

A Cowardly Lion?  
The German Catholic Episcopate and the Third Reich

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## I. Introduction

The response of the Catholic Church to the Holocaust exploded onto stages around the world in 1963 with the premiere of Rolf Hochhuth's *Der Stellvertreter* (*The Deputy*), which presented a similar message as the Swiss author Friedrich Dürrenmatt painted on his wall as a student at the University of Bern between 1946 and 1949.<sup>1</sup> In this play, Hochhuth drew inspiration from some exceptional instances of individual Christian clergymen who resisted the Nazi regime. For example, the Protestant Kurt Gerstein infiltrated the *Schützstaffel* (SS) to gain access to their secret protocols and orders to report to his superiors, and Monsignor Bernhard Lichtenberg of Berlin led his congregation in a prayer for the Jews during World War II and asked to go to Auschwitz with a full cattle car of Jews, only to die at Dachau in 1943.<sup>2</sup> He used these exemplary individuals to question "how, in this so-called Christian Europe, the murder of an entire people could take place without the highest moral authority of this earth [the pope] having a word to say about it."<sup>3</sup> Pope Pius XII appears in only one scene of the play, but Hochhuth intended for him to be a foil for the more courageous characters and a representative (another translation of the German *der Stellvertreter*) "not only for all leaders, but for all men—Christians, Atheists, Jews. For all men who are passive when their brother is deported to death. Pius was at the top of the hierarchy and therefore had the greatest duty to speak. But every man—the Protestants, the Jews, Churchill, Eden, Cordell Hull, all had the duty to speak."<sup>4</sup> This was the first time Germans had "confronted so directly...the question of collective guilt or individual responsibility," and Hochhuth's play sparked a strong debate both within and beyond Germany about the role of the Church during the Holocaust, but also throughout the entire Third Reich.<sup>5</sup> Hochhuth painted a scathing image of Pope Pius XII and many members of the Church hierarchy in *Der Stellvertreter*, but he failed to depict the most direct link between the papacy and the German Catholic populace: the German Catholic bishops.

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<sup>1</sup> Rolf Hochhuth, trans. Richard and Clara Winston, *The Deputy* (New York: Grove Press, Inc., 1964). The image on Dürrenmatt's wall shows Pope Pius XII looking out suspiciously with Adolf Hitler, Benito Mussolini, and Francisco Franco wrapped within his papal robes. See a photo in Appendix 1.

<sup>2</sup> Theodore Ziolkowski, *Scandal on Stage: European Theater as Moral Trial* (Cambridge, UK: Cambridge University Press, 2009), 115.

<sup>3</sup> Patricia Marx, "Interview with Rolf Hochhuth," Summer 1964, quoted in Ziolkowski, *Scandal on Stage*, 115.

<sup>4</sup> Judy Stone, "Interview with Rolf Hochhuth," quoted in Ziolkowski, *Scandal on Stage*, 123.

<sup>5</sup> Ziolkowski, *Scandal on Stage*, 121.

The history of the Catholic Church during the Third Reich remains highly contentious today, especially considering how differently many members of the same level of the Church hierarchy responded to the regime. Within the episcopate, some bishops, such as the chairman of the Fulda Bishops' Conference, Adolf Bertram, supported a limited response to the Reich's policies, preferring a program of sending diplomatically worded petitions to Berlin. Others, like Clemens August von Galen of Münster and Konrad von Preysing of Berlin, led strong and vocal protests against violations of human rights. The challenge for the historian is to understand the reasons for these varied responses. Klaus Scholder, a Protestant historian, and Konrad Repgen, a Catholic historian, sparked a lively debate during the 1960s and 1970s to discuss this question, which still endures today. Scholder argued that the Vatican in fact preferred to negotiate treaties and work with authoritarian governments, and thus was eager to develop a friendly relationship with the Third Reich in 1933. Meanwhile, Repgen believes that most members of the Catholic hierarchy realized by late 1933 that the Nazis intended to destroy Christianity in Germany as well, and he sees the Reich Concordat, concluded that summer between the Third Reich and the Vatican, as a purely defensive strategy to protect the Church against inevitable attacks on her institutions. This debate continues today and shows how sensitive and controversial this topic is.

These different analyses offer good lenses through which to study the German episcopate during the Third Reich: which bishops prove Scholder's arguments and believed that the Catholic Church could, and perhaps should, coexist peacefully with the Third Reich; which, like Repgen asserts, foresaw its dangers from early in 1933; and what led them to make these decisions? As with many historical figures, the answers to these questions are not always very clear for each bishop. After the boycott of Jewish businesses on April 1, 1933, Cardinal Michael Faulhaber of Munich, for example, wrote to Eugenio Pacelli, the former papal nuncio to Munich and Berlin and from 1929 to 1939 the cardinal secretary of state in the Vatican, "the Jews can help themselves," but would later write an early draft of the papal encyclical, *Mit brennender Sorge*, which criticized the Third Reich with somewhat veiled language.<sup>6</sup> The

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<sup>6</sup> Faulhaber to Pacelli, April 10, 1933, in Ludwig Volk, *Kirchliche Akten über die Reichskonkordatsverhandlungen* (Mainz: Ferdinand Schöningh Verlag, 1969), 11.

German episcopate, a community with tremendous moral authority though no legal rights under canon law, as a whole remained remarkably stagnant in response to the Third Reich. This reluctance to act and the bishops' majority opinion that any action would require an impossible consensus have left a stain on their decisions between 1933 and 1945, and those instances of unified response by the bishops were too limited to overpower their general hesitance to act.

## **II. 1930-1934**

### **A. The Organization of the German Catholic Episcopate**

The German Catholic episcopate first met in the midst of the tumultuous revolutions of 1848 in Würzburg, Bavaria, to discuss the status of the German Catholic Church.<sup>7</sup> The bishops met at regional conferences semi-regularly, i.e., the Bavarian bishops met in Freising, separately from the Prussian bishops, who met in Fulda after 1867, just to name a few examples. The chairmanship of the Fulda conference traditionally alternated between the archbishops of Breslau and Cologne. The first meeting of the entire German episcopate did not occur until 1933, after Hitler had assumed power. Each of these conferences had its purpose of representing the Catholic interest within their own realm, but the bishops' conferences had no authority or status in canon law until 1965 after discussions at the Second Vatican Council. The minutes available from the meetings of these conferences after 1933 offer excellent evidence with which to analyze the responses of individual bishops to the Third Reich, but the decisions reached there were not binding on German Catholic citizens or even on the bishops within that conference in any way. Therefore, no conference was capable of relaying a clear and unified message to the Vatican, the Berlin government, and, most importantly, German Catholic citizens throughout the twelve-year period of the Third Reich.<sup>8</sup>

### **B. The Bishops' Initial Rejection of Nazism**

First, it is important to look back at the German episcopate's earlier responses to the rising Nazi movement during the end of the Weimar Republic in order to comprehend more fully their later responses

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<sup>7</sup> Antonia Leugers, *Gegen eine Mauer bischöflichen Schweigens: Der Ausschuß für Ordensangelegenheiten und seine Widerstandskonzeption 1941 bis 1945* (Frankfurt am Main: Verlag Josef Knecht, 1996), 13.

<sup>8</sup> *Ibid.*, 13-4.

to the Third Reich. In the 1928 elections, the National Socialist German Workers' (Nazi) Party earned only 2.6% of the popular vote and thus only a handful of seats in the Reichstag. By 1930, however, the Nazi Party earned 18.3% of the popular vote, behind only the Social Democratic Party (SPD). Nazism by 1930 was certainly a force with which every political entity would have to reckon, given its strong presence in the Reichstag. After 1930, the Nazi Party only became more powerful, earning 43.9% of the vote in the March 5, 1933 election, once Hitler had already become chancellor.<sup>9</sup>

In 1930, the German episcopate responded to the rising Nazi Party. After the September 1930 elections, Bishop Ludwig Hugo of Mainz declared "1. No Catholic may be a card-carrying member of the Hitler Party. 2. No member of the Hitler party may participate in corporate demonstrations at funerals or any other events. 3. So long as a Catholic is a card-carrying member of the Hitler party he may not be admitted to the sacraments."<sup>10</sup> Bishop Hugo provided an early example of an individual bishop taking the initiative over the bishops' conferences. Cardinal Bertram, the chairman of the Fulda Bishops' Conference, declared on December 2, "the program of the NSDAP [Nazi Party] stands, especially in Article 24, in open opposition to the Catholic religion."<sup>11</sup> Bertram criticized the Party's assertion of "the feeling of one race as the judge of religious truths, God's revelation, and the acceptance of God-given laws or morality" and classified the "swastika as the symbol of war against the cross of Christ."<sup>12</sup> Bertram, on behalf of the German episcopate, concluded that "anyone, who joins a party, supports the whole program of the party and its work in his soul, so membership in the NSDAP is patently forbidden for Catholic Christians."<sup>13</sup>

Cardinal Faulhaber, as the head of the Bavarian Bishops' Conference, wrote to his bishops on December 6, after receiving Bertram's draft, and demanded a more detailed response from them, as

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<sup>9</sup> These figures come from a table designed by William Patch.

<sup>10</sup> Klaus Scholder, *The Churches and the Third Reich*, vol. 1 (Philadelphia: Fortress Press, 1988), 132-3.

<sup>11</sup> Bertram's Draft for a Report of the Fulda Bishops' Conference, December 2, 1930 in Stasiewski, *Akten I*, 787. Article 24 of the Nazi Party Program, adopted in 1920, states "We demand freedom of religion for all religious denominations within the state so long as they do not endanger its existence or oppose the moral senses of the Germanic race. The Party as such advocates the standpoint of a positive Christianity without binding itself confessionally to any one denomination. It combats the Jewish-materialistic spirit within and around us, and is convinced that a lasting recovery of our nation can only succeed from within on the framework: common utility precedes individual utility." Available at <http://www.fordham.edu/halsall/mod/25points.html> (accessed March 5, 2011).

<sup>12</sup> Bertram's Draft, in Stasiewski, *Akten I*, 788.

<sup>13</sup> *Ibid.*, 789.

Bavaria was “the home of National Socialism.”<sup>14</sup> He agreed in his draft with Bertram and asserted that “National Socialism is a heresy, a false teaching...because its Führer wants to establish a new world view [Weltanschauung] in place of the Christian world view.”<sup>15</sup> Faulhaber went farther than Bertram in his condemnation and clarified that “participation by National Socialists in events of worship in closed formations with uniforms and flags is and remains...forbidden, because such a parade in a church would convey the false actuality to the people, that the Church had bargained with National Socialism.”<sup>16</sup> Faulhaber left it up to individual priests to decide on the prohibition of individual Nazis from receiving the sacraments, and he foresaw the possibility of “National Socialism turn[ing] towards the methods of Bolshevism” to achieve its goals.<sup>17</sup> After further discussion with the Bavarian bishops, Faulhaber removed his classification of Nazism as heresy but continued to call the Nazi program a false teaching, a small but important change.<sup>18</sup> Regardless, the message of the German bishops was clear. As Bertram stated publicly on December 31, 1930 and Faulhaber on February 10, 1931, National Socialism and Catholicism were incompatible, and National Socialism, with its false doctrine of “positive Christianity” posed a grave threat to the endurance of the Catholic faith in Germany.<sup>19</sup> After 1930, the German bishops remained unified in their rejection of Nazi ideology and practices.

### C. Hitler’s Rise to Power, the Enabling Law, and Thoughts of a *Reichskonkordat*

On January 30, 1933, Adolf Hitler assumed the position of chancellor of Germany. On March 23, Hitler addressed the Reichstag and “affirmed the role of Christianity as the ‘unshakable foundation of the moral and ethical life of our people.’”<sup>20</sup> On March 24, the Reichstag, with the support of the Catholic Center Party, passed the Enabling Law, which gave Hitler dictatorial powers. On March 28, the German episcopate, in response to Hitler’s March 23 *Regierungserklärung*, declared that their earlier bans on and

<sup>14</sup> Faulhaber to the Bavarian Episcopate, December 6, 1930, in Stasiewski, *Akten I*, 789-90.

<sup>15</sup> Faulhaber’s Draft for Pastoral Statements, December 6, 1930, in Stasiewski, *Akten I*, 791.

<sup>16</sup> *Ibid.*, 792. “...weil eine solche Kirchenparade dem Volk die falsche Tatsache vorspiegeln würde, die Kirche habe sich mit dem Nationalsozialismus abgefunden.”

<sup>17</sup> *Ibid.*, 793-4.

<sup>18</sup> Faulhaber’s Draft for Pastoral Statements, December 18, 1930, in Stasiewski, *Akten I*, 795.

<sup>19</sup> Bertram’s Declaration, December 31, 1930, in Stasiewski, *Akten I*, 800-806; Pastoral Statement of the Bavarian Episcopate, February 10, 1931, in Stasiewski, *Akten I*, 806-809.

<sup>20</sup> Adolf Hitler, March 23, 1933, quoted in Joseph Biesinger, “The Reich Concordat of 1933: The Church Struggle Against Nazi Germany,” in Frank Coppa, ed., *Controversial Concordats: The Vatican’s Relations with Napoleon, Mussolini, and Hitler* (Washington, DC: The Catholic University of America Press, 1999), 126.

warnings against the Nazi Party “are no longer considered necessary.”<sup>21</sup> By July, the Center Party had dissolved itself, and the Vatican and the Third Reich had negotiated a concordat. Within these few months during 1933, leaders within the Vatican, the German episcopate, and the Third Reich made an incredible number of decisions, which would define Church-state relations through World War II. There are many important questions to consider when discussing the response of the Catholic Church to the Third Reich, and much scholarly research has focused on 1933. This has led to a lively, enduring, and crucial debate: to what extent were the bishops’ revision of their position towards the Third Reich on March 28 and the negotiation of the Concordat that summer out of true support for the new regime? Which bishops believed that coexistence with the Nazi regime was possible, and which did not trust the government from the beginning; when did they make these decisions; what influence did they have on other bishops at that time?

The bishops maintained united opposition to Nazism through the March 5 Reichstag elections. Faulhaber had already completed his Lenten pastoral letter by this time and refused to change it “in order to show that the principles of the Christian doctrine of the state do not change when the governments change.”<sup>22</sup> Leading up to the March 5 elections, in which the Nazi Party won 43.9% of the vote, the Fulda Bishops’ Conference reminded Catholics to “vote for candidates, whose character and proven positions give proof of their advocacy for peace and the social welfare of the people, for the defense of confessional schools, the Christian religion and the Catholic Church. Beware of agitators and parties that are not worthy of the confidence of the Catholic people.”<sup>23</sup> This was the episcopate’s traditional veiled language used to recommend Catholic support the Center Party or Bavarian People’s Party, and all Catholic associations and clubs offered powerful support for the Center during this campaign. Protestant historian Klaus Scholder correctly noted, “a survey of these first weeks before 5 March clearly reveals that German Catholicism as a whole continued the closed front against National Socialism which it had

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<sup>21</sup> Declaration of the German Bishops, March 28, 1933, in Stasiewski, *Akten* I, 31.

<sup>22</sup> Michael Faulhaber, quoted in Scholder, *Churches* 239.

<sup>23</sup> Declaration of the Fulda Bishops’ Conference, February 20, 1933, in Stasiewski, *Akten* I, 6.

formed after the September 1930 elections...Catholicism still represented an ideological block of imposing unanimity.”<sup>24</sup>

The episcopate’s uniformity began to diminish after these elections. While the Nazi Party had received a large plurality of the popular vote, their coalition partner, the German Nationalist People’s Party (DNVP) earned only 8%, giving the coalition a very slim majority in the Reichstag. In addition, the Communist Party received 12.3% of the vote, the Social Democratic Party 18.3%, and the Center Party combined with its Bavarian counterpart, the Bavarian Peoples’ Party (BVP), 13.9%, though the Communist Party was weakened significantly after Hitler ordered the arrest of every Communist representative after a fire destroyed the Reichstag building just six days before the election. Therefore, the Center Party would play a decisive role in Hitler’s forthcoming legislative efforts and his attempts to gain dictatorial power “legally” in 1933, since the Enabling Law was considered to be a constitutional amendment and required a two-thirds majority.<sup>25</sup>

The rapid succession of events between March and April 1933—the passage of the Enabling Law, the German episcopate’s retraction of their condemnation of Nazism, and the beginnings of the negotiations of the Concordat—has fueled a vivid scholarly debate, most notably between the Protestant Klaus Scholder and the Catholic Konrad Repgen, which began during the 1960s. As mentioned above, they disagree on the extent to which links between Ludwig Kaas, the chairman of the Center Party and professor of canon law, the episcopate, and the Vatican led to a quick reversal of Church policy and the reasons for the Church’s acquiescence to the Third Reich in 1933. Scholder asserted that Kaas and Pacelli preferred to work with dictatorships as opposed to often unpredictable democracies, since they would usually provide a more stable buffer against Communism.<sup>26</sup> Faulhaber’s report on his visit to the Vatican on March 10 provides early evidence of this thesis.<sup>27</sup> He had a private audience with the pope, after which he:

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<sup>24</sup> Scholder, *Churches*, 239.

<sup>25</sup> Gerhard Besier and Francesca Piombo, trans. W.R. Ward, *The Holy See and Hitler’s Germany* (New York: Palgrave Macmillan, 2007), 107.

<sup>26</sup> Scholder, *Churches*, 248.

<sup>27</sup> Faulhaber to the Bavarian Episcopate, March 24, 1933, in Stasiewski, *Akten I*, 17.



found, despite everything, a greater tolerance with regard to the new Government [than during his earlier visits to Rome]. It is today, moreover, not only in possession of power but it has reached that position by legal methods: indeed it could be said that no revolutionary party has ever come to power in so regular a way. Let us meditate on the words of the Holy Father [Pius XI], who, in a consistory, without mentioning his name, indicated the confidence before the whole world in Adolf Hitler, the statesman who first, after the Pope himself, has raised his voice against Bolshevism.<sup>28</sup>

Faulhaber saw Bolshevism as a much greater threat to the Church than Nazism and clearly supported Pius XI's view of Hitler in early March. This proves the Vatican succumbed to Nazi propaganda and exerted at least informal influence on the bishops leading up to the decisions of late March, and Pius XI's statements to Faulhaber are early indications that the Vatican wanted the bishops to change their position towards Nazism, which firmly supports Scholder's thesis.

Scholder presents strong evidence for his argument in the memoirs of former Chancellor Heinrich Brüning and an article written by Kaas. Brüning, the Center chancellor of Germany from 1930-2, claimed that Pacelli believed "all successes could only be attained by papal diplomacy. The system of concordats led him and the Vatican to despise democracy and the parliamentary system... Rigid governments, rigid centralization, and rigid treaties were supposed to introduce an era of stable order, an era of peace and quiet."<sup>29</sup> Thanks to Kaas's involvement, according to Scholder, "the plan for the Concordat [in the same vein as the Italian-Vatican Lateran Treaty of 1929] plays an important role already in March and contributed importantly to the decision of the Center Party of March 23 and to the statement of the bishops of March 28."<sup>30</sup> He used a letter dated March 23 from the Lutheran Hermann Kapler, President of the German Protestant Church Federation, to Paul von Hindenburg, the Reich President, to confirm his point. In it, Kapler wrote:

According to reports, the discussions in connection with the negotiations over acceptance of the Enabling Act with representatives of the Catholic church interests, political or ecclesiastical, are in the balance over the question of a guarantee of the legal status of the Catholic church in

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<sup>28</sup> Ibid., translation in Biesinger, "Reich Concordat," in Coppa, *Controversial Concordats*, 128-9.

<sup>29</sup> Quoted in William Patch, *Heinrich Brüning and the Dissolution of the Weimar Republic* (Cambridge: Cambridge University Press, 1998), 295.

<sup>30</sup> Carsten Kretschmann, "Eine Partie für Pacelli? Die Scholder-Reppen Debatte," in Thomas Brechenmacher, *Das Reichskonkordat 1933: Forschungsstand, Kontroversen, Dokumente* (Paderborn: Ferdinand Schöningh Verlag, 2007), 21.

Germany arising out of the Reich constitution, and especially over the question of a Reich concordat to safeguard this legal status.<sup>31</sup>

Kapler went on to ask Hindenburg “to intervene ‘for safeguarding the interests of the Protestant church to an equal degree.’”<sup>32</sup> He also reminds readers that Ludwig Kaas, who had written earlier that the Church should support authoritarian regimes and had pressured Brüning with Pacelli’s support to make an alliance with the right-wing parties including the Nazis, left Berlin quickly on March 24 on a train bound for the Vatican, on which Vice-Chancellor Franz von Papen was also a passenger. Scholder concluded this must have been “a quite specific announcement of an imminent initiative by the Reich government in the Reich concordat affair—which then only ten days later, on 2 April, appeared on the official record for the first time.”<sup>33</sup>

Reppen relies on the notes of the Jesuit Robert Leiber, a close advisor of Pacelli, and also the accounts of Center Party politicians who hesitated to support the Enabling Act to prove that the Vatican had no preference towards dictatorships, and that by June, many Catholic leaders saw the Reich Concordat as a defense mechanism, not as a sign of goodwill towards the regime. First, Leiber wrote to Conrad Gröber, the archbishop of Freiburg, on April 20, reasserting the Vatican’s stance against a “complete depoliticization of the general clergy,” which would later become a key component of the Concordat.<sup>34</sup> Second, Leiber wrote to Pacelli on June 29, expressing genuine concern that the Center Party would meet the same fate as the right-wing coalition partner of the Nazis, the German National People’s Party, which dissolved itself on June 27.<sup>35</sup> As stated above, the minority of Center Party delegates who did not endorse the Enabling Act directly after Hitler’s March 23 speech eventually voted for it not out of a promise of a concordat, but rather out of fear for their own safety after seeing members of the SA line the hallways outside of the Reichstag. Reppen concludes that Pacelli wanted to negotiate with the Third Reich, but to do so without any time constraints. Pacelli felt a “pistol against his head”

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<sup>31</sup> Scholder, *Churches*, 246-7. For Kaas’s and Pacelli’s pressuring of Brüning, see Patch, *Brüning*, 189, 224..

<sup>32</sup> *Ibid.*, 247.

<sup>33</sup> *Ibid.*, 250.

<sup>34</sup> Konrad Reppen, “P. Robert Leiber SJ, Der Kronzeuge für die Vatikanische Politik beim Reichskonkordat 1933: Anmerkungen zu meiner Kontroverse mit Klaus Scholder 1977-1979,” in Brechenmacher, *Reichskonkordat*, 30.

<sup>35</sup> *Ibid.*, 31.

from Hitler and decided with the bishops after the passage of the Enabling Act that in spite of its inevitable consequences, a concordat would “facilitate their goal of efforts for the protection of the endangered Catholic milieu” in Germany.<sup>36</sup>

The opening of the Vatican archives for the papacy of Pius XI, including Pacelli’s tenure as cardinal secretary of state, only has added fodder to this fierce historical debate. Hubert Wolf does provide concrete evidence from these new documents, which debunks Scholder’s belief that the Vatican played a critical role in orchestrating the Center’s and bishops’ concessions to the Third Reich. Faulhaber wrote a lengthy letter to Pacelli in mid-March outlining the praiseworthy and disturbing aspects of Nazism, after which Faulhaber concluded that he could foresee a retraction of the condemnation of Nazism, so long as “the new government continues to remain strong in the battle against advancing Bolshevism and public immorality.”<sup>37</sup> Pius told Pacelli on March 28, without knowledge of the bishops’ retraction of that same day, that he should speak confidentially with the German episcopate, but “the bishops’ path may not be blocked.”<sup>38</sup>

Gerhard Besier, a supporter of Scholder’s thesis, does note that Pacelli broke with protocol, and instructed the papal nuncio in Munich, Vassallo di Torregrossa, on March 29 to convey a message to Faulhaber, before he had learned of the bishops’ statement of the previous day. According to Pacelli, “it could be appropriate [to formulate] for clergy and the faithful new guidelines on the attitudes of Catholics towards the National Socialists...naturally with the necessary caution and reserve for the future.”<sup>39</sup> This is highly unusual for Pacelli, who tended to keep his personal beliefs hidden during most other decisions as cardinal secretary of state and pope. This instance shows his frustration with the bishops who hesitated to change their attitudes towards Nazism. This seems to be very strong evidence for Scholder’s argument. Faulhaber did offer some skepticism of the Third Reich and told the pope during his meeting of March 10, that Papen is a good Catholic, but the Church would only be protected “as long as Hindenburg

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<sup>36</sup> Ibid., 34-5.

<sup>37</sup> Hubert Wolf, trans. Kenneth Kronenberg, *Pope and Devil: The Vatican’s Archives and the Third Reich* (Cambridge, MA: The Belknap Press of the Harvard University Press, 2010), 164. Unfortunately, the letter is undated.

<sup>38</sup> Ibid., 167.

<sup>39</sup> Besier, *Holy See*, 115-6.

lives.”<sup>40</sup> He may not have agreed fully with Pius XI during this meeting, but Faulhaber at least heard the somewhat subtle hint from the Pope to reconsider the merits of Nazism. Before the bishops decided to retract their condemnation of Nazism on March 28, they had heard the pope’s praise of Hitler as an opponent to Bolshevism and had received an exaggerated report from papal nuncio to Berlin, Cesare Orsenigo, after the March 5 election that misrepresented the number of Catholics fleeing the Center Party to the Nazi Party. The Vatican may not have had any direct involvement in the episcopate’s decision to alter its views of Nazism, but it had certainly hinted to the bishops that they should reconsider their position.

The pressure for the bishops to alter their position on Nazism came from internal German sources even more so than from the Vatican. On March 22, the *Völkischer Beobachter*, the Nazi Party newspaper, informed its readers that the German episcopate forbade leaders and members of the Nazi Party from receiving the sacraments, and that their failure to retract these admonitions forced Hitler to skip a celebratory Mass in Potsdam on March 21.<sup>41</sup> Coming from the Nazi newspaper, this claim must be taken lightly, and Hitler did not begin to attend Mass after the reconciliation between the bishops and the Nazi Party. Following Hitler’s statement to the Reichstag on March 23, Bertram initiated a discussion with the members of the Fulda Bishops’ Conference and Faulhaber on March 24. He included a draft of a statement, in which he declared the bans on and warnings against the Nazi Party “as no longer necessary.”<sup>42</sup> In his message to the Bavarian episcopate, also on March 24, Faulhaber encouraged his bishops to develop a statement together, which, in light of Hitler’s statements the day before, “would have to make it clear [to Hitler] that the bishops do not fight against people, but rather against the false teachings of National Socialism.”<sup>43</sup> Like Bertram, Faulhaber also emphasized the importance of uniformity in the bishops’ actions, a theme that would define the meetings and decisions of the German episcopate through the Third Reich. It is also possible that the episcopate’s efforts at continued resistance

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<sup>40</sup> Faulhaber’s Minutes of an Audience with Pius XI, March 10, 1933, in Ludwig Volk, *Akten Kardinal Michael von Faulhabers I* (Mainz: Matthias-Grünewald Verlag, 1975), 660.

<sup>41</sup> Stasiewski, *Akten I*, 14-15f.

<sup>42</sup> Bertram to the Members of the Fulda Bishops’ Conference and Faulhaber, March 24, 1933, in Stasiewski, *Akten I*, 16f.

<sup>43</sup> Faulhaber to the Bavarian Episcopate, March 24, 1933, in Stasiewski, *Akten I*, 17.

to the Party “would be very difficult to explain to the Catholic masses, who implicitly accepted Hitler’s pledges” by this time.<sup>44</sup> By March 24, the leaders of the German episcopate had been convinced to reconsider their stance on Nazism because of Hitler’s statements on March 23 and Pius XI’s appraisal of Hitler as a strong opponent of Bolshevism, not because of any direct intervention on the part of the Vatican.

Individual bishops under Bertram’s and Faulhaber’s leadership had mixed reactions to Hitler’s speech and the episcopate’s possible revision. Konrad von Preysing, Bishop of Eichstätt from 1932-5, wrote critically to Faulhaber after March 25, “These bans and warnings expire, because and as long as this clarification is decisively for the program of the National Socialist movement.”<sup>45</sup> On April 2, Preysing reaffirmed, “We are in the hands of criminals and fools.”<sup>46</sup> On the other hand, Bishop Wilhelm Berning of Osnabrück conceded, “If we want to hold onto influence, then we must enter into the Party.”<sup>47</sup> Bishop Michael Buchberger of Regensburg stood in the middle of these two positions. He wrote to Faulhaber, “the statement of the Reich Chancellor at the opening of the Reichstag is very deserving of thanks, and his determination to fight Bolshevism in its many forms with all energy, deserves highest praise.”<sup>48</sup> Buchberger also limited his support of the bishops’ revision. He went on to warn that:

This is just words...Many of our best Catholics are robbed riotously of their jobs, many languish in custody like convicts, they have sent others packing like criminals, and as of yet nothing has happened to restrain or atone for this excess. We must not abandon our true Catholic people and its leaders now...Therefore, I must not approve of the directive of Cardinal von Breslau [Bertram], as it presents itself now.<sup>49</sup>

This distinction between words and deeds stands out from the comments of some other bishops who distinguished between Hitler’s involvement in the decisions of the Party and that of the radical ideologues

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<sup>44</sup> J.S. Conway, *The Nazi Persecution of the Churches 1933-45* (New York: Basic Books, Inc., 1968), 21.

<sup>45</sup> Preysing to Faulhaber, after March 25, 1933, in Volk, *Faulhabers I*, 679.

<sup>46</sup> Stephan Adam, *Die Auseinandersetzung des Bischofs Konrad von Preysing mit dem Nationalsozialismus in den Jahren 1933 bis 1945* (St. Ottilien: EOS Verlag, 1996), 24.

<sup>47</sup> Klemens-August Recker, “*Wer wollt ihm glauben?*” *Bischof Berning in Dritten Reich* (Paderborn: Ferdinand Schöningh, 1998), 52.

<sup>48</sup> Buchberger to Faulhaber, March 27, 1933, in Stasiewski, *Akten I*, 27. “*Aber vorläufig sind das nur Worte....Viele unserer beste Katholiken sind tumultuarisch ihrer Stellungen beraubt worden, viele schmachten in Haft wie Sträflinge, andere hat man fortgejagt wie Verbrecher und noch ist nichts geschehen, um solche Ausschreitungen hintanzuhalten oder wiedergutzumachen. Wir dürfen unser treu katholisches Volk und seine Führer jetzt nicht im Stiche lassen. Daher könnte ich die Pastoralanweisung des Herrn Kardinals von Breslau, so wie sie jetzt vorliegt, noch nicht unterzeichnen.*”

<sup>49</sup> *Ibid.*

who advocated an entirely unchristian worldview. Faulhaber made this distinction clear in his letter to Pacelli on March 28, the same day the bishops lifted their condemnation of Nazism. In his eyes, “official Nazism” used the press and public statements to discourage opposition, such as the article from the *Völkischer Beobachter* and Hitler’s Reichstag speech of March 23 mentioned above.<sup>50</sup> Meanwhile, “vulgar National Socialism” removed Catholics from their positions in the civil service with brutal force, claiming that they stood in the way of the national revolution and its policy of coordination [*Gleichschaltung*].<sup>51</sup> This theme will reappear later in some of the most questionable Catholic bishops during the Third Reich.

In spite of these mixed responses, Bertram reported to all of the German bishops, not just the members of the Fulda conference, on March 27 that “the vote of the most revered members of the Fulda Bishops’ Conference has yielded a pleasant agreement.”<sup>52</sup> He attached with this letter a draft of the statement removing the ban on the Nazi Party, which concluded with a weak reminder of what aspects of the bishops’ previous condemnation of Nazism would remain in effect:

In effect remains the appeal, so often repeated to Catholics in solemn statements, to step in and be ready to sacrifice yourself for peace and the social welfare of the people, for the defense of the Christian religion and morals, for the freedom and rights of the Catholic Church, and the defense of confessional schools and Catholic youth organizations.

In effect remains also the warning to all political and similar associations to display reverence for the House of God by avoiding anything that appears to be a political or party-related demonstration and could there cause offense in the House of God and at Church functions, the appeal to the political and similar associations and organizations to avoid whatever appears to be political or party-related [*parteimäßige*] demonstrations and therefore can arouse a reaction in the Lord’s house and during Church functions out of reverence for the same.

In effect remains finally the call, repeated so often and insistently, to intervene always with farsighted care and with true sacrificial unity for the expansion and effectiveness of Catholic organizations, whose work is extremely beneficial for the Church, the people, and the fatherland, for Christian culture and social peace.<sup>53</sup>

It is important to note the legalistic style of this conclusion to the bishops’ new policy. The prose is confusing, and the grammar is difficult to understand. This passage is very difficult to translate into

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<sup>50</sup> Faulhaber to Pacelli, March 28, 1933, in Volk, *Kirchliche Akten*, 5.

<sup>51</sup> *Ibid.*, 6-7.

<sup>52</sup> Bertram to the German bishops, March 27, 1933, in Stasiewski, *Akten I*, 29.

<sup>53</sup> Statement of the German bishops, March 28, 1933, in Stasiewski, *Akten I*, 32.

English, which reinforces how hard it would be for a native German to understand fully. This tone is especially interesting, because the German episcopate had no legal authority even under canon law. It was instead to guide German Catholics to moral righteousness. Bertram saw the bishops as lawyers and judges, not as moral leaders and shepherds, and his frequent use of nouns over verbs signals how anxious he was to obscure the bishops' surrender to the Nazis. Bertram wrote to Gröber on the same day that he was certain that these three sentences would prove "that this statement is by no means a complete endorsement of National Socialism."<sup>54</sup> The very fact that Bertram felt it was necessary to clarify this to Gröber should have signaled to him that his statement could very well be interpreted as an endorsement of Nazism by the Catholic populace.

#### D. The Bishops' Responses to Early Nazi Offenses and Policies

In the midst of all of this correspondence between the bishops, the Nazi Party organized and executed its first anti-Semitic acts: the largely ineffective April 1 boycott of Jewish businesses and the April 7 Law for the Restoration of the Professional Civil Service. On April 1, Nazis hung posters on the doors of Jewish businesses and offices, reading, "Germans, defend yourselves, don't buy from Jews!" and "Beware, danger to life, Jews out, beware Itzig, go to Palestine."<sup>55</sup> These were nothing more than words, though, so many Germans still entered the boycotted stores.<sup>56</sup> The April 7 law banned political opponents, including Jews, from serving as teachers, judges, lawyers, and later, physicians, as long as they were not veterans of World War I.<sup>57</sup>

To a modern reader, these events of April 1933 would seem to be the epitome of an instance when the Church hierarchy should intercede and condemn. The German episcopate of 1933, still fearing backlash from the Reich government, had a very limited response to these outrageous policies. Pacelli did ask Orsenigo on April 4 to follow the Vatican's tradition of protecting "peace and Christian love towards all men, whatever their social position or religion," and charged him with looking "into whether

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<sup>54</sup> Bertram to Gröber, March 27, 1933, Stasiewski, *Akten* I, 31f.

<sup>55</sup> Michael Burleigh and Wolfgang Ippermann, *The Racial State: Germany 1933-1945* (Cambridge: Cambridge University Press, 1991), 77.

<sup>56</sup> *Ibid.*, 78.

<sup>57</sup> *Ibid.*

and how it may be possible to become involved” with the protection of the targeted German Jews.<sup>58</sup>

Orsenigo responded that anti-Semitism had become entrenched deeply into the German government and feared that intervention by the Vatican could “be interpreted as ‘a protest against that government’s law,’” no matter the moral force behind a decision to act.<sup>59</sup> In a letter, which has been quoted frequently in modern scholarly writing, Faulhaber responded to Pacelli’s statements and reaffirmed Orsenigo’s comments when he wrote on April 10:

We bishops are presented with the question at this time: why does the Catholic Church not step in for the Jews, as so often in Church history. This is not possible right now, because the fight against the Jews would then become a fight against Catholics and because the Jews can help themselves, as shown by the quick abandonment of the boycott. The fact, that those, who have been baptized and good Catholics for ten or twenty years and whose parents were already Catholic, are legally counted as Jews and should lose their positions as doctors or lawyers, is illegal and shameful.<sup>60</sup>

Faulhaber did note the possibility of a Nazi attack on the Church as negotiations of the Concordat began, which lends some support to Repgen’s argument. When Faulhaber noted how quickly the boycott ended, however, he proved his allegiance to the falsified conspiracy theories, which were prevalent at that time, about Jewish connections to wealthy financiers and the international press. This comment is especially interesting coming from an archbishop, who had supported so willingly in the late 1920s the *Amici Israel*, a group of Catholic clergymen seeking to convert Jews and to reconcile Catholicism and Judaism.<sup>61</sup> As a supporter of this organization, Faulhaber agreed to emphasize the Old Testament while training his clergy and “pledged to admonish pastors...to avoid careless formulations in their sermons that might be interpreted as anti-Semitic.”<sup>62</sup> Unfortunately, Faulhaber’s disappointing letter to Pacelli and a brief repetition of this concern for baptized Jews at the April 20 meeting of the Bavarian Bishops’ Conference are some of the very few responses to these atrocities by the bishops.<sup>63</sup>

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<sup>58</sup> Peter Godman, *Hitler and the Vatican: Inside the Secret Archives that Reveal the New Story of the Nazis and the Church* (New York: Free Press, 2004), 33.

<sup>59</sup> *Ibid.*

<sup>60</sup> Faulhaber to Pacelli, April 10, 1933, in Volk, *Kirchliche Akten*, 11.

<sup>61</sup> Wolf, *Pope and Devil*, 89.

<sup>62</sup> *Ibid.*, 89-90.

<sup>63</sup> Protocols of the Conference of the Bavarian Episcopate, April 20, 1933, in Stasiewski, *Akten I*, 68. It is important to draw a distinction between the responses to the episcopate and those of parish priests. There are instances of priests, such as Monsignor



The bishops' limited responses to the Nazis ignored direct violations of Catholic moral teachings. The Third Reich enacted the Law for the Prevention of Hereditarily Diseased Offspring in July 1933, which mandated compulsory sterilization if a kangaroo court determined that a subject presented symptoms of certain "hereditary" diseases. In response to discussion of this law during the May 30-June 1 conference, the first meeting of the entire episcopate, the German bishops merely repeated the words of Pius XI in his 1930 encyclical, "Casti connubii," in which the Pope spoke out against eugenics, abortion, and artificial birth control. The bishops concluded in 1933, "Another route must be sought to protect our people from the transmission of abnormal dispositions and to obstruct them from the danger of degradation."<sup>64</sup> This response is hardly surprising given Nuncio Pacelli's response to attacks on Catholic moral teachings on eugenics and the sanctity of life. In 1928, Joseph Mayer, a Catholic theologian at the University of Freiburg, advocated sterilization of the mentally ill. Pacelli recognized this as an "erroneous" teaching but did not recommend any sanction out of fear of anti-Vatican propaganda, even after the publication of "Casti connubii" in 1930.<sup>65</sup> Besier points out that Pacelli's and the episcopate's lack of a strong response to the 1933 sterilization law should not be surprising given his weak response to a Catholic theologian during his tenure as nuncio.<sup>66</sup> The bishops, with some limited guidance by the Vatican, failed to develop a coherent and strong protest to Nazi plans, such as the sterilization law, that directly contradicted Catholic moral teachings, so it should come as no surprise that the Church had a limited response as well to early anti-Semitic policies, as depressing as that may be.

#### E. The *Reichskonkordat*

After this muddled revision on the part of the German episcopate, the Catholic Church began discussions of a concordat with the Third Reich. Bertram began a flurry of correspondence with government officials, including Hitler himself, asking for the protection of Catholic organizations. He

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Lichtenberg, who, as noted in the introduction, spoke out very strongly against the Nazis' human rights violations. They also paid a much higher price for their actions, with countless priests being shipped to concentration camps like Dachau and dying in custody.

<sup>64</sup> Agenda of the [First] General Conference of the German Episcopate, May 1933, in Stasiewski, *Akten* I, 195, and Attachment to the Protocols of the General Conference of the German Episcopate: Sterilization Law, June 1, 1933, in Stasiewski, *Akten* I, 224.

<sup>65</sup> William Patch, "The Catholic Church, the Third Reich, and the Origins of the Cold War: On the Utility and Limitations of Historical Evidence," *The Journal of Modern History* 82 (June 2010), 400.

<sup>66</sup> Besier, *Holy See*, 65-6.

wrote to Hindenburg already on March 10, “the time has come, when we [bishops] must turn to the leader of the Reich with an appeal of defense for the Church and churchly life and works.”<sup>67</sup> Hitler replied to Bertram’s frequent letters, “I can assure you, Cardinal, that as long as such organizations do not cultivate any party political or adversarial tendencies to the current regime,” that they would be protected.<sup>68</sup> Hitler reinforced his desire to use the Christian churches of Germany to serve as a moral buffer against the Bolshevik threat. That, it seems, convinced Bertram. The brief mentions of concern for converted Jews had also yielded to the general concern of the bishops for Catholic associations, schools, civil servants, and the rights of the Church as an institution, and these issues would be the most important and, in some cases, most controversial passages of the Concordat later that year.

The negotiations of the Concordat first began on April 9 in Rome between Pacelli, Kaas, Franz von Papen, and Hermann Göring, president of the Reichstag and Prime Minister of Prussia. Berning and Gröber were the Vatican’s chief liaisons to the German episcopate on the Concordat, and since the bishops waited to discuss it as a whole conference until late May, they did not learn of the most controversial aspects of the Concordat until then.<sup>69</sup> The Reich Concordat would be a supplement to the existing concordats with Prussia, Baden, and Bavaria. Article 11 assured the continuity of current diocese boundaries, but it also included a detail for communication between the Reich and the Vatican in case of any “(territorial) reorganization within the German Reich” to determine new boundaries.<sup>70</sup> Bishops had to swear an oath of allegiance to the German Reich upon their installation according to Article 16. Catholic religious education should place emphasis on “inculcating a patriotic, civil, and social sense of duty in the spirit of the Christian faith and the moral code,” and the Church and the Reich must agree on the appointment of Catholic religious teachers. The Third Reich conceded to the Vatican on the issue of episcopal permission for “emergency” marriages in Article 26 and on the issue of an army bishop in Article 27. Pacelli had tried and failed to get either of these included in any previous discussions with a

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<sup>67</sup> Bertram to Hindenburg, March 10, 1933, in Stasiewski, *Akten* I, 8.

<sup>68</sup> Hitler to Bertram, April 28, 1933, in Stasiewski, *Akten* I, 64f.

<sup>69</sup> *Ibid.*, 131.

<sup>70</sup> Reich Concordat between the Holy See and the German Reich, July 20, 1933, available at [http://www.concordatwatch.eu/showkb.php?org\\_id=858&kb\\_header\\_id=752&kb\\_id=1211](http://www.concordatwatch.eu/showkb.php?org_id=858&kb_header_id=752&kb_id=1211) (accessed March 24, 2011).

German national government, so this is part of the reason the Vatican found the Concordat attractive. This appears to be a small concession by the Nazis compared to what the Church offered in Articles 31 and 32. With extremely vague language, Article 31 protected those Catholic organizations that exercised “exclusively charitable, cultural, or religious purposes” and allowed the Reich to incorporate those organizations that had “social or professional tasks” in addition to their religious goals at a later date. This article only included a provision for the Reich and German episcopate to determine a list of such organizations later, though this discussion never yielded a resolution. This vague language gave state authorities much freedom in determining which organizations were political and left a loophole through which non-police state organizations, like the German Workers’ Front and the Hitler Youth, could discriminate against Catholics. Finally, in Article 32, “the Holy See will enact regulations to exclude the clergy and members of religious orders from membership in political parties and from working on their behalf.”<sup>71</sup>

At the opening of the negotiations of the Concordat, this was a crucial concession by the Vatican, considering the enduring strength of the Center Party. Pacelli likely intended to use the existence of the party as a bargaining chip and offer its dissolution for better conditions in Article 31.<sup>72</sup> Political pressure increased drastically between April and June 1933, when the German National People’s Party (DNVP) dissolved on June 27, followed shortly by the Center on July 5. With the dissolution of the Center Party, Pacelli lost his leverage to insist on better conditions of Article 31, such as a detailed list of protected organizations, and the negotiations ended on July 20. The Reich agreed to avoid interference in religious affairs, though it remains questionable how neutral the newly dictatorial Hitler could remain in the religious realm and how separated politics and religion can be. For the Church, the Concordat protected many of its rights that it feared losing after hearing of news of anti-clerical measures in Mexico and the USSR in the 1920s and 1930s. Churches remained open; the Reich remained neutral in the selection of bishops; and priests could continue to perform the sacraments, a crucial duty of the clergy to protect

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<sup>71</sup> Ibid.

<sup>72</sup> Biesinger, “Reich Concordat,” in Coppa, *Controversial Concordats*, 135.

Catholics from damnation. At the same time, the restriction on any political statements by the Church remained vague and controversial. The Reich could perceive any question of its policies by the Church not related directly to the Concordat as a violation of the treaty's terms. Such fear of retaliation by the Reich would continue to haunt the episcopate through World War II and limit its responses to blatant Nazi atrocities.

In the midst of the negotiations of these articles, the first meeting of the entire German episcopate took place between May 30 and June 1, 1933. That this was the first conference of its kind since 1848 implies that the bishops realized how unusual and precarious their position and that of the Church were in the Third Reich. The purpose of this session was to attempt to come to agreement on some of the pressing issues facing the episcopate, such as the Concordat, which the bishops discussed publicly for the first time at this conference by Gröber.<sup>73</sup> He reported to the conference that the negotiators in Rome were nearing completion of the text of the concordat, to which Cardinal Karl Joseph Schulte of Cologne responded, "The government is a revolutionary government; law and order do not exist at this time. One may not conclude a concordat with such a government."<sup>74</sup> Preysing offered another straightforward and honest critique of how the bishops should respond leading up the negotiations of the Concordat. He asked that the bishops not refer to "the new order" or "the new state," because "the new state is equated by its founders with the National Socialist Party. It has therefore, foundations that are not compatible with our world view."<sup>75</sup> He added that he thought the bishops' statements since March 28 had been misleading and confusing to Catholic Nazis, and he concluded, "we find ourselves facing a similar danger like the era of modernism... Today the words God, Christ, morality, and law have been robbed of their meaning and given a diluted, or rather a perverted meaning."<sup>76</sup> Clearly a meeting of the general episcopate would not produce simple unity in their opinions.

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<sup>73</sup> Protocols of the [First] General Conference of the German Episcopate, May 30-June 1, 1933, in Stasiewski, *Akten I*, 197; Biesinger, "Reich Concordat," in Coppa, *Controversial Concordats*, 128.

<sup>74</sup> Gröber and Schulte quoted in *Ibid.*

<sup>75</sup> Preysing to the Fulda Bishops' Conference, May 31, 1933, in Stasiewski, *Akten I*, 238.

<sup>76</sup> *Ibid.*

Schulte's and Preysing's comments are crucial to understand the history of the Concordat, since Gröber assured the Vatican that "there was agreement 'among the bishops, the clergy and leading lay people that the concordat had to be concluded, and the sooner the better.'" <sup>77</sup> He added, "I believe that even a harsh prohibition of the political activity of the clergy will be readily tolerated if it succeeds in saving our organizations." <sup>78</sup> Gröber's blatant disregard for the individual disagreements within the episcopate calls into question the validity of many of his statements and the reasoning behind his selection by the Vatican as a special envoy to the Vatican on behalf of the entire episcopate, since they knew he already supported the Vatican's earlier concordat policy with the states. <sup>79</sup> There was support within the episcopate for the concordat, however. Berning asserted that the defense of confessional schools "must come through a Reich concordat." <sup>80</sup> Such a document would be the only way to guarantee the existence of confessional schools and to prevent the infiltration of Protestant ideas into textbooks, according to Berning. With some notable and vocal exceptions, the bishops seemed to be willing to sacrifice many aspects of Church life, which may have vague political undertones, in order to protect the existence of the Church. In the pastoral letter of the German episcopate, drafted on June 3, the bishops "welcomed the 'national awakening' and enthusiastically would support the new regime under the condition that it recognize the rights and freedom of the Church and its insistence on confessional schools and the right of existence of its organization." <sup>81</sup> A modern reader with any basic knowledge of the Third Reich can look back with hindsight and declare easily that the Nazi Party would not stop its war against the Church there.

The bishops offered their complaints about the violations of expected terms of the Concordat throughout its negotiation, which began in early April and continued through June, to both the Vatican and the Reich government. They registered many complaints with the government regarding assaults on religious Church institutions, but the majority of the bishops never opposed the Concordat openly, in spite

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<sup>77</sup> Gröber to Pacelli, July 3, 1933, in Scholder, *Churches*, 400.

<sup>78</sup> Ibid.

<sup>79</sup> Gröber to Pacelli, March 18, 1933, in Stasiewski, *Akten I*, 9.

<sup>80</sup> Berning quoted in Scholder, *Churches*, 233.

<sup>81</sup> Biesinger, "Reich Concordat," in Coppa, *Controversial Concordats*, 127.

of the direct contradictions of these actions to Hitler's March 23 Reichstag speech. It appears that the bishops had more faith that the strongly Protestant Reich President Hindenburg would protect the rights of the Catholic Church in Germany than the Catholics, like Franz von Papen, and they hoped their petitions would make their way to Hindenburg. There is little to no evidence of this happening, though. On June 25, Bertram wrote to Hitler, thanking him for and reminding him of his assurance of April 28 that nothing would happen to those purely religious Catholic organizations. He went on to assert that he felt comfortable reporting some violations of this policy by Nazis to Hitler, whom he felt sure would listen to this appeal.<sup>82</sup>

The increasing restrictions on Church organizations continued in spite of Bertram's communication with Hitler and officials in Berlin. The German Labor Front classified the Catholic Workers' Association (*Katholische Arbeitervereine*) as subversive on June 22, an "erroneous opinion" in Bertram's mind.<sup>83</sup> Rather, the KAV is "a strong force against movements of godlessness, Marxism, and Bolshevism," the very doctrines against which Hitler thought the churches should fight alongside the Reich.<sup>84</sup> Faulhaber wrote to the Bavarian party administration on July 5 to complain about intrusions on the Church's independence. "On June 28," for example, "the bank accounts of Catholic organizations and associations were restricted through a radio message of the Bavarian political police. In some places this block was expanded to the accounts of monasteries and clergy, even to the archiepiscopal treasury in Munich, a purely religious site."<sup>85</sup> Faulhaber reminded the Bavarian government that the bishops clarified their position of being willing to work together with the national government and recognized thankfully the attempts by the Nazi regime to counteract godlessness in Germany, such as sexual exhibitionism and nudism, in order to counteract these anticlerical policies. These are, of course, just a few of many examples of Nazi attacks on the Catholic Church in the early months of the Third Reich.

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<sup>82</sup> Bertram to Hitler, June 25, 1933, in Stasiewski, *Akten* I, 255.

<sup>83</sup> *Ibid.*

<sup>84</sup> *Ibid.*, 256.

<sup>85</sup> Faulhaber to the State Minister of Bavaria, July 5, 1933, in Stasiewski, *Akten* I, 258.

Correspondence and decisions made between the episcopate and the Vatican expose a lack of interest by the Holy See in considering the input of the bishops during this period. During the negotiation of the Concordat, the Vatican selected Archbishop Gröber along with Bishop Berning as its primary lines of communication to the German episcopate. Berning met with Hitler on April 26, and he became convinced of Hitler's good intentions then and later joined the largely nominal Prussian State Council [*Staatsrat*] at Göring's request.<sup>86</sup> Gröber had expressed his strong support of a Reich Concordat to Pacelli, Leiber, and Kaas before his visit to Rome in mid-May and had professed his belief that the Nazi Party was the only bulwark against Bolshevism in 1933.<sup>87</sup> The Vatican entrusted Gröber with the delivery of a draft of the Concordat to the episcopate. Bertram, who would appear to be the natural choice as the intermediary between the Vatican and the episcopate, had expressed his concerns about the Reich government to Pacelli and warned him of Franz von Papen's conniving attitude and his simple regurgitation of Nazi propaganda.<sup>88</sup> That the Roman Curia kept its contents hidden from the bishops until their general meeting in May and that it used a known advocate of the Concordat to relay it proves that the Vatican did not have a strong intention of listening to the bishops' comments about the Concordat. They had basically already made up their mind, a key point supporting Scholder.

The bishops continued to offer their input about the Concordat, though, in spite of the Vatican's removed stance towards the episcopate. On June 27, the Vatican received a lengthy list of suggestions for amendments to the text of the concordat. The bishops focused among other things on the rights of confessional schools and the criteria by which a Catholic organization could be judged as political. "Catholic religious education" at all levels, suggested the bishops, "is a proper discipline and is chartered in accordance with the principles of the Catholic Church."<sup>89</sup> In response to the clauses of Articles 31 and 32, which depoliticized the clergy and Catholic organizations, the bishops wanted to insert a protection of the rights of the clergy to participate in politics and reminded the Vatican "the equality of civic rights

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<sup>86</sup> Recker, *Wer wollt ihm glauben?*, 56-62.

<sup>87</sup> Scholder, *Churches*, 392-3.

<sup>88</sup> Bertram to Pacelli, June 23, 1933, in Volk, *Kirchliche Akten*, 68.

<sup>89</sup> Amendment and Modification Suggestions from the Circles of the German Episcopate, June 27, 1933, in Volk, *Kirchliche Akten*, 80.

remains protected to the Catholic clergy.”<sup>90</sup> Preysing went even further in expressing his concern about this provision. He wrote to Pacelli, “it is emphasized by the bishops that religion and politics cannot be fully divided, and [Article 32] would become a route for the descendants of the instigators of the Kulturkampf” to renew an attack on the Church.<sup>91</sup> This is an especially pertinent issue for the bishops to discuss on June 27 when they published these recommendations, the very day that the DNVP dissolved itself and left the Center Party as the only democratic body left in Germany. It became obvious by the end of June that the Center would dissolve itself soon thereafter, and the Nazis would fulfill their goal of creating a one-party state and ending politics in the democratic sense of the word.

The leadership of the episcopate attempted to assuage fears and concerns within the episcopate about the Concordat. Faulhaber wrote to the Bavarian bishops on July 15 that he understood the concerns of the Bavarian people and reported “that our people would not understand a concordat under these circumstances,” meaning the restrictions and attacks on the Church noted above.<sup>92</sup> Faulhaber maintains, however, that Catholic organizations “can only be saved over the upcoming weeks or not at all in conjunction with the Concordat.”<sup>93</sup> Johannes Sproll, Bishop of Rottenburg, disagreed wholeheartedly with Faulhaber. During the discussions about a list of protected organizations between 1933 and 1934, he wrote to Bertram on August 6, 1934, “Better no concordat than a concordat that only binds one party, that lacks full legal validity and that one senses from the beginning will soon be swept away by the dynamic of the movement.”<sup>94</sup> Faulhaber wrote to Bertram and Berning on the same day and confessed that he would be content with “less than perfect” clarifications about the tenets of the Concordat, exposing his realistic understanding of the new political dynamic by the summer of 1934.<sup>95</sup> Bishops still noticed in 1934 that the Concordat had not produced anything tangible for the Church. Bishop Ludwig Hugo of

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<sup>90</sup> Ibid., 81.

<sup>91</sup> Preysing to Pacelli, July 3, 1933, in Volk, *Kirchliche Akten*, 111. The *Kulturkampf* was a conflict between the Catholic Church and the newly formed German Reich in the 1870s. Otto von Bismarck, wanting to align Germany with the Protestant Hohenzollern house of Prussia, enacted a series of laws that severely restricted the rights of the Church and sought to destroy its very existence. These attacks ceased thanks to an agreement with Pope Leo XIII.

<sup>92</sup> Faulhaber to the Bavarian episcopate, July 15, 1933, in Stasiewski, *Akten I*, 265.

<sup>93</sup> Ibid., 266.

<sup>94</sup> Sproll to Bertram, August 6, 1934, in Stasiewski, *Akten I*, 771; Scholder, *Churches*, vol. 2, 206.

<sup>95</sup> Scholder, *Churches*, vol. 2, 206.



Mainz, wrote to Bertram on August 4, 1934, “If the whole negotiation ends with only words, it will be no use...It is time that the government recognized Christian views at least in some way, not only with words but also by action.”<sup>96</sup> Thus, the episcopate remained strongly divided still in its opinion towards the Concordat by late summer 1933 and into 1934.

The manner with which the Vatican negotiated the Reich Concordat without much consideration of the input of the German episcopate seems to bolster Scholder’s argument that the Vatican preferred to work with authoritarian regimes. Joseph Biesinger notes that “the Lateran and Reich Concordats followed an authoritarian model,” unlike the Vatican’s employment of the bishops and clergy to conclude the state concordats.<sup>97</sup> Pacelli appeared to foresee such criticisms and repeated an argument first offered by Pope Leo XIII (reigned 1878-1903) against the French Legitimists to reaffirm, “it is not for the Catholic Church to reject any form of government or reshaping of the organization of the state...She has made Concordats with monarchies and republics, with democracies and totalitarian states. Her Concordats are acts dealing with religion and Church matters and are not simply acts of political significance.”<sup>98</sup> It is true that the Vatican had to deal with democracies and other forms of government, but Pacelli’s mere repetition of Leo XIII’s argument offers little evidence to support or refute Scholder’s argument that the Vatican preferred to work with authoritarian regimes. At the very least, it is safe to say that the Vatican’s eagerness to conclude concordats with Fascist Italy and Nazi Germany was suspicious. Biesinger does support Repgen’s argument, though, and concludes that “it already was clear to the bishops that the German Church was in need of a strong defense against the increasing hostility of the Third Reich” by 1934. He does qualify this assessment and declares, “the Concordat provided a legal basis for the protests and defense of the Church. Nonetheless, in reality the Concordat restrained the bishops from overtly attacking the claims and actions of the Hitler state. It made the bishops fear that too

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<sup>96</sup> Scholder, *Churches*, vol. 2, 207.

<sup>97</sup> Biesinger, “Reich Concordat,” in Coppa, *Controversial Concordats*, 140.

<sup>98</sup> *Ibid.*, 141.

great a protest could endanger the rights left unviolated.”<sup>99</sup> A defensive treaty quickly became an overly restrictive treaty.

Upon the signing of the Concordat on July 20, the bishops greeted the treaty with highly varied reactions. Bertram on July 22 and Faulhaber on July 24 wrote to Hitler to thank him for the speed with which the government pursued the Concordat. Faulhaber did add a plea “that the articles of the Concordat do not remain sitting on paper” and asked the Chancellor to grant amnesty to those Catholics who were imprisoned for nothing more than their political beliefs.<sup>100</sup> There is no record of a response from Hitler. Many issues about the Concordat were not yet finalized by late July, especially a list of those organizations deemed purely religious and safe from Nazi pressure for dissolution or coordination. Times were still very difficult and uncertain for the Church after the conclusion of the Concordat.

In spite of the bishops’ obvious concern about this lack of clarity, some members of the episcopate greeted the conclusion of the Concordat with enthusiasm. Berning suggested to Bertram on July 24 “it would surely be greeted happily, if a thanksgiving service is held in Catholic churches” on October 1, in conjunction with the new national day of Thanksgiving.<sup>101</sup> Conversations about this special Mass slowed until September, when discussions of a special celebratory Mass in Bavaria for the ratification of the Concordat on September 10 began. The Bishop of Regensburg, Michael Buchberger, mentioned a “Te Deum” service to Faulhaber on September 13, to which “‘national’ organizations will also be invited,” to celebrate the new peace between the Church and the Third Reich.<sup>102</sup> Faulhaber wrote to the Bavarian episcopate on September 14 to urge them not to allow Catholic organizations to enter behind Nazi groups during this Mass but also to remind them of the bishop’s individual right to hold a service or not, in case “regional rapports support another decision.”<sup>103</sup>

Many Bavarian bishops did not take kindly to this suggestion. Jacobus Hauck, Bishop of Bamberg, replied, “I have called for [a service of thanksgiving] that will be held at the conclusion of the

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<sup>99</sup> Ibid.

<sup>100</sup> Bertram to Hitler, July 22, 1933, in Stasiewski, *Akten* I, 269; Faulhaber to Hitler, July 24, 1933, in Ibid., 271.

<sup>101</sup> Berning to Bertram, July 24, 1933, in Volk, *Kirchliche Akten*, 188.

<sup>102</sup> Buchberger to Faulhaber, September 13, 1933, in Volk, *Akten Faulhabers* I, 764.

<sup>103</sup> Faulhaber to the Bavarian episcopate, September 14, 1933, in Volk, *Kirchliche Akten* 259.

regular Sunday service [without the presence of Nazi organizations]. I must...stand against any further solemn services of thanksgiving, though,” because of the persistent persecutions of the Church in his diocese.<sup>104</sup> Preysing believed “the situation, at least in Bavaria, does not allow for such official declarations of joy [*Freudenbezeugung*]. I lament, that Bamberg [Hauck] has taken action already on this subject without contact or at least without waiting for the outcome of this contact” with the bishops.<sup>105</sup> Even an informal ceremony after the weekly service was too supportive of the regime in Preysing’s eyes. Bishop Ludwig Sebastian of Speyer agreed with Preysing and decided that he could not “order a service of thanksgiving for the conclusion of the Reich Concordat. Our diocese has not yet felt anything from its provisions.”<sup>106</sup> Joseph Kumpfmüller, Bishop of Augsburg, agreed wholeheartedly with Sebastian’s logic, and Bishop Sigismund Felix Ow-Felldorf of Passau responded to Faulhaber, “The thought of holding a service of thanksgiving for the Reich Concordat goes against all of my feelings and sensibilities so strongly, that I would prefer to respond to this suggestion with a strong protest rather than a simple ‘Non placet.’”<sup>107</sup> In the end, no bishops outside of Bavaria discussed such a service seriously, and only Cesare Orsenigo, papal nuncio in Berlin, and Hauck celebrated these services.<sup>108</sup> The issue of the “Te Deum” Mass compelled many bishops, like Sebastian, Kumpfmüller, and Ow-Felldorf to conclude that the Third Reich did not intend to uphold the Concordat and to see the threat facing the Church, evidence which supports Repgen’s argument. It is unfortunate for the historian that no discussion of such a service extended seriously outside of Bavaria.<sup>109</sup>

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<sup>104</sup> Hauck to Faulhaber, September 16, 1933, in Volk, *Faulhabers I*, 765.

<sup>105</sup> Preysing to Faulhaber, September 16, 1933, in Volk, *Faulhabers I*, 766.

<sup>106</sup> Sebastian to Faulhaber, September 16, 1933, in Volk, *Faulhabers I*, 767.

<sup>107</sup> Ow-Felldorf to Faulhaber, September 18, 1933, in Volk, *Faulhabers I*, 769.

<sup>108</sup> Biesinger, “Reich Concordat,” in Coppa, *Controversial Concordats*, 142f.

<sup>109</sup> The Abbey of Maria Laach in Rhineland-Palatinate presents another interesting and enlightening example of the Church’s response to the Third Reich after the signing of the Concordat. The abbey had become a center of conservative Catholicism by the end of the Weimar Republic, and its abbot, Ildefons Herwegen, was one of the strongest proponents of cooperation between the Catholic Church and the Nazi regime in early 1933. He became an active opponent of the regime, though, after he attended a police meeting in November 1933, at which he heard the Nazi officials proclaim that they had no intention of negotiating a list of protected Catholic organizations. In 1934, the abbey even gave shelter to Konrad Adenauer, the Catholic mayor of Cologne and the future first Chancellor of the Federal Republic of Germany. Clearly, there is strong evidence of Catholic supporters of the Third Reich becoming disillusioned with the regime already by late 1933. For further information on Maria Laach, see Marcel Albert, *Die Benediktinerabtei Maria Laach und der Nationalsozialismus* (Paderborn: Ferdinand Schöningh Verlag, 2004).

In the midst of this discussion, the leading cardinals of the German episcopate, Bertram and Faulhaber, continued to petition the government for the protection of religious organizations and called the attention of the Third Reich to renewed attacks on the Church, now including restrictions on Catholic press. Bertram summarized the attacks on the Church succinctly in a memorandum on October 4, which included complaints and concerns about Nazi totalitarianism and *völkisch* ideology, the suffering and restrictions placed on Catholic organizations and the press, the dismissal of Catholic civil servants and teachers, the arrest of priests and the seizure of Church property, the threats on confessional schools, and the implementation of the Sterilization Law.<sup>110</sup> Similar themes would occupy much of the bishops' correspondence over the next years. By late October, the Vatican and the Third Reich still had not agreed on a final list of protected organizations, an issue that became increasingly frustrating for the bishops. Further, Faulhaber found it strange that Hitler ordered that churches ring their bells for various "political and otherwise not churchly occasions" after he declared on October 24, "We have taken priests out of the political controversy and led them again in the churches."<sup>111</sup> Obviously, many of the bishops' concerns remained unanswered by the conclusion and implementation of the Concordat in 1933.

Support of the Concordat and the Reich remained divided through 1933. Berning concluded one of his sermons late in 1933 with a prayer that linked Pius XI to Hindenburg and Hitler, presenting each of them in a positive light, and he wanted to allow Nazis to carry in their flags into Church services after the conclusion of the Concordat.<sup>112</sup> Meanwhile, Franz Rudolf Bornewasser, Bishop of Trier, and Nikolaus Bares, Bishop of Hildesheim, wrote to Bertram with disgust in late November about the treatment of Catholic youth organizations. Vice Chancellor Franz von Papen had written to Gröber on November 12 and asked the bishops to take the initiative to lead their organizations into cooperation with the Hitler Youth.<sup>113</sup> Bares wrote to Bertram, who sent his letter to the entire episcopate, asking, "Is this not a surrender of the Concordat and a rejection of the Holy Father, who promised Catholic youth his defense

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<sup>110</sup> Biesinger, "Reich Concordat," in Coppa, *Controversial Concordats*, 149. Unfortunately, the original text of Bertram's memorandum is not included in these available volumes.

<sup>111</sup> Faulhaber to the Bavarian episcopate, October 31, 1933, in Stasiewski, *Akten I*, 429.

<sup>112</sup> Recker, *Wer wollt ihm glauben?*, 68, 72.

<sup>113</sup> Papen to Gröber, November 12, 1933, in Stasiewski, *Akten I*, 442-6.

and his help with the strongest pressure in his speeches?”<sup>114</sup> Bornewasser reported that he was with Cardinal Schulte of Cologne and Bishop Johannes Sproll of Rottenburg when they heard about this request, and they all “spoke out energetically against the demand of Papen.”<sup>115</sup> The bishops remained split in their views towards the Third Reich by the end of 1933, with some criticizing the regime strongly and others placing more value on the hope of working together well with the regime than on the violations of the new Concordat.

#### F. The Night of the Long Knives and the Murder of Erich Klausener

Between June 30 and July 2, 1934, the Nazis initiated a purge of their own membership, whose main target was Ernst Röhm, the head of the paramilitary *Sturmabteilung* (SA). Among the over 80 people murdered by members of the SS and the Gestapo during this purge was Erich Klausener. Klausener, a close associate of Papen and an early critic of unlawful Nazi practices, was a civil servant in the transportation ministry and the chairman of the Berlin chapter of Catholic Action, a charity service. Reinhard Heydrich, chief of the Gestapo, ordered his assassination and staged his death as a suicide.<sup>116</sup> After his murder, Orsenigo, Gröber, Berning, and Bares gathered to hear a report of these events. Their reactions are highly insightful to the changing attitudes of some bishops to the Nazi government. Orsenigo stated: “C’est soviétique;” Berning called the deed “Bolshevism;” and Bares asserted: “The shot at Klausener was the conclusion of our negotiations of the Concordat,” apparently a reference to the ongoing negotiations of the list of prohibited and approved Catholic organizations, which clearly proves that Bares saw that the Nazis extorted the Concordat from the Church and had no intention of upholding its promises.<sup>117</sup> Bares’s comment about the “shot at Klausener” provides a particularly interesting link to Pacelli’s later comments that he had a gun pointed at his head to conclude the Concordat in 1933. Unfortunately this record did not include Gröber’s comments.

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<sup>114</sup> Bares in Bertram to the German Episcopate, November 22, 1933, in Stasiewski, *Akten* I, 463.

<sup>115</sup> Bornewasser to Bertram, November 24, 1933, in Stasiewski, *Akten* I, 463.

<sup>116</sup> Bares to Hitler, July 12, 1934, in Stasiewski, *Akten* I, 753f.

<sup>117</sup> *Ibid.*

Bishop Clemens August von Galen of Münster, the first bishop to be appointed after the signing of the Concordat, rejected the Nazi regime by the Röhm Putsch at the very latest, also, because such actions incorrectly “explained that God is attached to the world above all through blood.”<sup>118</sup> He had already expressed his disapproval of the Third Reich in a letter to his brother on February 28, 1933, before his selection as bishop of Münster but also before Hitler’s Reichstag speech on March 23, when he noted the “alluring, even Christian-sounding formulas with which the New Nationalism [Nazism] beckons us” to the movement, but “they are also manifestations basically of a non-Catholic mindset like the alluring formulas of universal freedom and equality, which found their conception in the ‘Weimar System.’”<sup>119</sup> Such comments indeed expose Galen as an opponent of secular democracy, but they also prove his early rejection of the Nazi world view.

These comments signal a radical shift in some of these bishops’ opinions, and their comparisons of Nazism with to Soviet Bolshevism prove that the Röhm Purge was a decisive moment for many German bishops. The records of correspondence of the German episcopate around the time of Klausener’s murder are limited, with the documents noted above being the only ones currently available in their published papers. Some of the more influential bishops in this period, especially Bertram and Gröber, do not have any comments on record in response to this calculated attack on the Church. Schulte and Faulhaber did not respond about murders of prominent Catholic laymen in their respective dioceses, either.<sup>120</sup> These bishops saw the things of which the Third Reich was capable, which drove the bishops to limit their responses in favor of “self-preservation.”<sup>121</sup> This decision could be applied easily to most of the members of the German hierarchy. By June 1934, most of the German bishops realized that the Third Reich would attempt to eliminate Christianity in Germany, but the very fact that they knew this forced them to act much more cautiously. They “would tolerate the Nazis to protect the freedoms the Church

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<sup>118</sup> Peter Löffler, ed., *Bischof Clemens August Graf von Galen. Akten, Briefe und Predigten, 1933-1946*, 2 vols. (Mainz: Matthias-Grünwald Verlag, 1988), 68.

<sup>119</sup> Clemens von Galen in Joachim Kuroпка, ed. *Streitfall Galen: Clemens August Graf von Galen und der Nationalsozialismus: Studien und Dokumente*. (Münster: Aschendorff, 2007), 474.

<sup>120</sup> Scholder, *Churches*, vol. 2, 203-4.

<sup>121</sup> Kevin Spicer, *Resisting the Third Reich: The Catholic Clergy in Hitler’s Berlin* (DeKalb, IL: Northern Illinois University Press, 2004), 39.

enjoyed” and also to protect their own well-being, but “they had to turn a blind eye to any injustices and human rights violations that did not affect the Catholic Church directly.”<sup>122</sup> This was a calculated decision made by the bishops that appears to contradict the role of the bishop as a moral beacon for Catholics but aligns with the restrictions placed on the Church in the Concordat. Kevin Spicer, in his study of Catholic clergy in Berlin, reminds his readers that a Church that protected itself from external oppression, while imperfect, could have a more enduring and powerful role in the long term than one that invited attacks on itself.<sup>123</sup>

The responses of bishops to the Third Reich between the negotiations of the Concordat in 1933 and the Röhm Putsch in 1934 prove that the tide was shifting within the episcopate by this point. More bishops began to realize the true nature of the Nazi regime, and comparisons between Nazism and Bolshevism became more frequent. Still not all bishops agreed with this and believed that the Catholic Church could and should work together with the Nazi state, but by July 1934, a significant portion of the German episcopate saw the dangers of Nazism and could have made a vocal protest against the regime then. After the horrors of the Röhm Putsch, the bishops, like any German citizen, did not dare make a bold statement against the regime, but this would have been the ideal opportunity for them to begin their protest. It remains one of the most depressing facts of the history of the Catholic Church during the Third Reich that the bishops remained somewhat passive in their criticisms of early Nazi violations of the Concordat and did not reciprocate with a policy of protest against the regime at this early stage.

## G. Conclusions

The opinions of the German episcopate changed dramatically between their condemnation of Nazism in 1930 and the murder of Dr. Erich Klausener on June 30, 1934. Once Hitler made his Reichstag speech on March 23, 1933, many bishops began to reconsider their condemnation of the Party. Few bishops, notably Preysing and Schulte, spoke out against the regime without ceasing and were early opponents of the Concordat. The episcopate met the signing of the Reich Concordat in July 1933 with

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<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

greatly varied responses. In Bavaria, discussion of the “Te Deum” service led most of the bishops, Sebastian, Ow-Felldorf, Preysing, Hauck, and Kumpfmüller, to offer skepticism of the regime and its intention to uphold the terms of the Concordat, and Bishop Sproll also held a similar opinion about the Concordat during the summer of 1934. Bertram warned Pacelli to be wary of Franz von Papen as a Nazi mouthpiece during the Concordat negotiations, but he and Faulhaber remained more or less neutral during these early discussions of the merits of the Third Reich. The Röhm Putsch of 1934 drove bishops like Berning and Bares to draw links between Nazism and Bolshevism, the very ideology against which Nazi propaganda claimed it would fight. In contrast to all these bishops who realized to some extent that the Nazi state would not uphold the Concordat, Bishop Gröber stands out as one of the few remaining bishops who still supported the regime. In general, the revelations made by the bishops between 1933 and 1934 support Repgen’s and Wolf’s arguments; they realized relatively early in the history of the Third Reich that the government had no intention of upholding the Concordat and that the Church would have to use the treaty as a means of defense against attacks on the Church. After Klausener’s murder, these bishops realized the capabilities of the Nazis and decided to focus on the protection of the Church over human rights violations. As the Nazis continued to consolidate their power, the episcopate in general still felt obliged to obey the Concordat and felt a restricted ability to discuss moral concerns that extended beyond the treaty’s terms, an inherent weakness of a defensive treaty and an embarrassment to the moral integrity of the Church.

### **III. 1935-1937**

#### **A. Intensified Nazi Attacks on the Catholic Church**

The years after the murder of Erich Klausener saw increased and more blatant violations of the Concordat and attacks on the Church. Nazis began to take control of monasteries, failed to negotiate an adequate list of protected Catholic organizations with the representatives of the episcopate, and charged countless members of the Catholic hierarchy falsely with outrageous claims, such as currency law violations, homosexuality, sexual abuse of children, and general violations of moral teachings. These charges affected all levels of the Church hierarchy. Bishop Peter Legge of Meißen had to defend himself



against charges of foreign currency exchange violations in 1935; the court found him guilty, fined him, and forced him to leave his diocese until March 1937.<sup>124</sup> Between 1933 and 1945, the Nazis took some kind of action against one-third (7,155) of the secular clergy and one-fifth (866) of the regular clergy.<sup>125</sup> Biesinger estimates that 34.5 percent of all offenses prosecuted (22,703) “involved criticism of the regime, political unreliability, and behavior hostile to the state.”<sup>126</sup> Bishop Franz Bornewasser of Trier wrote a pastoral message to the citizens of his diocese on June 8, 1936 that condemned these “morality trials,” the first explicit mention of them in the current editions of the bishops’ collected papers. “These sad events,” especially the ones that took place in Koblenz between May and July 1936 about which Bornewasser wrote, “have filled the hearts of all true Catholics with deep sorrow,” since the clergymen and women who were questioned “understood the Word of the Bible more than laypeople: ‘Be holy!’”<sup>127</sup> He classified these trials as one of the “many painful tests” sent by God to His Church and asked his diocese to pray for these oppressed clergy until the trials came to an end.<sup>128</sup> Faulhaber wrote to Pacelli on June 10, 1936 to inform the cardinal secretary of state of these developments. He reported, “the trials that have been arranged with careful consideration for many months threaten Catholic life and the orders, influencing them in increasingly catastrophic ways.”<sup>129</sup> He feared that students taught by clerics who had been investigated in a morality trial would turn away from the Church and that these trials would put the entire Catholic populace under extreme duress. Such attacks on the Church “are more catastrophic in Germany than in purely Catholic countries, because naturally old fables about monastic life from the Reformation period are refreshed” and the “fanatical enemies” of the Church would see an opportunity to weaken its influence.<sup>130</sup> Not all bishops were as open in their responses to these offensive trials. Franz

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<sup>124</sup> An image and description of this trial is available at [http://germanhistorydocs.ghi-dc.org/sub\\_image.cfm?image\\_id=2066](http://germanhistorydocs.ghi-dc.org/sub_image.cfm?image_id=2066).

<sup>125</sup> Biesinger, “Reich Concordat,” in Coppa, *Controversial Concordats*, 169-70.

<sup>126</sup> *Ibid.*, 170.

<sup>127</sup> Bornewasser’s Pastoral Message, June 8, 1936, in Stasiewski, *Akten* III, 363; Leviticus 11:44.

<sup>128</sup> *Ibid.*, 364-5.

<sup>129</sup> Faulhaber to Pacelli, June 10, 1936, in Volk, *Faulhabers* II, 145.

<sup>130</sup> *Ibid.*

Riemer, vicar-general in Passau, reported that the Bavarian bishops “did not think about issuing a general pastoral letter about the Swabian morality trials” in June 1936.<sup>131</sup>

During the August 1936 meeting of the general episcopate, Bishop Buchberger of Regensburg predicted that “the morality trials will end with a general attack on cloisters [*Klostersturm*]...[General Erich] Ludendorff speaks of a full moral degradation; even the bishops are under suspicion.”<sup>132</sup> The episcopate produced two drafts in response to the trials. While these letters mirrored the concerns of Bishop Bornewasser, the pastoral message about the trials that occurred in Koblenz seems to contradict itself. The bishops wrote, “loss of religious faith is everywhere the precursor and ally of Bolshevism. And the fight against the status of the religious orders and priests is everywhere a forerunner and an accompaniment of the Bolshevik global revolution. Intentionally or not, everyone who fights against faith and the Church is an ally of Bolshevism.”<sup>133</sup> They concluded, however, “when the Fatherland calls us, we will be ready to place ourselves gladly in its service and to support the Führer in the defense against Bolshevism that threatens the entire world.”<sup>134</sup> There is no recorded objection to this statement, even from the bishops, like Schulte, Preysing, and Galen, who had previously made a connection between Nazism and Bolshevism. Evidently some of the bishops, such as Bornewasser, still subscribed to the Nazi propaganda that only the Party could support Germany against Bolshevism and may have believed that Hitler, unlike some elements of the Party that were enemies of the Church, was not behind these attacks on the clergy. In addition, the Church faced attacks on Catholic youth groups, religious education, the legality of hanging crucifixes in classrooms, and bans on Catholic workers’ clubs. In Münster, the Nazis appointed an especially anti-clerical Gauleiter for the strongly Catholic region, which caused many disputes with Bishop von Galen. The Church’s situation in the Third Reich had deteriorated badly since the conclusion of the Concordat in 1933, and the bishops continued to complain rightfully about these

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<sup>131</sup> Riemer’s Report about the Conference of the Bavarian Vicars-General, June 26, 1936, in Stasiewski, *Akten* III 384-5.

<sup>132</sup> Sebastian’s Minutes of the General Conference of the German Episcopate (August 18-20, 1936), in Stasiewski, *Akten* III, 470.

<sup>133</sup> Pastoral Draft of the German Episcopate regarding the events in Waldbreitbach, August 19, 1936, in Stasiewski, *Akten* III, 456.

<sup>134</sup> *Ibid.*

violations of the Church's rights and attacks on their peers through the early years of the Reich, though their complaints remained limited and adhered more or less to Bertram's petition policy.

#### B. The Church's Distractions

As members of the German episcopate continued to petition the Nazi government for an end to the attacks on Church institutions and organizations, events outside of Germany limited the Church's ability to portray Nazism as Bolshevism to potential Catholic Nazi sympathizers. The threats of creeping Communism and anti-clerical violence in countries with high Catholic populations, especially Spain, distracted the Vatican from focusing much more attention on Nazi Germany. In July 1936, the Spanish Civil War broke out between the Republicans, supported by the Soviet Union, and the conservative Nationalists, supported by Nazi Germany and Fascist Italy. This was one instance of the Nazis fulfilling their inflated promise to be the bulwark against Bolshevism, by fighting it indirectly in Spain. By the time the Nationalists, under the control of Francisco Franco, claimed victory in April 1939, casualties topped 500,000 at least. Most important to the Vatican were the blatant attacks on Catholic clergy, especially in Catalonia and the Nationalists' official support of Catholicism. Twenty percent of Spanish clergy died during the war, many at the hands of Catalonian anarchists.<sup>135</sup> In the German press, however, the Nazis painted the Communists as the perpetrators of these vicious attacks on the clergy. Just as the bishops began and continued their complaints and protests against Nazi violations of the Concordat and accusations of immoral clergy, the Vatican had to strike a balance between reacting to the bishops' requests for intervention in the Third Reich and stopping the violent and deadly attacks on its clergy in Spain.

To make the situation even murkier, Franco came out in open support of Catholic moral teachings. He "aimed to return to ancient Spanish values and traditions," especially "conservative, Catholic and military traditions."<sup>136</sup> In response to Franco's political ideology, all but two Spanish bishops drafted an open letter in which they encouraged Catholics around the world to support the

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<sup>135</sup> Wayne Bowen, *Spain during World War II* (Columbia, MO: University of Missouri Press, 2006), 222.

<sup>136</sup> Besier, *Holy See*, 161.

Nationalists. Published in the *New York Times* on September 3, 1937, the letter praised the Nationalist movement because it “has released a current of love which has concentrated round the name and historical essence of Spain, with aversion for the foreign elements who occasioned our ruin.”<sup>137</sup> The episcopate did produce a pastoral letter in August 1936, shortly after the beginning of the war and well before the plea of the Spanish bishops, that agreed with the Nazi propaganda that the war was an historic battle between good and evil and a step towards the removal of Bolshevism from the world. They concluded, “May our Führer, with God’s help, succeed in completing this terribly difficult undertaking with unshakable determination and faithful participation of all *Volksgenossen!*”<sup>138</sup> It is important to recall, however, that the German bishops continued to feel obliged to follow the terms of the Concordat and avoid any “political criticisms.” The bishops, for the most part, did agree that the strong presence of Bolshevism in Spain needed to be removed, but they had no other option publicly as a condemnation of one of the Reich’s foreign policy decisions would be seen as a violation of the Concordat.

These events are especially important to a discussion of the historiographical debate discussed earlier. Gerhard Besier, a modern proponent of Scholder’s thesis, has used the recently opened documents of Pius XI’s papacy to support the thesis that the Vatican supported authoritarian regimes. In response to this Communist threat, Besier believes that Pius XI and Pacelli propped up “corporatist” states that supported Catholic interests within their countries, such as Franco in Spain, Antonio Salazar in Portugal, Miklós Horthy in Hungary, Józef Pilsudski in Poland, and Engelbert Dollfuss in Austria.<sup>139</sup> At the same time, however, Besier admits that Pacelli’s only political endorsement was Franklin Delano Roosevelt’s 1936 reelection campaign, the very opposite of this model.<sup>140</sup> For Besier, the Spanish Civil War made it more difficult for the Catholic hierarchy to perceive the similarity between Nazism and Bolshevism, because it hoped that Hitler would resemble Franco in support of the Catholic corporatist state model.

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<sup>137</sup> “Text of Pastoral Letter of Spanish Prelates Justifying Franco Rebellion,” *The New York Times*, September 3, 1937, p. 4.

<sup>138</sup> Translation from Guenter Lewy, *The Catholic Church and Nazi Germany* (Cambridge, MA: Da Capo Press, 2000), 206.

<sup>139</sup> Besier, *Holy See*, 86-91.

<sup>140</sup> *Ibid.*, 163.

It is no secret that many German bishops were not strong proponents of the Weimar Republic. All of the bishops grew up during the Wilhelmian monarchy, and they met with skepticism the November 1918 revolution that initiated the establishment of a German democracy. The exclusion of any mention of God in the Weimar Constitution angered many bishops, including Michael Faulhaber, Wilhelm Berning and Clemens August von Galen.<sup>141</sup> Berning valued the monarchy's guaranteed protection of the Church. During his time in Berlin through the 1920s, Galen called the city "the center of new heathenism" and thought "the revolutionary ideas of 1918 had caused considerable damage to Catholic Christianity."<sup>142</sup> However, he returned to Münster in 1929 and was charged with the task of using his social status to prevent members of the Organization of Nobility [*Edelleuteverein*] from shifting too far to the right politically towards the radicalized DNVP.<sup>143</sup> This is, of course, no endorsement of democracy, but it is one example of a priest who is a nobleman himself attempting to prevent an ultra-conservative revolution and defend the episcopate's traditional alliance with the Center Party. The German bishops did not express much vocal support for German democracy, but even some of the most conservative or monarchist of them remained wary of a political shift too far to the right.

In addition, the signing of the Anti-Comintern Pact in November 1936 between Nazi Germany and the Japanese Empire limited the bishops' ability to link Nazism and Bolshevism. The purpose of this treaty was to portray Soviet Bolshevism as a threat to all existing states and to encourage cooperation between the member states in developing a response to Bolshevik advances. The Third Reich had just pledged to fight the Bolshevik threat openly, if necessary, apparently fulfilling their promise made in Nazi propaganda throughout the history of the Third Reich. The conclusion of the Anti-Comintern Pact is yet another example of a distraction facing the Vatican while the bishops had problems of their own within Germany. Some bishops' earlier perceptions of Nazism as Bolshevism under different colors had

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<sup>141</sup> Recker, *Wer wollt ihm glauben?*, 24-6; Clemens August Graf von Galen, in Joachim Kuropka, ed., *Streitfall Galen: Clemens August Graf von Galen und der Nationalsozialismus* (Münster: Aschendorff, 2007), 413.

<sup>142</sup> Wolfgang Knauff, "Galens Berliner Jahre 1906 bis 1929" in Hubert Wolf, Thomas Flammer, and Barbara Schüler, eds., *Clemens August von Galen: Ein Kirchenfürst im Nationalsozialismus* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2007), 61; Beth Griech-Polelle, *Bishop von Galen: German Catholicism and National Socialism* (New Haven: Yale University Press, 2002), 20.

<sup>143</sup> Thomas Flammer, "Clemens von Galen als Stadtpfarrer und Bischofskandidat von Münster in den Jahren 1929 bis 1933," in Wolf, *Kirchenfürst*, 99.

weakened in 1936 thanks to these foreign policy gains, but the episcopate's support for these events likely stemmed from a sense of obligation under the Concordat and a hatred of Communism, not a general acceptance of authoritarianism, as Besier suggests.

### C. The Vatican's Bold Steps towards a Renewed Condemnation of Nazism

On March 21, 1937 during Palm Sunday services, German bishops and priests read the papal encyclical, *Mit brennender Sorge* (With Burning Concern), written in German as opposed to the traditional Latin. This encyclical was, for the Vatican, a strong protest against the Nazi state. The Vatican warned:

Whoever exalts race, or the people, or the State, or a particular form of State, or the depositories of power, or any other fundamental value of the human community - however necessary and honorable be their function in worldly things - whoever raises these notions above their standard value and divinizes them to an idolatrous level, distorts and perverts an order of the world planned and created by God; he is far from the true faith in God and from the concept of life which that faith upholds.<sup>144</sup>

Other than this condemnation of racial idolatry, however, the Vatican limited its criticism to violations of the Concordat. The recently opened Vatican archives of the papacy of Pius XI provide much new information that shows how the final version of this document, which did arouse strong reactions from Nazi leaders, was greatly revised from earlier drafts of a papal condemnation of racism and Nazism. Like in the early years of the Third Reich, in 1937 the Church missed another opportunity to take a bold and morally correct stance against Nazism out of deference to the provisions of the Concordat, though *Mit brennender Sorge* was a step in the right direction.

Peter Godman, Gerhard Besier, and Hubert Wolf have used these recently publicized documents to construct fascinating histories of the inner workings of the Vatican under Pius XI. Godman's study reveals that the German episcopate had very little influence in the development of these draft condemnations of racism and Nazism until January 1937, just three months before they read the papal encyclical from pulpits across Germany. In fact, there was not a single German clergyman involved in

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<sup>144</sup> Pius XI, "*Mit brennender Sorge*," available at [http://www.vatican.va/holy\\_father/pius\\_xi/encyclicals/documents/hf\\_p-xi\\_enc\\_14031937\\_mit-brennender-sorge\\_en.html](http://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_14031937_mit-brennender-sorge_en.html).

these discussions until that point, when Faulhaber wrote the first draft of the document that became *Mit brennender Sorge*. The newly released record of the German bishops' involvement, though, is a crucial piece of information in understanding the relationship between the Vatican and the German episcopate and the nature of a Catholic response to Nazism. Recall that Pius XI had confessed to Faulhaber in March 1933 that Hitler pleased him as the first statesman other than himself to condemn Communism openly. On April 4, 1934, three months before the murder of Erich Klausener, Pius XI declared to 350 German Catholics in Rome, "What remains of Christianity—true Christianity—without Catholicism, the Church, its doctrine, the Catholic way of life? Nothing or next to nothing. Or rather, after all that has occurred recently, one can and must say: not only false Christianity but a real paganism."<sup>145</sup> Godman speculates that Pius XI was referring to the already numerous violations of the Concordat and Hitler's appointment of Alfred Rosenberg as Commissar for the Supervision of Intellectual and Ideological Education of the NSDAP in this statement.<sup>146</sup> Rosenberg had published *The Myth of the Twentieth Century* in 1930, which outlined the establishment of a race- and blood-based society over a foundation in Christianity. This was a massive change of policy from his statement to Faulhaber less than a year earlier. Even Pope Pius XI had become disenchanted with Nazism by the spring of 1934.

One character other than the pope or Pacelli who lived in Rome is crucial and controversial in this story. Alois Hudal was an Austrian bishop who became the head of Santa Maria dell'Anima, the German national church in Rome. His actions during this period remain suspicious and confusing today, even with the opening of the Vatican archives. He spoke suspiciously of Jews as "the financial masters" of Rome and believed that the Third Reich had a "natural ally" in the Church because of a shared leadership principle (*Führerprinzip*).<sup>147</sup> He has become known as a prime example of a "brown bishop" or "bridge builder" between Nazism and Catholicism and one who believed in the Catholic corporatist state structure. He developed a curious plan to negotiate this truce between the Vatican and the Third Reich.

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<sup>145</sup> Peter Godman, *Hitler and the Vatican: Inside the Secret Archives that Reveal the New Story of the Nazis and the Church* (New York: Free Press, 2004), 19.

<sup>146</sup> *Ibid.*, 19-20.

<sup>147</sup> *Ibid.*, 44-5.

Hudal advocated in secret that the Holy Office should condemn radical Nazism with a list of the movement's heresies already in October 1934, especially "1. the totalitarian concept of the state which oppresses the personal value of the individual man, 2. the radical concept of race which dissolves the unity of humankind, 3. radical nationalism with the surrender of natural law, in consequence of the exclusive validity of the positive law decreed by nation and state."<sup>148</sup> In fact, Hudal claims to have played a critical role in getting Rosenberg's book placed on the Index of Prohibited Books in 1934, but Wolf's most recent study has failed to find sufficient evidence to support or refute this statement.<sup>149</sup> In Hudal's 1936 book, *The Foundations of National Socialism*, which quoted Hitler's *Mein Kampf* heavily, he made a distinction between good and bad Nazism, embodied respectively in Hitler and Alfred Rosenberg.<sup>150</sup> Hudal saw Hitler as a German Franco, or more accurately, a German version of Engelbert Dollfuß, who dissolved the Austrian parliament in 1933, established a corporatist constitution, destroyed Social Democracy in Austria by 1934, and was assassinated by Austrian Nazis in July 1934. Hudal offered himself as a mediator between the Vatican and the "conservative" wing of the Party by first discrediting Rosenberg's radical wing and highlighting the Catholic foundations of "conservative" Nazism before using these newly re-Christianized Nazis to fight the true menace of Bolshevism.<sup>151</sup> Pius XI rebuffed, "There is no intellect in this movement," but Hudal pushed forward in spite of this and apparently did not consider that the Austrian Nazis' murder of Dollfuß severely weakened this plan. In his diaries, Hudal has portrayed Pacelli as the greatest hindrance to this plan's success, though accusations of sympathy with the Nazis and his assistance in securing the safe passage of figures like Adolf Eichmann out of Europe after the end of World War II call into question the credibility of his assertions.<sup>152</sup>

Before Hudal's books had been published, Faulhaber met with Hitler for three hours at Obersalzberg on November 4, 1936. Having already read proofs of Hudal's book, Hitler spoke about the attacks on the Church in Spain and reasserted his argument that "if Nazism does not master Bolshevism,

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<sup>148</sup> Godman, *Hitler and the Vatican*, 46; Besier, *Holy See*, 145.

<sup>149</sup> Wolf, *Pope and Devil*, 248; Godman, *Hitler and the Vatican*, 50, 54; Besier, *Holy See*, 144-5.

<sup>150</sup> Godman, *Hitler and the Vatican*, 53, 117.

<sup>151</sup> *Ibid.*, 53-4.

<sup>152</sup> Wolf, *Pope and Devil*, 251-2.



then the same will happen to Christianity and the Church in Europe.”<sup>153</sup> Similarly, Hitler reminded Faulhaber of the deep roots of Christianity with the German people through its entire history.<sup>154</sup> Faulhaber responded that the bishops had no intention of leading a struggle against the Reich, as they still upheld their March 28, 1933 statement in response to Hitler’s March 23 Reichstag speech.<sup>155</sup> He somewhat apologetically mentioned the bishops’ complaints about restrictions on confessional schools and the ban “double membership” in the remaining Catholic organizations and their Nazi counterparts as items that concerned the bishops but may have been interpreted falsely as attacks on the regime.<sup>156</sup> One instance of this “double membership” question between Catholic and Nazi versions of the same organization was the German Labor Front’s declaration that no member of a Catholic workers’ club could belong to it, which restricted these faithful Catholic workers’ access to welfare and training programs and promotions. Hitler concluded this meeting by requesting Faulhaber to work with the other Church leaders to decide officially and clearly if the German Church would work closely with the Third Reich to remove the Bolshevik threat, as Hudal outlined in his book and “come to a peaceful relationship with the state.”<sup>157</sup> Finally, Hitler left Faulhaber with a threat: “The bishops will have to make certain recommendations, be it in the form of a new pastoral letter or in the form of a new address, before Bishop Hudal is appointed Court Theologian of the Party.”<sup>158</sup> Hitler was apparently aware of the tensions within the episcopate regarding relations to the Third Reich and threatened to appoint the controversial Hudal to this invented and ceremonial position that would only serve to boost his already inflated ego if the bishops did not acquiesce to the regime even further. Hitler’s efforts for a reconciliation between the Church and the Third Reich at this time proves that he was familiar with Hudal’s book, was trying to cause division within the episcopate, and was not above threatening the Church to get his way.

Although Hudal is accepted generally as a “brown bishop,” Besier differs strongly from Wolf and Godman about the extent to which other senior clerics supported his arguments. Godman believes that

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<sup>153</sup> Faulhaber’s Report of a Conversation with Hitler, November 4-5, 1936, in Volk, *Faulhabers II*, 184-5.

<sup>154</sup> *Ibid.*, 187.

<sup>155</sup> *Ibid.*, 187-90.

<sup>156</sup> *Ibid.*

<sup>157</sup> *Ibid.*, 193.

<sup>158</sup> *Ibid.*, 193.

Hudal was purely ambitious and sought to receive recognition and increased power through whatever means necessary. Wolf remains skeptical of Hudal's diaries and asserts that he may have falsified some entries to improve his image after World War II, making him an outlier within the Vatican. Besier, however, thinks Hudal was "not the only Catholic looking for syntheses between Roman Catholicism and Nazism," though he mentions only the "arch-conservative ultra-montanist Rafael Merry Del Val," cardinal secretary of state under Pope Pius X.<sup>159</sup> Evidence from within the German episcopate calls Besier's thesis into question. In his minutes of a discussion with Professor Wilhelm Schmidt in the same month as the negotiation of the Anti-Comintern Pact, Faulhaber noted that Pius XI "does not see anti-Bolshevism in Nazism any more. Hudal must clarify, [his book] is a purely private work."<sup>160</sup> Such a statement also serves to contradict Besier's broader argument that the Church preferred to work with corporatist or authoritarian states. Faulhaber maintained that Hudal's article that had outlined his theory of Nazism earlier "was a stab in the back of the bishops. We must struggle with the hard realities daily: clergy out of the schools, the youth stimulated against the Church, the pagan movement. Now a bishop from outside comes and speaks from the clouds: Nazism is of course the mercy of God."<sup>161</sup> During the January 1937 meeting of the Fulda bishops' conference, Gröber also spoke out against Hudal. In response to a discussion of the placement of Alfred Rosenberg's fanatical and anticlerical *Myth of the Twentieth Century* on the Index of Prohibited Books, the Archbishop of Freiburg asserted "Hudal has undermined" the Church's "unified general approach" to the Third Reich by publishing his book.<sup>162</sup> Even the most active proponent of a concordat between the Vatican and the Third Reich disapproved of Hudal's book. Such evidence weakens Besier's argument.

After much deliberation, in the autumn of 1934, Pius XI commissioned an international team of Jesuit scholars to assess Nazi doctrine and to produce a document for the Holy Office, the modern

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<sup>159</sup> Besier, *Holy See*, 147-9. In the 1920s, the Amici Israel, a group of Catholic clergymen, including Faulhaber, petitioned the Holy Office to remove a reference to the "perfidious Jew" in a Good Friday prayer. Del Val, a member of the Holy Office, led the successful campaign to reject this petition. For further analysis, see Wolf, *Pope and Devil*, 81-125.

<sup>160</sup> Faulhaber's Minutes of a Conversation with Schmidt, November 16, 1936, in Volk, *Faulhabers II*, 196.

<sup>161</sup> *Ibid.*

<sup>162</sup> Sebastian's Minutes of the General Conference of the German Episcopate, January 12, 1937, in Volk, *Akten IV*, 146.

incarnation of the Inquisition.<sup>163</sup> Pius XI and the Holy Office approved a revised draft of the Jesuits' condemnation of Nazism in November 1936.<sup>164</sup> This draft, which listed "propositions" of "racism, nationalism, Communism, [and] totalitarianism" worthy of papal condemnation, obviously rejected Hudal's interpretation of Nazism, as it stemmed from an analysis of Hitler's *Mein Kampf*.<sup>165</sup> Among these points to be condemned were: "the strength of the race and the purity of 'blood' are to be preserved and fostered by any means whatsoever;" "from 'blood,' in which the character of the race is contained, all of mankind's intellectual and moral qualities spring;" "the Christian religion is subject to the law of race;" "an effort must be made to eliminate Christian religion from public life;" "a religious cult...is due to the nation;" "even the Catholic Church is subject to the state and has no rights except those granted by the state."<sup>166</sup> By the autumn of 1936, the Vatican was prepared to produce a direct condemnation of Nazism that would expand the Church's dialogue beyond simple violations of the Concordat, a noble goal that would have received highly varied responses by the episcopate.

#### *D. Mit brennender Sorge*

In this context, Pius XI invited the three German cardinals, Bertram, Faulhaber, and Schulte, along with Preysing, now the bishop of Berlin, and Galen to the Vatican in January 1937. It is important to note the selection of these representatives of the German episcopate. In 1933, the Vatican selected Gröber and Berning as the main intermediaries between the Holy See and the German bishops, because these bishops had expressed early support of the Vatican's preconceived goals. In 1937, though, the Vatican may have involved bishops who would support the plan that the Holy Office had already approved, but whose mindsets were entirely opposite. Now they would discuss breaches of the Concordat, not its defense.

During this visit to Rome, Pius XI was severely ill, so the bishops dealt primarily with Pacelli.<sup>167</sup> They discussed their disapproval of Orsenigo as nuncio and the anxiety of

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<sup>163</sup> Godman, *Hitler and the Vatican*, 57-61.

<sup>164</sup> *Ibid.*, 128-9.

<sup>165</sup> *Ibid.*, 61-2, 194.

<sup>166</sup> *Ibid.*, Appendix II, "The Holy Office's Revised Condemnation (1936)," 195-9.

<sup>167</sup> *Ibid.*, 133.

Bolshevism. Godman speculates that Faulhaber saw Nazism as "religious" Bolshevism, though Faulhaber's minutes of this conference with Pacelli do not convey any message with clarity.<sup>168</sup> Faulhaber did continue to advocate the maintenance of the Concordat as a "legal basis" for the Church's existence in Germany. According to Godman, the bishops offered their strong disapproval of Hudal's book ("he believes entirely against us [the episcopate]"), though Pacelli knew the impetus for the book from the developments within the Holy Office, which remained secret to the bishops.<sup>169</sup> The bishops all agreed that the government and the Party saw the Concordat as a "dead letter," and Faulhaber recorded that the government wanted to "destroy [the Church] directly," but the cardinals, even Schulte, who originally opposed its conclusion, agreed that "to reject the Concordat would make things worse."<sup>170</sup> The bishops asked for a papal encyclical at this point, but Pacelli still did not tell them about the plans underway already in the Vatican.<sup>171</sup>

Pacelli and Faulhaber have recorded the bishops' audience with Pius XI on January 17, 1937 with excruciating detail. Each bishop spoke in turn and received a response from the Pope. Bertram, who usually refrained from criticizing any government policies too vocally, forcefully accused "the present government and the Party that supports it [of] striving with every means to nullify our ecclesiastical institutions... Everyone has the right to attack the Church; the Church does not have the right of self-defense... The great legal advantages that the Concordat might have brought us are cancelled increasingly each day by a policy of *faits accomplis*."<sup>172</sup> Bertram's belief that the Church had no right to self-defense in the Reich lends further support to the claims of Repgen and Wolf, that the Concordat was in fact designed for the defense of the Church, not out of agreement with the Reich's ideology. Pius responded that in spite of the attacks on the Church, "the bishops are not dissatisfied with the Concordat... The Concordat is still valuable in the present circumstances, at least on the basis of law." He implored the bishops to consider this trial for the Church in light of Christ's suffering. This reaction is very odd,

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<sup>168</sup> Ibid., 134; Faulhaber's Minutes of an Audience with Pacelli, January 16, 1937, in Volk, *Faulhabers II*, 276.

<sup>169</sup> Faulhaber's Minutes of an Audience with Pacelli, January 16 1937, in Volk, *Faulhabers II*, 278; Godman, *Hitler and the Vatican*, 134.

<sup>170</sup> Faulhaber's Minutes, January 16, 1937, in Volk, *Faulhabers II*, 279.

<sup>171</sup> Godman, *Hitler and the Vatican*, 135; Faulhaber's Minutes, January 16, 1937, in Volk, *Faulhabers II*, 279.

<sup>172</sup> Godman, *Hitler and the Vatican*, 136.

especially given the Pope's request of a condemnation of Nazism from the Jesuit scholars. In this discussion, Pius XI appears to be telling the bishops what they actually think, that the Concordat still maintained legal importance and that the bishops should be careful not to do anything that would provoke Hitler to abrogate it. This is one of few instances of direct papal intervention into the decisions of the German episcopate, one that is especially confusing after the opening of the papal archives.

In spite of this confusing statement by Pius XI, the bishops continued their discussion with the Holy Father and aligned their statements with what the Pope had already asserted. Faulhaber was most concerned about the confessional schools. He believed "without this Concordat we would perhaps already be at the end of our fight," and thought it should be retained as a legal basis for protest against the regime, to which Pius replied that whatever is happening is part of God's purpose.<sup>173</sup> Schulte expressed further concern about confessional schools in Cologne and the Rhineland, but he also asserted that "the faith and loyalty of the great majority of Catholics are strong." Preysing did not see Nazi attacks on the Church in Berlin as directly as he did in a Catholic-dominated city like Eichstätt, because there were fewer Catholics and a large diplomatic presence there. Finally, Galen concluded, "We have to deal with an opponent who shares nothing of our fundamental ideas of loyalty and sincerity. All that he says and does is falsity and lies!" the traditional language used by Catholics to describe Satan. Further, Galen asserted, "What they call God is not our God."<sup>174</sup> Even the outspoken Preysing and Galen did not contradict Pius's stance on the Concordat in this audience.

In his determination to "do something," Pacelli asked Faulhaber to draft a papal encyclical that would not provoke the abrogation of the Concordat but would criticize the Reich for violating it, the first instance of true cooperation between the Vatican and the German episcopate during the Third Reich. Faulhaber was careful to avoid "polemic" and discussed violations of the Concordat as well as contrasted Catholic doctrine with nationalist and racist ideologies, which Pacelli later expanded and mixed with

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<sup>173</sup> Ibid., 136-8.

<sup>174</sup> Faulhaber's Minutes of an Audience of the German Bishops with Pius XI, January 17, 1937, in Volk, *Faulhabers* II, 281.

some reworded statements from the proposed syllabus of the Holy Office.<sup>175</sup> Upon their departure from Rome, the three cardinals and two bishops met with Pius XI once more. Speaking directly to Preysing and Galen, the Pope proclaimed, “National Socialism is nothing different from Bolshevism in its goals and methods. I would say that to Hitler himself.”<sup>176</sup> Even though he convinced the bishops to retain the Concordat, he expressed a clear rejection of Nazi ideology, which is especially important considering this meeting’s occurrence in the midst of the Spanish Civil War and negotiation of the Anti-Comintern Pact. Two months later, the Vatican published *Mit brennender Sorge*, despite the confused messages offered by the Pope in this January 1937 meeting with the German bishops.

Historical interpretation of the encyclical is widely varied and inconclusive. According to Godman, who provides an optimistic view of the Vatican’s intentions leading up to the visit of the German bishops, the Church got cold feet between November 1936, when the Pope received a draft of the entire condemnation, and March 1937, when the German bishops read the end result, the papal encyclical *Mit brennender Sorge* [“With Burning Concern”]. Godman paints this famous encyclical as “far from...a full rejection of National Socialism” in spite of what the Holy Office had prepared; rather, it was a “curtailed compromise...between the concerns of the German hierarchy and Roman anxieties,” “less a condemnation than a catechism.”<sup>177</sup> He blames the structure of the administration of the Vatican for its failure to produce a strong condemnation. The Vatican’s “ill-coordinated bureaucracy” focused so strongly on precedents that often kept the opinions of the different facets of the Vatican hierarchy divided, such as work in the Holy Office separated from foreign policy considerations in the secretariat of state.<sup>178</sup>

Besier classifies the encyclical as “a diplomatic compromise” that “abstained from all harsh judgments.”<sup>179</sup> He believes Pacelli, a true Realpolitiker, opposed any document that would jeopardize the Concordat, including early drafts of a modern Syllabus errorum.<sup>180</sup> He paints Pacelli as the true egomaniac of the Vatican, not Hudal. The Italian ambassador to the Vatican reported on March 8, 1937,

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<sup>175</sup> Faulhaber to Pacelli, January 21, 1937, in Volk, *Faulhabers II*, 282; Wolf, *Pope and Devil*, 266-8.

<sup>176</sup> Faulhaber’s Minutes of an Audience by Pius XI, January 23, 1937, in Volk, *Faulhabers II*, 284.

<sup>177</sup> Godman, *Hitler and the Vatican*, 142-4.

<sup>178</sup> *Ibid.*, 3-5.

<sup>179</sup> Besier, *Holy See*, 165.

<sup>180</sup> *Ibid.*, 151-2.

“The fact is that today where there are conversations about a conclave, even in whispers, Pacelli is reproached with having wanted the concordat and that he was fooled by Nazism to get it.”<sup>181</sup> Pacelli led the cause to transform the draft condemnation into a statement about the Concordat. He also concludes that the Vatican’s decision to stall or revise their condemnation of Nazism arose from external factors, especially the Spanish Civil War, not internal discrepancies. According to Besier, “atheistic socialism and communism and their anti-Church measures...were in the foreground. Racism and totalitarianism by contrast appeared eminently forgettable.”<sup>182</sup>

Wolf, who has had access to even more files than Besier and Godman, concludes that the encyclical was in fact “a typically Roman compromise between dogma and diplomacy.”<sup>183</sup> In its syllabus, the Vatican had taken internal action against the tenets of Nazi ideology that opposed Catholic doctrine but had also followed traditional Catholic “submission to authority” by publishing a muted encyclical.<sup>184</sup> In fact, Wolf has found documented evidence from the Holy Office, written after the reading of *Mit brennender Sorge*, that proves that the members of this body saw great similarities between the encyclical and their draft syllabus, which paints an even more positive image of the merits of the encyclical.<sup>185</sup> His suggestion that the syllabus was meant as a purely internal document from the beginning would clarify why Pacelli told Bishop Bornewasser of Trier in July 1936 that the Vatican was ready to pursue action to address “violations of the Concordat” and why neither the Pope nor Pacelli mentioned this work to the bishops in their January 1937 visit to Rome and also aligns well with the Vatican’s policy up to this point of acting without much direct involvement by the bishops.<sup>186</sup> The truth appears to lie somewhere between these three arguments. The documents available prove that the encyclical did not condemn Nazism blatantly and did not use the same critical tone that the Holy Office’s syllabus employed. Wolf’s

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<sup>181</sup> Ibid., 165-6.

<sup>182</sup> Ibid., 155.

<sup>183</sup> Wolf, *Pope and Devil*, 269-70.

<sup>184</sup> Ibid., 270.

<sup>185</sup> Ibid., 267-8.

<sup>186</sup> Sebastian’s Minutes of the General Conference of the German Episcopate, August 18-20, 1936, in Stasiewski, *Akten* III, 468; Wolf, *Pope and Devil*, 265.

argument, however, seems the most plausible considering the trends of the Vatican's relations with the German episcopate earlier in the Third Reich.

The Vatican sent its final version of *Mit brennender Sorge*, a heavily revised version of Faulhaber's original draft, to the German bishops, and the clergy read it on Palm Sunday, March 21, 1937. The bishops chose this day knowing well that the papal encyclical "will bring volatile weeks" because of the anticipated Nazi response.<sup>187</sup> This anticipated response also convinced them to read the entire encyclical on one day, Palm Sunday, instead of reading it in pieces over a few weeks.<sup>188</sup> As news of the encyclical came out, "Pacelli had to balance the joy of Catholics and (he was assured) of Protestants with the hostility of Nazis," even though the final encyclical was a muted version of its original conception.<sup>189</sup> The Vatican received a report of Hitler's outrage on April 24 when the Austrian minister of the interior, also a Nazi sympathizer, "asked Hitler why he was waging war against the Church. The Führer exploded in anger. Violent in gesture and tone, he ranted against the encyclical and threatened: 'I won't throw any bishops into prison...but I will heap disgrace and shame on the Catholic Church, opening unknown monastic archives and having the filth contained in them published!'"<sup>190</sup> Pacelli responded simply that "the feelings of violent hostility toward the Church on the part of the present chancellor of the German Reich have been well known here for a long time," and so Pacelli proved that he rejected Hudal's understanding of the Third Reich and drew no distinction between a conservative and radical element of the Party.<sup>191</sup>

The German episcopate met the encyclical gladly, and the Reich government found the document an offensive violation of the Concordat. Galen thought "the papal circular letter is greeted with great joy and innermost thanks by all true Catholics" and thought it would reassert the "oneness and unity" of the Church in the face of Nazism.<sup>192</sup> In response to the encyclical, Berning, who had begun to reconsider the merits of the Third Reich after Klausener's murder, welcomed the encyclical and wrote on April 25 that

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<sup>187</sup> Faulhaber to the Bavarian episcopate, March 16, 1937, in Volk, *Faulhabers* II, 307.

<sup>188</sup> Faulhaber to the Bavarian episcopate, March 17, 1937, in Volk, *Faulhabers* II, 309.

<sup>189</sup> Godman, *Hitler and the Vatican*, 148.

<sup>190</sup> *Ibid.*

<sup>191</sup> *Ibid.*

<sup>192</sup> Galen's Memoir, April 11, 1937, in Stasiewski, *Akten* III, 205.



the opponents of Christianity “have changed their exterior colors, but not their inner disposition against Christianity.”<sup>193</sup> Thus, both Communists and Nazis opposed the Church by 1937. The west German bishops offered their “innermost thanks for the encyclical” already on April 9.<sup>194</sup> Gröber, Albert Stohr, bishop of Mainz, and Johannes Sproll, bishop of Rottenburg, expressed their thanks for the encyclical also on July 24, saying “it was time, yes, high time.”<sup>195</sup> There was no mention within the episcopate that the encyclical did not go far enough, especially after the bishops saw the Nazis’ responses, but the bishops continued to have no knowledge of the discussions within the Vatican of a condemnation of Nazism in 1935 and 1936.

The Nazis reacted very swiftly and decisively to the encyclical. Members of the Gestapo seized printing presses that printed the encyclical and took all of their remaining copies, though the bishops found other ways to print the document.<sup>196</sup> Reich Minister Kerrl wrote to Bertram on March 23, “the papal circular letter to the archbishops and bishops of Germany of March 14, 1937 presents a strong breach of the agreements established in the Concordat,” especially Article 16, and thus he forbade the bishops from printing and distributing this document.<sup>197</sup> Bertram replied that the bishops could not have followed this order, because it went “against the true duties” of their positions.<sup>198</sup> Faulhaber reported of the “newly led grim war against Christianity and the Church” out of “revenge for the papal circular letter.”<sup>199</sup> One of the most egregious intensifications of attacks on the Church after the publishing of the encyclical was the renewal and extension of the morality trials against the clergy. In a pastoral letter of May 1937, Preysing wrote how ridiculous these charges were and urged the members of his diocese to protest these new developments. He also refused to “see it as a coincidence that the anticlerical use of the Swabian trials begins right after the reading of the papal encyclical. The enemies of the Church use the

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<sup>193</sup> Recker, *Wer wollt ihm glauben?*, 238-40.

<sup>194</sup> Protocols of the Conference of West German Bishops, April 9, 1937, in Stasiewski, *Akten* III, 202. This conference included Schulte, Klein (Paderborn), Berning, Hilfrich (Limburg), Galen, Machens (Hildesheim), Dietz (Fulda).

<sup>195</sup> Leiber’s Report, July 24, 1937, in Stasiewski, *Akten* III, 247.

<sup>196</sup> Valentin Mayers’s Report, March 22, 1937, in Volk, *Faulhabers* II, 312.

<sup>197</sup> Kerrl to Bertram, March 23, 1937, in Stasiewski, *Akten* III, 187f.

<sup>198</sup> Bertram to Kerrl, March 26, 1937, in Stasiewski, *Akten* III, 189.

<sup>199</sup> Faulhaber to Pius XI, May 21, 1937, in Volk, *Faulhabers* II, 339.

trials against priests and members of the orders in order to weaken the effect of the papal words.’’<sup>200</sup> The Nazis did not stop with these trials, though. Buchberger reported to Faulhaber in November 1937 that he had seen increasingly uninterrupted searches and seizures of abbeys and monasteries by the Gestapo in the months since they read the encyclical.<sup>201</sup> Even though Hitler did not abrogate the Concordat in response to *Mit brennender Sorge* or have any bishop arrested, one can only imagine how the Third Reich would have reacted had the Vatican published the Holy Office’s original condemnation of Nazism that extended its criticisms beyond mere violations of the Concordat.

One week after the German bishops received the draft of *Mit brennender Sorge*, the Vatican published *Divini Redemptoris*, a very strongly worded papal condemnation of Communism, which included many of the Holy Office’s original suggestions for the double encyclical.<sup>202</sup> The Vatican also prepared an encyclical condemning the persistent attacks on the Church in Mexico, *Firmissimam constantiam*, and published it on March 28, 1937.<sup>203</sup> It is confusing why the Vatican chose to speak out so boldly against Communism and Mexican anticlericalism but limited its response to Nazism all in March 1937. Wolf does not address this issue with much detail, which does weaken somewhat his argument of the Vatican’s intent to keep the syllabus private eternally. Godman speculates that Hitler’s threat of appointing Hudal as the “Court Theologian of the Party” to Faulhaber in their conversation of November 1936, which happened concurrently with the Holy Office’s drafting of their condemnation, convinced Pius XI and Pacelli to tone down their response to Nazism.<sup>204</sup> Finally, Besier reasserts the importance of the “political considerations respecting Hitler, Mussolini and Franco,” ongoing anticlerical atrocities in Spain, and the Anti-Comintern Pact as reasons for the Vatican’s hesitance. Evidence on this point is still weak, though the fact that the Vatican pursued an encyclical that it knew would cause outrage within the Reich government questions the accuracy of Besier’s argument.

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<sup>200</sup> Preysing’s Pastoral Letter, May 7, 1937, in Stasiewski, *Akten* III, 229.

<sup>201</sup> Buchberger to Faulhaber, November 7, 1937, in Volk, *Faulhabers* II, 412.

<sup>202</sup> Godman, *Hitler and the Vatican*, 150-1.

<sup>203</sup> Besier, *Holy See*, 167.

<sup>204</sup> Godman, *Hitler and the Vatican*, 152.

The new evidence available in the Vatican archives, as synthesized by historians like Wolf, Godman and Besier, still do not provide all of the answers to questions about the drafting of *Mit brennender Sorge*. The final draft presented to the bishops in early March 1937 and read on Palm Sunday was undeniably a diluted response to Nazism from what the Holy Office had been preparing for years prior to the visit of the five German bishops to Rome in January 1937. Nonetheless, this message received a swift and bold response from the Third Reich. Based on the evidence available from the Vatican archives and the papers of the German bishops, Wolf makes perhaps the most compelling argument that the Vatican intended to keep its syllabus hidden from public consumption from the beginning, but he falters in comparing the revisions made to *Mit brennender Sorge* and the strong criticisms of *Divini redemptoris*. His argument does place more emphasis on the form rather than the content of *Mit brennender Sorge*, which was the true importance of the encyclical. For Wolf, it was highly unlikely that the Vatican would produce any document publicly that would extend the content of protests from violations of the Concordat. *Mit brennender Sorge* is a crucial document in this history, not because it failed to address human rights violations, but rather because it finally extended the form of protest from simple and often ineffective petitions to the government to a public protest available to the ears of every citizen around the globe. It was a necessary first step in moving towards any extension of the content of protests and a restoration of the Church's moral authority.

#### **IV. 1938-1945**

##### A. The Bishops' Responses to German Foreign Policy Victories Prior to 1939

In 1938, the Third Reich succeeded in all of its foreign policy goals, earning much praise from the bishops who, in spite of their protests in *Mit brennender Sorge*, desired to portray themselves as loyal German patriots. The Third Reich annexed Austria on March 12, 1938. Hudal wanted to celebrate the occasion with a Te Deum service, but Pius XI requested that he refrain from such deeds.<sup>205</sup> Prior to the Anschluss, the Austrian episcopate had rejected Nazism and expressed sympathy for the German bishops after the revitalization of the attacks on the Catholic Church in response to *Mit brennender Sorge*. The

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<sup>205</sup> Besier, *Holy See*, 171-2.

Austrian bishops affirmed “many are troubled that conditions which have developed with you [German bishops] may arise also in our states and help Godlessness to triumph.”<sup>206</sup> However, Besier points out that just as the German episcopate’s revision of its position on Nazism came shortly after Hitler’s Reichstag speech in March 1933, so did the Austrian episcopate, through Cardinal Theodor Innitzer of Vienna, offer its loyalty to the Third Reich on March 15, 1938 in return for the protection of certain rights as stated in the Austrian concordat.<sup>207</sup> On March 21, 1938, exactly one year after the reading of *Mit brennender Sorge* in Germany, Innitzer and Prince Archbishop of Salzburg Sigismund Waitz declared on behalf of the Austrian episcopate: “We acknowledge with joy that the National Socialist movement has done and is doing great things in the area of national and economic construction... We are also of the conviction that through the working of the National Socialist movement the danger of godless Bolshevism destroying all before it is averted.”<sup>208</sup> Obviously the Austrian bishops were not privy to the discussions within the Vatican leading up to the publication of *Mit brennender Sorge*, and this document earned Innitzer a scolding from Pacelli at the Vatican. Pacelli asserted in *Osservatore Romano* that Innitzer and Waitz had acted without the Vatican’s knowledge. In fact, Pacelli wrote to the American ambassador to Great Britain, Joseph Kennedy, soon after Innitzer’s visit to Rome and implied that he intended his message to reach President Franklin Roosevelt. In order to maintain global peace in the face of the “open attitude of defiance” of the Third Reich, the United States and the Vatican should “consider the ever growing necessity to remain allied [as] the highest moral powers of the world, who come forward, for the time powerless and isolated, in their daily struggle against all kinds of political excess on the side of the Bolsheviks and the new heathen descended from the circle of the young ‘arian’ [sic] generations.”<sup>209</sup> Meanwhile, Hitler’s attitude made clear that he had no intention of upholding the Austrian concordat or of extending the provisions of the Reich concordat to the newly acquired Austrian

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<sup>206</sup> Ibid., 173.

<sup>207</sup> Ibid.

<sup>208</sup> Ibid., 173-4.

<sup>209</sup> Ibid., 177-8.

territory.<sup>210</sup> The Vatican was not particularly eager about the Anschluss, but the bishops' reactions show a very different response.

It is important to note the strong divide between the Austrian bishops' unity with the German bishops in March 1937 and their acquiescence to Nazism just a few months later. Four years into the Third Reich, when the atrocities committed by the German government against the Church were very clear, the Austrian episcopate succumbed to Nazi coercion and restrictions on its own rights, such as the rejection of the Austrian press to transmit a public address of the episcopate on the radio and in print.<sup>211</sup> This led the Austrian bishops to meet and lift their condemnation of Nazism, which calls Besier's thesis of Catholic preference for authoritarian regimes into question again. In the April 10 Reich plebiscite to approve the Anschluss, Bishop Sproll of Rottenburg was the only bishop not to participate, though he later qualified that this was not out of disapproval of the Anschluss and unity with the persecuted Austrian bishops but rather of the candidates for the Reichstag.<sup>212</sup> He was banned from his diocese on August 24, 1938 and did not return until June 1945, although the bishops agreed during their August 1939 general conference that Sproll "is allowed rightfully to refrain from voting."<sup>213</sup> Throughout the Third Reich, the Nazis only took action against Sproll and Bishop Legge of Meißen earlier in 1935.<sup>214</sup>

The German Reich's annexation of the Sudetenland in October 1938 provided further complications in the relations of the Reich and the Church. Again, the Third Reich refused to extend the "guarantees" of the Reich Concordat to this new territory, but the Catholic population of the Reich by late 1938 had increased drastically, by over ten percent since 1933.<sup>215</sup> Echoing the infamous statement of British Prime Minister Neville Chamberlain after the Munich Conference, the German episcopate offered its thanks to Hitler for assuring peace instead of instigating war. At Faulhaber's suggestion, Bertram sent a note of appreciation to Hitler on October 1, 1938 on behalf of the entire episcopate, which read, "The

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<sup>210</sup> Ibid., 175.

<sup>211</sup> Ibid., 173.

<sup>212</sup> Ernst Christian Helmreich, *The German Churches under Hitler: Background, Struggle, and Epilogue* (Detroit: Wayne State University Press, 1979), 297.

<sup>213</sup> Sebastian's Minutes of the General Conference of the German Episcopate, August 22-24, 1939, in Volk, *Akten IV*, 701.

<sup>214</sup> Helmreich, *German Churches*, 297.

<sup>215</sup> Lewy, *Catholic Church*, 219.

great deed of safeguarding international peace moves the German episcopate, acting in the name of the Catholics of all the German dioceses, respectfully to tender congratulations and thanks and to order a festive peal of bells on Sunday.”<sup>216</sup> In the Berlin Diocese, under the leadership of Preysing, every priest read from the pulpits amidst the ringing of church bells, “By His grace and the tireless efforts of responsible statesmen the terrible affliction of a war has been averted in our fatherland and in Europe. In deepest thankfulness we desire now with prayer and a Te Deum to praise God for His goodness, that He has preserved peace for us, a peace which has at the same time assured the return [*Anschluss*] of our Sudeten kinsmen to the German Reich.”<sup>217</sup> Even the critical Preysing ordered celebrations for the “peaceful” solution of the Sudeten crisis. The members of the German episcopate expressed universal joy and thanks for the Anschluss and annexation of the Sudetenland as a promise of peace. It is important not to lose sight of the endurance of the Reich Concordat, however. Even though the most influential cardinals and bishops of the episcopate thought it was a useless document, the Pope had insisted that any public action taken in 1937 not provoke Hitler to abrogate it. Still in 1938, the Reich could interpret any bishops’ opposition to a political decision as a violation of the Concordat by the Church. While expressing this vocal support for territorial gains in 1938, the Church’s position remained precarious.

### B. *Reichskristallnacht*

November 9, 1938 is one of the darkest days in German history. The attacks led by the SA and other arms of the Nazi Party against Jews throughout Germany resulted in countless deaths and arrests and the destruction of many synagogues and marked a radicalization in the Third Reich’s anti-Semitic policies that had been codified in the 1935 Nuremberg Laws. In spite of this very public display of anti-Semitism, the bishops remained generally quiet. Individual bishops, and but more likely individual priests, stepped in to help the Jews or to condemn the pogrom, but such cases were rare and often met severe responses by the Third Reich. Galen, a vocal critic of Nazism, failed to respond publicly at all. Rabbi Fritz Steinthal of Münster claimed that Galen sent a priest to his house to facilitate the rabbi’s

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<sup>216</sup> Quoted in *Ibid.*, 218. For the original German, see Bertram to the German episcopate with Bertram to Hitler, October 1, 1938, in *Volk, Akten IV*, 588.

<sup>217</sup> Quoted in *Ibid.*, 219.

release from jail, but the account of the priest who did visit the rabbi does not corroborate this story.<sup>218</sup> In addition, this rabbi claimed that Galen ordered prayers for the Jews in every church in his diocese, but no such directive exists.<sup>219</sup> Faulhaber evidently offered a truck to the Chief Rabbi of Munich so that he could save some objects of religious importance before the Nazis completely destroyed the synagogue.<sup>220</sup>

Faulhaber was especially worried about the possibility of inferring links between Catholicism and Judaism in this period, as recorded in his papers that he had seen in the streets of Munich “on large red placards: The Nazi Munich demonstrates...against the world’s Jewry and its black and red comrades.”<sup>221</sup> Black was the color traditionally associated with the Catholic interest, such as the Center Party.

Monsignor Bernhard Lichtenberg of Berlin offered a prayer for the oppressed Jews and concluded, “What took place yesterday, we know; what will be tomorrow, we do not know; but what happens today that we have witnessed; outside [this church] the synagogue is burning, and that also is a house of God.”<sup>222</sup> His continued outspokenness led to his arrest in 1941. Lichtenberg stands out as one of very few members of the clergy to make such a statement in response to this blatant attack on the German Jewry.

Joachim Kuropka offers thoughts about why Galen and other bishops did not speak out against the events of Kristallnacht. He emphasizes the Nazi attacks on Faulhaber’s palace and on Bishop Sproll and Cardinal Innitzer and the imprisonment of many priests of Münster during the Third Reich, though this did not reach a climax until the 1940s.<sup>223</sup> Griech-Polelle adds speculation that since Galen, among other bishops, was such a staunch German nationalist, he embraced these foreign policy successes even at the risk of war.<sup>224</sup> The lack of correspondence in relation to the bishops’ responses to Kristallnacht prevents a clear conclusion of the reasons for their silence, but intimidation present through the Concordat and enthusiasm for German foreign policy successes after the humiliating Treaty of Versailles at the end

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<sup>218</sup> Griech-Polelle, *Bishop von Galen*, 54, 114-6.

<sup>219</sup> Ibid., 116; Hubert Wolf, *Clemens August Graf von Galen: Gehorsam und Gewissen* (Freiburg: Herder Verlag, 2006), 122.

<sup>220</sup> Lewy, *Catholic Church*, 284.

<sup>221</sup> Faulhaber’s Report, November 12, 1938, in Volk, *Faulhabers II*, 604.

<sup>222</sup> Lewy, *Catholic Church*, 284.

<sup>223</sup> Griech-Polelle, *Bishop von Galen*, 117. Unfortunately, Kuropka’s articles were not available to cite directly. Faulhaber described the Nazis’ storming of his palace in great detail in his four-page report of report of November 12, 1938, quoted above, but his only mention of the events of Kristallnacht takes up a few lines and sees the attack on his palace as an extension of the attacks on the Jews. He does not draw a distinction between their levels of extremity.

<sup>224</sup> Ibid., 166-7.

of World War I likely played equally important roles. Whatever its reasons, the German episcopate failed to fulfill its moral duty by not condemning the attacks on Jews during Kristallnacht and instead focused on protecting its already fragile position within the Reich.

### C. The Bishops and the War Effort

As they did with the foreign policy victories of 1938, the bishops greeted the outbreak of World War II with Nazi Germany's invasion of Poland on September 1, 1939 somewhat warmly. The episcopate offered a prayer for the German troops and for a peace that would benefit Germany. On September 17, the bishops wrote, "In this decisive hour we encourage and admonish our Catholic soldiers, in obedience to the Führer, to do their duty and to be ready to sacrifice their whole person. We appeal to the faithful to join in ardent prayers that God's providence may lead this war to blessed success and peace for fatherland and people."<sup>225</sup> It is important to keep in mind, however, that the episcopate still felt obliged to obey the Concordat and had to impose limits on its own declarations. Therefore, the bishops did not revise this statement even after receiving news of the SS's execution of 1,000 Polish Catholic clergy by December 1939.<sup>226</sup> As Germany set its sights westward, the Catholic press, now under the strict control of Joseph Goebbels' Ministry of Propaganda, began to emphasize the just nature of the war. In Breslau, the *Bistumsblatt Erzdiözese Breslau* classified the war on February 18, 1940 as a struggle for "self-preservation" and "for a just distribution of necessary *Lebensraum*."<sup>227</sup> Following the defeat of France in the summer of 1940 and the Fulda Bishops' Conference's failure to produce a pastoral letter after its August 1940 meeting, Bertram conceded to the complaints of the Reich government and declared the episcopate's assent "to the just war, especially one conducted for the safeguarding of state and people," on September 21.<sup>228</sup> As the war began, the bishops were careful to avoid any statements that could be perceived as destructive to morale on the front lines and also on the home front, and this

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<sup>225</sup> Quoted in Lewy, *Catholic Church*, 226.

<sup>226</sup> *Ibid.*, 227.

<sup>227</sup> Quoted in *Ibid.*, 228.

<sup>228</sup> Quoted in *Ibid.*, 229.



classification as a just war, made in response to coercion by the Nazis, enabled much stronger Catholic support for the war effort.

In fact, through the invasion of the Soviet Union in June 1941, the bishops in general became even more vocal in their support of the war effort. The general sentiment moved from a desire for a positive peace to unabashed German victory.<sup>229</sup> Gröber, one of the bishops who had believed Nazi anti-Bolshevik propaganda strongly in the early years of the Reich, prayed in February 1941 for “the necessary *Lebensraum* and the influence in the world to which she [Germany] was entitled.”<sup>230</sup> Lorenz Jaeger, the new bishop of Paderborn, praised the invasion “for the protection of Christianity in our Fatherland, for the rescue of the Church from the threat of anti-Christian Bolshevism.”<sup>231</sup> Earning praise even from Chief of Police Reinhard Heydrich, Maximilian Kaller, the bishop of Ermland, stated in January 1941, “We joyously profess our allegiance to the German *Volksgemeinschaft* and feel ourselves linked to it in good as well as in bad times...Especially as believing Christians, we faithfully stand behind our Führer who with firm hands guides the fortunes of our people.”<sup>232</sup> Upon the invasion of the Soviet Union, individual bishops professed their unyielding support of this “holy war for homeland and people, for faith and church, for Christ and His most holy cross,” for example.<sup>233</sup> Belief in such Nazi propaganda obviously still permeated the thoughts of some members of the episcopate.

Support for the war effort in the Soviet Union did not necessarily mean support of Nazi policies or a belief of Nazi propaganda for other bishops, though. Berning delivered a sermon on August 28, 1941, in the midst of the invasion, in which he said, “The Church is persecuted...Powerful circles are at work to exterminate Christianity from Germany.”<sup>234</sup> Galen is another primary example. In September 1941, just four months after the launch of Operation Barbarossa, Galen drafted and published a pastoral letter in which he outlined the evils of Bolshevism, especially in the destruction of Christianity in the

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<sup>229</sup> Ibid.

<sup>230</sup> Quoted in Ibid., 230.

<sup>231</sup> Quoted in Griech-Poelle, *Bishop von Galen*, 121.

<sup>232</sup> Quoted Lewy, *Catholic Church*, 230.

<sup>233</sup> Bishop Michael Rackl of Eichstätt, September 24, 1941, quoted in Ibid., 231.

<sup>234</sup> Recker, *Wer wollt ihm glauben?*, 292.

Soviet Union.<sup>235</sup> He mentioned its seductive appeal for many citizens who had become disenchanted with the current state and the Soviet Union's powerful propaganda machine. For Galen, each of these horrors warranted an attack on the Soviet Union, but some historians have failed to see the greater implications of this letter.<sup>236</sup> After outlining the problems with Bolshevism, Galen shifted focus to Nazi atrocities at home. The actions of the Nazis against the Church and basic human rights were really no different than those of the Bolsheviks. In Germany, "the God-given personal rights have often been ignored and in effect denied."<sup>237</sup> Like Communism, the continued "dominion of the Third Reich would mean death for German culture and for Christianity in Germany!"<sup>238</sup> This was a very bold step for Galen, to rekindle this equation of Nazism and Bolshevism during the invasion of the Soviet Union. In studies of Galen, historians often overlook this pastoral letter and focus instead on three sermons he delivered in the summer of 1941 preceding this letter, which will be analyzed more fully below. However, this shows true bravery as he made an assertion that could potentially damage home front morale and be seen as a violation of the Concordat at a time when the Third Reich threatened the Church to get its support. Clearly, not all bishops adhered to the Nazi propaganda line during the war, and discussion returns again to individual actions of bishops rather than any important decisions by the entire episcopate.

#### D. Internal Divisions within the Episcopate During the War and Bishops' Individual Actions

##### 1. An Unfortunate Birthday Card

Bertram, known for his restrictive petition policy to the government purely on violations of the Concordat, sent birthday greetings to Hitler every year during the Third Reich on behalf of the entire German episcopate. In 1939, Hitler's fiftieth birthday, only Preysing offered an opinion that such a statement was not "advisable."<sup>239</sup> Bertram assumed that Preysing would repeat this statement upon hearing of Bertram's 1940 birthday letter on behalf of the episcopate. This was not the case, however.

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<sup>235</sup> Peter Loeffler, *Bischof Clemens August von Galen: Akten, Briefe und Predigten II* (Mainz: Matthias-Grünwald Verlag, 1988), 901-5.

<sup>236</sup> For one example, see Theodore Hamerow, *On the Road to the Wolf's Lair: German Resistance to Hitler* (Cambridge, MA: Belknap Press, 1997), 283.

<sup>237</sup> Löffler, *Akten*, 906.

<sup>238</sup> *Ibid.*, 908.

<sup>239</sup> Leugers, *Gegen eine Mauer*, 84.

Preysing wrote to Bertram on May 6, there is a “profound disagreement between my view of the Church’s political situation and that of your Eminence, both with regard to basic principles and the steps that should be taken from case to case.”<sup>240</sup> Preysing spoke of a strong divide within the episcopate that had endured since the beginning of the Third Reich in the negotiation of the Concordat. One group, under the leadership of the “authoritarian” Bertram, “believed in the possibility of a *modus vivendi* between the Church and the Party state, while the other group was convinced, ‘that a friendly beneficial coexistence between the totalitarian state of today and the Catholic church is impossible.’”<sup>241</sup> Preysing even considered resigning his post as bishop of Berlin, as he saw no hope in effecting change within the episcopate under the close-minded Bertram. Pacelli, Pope Pius XII since 1939, convinced Preysing to remain in his post and offered his private personal support for Preysing’s cause.<sup>242</sup>

In fact, Pius XII maintained correspondence with Preysing privately through the war and wrote after Galen’s three sermons in 1941, for example, “the three sermons of Bishop von Galen afford us comfort and satisfaction, that we have not discovered for a long time through this life of suffering which we endure with the Catholics of Germany.”<sup>243</sup> The reason for these sermons’ success is, “that the moral severity and intensity of his caveat [*Verwahrung*] was discovered as standing directly in the correct ratio to the injustices that the Catholic Church in Germany has had to suffer...so then did the bishop lay the finger on wounds and injuries in a very open-hearted but noble fashion, that, as we hear so often, every lawful thinking German feels painfully and bitterly.”<sup>244</sup> He clearly praised Galen’s bold words and wished more bishops would follow in his and Preysing’s footsteps, but the “especially difficult situation of the Holy See” at this time prevented him from encouraging them too strongly.<sup>245</sup> In spite of the bishops’ apparent unity leading into the Second World War, a simple birthday letter proved to be highly

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<sup>240</sup> Ibid., 87.

<sup>241</sup> Adam, *Auseinandersetzung*, 95.

<sup>242</sup> Leugers, *Gegen eine Mauer*, 91-3.

<sup>243</sup> Pius XII to Bishop Preysing/Berlin, September 30, 1941, in Burkhardt Schneider, Pierre Blet, and Angelo Martini, eds., *Die Briefe Pius’ XII. An die deutschen Bischöfe 1939-1944* (Mainz: Matthias-Grünwald Verlag, 1966), 154-5. “*Die drei Predigten des Bischofs von Galen bereiten auch Uns einen Trost und eine Genugtuung, wie Wir sie auf dem Leidensweg, den Wir mit den Katholiken Deutschlands gehen, schon lange nicht mehr empfunden haben.*”

<sup>244</sup> Ibid., 155. “*Sie ist...dass der sittliche Ernst und der Stärkegrad seiner Verwahrung als gerade im richtigen Verhältnis stehend empfunden zu dem Unrecht, das die katholische Kirche in Deutschland har erleiden müssen.*”

<sup>245</sup> Ibid., 154-5.

divisive within the episcopate, outlining a strong divide between some of the more stagnant bishops and the outspoken protestors.

## 2. Galen's Three Summer 1941 Sermons

Prior to his critical September 1941 pastoral letter, Galen presented three sermons in the summer of 1941 to his congregation in Münster, each of which attacked Nazi policies including seizure of Church property and Gestapo terror as well as the euthanasia program. In his first two sermons, he criticized the Reich for being “opponents within the country” by closing monasteries and missionary houses.<sup>246</sup> He challenged his Nazi opponents directly and charged,

It is not I who am responsible for a possible weakening of the home front, but those who regardless of the war, regardless of this fearful week of terrible air raids, impose heavy punishments on innocent people without the judgment of a court or any possibility of defense, who evict our religious orders, our brothers and sisters, from their property, throw them on to the street, drive them out of their own country... And therefore I raise my voice in the name of the upright German people, in the name of the majesty of Justice, in the interests of peace and the solidarity of the home front; therefore as a German, an honorable citizen, a representative of the Christian religion, a Catholic bishop, I exclaim: we demand justice! If this call remains unheard and unanswered, if the reign of Justice is not restored, then our German people and our country—in spite of the heroism of our soldiers and the glorious victories they have won—will perish through an inner rottenness and decay.<sup>247</sup>

He clearly made no effort to hide his disdain for the actions of the Reich, but he still restricted his claims to attacks on the Church, not violations of human rights.

This changed completely on August 3. In this third sermon, Galen condemned the Nazi euthanasia program using precise numbers and individual instances of the neighbors of his congregation being taken away and called “unproductive.” He despised the inhuman language the Nazis used to refer to these citizens selected for euthanasia. Such language, according to Galen, made these citizens seem depraved and animalistic, and he questioned what would stop the Nazis from killing all German citizens when they became old and thus also unproductive to society.<sup>248</sup> He concluded this sermon with an analysis of the Nazis' violations of each of the Ten Commandments, especially the Fifth: “Thou shalt not

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<sup>246</sup> Griech-Polelle, *Bishop von Galen*, 179.

<sup>247</sup> *Ibid.*, 178.

<sup>248</sup> *Ibid.*, 191.

kill,” and he urged his congregation to follow the proverb, “Rather die than sin,” which Galen himself was prepared to fulfill.<sup>249</sup> These sermons infuriated the Nazis, but rather than take any action against Galen during the war, as not to make him a martyr, the Reich arrested 37 priests of Münster and sent them to concentration camps, where twelve of them died.<sup>250</sup> Galen did not raise much protest against the regime after September 1941, likely out of fear for his fellow priests and intimidation felt by their arrests. In spite of their hatred of him, the Nazis ceased the euthanasia program on August 24, 1941, shortly after Galen’s third sermon, though some historians remain skeptical of the link between the program’s end and Galen’s sermons.<sup>251</sup> His apparent success in bringing sufficient public attention to the euthanasia program to halt it was the climax of his vocal protests to the regime, however. He did not speak up for the Jews, likely because of the high number of priests from Münster arrested in response to his sermons. In addition to violating the policies of the Concordat by discussing a non-religious matter, he also violated the policy agreed upon within the episcopate of the content of criticisms of the Reich by going beyond the Concordat. It is unclear if Bertram had communication with Galen after these sermons that caused him to reconsider his unilateral protests, but it is certainly conceivable.

Few other bishops ever pronounced anything so boldly in their sermons or pastoral letters. Bornewasser gave two sermons in August and September 1941 in the same vein as Galen, which caused Georg Angermaier, Catholic lawyer and resister to the Third Reich, to conclude on November 18, 1941 that “the German bishops in general and individually are increasingly fulfilling their duty to defend Christian doctrine in general, having to take the route of publicity, because their petitions do not receive answers often enough and the reprehensible crimes are not suppressed.”<sup>252</sup> Preysing also gave a sermon on November 2, 1942 condemning the new unofficial euthanasia policy of the Reich, but there are few instances other than that within the episcopate, and none of these were as effective as Galen’s three sermons of the summer of 1941. Galen and Preysing in many situations, and Bornewasser in this

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<sup>249</sup> Ibid., 192-5.

<sup>250</sup> Hubert Wolf, *Gehorsam und Gewissen*, 112-3.

<sup>251</sup> Burleigh, *The Racial State*, 153.

<sup>252</sup> Angermaier’s Report, November 18, 1941, in Volk, *Akten V*, 619.

instance, stand out as shining beacons of moral righteousness during the Third Reich because they embraced the public form of protest of *Mit brennender Sorge* but more importantly because they encouraged an extension of the content of these protests from violations of the Concordat to violations of basic human rights.

### 3. The Formation and Efforts of the *Ausschuß für Ordensangelegenheiten*

During the war, blatant attacks on the Church eased significantly, though not before the great *Klostersturm* of 1940/1941. The Nazis closed 123 monasteries between January and June 1941.<sup>253</sup> In response to these attacks on the orders, the German episcopate founded the *Ausschuß für Ordensangelegenheiten* [Committee for the Matters of the Monastic Orders] in 1941 under the leadership of Preysing and Bishop Johannes Dietz of Fulda and four members of the orders.<sup>254</sup> This body urged the German bishops' conference to prepare a pastoral letter condemning human rights violations, not just attacks on Church institutions, an expansion of form and content that Bertram expressly rejected. Gröber also rejected this plan, not necessarily because he disagreed with its goals, but rather because he thought the time for a change of course had passed by April 1941 since "it appears to me, that we German bishops have seldom been so incoherent as right now."<sup>255</sup> On May 26, 1941, Galen, meanwhile, "pled for a revision to the until now passive course [of the episcopate] and called him to the bishop's duty to preach the truths of Revelation and to defend the freedoms and rights of the Church."<sup>256</sup> It is interesting the Galen did not cite euthanasia as a reason for his request at this point. This effort exposed the episcopate's severe internal divisions in spite of its attempts to maintain an appearance of unity to Catholic citizens so as not to seem weak. In protest against the strengthening *Ausschuß*, for example, Bertram offered his resignation as chairman of the bishops' conference on several occasions. To maintain this appearance of unity, though, the bishops' conference continually rejected this offer. The first time was soon after the death in 1941 of Cardinal Schulte of Cologne, who traditionally would have been Bertram's

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<sup>253</sup> Recker, *Wer wollt ihm glauben?*, 282.

<sup>254</sup> Leugers, *Gegen eine Mauer*, 136.

<sup>255</sup> *Ibid.*, 171; Gröber to Orsenigo, April 2, 1941, in Volk, *Akten V*, 337.

<sup>256</sup> Leugers, *Gegen eine Mauer*, 173; Galen to Berning, May 26, 1941, in Volk, *Akten V*, 362-6.

replacement.<sup>257</sup> Once Josef Frings became the Archbishop of Cologne in 1942, Bertram offered his resignation again, but a majority of the conference feared that it would be interpreted as division within the episcopate about Bertram's competency as chairman.<sup>258</sup> The bishops' hesitance to replace Bertram at the head of the conference proved costly in the *Ausschuß*'s attempts to get a pastoral letter drafted draft that addressed human rights.

The bishops under Bertram's leadership were slow to act, especially considering Bertram and Berning would have been content to continue with simple petitions to the government to address violations of the Concordat.<sup>259</sup> Finally, the members of the orders took up writing a pastoral letter in November 1941 that followed Galen's argument of "brown Bolshevism," though the bishops continued to be divided on its message, especially during the invasion of the USSR.<sup>260</sup> Faulhaber called the letter an "*Ambrosiustat*," or some kind of a divine deed.<sup>261</sup> Bishops Gröber, Berning, Preysing, Dietz, and Landesdorfer expressed support for this letter and planned to read it on December 7, 1941.<sup>262</sup> It is especially interesting to note that Gröber and Berning, who had been content with petitions earlier, supported this letter. However, Buchberger and Bertram opposed it as too strongly worded.<sup>263</sup> As usual, the episcopate had a divided opinion on the letter, and they decided to drop consideration of it in favor for the time being.

Bertram's intervention continued into 1942 with discussions of a joint letter with the Protestants. Preysing and Berning, with the support of Galen, Bornewasser, and the Cologne archdiocese chair (Frings had not yet been appointed archbishop), drafted a joint letter with the Protestant leaders that had offered proof of "general, God-given rights of men," including "persons of foreign races and the members of enemy peoples," but Bertram edited this draft so severely as to take away all of its important substance.<sup>264</sup> By the time the episcopate published the letter in March 1942, it had produced with the support of the

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<sup>257</sup> Ibid., 174.

<sup>258</sup> Ibid., 267.

<sup>259</sup> Ibid., 245.

<sup>260</sup> Ibid., 247.

<sup>261</sup> Ibid., 253.

<sup>262</sup> Ibid.

<sup>263</sup> Ibid., 247-54.

<sup>264</sup> Ibid., 263.

Protestants a lengthy yet unoriginal document that criticized the Reich again for violating the Concordat.<sup>265</sup> Many bishops even refused to read it to their congregations, including Buchberger, who had opposed the first pastoral letter in 1941 as well.<sup>266</sup> This revised and limited statement drew criticism from the members of the *Ausschuß* and normal citizens. One high-ranking anonymous layman told a bishop,

The bishops who did not read [the letter] (and did not have it read) did this either because they fear for themselves; then that is unbearable cowardice when so many sacrifice themselves—or because they were promised something from the state or the Party; then that is an unbearable vulgarity and we do not want any more communion with such bishops. The either-or is complete; the poor bishops cannot say just once, that the bishops themselves were the victims this time.<sup>267</sup>

It was not until 1943 that the bishops produced a statement that at least hinted at a concern for human rights violations by reaffirming the Ten Commandments, especially when they all had knowledge of the deportations of Jews by this point. This letter concluded, “Killing is bad in itself, even when it is done in the interest of the common welfare,” including “against people of alien race and descent.”<sup>268</sup> With this end product of the German episcopate, it became clear that the *Ausschuß* would not succeed in getting a strong condemnation of human rights violations from the bishops’ conference because of the bishops’ internal disunity and Bertram’s meddling in drafts of documents. The bishops only managed to agree on this Ten Commandments letter as the Reich’s war successes began to diminish and as it became impossible to deny the implementation of the Holocaust. In general, the bishops who supported Preysing’s line of opposition had already expressed a willingness to extend either the form or content of protests before the 1940s, and those few but influential who allied with Bertram heeded the Vatican’s wishes from 1937 to retain the Concordat.

#### E. The Holocaust

As with most anti-Semitic measures of the Third Reich, the episcopate failed to produce any adequate condemnation of the Holocaust through the end of the war. Bertram sent petitions to the

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<sup>265</sup> The original document is available in Volk, *Faulhabers II*, 883-8.

<sup>266</sup> *Ibid.*, 264.

<sup>267</sup> *Ibid.*, 265.

<sup>268</sup> Adam, *Auseinandersetzung*, 124.



government on numerous occasions to complain about the laws annulling mixed marriages but received only diplomatically worded rejections in response, and drafts of a pastoral letter by Frings of August 1943 included a rejection of the “murder of men only because they are of foreign races.”<sup>269</sup> Indeed, only a few bishops offered any sort of assistance or concern for the persecuted Jews during the 1940s, but these cases are important to note. Preysing founded a *Hilfswerk* board in the Berlin diocese already in 1938 to assist those Jews who had converted to Catholicism in receiving papers, money, food, shelter, and counsel, and he extended these services to persecuted Jews during the Holocaust, and Faulhaber also had a similar agency for “baptized” Jews.<sup>270</sup> He also asked Pius XII on countless occasions for his intervention for the Jews. Pius XII’s 1942 Christmas message included a mention of his hope for the unity and equality of “all peoples and all nations” as a “vow to the hundreds of thousands of persons who, without any fault on their part, sometimes only because of their nationality or race, have been consigned to death or to a slow decline.”<sup>271</sup> Galen, the outspoken critic of the euthanasia program, did not mention any concern for the Jews during the Holocaust.

Bertram even made some efforts to accommodate anti-Semitic laws during the 1940s. On September 1, 1941, the Reich decreed that all ethnic Jews, including those converted to Catholicism, must wear the Star of David on their person. On September 17, Bertram wrote to the episcopate and encouraged the bishops to advise Jewish Catholics to go to Mass earlier to lessen their embarrassment since fewer “Aryan” Catholics would be at those services.<sup>272</sup> Again, Bertram limited himself and any communal action by the episcopate to those laws and policies, which directly violated the Concordat, and refrained from a condemnation of human rights violations. He continued to limit the form and the content of any episcopal protests to the Reich. If the Church actually believed that the Concordat would allow for the endurance of the Church so that it could defend Christian morality later, it failed to fulfill this calling during the Holocaust.

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<sup>269</sup> Cologne’s Draft of a Pastoral Letter, before August 17, 1943, in Volk, *Akten* IV, 176.

<sup>270</sup> *Ibid.*, 107-8.

<sup>271</sup> “Text of Pope Pius XII’s Christmas Message Broadcast from Vatican to the World,”

*New York Times*, December 25, 1942, p. 10; ProQuest Historical Newspapers The New York Times

<sup>272</sup> Lewy, *Catholic Church*, 285-6.

## F. The Collapse of the Third Reich and the early Postwar Years

After Germany's defeat in 1945, the Church made a strong effort to distance itself from the Third Reich, such as rejecting the notion of the collective guilt of the German people. Even after the war ended, the bishops followed divergent paths. Alois Hudal, the Austrian bishop stationed in Rome who suggested reconciliation with the conservative wing of the Nazi Party, organized one of the most important postwar ratlines, routes through which Nazis, such as Adolf Eichmann and Joseph Mengele, managed to escape Europe, mostly to South America. Michael Phayer speculates that this was Hudal's attempt to implement his plan to wed Nazism and Catholicism realized at last.<sup>273</sup> Hudal also was the main informant for Hochhuth's *Der Stellvertreter* (The Deputy), mentioned at the beginning of this paper, which calls into question the historical accuracy of many of its claims. Somewhat surprisingly so quickly after the war, Pius XII elevated Preysing, Josef Frings of Cologne, and Galen to cardinals, a clear sign that Pius intended to reward these bishops, whom he had supported privately during the Third Reich, since they were the most outspoken critics of the regime within the episcopate. With the establishment of the Federal Republic of Germany, the German episcopate was very careful to align itself with democracy, and the bishops became quickly a respectable moral force in Germany.

## **V. Conclusions and Implications**

Bishops have a unique and crucial role in the hierarchy of the Catholic Church as mediators ideally between Catholic dogma as enforced by the Vatican and sentiments and developments within their homeland as produced by Catholic citizens and national governments. At times, however, these influences become blurred, tangled, or reversed. Instead, the Vatican, as a sovereign nation, preaches politics or diplomacy to the bishops and national governments and citizens request the reinforcement of the Church's moral or dogmatic integrity. In today's continuing crisis of sexual abuse by Catholic clergy, the dynamic appears to be closer to the second situation, placing the bishops in an awkward position between adherence to the attitudes of their superiors in the Vatican and rejection of immorality and pedophilia within its own ranks as called for by citizens and governments. Within the German

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<sup>273</sup> Michael Phayer, *Pius XII, the Holocaust, and the Cold War* (Bloomington, IN: Indiana University Press, 2008), 195.

episcopate, the resignation of Walter Mixa, the bishop of Augsburg, in April 2010 in response to claims of improper activity and Pope Benedict XVI's ties to a priest who has been accused of sexual deviance prove how no level of the hierarchy is immune from these claims.<sup>274</sup> Along with Benedict XVI's recent proclamation that the Jews were not responsible for Christ's crucifixion, the status of today's Catholic Church necessarily should open new analysis of the German episcopate during the Third Reich.

Since the publication of Rolf Hochhuth's drama, *Der Stellvertreter*, in 1963 through the publication of John Cornwell's book, *Hitler's Pope*, in 1999 and Besier's *The Holy See and Hitler's Germany* in 2007, the Catholic Church during the Third Reich has received many scathing reviews, including accusations of being blinded to Nazi atrocities because of its opposition to Communism and even conspiring with the Nazis to execute the Holocaust. The image from Friedrich Dürrenmatt's mural included at the end of this paper portrays a similar message. While the opening of the Vatican archives for papacy of Pius XI through 1939 has only continued the debate about the Church's response to the Nazi regime, an analysis of these documents along with those available about the German episcopate reveal a somewhat more promising conclusion about the bishops' actions and decisions in this period.

Fears of the spread of Communism were rampant in the Catholic Church. The evidence offered proves that some bishops subscribed to the Nazi propaganda that the Party would protect Germany against a Bolshevik revolution. No matter how strongly the Vatican and the bishops condemned Communism, however, they did not express a preference for authoritarian regimes that rejected and promised to eliminate Communism. In Germany, for example, many of the bishops during the Third Reich opposed the secularism and individualism codified in the Constitution of the Weimar Republic, yet the Church relocated Galen from Berlin to Münster in 1929 in order to prevent the Catholic Westphalian nobility from supporting right-wing political parties instead of the Center Party, even though these more conservative, monarchical, or authoritarian parties opposed Communism openly. Such actions prove the

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<sup>274</sup> "Katholiken erleichtert über Mixas Rücktritt," *Die Zeit*, April 22, 2010, available at <http://www.zeit.de/gesellschaft/zeitgeschehen/2010-04/mixa-ruecktritt-reaktionen>.

Church's attempts to protect Catholicism in democracies and disprove Scholder's and Besier's bold assertion that the Catholic Church preferred to work with Catholic authoritarian regimes.

Instead, Repgen and Wolf come closer to the truth in their conclusion that the Concordat was a defensive treaty that the Church agreed to negotiate for its own preservation. Faulhaber's response to the April 1, 1933 boycott of Jewish businesses supports this. For the cardinal, the fear of retaliation by the Nazis had the Church intervened on behalf of the Jews was equally or more important in his decision not to act than his imagined belief that "the Jews can help themselves." Such realizations that the Third Reich could destroy the Church's presence in Germany played crucial roles in the negotiation of the Concordat, which led Pacelli to assert that he agreed to sign the treaty because he felt that Hitler had "pointed a pistol" at his head. These fears led also to rushed negotiations that failed to include a list of protected Catholic organizations and forced the clergy to refrain from political involvement. The Concordat kept churches open and allowed the continued administration of the sacraments, but it also restricted the breadth of the statements of the bishops. Such restrictions and the beginning of attacks on the Church by the Nazis forced many of those bishops, like Berning, who supported the Nazis' anti-Bolshevism in 1933 to realize that Nazism and Bolshevism were no different by the murder of Erich Klausener on June 30, 1934. The Vatican thought a Concordat was the only way to ensure its continued existence in the Third Reich.

By 1937, it was clear to the Vatican and even to the most conservative bishops, like Bertram, that the Nazi government had no intention of upholding its side of the Concordat fully. Because of Catholic doctrine that ordered obedience to state authorities, however, the Church felt obliged to follow the regulations of the treaty. In their meeting of January 1937, the pope and the bishops present expressed agreement that any public action taken by the Vatican to criticize the Reich should not compel Hitler to abrogate the Concordat, even though the bishops had previously declared it a "dead document" to Pius XI. The result of this audience, *Mit brennender Sorge*, failed to condemn the racism and violations of human rights apparent in the Third Reich, as the Vatican had been planning internally, and focused rather on violations of the Concordat. Based on the evidence available in the Vatican's archives and the

bishops' papers, Wolf presents a very plausible argument that the Vatican never intended to make public its syllabus, even to the bishops who traveled to Rome, made believable by the Vatican's frequent decision not to include the German bishops in its deliberations of responses to the Third Reich. *Mit brennender Sorge* stands out as an impressive extension of the form of the Church's protest to the Third Reich, though Wolf appears too bold in his assertion that the content of the encyclical is exactly what any historian should expect as "a typically Roman compromise." This encyclical deserves its fame for making the Church's protests more public, but it embodies the Church's continuing adherence to the terms of the Concordat. The Church continued to refrain from any political condemnation.

After the death of Pius XI and the election of Pacelli as Pius XII in 1939, documentary evidence from the Vatican diminishes, so the historian must rely solely on the papers of the German episcopate to analyze its actions. As Germany moved towards war, the episcopate retained its adherence to the Concordat as a general conference, as agreed upon in the drafting of *Mit brennender Sorge*. In fact, Bertram reverted to his policy of petitions to the government during the war primarily instead of focusing on and embracing more public forms of protest, perhaps after seeing a renewal and increase of attacks on the Church after the reading of the encyclical. Fears of backlash by the Reich prevented the bishops from condemning the murder of Catholic priests by the SS during the invasion of Poland, for example, as any statement regarding non-religious activity by the Reich could be interpreted as a violation of the Concordat by the Church.

As the Church saw fewer attacks on its institutions during the war, it could have used this opportunity to reassert its moral authority. Some individual bishops, such as Galen and Preysing, did fulfill this duty and risked their own personal safety to promote Catholic moral teachings and to expand both the form and the content of their protests. In practice, though, the general episcopate and many individual bishops failed to live up to the ideals of strength in their own faith and willingness to martyr themselves for Catholic morality as they preached in their pastoral letters. Correspondence between Pius XII and bishops like Galen and Preysing proves that the pope supported their efforts to address human rights violations directly but felt obliged to remain publicly neutral in a time of war and thus unable to

demand similar action by other bishops. Therefore, the episcopate received little direct guidance from the pope, and the bishops under Bertram, who exerted very strong influence on the drafts of the pastoral letters offered by bishops during the war, continued on the same path of limiting their protests to violations of the Concordat, not to the egregious and horrifying events of the Holocaust, of which all of the bishops had knowledge. Such decisions offer no support for the theses that the Church conspired with the Reich to execute the Holocaust or desired to develop a working relationship with the Third Reich. The episcopate concerned itself primarily with its own existence and unity by following the limitations placed on itself in the Concordat through the war, and in doing so, it failed to promote Catholic moral teachings and uphold its reverence of martyrdom.

As in today's Church, the German episcopate during the Third Reich faced a Vatican that preached politics and diplomacy in the protection of the Concordat and a public that, at least in part, demanded dogmatic purity and moral integrity by the bishops. The Vatican's motives in negotiating the Concordat, namely self-defense, permeated all considerations and deliberations within the Vatican and the episcopate through 1945. This was an imperfect decision, but not one that should condemn the actions of the episcopate in this period. It is certainly logical for the episcopate to have focused on its own existence during the Third Reich by limiting its protests to violations of the Concordat until attacks on the Church ceased. Indeed, Hitler and Goebbels opposed any action against the bishops during the war to prevent their becoming martyrs on the home front, though it was impossible for the bishops to know this. Since the episcopate, with few exceptions, failed to address violations of Catholic moral teaching and human rights during the war when there were fewer attacks on the Church, the bishops' reasoning remains questionable. Certainly, the episcopate should have followed the leadership of bishops like Galen, Preysing, and Bornwasser in the 1940s and embraced their calls for martyrdom in the defense of their faith. For the episcopate as a body, however, the Vatican's emphasis on diplomacy for the Church's preservation within Germany proved more persuasive and important than calls by some Catholics for its moral guidance in this time of crisis. In spite of Repgen's and Wolf's mostly accurate analyses of the episcopate during the Third Reich leading up to the outbreak of war, it appears that the bishops placed too

much emphasis on politics and diplomacy as the Holocaust began and grew. They failed to make the difficult choice after 1939 to expand the form and content of their protests and continued to focus on the protection of their own institutions. As a whole, the same episcopate that had expressed unyielding opposition to the Nazi Party from 1930 to early 1933 had become by the 1940s a confused, reluctant, insecure, and, to a certain extent, cowardly lion, a body with enormous potential and power that remained silent because of its failure to receive direct guidance from the Vatican and its inability to determine the best approach that would maintain its inner unity, well-being, and very existence.

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**Appendix 1:**



Friedrich Dürrenmatt painted this mural, called “*Die letzten Tage der Menschheit* [The Last Days of Humanity],” in his apartment while he was a student at the University of Bern from 1946-1949. In the upper left-hand corner of this detail, Pius XII shields Hitler, Mussolini, and Franco within his papal garments. (Photo and description courtesy of Roger Crockett)