### THE CAMPAIGN BEHIND ATTACKS ON POPE PIUS XII

By Robert P. Lockwood

Over the last two years, there have been a series of books that have dealt both directly and indirectly with the accusation that Pope Pius XII bore responsibility for the Holocaust in World War II. Beginning with John Cornwell's "Hitler's Pope," through Garry Wills' "Papal Sin" and concluding with James Carroll's "Constantine's Sword," all three books managed a short life on the New York Times' bestsellers list.

These books have been influential in perpetuating the myth that Pope Pius XII was a silent witness to the Holocaust who did virtually nothing to help the Jews. The authors claim that Pius was more interested in maintaining and reinforcing a developing papal absolutism than in facing the Nazis.

Each book, of course, has its own particular emphasis in addressing the subject. Cornwell portrays Pius as a monarchial pope with an anti-Semitic background whose primary agenda was increased centralization of power within the Church. While Wills' disavows any in depth exploration of the papal role in the Holocaust, his analysis of Pius and the Church during World war II serves to introduce his central thesis that the Church has in place "structures of deceit" created to artificially prop-up papal power.

Carroll relies primarily on Cornwell as his source for the role of Pius in the Holocaust. He echoes Cornwell's theory of Pius as solely concerned with papal power, but also sees Pius' alleged lack of action in the face of the Holocaust as historically determined by 2,000 years of Church anti-Semitism.

The critical aspect of all three books is that the authors identify themselves as Catholic, and have a different agenda in mind than condemning Pope Pius XII. Pius and the Holocaust, even in Cornwell's account, are only tools for the premise that underlies all three books: that the papacy itself is the primary target, both in general, and specifically the papacy of Pope John Paul II. All three books use Pius XII, and exploit the Holocaust, as a means to make points in an internal Catholic debate over papal primacy — meaning the extent of papal juridical authority within the Church — and papal infallibility. To see any of these books as a serious investigation into Catholic-Jewish relations, and how the Church under Pius responded to the Holocaust, is to misunderstand their purpose.

For the 13 years after World War II ended until his death on October 9, 1958, Pius XII was universally acclaimed for his efforts to save Jewish lives in the face of the Holocaust. There were no accusations during this period of a "silent" pontiff with pro-Nazi leanings. Yet, five years after his death, the reputation of Pius was beginning to face serious historical revisionism.

Why this revisionism? Pius XII was unpopular with certain circles for the anti-Stalinist, anti-Communist agenda of his post-war pontificate. In leftist academic circles, particularly in Italy in the late 1950s and throughout the 1960s, Pope Pius was seen as the standard-bearer for a political crusade, establishing the Church as a universal anti-Communist force. There was a concerted effort to discredit both that crusade, and the pontificate that was perceived as generating it. The animus against Pius by some Catholics was certainly influenced by this agenda, but was not overly strong during the papacies of Pope John XXIII and Pope Paul VI. It would not be until the papacy of Pope John Paul II that a stronger reaction began to develop against Pius within certain Catholic circles. As is clearly seen in Cornwell's

book, that response against Pope Pius XII generally developed out of a reaction against the papacy of Pope John Paul II.

Under Pope John Paul II, Cornwell charges, "Pacelli's monolithic pyramidal model of the Church has once again reasserted itself." Cornwell's essential theory is echoed in both Wills and Carroll. "So what accounts not only for the silence of Pope Pius XII, but for Eugenio Pacelli's complicity with Hitler in the early years?" Carroll asks, assuming both that alleged silence and alleged complicity. "The early years offer the clue, for it was then that Pacelli's determination to put the accumulation and defense of papal power above everything else showed itself for what it was." Wills portrays Pius as perhaps an unwitting victim of "structures of deceit" that force people to lie to defend papal authority. Pope Pius XII did what he had to do in the war, according to Wills, to maintain these structures of deceit that support papal power.

All three books reference their views on Pope Pius XII both forward to Pope John Pail II and back to Pope Pius IX and the First Vatican Council (1869-1870). That Council's definition of papal infallibility is seen as the foundation of Pius' alleged obsession with a monarchial papacy, and Pope John Paul II's exercise of papal authority. The essential argument is that the First Vatican Council of the 19th Century fundamentally changed the Church by creating out of whole cloth a doctrine of papal infallibility and that this doctrine greatly enhanced a centralization of juridical power within the Church under the papacy. It was the machinations of Pope Pius IX, resenting the end of the temporal power of the papacy, which caused this allegedly revolutionary development.

The argument continues that Pope Pius XII was raised in the Church in an atmosphere where this new papal power was being codified and confirmed. As Secretary of State under Pope Pius XI, and as pope, this papal autocracy would be the driving force behind every decision and policy, including Church reaction to Nazism and the Holocaust. The narrative continues

that after Pius died, the Second Vatican Council was called by Pope John XXIII to limit this papal autocracy. But the Council is undermined by his successor, Paul VI, who was trained under Pope Pius XII. Pope John Paul II is then portrayed as engaged in a complete dismantling of the reforms the Second Vatican Council.

All of which is a simplistic reading of history tied to a fixation on the papacy and alleged papal power, as well as a ridiculous charge against Pope John Paul II. In regard to the First Vatican Council, virtually no one in the hierarchy of the Church outright rejected the theological concept of papal infallibility — that when the Pope formally addressed matters of faith and morals as the Vicar of Christ, he was guided by the Holy Spirit and therefore not subject to error. However, the extent of that infallibility had never been clearly defined and that is where true divisions existed. Examples were papal encyclicals were they infallible papal statements, true for all times and for all people? Was every public statement of the pope to be considered infallible? Some certainly believed so. Others, however, did not believe that understanding was within Catholic tradition.

That the First Vatican Council was manhandled by Pope Pius IX and the Curiato force a definition of papal infallibility not in keeping with Catholic tradition is a historical invention. In fact, the debate over the definition of papal infallibility went on for months. Consensus emerged which spelled out a definition of papal infallibility clearly in line with Church tradition and the theology of the papacy. The Council proclaimed no new teaching that extended papal authority beyond a point understood for centuries. Subsequent popes have issued one ex cathedra infallible statement (Pope Pius XII defining Catholic teaching on the Assumption of Mary in 1950) and did so only after extensive consultation with the world's bishops.

Wills and Cornwell then focus on the area of episcopal

appointments, seeing this as a critical area in the late 19th and early 20th Century where papal juridical "control" of the local Church expanded enormously. Both see this as a nefarious plot to extend papal power. While Wills argues this point, and Cornwell sees Pacelli as the agent provocateur for amassing papal power even in the face of the Holocaust, both are reading evil into a centuries-long reform movement to free the church from local control, the single most critical cause of hierarchical and Church scandal throughout history.

It is true that the movement to secure the appointment of bishops exclusively through the Holy See accelerated over the last quarter of the 19th and early 20th century. But the historical reasons for this are hardly sinister plots engineered at Vatican I. The governments of Europe that, to varying degrees, still had power over the appointments of bishops had become aggressively secular. (The Austrian monarchy retained veto power over the election of popes in the early 20th century.) Securing the right to manage its own affairs, including the appointment of bishops, was far from creeping papal absolutism. It was, in fact, liberating the Church from State domination. In our own day, this is still very much an issue, particularly in China, where the Chinese government refuses the right of the Vatican to appoint bishops and has set-up its own "Patriotic National Church."

Carroll's book neatly sums-up the similar agenda of all three authors in his call for a Vatican III. Carroll argues that a Third Vatican Council is necessary because, reflecting Wills and Cornwell, the Second Vatican Council, a historic beginning, was undermined by Pope Paul VI, a "devoted factotum to Pius XII." Pope Paul VI turned back the reforming trend of the Second Vatican Council, in a "program of medieval restoration" that "has been vigorously continued by Pope John Paul II."

Carroll's Third Vatican Council would abandon the "primary-enforcing ideas of Roman supremacy and papal infallibility."

Freed from the papacy, the Church will embrace the democratic ideal and abandon "the idea that there is one objective and absolute truth, and that its custodian is the Church." Bishops should be chosen by the people, the whole clerical caste eradicated, and women ordained (though ordination to exactly what is never clarified) under Carroll's agenda.

This anti-papal trilogy of books is not a serious exploration of the Holocaust or of the role of Pius XII during the war years. These are books focused on internal Church disputes over theology and the juridical authority of the papacy. They are merely exploiting the Holocaust — without seriously reflecting on what Pius was able to accomplish — to argue Church politics and theology in the age of Pope John Paul II. Their enemy is actually not Pius XII, but the papacy.

## THE "BLACK LEGEND": THE SPANISH INQUISITION

Most of the myths surrounding the Inquisition have come to us wrapped in the cloak of the Spanish Inquisition. It is the world of Edgar Allen Poe's *The Pit and the Pendulum*, with vivid descriptions of burning heretics, ghastly engines of torture with innocent Bible-believers martyred for their faith. In many ways, the reality of the Spanish Inquisition has its own human tragedies, but it is not the tragedy presented in the common caricatures.

It is a curiosity of history that the medieval Inquisition of the 13th and 14th centuries was little utilized in Spain. It was only after the mid-fifteenth century that the Spanish Inquisition would develop, and its target would not be heretics in any traditional sense, but rather those whose Jewish ancestors had converted to Christianity and were accused of secretly practicing their old faith. To many contemporary historians of the Spanish Inquisition, the story unfolds not as a "religious" persecution, but rather a racial pogrom.

Spain was unique in Western Europe for the diversity of its population. In addition to a large segment of Muslims, medieval Spain had the single largest Jewish community in the world, numbering some one hundred thousand souls in the 13th Century. For centuries Jews and Christians had lived and worked together in a more or less peaceful though generally segregated co-existence.

In the 14th Century, however, anti-Jewish attitudes were on the rise throughout Europe. In 1290, England expelled its Jews and France followed in 1306. Spain began to experience an increasing anti-Jewish sentiment. It exploded in the summer of 1391 with angry anti-Jewish riots. These riots led to major forced conversions of Jews to Christianity. These Jewish converts would be called conversos or New Christians, to distinguish them from traditional Christian families. The converso identity would remain with such families for generations.

To the converso families, such conversions were not without benefit. They were welcomed into a full participation in Spanish society and they would soon become leaders in government, science, business and the Church. Over the years the Old Christians saw these converso families as opportunists who secretly maintained the faith of their forefathers. It was a strong mixture of racial prejudice against the conversos that would stir-up the Spanish Inquisition.

Spain in the 15th century was in the process of unifying the two traditional kingdoms of Castile and Aragon, while engaging

in the final defeat of the Muslim stronghold of Granada. Isabella of Castile had married Frederick of Aragon in 1469. She came to the throne in 1474. When Ferdinand became king of Aragon in 1479, the two kingdoms were effectively united. War was waged with Granada beginning in 1482, with its final defeat coming 10 years later.

In his book "The Spanish Inquisition: A Historical Revision" (Yale University Press) Henry Kamen writes, "From the mid-Fifteenth Century on, religious anti-Semitism changed into ethnic anti-Semitism, with little difference seen between Jews and conversos except for the fact that conversos were regarded as worse than Jews because, as ostensible Christians, they had acquired privileges and positions that were denied to Jews. The result of this new ethnic anti-Semitism was the invocation of an inquisition to ferret out the false conversos who had, by becoming formal Christians, placed themselves under its authority."

In 1478, Ferdinand and Isabella requested a papal bull establishing an inquisition, a bull granted by Pope Sixtus IV. In 1482 the size of the inquisition was expanded and included the Dominican Friar Tomas de Torquemada, though Pope Sixtus IV protested against the activities of the inquisition in Aragon and its treatment of the conversos. The next year, Ferdinand and Isabella established a state council to administer the Inquisition with Torquemada as its president. He would later assume the title of Inquisitor-General.

This allowed the inquisition to persist well beyond its initial intention. The papacy would continue to complain about the treatment of the conversos, but the unity of the Spanish Inquisition with the State would remain a distinguishing characteristic, and a primary source of post-Reformation European hatred.

The stated reason for the inquisition was to root out "false" conversos. There seems to have been an allure to the claim

that many conversos secretly practiced their old Jewish faith and, as such, were undermining the Faith. For centuries, such legends would persist in Spain, though most evidence shows that there were few "secret" Judaizers and that most conversos, particularly after the first generation of forced conversions, were faithful Catholics.

In March, 1492, Isabella and Ferdinand ordered the expulsion — or conversion — of all remaining Jews in their joint kingdoms. The purpose of the declaration was more religious than racial, as Jewish conversion rather than expulsion was certainly the intent. While many Jews fled, a large number converted, thus aggravating the popular picture of secret Judaizers within the Christian community of Spain. Up through 1530, the primary activity of the inquisition in Spain would be aimed at pursuing conversos. The same would be true from 1650 to 1720.

The Spanish Inquisition had been universally established in Spain a few years prior to the expulsion of the Jews in 1492. Records show that virtually the only "heresy" prosecuted at that time was the alleged secret practice of the Jewish faith. Through 1530, it is estimated that approximately 2,000 "heretics" were turned over to the secular authorities for execution. Many of those convicted of heresy were conversos who had already fled Spain. These were burned in effigy.

The most famous period of the Spanish Inquisition, under the legendary Torquemada, had little to do with the common caricature of simple "bible-believing" Protestants torn apart by ruthless churchmen. The true picture is unsettling enough: it was a government-controlled inquisition aimed at faithful Catholics of Jewish ancestry. The papacy, under Sixtus IV (1471-1484) and Innocent VIII (1484-1492), rather than controlling the Spanish Inquisition, protested its unfair treatment of the conversos with little result.

With the outbreak of Luther's Reformation in Europe and the spread of its ideas in the 1520s, the Inquisition was

entrenched to protect Spain from Protestant "infiltration" and as a further means to buttress the royal power of Charles V, the successor to Ferdinand and Isabella.

The Reformation would have little impact in Spain. As Kamen explains: "Unlike England, France and Germany, Spain had not since the early Middle Ages experienced a single significant popular heresy. All its ideological struggles since the Reconquest had been directed against the minority religions, Judaism and Islam. There were consequently no native heresies (like Wycliffism in England) on which German ideas could build."

The image of a Spanish Inquisition burning hundreds of thousands of Protestant heretics has no basis in historical fact. There were so few Protestants in Spain that there could be no such prosecution. During the Reformation period, the inquisition in Spain certainly searched for evidence of Protestantism, particularly among the educated classes. But before 1558 possibly less than 50 cases of alleged Lutheranism among Spaniards came to the notice of the inquisitors.

The discovery of a small cell of Protestants — about 120 — in late 1550s, however, generated concern in the highest quarters in Spain. Charles V from his monastery retirement wrote in an infamous letter to his regent daughter Juana that so "great an evil" must be "suppressed and remedied without distinction of persons from the very beginning." Though Spain braced for a tidal wave of revelations and discoveries — with finger-pointing and accusations of pseudo-Protestants everywhere — in all, just over 100 persons in Spain were found to be Protestants and turned over to the secular authorities for execution in the 1560s.

In the last decades of the century, an additional 200 Spaniards were accused of being followers of Luther. "Most of them were in no sense Protestants...Irreligious sentiments, drunken mockery, anticlerical expressions, were all captiously

classified by the inquisitors (or by those who denounced the cases) as 'Lutheran.' Disrespect to church images, and eating meat on forbidden days, were taken as signs of heresy," Kamen reports.

The last major outburst in activity of the Spanish Inquisition was aimed once again at alleged Judaizing among *conversos* in the 1720s. The Inquisition was formally ended by the monarchy in 1834, though it had effectively come to an end years prior.

Edward Peters in "Inquisition" (University of California Press, Berkeley and Los Angeles, CA, 1989) explains how the myth of the all-embracing inquisition developed in European thought. The creation of the myth of the Inquisition was tied to the creation of an image of a Catholic Spain in the consciousness of the West. "An image of Spain circulated through late sixteenth-century Europe, borne by means of political and religious propaganda that blackened the characters of Spaniards and their rulers to such an extent that Spain became the symbol of all forces of repression, brutality, religious and political intolerance, intellectual and artistic backwardness for the next four centuries. Spaniards and Hispanophiles have termed this process and the image that resulted from it as 'The Black Legend,' la leyenda negra." It is this post-Reformation anti-Catholic "black legend" that created the myths surrounding the Inquisition. Serious historical studies Spanish 20th Century have debunked these myths, but they continue to persist in popular imagination.

# The Pope Pius XII Study Group: Read the Documents!

by Ronald J. Rychlak

The role of Pope Pius XII during the 1930s and World War II has become a matter of international intrigue. Like most governments, the Vatican, keeps its records closed until after the death of all involved. The files are now open up through 1922. However, due to interest in this era, Pope Paul VI commissioned four Jesuit priests to collect, edit, and publish official documents of the Holy See relating to World War II.

The documents were assembled from 1965 through 1981 and published in 11 volumes (in 12 books) under the title: Actes et Documents du Saint Siege Relatifs a la Seconde Guerre Mondiale. These documents reveal that the Vatican, under Pius XII's direction, did a great deal to assist Jews attempting to flee Nazi persecution. Unfortunately, these volumes have been all but ignored by most historians.

Last year, Edward Cardinal Cassidy, president of the Pontifical Commission for Religious Relations with the Jews, and Seymour Reich, of the International Jewish Committee for Interreligious Consultation, put together an international six-member (three Catholics and three Jews) study group to study the documents.

Unfortunately, several of the members of this group had already publicly expressed negative opinions about Pope Pius XII. Just after the committee was named, one of the members (Robert Wistrich of Hebrew University) said: "Pius XII did not perform in a way that reflects any credit on the Vatican or on the Catholic church.... He wound up in a position where he was complicit in German policy."

Perhaps more troubling is that from the very beginning, the

study group rejected its charge to read the documents. They demanded access to the entire Vatican archives and made it quite clear that they did not want to be limited to the published volumes. Professor Wistrich, for instance, told the press that to read the volumes without having access to the archives would be "a farce." Leon Feldman, Emeritus Professor of History at Rutgers University and "Jewish coordinator" for the study group said he thought there was a "smoking gun" in the archives and that was the reason the Vatican kept the archives closed.

This attitude, in addition to being a direct rejection of the committee's charge, was a slap at the Holy See and the four Jesuits who compiled the documents over the period of 16 years. It also reveals a total lack of understanding about how the Vatican operated during the war.

During the war, when the Nazis occupied Rome, paperwork was dangerous to create and far too dangerous not to destroy. Thus, records did not survive. Fr. Gerald Fogarty of the University of Virginia and a member of the study group gave an example: "In the spring of 1940 there was an attempt to oust Hitler by a group of generals who later tried to surrender to the English. The negotiations took place with the Vatican's mediation and the knowledge of Pius XII. However, there are no documents on this case in the Vatican." Documents confirming this event appear only in British archives.

By the same token, if there were evidence to be had showing bad faith on the part of Pius XII, it would show up in archives from other nations. Nevertheless, the study group's conviction that hidden documents are in the archives has clearly shaped its work.

The group traveled to Rome on October 23-26, to meet with Vatican officials and answer some questions. At least two weeks before the trip they sent 47 questions ahead so that the Congregation for the Causes of Saints and other officials at

the Vatican could prepare answers.

Fr. Peter Gumpel, SJ, relator of the cause of Pius XII, worked for two weeks preparing answers to those questions. He declined offers of assistance from myself and others because he thought the questions were to be kept confidential. He prepared 47 separate dossiers, with extensive documentation.

Gumpel expected to have about three days to go over these questions with the group. Instead he met with them for only a few hours. He presented evidence relating to 10 of the questions, but when they left he had 37 unopened files.

While the meetings in Rome were still taking place, the study group's "interim report" was published in its entirety on the International B'nai B'rith Association's website. It was later reported that group member Bernard Suchecky, of the Free University of Brussels, had leaked the report to the French newspaper *Le Monde*.

The Associated Press called the interim report "explosive." The New York Times said the 47 questions expressed the dissatisfaction of the six panel members with Vatican records. Le Monde of Paris said they pointed to failures of the Pope and Church.

Fr. Gumpel was justifiably outraged. Not only had the group denied him the opportunity to present all of the evidence that he had worked so hard to prepare, but the report as published was identical to the 47 questions that had been sent to him two weeks earlier. In other words, the study group had not used any of his detailed information to modify the report or their questions.

"I find the conduct of the international, historical Judeo-Catholic commission disloyal to the Holy See, academically unacceptable and incorrect," Father Gumpel said. "If they wished to have a wide discussion, and give us the possibility to provide exhaustive answers to each question, the time fixed

by them was insufficient." He speculated as to the group's purpose: "Did they wish to influence public opinion against Pius XII and the Church? This has happened precisely when we Catholics are making all kinds of efforts to improve relations with the Jewish world... I find this conduct disloyal and dishonest," he concluded.

Why was Fr. Gumpel so upset? A review of the interim report provides the answer. The primary thrust of the report was a demand for full access to the Vatican archives. However, while they were demanding more documents, members of the study group had not even each read all of the volumes from the Acts and Documents collection. They had assigned themselves only two volumes each to study (although Prof. Wistrich did ask for a third). Moreover, none of the Jewish can members read Italian, which is the most common language in the collection. As such, they had to rely on translators.

One would have assumed that these scholars were selected because they were relatively familiar with these documents. Apparently that was not the case. It seems that no one owned a copy of the volumes. For a while, the group could not locate any copy of volume 6. Moreover, they were surprised by what they found in the documents. Member Eva Fleischner of Montclair University said: "I was staggered when I read the documents. It is obvious that the Holy See was informed of the Holocaust very early."

Prof. Fleischner should not have been "staggered." Anyone familiar with the documents knows that the Vatican was well informed. The real question is how the early reports were received. Many Allies discounted these reports. For our purposes, however, the interesting fact is that Prof. Fleischner apparently had never previously read the documents.

Having only two or three volumes each, being unfamiliar with them, and having difficulty reading those that they did have led to serious confusion for the study group. In fact, the questions contained in the interim report suggest that the study group did not do its homework.

A typical example is question number 44, which asks about a report commissioned by the Vatican to explain its policy regarding Poland. In an accusatory tone, the group asked whether such a report was ever prepared and whether the Holy See could produce a copy of it.

I own a copy of this document (as I own a full set of the Acts and Documents collection). Another copy may be found in the New York Public Library. It is entitled "Pope Pius and Poland," and it was published by The America Press in 1942. Carrying the Imprimatur of Cardinal Francis J. Spellman, it is a documentary outline of papal pronouncements and relief efforts on behalf of Poland since March 1939. It originally sold for a dime. It should not have been hard for the study group to find a copy.

The group also asked about the Vatican's reaction to *Kristallnacht* ("The Night of the Broken Glass") in November 1938. That night, the Nazis destroyed 1,400 synagogues and stores belonging to Jewish citizens in Germany and Austria. This question (like the one about papal encyclical *Mit brenender Sorge*) is not really about WWII or Pope Pius XII's pontificate. This took place under Pope Pius XI. Nevertheless, the atrocity was duly reported as such in the Vatican's newspaper, *L'Osservatore Romano*. One would have expected the scholars in this study group to have at least have been aware of this fact.

The real outrage of the interim report is that the questions are worded more like accusations, with charges that are impossible to answer. The Holy See is asked to disprove negative charges. They ask whether the Pope gave thanks for things before they took place, and whether the testimony of numerous witnesses, all of who support one another, can be confirmed in some other manner. They expect to find documents

that do not exist. They raise questions about the veracity of four Jesuit priests who compiled 11 volumes of documents, without themselves even having each read the 11 volumes.

The point of this study group was to raise the level of the discussion. By engaging in speculation, they have accomplished the opposite. They have increased the heat, not the light, and they did this precisely because they failed to carry out a simple mandate: read the documents.

#### POPE PIUS IX

By Robert P. Lockwood

Pope Pius IX served as pope from 1846 to 1878, the longest and one of the most difficult pontificates in history. The modern caricature of his papacy surrounds his resistance to modern thinking as seen in the *Syllabus of Errors* that appeared to set the Church squarely against democratic ideals; and the "kidnapping" of Edgardo Mortara, a Jewish child taken from his family by authorities after his Christian baptism was discovered.

The future Pope Pius IX was born Giovanni Maria Mastai-Ferretti in Senagallia in the Papal States in 1792. Before he was ordained a priest in 1819, two popes had been imprisoned and the Church in Europe nearly destroyed by the movements, war and nationalist fervor that swept out of revolutionary France and under Napoleon.

A new world was emerging in the 19th century. National identity — rather than identity with ancient royal houses —

would become a driving force in both politics and how people thought of themselves. It was an era when racial identity, and racism, became a growing and dangerous part of "modern" thinking. This new "racialism" would underlie many of the tragedies that would be faced by Pius IX.

Pope Pius IX was elected in 1846. Two years later, revolutions swept Europe. Mob violence exploded in Rome. revolutionary government was forced on the Pope, he decided to flee Rome. Though the new government attempted to restrain the mobs, priests were killed and churches desecrated. Five bishops were arrested and the government took over Church property. The French deemed it wise to invade Rome and restore order, rather than see the Austrians occupy the city. Nine months later, on April 12, 1850, the Pope returned. But when war broke out in the peninsula in 1859, Piedmont annexed a large section of the Papal States. This was aggrandizement. The Papal States virtually ceased to exist, leaving only Rome and a small strip of western Italy under papal control. In 1870 at the onset of the Franco-Prussian War, the French troops were withdrawn from Rome and Victor Emmanuel sent his soldiers to secure the city.

We tend to forget that the "liberalism" of the growing nation states of Europe was not how we define liberalism today. The nation states developing in Europe — fiercely anti-Catholic and highly nationalistic — were the forerunners of the totalitarian states of the 20th century. Otto Von Bismarck's Prussia and the new Italian State would become Nazi Germany and Fascist Italy. The seeds of this horrific development were planted in racialism, nationalism and communism that grew directly from the philosophy of liberalism of 19th century Europe. From that perspective, the political policies of Pius IX make much greater sense than merely a reactionary bigotry most often portrayed. It also helps to frame at least an understanding of the vehemence of his *Syllabus of Errors* and the concerns that were behind it.

The Syllabus of Errors was issued as an attachment to an 1864 encyclical of Pius IX, Quanta Cura. Within the Church, particularly from the Italian perspective, the so-called "free states" of Europe meant confiscated Church property, nuns and priests driven from their Religious Orders, bishops arrested and executed, the Church drummed out of any role in education or the public arena, heated anti-Catholic rhetoric in newspapers and legislatures, and the confiscation of the Papal States by armed force. To their minds, modern civilization meant slums, crime, political chaos, hatred, racism, war, agnosticism and atheism.

The encyclical with the *Syllabus* was released in 1864 and was in many ways a fair statement against a host of 19th century thought that remain worthy of condemnation today — indifferentism, atheism, rationalism. The *Syllabus* contained 80 condemned propositions, such as denying the existence of God and the truth of Scripture, the equation of human reason with Divine Revelation, the all-inclusive authority of the State.

Other areas provided more difficulty, particularly if read in the context of today's understanding of the ideas involved. The condemnation of separation of Church and State seems archaic. What must not be forgotten is how such separation was defined at the time. It certainly meant in many countries, such as Bismarck's Prussia, that the Church was absolutely subservient to the State and must be divorced entirely from civil life. Also, when the encyclical condemned freedom of the press, it was being drafted at the time of a viciously anti-Catholic press and a journalism that had no norms of objectivity or balance.

Eamon Duffy, writing in his book, Saints and Sinners, notes: "The Syllabus was in fact a far less devastating document than it appeared at first sight. Its 80 propositions were extracted from earlier papal documents, and Pio Nono repeatedly said that the true meaning of the Syllabus could be discovered only

be referring to the original context. So, the offensive proposition 80 came from the brief *Iamdudum Cernimus* of 1861. Its apparently wholesale condemnation of 'progress, liberalism and modern civilization' in fact referred quite specifically to the Piedmontese government's closure of the monasteries and Church schools." This gives vital historical context to the *Syllabus* as well as a clear frame of reference. It roots the *Syllabus* in its specific point in time, and gives it a greater understanding than when read with contemporary eyes.

In recent years, no event more surprised Catholics than the story of a young Jewish boy taken from the home of his parents during the papacy of Pius IX to be raised as a Catholic. Though it caused an international furor in its time, the story had been generally forgotten until resurrected in David Kertzer's, "The Kidnapping of Edgardo Mortara" published in 1997.

Kertzer makes the argument that the Mortara affair was a sign of the roots of racial anti-Semitism that would emerge in Italian Fascism, and as such the Church played a role in establishing the framework for the Italian racial laws of 1938. This misunderstands the motivations involved in the Mortara affair at the time, and forgets that it was the Church that protested vehemently the 1938 laws and was the single greatest protector of Italian Jews during the war years.

In June 1858, Bologna was still part of the Papal States and the Mortara family had settled there. Edgardo, age six, was one of eight children of Marianna and Momolo Mortara. The Mortaras had employed a Christian servant to help in raising the children. It had come to the light of Church authorities in Bologna, specifically the Dominican head of the local Inquisition, that the servant girl had baptized young Edgardo as an infant when she thought he was in danger of dying. (This was one of the very clear reasons why Christians were not supposed to be employed in Jewish households. It was against the law for Jews to be baptized without consent and fear of

just such cases was at the heart of the legislation.)

The law in the matter was clear: a baptized Christian could not be raised in a Jewish home. To do so at that time would be seen as being a party to apostasy, a denial of the validity of Baptism, and endanger the soul of the baptized. Edgardo was taken from his parent's home and transported to Rome, where he would be raised a Catholic.

The difficulty for the Church, and Pius as he became aware of the affair, was that it was left with little choice at the time. It was simply considered impossible for a baptized child to remain in a home where he would not be raised Christian. Such experiences were commonplace even decades later in America. As late as the early 20th century, it was common for Irish Catholic children to be plucked off the streets of New York and transported to the West to be raised by solid Protestant families.

Edgardo would eventually study for the priesthood and be ordained. He remained a monk and died in 1940 at the age of 88 at a Belgian abbey where he lived and studied for many years.

The Mortara affair supplied the enemies of Pius IX with a strong propaganda weapon at a point when the Papal States were about to collapse. The extent of the vitriol aimed at Pius was enormous and worldwide. Adopting the anti-Catholic rhetoric of the Know Nothings, Jewish groups in the United States saw it as a Jesuit-inspired conspiracy of "soul-less lackeys," compared Pius to the "Prince of Darkness" and reminded their Protestant audience of the "history of these incarnate fiends, written in the blood of millions of victims."

Was Pius XI's refusal to return Edgardo Mortara an act of pure anti-Semitism? In the context of the times, it clearly was not. This did not involve racial prejudice. The Church in Rome had a long history of defending Jewish converts to the faith and accepting them completely after such a conversion, as was

done in the case of Edgardo Mortara. In his actions, Pius reflected both the generally accepted norms of the time concerning families of mixed religion.

During the long pontificate of Pius IX, the Church was transformed in every aspect of its life. Religious orders experienced a growth unimaginable a generation earlier. In 1815, the Church as an institution in continental Europe had nearly been destroyed. When Pius IX died on February 7, 1878, after a 32-year reign, the Church had been reborn.

### POPE PIUS XII AND THE HOLOCAUST

For nearly 20 years after World War II, Pope Pius XII (1939-1958) was honored by the world for his actions in saving countless Jewish lives in the face of the Nazi Holocaust. His death on October 9, 1958 brought a moment of silence from Leonard Bernstein while he conducted at New York's Carnegie Hall. Golda Meir, future Israeli Prime Minister and then Israeli representative to the United Nations, spoke on the floor of the General Assembly: "During the ten years of Nazi terror, when our people went through the horrors of martyrdom, the Pope raised his voice to condemn the persecutors and commiserate with the victims."

Among the Jewish organizations in the United States alone that praised Pope Pius XII at the time of his death for saving Jewish lives during the horror of the Nazi Holocaust were the World Jewish Congress, the Anti-Defamation League, the Synagogue Council of America, the Rabbinical Council of America, the American Jewish Congress, the New York Board of

Rabbis, the American Jewish Committee, the Central Conference of American Rabbis, the American Jewish Committee, the Central Conference of American Rabbis, the National Conference of Christians and Jews and the National Council of Jewish Women.

Yet, four decades after the death of Pius XII he is condemned for his "shameful silence" in the face of the Holocaust. He is commonly accused not only of silence, but even complicity in the Holocaust. He is called "Hitler's Pope." When critics are reminded of the universal praise he received from Jewish organizations in life and death, such praise is dismissed as merely "political" statements, as if those Jews who had lived through the Holocaust would insult the memory of the millions killed for some ephemeral political gain.

When Pope John Paul II issued his historic apology for mistakes and errors in Christian history, he was savaged by pundits and news reports for his "silence" in regard to the alleged "silence" of Pope Pius XII. Lance Morrow in *Time* magazine, referred to the Church's "terrible inaction and silence in the face of the Holocaust" and described any defense of Pius or the Church as "moral pettifogging." He made such statements without bothering to substantiate them because the charges are simply accepted as "fact" and any disagreement becomes on a par with those who deny the reality of the Holocaust itself.

The historical reality of the pontificate of Pius XII has nearly been lost in the face of the strident campaign against him. Anti-Catholicism thrives on invented history that becomes part of the accepted cultural corpus. Conventional historical wisdom is more often the creation of propaganda than fact. Contemporary Catholics are witnessing the creation of a myth in regard to Pius XII, a propaganda campaign as relentless as any created by 19th century anti-Catholic apologists.

The view of Pius XII as Nazi collaborator did not begin as a case study of historical revisionism. It did not even begin

within historical studies themselves or from available historical documentation, including transcripts of the Nuremberg trials, or government records made public. The myth of Pius XII began in earnest in 1963 in a drama created for the stage by Rolf Hochhuth, an otherwise obscure German playwright born in 1931.

Hochhuth was part of a post-World War II trend in theatre called "Documentary Theatre" or "Theatre of Fact." The trend grew out of an American form of theatre popularized during the Depression. The point was to adapt social issues to theatrical presentation by utilizing documentation. The documentation was more important than artistic presentation and provided the script for the play. It was seen in more recent times with Vietnam War morality plays that excerpted from the Pentagon Papers, or presentations where the dialogue was directly culled from the White House tapes of Richard Nixon.

Hochhuth, however, created a more traditional theatrical presentation without any documentary basis when it came to Pius XII. Though claiming to be part of the "Theatre of Fact," his presentation against Pius did not have the documentary sources for this style of drama. Turgid in length, in 1963's Der Stellvertreter (The Representative or The Deputy) Hochhuth charged that Pius XII maintained an icy, cynical and uncaring silence during the Holocaust. More interested in Vatican investments than human lives, Pius was presented as a cigarette-smoking dandy with Nazi leanings. (Hochhuth also authored a play charging Winston Churchill with complicity in a murder. No one paid much attention to that effort.)

The Deputy, even to Pius' most strenuous detractors, is readily dismissed. Even as vicious a critic of Pius XII as John Cornwell in Hitler's Pope describes Der Stellvertreteras "historical fiction based on scant documentation...(T)he characterization of Pacelli (Pius XII) as a money-grubbing hypocrite is so wide of the mark as to be ludicrous. Importantly, however, Hocchuth's play offends the most basic

criteria of documentary: that such stories and portrayals are valid only if they are demonstrably true."

Yet The Deputy, despite its evident flaws, prejudices and lack of historicity, laid the foundation for the charges against Pius XII, five years after his death. There was fertile ground. Pius XII was hated by certain schools of post World War II historians for the anti-Stalinist, anti-Communist agenda of both his pontificate, and the Catholic Church in general. In the heady atmosphere of leftist academic circles, particularly in Italy in the late 1950s and throughout the 1960s, the charge against Pius was that while he was not necessarily pro-Nazi during the war, but that he feared Communism more than Hitler. For the most part, this was based the pope's opposition to the Allied demand unconditional German surrender. He believed such a demand would only continue the horror of the war and increase the killing. That stand was later interpreted as a desire on the pontiff's part to maintain a strong Germany as a bulwark against communism. Hochhuth's charge of papal "silence" fit that revisionist theory.

The theory, of course, was as much fiction as Hochhuth's play. There was no documentary evidence to even suggest such a papal strategy. But it became popular, particularly among historians with Marxist sympathies in the 1960s. Even this theory, however, did not extend to an accusation that the Pope "collaborated" in the Holocaust, nor to any charge that the Church did anything other than save hundreds of thousands of Jewish lives. However, it did provide a mercenary rationale of "politics over people" in response to the Holocaust and applied such barbarous reasoning to the pope.

The Deputy, therefore, took on far greater importance than it deserved. Instead of Pius being seen as a careful and concerned pontiff working with every means available to rescue European Jews, an image was created of a political schemer who would sacrifice lives to stop the spread of Communism. The

Deputy was merely the mouthpiece for an ideological interpretation of history that helped create the myth of a "silent" Pius XII doing nothing in the face of Nazi slaughter.

There was also strong resonance within the Jewish community at the time *The Deputy*appeared. The Jewish world had experienced a virtual re-living of the Holocaust in the trial of Adolf Eichmann. A key figure in the Nazi Final Solution, Eichmann had been captured in Argentina in 1960, tried in Israel in 1961 and executed in 1962. For many young Jews, Eichmann's trial was the first definitive exposure to the horror that the Nazis had implemented. At the same time, Israel was threatened on all sides by the unified Arab states. War would erupt in a very short time. *The Deputy* resonated with an Israel that was surrounded by enemies and would be fighting for its ultimate survival.

Despite the fact, therefore, of a two-decades-old acknowledgment of papal support and assistance to the Jews during the War, Hochhuth's unfounded charges took on all the aspects of revelation. In a column after Pope John Paul II's apology, Uri Dormi of Jerusalem described the impact: "The Deputy appeared in Hebrew and broke the news about another silence, that of Pope Pius XII about the Holocaust. The wartime Pope, who on Christmas Eve 1941 was praised in a New York Times editorial as 'the only ruler left on the continent of Europe who dares to raise his voice at all,' was exposed by the young, daring dramatist."

It seems ludicrous that a pope praised for his actions throughout the war — and by all leading Jewish organizations throughout his life — could be discredited based on nothing more than a theatrical invention. Yet, that is what took place and has taken place since. A combination of political and social events early in the 1960s, biased historical revisionism, and an exercise in theatrical rhetoric, created the myth of the uncaring pontiff in contradiction to the clear historical record. The myth thrives because people want to

believe it rather than because it is believable.

Great strides had been made in Catholic-Jewish relations during the papacy of John Paul II. Yet the myth of the silence of Pius XII has helped to entrench anti-Catholicism within elements of the Jewish community, while creating in certain Catholic circles resentment that can only be harmful. Leaving this myth unanswered can only do great damage to what should be a deep relationship between Catholics and Jews, generated in part by the heroism of Pope Pius XII in saving Jewish lives during the Holocaust.

#### "60 MINUTES" ON PIUS XII

By Ronald Rychlak

The March 19 broadcast of CBS Television's "60 Minutes" profiled *Hitler's Pope: The Secret History of Pius XII*, by John Cornwell (Viking Press, 1999). As the title suggests, that book presents a very cynical portrait of Pope Pius XII.

Like many print reviews, "60 Minutes" started by discussing Cornwell's claim that he was convinced of Pius XII's evident spirituality and thought that the full story would vindicate him. So, assuring Church officials that he was on the Pope's side, Cornwell claims to have obtained special permission to look at the Vatican's archives.

By the middle of 1997, after having worked on the project for five years and having studied the Vatican files, Cornwall claims to have found himself in a "state of moral shock." 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." He concluded

that Pacelli was "an ideal Pope for the Nazis' Final Solution."

Crucial to his self-promotion is Cornwell's claim to have been a good, practicing Catholic who set out to defend his Church. His earlier books, however, were marketed as having been written by someone who had left the Church. 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." At that time Cornwell described himself as a "lapsed Catholic for more that 20 years."

In *The Hiding Places of God* (1991) he declared that human beings are "morally, 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. As late as 1996, when he was supposedly trying to vindicate Pius XII, Cornwell called himself a "Catholic agnostic," who did not believe in the soul as an immaterial substance.

Perhaps more revealing are Cornwell's prior comments about Pope Pius XII. In his 1989 book, *A Thief in the Night*, Cornwell mentions the "alleged anti-Semitism" of Pius without offering any explanatory comment. Then, on page 162, he mocks Pius, saying that he was "totally remote from experience, and yet all-powerful-a Roman emperor." He goes on to call Pius an "emaciated, large-eyed demigod." In 1995 in London's *Sunday Times*, Cornwell described Pius as a diplomat, a hypochondriac and a ditherer. 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. In light of this

evidence, his claim to have had nothing but the slightest regard for Pius XII up until 1997 is simply not believable.

As to his claim to have received special assistance from the Vatican due to earlier writings which were favorable to the Church, a simple call to the Vatican would have revealed that he received no special treatment. Any competent scholar can obtain access to the archives that he saw without promising to be "favorable" to the Church. Moreover, a quick consultation of Cornwell's earlier books (or easily-available reviews thereof) reveals that he has never been friendly to the Holy See.

In A Thief in the Night, Cornwell rejected rumors of a Vatican conspiracy to poison Pope John Paul I, but his conclusion that a cold-hearted bureaucracy let the Pope die was almost as bad. Cornwell, voicing sentiments that sound exactly like what he now says about his new book, 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."

Cornwell's 1993 novel, *Strange Gods*, is about a Jesuit priest 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. *The Independent* (London) called the priest "a cutout model of a sexually tortured Catholic." Driven by fear and desperation, the priest deserts his pregnant mistress in favor of a dangerous, immoral venture in an obscure part of Latin America. When he returns to England, his faith is transformed into what one reviewer called "a soggy Christian humanism."

In *The Hiding Places of God* (1991) Cornwell 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."

"60 Minutes" skipped over these matters even though they were contained in the April issue of *Brill's Content* magazine, which was on newsstands at the time of the broadcast. Instead they interviewed Gerhard Riegner, who complained about Pope Pius XII's "silence."

Riegner wrote a memorandum to the Holy See, dated March 18, 1942, describing Nazi persecution. Cornwell describes this memo in his book and leaves the impression that the Vatican failed to take any action in response to it. Cornwell fails, however, to note the letter of thanks that Riegner himself sent on April 8, 1942. In that letter, Riegner, on behalf of the World Jewish Congress, states:

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...

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.

Ed Bradley asked about the numerous letters sent from various Jewish groups following the war, but there was no mention of Riegner's own letter of thanks.

In fact, the recently-released memoirs of Adolf Eichmann,

chief of the Gestapo's Jewish Department, reveal the Nazis' knowledge that Pius was deeply offended by these arrests and that he worked hard to prevent the deportations. (Ironically, given complaints about secrecy within the Vatican, this important piece of evidence was suppressed by the Israeli government from 1961 until March 2000.)

On a different matter, Bradley said that Pius objected to having black soldiers garrison the Vatican following Rome's liberation because the Pope had heard reports of rape being committed by African-American troops. This clearly offended Bradley, and he used it to raise questions about the canonization effort.

Actually, confusion about this situation stems from a report the Pope received about French Algerian troops. The report said that these troops had raped and pillaged in other areas where they were stationed, and the Pope did not want these specific soldiers stationed in Rome. Pius expressed his concerns about these specific men to British Ambassador Osborne who broadened the statement in his cable back to London, saying that the Pope did not want "colored troops" stationed at the Vatican. Bradley said that Pius was talking about African-American troops, which is clearly not correct.

Cornwell expressed the opinion in the "60 Minutes" segment that things could not possibly have been worse for the Jews than they were. To say this is to ignore the hundreds of thousands (if not millions) of Jewish men, women, and children who were saved by Pius XII and those who were working at his direction. Those Jewish victims, however, were very thankful during and after the war.

Gerhard Riegner said that the numerous offers of thanks and praise at the end of the war were merely political maneuvers, designed to restore good relations between Jewish and Catholic people. However, 13 years later, at the time of his death, Pius XII efforts to save Jews from the Nazis was still the

primary focus of attention. The Anti-Defamation League, the Synagogue Council of America, the Rabbinical Council of America, the American Jewish Congress, the New York Board of Rabbis, the American Jewish Committee, the Central Conference of American Rabbis, the National Conference of Christians and Jews, and the National Council of Jewish Women all expressed sorrow at his passing and thanks for his good works. *The Jewish Post* (Winnipeg) explained in it November 6, 1958 edition:

It is understandable why the death of Pius XII should have called forth expressions of sincere grief from practically all sections of American Jewry. For there probably was not a single ruler of our generation who did more to help the Jews in their hour of greatest tragedy, during the Nazi occupation of Europe, than the late Pope.

Then Israeli representative to the United Nations and future Prime Minister of Israel, Golda Meir, said: "During the ten years of Nazi terror, when our people went through the horrors of martyrdom, the Pope raised his voice to condemn the persecutors and to commiserate with their victims." Nahum Goldmann, President of the World Jewish Congress, said: "With special gratitude we remember all he has done for the persecuted Jews during one of the darkest periods of their entire history."

Unfortunately, these voices were not heard on "60 Minutes," nor are they to be found in Cornwell's book.

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### THE JUBILEE YEAR 'REQUEST FOR PARDON'

On Sunday, March 12, 2000 Pope John Paul II made a unique and historic "request for pardon" for the sins and errors of Christians both throughout the centuries and in the present. This papal act of atonement for past sin is meant to Christians to enter the new millenium better prepared to evangelize the Truth of faith.

Unfortunately, we live at a time where Truth is rarely recognized. The spiritual nature of this public confession made by the pope for the entire Church was misconstrued, misunderstood and twisted to meet political or ideological agendas of those who are hostile to the Church. There have been public responses to the papal apology that confuse repentance for wrong actions with accusations of doctrinal error, or make demands for apologies not required in the historical or cultural context of the events of the past.

The negative secular response to the papal apology can be summed up in an editorial in the March 14, 2000 New York Times: "As long as (the Church) was burdened by its failure to reckon with passed misdeeds committed in the name of Catholicism, the Church could not fully heal its relations with other faiths. John Paul has now made it easier to do that. Some of the things (the pope) did not say bear note. The apology was expressed in broad terms. It was offered on behalf of the church's 'sons and daughters' but not the church itself, which is considered holy. Nor did John Paul directly address the sensitive issue of whether past popes, cardinals and clergy — not just parishioners — also erred. The pope's apology for discrimination against women is welcome but

difficult to square with his continued opposition to abortion and birth control, and to women in the priesthood. Regrettably, he made no mention of discrimination against homosexuals. Another noted omission was the lack of a specific reference to the Holocaust...(and) the failure of Pope Pius XII to speak out against the Nazi genocide."

Let's review these charges:

As long as it was burdened by its failure to reckon with past misdeeds committed in the name of Catholicism, the Church could not fully heal its relations with other faiths.

This is a misunderstanding of the purpose of the papal apology. The purpose of the papal atonement for past sin is to allow Christians to enter the new millenium better prepared to evangelize the Truth of faith. In the *Times* statement there is a direct implication of a one-sided nature to the wrongs of the past, an acceptance of an anti-Catholic interpretation of history rooted in post-Reformation and Enlightenment propaganda rather than an accurate and objective understanding of the past. Additionally, while the papal apology is certainly given without equivocation, "it would also be desirable if these acts of repentance would stimulate the members of other religions to acknowledge the faults of their own past."

The apology was expressed in broad terms.

The *Times* and other commentators failed to note that the pope has specifically addressed many of the issues which the apology outlined in general. As outlined in a recent analysis by Catholic News Service, in 1982, the pope referred to the "errors of excess" in the Inquisition; the 1998 Vatican document on the Shoah made clear the moral shortcomings within Christians that contributed to the Holocaust; in 1995, the pope, in discussing the Crusades, outlined errors and expressed thanks that dialogue has replaced violence; the pope

decried in a 1995 letter the historical discrimination against women and expressed regret that "not a few" members of the Church shared in the blame. The *Times* and other commentators demand a laundry list of apologies based on prejudicial interpretations of history. While the pope "forgives and asks forgiveness," there is no similar acknowledgment on the part of these commentators of the biases, conceits and hatreds that often driven their commentaries on the Church. While the pope's apology asks for no recipocrity, it would do well for institutions such as the *Times* to examine objectively its own motivations in its attacks on the Church and the historical prejudices in which they are rooted.

(The apology) was offered on behalf of the church's 'sons and daughters' but not the church itself, which is considered holy. Nor did John Paul directly address the sensitive issue of whether past popes, cardinals and clergy — not just parishioners — also erred.

This is a two-fold misunderstanding. First, there is a real distinction between a theological understanding of the Church as the Body of Christ, which is holy, and its members that are sinners. Second, the *Times* and other critics are making the common mistake of identifying "the Church" with the hierarchy. "Sons and daughters" of the Church refers to all baptized members of the Church, not "just parishioners."

The pope's apology for discrimination against women is welcome but difficult to square with his continued opposition to abortion and birth control, and to women in the priesthood.

The papal apology dealt with errors rooted in failure to live out the demands of the Gospels in particular historical circumstances. The *Times* and other critics are confusing repentance for certain wrong actions in history with admissions of doctrinal error. The *Times* uses the papal apology as an opportunity to demand that the Church change doctrinal truths for a secular agenda. What the apology could not be,

and was not intended to be, was an apology for Church doctrine. Part of the apology, however, was for any inadvertent cooperation Christians may have given that allowed the persistence in our own time of a culture of death that allows the weak and defenseless, particularly the unborn, to be abused at the hands of the powerful.

Regrettably, he made no mention of discrimination against homosexuals.

The papal apology was not meant as an endorsement of a contemporary ideological agenda. The apology makes clear that no person should be subject to discrimination and if any in the Christian community cooperate in discrimination, they are in error. However, the Church has always taught that homosexual acts — not homosexuals — are inherently sinful. The *Times* implies that such teaching involves "discrimination against homosexuals." It does not. Again, the *Times* demands admission of doctrinal error and that Church teaching succumb to an ideological agenda. Such is neither the sum nor substance of the papal apology.

Another noted omission was the lack of a specific reference to the Holocaust

As the recent document on the Shoah made clear, the Holocaust was "the result of the pagan ideology of Nazism, animated by a merciless anti-Semitism that not only despised the faith of the Jewish people, but also denied their very human dignity. Nevertheless, 'it may be asked whether the Nazi persecution of the Jews was not made easier by the anti-Jewish prejudices imbedded in some Christian minds and hearts.'" The papal apology strongly asserts that "Christians will acknowledge the sins committed by not a few of their number against the people of the covenant." However, it would be an unhistorical leap for the pope to assent to contemporary anti-Catholic propaganda that attempts to identify the Church with the Holocaust. It is a historical fallacy — and an insult to the

memory of the Holocaust - to use this ultimate  $20^{th}$  century evil as a tool for anti-Catholic rhetoric and to thereby mitigate the evil that was pagan Nazism.

...(and) the failure of Pope Pius XII to speak out against the Nazi genocide.

The alleged "failure" of Pope Pius XII "to speak out on Nazi genocide" is a faulty interpretation of both the historical reality and a papacy that saved hundreds of thousands of Jewish lives. The actions and tactics of Pope Pius XII and the Church saved far more Jewish lives than the Allied armies, Allied governments, the Resistance, the Red Cross, other churches and other religions, or any then-existing agency of any kind worldwide combined during the war. The actions of Pius XII hardly need an apology.

The difficulty in such an unprecedented event by Pope John Paul II is that too often history is clouded with the prejudices of those commenting and reporting on it. As evidenced in the *Times* editorial what is assumed to be objective historical understanding of events is often 19th century — and 20th century — anti-Catholic propaganda that has been sanctioned over time as objectively correct. It is conventional wisdom, not historical fact. Careful and objective analysis — free from the prejudices of the past and present — needs to guide our understanding of history.

The Church "is not afraid of the truth that emerges from history and is ready to scknowledge mistakes whenever they have been identified, especially when they involve the respect that is owed to individuals and communities. She is inclined to mistrust generalizations that excuse or condemn various historical periods. She entrusts the investigation of the past to patient, honest, scholarly reconstruction, free from confessional or ideological prejudices, regarding both the accusations brought against her and the wrongs she has suffered." (Memory and Reconciliation: The Church and the

Faults of the Past, International Theological Commission, December 1999).

Pope John Paul II's historic act of atonement is a witness to guide Catholics into the third millenium. Bigoted commentary, historical distortion, demands for doctrinal abandonment, and anti-Catholic prejudice will not detract from the this unprecedented jubilee "request for pardon."

## RELIGIOUS LIBERTY AND THE PUBLIC SCHOOLS

by Robert P. George

The following is an edited version of a statement made by Robert P. George before he left his post on the U.S. Commission on Civil Rights last year. It is an important commentary on the state of religious liberty in our public schools and it is one that deserves a wide audience. Dr. George is McCormick Professor of Jurisprudence at Princeton University and is a member of the Catholic League's board of advisors.

On July 12, 1995, President William Jefferson Clinton publicly directed the Secretary of Education, Richard Riley, and the Attorney General, Janet Reno, to provide each school district in America with a copy of the "Guidelines on Religion in the Public Schools." The president emphasized that it was important for everyone, including school administrators, to realize that "the First Amendment does not convert our schools into religion-free zones."

The hearings which the U.S. Commission on Civil Rights has held on this issue were designed to examine whether the religious liberty rights of students and teachers were, in fact, being protected. Sadly, we found that in many respects our public schools have, indeed, been converted into "religion-free zones."

The problem is not merely one of lack of information. The Guidelines have been sent, on two occasions, to every school district in America. The problem is one of commitment—a lack of commitment to respect the religious civil rights of students and teachers as seriously as we respect other civil rights.

For instance, while I applaud the Secretary of Education for distributing the Guidelines, I must note that very little has been done to make sure the Guidelines actually reach teachers, students and their parents. The Department of Education (DOEd) has not gathered statistical or other information regarding even, the preliminary question whether the Guidelines have been distributed by the school superintendent, nor have they gathered information about the more important question whether the public schools are, or are not, complying with the Guidelines.

I have heard no credible excuse for this from the DOEd. Surely, such a massive bureaucracy, which reaches into public schools in numerous ways to protect other civil rights, could undertake this simple task without undue exertion or expense. Nor have I heard credible reasons why the DOEd does not undertake additional steps. Why does it fail to offer inservice training, or training videos, done by a balanced panel of experts, on the Guidelines?

Again, while both the president and Secretary Riley noted the importance of every school district using the Guidelines to develop its own district-wide policy regarding religious expression, what has been done, beyond mere exhortation, to

encourage this? So far as I can tell, nothing has been done, except for the holding of three "summits" by Secretary Riley. I would say this hardly evidences a serious, sincere commitment to promote the distribution and usage of the Guidelines in developing district-wide policies in school districts across America.

This is all the more a shame because both the Secretary and the President note that using the Guidelines to develop a district-wide plan will also serve to build consensus and to identify common ground among members of the community before rancorous disputes erupt. One of our witnesses, Charles Haynes of the First Amendment Project of the Freedom Forum, testified in detail about how this process can, and has, worked successfully, particularly in Utah and California, to bring communities together and to help the entire local community understand and respect one another and their First Amendment religious liberty rights.

Mr. Haynes and other witnesses also helped us identify one area in which there are still very seriously problems, which go far beyond a lack of information. That area is the curriculum. As we learned, public school curricula across America do not, by and large, take religion seriously. Apart from brief treatment in the "history" portion of the curriculum, religion, and religious viewpoints, are simply ignored.

As one of experts, Warren Nord, told us, this is often the result of hostility to religion, not of mere ignorance. Indeed, as Mr. Haynes said, a truly "liberal" education would inform students about the full range of viewpoints and let them choose among them. In many schools, in the name of "neutrality," religious understandings of the world are simply excluded, while materialistic views are the norm. This simply must be changed, for if "neutrality" has any constitutional meaning, it surely means "fairness," and a fair presentation of religion and religious points of view in the curriculum is

what is lacking.

Returning to the Guidelines, I must note strong disagreement with one portion of them. By saying only that, in light of the City of Boerne v. Flores case, students do not have afederal right to "opt out" of classes which students or their parents find objectionable for religious reasons, the Guidelines leave the misleading impression that no such right exists. However, such rights may, and probably do, exist under state law. And such a right is undoubtedly also protected under doctrines of parental rights, which were conspicuously left unaffected in the area of education by the 1990 Supreme Court decision in Employment Division v. Smith.

The right to "opt-out" is highly important because, in my opinion, nothing plays a bigger role in driving students away from the public schools than a failure to recognize such a right. If the Secretary is correct that the right to "opt-out" is no longer protected by federal law, then I think it is imperative that Congress act to make it so.

As noted above, the Guidelines were issued by DOEd in consultation with the Attorney General. As our nation's highest law enforcement official, the Attorney General has, among many other things, the responsibility to enforce the law protecting religious freedom in the public schools. Yet, so far as we were able to determine during these hearings, there is NO ONE at the Justice Department (DOJ) who is charged with overseeing enforcement of the Equal Access Act. This Act, which is a prominent part of the Guidelines, guarantees that student "bible clubs" are given the same access to school facilities as are other non-curriculum clubs.

So far as we were able to determine, NO ONE in DOJ is responsible for apprising other federal agencies, including, significantly, DOEd, about legal developments regarding equal access. Finally, in those places in which the federal government has the fundamental responsibility for education

(for instance, on military bases), we have received no information that DOJ is ensuring that the Guidelines are being followed.

The point is sometimes made that the Equal Access Act provides for a private cause of action. But so do the federal securities laws; yet DOJ is active in ensuring that they are not violated. Why has DOJ failed to <u>institute</u> a single case against a school district where non-compliance with the Equal Access Act has been widespread? My point is this: other civil rights are not left solely to the resources of private citizens to protect and defend. DOJ has the resources; it simply chooses to spend them otherwise.

One place where DOJ could start is the public school system in the state of New York. Problems, particularly concerning equal access, arise there regularly. Yet, so far as our witnesses told us, it does not appear that the school system has followed the recommendations of Secretary Riley and the President to make sure that the Guidelines are distributed beyond superintendents to teachers, students, and parents, and to encourage the development of district-wide plans based on the Guidelines.

Nor is in-service training provided. The New York State School Board Association, while filing briefs alleging establishment violations on several occasions, has not, so far as I could determine, even once filed a brief supporting a claim that religious free exercise is being denied.

I believe these hearings demonstrated that the Equal Access Act, where it has beenobserved, has been a success—all of our witnesses in Washington, for instance, agreed on this. Those witnesses were also unanimous, save one, in supporting the position that a religious club has the right to require that its officers espouse its beliefs. This is just plain common sense.

An organization which cannot insist that its officers espouse its constituting principles has ceased meaningfully to exist. I encourage Congress to make this right explicit in the statute. Also, given that all our witnesses agreed that the Act has worked well in high schools, Congress should consider making it explicit that it extends to "middle schools" and "junior high schools" as well.

The hearings did not, in my opinion, enable the Commission to examine in sufficient detail the problems faced by teachers regarding their own rights to religious freedom. We are not speaking, obviously, of a teacher indoctrinating a student in the teacher's beliefs, but of a teacher having his own rights violated by the school system. In our Seattle hearing, we heard sufficient testimony to convince me that this is a significant problem, one which merits concern and examination.

In the years since the Guidelines were originally issued, it is clear to me that the federal government has failed to do enough to make sure that we move from rhetoric to implementation. In fact, so little has been done, that it encourages cynics who see the issuance of the Guidelines, far from being an attempt to ensure that religious rights are respected and religion is taken seriously, as a ploy to avoid a Constitutional amendment. One hopes the cynics are mistaken. However, the only way we will know is if the federal government takes serious steps to follow through on the statement of the President and Secretary Riley.

One thing our hearings surely demonstrated was that religious liberty currently is not sufficiently secured in our public schools, and that the public school culture has for too long regarded religion, contrary to the Constitution and to common sense, as an enemy. The opportunity to build common ground and to reach the mutual understanding has too often been squandered. I encourage public school officials to take the right to free exercise of religion as seriously as they take other civil rights, and to no longer treat it as a forgotten

# DISHONESTY MARKS ENTERTAINMENT INDUSTRY

#### by William Donohue

Over the summer, Hollywood treated us to some pretty slimy stuff, much of it aimed at kids. Austin Powers was back, this time drinking diarrhea daiquiris in "The Spy Who Shagged Me" (in England, the term "shagged" is an obscene word for sex). Newspaper advertisements for "Big Daddy" showed a father and son urinating in public and a film version of "South Park" featured Saddam Hussein's penis and a giant clitoris. And let's not forget the adolescent boy who was shown masturbating into a hot apple pie in "American Pie."

When I express my opposition to such trash—or to anti-Catholic movies like "Dogma"—a reporter invariably asks me why I get so exercised. After all, it's only a movie—it's not real. Besides, no one has to see it anyway.

My answer generally goes like this: if nothing that is shown matters, then why isn't everyone smoking on TV and in the movies? Why don't we bring back the reruns of "Amos 'n Andy"? Why don't we reintroduce Tonto as a role model for Native Americans? Why don't we make a movie that pokes fun at the Holocaust? After all, it's not real and no one has to watch.

That shuts them up every time. And so it should: those who voice this line are either singularly stupid or downright dishonest. Either way, their selective indignation is disgusting.

If what we see on TV and in the movies has no effect, then why did everyone go into a panic after the shootings at Columbine High School? Here's what happened.

The Bravo cable network said that following Columbine it would not air a satire about a "teen sniper school." CBS cited the high school massacre as the reason why it pulled an episode of "Promised Land" (the show featured a shooting in front of a Denver school). Similarly, CBS has delated the debut of "Falcone" (a Mafia-themed drama), this despite the fact that it was touted as one of the network's new hits. " It's not the right time to have people being whacked on the streets of New York," said CBS Television President Leslie Moonves. His decision to release the show later in the season suggests that there is a right time to continue the whacking.

Over at WB, it postponed the two-part season finale of "Buffy the Vampire Slayer" because it depicted heavily armed highschool kids at a graduation ceremony. WB chief Jamie Kellner confessed that "Given the current climate, depicting acts of violence at a high school graduation ceremony, even fantasy acts, we believe is inappropriate..." Maybe when the climate changes Jamie will bring back the violence. But in the meantime, it's only fantasy. So why is Jamie so uptight?

Fox announced that it was toning down the violence in a new drama, "Harsh Realm," and even Vince McMahon, head honcho of professional wrestling, said he would pare back the violence and vulgarity for UPN. And believe it or not, Studios USA, the owner of "The Jerry Springer Show," promised it was going to edit out violence, profanity and physical confrontation from future shows. But I'm skeptical: what exactly do they expect Jerry's going to do now—sing?

The TV and Hollywood gang got so sensitive about violence following Columbine that even jokes about the shooting were deemed to be off-limits. That's why the producers of the "MTV 1999 Movie Awards" didn't laugh when they heard film director

Bobby Farrelly ("There's Something About Mary") make a joking reference to the Colorado high school shootings at the show's taping on June 5. When the show aired on June 10, the joke was cut. It was deemed "inappropriate" by MTV executives.

Now anyone who has watched more than three minutes of MTV knows that it likes to push the envelope. Indeed, it is the foremost carrier of sexually-explicit videos on TV. Complain to them about this and they will tell you to lighten up. So why didn't they air that joke about Columbine if nothing matters?

All this is to prove that it is dishonesty, not stupidity, that drives the entertainment industry. Dishonesty also marks many TV and film critics, those tube and screen mavens who sanction filth and anti-Catholicism while writhing in pain over smoking and violence. Take, for example, their reaction to "Eyes Wide Shut."

Stanley Kubrick last's movie, "Eyes Wide Shut," opened with mostly raving reviews and a less-than enthusiastic box office reception. Starring Tom Cruise and Nicole Kidman, the film features lots of full-frontal female nudity, as well as an orgy scene. The movie had to be digitally altered (to cover the genitals of the orgy participants) so that the dreaded NC-17 rating could be avoided. It was this that drove the critics mad.

To be more exact, it was the fact that it was a Kubrick movie that had to be altered that drove them mad. Kubrick is held up as some kind of god by many in the film industry, with movies like "Dr. Strangelove," "A Clockwork Orange" and "2001: A Space Odyssey" to his credit. That the famed director was also a self-hating Jew (he once remarked that "Hitler was right about almost everything") seemed not to matter.

In July, 35 members of the Los Angeles Film Critics Association took aim at the movie rating system of the Motion

Picture Association of America (MPAA). Upset that Kubrick's last movie had to be digitally altered to get an R rating, the group argued that the time had come to reconsider the entire MPAA rating system. This group was quickly followed by their friends on the east cost when the 28 members of the New York Film Critics Circle issued a statement declaring the MPAA "out of control."

The New York group claimed that the ratings board had "become a punitive and restrictive force, effectively trampling the freedom of American filmmakers." It even said that the board "had created its own zone of kneejerk Puritanism." All this was said about a ratings system that is entirely voluntary and is appreciated by almost every parent in the nation.

The critics, of course, want no limits on anything. What they desperately want—and make no mistake about this—is to demolish all ratings systems so that children can be subjected to adult entertainment. Shamelessly elitist, they seriously believe that there is a fundamental difference between a Stanley Kubrick-scripted orgy and a teen-age boy who masturbates into an apple pie.

Janet Maslin of the *New York Times* wrote that "As the R is allowed to disintegrate into an outright goal for teen-agers, the system has left itself no way to differentiate between crude frat-boy jokes about having sex with dessert and this intricately nuanced exploration of the nature of sexual bonds." In other words, Janet objects that the MPAA treats all skin movies alike. She also complains that "The NC-17 rating has degenerated into a sigma," which, of course, is the purpose of having such a rating (I still prefer the more stigmatized X designation).

If Maslin is unhappy with the MPAA, film critic Roger Ebert is livid. He likes his skin flicks without digital alteration, especially when the skin-maker is someone like Kubrick. "Why couldn't the studio have distributed this movie NC-17," Ebert

screamed at producer Jan Harlan, "instead of sending out this 'Austin Powers' version?!"

Ebert even let Tom Cruise have it. Ebert pressed the actor to explain why a Kubrick picture with him in it wouldn't have been the grand opportunity to overturn the ratings system. Take the NC-17 rating, Ebert urged, and then when the public isn't deterred from seeing the movie, the system will self-destruct. Cruise answered, "You're preaching to the converted here. But Stanley made the decision [to accept digital alteration], you know."

It is amazing that the very same gang of film critics in L.A. and New York who oppose any restraint on what the public can see, throw themselves prostrate on the floor when tyrants like Cruise tell them what they can and cannot say about him as a condition for granting an interview. To be specific, before the movie was released, Cruise's public relations firm required reporters to sign a contract giving it the right to view—and veto—any TV segments on the actor before it aired.

Cruise's publicist, PMK, got what it wanted, thus assuring "Eyes Wide Shut" nothing but good press before it hit the screen. The PMK contract actually stipulated that "the interview and the program will not show the artist in a negative or derogatory manner." That this gag rule wasn't protested by the opponents of the ratings system tells us what they're made of. Just imagine, for one moment, what the reaction would be if I insisted on such a speech code as a condition for an interview.

What these people refuse to recognize is that every free society is governed by limits. Limits on our appetites, limits on our behavior, limits on what we do to ourselves, limits on what we do to others. A society without limits is no society at all—it is an aggregation of individuals who exist in a state of moral chaos. The end result of such a state is not more liberty, but less.

Yet this is what many seem to want—a free-for-all. Accessing the internet these days, viewers can gawk at college girls who have, quite intentionally, developed their own web page that allows voyeurs to watch them through strategically-placed cameras: they can be seen going to the bathroom, showering, having sex, etc. The fee is \$30 per month.

This fall Fox will air "Manchester Prep," a show that, according to one reviewer, features "sex-and-power games that include intimations of brother-sister incest." Joey Buttafuoco, of Amy Fisher fame (the Long Island Lolita), is not in the porn movie business. He described his new film this way: "There's a scene in the movie...with a woman in a wheelchair coming down one of the hills in California and there's a guy with a baseball bat and he wacks her, knocks the heard off. It goes a hundred feet and some dogs eat the head." Buttafuoco told a stunned Howard Stern that he would like to do this to Fisher.

But none of this really bothers the entertainment industry. Smoking bothers them. Violence bothers some of them, especially when suburban high school kids go on a killing spree. But filth, that's okay. Catholic bashing, that's perfectly fine.

Once the rules to this game are learned, it isn't too hard to figure it out. But just remember that the rules are grounded in deceit and thus can be changed, without notice, at any time. So if Willy is slick, what do we call these people?

### TRUTH OR CONSEQUENCES

William A. Donohue

(Note: The following is a short excerpt of Donohue's Commencement Day address at Christendom College, given on May 15.)

When I was growing up, there was a very popular game show on TV called "Truth or Consequences." In the real world, of course, telling the truth has as many consequences as lying, the difference being, however, that the consequences of not telling the truth are frequently pernicious. This explains why our culture is in so much trouble today—we have come to devalue truth. Indeed, in some quarters, particularly in the academy, we deny that there is such a thing as truth altogether.

Attacks on truth are commonplace. The attacks come in three forms: in the acceptance of moral neutrality; in the rejection of logic and evidence; and in lying.

To believe that all values are relative, that there is no such thing as truth, is to treat morality as if it were comprised of tastes and opinions. But morality is not an individual property, it is a social construct.

When Monica said that truth is what you feel it to be, she spoke like a real child of our age. In her world, truth is reduced to feeling, which means that it has no independent status. Truth, in this view, is not something we come to know, it is something we experience. And one experience is just as good as another. This is something that certainly would have resonated well with Jeffrey Dahmer. The trench coat mafia definitely believed that truth is whatever you want it to be.

It is fashionable these days to teach that "all knowledge is a social construct." For this we can thank the French. It was one of their learned men who gave us deconstructionism, the belief that a text has no meaning of its own, that what matters is the ancestry and anatomy of the author, not his or her thoughts. That the person responsible for this

intellectual heist was a fan of Adolf Hitler is not hard to believe.

The rejection of logic and evidence is the second assault on truth that is so commonplace today.

One of the most popular multicultural books is *I*, *Rigoberta Menchu*, the story of an indigenous Guatemalan revolutionary. The gist of the book is that the Menchus were a poor Mayan family who were exploited by the rich landowning class. Rigoberta was supposedly an illiterate girl. Her father organized a peasant movement to fight the landowners and Rigoberta herself joined with native Marxist guerrillas who came to save them.

The problem with this account is that there is no evidence to support it. Rigoberta was not illiterate and she was not denied the opportunity to go to school. She spoke two languages and attended a private boarding school. Her father was not a poor peasant but a rich landowner: he owned 6,800 acres of land. Finally, the Marxists guerrillas were not indigenous to the area and were, in fact, the ones responsible for terrorizing Rigoberta's relatives, most of whom they killed.

Rigoberta Menchu, we now know, was a Marxist terrorist who perpetuated an intellectual hoax. But she is still revered on many campuses and no one has dared say that she should be forced to give back her Nobel Prize for Peace. When confronted with the evidence against Rigoberta, Wellesley professor Marjorie Agosin said, "Whether the book is true or not, I don't care."

Sheer lying is the third assault on truth these days.

We could fill a huge university library with all the lies that have been told, and are still being told, about Communism. The left simply doesn't want to hear it and that is why a lying traitor like Alger Hiss can have a chair named after him at

#### Bard College.

As we have seen, the consequences of lying can mean death. In 1995, on "Nightline," Ron Fitzsimmons, the executive director of the National Coalition of Abortion Providers, said that partial birth abortion was "rarely used"; it was used "only on women whose lives were in danger," he said. Two years later, he admitted, "I lied through my teeth." "It made me physically ill."

Lying is so acceptable these days that some get paid to do only that. I'm talking about the spinmeisters, those ladies and gentlemen who are hired to lie for public officials. They take the truth and stand it on its head. This is what the Clinton apologists did night after night. Chris Matthews recently said that he was amazed by the number of men and women who would come on his show defending Clinton to the hilt, only to bash the president as a liar when they were off the air.

This, then, is what happens when truth doesn't matter. The result is moral nihilism, pure and simple. In such an environment, intellectual death is followed by physical death. Truth, then, has consequences, and so does the rejection of it.