

# UNEVEN TREATMENT OF SEXUAL ABUSE

*The movie "Spotlight" opened in November and quickly became fodder for more disinformation about the scandal in the Boston Archdiocese and beyond. Pages 6-7 address this issue. For a more complete analysis see pages 10-12.*

The media have pushed "Spotlight," the movie that recently opened about the *Boston Globe* team that exposed priestly sexual abuse in the Boston Archdiocese prior to 2002. But there is little interest in this issue when non-Catholics are implicated in such crimes. As recent cases show, many courts around the nation evince disparate treatment as well.

When he was first arrested, Rabbi Gabriel Bodenheimer was charged with three felony counts of a first-degree criminal sexual act and one count of first-degree sex abuse for alleged oral and anal sex with a 5-year-old child; he was looking at 25 years in prison. He was recently told that he would not serve a single day in prison: he was put on probation for three years. This story was not only ignored by the big media outlets, it received no coverage in the *New York Times*, even though the child rape took place in a New York City suburb.

In May 2014, Michael Travis, an assistant softball coach at a Nebraska high school was arrested for sexually assaulting two softball players; two more alleged victims came forward in December. This past August he cut a deal with prosecutors: he pleaded guilty to simple assault and was told he would not have to register as a sex offender or spend a day in jail. It received little media coverage.

A few weeks ago, papers were filed in Manhattan Supreme Court alleging that a teacher at a West Harlem public school sexually assaulted up to six students; school officials

ignored the allegations. Adiyemi Prowell is scheduled to be sentenced next month, and parents say they have been told by prosecutors he's expected to be put on probation. The New York Times gave this case no coverage, though it is a local story.

If any of these accused men had been a priest, both the media and the courts would have acted differently. This is not even debatable.

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## **CRUX      WRITER      SMACKS      OF DISHONESTY**

Margery Eagan has a long history of ripping the Catholic Church, but her latest salvo shows how utterly unhinged she has become. Her article, "The Church's Sexual Abuse Crisis is Not Over," was posted on Crux, a website that reports on Catholic news.

Eagan was delighted that the movie "Spotlight," keeps the scandal in the news. She lobbed many bombs, her biggest being, "This crisis is not over. Children are not yet safe."

Her evidence? She offered one anecdote from the U.S. and a few from other countries. That's it. That's all she had. Never did she deal with the fact that in the last 10 years exactly 8.4 credible accusations were made against an average of 40,000 priests in any given year.

If this is evidence of a crisis, what would Eagan call it when over 100 Orthodox Jewish rabbis from one NYC borough—Brooklyn—have been brought up on child rape charges in recent years? What would she call it when public school teachers and coaches are regularly being arrested for

molesting minors? To top it off, the rabbis instruct their people *not to report these crimes to the police—they have their own courts!* And molesting teachers are routinely assigned to administrative tasks for years before finally being dismissed; many keep their pensions.

Eagan, and many on the Catholic left, want the public to believe that their children are in danger of being molested by a priest. This is sheer fear-mongering. It is therefore dishonest to argue that Catholic kids are still not safe. They are safer in Catholic schools than they are just about anywhere. The “crisis” is in Eagan’s head.

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## **“SPOTLIGHT” LAWYER IS NO HERO**

Stanley Tucci plays church-suing attorney Mitchell Garabedian in “Spotlight,” the film about the sexual abuse scandal in the Boston Archdiocese. Tucci, who has never met Garabedian, calls him “the unsung hero” of this story. He also says the lawyer “cares about these victims.”

It is too bad Garabedian cares not a whit about priests who have had their reputations ruined by false allegations. For example, in 2006 Garabedian sued Fr. Charles Murphy for inappropriately touching a minor; the girl said the incident occurred 25 years earlier. On the eve of the trial, the woman dropped her suit. In 2010, Garabedian sued Fr. Murphy for allegedly fondling a man 40 years ago. The accuser was deep in debt and his credibility was questioned even by his own family! After a six month probe by the archdiocesan review board, the priest was exonerated.

When Fr. Murphy died in 2011, he was a broken man. Brian McGrory wrote about him in the *Boston Globe* saying that what

Garabedian did was “a disgrace.” After reading the story, Bill Donohue called Garabedian to see if he had any regrets about pressing charges against Fr. Murphy. He went ballistic: He started screaming like a madman accusing the archdiocese of operating a “kangaroo court.” Donohue asked him to calm down but he would not. Indeed he made sweeping condemnations of all Boston priests.

A few weeks after Donohue’s phone call, Garabedian spoke at a conference held by SNAP, the professional victims’ group. “This immoral entity,” he said, “the Catholic Church, should be defeated. We must stand up and defeat this evil.” This is not the voice of reason—it is the voice of a hater.

Just recently, Garabedian was asked on a WGHB 2 show, “Greater Boston,” whether things are any better now in the Boston Archdiocese. “They’re worse,” he replied.

All the data prove that Garabedian is dead wrong. That’s why he offered no evidence. He is no “unsung hero” and his witch-hunt against some innocent priests is indefensible.

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## **LOUSY JOURNALISM ON “SPOTLIGHT”**

“Spotlight,” which recently opened, has been heralded as an example of solid journalism, the kind of movie that should be shown in college journalism classes. Ironically, many journalists who have touted the movie have proved just how lousy they are at their craft.

Journalists for the following media outlets got their facts wrong:

New York Post; The Daily Commercial; Associated Press; Wall Street Journal; Boston Globe; National Catholic Reporter; Vanity Fair; Los Angeles Daily News; Christianity Today; Roger-Ebert.com; New Yorker; New York; Observer; Chicago Reader; timesofmalta.com; The Verge; baretnewswire.org; SLANT; Paste; avclub.com; filmcomment.

Whether through laziness or ignorance, all of these sources misrepresented the facts by saying the problem was pedophilia. As the John Jay College of Criminal Justice researchers pointed out, *less than 5 percent of the molesting priests were pedophiles*. They found that 81 percent of the victims were male and 78 percent of them were postpubescent. That means the abusers were homosexuals.

Not to admit this is an expression of journalistic malfeasance, the kind that ought to be discussed in the classroom.

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## **BOSTON GLOBE REEKS OF BIAS**

On the front page of the Metro Section in a recent edition of the *Boston Globe*, there was a story about the movie "Spotlight" that smacks of bias and gullibility; the former is driving the latter.

Lisa Wangsness relied on Terence McKiernan of Bishop Accountability for her data. She wrote that he told her that "the bishops could have agreed to make lists of abusive priests available nationwide." Referring to him again, she wrote that "More than 2,400 abusive priests nationwide have never been named."

First, McKiernan is known for making up figures on the fly. A

few years ago, after he told a sympathetic audience he was going to “stick it” to New York Archbishop Timothy Dolan, he accused him of “keeping the lid on 55 priests.” That is a lie. Several times Bill Donohue has personally challenged him to name the names and every time he runs.

Second, the term “abusive priests” is meaningless. Were they simply accused or was there a credible accusation made against them? Were the accusations substantiated or unsubstantiated? Was there a finding of guilt? Wangsness never told us because it obviously doesn’t matter to her.

Third, what institution, including the *Boston Globe*, publishes the names of employees who have had an accusation made against them?

Fourth, how does McKiernan know there are 2,400 priests who have never been named? Did she ask him for verification?

Fifth, the figures for the Boston Archdiocese undercut the point that she and McKiernan are making. Indeed, there are more unsubstantiated accusations than there are findings of guilt.

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# When the Pope Tried to Kill Hitler

Ronald J. Rychlak

Pope Pius XII and the Nazis: far too many writers have wandered into this fascinating subject without bringing anything new to the table. Many of the late pope’s critics have simply repeated information that appeared in already

discredited books and articles, but even some supporters have done little more than parrot earlier accounts. Thus, as one who has read almost all of the books on the topic, I approached Mark Riebling's *Church of Spies* cautiously.

The first chapter seemed promising as it covered the outbreak of World War II and the new pope's first encyclical, *Summi Pontifictus* and its striking condemnation of racism. Unlike many other writers, Riebling acknowledged Pius XII's profound and express statement that there was no room for distinction between Gentiles and Jews in the Catholic Church. That was good, but Riebling also wrote about the perception that Pius was insufficiently outspoken and the problems that created between Catholics and Jews. It looked like the book might go either way, but then Riebling came out with a line that smacks the reader upside the head: "The last day during the war when Pius publicly said the word 'Jew' is also, in fact, the first day history can document his choice to help kill Adolf Hitler." Fasten your seatbelt; you're in for one heck of a ride.

It has long been known that the pope tipped off the Allies about at least one planned coup attempt and certain German troop movements, and other writers have noted that Pius was involved on the periphery with efforts to topple Hitler. Riebling, however, uses documents from German, Italian, Vatican, and other archives to prove that rather than being on the periphery, Pius was deeply involved in the various plots to assassinate Hitler.

The assassination plot began inside the German high command in August 1939. Hitler had already ordered the extermination of those who were mentally or physically defective, he had begun his war against the Jews, and he was just days away from invading Poland. He called together his top generals and admirals to brace them for the invasion, which would be carried out with "merciless severity." The Führer, who saw Catholicism as incompatible with Nazism and particularly hated

Pope Pius XII, capped off his talk by saying that he would “snuff out the least flicker of Polish strength by liquidating thousands of Catholic priests.”

The head of German military intelligence, Admiral Wilhelm Canaris, had once admired Hitler. A year earlier, however, he became disillusioned when Hitler began turning ferociously on Germany’s own citizens, including some German officers. Although he was a Protestant, extermination of Catholic priests was the final straw. Canaris already had a small circle of like-minded friends. Now they made the fateful decision to depose Hitler, even if they had to kill him.

The logistics of any coup would be complicated enough, but the Canaris group was also concerned about how the Allies would respond. They did not want to see a repeat of the Treaty of Versailles, the harshness of which had assisted Hitler’s ascendance to power. They needed to communicate and coordinate with the Allies.

The question was how to make contact with Allied leadership. Canaris determined that the only person with sufficient prestige and freedom to act was the pope. Canaris had known the future pope as a Vatican diplomat in Germany back in the 1920s. He knew about Pius XII’s many talents and his utter disdain for Hitler. He just needed someone to help him make contact.

Munich attorney Josef Müller was a war hero and devout Catholic who had represented the Church against the Reich in legal matters. Riebling described him as “part Oskar Schindler, part Vito Corleone.” In 1934, Müller survived a beating and interrogation at the hands of SS Commander Heinrich Himmler, who asked the lawyer about a controversy that had taken place in Bavaria. Without apology, Müller admitted that he had advised the Bavarian prime minister to have Himmler killed. Impressed by his courage, Himmler invited Müller to join the SS. Müller replied: “I am philosophically



opposed to you. I am a practicing Catholic, and my brother is a Catholic priest. Where could I find the possibility of compromise there?" Himmler appreciated this "manly defense," and let the lawyer go. This made Müller somewhat of a legend even among Hitler loyalists.

Riebling introduces Müller in the prologue to *Church of Spies*. He is in leg irons at Flossenbürg concentration camp in 1945, hands tied behind his back, and forced to "eat his food like a dog from a plate on the floor." On the next page, he is being led to the gallows. The chapters that follow explain how and why he got there.

In addition to being an attorney, Müller was a pilot, and he often traveled to Rome on business. So, in 1939, when the conspirators tapped him as their messenger, his trips did not draw undue attention. For his first mission, German intelligence gave him a dossier of Nazi atrocities in Poland. He flew to Rome and asked the pontiff's top assistants whether Pius would be willing to contact the British government and ask for support.

Not only did Pius XII agree to assist the conspirators, saying "the German opposition must be heard," he also mobilized Catholic religious orders, especially the Jesuits and Dominicans. These orders did not report to local bishops, who might be susceptible to Nazi pressure, but to leaders of their orders, who reported directly to the pope. The head of the Jesuits in Northern Germany, Augustin Rösch, had been battling the Gestapo since well before World War II, and he became the driving force behind the pope's team in Germany. Rösch linked his group with the military intelligence unit headed by Canaris and worked on planning the coup.

Müller also built a spy network among "army, college, and law-school friends with access to Nazi officials—a community of the well-informed, who worked in newspapers, banks, and even ... the SS itself." His office soon became a clearinghouse of

information for the Vatican.

The issue of a political assassination, even of Hitler, raised many questions. Riebling, however, explained that: "Over the centuries, Catholic theologians had developed a nuanced doctrine of tyrannicide, covering virtually every conceivable context." After peaceful means had been exhausted, the assassination of a tyrant could be justified if it would improve conditions in a subjugated nation without sparking a civil war. Unfortunately, Lutheran and Calvinist generals were tied to a Protestant theory of state authority, and they had a much harder time justifying such an action.

Although initially suspicious, British Foreign Secretary Lord Halifax and Francis D'Arcy Osborne, British ambassador to the Holy See, were won over by the pope's personal intervention. They would negotiate with "The Decent Germany" if Hitler could be removed. Unfortunately, there were many doubts in high British circles, and the Allies failed to take advantage of much reliable information.

The plotters organized several attempts on Hitler's life, but he had "the luck of the devil," surviving repeated assassination attempts. He canceled speeches without knowing that snipers were in position and ready to take him out. He missed parades where bombs were set to explode. Plotters attempted to kill him by blowing up his plane, but the bomb didn't go off. By shifting a meeting from a concrete bunker to a wooden barracks, Hitler evaded another attempt, memorialized in the movie *Valkyrie*.

Resistance to the Führer at home began to melt away after his military victories in Belgium, the Netherlands, Norway, and France. Outside of Germany, others began to lose patience with the conspirators. Upon becoming prime minister, Winston Churchill put no faith in "decent Germans" taking out Hitler.

German military intelligence eventually learned about Müller's

work with the pope and brought him in for questioning. The lawyer was shocked when they asked him to work with them against Hitler. They gave him a cover story. He was to be a German operative using his contacts with the Vatican to spy on Italians. He would do this by posing as a conspirator seeking out Italians who might rally against Mussolini. "Müller would advance the war effort by pretending to talk peace," explained Riebling. "But he would only be pretending to be pretending." He actually was the anti-Axis plotter that he was pretending to be. Müller, of course, informed the Vatican of what was going on. It dramatically escalated the risk and potential reward of the pope's work with Müller.

At this point, Vatican officials introduced the German lawyer to the concept of *Disciplina Arcani*—the "way of secrecy." Those involved in the Vatican spy ring developed code names. Müller was known as "Herr X," and Pius XII was called "the Chief." Some high security meetings were held in the most secure place possible, excavation sites under Vatican City.

Plotters from Germany's intelligence services asked "the Chief" to keep quiet: "Singling out the Nazis," one later explained, "would have made the German Catholics even more suspected than they were and would have restricted their freedom of action in their work of resistance." Explaining this to a French diplomat, Pius once said: "You know which side my sympathies lie. But I cannot say so."

In 1943, as the SS narrowed its focus, a member of German intelligence finally revealed the names of the conspirators. Müller's dramatic flights across the Alps came to an end, and the Gestapo found his secret files, including the conditions that the plotters had established to kill Hitler, which were printed on Vatican letterhead. This sent Müller into Dachau for the remainder of the war.

When Mussolini was ousted in July 1943, Hitler ordered a division of paratroopers to the borders of St. Peter's Square.

“On one side stood German soldiers in black boots and steel helmets, with carbines on their shoulders and Lugers on their hips. On the other side were the Pope’s Swiss Guards, in ruffled tunics and plumed hats, holding medieval pikes in white gloves.” Fortunately, Hitler’s advisors talked him out of an immediate invasion, though Hitler vowed to finish the job after the war.

Hitler ultimately avoided assassination and died by his own hand, but not before the SS tracked down the resistance. The SS interrogated conspirators, tortured them, and executed or sent them to concentration camps. Some were subjected to show trials before being publicly executed.

*Church of Spies* reads so well that one is inclined not to reveal what happened to Müller and Rösch (spoiler alert: it’s not as bad as the prologue might suggest). In fact, that aspect of *Church of Spies*, involving multiple death sentences, paperwork problems, and well-timed favors, could be a book unto itself.

*Church of Spies* reads like an adventure novel, but it is documented history. It explains the virtually universal perception of Pius XII during and after the war as a staunch opponent of the Nazis and defender of the Jews. It also reveals Moscow’s perception that Pius was anti-Soviet, which certainly could account for the post-war assault on his reputation. It’s a great read and an enormously important book.

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