was "totally remote from experience, and yet all-powerful Roman emperor." He goes on to call Pius an "associated, large-eyed demigod." In a 1995 article in London's Sunday Times, Cornwell described Pius as a diplomat, a hypochondriac and a ditherer.²⁷ The next year, when he was supposedly working on his defense of Pius XII, Cornwell wrote in the New York Times of "Pius XII's silence on Nazi atrocities" as an example of a failing by the Catholic Church.²⁸ In light of this evidence, his claim to have had nothing but the highest regard for Pius XII when he began his research for Hitler's Pope is difficult to accept.²⁹

Cornwell's other books have also been unfriendly to the Church. His 1993 novel, Strange Gods, is about Father Nicholas Mullen, a Jesuit priest in his late forties who keeps a mistress on whom he lavishes caviar and champagne, goes on golfing holidays in Barbados, and takes lithium for manic-depressive swings. He supports his lifestyle by absolving a wealthy Catholic benefactor from his own sins of the flesh. Although unhappy with his emotional, sexual, and spiritual lot, Fr. Mullen lacks the courage and imagination to do anything about it.

The Independent (London) called the priest Aa cut-out model of a sexually tortured Catholic.³⁰

Driven by fear and desperation, he deserts his pregnant mistress in favor of a dangerous, immoral venture in an obscure part of Latin America. There, he encounters Father Christian O=Rourke, an Irish Jesuit whose fanatical attempts to indoctrinate natives into the One True Faith are by turns comical and sinister. Ultimately, Mullen returns to England, his faith transformed into what one reviewer called Aa soggy Christian humanism.³¹

None of this material concerning Cornwell=s anti-Catholic background and prior hostility towards Pope Pius XII serves by itself to undermine Cornwell=s research. It does however raise serious questions about his credibility. Moreover, as one studies his work, it becomes apparent that Hitler=s Pope was not a work of honest scholarship, but a book that was written to justify a conclusion that was reached in advance.

The first cause for suspicion is on the cover of Cornwell=s book.³² The dust jacket of the British edition shows Nuncio Pacelli leaving a reception given for German President Hindenburg in 1927. The photograph, a favorite of those who seek to portray Pius XII in an unfavorable light,³³ shows the nuncio dressed in formal diplomatic regalia (which could easily be confused with papal garments), as he exits a building. On each side of him stand soldiers of the Weimar republic. In front of him stands a chauffeur saluting and holding open the square-looking door, typical of automobiles from the 1920s. Those who do not recognize the differences in uniform details could easily confuse the Weimar soldiers with Nazi soldiers because of their distinctive helmets associated with Nazi-era German soldiers.

Use of this photograph, especially when coupled with a provocative title such as AHitler=s Pope,³⁴ gives the impression that Pope Pius XII is seen leaving a meeting with Hitler.

Making matters even worse is the caption from inside the rear cover of the dust jacket on early British editions of the book. This caption says that the photograph is from March 1939.³⁵ By this time, Hitler was Chancellor of Germany, and this was the month Pacelli was made Pope. A fair-minded person reading the caption could easily conclude that Cardinal Pacelli paid a visit to Hitler immediately prior to or just after being elected Pope.

The American version of Hitler's Pope never had the wrong date, but given that the date might have been an honest error it is far more revealing about the intentional mis-information that went into the marketing of this book. The U.S. edition uses the same photograph as the British edition, but it is cropped to eliminate two important points of reference: The soldier nearest the camera and the square door of the automobile. Both of those images provide clues to the true date of this photo (1927), and author apparently did not want that known.³⁶ Even more telling is the intentional blurring of the background. Looking at this cover, Nuncio Pacelli is in focus, but the soldier to his left and the chauffeur are both badly blurred. They are so badly blurred that it is impossible even for a well-trained observer to recognize that the soldier wears a Weimar uniform rather than a Nazi uniform. The chauffeur, due to the blurring and cropping that eliminates the car door, takes on the appearance of a saluting SS officer. Even a civilian in the background could seem to be a military (Nazi) official.³⁷

Since none of the images on the British edition are blurred, and since Nuncio Pacelli is in focus on the U.S. cover, but the other images are blurred, the only logical conclusion is that Viking Press intentionally altered the photograph to support the author's thesis. Unfortunately, this is not the only dishonest aspect of the book.

Not long after the release of Hitler's Pope, the Vatican issued a statement on Cornwell's work in Rome. It denied Cornwell's claim to have been the first person to have access to the archives that he used, denied his claim that he had worked for months on end in these archives, denied his claim that a letter he had found had been kept secret prior to his efforts (noting that it had been published in full several years earlier), and stated that these falsehoods had been revealed to put readers on guard about Cornwell's claims.³⁸

It seemed to me that there was enough of a question about Cornwell's credibility to justify contacting the Vatican for details about his work and the special assistance he claimed to have received. I faxed a letter to the *relator* of the cause for Pope Pius XII's sainthood,³⁹ Fr. Peter Gumpel S.J., of the Congregation for the Causes of Saints in Vatican City.⁴⁰ I told Gumpel of my work and asked him about Cornwell's assertions. Just a few days later, I received a call from him.

Gumpel specifically denied that Cornwell saw any secret files.⁴¹ The Vatican has always insisted that all relevant documents relating to World War II have been published in the Actes et Documents collection.⁴² Cornwell's supposed new information came from the pre-1922 archives from the Vatican's Secretary of State office.⁴³ Moreover, any competent scholar can obtain access to the archives to do scholarly research without saying anything about being favorable or unfavorable to any pontiff or ecclesiastic. As for a desire to help Cornwell because he said he wanted to defend Pius XII, I am not as naive as he portrays me, Gumpel said at least twice. He was adamant about Cornwell's distortions of the truth.

Gumpel invited me to visit Rome and inspect the files that Cornwell had used. My publisher encouraged me to accept Gumpel's offer, and I traveled to Rome in early December

1999. For two days, Gumpel and I went over my manuscript (which he had already read), some of his writings, and issues that were highlighted by Cornwell's book. On the third day he provided me with an office on Vatican property and gave me all of the documents that I wanted to review, including Pius XII's beatification deposition transcripts.⁴⁴

Cornwell claimed that these beatification deposition transcripts were Aunseen materials,⁴⁵ but other scholars had seen them.⁴⁶ More revealing was that he called the files Aexplosively critical matter⁴⁷ and Aa priceless biographical resource⁴⁸ that Gumpel had made available to him Aat great risk.⁴⁹ In fact, he said that Ain the absence of a devil's advocate [the testimony of Pacelli's younger sister, Elisabetha] should be heeded.⁵⁰ I at least expected to find controversy in the materials. However, as I began to plow through the 98 deposition transcripts (not 76, as Cornwell writes),⁵¹ I found them not at all controversial. No witness gave Ashocking@ testimony, but each witness provided positive testimony about Pope Pius XII. Many spoke of his concern for and help given to Jewish people, both before and after he became Pope.

I thought that perhaps I was simply overlooking specific points that Cornwell had found, so I looked at his endnotes and cross-referenced them with the deposition transcripts. I first noted how few citations there were. The original transcripts take up just over 1700 pages which are spread over seven volumes; the two volume printed set is just over 900 pages (not a thousand pages, as Cornwell says).⁵² Yet, Cornwell has only 30 citations to this material, in which he references only 12 of the 98 witnesses. More telling, however, are the contents of the testimony that he found so devastating.

Cornwell was able to uncover a bit of disharmony between the Pope's housekeeper and his sister (who wanted to be his housekeeper), but other than some petty jealousyBnot on the part

of Pius, mind youBthe testimony is not in the slightest negative. Much of it relates to matters such as Pius XII=s height, weight, health problems, etc.⁵³ Cornwell attempts to present these transcripts as controversial by quoting statements favorable to the Pope, then arguing against them. The testimony itself, however, is not at all negative. In fact, the clear message from each and every witness is that Eugenio PacelliBPope Pius XIIBwas an honest, holy, and charitable manBeven saintly.⁵⁴

Below is a chart that covers all of Cornwell’s citations to the deposition transcripts.

Listed is the witness and a thumbnail sketch of the testimony.

<u>Hitle</u> r=s Pope Chap ter	Note # in Hitle r=s Pope	Vatican Transcript Page	Witness	Subject Matter of Testimony
Intro		229	Carlo Pacelli (nephew)	Height and weight of Pius.
1	7	30	Guglielmo Hentrich (professor)	No heat in Pacelli=s childhood home.
1	14	109	Pascalina Lehnert (housekeeper)	Young Pacelli had unusual sense of control over self.
1	20	3	Elisabetha Pacelli (sister)	Family brought him food when he was in seminary.
2	4	255-56	Maria Teresa Pacelli (cousin)	Young cousin felt that she could confide in him.
2	5	256	Maria Teresa Pacelli	Older, the same cousin, found him open, modest, humble, reserved but cheerful, and marked by simplicity.
5	26	6	Guglielmo Hentrich	1920s problem between members of Nuncio Pacelli=s

				domestic staff.
5	27	6	Guglielmo Hentrich	Pacelli pleased when accusations of a romance between him and his housekeeper were disproved.
5	28	69	Suora Ignazia Caterina Kayser (member of religious order)	Priest/Assistant thought nuncio Pacelli should fire his housekeeper.
6	18	54	Hans Struth (journalist)	Pacelli blessed crowds as he left Germany.
7	12	6	Elisabetha Pacelli	Domestic quarrel between housekeeper and staff.
11	13	12	Guglielmo Hentrich	Pacelli=s nephew took photo of housekeeper in an embarrassing position with a man.
15	3	31	Guglielmo Hentrich	Pius slept no more than 4 hours/night during the war.
16	22	85	Pascalina Lehnert	Pius decides to burn notes of condemnation due to news of persecution of Baptized Jews in Holland.
17	31	831	Gen. Carlo F. Wolff (SS commander)	Wolff talks with Hitler about occupation of Vatican.
17	32	832-33	Gen. Carlo F. Wolff	Hitler makes Adark threats@ against Vatican.
17	33	832	Gen. Carlo F. Wolff	Hitler orders occupation of Vatican and kidnaping of Pope.
17	34	834	Gen. Carlo F. Wolff	Wolff tries to thwart Hitler=s plans.
17	35	836-37	Gen. Carlo F. Wolff	Wolff urges Hitler to drop plans against Vatican.
18	14	340	Quirino Paganuzzi (worked in Vatican)	Pius got on knees and apologized to priest with whom he had been sharp.

20	3	102	Pascalina Lehnert	Pius says that a Pope must be perfect, but not others.
20	4	334	Quirino Paganuzzi	Pius stayed up late to return books and files to their proper place.
20	8	89	Pascalina Lehnert	Companion did not share the vision seen by Pius.
20	10	219	Carlo Pacelli	There was a rumor that Pius XII=s housekeeper interrupted an important meeting.
20	13	37	Guglielmo Hentrich	Pius did not think beauty contests were good for women.
20	14	249	Virginio Rotondi (journalist)	Pius rejected a candidate for sainthood due to his use of obscene language.
20	15	210	Giacomo Martegani (radio and newspaper man)	Pius warned priests to avoid temptation by avoiding trips with young women.
20	23	229	Carlo Pacelli	Pius had dental problems.
20	26	276	Cesidio Lolli (newspaper writer)	Pius XII=s health problems.
20	27	227	Carlo Pacelli	Pius changed doctors.

Not only did each of these witnesses have favorable things to say about Pope Pius XII, even the portions of testimony cited by Cornwell are not actually critical of Pius (despite Cornwell=s arguments to the contrary).⁵⁵ The testimonies are without any exception, positive with regard to the life, activity, and virtue of Pius XII.⁵⁶

While Cornwell has only 30 citations to the deposition transcripts, he has about twice that many citations to the writings of Klaus Scholder.⁵⁷ As the New York Times reported: AFootnote

after crucial footnote refers to Mr. Scholder.⁵⁸ In fact, Cornwell says that his greatest debt, and indeed homage, is to the magisterial scholarship of the late Klaus Scholder.⁵⁹

According to Cornwell, Scholder's reputation as a church historian is unchallenged in German scholarship,⁶⁰ but he has been overlooked by the Vatican. On both counts, he is clearly wrong. Cornwell reports that in a conversation, Gumpel admitted that not only had he not read Klaus Scholder's extensive and crucial scholarship on the Reich Concordat, but that he was unaware of its existence.⁶¹ Gumpel, of course, has read Scholder's writings. He attributes Cornwell's error to a misunderstanding that took place when Cornwell visited Rome. He has a very bad pronunciation of German, Gumpel explained. He may have asked whether I knew of Scholder's work, but mispronounced the name so badly that I did not recognize it.⁶² Gumpel has even explained why Cornwell relies so heavily on Scholder: Scholder's work relating to the various concordats is largely surpassed by other standard works, but Scholder better supports Cornwell's thesis.⁶³

Despite Cornwell's claim, Scholder is certainly not unchallenged. He has been most seriously challenged by Konrad Repgen. In several works, Repgen has particularly contested Scholder's assertion that there was a connection between the dissolution of the Center Party and the concordat negotiations in 1933.⁶⁴ Ludwig Volk's work, though published prior to Scholder's, refutes the latter's contentions, in particular Scholder's claim that the initiative for the concordat came from the Vatican.⁶⁵ Other scholarship also undercuts Scholder's claim that the push for the concordat came from the Vatican instead of the Germans.⁶⁶

Perhaps more surprising than Cornwell's trust in Scholder is his reliance on Robert Katz. Cornwell says Katz provides the most authoritative account of the roundup of Roman Jews in

October 1943.⁶⁷ Cornwell goes on to explain that Katz was sued by Pacelli's sister and nephew (actually it was his niece) for libel, but he incorrectly reports that the case was ultimately ruled inconclusive.⁶⁸ In Rome, I was provided with a copy of the Italian Supreme Court's decision on this matter. The case actually was based on a film made from one of Katz's books. The Court ruled that "Robert Katz wished to defame Pius XII, attributing to him actions, decisions and sentiments which no objective fact and no witness authorized him to do."⁶⁹ Katz was fined 400,000 Lire and given a 13-month suspended prison sentence.⁷⁰ Someone truly interested in the truth about Pius XII would have been dissuaded from relying on any of Katz's work.

Cornwell begins his analysis of Eugenio Pacelli's life by looking at his childhood. Because he is trying to build a case for calling Pacelli anti-Semitic, he does not mention Eugenio's friendship with a Jewish schoolmate.⁷¹ Instead, he tells an incorrect story about the young boy's teacher. According to Cornwell, the headmaster of Eugenio's school "was in the habit of making speeches from his high desk about the >hard-heartedness of the Jews."⁷² Cornwell cites for this proposition N. Padellaro, Portrait of Pius XII, the English translation.⁷³ The original Italian version of this work, however, provides the true quotation about young Pacelli's headmaster: he scolded "not against hard-hearted Jews, but against block-headed pupils."⁷⁴ An error in translation completely changed the meaning of the whole incident.

Another mistake about young Pacelli's schooling relates to an essay he wrote while enrolled in a secular school. According to Cornwell, "For an essay assignment on a >favorite= historical figure, Pacelli is said to have chosen Augustine of Hippo, prompting sneers from his classmates. When he attempted to expand a little on the history of Christian civilization, a theme absent in the curriculum, his teacher chided him..."⁷⁵ Cornwell offers no citation for this

incident with the authoritarian teacher, but German scholars have written on this matter. The teacher involved is Professor Della Giovanna. Cornwell, however, got the story wrong. The professor Giovanna did not chide young Eugenio; rather, Della Giovanna praised the young boy for his willingness to stand up for his beliefs.⁷⁶ The event was precisely the opposite of what Cornwell would have his readers believe.

These errors relating to Pacelli's schooling would seem rather trivial, but Cornwell builds them up significantly. He argues that as a young boy, Pacelli saw anti-Semitism and authoritarianism in the men he respected and goes on to argue that the impressions gained by small children are never lost.⁷⁷ As it turns out, however, Pacelli had good teachers, and the impressions made on him as a boy were indeed never lost.

Cornwell criticizes Pacelli for his efforts on a project that he worked on shortly after his ordination. In 1903, Pope Pius X assigned the young Pacelli to a team charged with codifying Church canon law. For the next decade and a half, he served as a research aide in the office of the Congregation of Ecclesiastical Affairs helping take Church law which had been built up over a thousand years and reducing it to a single code which could easily be referenced. This was much more manageable than the edicts, papal encyclicals, instructions, decrees, regulations, and precedents which were confused and perhaps even contradictory. In fact, most theologians view centralization as a vast improvement over what went before.⁷⁸ Cornwell, however, argues that this code is what eventually led to the rise of Hitler, and he argues that the blame should fall to Pacelli.⁷⁹

As an initial matter codification projects reduce various pronouncements into a single code, but they do not create fundamentally different rules.⁸⁰ The rules in the code were fully in

force prior to being codified. Certainly a junior prelate like Pacelli had no authority to write new law. Not only did the codification team have to agree that the new code reflected existing Church law, the code also had to be approved by the Holy See.⁸¹ Pope Pius X commissioned the process, and Pope Benedict XV received and approved what became known as the 1917 Code of Canon Law. To assert that Pacelli, who was nothing more than a promising young diplomat at the time, rewrote Church law in this process is to credit him with far more authority than he (or any other individual) actually had.⁸²

Cornwell elaborates his argument by saying that Pacelli spent the rest of his life trying to impose the code on Catholic Churches throughout the world by reaching agreements with civil governments. As these concordats were signed, according to Cornwell, local priests and bishops lost the ability to complain about injustices that they saw. APolitical@ disputes were instead handled through Rome. The first concordat about which Cornwell complains was signed by the Vatican and Serbia in 1914.

Cornwell argues that Pacelli was the driving force behind the 1914 concordat, and he further suggests that this concordat led to World War I. Cornwell argues that the Serbian concordat implied the abrogation of the ancient protectorate rights of the Austro-Hungarian Empire over the Catholic enclaves in Serbia=s territories.⁸³ He explains that this threatened the influence of Emperor Franz Josef.⁸⁴ He goes on to report that AVienna reacted to news of the concordat with outrage.⁸⁵ He quotes opposition newspapers Die Zeit and Arbeiterzeitung expressing the anger that, according to Cornwell, led to the First World War.⁸⁶ Cornwell, however, leaves out some important details.

Cornwell ominously suggests that all of the various materials were once in the keeping of Eugenio Pacelli.⁸⁷ Of course they were. Pacelli was a junior member of the Vatican team, and his primary obligation was to take minutes at the negotiations. This does not suggest that he was an important participant in setting terms of the agreement. In fact, it tends to suggest the opposite. As one reviewer wrote, blaming Pacelli for what took place is tantamount to blaming the minute taker for the minutes.⁸⁸ More importantly, however, as even critics of the Vatican have concluded, the Serbian concordat was absolutely irrelevant to the outbreak of war.⁸⁹

For his authority, Cornwell cites a secondary source,⁹⁰ but in the Vatican archives, in a fascicle that was signed out to John Cornwell while he was researching his book,⁹¹ is a handwritten letter from the nuncio in Vienna back to the Vatican Secretary of State in Rome, where negotiations for the concordat were taking place. That letter, dated June 24, 1914, reports that Vienna had no displeasure with the negotiations for the concordat. According to that dispatch, the opposition press argued that this concordat was a defeat for Austria/Hungarian diplomacy (these are the newspapers Cornwell cites in his book), but the serious press agreed that this was the only solution to the difficult problems regarding religious interests in Serbia.⁹² The nuncio went on to explain that the Austria/Hungarian government has from the very beginning been informed about the negotiations in Rome and has followed them with benevolent interest.⁹³ The conclusion of the concordat is what Austria/Hungary has wanted for Catholics and, as was published in the government's newspaper, was in accord with the government's wishes.⁹⁴ In fact, the government issued a publication noting the praiseworthiness of the proposed concordat.⁹⁵ The thesis that a power-driven Pacelli forced this concordat despite the risk of war is a wild accusation that is completely contradicted by the evidence.⁹⁶

Cornwell writes of Pacelli's 1917 departure to become the nuncio in Munich that: Not only had Pacelli commandeered his own private compartment, but an additional sealed carriage had been added to the train to transport sixty cases of groceries to ensure that his troublesome stomach would not be affected by the food of wartime Germany.⁹⁷ For his authority, Cornwell cites the diary of Carlo Monti, which was published by the Vatican in 1997.⁹⁸

Monti reported the facts, as outlined above, to Pope Benedict shortly after Pacelli's departure. Monti wrote that the Pope was scandalized.⁹⁹ However, the introduction to the diary explains that Pacelli had angered Monti sometime prior to the 1917 departure by refusing to meet with him. At that time, Monti complained to Pope Benedict, hoping that he would rebuke Pacelli. The Pope, however, sided with Pacelli. Now, as Pacelli was leaving Rome, Monti again sought to have the Pontiff rebuke Pacelli. Had Benedict truly been scandalized, he certainly would have rebuked the new nuncio. He did not do so, however, because he well knew that Pacelli—who would later go on a war-rations diet though he had food—was actually taking the food to provide for the war-torn city, prisoners of war, and others.¹⁰⁰ This is explained in the very text that Cornwell cites.¹⁰¹ The Pope ignored the scandalous claim by Monti with good reason. Anyone who was really interested in finding the truth—instead of just creating a scandal—should also have seen through this absurd charge.

Cornwell argues that Pacelli, as nuncio and Secretary of State, withdrew support from the Catholic Center Party in Germany, transferring power to the Holy See. In particular, Cornwell faults Pacelli for having negotiated the 1933 concordat with Germany. This agreement, according to Cornwell, silenced political priests and bishops who might have held Hitler in check.

The Holy See's concordat with Germany has long been a matter that critics use to cast aspersions. Cornwell's twist is that he admits that Pacelli had no sympathy for the Nazi regime. "He didn't like Hitler," Cornwell says. "He didn't like the Nazis. He hated them. But he was enthralled with the notion of power and control from the center."¹⁰² According to Cornwell, Pacelli (not Pope Pius XI) agreed to the concordat in the interest of imposing papal absolutism on the Church in Germany.

As an initial matter, it should be noted that the 1917 Code applied to German Catholic churches before the concordat was signed. The Code, being a compilation of Church teaching over the years, was binding as soon as it was approved by the Holy See. In fact, the contents of the Code (which came from papal statements, encyclicals, and other authoritative teachings) was binding even before the Code itself was completed. Thus, contrary to Cornwell's claim that the Code was at the heart of this agreement, the concordat itself does not even mention the 1917 Code.

The concordat did exclude the German clergy from party politics, but it imposed no such restrictions on the Catholic laity. The relevant provision, paragraph 32 of the concordat, said: "The Holy See will prescribe regulations which will prohibit *clergymen and members of religious institutes* from membership in political parties and from working on their behalf" (emphasis added).¹⁰³ The supplemental protocol relating to this paragraph said: "The conduct enjoined upon the pastors and members of religious institutes in Germany does not entail any limitation of the prescribed preaching and interpretation of the dogmatic and moral teachings and principles of the Church."¹⁰⁴

Cornwell argues that direct political involvement by the Church could have held Hitler in check, but that Pacelli, the 1917 Code, and the concordat all served to restrict this possibility in order to centralize the Vatican=s authority. This criticism is based upon four assumptions: 1) that Pacelli made the decision, not Pius XI; 2) that the party would have remained viable; 3) that the party would have opposed Hitler; and 4) that the concordat effectively silenced the German bishops. Three of these four assumptions are demonstrably false, and the fourth is far from certain.

As for the assumption that Pacelli was the driving force behind the concordat, Cornwell again credits (or blames) Pacelli for decisions that were far beyond his control. Cornwell seems to think that Pacelli was the instigator of all the international moves that took place while he was Secretary of State.¹⁰⁵ That is not, however, the way that diplomats saw it at the time. Reporting back to London on the prospects of the 1939 papal election, the British Minister to the Holy See, Francis D=Arcy Osborne, wrote that Ait was always [Pacelli=s] task to execute the policy of the late Pope rather than to initiate his own.@¹⁰⁶ In fact, Osborne reported that Pacelli had not garnered the ill will typically found between the Secretary of State and other cardinals precisely because he only carried out Pius XI=s objectives.¹⁰⁷ Contrary to what Cornwell would have us believe, Secretary of State Pacelli took pride in executing the will of his Pope, Pius XI. The Pontiff himself said, ACardinal Pacelli speaks with my voice.@¹⁰⁸ Either young Pacelli dominated the Church=s international policies years before he had any true authority (as Cornwell asserts) or he carried out the will of his superiors (as Pope Pius XI and others who actually knew Pacelli said). Cornwell=s argument is at odds with all relevant evidence.¹⁰⁹

As to Cornwell's assumption that the Catholic Center Party in Germany would have remained viable but for the concordat, it too must fail. Hitler's power was sufficiently secure, and his means sufficiently brutal, that by March 1933 no religious institution could really stand up to him.¹¹⁰ Moreover, neither the concordat nor Church doctrine prohibited Catholic laypersons from being involved in politics.¹¹¹ That was not, however, the Nazis' plan. They alone, not the concordat, brought down the Center Party.

The Catholic Center Party was seriously weakened and almost eliminated by the Nazis in March 1933.¹¹² For the next three months, the Nazis brutalized the remaining members of the Center Party as well as other Catholics. On July 5, 1933, two weeks before the concordat was signed, the party membership decided to dissolve voluntarily in the hope that this would stop the persecution.¹¹³ Again, Cornwell has blamed Pacelli for decisions that were not his to make.

Even Cornwell's assumption that the Catholic Center Party would have opposed Hitler but for the concordat is subject to question. The party was split and many Roman Catholics were attracted by the early achievements of the Nazis, as were most Germans.¹¹⁴ Today one wonders how this could have been possible. At the time, however, Hitler promised to provide economic prosperity, free Germany from the Treaty of Versailles, end daily street fighting, and promote a form of social justice.¹¹⁵ While all of these points were popular with German people, the term "social justice" had particular meaning to Catholics. This term was used in the United States by both social activist Dorothy Day (whose political leanings were clearly to the left) and Fr. Charles Coughlin (whose anti-New Deal radio broadcasts were sometimes associated with Fascism).¹¹⁶ When Hitler's socialistic programs seemed to help people who had been in need,

and he used a term that Catholic leaders across the political spectrum sometimes used, it is easy enough to see how some Catholics might have been attracted to his policies.¹¹⁷

Cornwell argues that the concordat created an opening for Hitler by withdrawing support from clergy participation in the political parties. It must be noted, however, that only one party remained in Germany—the National Socialists. The concordat provided Catholic clergy with a reason to decline membership in that party. Many Protestant ministers, not protected by a concordat, were coerced into joining the Nazis.

Cornwell's assumption that German bishops would have been outspoken against the Nazi regime but were silenced by the concordat, is wrong. The German bishops voted to ask Pacelli to ratify the concordat without delay.¹¹⁸ They understood, as Cornwell does not, that they would not be silenced by the concordat. The supplemental protocol relating to paragraph 32 of the concordat made clear that the German clergy was not prohibited or even limited in preaching about the dogmatic and moral teachings and principles of the Church. As such, the concordat set forth traditional Church teaching about politics and the clergy. Priests and bishops are not supposed to take sides on matters of economics and politics unless they deal with human dignity or the right and ability of the Church to carry out her mission. When it comes to those matters, however, the clergy are free to speak, even if that means talking about politics.¹¹⁹ The concordat, in fact, did no more than assert traditional Church teaching (predating the 1917 Code of Canon Law) when it limited the participation of clergy in party politics.¹²⁰

Throughout the book, Cornwell condemns Pacelli for matters that were beyond his control. Perhaps nowhere is this better illustrated than when Cornwell discusses the so-called hidden encyclical. This episode has been cited by many critics of Pius XII, but Cornwell

presents a new twist. The traditional story told by critics of Pius XII (as set forth in Chapter 18) is that Pius XI was prepared to make a strong anti-Nazi statement, but he died too soon. His successor, Pius XII, then buried the draft.

One of the problems with the traditional story is that the original draft contained some anti-Semitic statements. Critics of Pius XII usually are reluctant to attribute such sentiments to Pius XI. Cornwell resolved this problem by accusing Pacelli of having written the original draft of the encyclical when he was Secretary of State, then burying it when he was Pope.¹²¹ (In fact, Cornwell even suggests that he suppressed the encyclical while he was still Secretary of State, during Pius XI's illness.)¹²² Thus, Cornwell criticizes Pius twice. It is really too great a stretch of logic to be considered legitimate. There is, in fact, no evidence that either Pope ever saw the original draft, and there is absolutely no evidence that Pacelli had anything to do with the drafting of this text.

The ability of Pacelli to dominate the policy of the Holy See, long before he held any real position of authority, is central to Cornwell's thesis.¹²³ As The New York Times reported on October 2, 1999:

If Pius XII was a Hitler's pawn, as Mr. Cornwell writes, then everyone else was Pacelli's pawn. No one seems to act from motives or principles, virtues or vices, independent of his, not the German bishops, the Center Party leaders or even Pius's predecessor, Pius XI. One chapter describes the young Pacelli's hand in the negotiation of a June 1914 concordat with Serbia, and the reader ends up wondering whether this man did not also start World War I!¹²⁴

Certainly Cornwell, who described Pope Pius XI as A bossy, @ Aan autocrat, @ and A one of the most self-willed pontiffs in the recent history of the papacy, @¹²⁵ knows that Pacelli was unable to dominate the Vatican as Secretary of State, much less as nuncio. In fact, Cornwell himself notes that some cardinals opposed elevating Pacelli to the papacy because he might A prove too weak after serving under such a forceful Pope. @¹²⁶

Another fundamental point in Cornwell=s overall thesis is the claim that Pacelli was an anti-Semite.¹²⁷ This is a rare allegation, even for critics of Pius XII, but Cornwell claims to have found two pieces of evidence to support his claim. They come from 1917-19, when Eugenio Pacelli was a nuncio in Munich. Cornwell looks at these two events in the worst light possible and concludes that they are consistent with anti-Semitism. That conclusion, however, is far-fetched. In fact, putting these two minor points up against a lifetime of work, it is clear that Pius was not anti-Semitic.¹²⁸

The first of the two supposedly new discoveries is a letter written in 1917. It seems that a rabbi requested Pacelli=s assistance in obtaining palm fronds from Italy to be used in a synagogue festival. Pacelli apparently offered to try, but Bin the middle of a nation torn by World War Bit was not easy to comply, especially since the Vatican did not have diplomatic relations with Italy at that time. In fact, with Italy and Germany at war, such assistance would have been in direct violation of Italian dictates.¹²⁹ In his report back to Rome, Pacelli said that he declined to offer help because the assistance sought was not in a matter pertaining to A civil or natural rights common to all human beings, @ but rather in a matter pertaining to the ceremony of a A Jewish cult. @¹³⁰ Pacelli also noted that the rabbi understood the difficulty and thanked him for his efforts.¹³¹

As in initial matter, Cornwell completely overlooks the importance of Pacelli=s qualification. In the report to Rome, Pacelli clearly indicated his belief that if this matter had pertained to civil or natural rights (e.g. Ahuman rights@), he would have been obliged to offer help. He did not, however, see any similar duty to help another religion conduct a ceremony.

Another difficulty with this letter is the pejorative meaning that is today associated with the word Acult.@ The actual Italian word used by Pacelli was *Aculto*.@ The first three meanings for this word in *Webster=s 3rd International Dictionary* all deal with religious rites and worship. The Vatican still uses the word to refer to the Church=s own rites and worship, such as Athe cults of the saints@ and Athe cult of the Virgin Mary.@ Thus, the word does not carry any derogatory connotation.¹³² Cornwell is well aware of this non-pejorative meaning, as he uses the term several times himself.¹³³ To stretch the word to include an anti-Semitic sentiment really reflects Cornwell=s ill-disguised motive. In fact, the Rabbi=s willingness to approach Pacelli for help like this would seem to indicate that Pacelli had a reputation for being friendly to Jews.

A more controversial letter was written in 1919. That year, Bolshevik revolutionaries temporarily took power in Bavaria. Most foreign dignitaries left Munich, but Pacelli decided to stay at his post, and he became a target of Bolshevik hostility.¹³⁴ As Cornwell himself acknowledges, one time a car sprayed Pacelli=s residence with machine-gun fire.¹³⁵ Another time, a small group of Bolsheviks broke into the nunciature, threatened Pacelli with pointed revolvers, and tried to rob him.¹³⁶ Yet another time an angry mob descended on Pacelli=s car, yelling blasphemies and threatening to turn the car over.¹³⁷ In the last two episodes, Pacelli directly addressed the gangs and convinced them to abandon their assault.

The Bolsheviks were not, however, dissuaded from occupying the royal palace in Munich. In a letter to Rome, sent over Pacelli's signature, the occupation of the palace was described as follows:

A gang of young women, of dubious appearance, Jews like the rest of them, hanging around in all the offices with lecherous demeanor and suggestive smiles. The boss of this rabble was a young Russian woman, a Jew and a divorcee (while their chief) is a young man of about 30 or 35, also Russian and a Jew. Pale, dirty, with vacant eyes, hoarse voice, vulgar, repulsive, with a face that is both intelligent and sly.¹³⁸

For Cornwell the use of the words Jew and Jews, together with unflattering descriptions of the revolutionaries, gives an impression of stereotypical anti-Semitic contempt.¹³⁹

Pacelli's letter is six pages long, but Cornwell quotes only two paragraphs describing a chaotic incident at a former royal palace taken over by revolutionaries. While these lines do read badly, the trouble is that it seems to be largely true. The 1919 Munich terror was led by Russian Jewish Bolsheviks. They did murder people. They were very frightening.¹⁴⁰ Moreover, as Cornwell himself explains, Pacelli had not witnessed the scene he described in this letter. His assistant, Monsignor Schioppa, is the one who actually went to the palace. Pacelli did no more than relate Schioppa's description.¹⁴¹

The choice of words in the letter would certainly have to be considered offensive by today's standards, but the disrespect reflected in the language does not stem from racial or even religious differences, but from the Bolshevik activity in Munich. There was clear animosity between the Church and the revolutionaries, and those revolutionaries are the focus of the

comment, not all Jewish people.¹⁴² It should also be noted that the message was written 14 years before Hitler came to power and the Jewish persecution began. The language used to describe a similar even in 1943 might well have been very different.¹⁴³

When one considers all of these factors put together (it was an actual description, written by another, who was mad at the revolutionaries because they had attacked the Church, and the anger was directed at a small group, not Jews in general, etc.) anti-Semitism is hardly even a debatable point. Going further, however, and stacking this up against the rest of Pacelli=s life, there is simply no case for anti-Semitism.

Rather than focusing on indirect evidence from the World War I era and fabricating an argument, one could look to direct, on-point evidence from that same period. On December 15, 1915, the American Jewish Committee of New York petitioned the Vatican for a statement on the Aill-treatment@ suffered by Jewish people in Poland.¹⁴⁴ The response came from the office of the Secretary of State, where Eugenio Pacelli was working hand-in-hand with Cardinal Gasparri.¹⁴⁵ It said:

The Supreme Pontiff... as Head of the Catholic Church, which, faithful to its divine doctrine and to its most glorious traditions, considers all men as brothers and teaches them to love one another, he never ceases to inculcate among individuals, as well as among peoples, the observance of the principles of natural law and to condemn everything which violates them. *This law must be observed and respected in the case of the children of Israel, as well as of all others, because it would not be conformable to justice or to religion itself to derogate from it solely on account of religious confessions.* The Supreme Pontiff at this

moment feels in his fatherly heart... the necessity for all men of remembering that they are brothers and that their salvation lies in the return to the law of love which is the law of the Gospel.¹⁴⁶

This is clearly a much better indication of Pacelli's understanding of Catholic teaching on anti-Semitism and the proper relation that should exist between Catholics and Jews. Unfortunately for Cornwell, it disproves his point.

On a related matter, Cornwell suggests that the deportation of Jews from Rome on October 16, 1943, did not sufficiently concern Pius XII. The details of this matter are discussed in Chapter 14 of this book, but one point needs to be mentioned here. Part of the evidence cited by Cornwell is a message sent from U.S. official Harold Tittmann to the State Department regarding a meeting he had with Pius.¹⁴⁷ The message is dated October 19, and reports not the Pope's outrage at the Nazis roundup a few days earlier, but his concern that Communists might commit violence in the city.¹⁴⁸ If things were actually as Cornwell reports them, Pius would indeed appear indifferent to this Nazi abuse of Jewish people. Such, however, is not the case.

The Vatican keeps very precise records of audiences given by the Pope. The transcribed message to Washington from Harold Tittmann is dated October 19th, but this is a mistake. Vatican records show that the meeting between Pius and Tittmann took place on October 14th.¹⁴⁹ In fact, *l'Osservatore Romano* of October 15/16, 1943 reports on page one that Tittmann was received by the Pope in a private audience on October 14, 1943.¹⁵⁰ Apparently a handwritten 4 was misread as a 9 when the documents were typed. The Pope did not mention the roundup of Jews because it had not yet happened! His concern was that a group of Communists would

commit a violent act and this would lead to serious repercussions. Of course, he proved exactly correct the following spring.¹⁵¹

My work in Rome did cause me to re-think one aspect of my analysis. Up until this point in time I had not placed much faith in an event regularly cited by supporters of Pius XII, namely the anti-Hitler statement that he is supposed to have burned upon learning of the deportation of Catholic Jews in Holland (including Edith Stein)¹⁵² in retaliation for the protest by Catholic bishops.¹⁵³ I had discounted this for two reasons. The first is that I believe Pius XII determined the course he would take very early in his Pontificate, and an express condemnation of any party would represent a departure from that course. The second reason was that this story is usually attributed solely to Sr. Pascalina. The book La Popessa purports to give her story, but it seems rather far-fetched in many respects.¹⁵⁴ Accordingly, when I read Cornwell=s arguments against the validity of this story, I was pleased to find that I had only two brief references to it in my manuscript and they were both in endnotes. My opinion about this event began to change, however, when I got to Rome.

Although the book La Popessa is subject to criticism, Pascalina=s German autobiography, Ich durfte ihm dienen: Erinnerungen an Papst Pius XII, is much better accepted. Moreover, she testified under oath to this event at the Vatican, and in Rome I was able to review the transcript of that testimony and speak to people who knew her.¹⁵⁵ They all vouched for her veracity. More importantly, I discovered that another witness, Maria Conrada Grabmair, also testified to the same event.¹⁵⁶ Pascalina and Grabmair were both domestic workers who claim that they saw Pius XII burn some paper on which he had been writing. Pascalina testified that the Pope said that Aif the letter of the bishops has cost the lives of 40,000 persons, my own protest... could cost

the lives of perhaps 200,000 Jews,¹⁵⁷ and that statement is the focus of Cornwell's criticism.

Grabmair did not claim to hear any such statement.¹⁵⁷

Grabmair worked in the Pope's kitchen. She testified that Pius brought two pieces of paper over to the stove and watched them burn completely. This was unusual because at other times when he wanted to dispose of papers, he would hand them to her and leave. This time he burned them himself and stayed until he knew they were completely destroyed.¹⁵⁸ Grabmair testified that she later was told by Sr. Pascalina and by Fr. Robert Leiber that this was a draft of a document that Pius decided to burn after he was informed about the disastrous consequences of the public protest by the bishops of Holland against the deportation of Jews from that nation.¹⁵⁹

While such hearsay evidence would not be conclusive by itself, it strongly supports

Pascalina's testimony and makes the entire event more believable.

The burning of this paper is important in this respect: Since the Nazis decided on the Final Solution in early 1942, and word began filtering to Rome in the spring and summer of 1942, it is at least possible (giving the Vatican time to confirm reports) that this was the Pope's first serious consideration of an express denunciation of the Nazi treatment of the Jews. The exact date of the incident is lost, but since the deportation of Catholic Jews in Holland occurred in mid-summer, it probably took place in the autumn of 1942.

These witnesses do not claim to have seen the contents of the document. They only state that the Pope said he wanted to publish it in *l'Osservatore Romano*. This could have been similar to the other anonymous statements that were published in the paper during the war.

Alternatively, it might have been similar to the type of statement that Pius made later this same

year in his Christmas address. In fact, this might have been an early version of that Christmas address.

Cornwell correctly notes that the numbers cited by Sr. Pascalina could not be correct.¹⁶⁰ The Pope might have had incorrect information. There was no nuncio in Holland at the time, since he had been expelled by the Nazis, so Pius learned of these events from newspapers and radio accounts. According to some people I spoke with in Rome, numbers like this were reported in news broadcasts. Alternatively, he might have meant 40,000 people altogether (which is what he said, not 40,000 Jews as others sometimes assume), he might have made a misstatement since he was off-the-record and speaking only to his household help, Pascalina may have misunderstood what he said (she is the only witness who claims to have heard these numbers), or her memory may have failed before she testified. The fact remains that open condemnation by the Catholic bishops led to greater persecution in Holland, and the Pope knew that a statement from him would have had a magnified effect. The truth of the logic stands, regardless of the precise numbers involved, and I now believe that there is more validity to this story than I had previously supposed.

The only occupied nation to merit a full chapter in Cornwell's book is Croatia. This is not surprising since the activities of the Church in opposing Nazism in Germany, Italy, Austria, Czechoslovakia, France, Poland, Holland, Denmark, and elsewhere are well documented. As such, many modern critics have had to turn to Croatia where details from the war era are less well established to raise questions about the Church's relationship with the Nazis.

Croatia came into being during the war. On March 25, 1941, Italy, Germany, and Yugoslavia signed an agreement bringing Yugoslavia into the Axis. Two days later, a group of

Serbian nationalists seized control of Belgrade and announced that they were siding with the Allies.¹⁶¹ As a result, Hitler invaded Yugoslavia. Croat Fascists then declared an independent Croatia. The new Croat government was led by Ante Pavelic and his group, the Ustashe.

There had been a long history of hatred in this part of the world between Croats (predominantly Catholic) and Serbs (mainly Orthodox). The Ustashi government exacted revenge against the Serbs for years of perceived discrimination.¹⁶² According to some accounts, as many as 700,000 Serbs were slaughtered.¹⁶³ Among the charges against the Catholic Church in Croatia are that it engaged in forcible conversions, that Church officials hid Croat Nazis after the war, that Nazi gold made its way from Croatia to the Vatican, and that Catholic leaders in Croatia supported the government's brutality toward the Serbs.

While some of these charges are recent in origin (and from suspect sources), there is no credible evidence that the Pope or the Vatican behaved inappropriately. For instance, the Vatican expressly repudiated forcible conversions in a memorandum, dated January 25, 1942, from the Vatican Secretariat of State to the Legation of Yugoslavia to the Holy See (addressing conversions in Croatia).¹⁶⁴ In August of that year, the Grand Rabbi of Zagreb, Dr. Miroslav Freiberger, wrote to Pius XII expressing his "most profound gratitude for the limitless goodness that the representatives of the Holy See and the leaders of the Church showed to our poor brothers."¹⁶⁵ In October, a message went out from the Vatican to its representatives in Zagreb regarding the "painful situation that spills out against the Jews in Croatia" and instructing them to petition the government for "a more benevolent treatment of those unfortunates."¹⁶⁶ In December 1942, Dr. Freiberger wrote again, expressing his confidence in the support of the Holy See.¹⁶⁷

The Cardinal Secretary of State's notes reflect that Vatican petitions were successful in getting a suspension of Adispatches of Jews from Croatia by January 1943, but Germany was applying pressure for an attitude more firm against the Jews.¹⁶⁸ Maglione went on to outline various steps that could be taken by the Holy See to help the Jews.¹⁶⁹ Another instruction from the Holy See to its unofficial representatives (since there were no diplomatic relations) in Zagreb directing them to work on behalf of the Jews went out on March 6, 1943.¹⁷⁰

Croatian Archbishop Alojzije Stepinac originally welcomed the Ustashi government, but after he learned of the extent of the brutality, and after having received direction from Rome,¹⁷¹ he condemned its actions.¹⁷² A speech he gave on October 24, 1942, is typical of many that he made refuting Nazi theory:

All men and all races are children of God; all without distinction. Those who are Gypsies, Black, European, or Aryan all have the same rights.... for this reason, the Catholic Church had always condemned, and continues to condemn, all injustice and all violence committed in the name of theories of class, race, or nationality. It is not permissible to persecute Gypsies or Jews because they are thought to be an inferior race.¹⁷³

The Associated Press reported that by 1942 Stepinac had become a harsh critic of that Nazi puppet regime, condemning its genocidal policies, which killed tens of thousands of Serbs, Jews, Gypsies and Croats.¹⁷⁴ He thereby earned the enmity of the Croatian dictator, Ante Pavelic.¹⁷⁵

Although Cornwell argues that the Holy See granted *de facto* recognition to the Ustashi government,¹⁷⁶ in actuality the Vatican rebuked Pavelic and refused to recognize the Independent

State of Croatia or receive a Croatian representative.¹⁷⁷ When Pavelic traveled to the Vatican, he was greatly angered because he was permitted only a private audience rather than the diplomatic audience he had wanted.¹⁷⁸ He might not even have been granted that privilege, but for the fact that the extent of the atrocities that had already begun were not yet known.

In 1944-45, Communist partisans under Josip Broz Tito conquered the Balkans, occupied Zagreb, and established the Socialist Federation of Yugoslavia. That government immediately undertook severe prosecution of the Catholic Church, confiscating property, closing seminaries and schools, banning Masses, and persecuting clergy. Before coming to power, the Communists had used Stepinac's speeches in their propaganda, as the Cardinal always spoke against the Nazi occupation and against the violation of human rights committed by Pavelic. Stepinac cried out against all injustice, especially against racism.¹⁷⁹ Now that they had power, however, Stepinac was a threat.

The Communists put Stepinac on trial for allegedly supporting the Ustashi government.¹⁸⁰ Pope Pius publicly protested the prosecution, noting that the cardinal had saved thousands of people from the Nazis. The president of the Jewish Community in the United States, Louis Braier, said that Stepinac was a great man of the Church... [who] spoke openly and fearlessly against the racial law. After His Holiness, Pius XII, he was the greatest defender of the Jews in persecuted Europe.¹⁸¹ (During the war, Meir Touval-Weltmann, a member of a commission to help European Jews, wrote a letter of thanks for all that the Holy See had done and enclosed a memorandum of thanks which stated: A Dr. Stepinac has done everything possible to aid and ease the unhappy fate of the Jews in Croatia.)¹⁸²

Stepinac was sentenced to 16 years of hard labor, but due to protests and indignation throughout the democratic world, and Jewish testimony as to the good work he had done, he was moved to house arrest in 1951. Almost immediately, Pope Pius XII raised him to the cardinalate. He died under house arrest in 1960.¹⁸³

Croatia's Jewish community recently credited Stepinac with helping many Jews avoid Nazi persecution. In fact, one of the first acts of Parliament in the newly independent state of Croatia in 1992 was to issue a declaration condemning the political trial and sentence passed on Cardinal Alojzije Stepinac in 1946.¹⁸⁴ Stepinac was condemned, declared the Parliament: "Because he had acted against the violence and crimes of the communist authorities, just as he had acted during the whirlwind of atrocities committed in World War II, to protect the persecuted, regardless of the national origin or religious denomination."¹⁸⁵ He was beatified as a martyr on October 3, 1998, at which time Pope John Paul II described him as a man who had the strength to oppose the three great evils of our century—Fascism, Nazism, and Communism.¹⁸⁶

Cornwell's problem with Croatia is simply that he has relied too strongly on post-war Communist propaganda. As more evidence comes to light, the situation in Croatia will look less and less like a problem for the Catholic Church and more like another case where the Church defied the Nazis.

Cornwell calls Pius XII a hypocrite for accepting praise following the war.¹⁸⁷ It is true that Pius received much praise from people who knew him best. Some have argued that these people did not know what Pius did during the war, and hence they were uninformed when they offered their thanks. But if silence was the shortcoming, how could people not have known about it? Did they think statements had been made, only to learn that they had not? No, they

knew about the actions and behind-the-scenes maneuvers. That earned Pius their well-deserved appreciation.

The last chapter of Cornwell's book is entitled "Pius XII Redivivus." In it, Cornwell argues that John Paul II represents a return to a more highly centralized, autocratic papacy, as opposed to a more diversified Church.¹⁸⁸ He writes that there are early signs of a titanic struggle between the progressives and the traditionalists, with the potential for a cataclysmic schism, especially in North America.¹⁸⁹ Cornwell feels that John Paul II is leading the traditionalists as the Church moves toward this struggle, and he has argued that the canonization of Pius XII is a key move in the attempts to restore a reactionary papal absolutism.¹⁹⁰

Cornwell decided that the easiest way to attack the Pope of today was to denigrate Pius XII.¹⁹¹ If he can prove that Pius was deeply flawed, especially in the current process of canonization, then he can argue that popes can be politically motivated. If that is the case, then he can argue that John Paul II is politically wrong about celibacy, women priests, artificial contraception, abortion, and other matters. Importantly, if Cornwell undermines papal authority on matters such as political involvement of the clergy and the obedience of local prelates, he can argue that individual priests and bishops are free to engage in politics, even on matters unrelated to human dignity or the freedom of the Church. After all, according to Cornwell, Pius XII's greatest sin seems to have been restricting the freedom of local priests and bishops to become directly involved in politics.

In this final chapter of *Hitler's Pope*, it becomes clear that Cornwell's understanding of Catholicism, politics, and especially Pope John Paul II is profoundly flawed. He has to deal with the fact that John Paul II played a pivotal role in the downfall of the Soviet Union. Cornwell's

answer is that John Paul was directly involved in politics early in his pontificate (and that the defining moment of his pontificate came in 1979 when he encouraged Polish workers in their efforts that led to the eventual downfall of Soviet Communism),¹⁹² but that he has retreated from politics, injuring the Church in the process.

Cornwell misses the important point that is so well explained in George Weigel's biography of Pope John Paul II, Witness to Hope. John Paul's political impact came about precisely because he did not primarily seek to be political, or to think or speak politically.¹⁹³ His strategy was culture-driven and evangelical.¹⁹⁴ The Pontiff's contribution to the downfall of the Soviet Union was that he launched an authentic and deep challenge to the lies that made Communistic rule possible.¹⁹⁵ He fought Communism in the same way that Pius XII fought Nazism: by challenging the intellectual foundation on which it was based.¹⁹⁶

One might argue that Weimar Germany possessed elegantly constructed democratic institutions. What it lacked was a public moral culture that held politics accountable to the higher standards, and ultimately to the higher sovereignty without which freedom cannot be sustained.¹⁹⁷ That made Germany vulnerable to an evil tyrant like Hitler. As nuncio, Secretary of State, and finally Pope, Eugenio Pacelli tried to bring about a public moral culture that would secure the future of Germany, Europe, and ultimately the world. Had he immersed the Church in secular politics without challenging the moral fabric of the ideology, his effort would have been in vain. As it was there was terrible suffering, but Pius XII planted seeds that are still bearing fruit.

Pope John Paul has recognized the parallels between his efforts and those of Pius XII, perhaps better than anyone else.¹⁹⁸ John Paul, of course, did not have a horrible war to contend

with, nor was he threatened with the possibility of Vatican City being invaded, but given those differences, the approach each leader took was similar. As John Paul II has explained: "Anyone who does not limit himself to cheap polemics knows very well what Pius XII thought of the Nazi regime and how much he did to help countless people persecuted by the regime."¹⁹⁹

John Cornwell recognized a division in the Catholic Church today, but rather than trying to discuss it honestly he has picked a target that he thought would be easy to attack, created a far-fetched theory, and ignored all evidence contrary to his thesis. Along the way, he has revealed a basic misunderstanding of modern history.²⁰⁰ His book, which purports to be genuine scholarship, is unfortunately much less than that.²⁰¹

[Added to original text: Any doubt about Cornwell's intent to denigrate Pope John Paul II was resolved in March 2000, at the time when the Pontiff made an unprecedented and historic trip to the Holy Land. At that time, as Christians and Jews were coming closer together, Cornwell described the Pontiff as "aging, ailing, and desperately frail as he presides over a Vatican that is riven by cliques, engulfed in scandal, and subject to ideological power struggles."²⁰² To Cornwell, the Vatican was "a nest of nepotism and corruption, sexual depravity, gangsterism, and even murder." Quoting an unidentified Vatican insider, Cornwell described the Vatican as "a palace of gossipy eunuchs.... The whole place floats on a sea of bitchery."²⁰³

In his 2001 book, *Breaking Faith*, Cornwell made charges against Pope John Paul II similar to those that he made against Pius XII in *Hitler's Pope*. Cornwell argued that centralization of power under John Paul's authoritarian rule had brought about a fundamental

breakdown in communications between hierarchy and laity. A Bullying oppression, @ Cornwell wrote, was driving people away from the Catholic Church. He blamed virtually all of the Church=s modern problems on A the harsh centralized rules of Wojtyla=s Church. @ He called John Paul a Astumbling block @ for A a vast, marginalized faithful @ and said that the Holy Father had A encouraged an oppressive intellectual culture. @ Cornwell warned that if a conservative Pope succeeds John Paul II, the Church will A deteriorate @ and push A greater numbers of Catholics toward antagonism, despair and mass apostasy. @²⁰⁴ It is safe to say that he was not at that time hoping for a Ratzinger papacy.

The 2004 book, *The Pontiff in Winter*, was Cornwell's final shot at Pope John Paul II. The title of the American version of this book is *The Pontiff in Winter: Triumph and Conflict in the Reign of John Paul II*, but the British title is more telling as to Cornwell's intent: *The Pope in Winter: The Dark Face of John Paul II's Papacy*.

In this book, Cornwell argued that John Paul had A taken a bit of the Iron Curtain with him @ to the Vatican to mold a rigid, authoritarian papacy. Cornwell not only blamed John Paul for the spread of AIDS and global terrorism, he also said that John Paul had developed a "medieval patriarchalism" towards women and his A major and abiding legacy... is to be seen and felt in various forms of oppression and exclusion. @ Cornwell criticized the Pope's positions on the September 11 attacks, the clash between Islam and Christianity, and statements regarding Mel Gibson=s *The Passion*. His strongest criticisms, however, related to the Church=s teaching on homosexuality, abortion, AIDS, the sexual abuse crisis, divorce, and the ordination of women. Cornwell charged that the Catholic teachings voiced by the pontiff have A alienated generations

of the faithful@ and that AJohn Paul=s successor will inherit a dysfunctional Church fraught with problems.@²⁰⁵

Cornwell=s continuing theme across all of these books was that the Church needed to decentralize its authority. Mainly, however, he advanced the typical laundry list of liberal Catholic demands, including married clergy, women priests, a bigger role for the laity in running the Church, and inclusive language in the Mass.²⁰⁶ He is deeply offended by the Church=s teachings on sexuality, particularly Pope Paul VI=s encyclical *Humanae Vitae*, which prohibited artificial birth control. Cornwell thinks that contraception, homosexuality, divorce, and essentially all extra-marital sex are matters to be decided by consenting adults,²⁰⁷ and he would like the Church to change its position on these matters.]

ENDNOTES FOR THE EPILOGUE

¹ See Exonerated, National Catholic Register, Jan. 23-29, 2005, page 1 (The author most responsible for spreading the >Hitler=s Pope= myth admits he was wrong.@) Cornwell still faults Pius for not being more outspoken following the end of the war. For more discussion of that charge, see chapter five.

² I've never accused Pius of Being a Nazi, The Catholic World Herald, July 27, 2007.

³ I've never accused Pius of Being a Nazi, The Catholic World Herald, July 27, 2007.

⁴ I've never accused Pius of Being a Nazi, The Catholic World Herald, July 27, 2007.

5. One can take issue with many of Cornwell=s assertions. Cornwell, for instance, reports that Pope Pius XI and Secretary of State Pacelli were determined that no accommodation could be made with Communism, anywhere in the world.@ Cornwell at 114. The Vatican tried, however, (through Pacelli) to obtain a concordat with the Soviet Union in the mid-1920s, and it did conclude one with the predominantly Socialist government of Prussia in 1929. Pius also cooperated with President Roosevelt=s request that he try to change the American-Catholic attitude toward extension of the lend-lease law to the Soviet Union, and he did what he could to help Soviet prisoners of war. In addition, in 1926, Pacelli consecrated a Jesuit bishop in Berlin, Fr. Michel d=Herbigny, whose task it was to go into the USSR to consecrate several bishops secretly, to inform them officially of their appointments as apostolic administrators.@ Nichols at 280.

On pages 259, 281, and 376-77, Cornwell refers to a memorandum from Gerhard Riegner for transmission to the Holy See, dated March 18, 1942. It described Nazi persecution of Jewish people, and Cornwell points out that this memorandum was not published by the Vatican in its collection of wartime documents (*Actes et Documents*). By the same token, the letter of thanks that Riegner sent to Nuncio M. Philippe Bernadinon April 8, 1942 was also not published. In that letter, Riegner stated:

We also note with great satisfaction the steps undertaken by His Excellence the Cardinal Maglione, with authorities of Slovakia on behalf of the Jews of that country, and we ask you kindly to transmit to the Secretariat of State of the Holy See the expression of our profound gratitude.

We are convinced that this intervention greatly impressed the governmental circles of Slovakia, which conviction seems to be confirmed by the information we have just received from that country....

It appears... that the Slovak Government finds it necessary to justify the measures in question. One might therefore conclude that it might be induced in the application of these measures to conform more closely to the wishes expressed by the Holy See which desired to revoke the recent measures against the Jews.

In renewing the expressions of our profound gratitude, for whatever the Holy See, thanks to your gracious intermediation, was good enough to undertake

on behalf of our persecuted brothers, we ask Your Excellency to accept the assurance of our deepest respect.

The reason that neither the memo nor the letter of thanks were printed in the *Actes et Documents* collection is that they were classified as Aunofficial.® Moreover, the memo was rather long and did not report a definite source of information, but reported on persecutions that were Amore or less known to the public at large.® Judging Pius XII, Inside the Vatican, February 2000, at 61, 66 (quoting Fr. Blet, who noted that the memorandum had been published in a well-known book prior to the Vatican=s collection being published). Riegner=s memo is, however, mentioned in the *Actes et Documents* collection. Le nonce à Berne Bernardini au Cardinal Maglione, March 19, 1942, *Actes et Documents*, vol. VIII, no. 314, p. 466. In fact, a footnote was added just to draw attention to receipt of the memo. It was certainly never hidden, concealed, or missing.

Many of Cornwell=s other errors are minor to the point of being trivial, or they are discussed in earlier chapters of this book. For a few examples: *Mit brennender Sorge* is properly translated as With Burning Concern®not With Deep Concern; Cornwell completely misrepresents Pacelli=s visit to Budapest to speak at the International Eucharistic Congress in 1938; Pius was not silent during September 1939; he intervened early®not late®in France, Hungary and every occupied nation; during the war foreign diplomats used the same doctor as did the Pope; Myron C. Taylor had nothing but the highest praise for Pope Pius XII after the war; the German ambassador to the Vatican did not plead for a public condemnation, precisely the opposite; Nicholas Horthy was not president but regent of Hungary, and he was a Calvinist not a Catholic, and Pacelli did appeal to him to stop the deportations; the motion picture filmed in 1942 (Pastor Angelicus) was completed at the request of Catholics around the world (particularly the United States) who had never seen the Pontiff, not in order satisfy his ego; no one with whom I spoke in Rome took calls from Pius on his or her knees (certainly there was no instruction to do so and it was not a widespread practice); and Pius XII=s 1942 Christmas address was demonstrably more than Aa paltry statement.® For an answer to the allegation of racism by Pius XII following the liberation of Rome, see Chapter 15 at endnotes 60-64.

6.Cornwell at 297.

7.Id. at 384.

8.AMost of his sources are secondary and written by Pacelli=s harshest critics. Errors of fact and ignorance of context appear on almost every page. Cornwell questions Pacelli=s every motive, but never doubts those who tell a different story.® Kenneth L. Woodward, The Case Against Pius XII: A new biography is scalding®and deeply flawed, Newsweek International, September 27, 1999.

It is difficult to know where to begin to criticize this work because it is replete with innuendo, guilt by the most tenuous association, cleverly phrased non sequiturs and blatant use of any work critical of Pius. He used those works that make Pius look bad, or silly, or imperious, or whatever suits his argument at the moment, even to the extent of repeating the hoary canard that AVatican officials

took phone calls from [Pius] upon their knees@ presumably because Pius ordered them to do so.

José M. Sanchez & Kelly Cherry, Pacelli=s Legacy, America, October 23, 1999, at 25. See Cornwell at 324 (AVatican officials took telephone calls from Pacelli upon their knees@).

9. John F. Morley, Pacelli=s Prosecutor, Commonweal, November 5, 1999, at 27, 28. Another reviewer wrote: AHitler=s Pope is a malign exercise in defamation and character assassination. The author has, in my view, consistently misread and misunderstood both Pacelli=s actions and the context in which they occurred.@ William D. Rubinstein, Books in Review: The Devil=s Advocate, First Things, January 2000, at 39.

10. A Cornwell, a serious Catholic author who has written many books sympathetic to the Vatican and who once studied for the priesthood, set out to disprove the accusation that Pius XII was soft on Nazism.@ The Sunday Herald (London), September 19, 1999.

Cornwell=s great achievement is to make it impossible any longer for Pacelli=s defenders to say that it is only Jewish historians with axes to grind who have put their hero in the dock. Cornwell is himself a Catholic, but he has gone where the documentary evidence has taken him, having originally thought that Pacelli was unfairly criticized.

Frank Mclynn, A Far from Pious World View: A Biography Which Reveals The Shameful History of the Wartime Pope, The Herald (Glasgow), September 23, 1999.

11. One reviewer concluded that, his charges Ashould be laughed out of the court of public opinion.@ Cornwell=s Popes, Commonweal, November 5, 1999, at 5, 6 (lead editorial).

12. Cornwell at vii.

13. Id. at viii.

14. Id.

15. Id. Cornwell now admits that he saw no Asecret@ documents. Vatican Chronicles: A Different Read, Brill=s Content, April 2000, at 60, 120.

16. John Cornwell, Hitler=s Pope: The Fight to reveal the secrets that threaten the Vatican, The Sunday Times (London) Sept. 12, 1999, at 1. Cornwell repeated this claim in Hitler=s Pope, Vanity Fair, October 1999, at 170. Actually, the archive is not a dungeon, just an underground vault where files are stored. These files were from the years 1912-1922 and therefore contained nothing about Hitler, the Nazis, or the Holocaust. Moreover, as Cornwell later had to admit, he spent only three weeks in those archives. John Cornwell, Reply to the Vatican (Letters), The Tablet (London), November 27, 1999, at 1613.

17. Cornwell at viii.

18. Id.

19. Cornwell later claimed that the Catholic Church tried to sabotage the project. A campaign to boycott and denigrate the book started in North America, he wrote. My publisher in the United States began to receive threatening and abusive e-mails and phone calls from traditionalist Catholics. Meanwhile, in Rome, without having read the manuscript, two Jesuit professors at the Gregorian University denounced the book as a travesty of the truth. John Burns, Book exposes the Pope who helped Hitler, Sunday Times (London), September 12, 1999. Actually, while in Rome I saw the heavily marked and underlined galley proofs that one of those Jesuit professors (Fr. Peter Gumpel) had read prior to his criticism of Cornwell's work. I have it on good authority that the other Jesuit professor also read a copy of the galley proofs prior to his criticism.

20. Michael Novak, Death Comes For the Pontiff, The Washington Post, December 24, 1989 (Final Edition). Cornwell's writing has not changed much. As one generally positive review of Hitler's Pope noted:

So unsympathetic is the portrait of Pius XII among other things, Cornwell portrays him as a spiritual egotist that it's hard to believe the author was ever much of an admirer of the man. Hitler's Pope is informed by a view of the Church that shows every sign of being long held, and the book uses the case of Pius XII, who reigned from 1939 to 1958, primarily to bolster that view.

Philip Marchand, Hitler's Pope unsympathetic portrait of Pius XII, The Toronto Star, October 8, 1999.

21. Michael Novak, Death Comes For the Pontiff, The Washington Post, December 24, 1989 (Final Edition).

22. As late as 1996, Cornwell called himself a Catholic agnostic, who did not believe in the soul as an immaterial substance. Christian Tyler, A Philosopher's Tale: Science critic finds U.S. trial raises deeper moral questions, The Financial Post (Toronto), September 28, 1996. See also Ian Thomson, Possession: nine-tenths of the lore; The mysterious visions and spooks which led John Cornwell to travel the world in search of supernatural, The Independent (London), November 16, 1991 (Cornwell proclaims himself an agnostic investigator). The importance of this is that Cornwell claims to have spent six years researching Pius XII. Victoria Combe, The Daily Telegraph (London), September 17, 1999. Since his book came out in 1999, he must have had his dinner with the students and decided to defend Pius XII by 1993 at the latest. Thus his claim to have been a practicing Catholic intending to defend the Church is at odds with what he said at the time. The logical conclusion is that he concocted a story to add credibility to his work.

The term Catholic agnostic, was used by the British writer Graham Greene to describe himself in an interview that he gave to John Cornwell in 1989. William Tuohy, Reflections; The

Author=s View of Graham Greene; A 1989 Discussion Revealed Much About How The Leading British Writer, Who Died Last Week, Felt About Religion, Sex And Death, Los Angeles Times, April 9, 1991. Greene, while typically described as a Catholic writer@ was rebuked by the Vatican for some of his work (Cornwell at 347), and much of his later work seems to have taken on a Liberation theology@ slant, which left him at odds with his Church. Robert Royal, The (Mis)Guided Dream of Graham Greene, First Things, November 1999, at 16.

23. David Yallop had written a book entitled In God=s Name, which contained allegations that Pope John Paul I had been murdered by insiders. Cornwell=s book, A Thief in the Night, showed that Athe smiling Pope@ had not been murdered, but it went on to blame the death on Vatican ineptness and infighting. Cornwell argued that no one properly cared for the Pope and he died alone in the heart of a cynical, uncaring power structure.

24. This review was available on the Amazon.com website in late 1999.

25. George Weigel, Not by the hand of conspirators, The Washington Times, November 23, 1989.

26. Nonfiction in Brief, Los Angeles Times, December 10, 1989.

27. See Felicity O=Brien, Looking Back on Pius XII, Newsweek (International), October 25, 1999, at 18.

28. John Cornwell, Outfacing his critics, Sunday Times (London), October 6, 1996.

29. Kenneth Woodward, The Case Against Pius XII, Newsweek (International), September 27, 1999, at 66. AThe spin Cornwell puts on all this tends to contradict his claim to even-handed, objective scholarship. Virtually everything Pius XII did, said or thought about is skewed to portray him as a Machiavellian schemer, a moral coward and a pompous hypocrite. Even the most neutral reader would be hard pressed to stifle the suspicion that Cornwell doth protest too much.@ Robert McClory, Tunnel Visions, In These Times, December 12, 1999, at 40.

When I was shopping my manuscript around in 1998, I received a polite rejection letter from Viking Press. It said that they agreed that this was an important topic. In fact, the letter said that they had a book on the topic under contract. The letter went on to note that the book had been under contract for two years. This suggests to me that Cornwell submitted a proposal to Viking in 1996 or earlier. If he intended to defend Pius at that time, the proposal should make that clear.

30. Mary Loudon, Book Review / The missionary=s position; >Strange Gods=, The Independent (London), August 29, 1993.

31. Piers Paul Read, To Hell and back through the faith jungle, Mail on Sunday (London), July 18, 1993, at 45.

32. Of course, the title itself is a grotesque exaggeration even of Cornwell's own arguments. William Rees-Mogg, The Vatican's holy failure, The Times (London), October 4, 1999.

33. This photograph was used to illustrate James Carroll, The Silence, The New Yorker, April 7, 1997 and James Carroll, The Holocaust and the Catholic Church, The Atlantic Monthly, October 1999, at 107.

34. Although Cornwell never claims that Pius XII met with Hitler, some reviewers of his book did make that assertion. Linda Massarella, Book Paints WWII Pope as Hitler Ally Author: Vatican Files Show Pius Hated Jews, The New York Post, September 7, 1999, at 12. See Ronald J. Rychlak, Cornwell's Errors: Reviewing Hitler's Pope, Catalyst, December 1999, at 8.

35. The error has been corrected in later versions of the dust jacket. It was only after repeated protests that the publisher provided a new dust jacket for the books not yet sold. Peter Gumpel, A Journalist Purporting to be a Scholar, *Die Furch*, January 6, 2000, at 1.

36. I originally attributed this matter to the publisher, but Cornwell has admitted that he approved the photograph. Vatican Chronicles: A Different Read, Brill's Content, April 2000, at 60, 120.

37. In Rome I learned that the Vatican has received angry letters from people who saw this photograph and thought the Pope was being saluted by Nazi soldiers.

38. This statement was published in the Vatican newspaper, *L'Osservatore Romano*, on October 13, 1999:

Mr. Cornwell states that he has been the first and only person to have access to this archive. This statement is completely false. In fact, numerous persons have had access to this archive, even before Mr. Cornwell consulted it. It must be stressed that Mr. Cornwell's research was limited to two series of documents: Bavaria (1918-1921) and Austria (Serbia, Belgrade: 1913-1915). Obviously, neither the author of the book nor others have ever had access to documents referring to the period which is not yet open to the public (1922 to the present).

Mr. Cornwell stated that he worked for months on end in said archive. This statement does not correspond absolutely to truth, either. In fact, in that archive precise annotations are made about the purpose of the day, and the period of time (hours and minutes) that each person employs to carry out his consultation. From these data, it is deduced that Mr. Cornwell was admitted to the archive from May 12 to June 2 of 1997, therefore, not for months on end, but for a period of close to three weeks.

Moreover, in this very limited time, Mr. Cornwell did not come every day; and on the days he did come, often his stay was for very brief periods of time.

Moreover, in open contrast to the truth, Mr. Cornwell stated that the documents he found had been kept strictly secret until he made his research. In this context, he refers specifically to a letter, sent on April 18, 1919, by the then Nuncio in Bavaria, Archbishop Pacelli, to the Secretariat of State. In connection with this document, he said this letter had remained secret in the Vatican Archive alike a time-bomb. But, in fact, said letter (of which Cornwell only quotes some limited phrases), had already been published in 1992; in other words, seven years before the publication of Cornwell's book. The full text of this document appeared in E. Fattorini's book, >Germany and the Holy See: The Pacelli Nunciatures between the Great War and the Weimar Republic, Il Mulino, Bologna, 1992, pp. 322-325.

It was important to point out the above facts to put readers on guard, who might otherwise be surprised by what is said in Mr. Cornwell's publication about the materials kept in the Archive in question.

The same announcement was reported on Vatican Radio.

39. The *relator* is an autonomous and independent Vatican Judge, charged with the supervision of the *Apositio* (Position on Life and Heroic Virtues) to be presented to the Congregation for the Causes of Saints. The *relator* has the authority to stop a cause (which Fr. Gumpel has done when warranted in the past), but the ultimate decision to name a saint is not his.

40. This was my first contact with anyone at the Vatican. I had, of course, read the published documents, but I felt that working directly with the Holy See might cause me to slant my research. I instead tried to focus my original research on documents from American, British, German, and (published) Vatican archives, the Nuremberg trials, and various newspaper and magazine accounts from that time. To do what Cornwell claims to have originally intended (deciding on an outcome and seeking special treatment in exchange for that promised outcome), strikes me as dishonest.

41. According to Gumpel, the Secretariat of State authorized Cornwell to consult the archive of the section on Relations with States, which he did for some three weeks. The topic of his research was relations with Bavaria (1918-1921); Austria, Serbia and Belgrade (1913-1915). He had no access to the Aclosed period, beginning in 1922. Marcel Chappin, Professor of History at the Gregorian University and archivist of the Vatican Secretariat of State, has also confirmed that Cornwell was neither the first nor the only one to consult the archives of those years.

42. Frankly, my impression when I first heard Cornwell's charges was that he proved the Vatican's claim that all relevant documents from the war era were already public. The discovery of these two new Asmoking guns, pop-guns though they be, actually helps confirm what Fr. Blet and others have long claimed: the wartime documents are already public. As a reviewer favorable to Hitler's Pope confessed, Cornwell's impact comes Anot as a result of the publication of new documents but rather... [from] Cornwell's interpretation of existing

evidence.@ Saul Friedlander, Silence is Consent: Did Pope Pius XII Acquiesce in the Nazi Extermination of the Jews?, Los Angeles Times, October 10, 1999. Cornwell covers the war years in just 96 pages of his 371 page book.

43.This would account for the only Anew@ pieces of evidence offered in his book, both of which are dated before 1920.

44.This refers to the transcript of testimony given by 98 witnesses between the years 1967 and 1974. There are two Aoriginal@ files containing these documents, but edited versions have been typed, indexed, and printed. Gumpel gave me one original and one printed version. Cornwell=s citations, like mine, refer to the printed version.

45.Cornwell at vii.

46. See Kenneth Woodward, The Case Against Pius XII, Newsweek (International), September 27, 1999, at 66 (AI have seen [the files] myself@); Felicity O=Brien, Looking Back on Pius XII, Newsweek, October 25, 1999, at 18 (AIn the late 1980's I studied the sworn testimonies gathered for the Canonization Cause of Pius XII in Rome@). Gumpel explained that deposition transcripts are kept secret only while testimony is actively being taken, so that later witnesses are not Atainted@ by hearing the testimony of witnesses who came earlier. Once depositions are ended, the files are no longer secret. More recently Cornwell has modified his claim, saying only that his Aaccess to and exploitation, for publication, of Pius XII=s beatification depositions were unprecedented.@ Reply to the Vatican, The Tablet, (London), November 27, 1999, at 1613.

47. John Cornwell, Hitler=s Pope: The Fight to reveal the secrets that threaten the Vatican, the Sunday Times (London) Sept. 12, 1999, at 1.

48.Id.

49.Id.

50. John Cornwell, Look at the Facts: John Cornwell Replies, The Tablet (London), September 25, 1999.

51. Cornwell at 372-73.

52.Id.

53. One might wonder why such information would be relevant to Cornwell=s point. Actually, Amuch of the last chapters consists of tittle-tattle aimed at demonstrating Pacelli=s >eccentricity,= >narrow[ness]... in outlook, >hypochondria,= and other weaknesses.@ William D. Rubinstein, Books in Review: The Devil=s Advocate, First Things, January 2000, at 39, 43. Of course, even if any of this is true (in Rome I was told that the dentist severely criticized by

Cornwell was actually a very well respected professional who had served as the official dentist of the Italian Court), it has nothing to do with Pacelli's handling of the Church during World War II.

54. Peter Gumpel, Cornwell's Cheap Shot at Pius XII, Crisis, December 1999, at 19, 25. "The half-dozen references in Cornwell's book that are actually negative to Pius do not come from these depositions, but come second- or third-hand from people who wanted to use the pope for propaganda or other purposes." Robert Royal, Anti-Papal Whoppers, Crisis, November 1999, at 57.

55. One need not view the deposition transcripts to verify this summary. Just look at Cornwell's citations and compare them with his text.

56. Peter Gumpel, Cornwell's Cheap Shot at Pius XII, Crisis, December 1999, at 19, 25.

57. Cornwell relies heavily on Klaus Scholder's two volumes on The Churches and the Third Reich (Fortress Press, 1988).

58. Peter Steinfeld, Beliefs; In a new book, a British journalist joins the contentious debate concerning the relationship between Pope Pius XII and Nazi Germany, The New York Times, October 2, 1999, at A11.

59. Cornwell at 373.

60. John Cornwell, Look at the Facts: John Cornwell Replies, The Tablet (London), September 25, 1999.

61. Cornwell at 383.

62. Scholder and Cornwell both rely on the memoirs of Heinrich Brüning, who criticizes Ludwig Kaas for his role in the enabling act and the concordat. See Heinrich Brüning, Memoiren, 1918-1934, Stuttgart: Deutsche Verlags-Anstalt (1970). Cornwell, though not Scholder, largely exonerates Kaas, lumping the blame on Pacelli. Brüning's memoirs, particularly those portions that Cornwell has used, have been questioned by other scholars. See William L. Patch, Jr., Heinrich Brüning and the Dissolution of the Weimar Republic, Cambridge University Press (Cambridge, 1998) at 302 ("Brüning was unfair to accuse Pacelli of betraying the Center Party."); id. at 189, 327 (similar).

63. Peter Gumpel, Cornwell's Pope: A Nasty Caricature of a Noble and Saintly Man, Zenit News Service, Sept. 16, 1999 (also discussing Cornwell's "Ablind faith" in the suspect memoirs of Heinrich Brüning). In a different piece, Gumpel notes in particular Ludwig Volk's work as being "far more reliable" than Scholder's work. Peter Gumpel, Cornwell's Cheap Shot at Pius XII, Crisis, December 1999, at 19, 20. Perhaps one of the reasons that Scholder supports

Cornwell=s thesis is that other German scholars have noted his anti-Catholic bias. See Heinz Hürten, *Deutsche Katholiken 1918-1945*, Ferdinand Schöningh (Paderborn, München, Wien & Zürich 1992) at 575, n. 5.

64. A brief summary of Repgen=s work can be found in *Controversial Concordats* at 236-38. His works include: Konrad Repgen, *Das Ende der Zentrumsparlei und Entstehung des Reichskonkordats, *Militärselnsorge*, 2 (1970)*, and later reissued in *Historische Klopfsignale für die Gegenwart*, Münster: Verlag Aschendorff, (1974) (concluding that the Center Party was not traded for the concordat); Konrad Repgen, *Dokumentation. Zur Vatikanischen Strategie beim Reichskonkordat, *Vierteljahrshäfte für Zeitgeschichte* 31 (1983)* (the prohibition of clergy from party politics took place after the dissolution of the party); Konrad Repgen, *Hitlers Machtergreifung und der deutsche Katholizismus. Versuch einer Bilanz*, in *Katholische Kirche im Dritten Reich*, edited by Dieter Albrecht, Mainz: Matthias-Grünwald-Verlag (1976) (absolving Ludwig Kaas and the Vatican of initiating concordat negotiations and of making a deal to vote for the enabling act); Konrad Repgen, *Über Umlaut! die Entstehung der Reichskonkordats-Offerte im Frühjahr 1933 und die Bedeutung des Reichskonkordats, *Vierteljahrshäfte für Zeitgeschichte* 25 (1978)* at 499-534 (providing a detailed critique and refutation of Scholder=s thesis that concordat negotiations influenced the Center Party=s vote for the enabling act).

65. Ludwig Volk, *Das Reichskonkordat vom 20. Juli 1933*, Mainz: Matthias-Grünwald-Verlag (1972). See *Controversial Concordats* at 241-42 (calling this book the most scholarly study of the subject@ and briefly summarizing Volk=s other work).

66. Alfons Kupper, *Staatliche Akten über die Reichskonkordatsverhandlungen* (1933) (Mainz, 1969) (collection of documents showing that the initiative for the concordat came from the Reich government); John Jay Hughes, *The Pope=s Pact with Hitler*, 17 *Journal of Church and State* 63 (1975). See *Controversial Concordats* at 233-34 (synopsis of Kupper).

67. Cornwell at 406, n 4.

68. Id. at 379-80.

69. Peter Gumpel, *Cornwell=s Pope: A Nasty Caricature of a Noble and Saintly Man*, *Zenit News Service*, Sept. 16, 1999. See O=Carroll at 242.

70. Robert A. Graham, *A Valiant Lady=s Struggle on a Matter of Honor*, *Columbia Magazine*, December 1983, at 6.

71. *A Jewish Boyhood Friend*, *Inside the Vatican*, October 1999, at XXIV (special insert).

72. Cornwell at 16-17.

73. Nazareno Padellaro, Portrait of Pius XII, J.M. Dent & Sons (London, 1956).

74. *All Sinai del signor Marchi, su cui saliva per tuonare non contro ebrei duri di cuore, ma contro ragazzi duri di testa.* @ Nazareno Padellaro, Pio XII, Editrice S.A.I.E. (Torino, 1956) at 21.

75. Cornwell at 18.

76. Ilse-Lore Konopatzki, Eugenio Pacelli: Pius XII, Kindheit und Jugend in Dokumenten, Universitätsverlag Anton Pustet, Salzburg und München (Salzburg, 1974) at 146.

77. Cornwell at 17, quoting R. Leiber, S.J., Pius XII As I Knew Him, The London Tablet, December 13, 1958. In a similar vein, Cornwell argues that Pacelli might have read certain anti-Semitic articles and been influenced by them. A On such evidence of association, no one would escape conviction. @ William Rees-Mogg, The Vatican=s holy failure, The Times (London), October 4, 1999.

78. José M. Sánchez & Kelly Cherry, Pacelli=s Legacy, America, October 23, 1999, at 25.

79. Cornwell at 45, 84-87.

80. As with all codification projects, the 1917 Code did slightly amend and clarify existing law. This is necessary to resolve conflicts and fill in gaps. An example is that prior to this code lay people were able to hold various offices such as tribunal judge. Following the code there was a strong distinction in the law between laity and clergy. However, this was a movement that long preceded this project and was in the direction of prior legislation.

81. The codification was carried out with a very large group of bishops and canonists all working on various portions, with a review committee of cardinals. It was then approved by the Pope and his closest advisors. If the 1917 Code reflects any personality, it is that of the Pope in office at the time of promulgation, Benedict XV.

82. See Cornwell at 338, 84, 41-45.

83. Cornwell at 49. Under this agreement, Serbia granted control over the Catholic regions in the new areas of the Balkans directly to the Vatican, rather than granting Austria extraterritorial control over Catholic property within Serbia. Certainly if Austria had been granted the authority over these new areas, Serb nationalists would have been enraged. See William D. Rubinstein, Books in Review: The Devil=s Advocate, First Things, January 2000, at 39, 40.

84. Cornwell at 50.

85. Id.

86.Id.

87.Id. at 48.

88.Sir Owen Chadwick, *The Tablet* (London), September 25, 1999, at 1284.

89.Falconi at 102; William D. Rubinstein, Books in Review: The Devil=s Advocate, *First Things*, January 2000, at 39, 43 (AIt is, to put it mildly, extremely doubtful that the Serbian Concordat had a significant role in the outbreak of war. One wonders, for instance, if Britain=s leaders even so much as heard of the Serbian Concordat. Cornwell=s view of the role of the Concordat is simply absurd.@)

90.On page 50, Cornwell cites Rhodes, The Power of Rome at 224, for the proposition that Pacelli had been warned by the papal nuncio in Vienna of the risk posed by the concordat. He does not cite the original document that he signed out while doing research at the Vatican, which directly contradicts his secondary source.

91.These records are kept in the Vatican archives. I have a copy of the particular record in question.

92.Vatican SS [Segreteria di Stato] SRS [Sezione per i rapporti con gli stati]: Austria-Ungheria (1913-14), Fasc. 454, folios 21-22.

93.Id.

94.Id.

95.Id.

96.Even if the concordat led to some unrest that increased pre-war tension, neither Pacelli nor anyone else in the Vatican had grounds to think anything other than what the nuncio reported.

97.Cornwell at 62.

98.La Conciliazione Ufficiosa: Diario del barone Carlo Monti Aincaricato d=affari@ del governo italiano presso la Santa Sede (1914-1922), Vatican Press (Antonio Scotta, ed. 1997, Vatican City) at 51 (vol. I) (introduction by Giorgio Rumi).

99.Cornwell at 62.

100.La Conciliazione at 49-50 (vol. I).

101.The food was destined for the the nunciatures of Munich and Vienna. Id.

102.Philip Marchand, Hitler=s Pope unsympathetic portrait of Pius XII, *The Toronto Star*,

October 8, 1999 (quoting John Cornwell).

103. See Chapter 5.

104. The entire concordat is reprinted in Controversial Concordats at 205. According to one scholar, APacelli insisted that [a ban on clergy participation in party politics] was appropriate only in predominantly Catholic countries, and the Vatican resisted firmly on this point until the dissolution of the trade unions.@ William L. Patch, Jr., Heinrich Brüning and the Dissolution of the Weimar Republic, Cambridge University Press (Cambridge, 1998) at 302.

105. According to Cornwell, Pacelli dominated everyone around him, except for Sr. Pascalina, who allegedly controlled him.

106. See Report from the British Legation to the Holy See, Feb. 17, 1939, British Public Record Office, FO 371/23789.

107. Id. ATo Cornwell, Pius XII was too authoritarian, too monarchical, too powerful. It may be argued that the very opposite was true. Pius XII was not sufficiently confident of his power and of his situation.@ John Lukacs, In Defense of Pius, National Review, November 22, 1999.

108. Hatch & Walsh at 109; see Halecki & Murray at 65 (Aclosest possible co-operation@).

109. Not only was the ultimate decision to move clergy out of politics attributable to Pius XI (not Pacelli), Popes since at least Pius X (1903-1914) had been withdrawing the clergy from direct political involvement. Cornwell at 46-47 (Pius X Abelieved the mixture of politics and religion to be the most hybrid and dangerous possible for the Church.@). Pius XI felt that Catholic interests were better protected by lay organizations such as Catholic Action than they were by political parties. He forbade clergy from direct participation in Italian politics in 1929, when Pacelli was still in Germany (the Italian Catholic party had disappeared by 1927), and he did the same with France in the mid-1920s. Cornwell at 172.

In 1931, Pius XI wrote an encyclical, *Quadragesimo Anno*, which asserted that the Church has the right and duty Ato interpose her authority... in all things that are connected with the moral law.@ Regarding political issues unrelated to morality, however, Pius wrote: Athe Church holds that it is unlawful for her to mix without cause in these temporal concerns.@ Secretary of State Pacelli echoed this thought in 1938, when he explained Athe Church is not called to take sides in purely earthly matters and expedients, between the various systems and methods which may come into question for the solution of the needs and problems of our time.@ Levai at 10.

The Second Vatican Council, in its Pastoral Constitution on the Church in the Modern World (*Gaudium et Spes*) said: AAt all times and in all places, the Church should have the true freedom to... pass moral judgment *even* in matters relating to politics.@ (emphasis added) The document further explained that it is not usually legitimate for the clergyBthe Church itselfBto become involved in politics, except when Athe fundamental rights of man or the salvation of

souls requires it.@"

Pope John Paul II set forth a similar formula regarding political involvement by the Church in his 1988 encyclical, *Sollicitudo Rei Socialis*: "The Church does not have technical solutions to offer for the problem of underdevelopment as such.... For the Church does not propose economic and political systems or programs, nor does she show preference for one or the other, provided that human dignity is properly respected and promoted, and provided she herself is allowed the room she needs to exercise her ministry in the world." See also Cornwell at 367.

110. Testimony of Cardinal Stefano Wyszynski, October 18 & 25, 1968, before the Tribunal of the Vicariate of Rome, on the beatification of Pius XII (Eugenio Pacelli), Part II, page 578; Controversial Concordats at 136. See Cornwell at 132 (Hitler given authority to suspend civil liberties).

111. Pope Pius XI preferred dealing with political matters through the lay organization, Catholic Action. Under this approach, the role of the clergy, especially of the bishops, is one of teaching. The clergy are the teachers of tradition and of social justice. That teaching remains on a theoretical level and does not descend to concrete situations and cases. These are left to the laity whose task it is to put the theory into practice. This definition comes from Archbishop Rembert Weakland of Milwaukee, Wisconsin. See Philip J. Murnion, *Commonweal*, September 11, 1992, at 23.

112. Peter Gumpel, Cornwell=s Cheap Shot at Pius XII, *Crisis*, December 1999, at 19, 21.

113. Id. See Cheetam at 283-84; Kershaw at 478; R. Leiber, Reichskonkordat und Ende der Zentrumspartei, in Stimmen der Zeit: Monatschrift für das Geistesleben der Gegenwart, Verlag Herder-Freiburg im Breisgau, 1960/61, at 213; Telegraph from Mr. Newton (Berlin) to Sir J. Simon, July 7, 1933, Documents on British Foreign Policy 1919-1939, Her Majesty=s Stationary Office (E.L. Woodward, ed., London, 1956) (party members believe that dissolution will end arrests, sequestrations, and discrimination against the Catholic press). The documents show that it was only at this point that the Vatican gave up on its position of defending the right of clergy to participate in party politics. Controversial Concordats at 135 (citing Konrad Repgen, Dokumentation. Zur Vatikanischen Strategie beim Reichskonkordat, *Vierteljahrshefte für Zeitgeschichte* 31 (1983), 529-33).

114. William Rees-Mogg, The Vatican=s holy failure, *The Times* (London), October 4, 1999. See Cornwell at 135-36.

115. See Balint Vazsonyi, America=s 30 Years War: Who is Winning?, (Regnery Press, 1998) at 58, 148.

116. It is hard to describe the politics of either Day or Coughlin in a brief paragraph. The point here is simply that Hitler used terminology that was very similar to that used by these two

influential Catholic voices.

117. Cornwell himself notes that the Vatican could not control the party and that many German Catholics left the Center Party and joined the National Socialists. Cornwell also notes that the Catholic Center Party, including former Chancellor Heinrich Brüning, voted in favor of Hitler's Enabling Bill of 1933. Cornwell at 135-36. That hardly suggests that they were willing to battle Hitler to the end. See id. at 144, 197.

118. See id. at 158.

119. The German bishops were not silenced by the concordat. They spoke out more brazenly than any other group in Germany. Lothar Groppe, The Church's Struggle with the Third Reich, IBW Journal (Alan F. Lacy trans.).

120. See Second Vatican Council, Pastoral Constitution on the Church in the Modern World (*Gaudium et Spes*).

121. Cornwell at 189-92.

122. Id. at 192.

123. This is crucial to Cornwell's thesis. Cornwell acknowledges that a free press still in operation in Bismarck's era came to an end in 1933. Cornwell at 195. Accordingly, for a statement to have any effect within Germany, it would have had to take place prior to 1933. On September 27, 1999, on The O'Reilly Factor, a news program on the Fox News Network, Cornwell admitted that by the time Pacelli had become Pope, it was too late to effectively counter the Nazis with words:

O'REILLY: ...If Pope Pius XII had come out against Hitler, he would have -- the Vatican would have been effectively shut down. Mussolini or Hitler himself would have moved in troops, shut them down. Pius probably would have been arrested or maybe even executed. He knew that. He knew that the whole power of the church was going to be destroyed if he came out and said anything anti-Axis, anti-Mussolini, or anti-Hitler. Isn't that true?

CORNWELL: Well, that would have been just too bad, but just think...

O'REILLY: Wait, wait, wait.

CORNWELL: There were 25 million Catholic Germans.

O'REILLY: Just too bad?

CORNWELL: Well, just think about it. Twenty-five million Catholic Germans who simply laid down and accepted Hitler...

O'REILLY: Do you believe they would have risen up if Pope Pius XII said, a Hitler's a bad guy. You should get him. I don't believe that for a second.

CORNWELL: Well...

O'REILLY: Not with the Gestapo and the SS already entrenched. No way.

CORNWELL: Yeah, but we're talking about 1933, long before the police state came into -- I accept your argument totally by 1938. That would have been true. Pacelli, of course, became Pope in 1939.

124.Cornwell suggests that Pacelli was responsible for the First World War. Cornwell at 48-51.

125.Cornwell at 98, 217 (quoting D=Arcy Osborne).

126.Id. at 206. In fact, Cornwell reports that one French Cardinal, discussing Pacelli as a possible Pope, said he was Aindecisive, hesitant, a man more designed to obey orders than to give them.@ Id. at 207. D=Arcy Osborne, the British Minister to the Holy See, had only one question about Pacelli as a Pope. Osborne said he was Anot quite sure how strong a character [Cardinal Pacelli] is, working as he did under an autocrat like Pius XI.@ Id. at 217. This is in accord with the British records from 1939 relating to possible replacements for Pius XI. Minutes, February 1939, British Public Records Office, FO 371/23789 57760.

127.Cornwell at viii, 295-97.

128.According to historian Father Pierre Blet, one of the four men to have compiled the Vatican=s wartime documents for publication, Cornwell has not presented Amuch to base accusations of anti-Semitism on.@ Time, September 20, 1999. AHe ignores a great deal of material which doesn=t fit his theory and makes grave accusations without supplying the evidence.@ Id.

129.Peter Gumpel informed me of this during my visit to Rome in December 1999, and he later reminded me of it in writing.

130.Cornwell at 70.

131.Id. at 70-71.

132.Eugene Fisher, Director of Ecumenical and Interreligious Affairs of the National Conference of Catholic Bishops has explained that the word Acult@ as used by Pacelli Awas not a pejorative term.@ Marilyn Henry, How pious was Pius XII?, The Jerusalem Post, October 1, 1999, at 7B. AIt has nothing to do with personal animosity toward Jews.@ Id.

133.Cornwell at 174 (Cult of St. Thérèse); id. at 344 (cult of the Assumption and cult of the Virgin Mary); id. at 345 (the Fátima cult); id. at 382 (noting that beatification Aindicates that the Pope has sanctioned a local cult of the individual=s sainthood@).

134.Cornwell at 78; Hatch & Walsh at 83.

135.Cornwell at 77; Halecki & Murray at 46 (noting that no one was hurt).

136. Pacelli had no food or money, having given it all to the poor of the city. Hatch & Walsh at 84.

137. Hatch & Walsh at 84-85; Halecki & Murray at 47-48.

138. Cornwell at 74-75.

139. Cornwell at 75. Even worse were press reports that Pacelli described Jews (not a specific group of revolutionaries) as physically and morally repulsive, worthy of suspicion and contempt. Cathy Lynn Grossman, Catholic scholar casts Pius XII as Hitler's Pope, USA Today, September 7, 1999. He certainly did not do that. See generally Ronald J. Rychlak, Cornwell's Errors: Reviewing Hitler's Pope, Catalyst, December 1999, at 8.

140. William Rees-Mogg, The Vatican's holy failure, The Times (London), October 4, 1999. See Cornwell at 74 (noting the kidnapping of a middle class hostages, censorship, requisitioning of food, homes, and possessions).

141. Cornwell at 74-75.

142. It is no safer to assume from this letter that Pacelli was a lifelong anti-Semite, than to assume that I must be a lifelong Germanophobe because in 1940, when they were bombing Bristol, I cursed the Luftwaffe pilots as bloodthirsty hounds. After an IRA atrocity, rude things come to be said about the Irish. Lifelong anti-Semitism is a charge which requires some lifelong proof; there is plenty of counter evidence in Pacelli's case.

William Rees-Mogg, The Vatican's holy failure, The Times (London), October 4, 1999.

143. Pacelli's description of communist Jews, while not especially enlightened, was hardly uncommon 80 years ago. Alessandra Stanley, Debate rages over papal response to Holocaust, The Plain Dealer, November 25, 1999, at 17E.

144. Cardinal Gasparri, Secretary of State, Replies to the Petition of the American Jewish Committee of New York, February 9, 1916, in Principles for Peace: Selections from Papal Documents, Leo XIII to Pius XII, National Catholic Welfare Conference (Harry C. Koenig, ed., Washington, 1943) at 198-99.

145. Cornwell continually argues that Pacelli was responsible for matters done in the name of Gasparri. See Cornwell at 31 (they worked in tandem); id. at 38 (Gasparri was Pacelli's boss and close confidant); id. at 41 (Gasparri and Pacelli were principal architects of the Code of Canon Law); id. at 44 (an idea became clear to Gasparri and Pacelli); id. at 46 (Gasparri referring to Pacelli: one of my trusty staff in the Secretariat of State, in whom I had particular confidence); id. at 55 (Gasparri, Pacelli's guide and mentor); id. at 56 (Pacelli as Gasparri's protégé); id. at 61 (Gasparri would not hear of Pacelli's leaving Rome until the new code

had been published.®).

146. Cardinal Gasparri, Secretary of State, Replies to the Petition of the American Jewish Committee of New York, February 9, 1916, in Principles for Peace: Selections from Papal Documents, Leo XIII to Pius XII, National Catholic Welfare Conference (Harry C. Koenig, ed., Washington, 1943) at 198-99. The reference to Areligious confessions® instead of Arace® reflects the traditional Catholic view, adhered to throughout World War II, that what defines a person as being AJewish® is his or her faith, not an ethnic identity.

147. Cornwell at 309 (citing Katz, Black Sabbath at 259).

148. Id.

149. This is made clear in the diary of the *Maestro di Camera* (master of the chamber), which was shown to me when I traveled to the Vatican. The *Maestro di Camera* arranges audiences and pontifical ceremonies, and he keeps very detailed records of these matters. See also Note de Mgr. Tardini, Actes et Documents, vol. VII, p. 678, note 1 (noting Tittmann=s mistake); Actes et Documents, vol. IX, p. 489-90 (noting the meeting on the 14th).

150. Tittmann Received, L=Osservatore Romano, October 15, 1943, at 1.

151. See Chapter 14.

152. In an article entitled *The Saint and the Holocaust*, in the June 7, 1999 edition of The New Yorker magazine, former priest James Carroll argued that by declaring Edith Stein a saint, the Catholic Church elevated her death above the deaths of six million Jews, and in the process may have Asubverted® the value of Edith Stein=s life.

Carroll makes a major point of the fact that in 1933, Stein wrote to Pope Pius XI requesting an audience to plead for an encyclical condemning Nazism. He goes on to complain that she never was granted a personal audience, though she was invited to a ceremonial audience with the Pope. Incredibly, however, Carroll never mentions the 1937 encyclical *Mit brennender Sorge*, which did exactly what Stein asked the Pope to do.

Carroll argues that Stein was killed because she was Jewish. This is true. Had she not been Jewish the Nazis would not have deported her at that time. However, if Carroll had quoted the Nazi statements, which he did not, he would have had to acknowledge that Stein was deported due to her Catholicism as well.

To make his point, Carroll reports that on her way to Auschwitz, Edith was supposedly offered the opportunity to use her baptism as a shield from deportation. She declined the offer, according to Carroll, saying: AWhy should there be an exception made in the case of a particular group? Wasn=t it fair that baptism not be allowed to become an advantage?®

This decision to decline an offer of freedom (and, indeed, life itself) seems particularly noble, even saintly. Carroll, however, gives this act of selflessness an unusual interpretation, arguing that in declining this offer, Edith was not being selfless and noble. Rather, Carroll would

have us believe that she was rejecting her baptism and the Catholicism that she had adopted twenty years earlier and had fully devoted her life to for the previous nine years. This is a strained interpretation of her reported words. Perhaps more telling is Carroll=s willingness to use this statement at all, much less to build a central argument around it.

Carroll acknowledges that the story came forth years after Edith had been deported and killed and that it came from a Dutch official who claimed to have met Stein in a transit camp on her way to Auschwitz. It is reasonable to be suspect of any unconfirmed, self-serving memory that is asserted years after the fact, but there is an even greater reason to be suspicious in this case.

The focus of Nazi deportation at this time was on Jews who had been baptized into the Catholic Church. Therefore, it is very unlikely that someone would have asked whether one of the numerous Catholic Jews would want to use her baptism in order to avoid deportation. Far more likely is the account given by some other sources, that Stein was offered the opportunity to use her status as a nun to avoid the concentration camp. That story, however, would not have fit with the premise that Stein was rejecting her religion.

Relating a story about his study of Edith Stein when he was a young seminarian, Carroll says it never occurred to us then that there could be something offensive to Jews in our honoring her as a young woman in search of the truth.@ He now suggests that there is something wrong with honoring this young woman who went in search of the truth. The only real reason he has given for that is that she was born Jewish.

153.This point is addressed in greater detail in Chapter 13.

154.Robert A. Graham, Will the Real Sister Pascalina Please Step Forward, Columbia Magazine, November 1983, at 9 (questioning the validity of this book).

155.Testimony of Sr. Pascalina Lehnert, Oct. 29, 1968 - Jan. 24, 1969, before the Tribunal of the Vicariate of Rome, on the beatification of Pius XII (Eugenio Pacelli), Part I, page 77, 85.

156.Testimony of Maria Conrada Grabmair, May 9, 1969 - May 29, 1969, before the Tribunal of the Vicariate of Rome, on the beatification of Pius XII (Eugenio Pacelli), Part I, page 173, 174.

157.See Cornwell at 286.

158.Testimony of Maria Conrada Grabmair, May 9, 1969 - May 29, 1969, before the Tribunal of the Vicariate of Rome, on the beatification of Pius XII (Eugenio Pacelli), Part I, page 173, 174.

159.Id. Gumpel told me that Fr. Leiber died before he was able to testify before the tribunal.

160.Of course, Cornwell=s suggestion (p. 287) that Pius may have intentionally overstated the number of victims in Holland in order to justify his response is asinine. Had that been his intent, he surely would have made the statement in front of more than one witness. Similarly, Cornwell=s claim that Pius intentionally understated the number of victims in his 1942

Christmas statement (AHe had scaled down the doomed millions to >hundreds of thousands.=@ Cornwell at 293) is too absurd to merit a response. See Owen Chadwick, Britain and the Vatican during the Second World War, Cambridge University Press (Cambridge, 1986) at 218 (noting that the Allied declaration referred to Ahundreds of thousands@).

161.Chronicle at 520-21.

162.Cornwell at 249.

163.Andrew Borowiec, Croatian-run death site remains dark secret; Unlikely parties kept story of WWII camp suppressed, The Washington Times, July 5, 1994, at A10.

164.This is quoted in Chapter 18 (see endnotes).

165.Actes et Documents, vol. VIII, no. 441. See also id. vol. VIII, no. 537 (report on Vatican efforts to Aalleviate the sad conditions of the Croatian Jews@); id. vol. VIII, no. 473 (efforts to find sanctuary for Croatian Jews in Italy); id. vol. VIII, no. 557 (insistence on Aa benevolent treatment toward the Jews@).

166.Actes et Documents, vol. VIII, no. 502.

167.See Actes et Documents, vol. VIII, no. 566.

168.Actes et Documents, vol. IX, no. 92 (Maglione=s notes, dated March 13, 1943).

169.Id.

170.Actes et Documents, vol. IX, no. 81. On September 24, 1943, Alex Easterman, the British representative of the World Jewish Congress, contacted Msgr. William Godfrey, the apostolic delegate in London and informed him that about 4,000 Jewish refugees from Croatia were safely evacuated to an island in the Adriatic Sea. AI feel sure that efforts of your Grace and of the Holy See have brought about this fortunate result,@ wrote Easterman.

171.Actes et Documents, vol. IV, no. 358.

172.The British Minister to the Holy See during the war years, Sir Francis D=Arcy Osborne, wrote that Stepinac always acted according to the Awell-intended dictates of his conscience.@ Confidential Letter to Oliver Harvey from D=Arcy Osborne, February 26, 1947, British Public Records Office, FO 371/67917 60675.

173.Alain Finkielkraut, Mgr. Stepinac et les deux douleurs de l=Europe, Le Monde (Paris), October 7, 1998.

174.Rick Hinshaw, Cardinal=s Past, Chicago Tribune, October 17, 1998, at 26.

175. On March 10, 1999, with a group of 18 Croatian bishops making their *ad limina* visit to Rome, the Vatican newspaper published a 86-page special supplement in *l'Osservatore Romano* on the life of Alojzije Stepinac. Details about his life can be found in that report.

176. Cornwell at 252.

177. *Actes et Documents*, vol. IV, no. 400 (A Pavelic is furious... because... he is treated worse by the Holy See than the Slovaks@).

178. Minutes of August 7, 1941, British Public Records Office FO 371/30175 57760 (noting that Pavelic was not given an audience with the Secretary of State).

179. Vatican Book Justifies Cardinal Stepinac: Example of Opposition to Fascism, Nazism and Communism, Zenit News Agency, March 10, 1999 (quoting Gianpaolo Mattei, author of a book on Stepinac published by *l'Osservatore Romano*).

180. In 1985, Jakov Blazevic, the man who conducted Stepinac's trial, admitted that the cardinal had been framed. Rick Hinshaw, Cardinal's Past, Chicago Tribune, October 17, 1998, at 26.

181. Zenit News Agency, March 10, 1999. A This great man was tried as a collaborator of Nazism. We protest this slander. He has always been a sincere friend of Jews and was not hiding this even in times of cruel persecutions under the regime of Hitler and his followers. He was the greatest defender of the persecuted Jews.@ Rick Hinshaw, Cardinal's Past, Chicago Tribune, October 17, 1998, at 26 (quoting Breier).

182. Blet, Chapter 8. See Lapomarda at 210, n.13.

183. Recent testing suggests that he was slowly poisoned by his captors. See Bruce Johnston, Pope to beatify archbishop >murdered by Tito=, The Daily Telegraph, May 15, 1998, at 20.

184. Assembly Condemns Communist Treatment of Cardinal Stepinac and Andrija Hebrang, BBC Summary of World Broadcasts, February 17, 1992.

185. Id.; Peter Hebblethwaite, John Paul=s uphill pilgrimage to Zagreb, National Catholic Reporter, September 23, 1994, at 7.

186. Vatican Book Justifies Cardinal Stepinac, Zenit News Agency, March 10, 1999.

187. Cornwell at 287.

188. Cornwell at 366 (AWojtyla [John Paul II] appears sympathetic to pluralism on the surface; underneath there is an intransigently absolutist cast of mind.@); id. at 370; Philip Marchand,

Hitler=s Pope unsympathetic portrait of Pius XII, The Toronto Star, October 8, 1999.

189.Cornwell at 370; Philip Marchand, Hitler=s Pope unsympathetic portrait of Pius XII, The Toronto Star, October 8, 1999.

190.John Cornwell, Hitler=s Pope: The Fight to reveal the secrets that threaten the Vatican, The Sunday Times (London) Sept. 12, 1999, at 1.

191.Any doubt about Cornwell=s intent to denigrate Pope John Paul II was resolved in March 2000, at the time when the Pontiff made an unprecedented and historic trip to the Holy Land. At that time, as Christians and Jews were coming closer together, Cornwell wrote an article in the London Sunday Times. Cornwell described the Pontiff as Aaging, ailing, and desperately frail as he presides over a Vatican that is riven by cliques, engulfed in scandal, and subject to ideological power struggles.@ Jerusalem Post, March 23, 2000 (online edition). To Cornwell, the Vatican Ais a nest of nepotism and corruption, sexual depravity, gangsterism, and even murder.@ Id. According to Cornwell, the reason for the Adecay@ is Athe increasingly isolated and debilitated Pope John Paul II, suffering from the advanced stages of Parkinson=s disease.@ Id. Quoting a Vatican insider, Cornwell described the Vatican as Aa palace of gossipy eunuchs.... The whole place floats on a sea of bitchery.@ Id.

192.Cornwell at 363.

193.AIf we persist in reading purely political significance in every papal move, arbitrarily prescinding from that which makes the Pope a Pope, we shall never arrive at that understanding and objectivity that is, or ought to be, the goal of every serious historian and every fair-minded, intelligent person.@ Marchione (2000) (Vatican Documents) (quoting Robert Graham).

194.See Weigel at 281-87, 440-42.

195.Id. at 397 et seq.

196. In an allocution to the Sacred College on June 2, 1945, Pius explained that his radio messages and his appeals for humane treatment of all were:

for Us the most opportuneBand We might even say the onlyBefficacious way of proclaiming before the world the immutable principles of moral law and of confirming, in the midst of so much error and violence, the minds and hearts of German Catholics, in the higher ideals of truth and justice.

Marchione (2000) (Appeal for World Peace). See also Message to the Cardinal Archbishop of Breslau, dated March 17, 1940, Actes et Documents, vol. II, no. 42. Following the war, Sir Francis D=Arcy Osborne tried to explain that

the Pope and his advisers do not consider and resolve a problem solely in the light of its temporary and obviously apparent elements. Their approach and survey are

by habit and tradition unlimited in space and time so that, for example, they can regard the Savoy dynasty as an interlude, and the Fascist era as an incident, in the history of Rome and of Italy. They reckon in centuries and plan for eternity and this inevitably renders their policy inscrutable, confusing and, on occasion, reprehensible to practical and time-conditioned minds.

Confidential Letter to Oliver Harvey from D=Arcy Osborne, February 26, 1947, British Public Records Office, FO 371/67917 60675 (also explaining that the Pope felt he had Aspecifically condemned Nazi war crimes in his public speeches during the war@ and that the Vatican considered *Mit brennender Sorge* a continuing papal condemnation of totalitarian systems).

197. Richard John Neuhaus, The Public Square: Majorities, Minorities, and What Makes Real Law, First Things, November 1999, at 90.

198. See generally Marchione (2000) (Pope John Paul II).

199. Alan Cowell, Demonstrators and Devout Greet the Pope In Germany, The New York Times, June 24, 1996, Section A; Page 3.

200. As one reviewer wrote, Ato place the ultimate blame for Hitler=s coming to power on Pius=s ascetical shoulders is an almost absurdly simplistic reading of events.@ Cornwell=s Popes, Commonweal, November 5, 1999, at 5 (lead editorial).

201. As one reviewer concluded, Hitler=s Pope is simply a Apolemical chronicle.@ Cornwell=s Popes, Commonweal, November 5, 1999, at 5, 6 (lead editorial). See also Kenneth L. Woodward, The Case Against Pius XII: A new biography is scaldingBand deeply flawed, Newsweek International, September 27, 1999 (Abogus scholarship, filled with nonexistent secrets aimed to shock@).

²⁰² Jerusalem Post, March 23, 2000 (online edition).

²⁰³ Id. In The Pontiff in Winter, Cornwell refers to his own inside-the-Vatican, deep throat: Monsignor *Sotto Voce*. Taking Cornwell at his word, and accepting his description of Monsignor *Sotto Voce*, The Pontiff in Winter gives an Ainside account@ from a disgruntled and burned-out Vatican official who trades secrets for a good meal and a couple of bottles of wine. The great advantage for Cornwell, of course, is that this lets him write almost anything, and no one can prove it is false.

²⁰⁴ See Ronald J. Rychlak, Guess Who=s Back?, Catalyst (Jan.-Feb. 2002) (reviewing Breaking Faith); Ronald J. Rychlak, A Broken Faith: John Cornwell=s New Book, St. Austin Review, July/August 2002.

²⁰⁵ Cornwell presented the excommunication of Sri Lankan theologian Fr. Tissa Balasuriya as an example of the harshness of John Paul=s Aauthoritarian rule.@ Balasuriya was excommunicated

for theological aberrations, barely mentioned by Cornwell, that included the assertion that Christianity is on the same level as other religions, the denial of the virgin birth of Christ, and the rejection of the Holy Trinity. See Ronald J. Rychlak & Fr. Kevin Slattery, A Clear-Cut Case For Excommunication, *New Oxford Review*, April 1997. Cornwell used the excommunication to argue that John Paul was insensitive and out-of-touch with the modern world. He did not, however, even mention the extended negotiations between Balasuriya and the Vatican that preceded the excommunication. More incredibly, he failed to mention that one year after the excommunication was imposed, it was lifted. At that time, Balasuriya signed a statement expressing regret for perceptions of error in his work and agreed to submit future writings to bishops for approval prior to publication. This resolution to the matter, unknown to most readers of Breaking Faith, severely undercuts Cornwell=s thesis *and* his credibility!

²⁰⁶Similarly, James Carroll=s resolution to this history, as set forth in Constantine=s Sword (pages 555-58), involves the convening of Vatican III, at which (in addition to rejection of papal infallibility, ordination of women, election of bishops, and relaxation of sexual rules) the Church would acknowledge errors in the Gospels, learn to preach against those errors, and reject the belief that Jesus is the only way to salvation. Similar themes were also advanced by critic Daniel Goldhagen. For a critique of Carroll=s work, see Gallo at 324, n. 31.

²⁰⁷On a television appearance he claimed to be completely in agreement with the Church=s teaching on abortion, but the book does not read that way. At one point in Breaking Faith he refers to it as Aa painful choice to be made by individual women.@