

71-27,638

PETERS, Richard Alvin, 1930-
NAZI GERMANY AND THE VATICAN, JULY, 1933--
JANUARY, 1935.

The University of Oklahoma, Ph.D., 1971
History, modern

University Microfilms, A XEROX Company, Ann Arbor, Michigan

© Copyright by
Richard Alvin Peters
1971

THIS DISSERTATION HAS BEEN MICROFILMED EXACTLY AS RECEIVED

THE UNIVERSITY OF OKLAHOMA
GRADUATE COLLEGE

NAZI GERMANY AND THE VATICAN,
JULY, 1933 - JANUARY, 1935

A DISSERTATION
SUBMITTED TO THE GRADUATE FACULTY
in partial fulfillment of the requirements for the
degree of
DOCTOR OF PHILOSOPHY

BY
RICHARD ALVIN PETERS
Norman, Oklahoma
1971

NAZI GERMANY AND THE VATICAN,
JULY, 1933 - JANUARY, 1935

APPROVED BY

Robert W. Patterson ✓

William H. Hoelke, Jr.

Robert J. Tate

Robert G. Myers

Rufus L. Hall

DISSERTATION COMMITTEE

PREFACE

As a result of Rolf Hochhuth's play, The Deputy, in recent years the world has focused a great deal of attention on the relations between the Vatican and the Third Reich. In particular, The Deputy has stimulated interest in Pope Pius XII, and his position concerning the fate of the Jews during the Second World War. The resulting controversy has brought forth a barrage of books, most of which have taken extremely partisan stands on this subject. The vast majority of these publications, however, emphasize the role of the Pope rather than the Reich government, and deal only with the War years. By contrast, except for the Reich Concordat of 1933, historians have not researched carefully the period which begins immediately after the Concordat and concludes in 1939, the year which saw both the outbreak of the War and the election of Cardinal Eugenio Pacelli as Pope. This is somewhat surprising, especially since Pius XII played an extremely important role in Reich-Vatican relations during this period as the Cardinal Secretary of State under Pope Pius XI. It is the intention here to fill part of this void, i.e., the first two years of the Hitler regime.

The major portion of this study is based upon the documents of the German Foreign Ministry, the majority of which were obtained at the Foreign Office Library in London and remain unpublished. In addition, the published Documents on German Foreign Policy have been a great value. Obviously, the Vatican archives are necessary to complete this study but they are unavailable for this period. While the lack of these documents is unfortunate, it is not as serious as it first appears for two reasons. First, the notes which the Vatican sent to the Reich government are found in the German as well as the Vatican archives. Secondly, scholars have examined the correspondence between Vatican authorities and the members of the German Episcopate, which is located in the diocesan archives in Germany. Thus, there is a considerable body of knowledge available concerning the Vatican's position toward the religious situation in Germany apart from those found in the Foreign Ministry archives. Nevertheless, it must be admitted that without access to the Vatican archives there is much that we cannot know, especially concerning the events on the "inside" of the Vatican and the formation of Vatican policy toward Germany. We would like to know more, for example, about the relationship between Cardinal Pacelli and Pope Pius XI, and to what extent they agreed or disagreed on Vatican policy. If it is true, as all observers seem to concur, that Pope Pius XI administered Vatican affairs in

an authoritarian manner, then why did he at the same time allow Cardinal Pacelli to assume so much responsibility in German affairs? There are also questions concerning the role played by other Vatican authorities, but it is impossible to assess their role without the Vatican archives. Thus, when it comes to explaining "why" the Vatican pursued a specific policy this study is limited. It does attempt to explain what is traditional in Vatican diplomacy and the position the Vatican could be expected to take based upon Catholic doctrine. Occasionally, when warranted by logic and the evidence in the German documents, a few suppositions are offered concerning the motives behind Vatican policy, but they are not intended to be definitive. On the other hand, in regard to the formation of German policy toward the Vatican, this study is more complete. Even here there are occasional gaps in the archives, but on the whole the German record is well documented for the period covered.

At the outset I would like to make it clear that I have made no effort to prove or disprove any particular point of view. In respect to both the Nazis and the Vatican, I feel compelled to neither censure nor exonerate, but only to draw conclusions from the evidence uncovered. I admittedly share the abhorrence of the Hitler regime which is characteristic of nearly all Americans, but I have still attempted to be charitable to the Nazis if

the occasion seemed to call for it. Although this study presents no single "thesis," it does ask and attempt to resolve a number of questions. Some of these questions are: (1) the extent of Hitler's involvement in Reich-Vatican relations during this period and to what end; (2) the role of the German Foreign Ministry and its relation to the Reich Ministry of Interior in forming policy toward the Vatican; (3) the effectiveness of the Reich Concordat as a legal weapon in protecting Catholic rights; and (4) the significance of the Communist threat in providing a common basis for German-Vatican collaboration. Finally, because of the controversy which has surrounded Cardinal Pacelli, an effort is made to determine his role in Reich-Vatican relations while he served as Cardinal Secretary of State. For example, the claims of German officials that Pacelli was a more compromising and an easier man to work with than Pius XI will be examined as closely as possible. This is especially important because Pacelli has since been severely criticized for failing to speak out while the Nazis methodically murdered several million Jews. The question is, did Pacelli reveal attitudes or pursue policies as Secretary of State that would help us to understand better his puzzling silence on the Jewish question as Pope?

I have devoted considerable space to the background, which must be understood before one can appreciate the

complexities of Reich-Vatican relations. Thus, Chapter I introduces the principal characters in both the German Foreign Ministry and the Vatican, while Chapters II and III survey the relations between the Nazis and German Catholics up to the conclusion of the Concordat. I have also found it necessary to integrate into the story of Reich-Vatican relations some of the high points of the Church conflict inside Germany. This is itself a lengthy and complex subject, and an effort has been made to keep the space devoted to these internal events to a minimum. It is nevertheless far too intimately intertwined in Germany's relations with the Holy See to be omitted, because the treatment of Catholics inside Germany directly affected the attitude of Vatican authorities toward the Nazis. Fortunately, Guenter Lewy has provided a serious study of this subject in The Catholic Church and Nazi Germany, which has helped immensely.

Although this is essentially a diplomatic study, it is unusual in the sense that its scope is broader than the majority of such studies. It is concerned not only with political issues, but also with religious and racial questions, and the ageless problem of Church versus State. During the twenties and early thirties, the Catholic Church had to determine its position toward a movement whose leaders were known to hold views hostile toward Christianity. This was not an easy assignment, and it is

not surprising that the Church authorities sometimes appeared confused and inconsistent in determining the proper course to pursue. Unfortunately, there was no confusion on the part of Adolf Hitler, who from the very beginning set out to destroy the independence and authority of the Catholic Church in Germany. To accomplish this goal he sometimes used the diplomatic approach, as when the Reich government negotiated the Concordat with the Vatican. At other times he relied upon intimidation and terror. But regardless of the political tactics used for the occasion, Hitler's goal remained unaltered.

In preparing this study, I am grateful to a number of individuals who in various ways have provided valuable assistance. Among those whom I would like to acknowledge are Mr. K. Hiscocks of the Foreign Office Library in London, Mrs. Ilse R. Wolff and her staff at the Wiener Library in London, and Mrs. Auguste Cooper and Miss Anne Lynch, both of Edmond, Oklahoma. Finally, I would like to thank the members of my committee for their time and consideration, and especially Dr. Gordon D. Drummond, who has offered many constructive comments along the way.

TABLE OF CONTENTS

	Page
PREFACE.	iii
Chapter	
I. INTRODUCTION	1
Part I: Nazi Foreign Policy and the German Foreign Ministry	
Part II: The Vatican	
II. GERMAN CATHOLICISM VERSUS NATIONAL SOCIALISM IN THE WEIMAR ERA.	40
Part I: The Position of the Nazi Party Toward the Catholic Church	
Part II: The Catholic Response to National Socialism	
III. JANUARY 30 - JULY 20, 1933: CAPITULATION AND REAPPROACHMENT	65
IV. JULY 21 - SEPTEMBER 10: FROM THE SIGNING OF THE CONCORDAT TO ITS RATIFICATION . . .	104
V. SEPTEMBER 11 - DECEMBER 31: THE FIRST APPLICATION OF THE CONCORDAT	128
VI. JANUARY 1, 1934 - MARCH 14: A DETERIORATION OF RELATIONS	174
VII. MARCH 15 - JUNE 29: THE REICH GOVERNMENT ENCOUNTERS INCREASED CRITICISM	212
VIII. JULY 1 - SEPTEMBER 30: THE REICH GOVERNMENT ATTEMPTS TO RESTORE CATHOLIC CONFIDENCE.	244
IX. OCTOBER 1, 1934 - JANUARY 13, 1935: TO THE SAAR PLEBISCITE	275
X. CONCLUSIONS.	305
BIBLIOGRAPHY	312
APPENDIX	326

NAZI GERMANY AND THE VATICAN,
JULY, 1933 - JANUARY, 1935

CHAPTER I

INTRODUCTION

Part I: Nazi Foreign Policy and
the German Foreign Ministry

Before undertaking the study of Germany's relations with the Vatican in the early years of the Third Reich, some attention should be given to the personnel and structure of the German Foreign Ministry as it was composed in 1933. This vast organization not only served as the focal point for Reich-Vatican relations, but its members also drew up the majority of the documents used in this study. In addition, it will be necessary to examine certain personalities and organizations outside the Foreign Ministry, as they too played an important role in the foreign affairs of Nazi Germany.

At the outset it should be clearly understood that the basic formulas of Nazi foreign policy were the product of men who did not technically belong to the Foreign Ministry. This is especially important when considering the

role of the Reich Chancellor, Adolf Hitler. While Hitler did not have the same degree of authority in 1933 that he acquired in later years, he was still able to set the course of Nazi foreign policy.¹ At the same time the archives of the German Foreign Ministry only rarely yield a note signed personally by Hitler. The explanation for this is simple: Hitler frequently passed his instructions on to his subordinates verbally and without committing them to writing. Thus, the persons most frequently mentioned in this study are the lesser dignitaries of the Third Reich, particularly the officials of the Foreign Office who assiduously endeavored to maintain friendly relations with the Holy See. This was an important assignment, and an exceedingly difficult one in view of the radical position of the Nazi Party on race and religion, but it did tend to limit the Foreign Ministry's role to the execution of policy and the reconciliation of differences between the Reich and the Vatican. The formation of basic policy remained in the hands of Hitler and others outside the Foreign Ministry.

While some historians claim Hitler added little or nothing new to the foreign policy of his predecessors,²

¹DeWitt C. Poole, "Light on Nazi Foreign Policy," Foreign Affairs, XXV (October, 1946), 130.

²See A. J. P. Taylor, The Origins of the Second World War, A Premier Book (2nd ed.; Greenwich, Conn.: Fawcett Publications, Inc., 1961), pp. 70-71.

it is nevertheless clear that as outlined in Mein Kampf his objectives were decidedly aggressive. But unlike the aggression of the Wilhelmian era, Hitler's aims were directed exclusively toward the acquisition of continental possessions, not colonies. He emphatically declares in Mein Kampf that the "only possibility for carrying out a healthy territorial policy lay in the acquisition of new land in Europe itself."³ Hitler did not believe territorial expansion was the ultimate goal, however; it would instead serve to insure the German race its means of existence. To be meaningful, expansion must aim at the uniting of all Germans in Europe with the Reich, and it should provide Lebensraum, or "living space" for these Germans. As to the direction of German expansion Hitler was perfectly clear--the new Reich must march eastward, in the tradition of the Teutonic Knights of old.⁴ In a practical sense, Hitler's Germany would expand at the expense of Russia and the smaller states of eastern Europe. In order to carry out this march eastward, Germany would have to protect itself from a rear attack. For this reason Hitler insisted upon reaching an agreement with England, which he believed could be achieved at the price of renouncing world trade, colonies, and sea power.⁵

³Adolf Hitler, Mein Kampf, trans. by Ralph Manheim (Boston: Houghton Mifflin Company, 1943), p. 139.

⁴Ibid., p. 140.

⁵Ibid.

Hitler would also seek the friendship of Italy, whose natural self-interests were not essentially opposed to the interests of Germany.⁶ In France, Hitler saw the "inexorable mortal enemy of the German people" whose ultimate goal in foreign policy would always be the dismemberment of Germany. For this reason a showdown with France was inevitable, and only the destruction of French military power would enable Germany to expand in eastern Europe.⁷ Once Germany had marched eastward, the inhabitants of the conquered countries would be uprooted to provide Lebensraum for the German people. This in turn would result in the creation of an entirely "new order" in Europe, one specifically designed to serve the interests of the superior Germanic race.⁸

In the light of this ambitious program, it is understandable why Hitler felt he could not safely rely on the German Foreign Ministry to carry out his plans, at least not as it existed in 1933. The professional diplomats who made up the Foreign Office at this time had received their training in the Wilhelmsian and Weimar

⁶ Ibid., pp. 620-21, 625. ⁷ Ibid., pp. 619-20, 665.

⁸ Summaries of Hitler's foreign policy objectives may be found in E. M. Robertson, Hitler's Pre-War Policy and Military Plans (New York: Citadel Press, 1963), chaps. i and ii; John Bengtson, Nazi War Aims: The Plans for the Thousand Year Reich (Rock Island, Ill.: Augustana College Library, 1962), pp. 16-22; and Pierre Renouvin, World War II and its Origins: International Relations, 1929-1945, trans. by Rémy Inglis Hall (New York, Evanston, and London: Harper & Row, 1969), pp. 16-18.

eras, which had emphasized legal studies and the doctorate for promotion to high positions. While the diplomats were highly dedicated to their profession, Hitler found them far too "bookish" and too bound by tradition for his tastes. They also fell into a category of bureaucrats, experts, and professionals which Hitler both disliked and distrusted. Finally, a large percentage of the career diplomats came from the nobility, and Hitler did not consider this class to be fully reliable.⁹ As a result of these factors, Hitler regarded the officials of the Foreign Ministry with utter contempt, and he sometimes expressed this contempt in extremely derogatory language. On one occasion he referred to the Foreign Office as a "veritable 'intellectual garbage dump,' composed of the refuse of incompetent rejects from other walks of life."¹⁰ At Nuremberg the personal secretary of Joachim von

⁹Paul Seabury, The Wilhelmstrasse: A Study of German Diplomats Under the Nazi Regime (Berkeley and Los Angeles: University of California Press, 1954), pp. 5 and 20 (Hereinafter referred to as Wilhelmstrasse). Hitler's suspicions were not entirely without foundation, because a small minority of diplomats in the Foreign Office not only wished to see the Nazi government overthrown but later joined the Resistance movement. See E. A. Bayne, "Resistance in the German Foreign Office," Human Events, III (April 3, 1946), 1-8; Mother Mary Alice Gallin, German Resistance to Hitler: Ethical and Religious Factors (Washington, D.C.: Catholic University of America Press, 1961), pp. 73-79; and Harold C. Deutsch, The Conspiracy Against Hitler in the Twilight War (Minneapolis: The University of Minnesota Press, 1968), pp. 16-25.

¹⁰Seabury, Wilhelmstrasse, p. 31. See also Paul Schmidt, Hitler's Interpreter, ed. by R. H. C. Steed (New York: Macmillan Company, 1951), p. 13.

Ribbentrop testified that Hitler regarded the Foreign Office as a "body of ossified red-tape civil servants, more or less untouched by National Socialism."¹¹ The view of other high Nazi officials toward the professional diplomats was no more charitable than Hitler's.¹²

Despite the contempt which Hitler felt toward the professional diplomats, he made no effort to introduce radical changes in the Foreign Ministry during the early years of the Nazi regime. On the contrary, he retained the diplomats of the Weimar era almost to the man, even though the Nazi revolution brought immediate and significant changes in nearly every other branch of the government.¹³ There are several explanations for this. In the first place, for Hitler to have removed Konstantin von Neurath as Foreign Minister in 1933 would have been politically unwise if not impossible. The reason is simple;

¹¹International Military Tribunal, Trial of the Major War Criminals Before the International Military Tribunal, Nürnberg, 14 November - 1 October, 1946 (46 vols.; Nuremberg: International Military Tribunal, 1947-49), X, 189 (Hereinafter referred to as TMWC.). Testimony by Margaret Blank.

¹²For some of Göring's comments on diplomats see Seabury, Wilhelmstrasse, pp. 25 and 30.

¹³Paul Seabury, "Ribbentrop and the German Foreign Office," Political Science Quarterly, LXVI (December, 1951), 533-35. See also Herbert von Dirksen, Moscow, Tokyo, London: Twenty Years of German Foreign Policy (Norman, Oklahoma: University of Oklahoma Press, 1952), p. 108; and Gordon A. Craig and Felix Gilbert, eds., The Diplomats, 1919-1939 (Princeton, N.J.: Princeton University Press, 1953), p. 419.

Neurath had close ties with President Paul von Hindenburg. According to Hitler's Press Chief, Otto Dietrich, Hindenburg actually "obliged Hitler, before appointing him, to retain von Neurath as Minister of Foreign Affairs."¹⁴ Secondly, there were few among the Nazi leaders who possessed the languages and other qualifications essential to a diplomat. With a very few exceptions, the high party officials had not traveled widely abroad. Even Hitler, except for his military service in France during the War, had never been outside Austria and Germany, and Goebbels, Roehm, and Himmler had no foreign experience. During the early days of the Nazi regime, Hitler did on occasion assign diplomatic missions to prominent Nazi leaders despite their lack of qualifications, but the results were disastrous. As a classic example, in May of 1933 Hitler dispatched Alfred Rosenberg to London as his "personal representative" for the purpose of engendering British sympathy toward the new Nazi government. Rosenberg's actions completely alienated the British public. He laid a ceremonial wreath decorated with swastika ribbons at the Cenotaph, lectured reporters on the glories of National Socialism, and failed in his efforts to see the Prime Minister.¹⁵ Shortly after his

¹⁴Otto Dietrich, The Hitler I Knew, trans. by Richard & Clara Winston (London: Methuen & Co., Ltd., 1955), p. 26. See also TMWC, XVI, 600; XVII, 108.

¹⁵The Times (London), May 12, 1933, p. 14; and Seabury, Wilhelmstrasse, pp. 36-37.

departure, which was two days ahead of schedule, the London Times assailed Rosenberg for his lack of knowledge of the English language, temperament, and country.¹⁶ Robert Ley, head of the German Labor Front, made an even worse impression as the German representative to the Geneva International Labor Conference held in June of the same year. He behaved in a boorish manner, consumed an excessive amount of alcohol, and provoked the South American delegates by comparing them to monkeys.¹⁷ Other Nazi leaders also failed as diplomats, but these two examples show why Hitler found it necessary to rely heavily upon professional diplomats during the early years of the Nazi regime, despite his distrust of the Foreign Office. Finally, it should be remembered that in 1933 the German government badly needed to acquire international prestige and the good will of the other powers. Hitler could

¹⁶The Times (London), May 15, 1933, p. 15. One of the very few diplomats removed from the Foreign Office by the Nazis was Paul Schwarz, the German consul in New York. Seabury, Wilhelmstrasse, pp. 29-30. Schwarz, who soon publicly disaffiliated himself from the Nazi regime, has suggested the Foreign Office actually encouraged Rosenberg's visit to London in order to demonstrate to Hitler the disastrous consequences of employing party boors in diplomatic work. Paul Schwarz, This Man Ribbentrop: His Life and Times (New York: Julian Messner, Inc., 1943), pp. 87-88.

¹⁷See Erich Kordt, Nicht aus den Akten: Die Wilhelmstrasse in Frieden und Krieg: Erlebnisse, Begegnungen und Eindrücke, 1928-1945 (Stuttgart: Union Deutsche Verlagsgesellschaft, 1950), p. 55; Seabury, Wilhelmstrasse, pp. 26-27; and the New York Times, June 14, 1933, p. 2, and June 20, 1933, p. 4.

achieve this goal most effectively along conservative lines, i.e., through the established channels of the Foreign Office whose members were often already well-known in foreign capitals. In this way Hitler could proceed with the urgent task of consolidating his power within Germany, a task he had to accomplish before he dared to embark upon a foreign policy radically different from that of the past.¹⁸

To carry out his foreign policy, Hitler inherited a Foreign Ministry which had itself recently been reorganized in an effort to "democratize" and to improve the efficiency of the organization. While these reforms failed to alter the essentially aristocratic and conservative structure of the Foreign Ministry, they did bring about significant changes in its organizational structure.¹⁹ The number of major departments (Abteilungen) jumped from three to six, while political and economic affairs were combined and organized along geographical lines. A department chief (Ministerialdirektor) directed the activities of each of these departments, assisted by a deputy director

¹⁸Craig and Gilbert, p. 409; and Seabury, Wilhelmstrasse, p. 31.

¹⁹For an account of the "Schüler" reforms and their results see Seabury, Wilhelmstrasse, pp. 9-24. See also George O. Kent, and others, comp. and ed., Catalogue of Files and Microfilms of the German Foreign Ministry Archives, 1920-1945 (Stanford, Calif.: Hoover Institution, 1962-), I, ix-x.

(Ministerialdirigent).²⁰ The departments were further broken down into subdivisions, again usually according to geographical areas. To illustrate, Department II, headed by Gerhard Köpke, assumed responsibility for western, southern, and southeastern Europe, the War Guilt question, and the Vatican. The structure of the other departments was similar, and few changes took place until a second reorganization of the Foreign Ministry in 1936.²¹

The man who headed up the Foreign Office in 1933, Reich Foreign Minister (Reichsaussenminister) Baron Konstantin von Neurath, is not an easy man to evaluate. Nearing sixty at the time, Neurath entered the Foreign Office shortly after the War. As a conservative aristocrat coming from a long line of state officials, Neurath was in many ways an ideal man to boost the

²⁰Seabury uses the term "division" rather than department and lists the number as eight instead of six, Wilhelmstrasse, pp. 16-17. On the other hand, the organization plan printed in the Documents on German Foreign Policy divides the Foreign Ministry into six major "departments." While Seabury does not name the separate divisions, apparently he included some of the minor departments, such as those concerned with protocol and the press. See U.S., Department of State, Documents on German Foreign Policy, 1918-1945, ed. Jointly by the American, British, and French Governments (Washington, D.C.: Government Printing Office, 1949-), Series C, 1933-1937, I, Appendix I, 933-39, and III, 1132, footnote 5 (Hereinafter referred to as DGFP.); see also Kent, p. x.

²¹For organizational charts of the Foreign Ministry after the reorganization of 1936 see Kent, Chart II (at the end of the volume), and DGFP, Series D, I, 1187-98.

prestige of the new Nazi regime and to convince other governments that German foreign policy would remain moderate and tranquil. He was generally respected and well-liked by both his colleagues and foreign diplomats. Sir Nevile Henderson, the British ambassador to Germany from 1937 to 1939, describes Neurath as an "astute and experienced Swabian" whom he liked "immensely."²² Karl Strölin, the Lord Mayor of Stuttgart, portrays Neurath as a humane, conscientious, and straightforward person who was "very much respected."²³ Too often, however, these flattering comments would be followed by derogatory remarks. For example, André François-Poncet, the French ambassador to Germany during the thirties, describes Neurath as good-humored, affable, and levelheaded, but also as a man whose virtues were marred by "serious defects." He was crafty and "something of a liar"; he was a weak character who lacked moral courage and who would "yield to pressure"; and he was "lazy."²⁴ Sir Anthony

²²Sir Nevile Henderson, Failure of a Mission: Berlin, 1937-1939 (New York: G. P. Putnam's Sons, 1940), pp. 43-44.

²³TMWC, X, 50.

²⁴André François-Poncet, The Fateful Years: Memoirs of a French Ambassador in Berlin, 1931-1938, trans. by Jacques LeClercq (New York: Harcourt, Brace and Co., 1949), p. 29. Herbert von Dirksen, a prominent German ambassador of the period apparently concurs with the French ambassador's opinion that Neurath was lazy for he writes his "passion for hunting prevailed over his passion for work"; Dirksen, p. 170.

Eden was of a similar opinion; he found Neurath agreeable and knowledgeable but "putty in Hitler's hands."²⁵ It is this last charge, that Neurath failed to stand up to Hitler, which is the most serious. It may well be, as Neurath claimed at Nuremberg, that he "despised the methods of the Party" and had no sympathy for National Socialist ideas.²⁶ If so, it is understandable, because neither Neurath's background nor temperament made him a likely candidate for admission to Hitler's round-table. He consequently never gained the confidence of Hitler or the powerful men in the higher echelons of the Nazi Party.²⁷ Hitler liked men who would act quickly and decisively, and who were willing to gamble their careers on intuitively

²⁵Sir Anthony Eden, The Memoirs of Anthony Eden, Earl of Avon, Vol. I: Facing the Dictators (Boston: Houghton Mifflin Company, 1962), p. 68.

²⁶TMWC, XVI, 601; X, 53. According to Sir Horace Rumbold, the British ambassador to Germany, during the early days of the Nazi regime Neurath thought rather highly of Hitler. Early in 1933 Neurath informed Rumbold that Hitler was proving to be reasonable, and on several occasions the new Chancellor had spontaneously asked for his advice. Neurath added that he had agreed to remain with the new government only on the condition that the Nazis give him a "free hand" and carry out no experiments in foreign policy. Sir Horace Rumbold to Sir John Simon, February 4, 1933, Great Britain, Documents on British Foreign Policy, 1919-1939, ed. by E. L. Woodward and Rohan Butler (London: His Majesty's Stationery Office, 1946-), Second Series, Vol. IV, No. 235, pp. 406-8 (Hereinafter referred to as DBFP.).

²⁷TMWC, XVII, 208-9 (testimony by Gerhard Köpke); and Ernst von Weizsäcker, Memoirs of Ernst von Weizsäcker, trans. by John Andrews (Chicago: Henry Regnery Company, 1951), p. 110.

conceived plans which could be counted on to arouse vigorous opposition from the professionals. Neurath was none of these. Gerhard Köpke said as much at Nuremberg:

Neurath's political attitude on the whole was, in accordance with his whole character and his years of experience in politics, inclined toward compromise, waiting, negotiation. Measures backed up by ultimatums and attempts at solution by violence did not suit Von Neurath's temperament. Neurath was neither a gambler nor a fighter by nature.²⁸

Thus, considering the type of leadership Neurath provided, it is not surprising that the entire Foreign Ministry gradually found its legitimate functions usurped by Hitler and other agencies. In many instances Neurath was not even informed of pending political actions. His role was to add respectability to the Hitler government and to serve as a bridge between the old Germany and the new. In this way Neurath played an important role in the history of the Third Reich, but he was never in a position to shape the course of Nazi foreign policy.²⁹

Next to the Foreign Minister, the State Secretary (Staatssekretär) occupied the most important office in the German Foreign Ministry. Until his death in 1936,

²⁸TMWC, XVII, 109-10.

²⁹Craig and Gilbert, p. 409; and Eugene Davidson, The Trial of the Germans: An Account of the Twenty-two Defendants Before the International Tribunal at Nuremberg (New York: Macmillan Company, 1966), p. 174. It should be kept in mind that the Foreign Office officials who testified at Nuremberg almost certainly underplayed their role in foreign affairs in order to escape punishment. See Leonidas E. Hill, "The Wilhelmstrasse in the Nazi Era," Political Science Quarterly, LXXXII (December, 1967), 546-70.

the State Secretary under Hitler was Bernard von Bülow, a nephew of the former Chancellor to William II. More so than the others in the Foreign Office, Bülow was both respected and well-liked.³⁰ Franz von Papen, at the time Hitler's Vice-Chancellor, describes him as "highly intelligent and competent."³¹ The French ambassador is equally complimentary; he describes Bülow as devoted to duty, discreet, and "thoroughly familiar" with those matters which fell within his area of responsibility.³² Like Neurath, he desired to participate in the regeneration of Germany but had little enthusiasm for National Socialism. As a matter of fact, Eyck believes Bülow wished to retain the office of State Secretary in order to keep the Foreign Ministry free of National Socialist influence.³³ However this may be, Bülow failed to grasp quickly the strength of the Nazi movement, and by 1932

³⁰See TMWC, XVII, 109; and Martha Dodd, Through Embassy Eyes (New York: Harcourt, Brace, and Company, 1939), p. 249.

³¹Franz von Papen, Memoirs, trans. by Brian Connell (New York: E. P. Dutton & Company, Inc., 1953), p. 175.

³²François-Poncet, pp. 30, 182-83.

³³Erich Eyck, A History of the Weimar Republic (2 vols.; Cambridge, Mass.: Harvard University Press, 1963), II, 304. Eyck's opinion is supported by Köpke, who informed the Nuremberg Tribunal the Nazis had made repeated attempts to remove Bülow. TMWC, XVII, 109. Also, Ambassador Dirksen writes that the "thinly veiled anti-Nazi sentiments" of Bülow were "common knowledge." Dirksen, p. 169.

he fully expected to see the imminent disintegration of the Nazi Party.³⁴ Even after the Nazis had captured the government, Bülow thought it inconceivable that Hitler would ignore the advice of the Foreign Office in matters where he lacked experience.³⁵

Unquestionably, Neurath and Bülow were the two most influential men in the Foreign Office, and their names often appear on the documents exchanged between the Reich and the Vatican. More frequently, however, these documents bear the signature of lesser officials, such as the head of Department II, Ministerialdirektor Gerhard Köpke. According to François-Poncet, Köpke had "one of the best brains in the department," and Dirksen describes him as "genial, witty, and intelligent."³⁶ In the same department the responsibility for Vatican affairs fell to Counselor Fritz Menshausen. While his signature appears on numerous documents relative to this study, unfortunately little is known about the man.³⁷ Much the same thing can be said about Ambassador Diego von Bergen,

³⁴Rudolf Rahn, Ruheloses Leben: Aufzeichnungen und Erinnerungen (Düsseldorf: Diederichs Verlag, 1949), p. 95; and Dirksen, p. 170.

³⁵Craig and Gilbert, p. 408.

³⁶François-Poncet, p. 114; and Dirksen, p. 42.

³⁷Saul Friedländer, Pius XII and the Third Reich: A Documentation, trans. from the French and German by Charles Fullman (New York: Alfred A. Knopf, 1966), p. xxii.

a long-time professional diplomat who represented Germany at the Holy See.³⁸ Sir Alec Randall, secretary to the British Legation at the Vatican, describes Bergen as a "very determined Lutheran" but who was nevertheless well-received at the Vatican.³⁹ Although the Nazi mentality did not appeal to him,⁴⁰ like most of the career diplomats he seemed to adjust quickly to the Hitler regime. He did have a thorough knowledge of the problems of the Vatican, and, judging from the number of notes bearing his signature, he was a conscientious and indefatigable worker. Eugen Klee, the chargé d'affaires, directed the German Embassy in the event of Bergen's absence.

Despite its importance, the Foreign Office was by no means the only branch of the government to figure prominently in Reich-Vatican relations. As will be shown subsequently, there existed such a close relationship between German-Vatican relations and the conflict between the Catholic Church and the State inside Germany that other areas of the government were inevitably involved. The most important of these and by far the most frequently

³⁸A brief account of von Bergen's diplomatic service may be found in Franciscus Hanus, Die preussische Vatikangesandtschaft, 1747-1920 (Munich: Pohl & Co., 1954), chap. xviii ("Diego v. Bergen, 1919-1943").

³⁹Sir Alec Randall, Vatican Assignment (London: William Heinemann, Ltd., 1956), p. 19.

⁴⁰Friedländer, p. xix.

involved, was the Reich Ministry of Interior. In many cases, the Foreign Office and the Ministry of Interior worked together closely in constructing the notes dispatched to the Vatican, with the latter often preparing the initial draft.⁴¹ The Reich Minister of Interior, Wilhelm Frick, held one of the three cabinet posts which went to the Nazis in 1933. Unlike the conservative members of the Foreign Ministry, Frick had long been one of Hitler's most devoted followers and his loyalty was unquestionable.⁴² Similarly, Ministerialdirektor Rudolf Buttman had belonged to the Nazi Party since 1925. As the head of the Cultural Policy Department of the Ministry of Interior, Buttman plays an important role in Reich-Vatican relations during the course of this study.⁴³

The Foreign Ministry faced competition from sources other than the Ministry of Interior, however, because Hitler distrusted the professional diplomats to such an extent he took steps to circumvent them whenever possible. Frequently, he made special assignments to "outsiders," i.e., to persons who were not members of the Foreign Office but whom he could depend upon to carry out the

⁴¹ See below, p. 206.

⁴² The material available on Frick is vast, but as a starting point see Davidson, pp. 260-82.

⁴³ Eliot Barculo Wheaton, Prelude to Calamity: The Nazi Revolution, 1933-35 (Garden City, New York: Doubleday & Company, Inc., 1968), p. 338.

particular task assigned to them. As an example, in the spring of 1933 Hitler assigned the important mission of negotiating a concordat with the Holy See to his Vice-Chancellor, Franz von Papen. Although Hitler did not place full confidence in the aristocratic Papen,⁴⁴ he still preferred his services to that of the Foreign Ministry, which was simply by-passed in the initial stages of the negotiations.⁴⁵

Whenever possible, Hitler preferred to conduct his foreign policy through high party officials whose political orthodoxy was beyond question. Consequently, early in the history of National Socialism Hitler began to establish rival organizations to the Foreign Ministry which he hoped would lessen his dependence upon the professional diplomats. The nucleus of a party foreign office was established as early as 1930, and is usually referred to as the AO (Auslandsorganisation der NSDAP). While the AO grew to considerable proportions, its sphere of activities did not generally go beyond the problems concerning German citizens abroad.⁴⁶ A more important

⁴⁴During the negotiations Hitler dispatched Göring to Rome to participate in the talks, apparently to make certain the interests of the Nazi Party were not betrayed. Oswald Dutch (pseud.), The Errant Diplomat: The Life of Franz von Papen (London: Edward Arnold, 1940), p. 182.

⁴⁵Papen, p. 280.

⁴⁶Seabury, Wilhelmstrasse, pp. 32-33.

rival organization to the established Foreign Ministry was the APA, or Foreign Policy Office of the National Socialist Party (Aussenpolitisches Amt der NSDAP). Largely conceived and headed by Alfred Rosenberg, this organization was formed on April 1, 1933, to serve as an advisory body to Hitler on foreign policy matters. At the time this move prompted speculation abroad that Rosenberg's activities might infringe upon the authority of Baron von Neurath and the Foreign Ministry.⁴⁷ This is understandable as Rosenberg was Hitler's leading racist thinker and many of his ideas had found their way into Mein Kampf.⁴⁸ Although his activities in developing and expounding Nazi ideology are common knowledge,⁴⁹ his aspirations in the field of foreign policy are not so well-known. During the early years of the Nazi movement, Rosenberg managed to establish himself as Hitler's advisor on foreign policy. Since he also became editor of the Völkischer Beobachter in 1923, Rosenberg's position in the party was strong, and he exerted considerable influence during this period.⁵⁰

⁴⁷ See the New York Times, April 2, 1933, p. 28; and The Times (London), April 3, 1933, p. 13.

⁴⁸ Alfred Rosenberg, Memoirs of Alfred Rosenberg: With Commentaries by Serge Lang and Ernst von Schenck, trans. by Eric Posselt (Chicago and New York: Ziff-Davis Publishing Co., 1949), p. 199.

⁴⁹ See below, pp. 57-58.

⁵⁰ Martin Broszat, Der Nationalsozialismus: Weltanschauung Programm und Wirklichkeit (Stuttgart: Deutsche Verlags-Anstalt, 1961), p. 16.

After the establishment of the APA, Rosenberg was permitted to act as the spokesman for Nazi views of foreign policy, and he appeared to be a likely successor to Neurath as Foreign Minister. A number of party members who considered themselves authorities in international affairs even sought employment in the APA, undoubtedly expecting it to eventually replace the official Foreign Ministry.⁵¹ But such was not the case, for in 1933 Rosenberg bungled his mission to London so badly his prestige in party circles sank rapidly.⁵² While the APA did manage to survive the thirties, its funds were severely curtailed and the scope of its activities limited.⁵³ In essence, Hitler excluded Rosenberg from important foreign policy decisions.⁵⁴

With Rosenberg out of the picture, the way was clear for the ascendance of a new party "expert" on foreign affairs. Joachim von Ribbentrop, one of Rosenberg's most bitter enemies, soon filled this spot. It is virtually

⁵¹Seabury, Wilhelmstrasse, pp. 33-35. For a fuller account of Rosenberg and his APA activities see U.S., Office of Chief of Counsel for Prosecution of Axis Criminality, Nazi Conspiracy and Aggression (8 vols. and 2 supplements, A and B; Washington, D.C.: Government Printing Office, 1946-48), Vol. III, No. 003-PS, pp. 10-19 (Hereinafter referred to as NCA.). See also, TMWC, V, 51-52.

⁵²Hill, pp. 553-54.

⁵³Seabury, Wilhelmstrasse, p. 37.

⁵⁴Göring and Neurath tended to downgrade Rosenberg's influence in foreign policy matters, even in 1933. In view of the general contempt for Rosenberg, however, this is not surprising. See TMWC, IX, 378; XVII, 98.

impossible to write anything but a derogatory portrait of Ribbentrop because he was universally detested. At Nuremberg, Ribbentrop's fellow defendants revealed nothing but contempt for both the man and his abilities.⁵⁵ Von Papen describes him as industrious but "devoid of intelligence"; Erich Kordt found him snobbish; and after one interview Under-Secretary of State Sumner Welles declared, "I have rarely seen a man I disliked more."⁵⁶ Everywhere the remarks used to describe Ribbentrop were the same--arrogant, tactless, humorless, and incompetent. Nevertheless, Ribbentrop's authority rose steadily, and by 1934 he did not hesitate to interfere with the legitimate functions of the Foreign Office.⁵⁷ His qualifications in the field of diplomacy were virtually nonexistent, but he did have the ability to impress Hitler. He obeyed blindly, repeated whatever the Fuehrer wished to hear, and provided Hitler with a needed initiation into the cosmopolitan society of Berlin at his fashionable Dahlem villa. The fact that he had never been a professional diplomat worked to his advantage, because Hitler considered him more reliable.⁵⁸

⁵⁵See G. M. Gilbert, Nuremberg Diary, Signet Books (New York: New American Library, 1947), pp. 204-13.

⁵⁶Papen, p. 373; Erich Kordt, Wahn und Wirklichkeit (Stuttgart: Union Deutsche Verlagsgesellschaft, 1948), p. 94; and, U.S., Department of State, Foreign Relations of the United States: Diplomatic Papers (Washington, D.C.: Government Printing Office, 1861-), 1940, I, 41.

⁵⁷Craig and Gilbert, p. 419.

⁵⁸Seabury, "Ribbentrop and the German Foreign Office," pp. 536-37; and Poole, p. 133.

Since Hitler wished to undercut the authority of the Foreign Ministry, he soon permitted Ribbentrop to establish an agency of his own. Known as the "Ribbentrop Bureau" (Büro Ribbentrop), its beginnings in the early part of 1933 were quite modest. At this time it consisted only of a small staff of amateur diplomats and aspiring party members, who set up their headquarters directly across the street from the Foreign Office. Presumably, its scope was limited to collecting and analyzing foreign intelligence, but it soon became obvious Ribbentrop intended to encroach upon the activities of the Foreign Ministry as well.⁵⁹

Aided by funds from Hitler's personal treasury, the activities of the Bureau expanded rapidly. After the appointment of Ribbentrop as "Special Commissioner for Disarmament Questions" in the spring of 1934, Hitler ordered that all diplomatic correspondence be routed to Ribbentrop except those dispatches specifically marked for Bülow or Neurath. With this exception, Ribbentrop actually received incoming diplomatic messages before the Foreign Office. Furthermore, Hitler gave Ribbentrop permission to reply, while in no way accountable to Neurath.⁶⁰ The Ribbentrop Bureau also undermined the authority of the Foreign Ministry by providing Hitler with information on corrupt officials,

⁵⁹Craig and Gilbert, p. 422.

⁶⁰Ibid., p. 422; and Kordt, Nicht aus den Akten, pp. 79-80.

the bribing of journalists, and other matters which the Foreign Ministry was unable to obtain. Usually, before Hitler discussed a critical foreign policy matter with Neurath, the Bureau would submit a prepared statement pertaining to all factors in the case. In this way, when consulting his official advisors on foreign policy, Hitler could show them he was well-informed.⁶¹ As time passed, Hitler indicated his approval of the Bureau by delegating Ribbentrop to carry out his most important diplomatic assignments. In Hitler's own words, Ribbentrop was the "only person to tell him the truth about foreign countries."⁶²

As a net result of the Bureau, the Foreign Ministry found itself increasingly by-passed when it came to executing some of the more significant aspects of German foreign policy. At times Foreign Office officials were actually embarrassed because they did not know the extent of Ribbentrop's activities and therefore could not reply to the questions of foreign governments.⁶³ Even

⁶¹Schwarz, pp. 90-101.

⁶²Quoted in Kordt, Nicht aus den Akten, p. 88.

⁶³Craig and Gilbert, p. 425. As an example, when Ribbentrop was conducting the negotiations for the Anti-Comintern Pact Ambassador Dirksen discovered while on leave in Germany that "nobody in the Foreign Office knew anything about the matter," even though he had learned of the pact while in Japan. Dirksen, p. 170. See also Donald C. Watt, "The German Diplomats and the Nazi Leaders, 1933-1939," Journal of Central European Affairs, XV (July, 1955), 149-50.

before he became Foreign Minister in 1938, Ribbentrop often handled the most important and most secret aspects of German diplomacy.⁶⁴ This in no way implies that Ribbentrop "directed" Germany's foreign policy, for however much Hitler may have valued Ribbentrop's ideas he did not always follow them.⁶⁵ Hitler continued to guide the course of German foreign policy, and if he encouraged rival organizations in order to enhance his role as the arbiter of party squabbles, this applied only to the "execution" of Nazi foreign policy and never its formation. Despite all Ribbentrop's efforts, the Foreign Ministry remained up to the very end an aristocratic body which was never fully coordinated into the Nazi system.⁶⁶ That the members of the Foreign Ministry lacked the authority of the pre-Hitler years cannot be doubted, but neither were they as powerless and ignorant as some of those who stood trial after the Second World War claimed.⁶⁷ Whether Ribbentrop ever interfered with the Foreign Office and its conduct of Reich-Vatican

⁶⁴Dietrich, pp. 115-16.

⁶⁵Schwarz, p. 92. Even after Ribbentrop became Foreign Minister, Seabury describes his position as "weak and insecure, and almost exclusively dependent upon the whims of Hitler." Seabury, "Ribbentrop and the German Foreign Office," p. 554.

⁶⁶Seabury, "Ribbentrop and the German Foreign Office," p. 554.

⁶⁷Watt, p. 154.

relations is virtually impossible to say. There is no evidence in the German documents or in the memoirs of German political leaders that he did, but these accounts may not have taken into consideration what passed verbally, especially between Ribbentrop and Hitler. During the first few years of the Hitler regime, however, this seems unlikely for two reasons: (1) the Bureau was new and only beginning to expand its activities; (2) the ambitious Ribbentrop sought involvement in Hitler's most daring plans, and once the Concordat had been concluded Reich-Vatican relations tended to be somewhat less spectacular than other developments in German foreign policy. In any case, it is obvious the entire structure of Nazi foreign policy was nothing less than chaotic. With such an overlapping of functions and so many rival organizations one can only wonder how the Germans ever acquired their reputation for "efficiency."

Part II: The Vatican

In its modern form papal diplomacy dates back to the eighteenth century, when non-Catholic states were first represented at the Holy See. Stimulated by the increasing number of Protestants who were drawn to Rome by the art treasures and by the rising tide of religious toleration characteristic of this century, the contact between the Holy See and the Protestant states increased rapidly. While these early meetings between the Popes and the

Protestant princes were private and unavowed, the mere fact the Popes had received heretics and schismatics was sufficient to shock the Catholic powers. Nevertheless, precedents had been established and the traffic continued. Until the time of the French Revolution, however, the Vatican refused to recognize the public and official standing of any representative of a Protestant nation. Not until a few years after the Revolution did the Holy See find itself constrained to accept for the first time the credentials of an envoy whose government did not officially acknowledge the religious authority of the Pope.⁶⁸

The reason so many Protestant nations have sought to establish diplomatic relations with the Holy See lies not in the Pope's temporal possessions, which were never large when compared to the major powers, but in their recognition of the Pope as the spiritual ruler of millions of subjects the world over. Only because of this did the Emperor Napoleon once instruct his envoy to "deal with the Pope as if he had two hundred thousand men at his command."⁶⁹ Since the time of Napoleon the possessions of the Pope have been further reduced, and today the Vatican State consists of no more than 180 acres scattered in and

⁶⁸Robert A. Graham, Vatican Diplomacy: A Study of Church and State on the International Plane (Princeton, N.J.: Princeton University Press, 1959, pp. 37-38.

⁶⁹Quoted in Graham, p. 24.

near Rome.⁷⁰ Nevertheless, this territory is important to the Pope, because temporal governments regard the possession of territory as a prerequisite for international recognition. Thus, in essence the Pope requires territory in order that temporal governments may "recognize" his sovereignty, even though the Vatican officially holds to the position that the Pope's sovereignty is derived from his position as the head of the Catholic Church.⁷¹

As Vatican diplomacy evolved into its twentieth century form, it has developed certain characteristics which are now considered to be typical of its technique. First, the Vatican always strives to obtain a juridical relationship with a state for both itself and for the Catholic Church within that state. Usually, it tries to conclude a concordat with the government, which is a formal and legal agreement approximating an international treaty. If it is unable to conclude a concordat it will try for a temporary agreement, or modus vivendi, and if this is unsuccessful it will be satisfied with some kind of informal arrangement. But in any case the Vatican always seeks contact with the government, regardless of whether it is Catholic, Protestant, or even non-Christian.

⁷⁰Robert Neville, The World of the Vatican (New York and Evanston: Harper & Row, 1962), pp. 27-28.

⁷¹D. A. Binchy, "The Vatican and International Diplomacy," International Affairs, XXII (January, 1946), 48.

It will maintain this contact, not only where it disapproves of the ideology of a particular regime but even when it has publicly denounced the regime. The Vatican will also refuse to take the initiative in breaking off relations with a government by such measures as the denunciation of a concordat or the withdrawal of its nuncio. It will protest if necessary, but prefers to throw the responsibility for a diplomatic break on the other party. This way, when relations are resumed, the Vatican can still insist that the provisions of the previous concordat serve as the basis for new negotiations.⁷²

The officials who represent the Vatican in the countries of the world are known as nuncios, and they are always ecclesiastics. By tradition the nuncio enjoys the deanship of the diplomatic corp of the country he resides in, regardless of the date he arrived. This role is entirely honorary and carries no special powers, but does permit the nuncio to act as the spokesman for the diplomatic corp on ceremonial and other occasions.⁷³ Although important, the nuncios are overshadowed by others in the Vatican who set the course of policy and coordinate all diplomatic activities. The highest authority, of course, is the Pope, who must ultimately assume the responsibility for the Vatican's policy toward secular governments. In the formation and execution of policy, he is assisted by

⁷²Ibid., pp. 49-50.

⁷³Graham, p. 24.

the officials of the "Secretariat of State," which in many ways compares to the State Department or Foreign Ministry of a modern state.

The modern Secretariat of State dates back to 1908, when Pope Pius X carried out a reorganization of the Curia. At the head of the Secretariat is the Cardinal Secretary of State, who is charged with the conduct of the Vatican's relations with civil governments. More than just a foreign minister, he enjoys the full confidence of the Supreme Pontiff and remains his most intimate collaborator, even to the extent of living in the Apostolic Palace. Frequently he represents the Pope on official occasions and repays the visits of heads of state. After the Pope himself the Cardinal Secretary of State is easily the most conspicuous and most familiar personage at the Vatican. Often his office is difficult and thankless, however, as he is a convenient target for those who disagree with the course of papal policy but do not wish to attack the Pope himself.⁷⁴

Considered as a whole the Papal Secretariat not only handles relations with other States but also serves as the Pope's executive office. Any business likely to have diplomatic repercussions and not obviously assignable to other Vatican governmental bodies very likely ends up

⁷⁴Ibid., pp. 127-28; and Neville, pp. 55-56.

in the Secretariat.⁷⁵ It is divided into three sections, all of which fall under the authority of the Cardinal Secretary of State. The first section, and the most important, is designated the "Section for Extraordinary Ecclesiastical Affairs." This section concerns itself with questions brought up by the nuncios or the foreign diplomats accredited to the Holy See, prepares the texts of important documents, and is involved in all ecclesiastical questions which can interfere with relations between the Holy See and other countries. The "Section for Ordinary Ecclesiastical Affairs" handles the more routine business of the Secretariat, such as the distribution of charity and the preparation of a daily resumé of the world press for the Pope and Cardinal Secretary of State. It also analyzes reports sent in from the various nunciatures, prepares official notifications of appointments to papal offices, and recommends the prelates most suited to represent the Holy See abroad. Finally, the "Section for Apostolic Briefs" takes care of the secondary functions, such as the transmittal of letters of felicitation to distinguished men and the polishing of papal documents prepared by the other two sections.⁷⁶

⁷⁵W. A. Purdy, The Church on the Move: The Characters and Policies of Pius XII and John XXIII (New York: John Day Company, 1966), p. 196.

⁷⁶Graham, pp. 142-43; and Corrado Pallenberg, Inside the Vatican (New York: Hawthorn Books, Inc., 1960), pp. 125-27.

In this study the two individuals most responsible for the formation of Vatican policy are His Holiness, Pope Pius XI, and his Cardinal Secretary of State, Eugenio Pacelli. While the temperament of these two men was quite different, they shared the same basic outlook, especially the belief that Communism represented the greatest threat to the Church in the twentieth century.

Achille Ratti, the future Pope Pius XI, was born about ten miles north of Milan of lower middle-class origin. Early in life he became deeply attached to the nearby Alps, and as a young priest he acquired a reputation for his skill in mountain climbing.⁷⁷ An outstanding student, Ratti spent the formative years of his priesthood among books and manuscripts rather than in pastoral duties. After he had served several years in the Ambrosian Library of Milan, Pius X summoned him to the Vatican Library. In 1913 Ratti became Prefect of the Vatican Library, a natural advancement for one so devoted to scholarship and books.⁷⁸ In 1919 Pope Benedict XV appointed Monsignor Ratti papal nuncio to the newly-created state of Poland, a most difficult assignment in view of the political turmoil in this area. Ratti was in

⁷⁷ See William Teeling, Pope Pius XI and World Affairs (New York: Frederick A. Stokes, 1937), pp. 40-51.

⁷⁸ D. A. Binchy, Church and State in Fascist Italy (London, New York, Toronto: Oxford University Press, 1941), p. 74; and François Charles-Roux, Huit Ans au Vatican, 1932-1940 (Paris: Flammarion, 1947), pp. 12, 17.

Warsaw when the Bolsheviks approached the outskirts of the city in 1920,⁷⁹ and this experience certainly contributed to the development of his strong anti-Communist convictions. Shortly afterwards he was appointed Archbishop of Milan and in 1922 elected Pope.

As Pope, Pius XI quickly threw himself into the task of concluding concordats with the European states, many of them newly established. Between 1925 and 1933 the Vatican successfully concluded concordats with Bavaria, Poland, Rumania, Lithuania, Czechoslovakia, Portugal, Italy, Austria, and Germany. Such vigorous political activity was certain to bring criticism as well as applause, since a number of these concordats were concluded with totalitarian governments. One of these was Italy, whose Fascist government under Benito Mussolini succeeded in coming to terms with the Vatican in the Lateran Treaty of 1929. While the Pope had no love for Mussolini, an avowed atheist,⁸⁰ he realized the sixty-year-old quarrel with the Italian State was a grave source of weakness to the Church. A common ground for collaboration was found in the fact both Pius and the

⁷⁹ See Teeling, pp. 71-73; and Francis Sugrue, Popes in the Modern World (New York: Thomas Y. Crowell Company, 1961), pp. 173-74.

⁸⁰ E. E. Y. Hales, The Catholic Church in the Modern World: A Survey from the French Revolution to the Present, Image Books (Garden City, N.Y.: Doubleday & Company, Inc., 1958), p. 266.

Duce vigorously opposed Communism and were determined it would not capture Italy. For these reasons, the Pope found himself an ally of Mussolini, and he remained a consistent ally throughout the thirties, despite the conquest of Ethiopia and the Spanish Civil War.⁸¹ Again, largely because he believed a strong Germany would be an effective bulwark against the spread of Communism, Pius concluded a concordat with the new Hitler government. Consequently, Pius XI soon earned a reputation for being pro-Fascist, and some critics have maintained he intentionally aided the Nazis in attaining power.⁸² But while the authoritarian Pope was unsympathetic toward liberal and democratic forms of government, neither did he have a high regard for Fascism, especially toward the end of his reign. Pius XI collaborated with Mussolini and Hitler because of his fear of Communism and because these rulers were in power, but not because he was attracted to the ideology upon which their regimes were based. Furthermore, in accordance with traditional Vatican policy this collaboration did not prevent the Pope from criticizing and even denouncing the Fascist governments of Italy and Germany on occasions. As will be seen in the course of

⁸¹John P. McKnight, The Papacy: A New Appraisal (New York and Toronto: Rinehart & Co., Inc., 1952), p. 288.

⁸²Joseph McCabe, The Papacy in Politics To-Day: Vatican Plots in Spain and Other Countries (London: Watts & Co., 1937), p. 81.

this study, the Nazis actually considered Pius XI much more difficult to deal with than Cardinal Secretary of State Pacelli, despite the Pope's alleged pro-Fascist sympathies. In part this may be attributed to the fact Pius became increasingly anti-German toward the end of his reign,⁸³ and partially to his independent and impulsive nature. Unlike Pacelli, whose speeches were deliberate and carefully planned, Pius XI improvised, and in the process he frequently made blunt statements which were quite critical of National Socialism. "If the temperamental Pope Pius XI had lived a little longer," Weizsäcker writes in his Memoirs, "relations between the Reich and the Church would probably have been broken off."⁸⁴ This may not be correct as the Vatican is not inclined to break relations with a state, but the Pope's unpopularity with the Nazis is an indisputable fact. The same may be said of Mussolini, who unknowingly paid an eloquent tribute to the Pope upon receiving the news of his death with the remark, "at last . . . the obstinate fellow's dead."⁸⁵

The Pope's Cardinal Secretary of State and the future Pius XII is an even more controversial figure, and

⁸³Guenter Lewy, The Catholic Church and Nazi Germany (London: Weidenfeld and Nicolson, 1964), p. 220.

⁸⁴Weizsäcker, p. 282.

⁸⁵Quoted in Moody, p. 20. Pius XI died on February 10, 1939.

the vast amount of literature which exists on his life and career tends to be either excessively eulogistic or disparaging. Certain aspects of Pacelli's career, such as his silence on the treatment of the Jews during World War II, seem destined for eternal dispute. This study, however, is concerned only with Pacelli's role as the Cardinal Secretary of State and not as Pope. It is a particularly important role in Pacelli's case because the Pope permitted him great latitude in the handling of German affairs.

Pacelli was born in Rome in 1876, descended from an old Vatican family. As a matter of fact it was Pacelli's grandfather who founded the Vatican's newspaper, the Osservatore Romano.⁸⁶ Pacelli's early career was unlike most ecclesiastics in one respect: he never became a parish priest and never filled a bishopric. Instead he entered the Secretariat of State and began learning the ways of Vatican diplomacy at an early age. In 1917 he was appointed nuncio to Bavaria, where he demonstrated his tact and ability in carrying out the negotiations for a possible papal mediation between the central powers and the allies. He soon earned the reputation of being a "veritable prince of diplomats--a model of what was discreet, trustworthy, and diplomatically surefooted."⁸⁷ Monsignor Pacelli was living in Munich

⁸⁶Pallenberg, p. 20.

⁸⁷Deutsch, p. 108.

during the Spartacist revolution, and he never forgot what he observed and experienced. On one occasion an armed mob of Spartacists actually invaded the Munich Nunciature and pointed their rifles at Pacelli, who shrewdly replied: "It's never wise to kill a diplomat."⁸⁸ In 1920 Pacelli was appointed nuncio to Berlin, but he remained in Munich until the conclusion of the Bavarian Concordat in 1925. In 1929 he negotiated the Prussian Concordat and was made a Cardinal, and the following year he succeeded Cardinal Pietro Gasparri as the Vatican Secretary of State. He returned to Rome with a deep admiration for Germany and well-informed on every aspect of German life. He is reputed to have been one of the first statesmen in Europe to read Mein Kampf in its entirety.⁸⁹

Despite the controversy that surrounds many aspects of Pacelli's career, his keen mind is an indisputable fact. Even Hochhuth, his most bitter critic, admits he was "undoubtedly one of the most intelligent men of the first half of this century."⁹⁰ Like the Pope, Pacelli loved books and the scholarly life. He was an excellent linguist, and spoke German as easily as his native Italian. In addition,

⁸⁸Quoted in Pallenberg, p. 25.

⁸⁹William M. Harrigan, "Nazi Germany and the Holy See, 1933-1936: The Historical Background of Mit brennender Sorge," Catholic Historical Review, XLVII (July, 1961), 169.

⁹⁰Rolf Hochhuth, The Deputy, trans. by Richard and Clara Winston (New York: Grove Press, Inc., 1964), p. 349.

he spoke good French, acceptable English, and fair Spanish and Portuguese.⁹¹ He had a fantastic memory and frequently learned his carefully prepared speeches by heart.⁹² In these respects he resembled the Pope, but his temperament was quite different. Whereas Pius XI at least outwardly seemed to enjoy a fight, Pacelli was mild and somewhat timid.⁹³ Also, where the Pope tended to act impulsively, Pacelli was known as a cool and critical thinker who had a strong aversion for exaggeration and who made decisions only after careful deliberation.⁹⁴ Perhaps this is one reason why Pacelli so often attempted to restrain the irritable Pope, and why German officials preferred him to Pius XI.

While the Pope and Cardinal Pacelli were unquestionably the two most important individuals responsible for the formation and execution of Vatican policy toward Germany, a number of other Vatican officials rendered valuable assistance. One of these was Monsignor Guiseppe Pizzardo, the Papal Under-Secretary of State. Pizzardo has been described as a gentle and pious individual who was deeply devoted to the Pope.⁹⁵ Like Cardinal Pacelli,

⁹¹Neville, p. 61.

⁹²Pallenberg, p. 34.

⁹³Moody, pp. 20-21.

⁹⁴Deutsch, pp. 108-9.

⁹⁵Randall, p. 64. See also Thomas B. Morgan, A Reporter at the Papal Court: A Narrative of the Reign of Pope Pius XI (New York and Toronto: Longmans, Green and Co., 1938), p. 3.

he had a strong attachment for Germany, especially Bavaria.⁹⁶ In this study he plays an active role in Reich-Vatican relations, even to the extent of assuming the duties of the Cardinal Secretary of State during Pacelli's absence. Mention should also be made of the Vatican's two nuncios in Germany, Monsignor Cesare Orsenigo in Berlin and Monsignor Alberto Vassallo di Torregrossa in Munich. The role of the latter was limited to Bavaria and then eliminated altogether when the Nunciature in Munich was dissolved in 1934. Orsenigo, however, figures much more prominently, and he often acts as the intermediary between the Vatican and the Reich government. While he undoubtedly had a difficult position, he was strongly inclined to compromise with the Nazis, and as a result he eventually earned a reputation for being "soft" on National Socialism.⁹⁷ Finally, two close associates of Cardinal Pacelli should be mentioned--both Germans. One is Father Robert Lieber, who served as the principal personal aide and confidant of Pacelli from 1924 until the latter's death in 1958. Lieber was never a personal secretary as he is often described and held no formal office, but he did see Pacelli regularly and is generally regarded as having had some

⁹⁶Georg Franz-Willing, Die bayerische Vatikan-gesandtschaft, 1803-1934 (Munich: Ehrenwirth Verlag, 1965), p. 141.

⁹⁷Deutsch, p. 112.

influence.⁹⁸ Another close associate, Ludwig Kaas, headed the German Center Party from 1928 until April of 1933, when he left Germany and took up quarters in Rome. A blunt spoken man of great intelligence, Kaas was one of Pacelli's closest friends.⁹⁹ He knew German politics thoroughly, and Pacelli often consulted him for advice.

⁹⁸Ibid., pp. 114-15; and Neville, p. 63.

⁹⁹Pallenberg, p. 246.

CHAPTER II

GERMAN CATHOLICISM VERSUS NATIONAL SOCIALISM IN THE WEIMAR ERA

Part I: The Position of the Nazi Party Toward the Catholic Church

In the early twenties, when the National Socialist movement first began its struggle to obtain control of the German government, it became increasingly apparent that many party members held views that were basically hostile toward the churches and Christianity in general. At the same time considerable confusion existed, because the views expressed by Hitler often seemed to contradict the anti-Christian sentiments of his subordinate leaders. Quite naturally, this caused concern among the leaders of the Catholic Church, who wished to know the precise position of the party on religion in order to determine their own position toward the party. In order to understand the conflict between the Catholic Church and the Hitler government after 1933, and the inseparably linked subject of Reich-Vatican relations, it is necessary to first examine the position of the Church and the National Socialist Party in relation to one another during the Weimar era.

There can be no better place to begin this discussion than by examining the religious attitudes of Adolf Hitler. On this subject, however, it must be clearly understood that a wide discrepancy often existed between Hitler's "private" remarks on religion and his remarks intended for the general public. When speaking privately, his comments were consistently hostile toward Christianity, although he did profess to believe in the existence of a Supreme Being.¹ Hitler saw in National Socialism a "new faith," and he believed that once in power the Nazis would overcome Christianity and establish a "German" church, minus the Pope and the Bible.² According to Hitler, Christianity was an invention of "sick brains," and he attributed the purity and serenity of the ancient world to the fact it knew nothing of the two great scourges, the "pox and Christianity."³ Hitler made the Catholic Church his special target, despite his Catholic background and early interest in becoming a monk.⁴ The Catholic Church was "hollow and

¹Dietrich, p. 153.

²Kurt G. W. Ludecke, I Knew Hitler (New York: Scribner's Sons, 1938), p. 250. In the Nazi sense, a "German" church was a single united church consisting of both Protestants and Catholics, free from the influence of Rome, and strongly imbued with the mysticism of blood and race.

³Adolf Hitler, Hitler's Secret Conversations, 1941-1944, Signet Books (New York: New American Library, 1953), pp. 98, 159.

⁴Apparently this was only a passing phase as Hitler became skeptical about the Church while still quite young. Even when confirmed, Hitler scowled and behaved unpleasantly

rotten," he once declared; "one push" and the entire structure would collapse. Catholic priests who opposed the Nazi movement would have to be branded as "ordinary criminals," and the "mask of honesty" torn from their faces.⁵

However radical Hitler's personal religious beliefs may have been, he was far too skillful a political leader to express them publicly. Hitler realized that the "forms" of Christianity must be maintained, at least until the Nazi revolution was completed. Consequently, he not only refused to leave the Catholic Church, but made frequent use of the words "Almighty" and "Providence" in his public speeches. Similarly, Hitler's views on religion as expressed in Mein Kampf were generally favorable, despite the pagan undertones of the book. At the time he was anxious to unite all Germans behind the Nazi movement, and therefore did not wish to be considered anti-Christian. Thus, he warned the party leaders to avoid incurring the hostility of the established religions and recommended they adopt a tolerant attitude

throughout the service. He may have derived some of his skepticism from his father, who had long been suspicious of the Church. Bradley F. Smith, Adolf Hitler: His Family, Childhood and Youth (Stanford, Calif.: Hoover Institution on War, Revolution and Peace, 1967), pp. 61, 85, 94-95. Perhaps, as Prittie suggests, Hitler also disliked the Church because he was himself a relapsed Catholic. Terence Prittie, Germans Against Hitler (Boston: Little, Brown and Company, 1964), p. 70.

⁵Hermann Rauschnig, The Voice of Destruction (New York: G. P. Putnam's Sons, 1940), pp. 52-53.

toward the Christian Churches. "In the ranks of the movement," Hitler wrote, "the most devout Protestant could sit beside the most devout Catholic, without coming into the slightest conflict with his religious convictions."⁶ But such statements should not mislead one into believing Hitler's ultimate plans for the Christian churches were in any way mild or conciliatory. Even if Fascism came to terms with the Church, Hitler once declared, this would not prevent him from "tearing up Christianity root and branch, and annihilating it in Germany."⁷ He did not intend to do this by declaring open war against the churches, however, as some of the party extremists advocated.⁸ Instead, Hitler thought it much wiser to let Christianity die a "natural death," which he believed would surely come about as the "advances of science" wore away the dogma of Christianity.⁹

Officially, the National Socialist Party expressed its position toward religion in the Twenty-five point program adopted by the party in 1920. According to Point

⁶Hitler, Mein Kampf, p. 564. See also Harry Edward Westermeyer, "The Religious Policies of the Third Reich, 1933-1937" (unpublished Ph.D. dissertation, Stanford University, 1946), p. 30.

⁷Rauschning, p. 49.

⁸This would include such top Nazi officials as Goebbels, Heydrich, Himmler, Bormann, and Rosenberg, all of whom were extremists on religious matters. See Papen, pp. 281-82; Weizsäcker, p. 281; and TMWC, IV, 58-60.

⁹Hitler, Hitler's Secret Conversations, pp. 83-84.

Twenty-four, "the Party as such represents the standpoint of positive Christianity without binding itself to any one particular confession."¹⁰ Obviously, little significance can be attached to the statement unless it is known what is meant by the term "positive Christianity." This is no easy task, for although Rosenberg developed the term he never clearly defined it. Essentially, by positive Christianity the Nazis meant the cleansing of traditional Christianity and the acceptance of only those elements which conformed to National Socialist theory and practice. To give an example, the Nazis would accept the Bible but only after it had been completely purged of its Jewish teachings. In framing Point Twenty-four, Hitler and his comrades wished to go on record as being Christian but partial to no particular denomination. They would tolerate Christianity so long as it marched in step with the philosophy of National Socialism.¹¹ Since this position broadened the basis of party support, it undoubtedly served the Nazis well in the early days of the movement. It must be remembered, however, that Hitler regarded all

¹⁰The entire party program is printed in Konrad Heiden, A History of National Socialism (New York: Alfred A. Knopf, 1935), pp. 15-18.

¹¹For a discussion of positive Christianity see Nathaniel Micklem, National Socialism and the Roman Catholic Church (London, New York, Toronto: Oxford University Press, 1939), chap. v; and Joseph N. Moody, ed., Church and Society: Catholic Social Thought and Political Thought and Movements, 1789-1950 (New York: Arts, Inc., 1953), chap. v.

programs as a means to an end, and he was certain to drop all or any part of a program which proved embarrassing.¹²

In the light of this Machiavellian philosophy, it follows that as Chancellor Hitler would attempt to come to terms with the Christian churches. His desire to reach an agreement with the Catholic Church was realized with the conclusion of the Concordat of 1933, of which more will be said later. In consideration of the Nazi position on religion, a settlement with the Holy See must be considered a major achievement for the Hitler government. It is even more of an achievement when the philosophy of National Socialism is considered, as it was fundamentally opposed to the teaching of the Catholic Church.

As is well known, the Nazi Weltanschauung was based upon ideological forces deeply rooted in the past.¹³ As embodied in National Socialism, these forces contained strong elements of irrationalism, and certainly represented no systematic doctrine which can be readily analyzed.

¹²Alan Bullock, Hitler: A Study in Tyranny (rev. ed.; New York: Harper & Brothers, 1958), p. 68.

¹³The literature on the German intellectual inheritance is extensive. See George L. Mosse, The Crisis of German Ideology: Intellectual Origins of the Third Reich, Universal Library (New York: Grosset & Dunlap, 1964); Peter Viereck, Metapolitics: From the Romantics to Hitler (New York: Alfred A. Knopf, 1941); Carl Mayer, "On the Intellectual Origin of National Socialism," Social Research, IX (May, 1942), 225-47; and Andrew G. Whiteside, "The Nature and Origins of National Socialism," Journal of Central European Affairs, XVII (April, 1957), 48-73.

Indeed, it has even been argued that the Nazis really had no program, that the essence of the movement was a dynamic nihilism driven by a thirst for power and action which knew no end.¹⁴ While this is certainly a most important aspect of National Socialism, the movement still contained the basic elements of an ideology, however lacking in originality. Essentially, National Socialism consisted of a fusion of nationalism, socialism, and racism. The core of Nazi doctrine was racism, which may be considered the most constant and permanent element of the entire movement. According to Nazi theory, the human races were innately unequal, and birth alone determined a man's fitness to belong to a community. Among the races of the world the Aryan race was superior, and all creative phases of human endeavor were the product of this race. Unfortunately the Aryan race had intermarried with inferior races, and its blood was no longer pure. While the most "racially pure" of the Aryans were the Nordic Germans, found between the Elbe and Weser rivers, even they had contaminated their once pure blood by intermarriage with races of inferior quality. It was one of the primary goals of the Nazis to renew and regenerate the blood of the Nordics, who would provide an elite leadership for the rule of Germany. Among the inferior races of the world, the Jewish race stood out,

¹⁴See Hermann Rauschning, The Revolution of Nihilism: Warning to the West (New York: Alliance Book Corporation, 1939).

because it alone destroyed culture. Unlike the self-sacrificing Aryan, the Jew could never build a community; he could survive only as a parasite who fed upon and eventually destroyed healthy communities. The Nazis saw in the Jew a mythical figure who embodied all that was evil--a devil who provided a convenient scapegoat for everything that went wrong. The Jew was the traitor, the Marxist, the international capitalist, the pacifist, and the partner of the clergy. The Jew lacked true emotions, a sense of morality, and above all, he debased the purity of the German race. In the Aryan sense, the Jew was not even human. Echoing a crude Darwinism, the Nazis believed that in the ruthless struggle of life the weak and biologically inferior races would have to perish. This physical purge of inferior races applied especially to the Jews, and the Nazis regarded it as their duty to smash all obstacles that stood in the way of the achievement of this goal.¹⁵

Although the idea of race occupied a preponderant position in National Socialist ideology, the Nazis also reserved an important role for the State. This followed

¹⁵William J. Bossenbrook, The German Mind (Detroit: Wayne State University Press, 1961), pp. 423-28; George L. Mosse, The Culture of Western Europe: The Nineteenth and Twentieth Centuries (Chicago: Rand McNally & Company, 1961), chap. xxi; Pinson, pp. 488-91; and James H. McRandle, The Track of the Wolf: Essays on National Socialism and its Leader, Adolf Hitler (Evanston, Illinois: Northwestern University Press, 1965), pp. 128-31.

logically from the Nazi emphasis upon force and power, and the belief that the stronger always had the right to carry out his will. Hitler saw in the State an instrument of power, and he therefore assigned to it absolute authority. While its interests were always subordinated to the needs of race, the Nazis still exalted the State because it promoted discipline, unity, strength, and action.¹⁶

The State also protected the Volk, just as it responded to the living, growing will of the Volk.¹⁷ The individual had no separate existence apart from the total collective personality, or Volk, of which he was a member. At all times the individual must be prepared to sacrifice himself to community interests, which were always paramount. The people had the right to select their own leader, but once chosen they would have to submit to his authority. While the Führerprinzip (leadership principle) rested upon unlimited authority, it was maintained by mutual loyalty

¹⁶ Alan Bullock, "The Theory of Nazism: Hitler's Basic Ideas," in Hitler and Nazi Germany, ed. by Robert G. L. Waite (New York: Holt, Rinehart and Winston, 1965), pp. 61-62.

¹⁷ The word "Volk" cannot accurately be translated as "folk," or "people." It implies the organic union of a racially determined community in a collective personality which embraces past, present, and future generations. It is both eternal and immutable, and places the individual in a blood relationship to the other members of the community rather than in a legal relationship. McRandle, p. 136; and Leon W. Fuller, "Education in Germany under the National Socialist Regime," The Department of State Bulletin, XI (October 22, October 29, and November 5, 1944), 514 (this citation--October issue).

and did not represent a system of brutal force. The leader was envisioned as democratic rather than as an absolute monarch; he ruled because he excelled, especially as a prophet. The leader incarnated the unity and spirit of the people, and only through him could the people express their will in its pure and uncorrupted form. For the sake of unity, the Nazi Weltanschauung required a complete coordination (Gleichschaltung) of all aspects of German life, including thought and religion. The necessities of race and Volk, as interpreted by the Nazi Party, determined the acts and thoughts of every person in Germany. Any binding loyalty to a religion or outside political party was incompatible with the Nazi Weltanschauung.

Clearly, Nazi ideology and Catholic doctrine conflicted sharply, despite the fact that both were based upon authoritarian principles. The essential source of the conflict stemmed from the fact that both the Nazis and the Catholic Church were competing for the same thing--the soul of man. By its very nature National Socialism was intolerant and uncompromising; it represented a totalitarian ideology which sought to capture the loyalty of every German and to give direction to all activities within the Reich. While the Catholic Church taught the virtue of patriotism and loyalty to the State, it also taught the virtue of obedience to God, who transcended the State and nation and sought to impose standards by which even these

should be judged. The Nazis could not accept this anymore than the Church could accept the cult of race and blood as a substitute for the love of God. Furthermore, the Nazi conception of a superior race, walled off and dominant over all other races, directly contradicted the teachings of the Church, which taught the equality and brotherhood of all men. Similarly, the Nazi rejection of the individual as having a distinct personality apart from the collective community contradicted the Christian emphasis upon the significance of the individual man. The Church also found unacceptable the fact that the Nazis recognized no absolute values, except those incorporated in societies, such as race, blood, soil, and Volk. The Nazi stand on positive Christianity, which meant the denial of the primacy of the Pope, the rejection of the Old Testament, and the acceptance of only selected parts of the New Testament, unequivocally contradicted Catholic doctrine. A basis for conflict could also be found in the Nazi extolation of power and war, its willingness to apply Machiavellian tactics to accomplish its goals, and its conception of Christianity as an essentially imported idea which was foreign to primeval Germans. Finally, the Nazis possessed a passion for unity, and in their view the Christian churches exerted an influence which obstructed

the achievement of true German unity. Only a new Weltanschauung could accomplish this important mission.¹⁸

It would seem the differences between Nazi ideology and Church doctrine were sufficiently wide to make any "legitimate" reconciliation of the two creeds impossible. Despite these differences, during the early months of 1933 the Church completely reversed its position by withdrawing its opposition to the Nazi Party and openly supporting the new Hitler government. With the benefit of hindsight, it is clear this capitulation was both unwise and unfortunate, and it certainly does not constitute one of the more glorious chapters in the history of the Church. But what is clear now was not so obvious at the time. If these events are to be understood, it is necessary to appreciate fully the momentous decisions Catholics faced when assessing their position toward National Socialism. This can be done only after examining the background of Catholicism in Germany, particularly during the difficult days of the Weimar Republic.

Part II: The Catholic Response to
National Socialism

In part at least, the problems which burdened German Catholics in determining their position toward the

¹⁸Waldemar Gurian, Hitler and the Christians, trans. by E. F. Peeler (New York: Sneed and Ward, 1936), p. 50; and Paul F. Douglass, God Among the Germans (Philadelphia: University of Pennsylvania Press, 1935), pp. 27-29.

Nazis can be traced to the Kulturkampf of the 1870's. In attacking the Catholic Church, Bismarck was in part motivated by his irritation with the Catholic Center Party, which aroused his fighting instincts on a variety of issues. Not only did the Center Party maintain close relations with a radical and intensely anti-Prussian group of Bavarian patriots, but it also cooperated closely with the Poles and the Alsatian deputies in the Reichstag. Perhaps even more important, Bismarck believed a strong independent Catholic Church, backed by the international power of the Vatican, would seriously hinder the development of a thoroughly unified Germany. Therefore, in order to weaken the power of the Church, he hurled the charge of "ultramontanism" at the German Catholics and initiated a series of discriminatory anti-Catholic laws. The results disappointed Bismarck, because the Catholics resisted so vigorously he had to repeal most of the legislation within the decade. Furthermore, the struggle made Catholics more aware of the need for a strong party to protect their interests, and the Catholic Center Party emerged more powerfully organized than before.¹⁹ In spite of their victory over Bismarck, German Catholics suffered a psychological jolt during the Kulturkampf which would affect them for years to come. As a result

¹⁹Hajo Holborn, A History of Modern Germany, 1840-1945 (New York: Alfred A. Knopf, 1969), pp. 260-61; and Pinson, p. 189.

of the repeated charge they were bound more closely to the Pope than to the State, the Kulturkampf left German Catholics with a national inferiority complex.²⁰ This implication, that Catholics were somehow not as patriotic as other Germans, must have been particularly disturbing when it is considered that patriotism and obedience to the State are traditional Catholic virtues which the Church has always fostered.²¹ In response to the charge of disloyalty German Catholics became extremely sensitive, and more determined to prove the fervor of their patriotism. Since Catholics continued to be sensitive on this issue well into the post-war era, they became all the more vulnerable to the highly nationalistic Hitler movement, with its emphasis upon duty and obedience to the State.²²

In the period between Bismarck and Hitler, relations between the Catholic Church and the German government revolved largely around the Center Party. With a fairly stable representation of around 100 deputies, the Center played a prominent role in politics as the keeper of the balance of power in the Reichstag. Generally,

²⁰Holborn, p. 664; and Lewy, pp. 15-16.

²¹E. E. Y. Hales, The Catholic Church in the Modern World: A Survey from the French Revolution to the Present, Image Books (Garden City, N.Y.: Doubleday & Company, Inc., 1958), p. 214.

²²Lewy, p. 16.

the Center Party tended to follow conservative policies, for it persisted in identifying liberalism with atheism. When faced with the practical issue of voting with the liberals or the conservatives, it generally preferred the latter.²³ Unfortunately for the Center Party, the belief spread that the Catholic Church was too closely involved in politics, and that it used its political power to the advantage of certain cliques rather than for the good of the people. This opinion was not only held by Protestants and anti-clerics, but also by large numbers of Catholics, many of whom openly criticized the activities of the Center Party.²⁴

During the Weimar era, Catholics had the same grievances as the majority of Germans. They were frustrated and bitter over the Treaty of Versailles, the economic hardships of the times, and the political turmoil of the period. Consequently, the attitude of many Catholics toward the Weimar regime was so indecisive and inconsistent they pondered whether or not it should be defended at all.²⁵ During this same period German Catholics faced an additional problem--that of determining their attitude toward National Socialism. Until

²³Pinson, p. 193.

²⁴Gurian, p. 34.

²⁵John Eriksen, "The Political Implications of Church Leadership Resistance to the National Socialist Party, 1930-1933" (unpublished Ph.D. dissertation, University of Minnesota, 1957), p. 59.

1930,²⁶ this problem was made more difficult by the ambivalent position of the Church leadership, which offered few guidelines for Catholic laymen to follow. As a result, both the Catholic laity and the Catholic clergy manifested considerable bewilderment in determining their stand toward the Nazis in the hectic Weimar days. While the same may be said of many other Germans, this problem most seriously disturbed Catholics.

Like all Germans, Catholics wished to see a regenerated Germany under strong leadership. This especially applied to the members of the Catholic hierarchy, most of whom believed strong leadership could best be achieved by a revived monarchy. Averaging slightly above sixty in age, the political outlook of the bishops had been formed in imperial Germany. Many were the sons of noble families, and had distinguished themselves as theologians or administrators. They were decidedly conservative, and generally considered the heresies of liberalism, communism, and democracy as the greatest threat to society. As convinced monarchists, they tended to look critically upon the Weimar regime.²⁷ On the other hand, neither did they greet the rise of Hitler with enthusiasm. While the bishops undoubtedly found Hitler's

²⁶ See below, pp. 58-59.

²⁷ Lewy, p. 12; and J. S. Conway, The Nazi Persecution of the Churches, 1933-45 (New York: Basic Books, Inc., 1968), p. 8.

promise of a regenerated Germany appealing, they could not accept Nazi ideology, much of which directly contradicted the teachings of the Church. Nevertheless, the growing strength of the Hitler movement confronted the Catholic hierarchy with a serious dilemma. To support Hitler meant supporting a movement hostile to Church doctrine; to oppose him meant placing themselves in opposition to a movement characterized by strong nationalism, which in all probability would reopen the old charge of disloyalty inherited from the Kulturkampf. If this point is understood, then the confused patterns of thought manifested by many Catholic clergymen during Weimar and the early days of Hitler are more readily comprehended.²⁸

During the early days of the Nazi movement, Catholics generally remained aloof from the party. Although the absence of an official stand on the part of the German Episcopate made it possible for Catholics to join the party, very few chose to do so. Only a small number, such as Hitler's personal friend, the Abbot Alban Schachleiter, actively participated in the movement.²⁹ Gradually, as the anti-clerical views of some of the party leaders

²⁸For a good examination of Catholic attitudes toward National Socialism prior to 1933 see Eriksen, et passim; and Lewy, chap. i.

²⁹Konrad Heiden, Der Fuehrer: Hitler's Rise to Power, trans. by Ralph Manheim (Boston: Houghton Mifflin Co., 1944), p. 632; and Lewy, p. 7.

became better known, and as the possibility of a National Socialist government mounted, it became increasingly important for the bishops to make an official pronouncement on the position of the Church toward National Socialism. This became particularly true after the elections of September 14, 1930, which saw the number of Nazi delegates in the Reichstag jump from 12 to 107. No longer could the Church regard National Socialism as an ephemeral and radical movement which it need not consider seriously.

The year 1930 was also significant in another way; it saw the publication of Alfred Rosenberg's Myth of the Twentieth Century (Der Mythos des 20. Jahrhunderts). In consideration of Rosenberg's position as Hitler's unofficial interpreter of Nazi ideology and editor of the Völkischer Beobachter, his interpretation of "positive Christianity" as expressed in the Myth could not help but alarm Church leaders. They were especially disturbed over Rosenberg's distortion of the New Testament. According to the Myth, Christ was not born of Jewish stock, was not the Son of God, and, in the Jewish sense, never claimed to be the Messiah. The real founder of Christianity was the Apostle Paul, whose so-called "conversion" was nothing but the clever trick of a political Jew. The responsibility for the bastardizing and Judaizing of Christianity should be attributed to Paul, and those books of the Bible which revealed his influence would have to be struck out.

This way the Bible could portray the true character of Christ, i.e., as a warrior, orator, rebel, and the powerful preacher who drove the Jewish money-changers from the Temple. In Rosenberg's opinion, the Bible should emphasize these characteristics of Jesus rather than the attributed qualities of love, humility, and forgiveness, which were impossible to reconcile with the German virtues of courage, loyalty, and honor.³⁰

Stimulated by the publication of the Myth and the amazing success of the Nazis at the polls, in the autumn of 1930 the Catholic hierarchy began to make official pronouncements on National Socialism. The first came about as the result of a sermon delivered by a priest in the village of Kirchhausen. In his sermon Father Weber informed his parishioners that (1) all Catholics were forbidden to join the National Socialist Party; (2) members of the Nazi Party were refused permission to attend funerals or other Church services in group formations, and (3) no Catholic who was also a member of the party could receive the sacraments. Thinking these remarks peculiar, on September 27 the Nazi Gauleiter of Hesse wrote the Diocesan Chancery Office

³⁰ Alfred Rosenberg, Der Mythos des 20. Jahrhunderts (175-176th ed.; Munich: Hoheneichen-Verlag, 1941), pp. 74-75, 604. For an analysis of this abstruse book see Albert R. Chandler, Rosenberg's Nazi Myth (Ithaca, N.Y.: Cornell University Press, 1945); and Westermeyer, pp. 31-38.

in Mainz requesting an explanation. In particular, he wished to know if these statements had been made with the approval of the Bishop of Mainz, as Father Weber claimed.³¹ On September 30, the Vicar-General, Dr. Rupert Mayer, confirmed the fact Father Weber had based his remarks on instructions issued by the Diocesan Chancery. The Chancery had taken this step because "the program of the National Socialist Party contained tenets which were incompatible with Catholic doctrines and principles," and he specifically referred to Point Twenty-four.³² The Nazi press immediately attacked the Bishop of Mainz, Ludwig Maria Hugo, for this position, but the Bishop stood by his Vicar-General.³³

Other bishops in Germany soon followed the example set by the Bishop of Mainz. In a widely publicized statement issued at the close of the year, Adolf Cardinal Bertram of Breslau warned Catholics against the concept of positive Christianity. He also criticized the one-sided glorification of the Nordic race and the contempt for divine revelation as a grave error.³⁴

³¹The letter of inquiry by Gauleiter Erich Berger is printed in Hans Müller, ed., Katholische Kirche und Nationalsozialismus: Dokumente, 1930-1935 (Munich: Nymphenburger Verlagshandlung, 1963), No. 1, p. 13.

³²Ibid., No. 2, p. 13. An English translation of Dr. Mayer's reply may be found in John Brown Mason, Hitler's First Foes: A Study in Religion and Politics (Minneapolis: Burgess Publishing Co., 1936), appendix ii.

³³Lewy, p. 9.

³⁴Ibid., p. 8.

On February 12 of the next year, the eight bishops of Bavaria issued a joint pastoral letter in which they forbade Catholic priests to "have any part" in the Hitler movement, cautioned the faithful that the cultural policies of the Nazis were "at odds with Catholic doctrine," and prohibited members of the Nazi Party from attending Church services in formation.³⁵ In March the six bishops of the ecclesiastical province of Cologne issued a statement comparing the errors of National Socialism to those of the Action Française, which Pope Pius XI had condemned. They also expressed regret that the Nazi leaders had not heeded the warnings issued earlier by Cardinal Bertram and the Bavarian bishops.³⁶ Just prior to the Reichstag elections held in July of 1932, the Prussian bishops issued a pastoral letter which would be difficult to interpret in any way other

³⁵An English translation of the pastoral letter is printed in James Donohoe, Hitler's Conservative Opponents in Bavaria, 1930-1935: A Study of Catholic, Monarchist, and Separatist anti-Nazi Activities (Leiden: E. J. Brill, 1961), pp. 32-34. See also Robert d'Harcourt, The German Catholics, trans. by Reginald J. Dingle (London: Burns, Oates and Washbourne, 1939), p. 65.

³⁶Lewy, pp. 9, 13. In August, when the bishops gathered for their annual conference at Fulda, they also considered a resolution which stated the Nazi Party stood in "clearest conflict" with the "fundamental truths of Christianity." Lewy suggests the resolution failed to pass because it equated the Nazi Party with the Socialists, Communists, and freethinkers, thereby going beyond the consensus of opinion formed by the bishops toward National Socialism.

than as advice to vote against the Nazis, even though the party was not mentioned by name.³⁷

In addition to the bishops, the two Catholic parties, the Center Party and the Bavarian People's Party,³⁸ also revealed a hostile attitude toward the Nazis. As a matter of fact, the Center leaders had come to view with alarm the development of right-wing tendencies in German Catholicism.³⁹ The Center Party clearly revealed its opposition to National Socialism during the presidential elections held in the spring of 1932, when Hitler ran against incumbent Paul von Hindenburg. Center leaders Heinrich Bruening and Ludwig Kaas both campaigned actively for the re-election of Hindenburg as Reich President,

³⁷Printed in Müller, No. 14, p. 41.

³⁸The Bavarian Catholics, who had strong conservative and monarchist sentiments, split off from the Center Party in 1920 and formed the Bavarian People's Party. As an independent party the Bavarian Catholics pursued slightly more conservative policies and a course favoring Bavarian particularism. On most national issues, however, the party continued to cooperate with the parent Center Party. Walter H. Kaufmann, Monarchism in the Weimar Republic (New York: Bookman Associates, 1953), p. 80; and A. J. Nicholls, Weimar and the Rise of Hitler (London: Macmillan and Co., Ltd., 1968), p. 87.

On the average only about 60 per cent of the Catholics voted for the Center Party during Weimar, which was a considerable drop from the days of the Kulturkampf. The other 40 per cent tended to support the parties on the left rather than the right. Karl Dietrich Bracher, Die Auflösung der Weimarer Republik: Eine Studie zum Problem des Machtverfalls in der Demokratie (2nd ed.; Stuttgart and Düsseldorf: Ring-Verlag, 1957), p. 91.

³⁹Conway, p. 8.

often reminding the voters that the former Field Marshall was a proven hero whose victory at the polls would be a victory for Germany.⁴⁰ Although Hindenburg defeated Hitler in the second election with a majority of 53 per cent to 36.8 per cent for Hitler, the election results revealed some interesting features. For example, a distinctly higher percentage of women cast their votes for Hindenburg as compared to men. More interesting is the fact that Hitler, a nominal Catholic, received his strongest support in predominantly Protestant areas, whereas the Protestant Hindenburg found his heaviest support in Catholic areas.⁴¹ The Reichstag elections of 1932 revealed this same trend. When the Nazis dramatically increased the number of their Reichstag seats from 107 to 230 in the July election, they received the heaviest percentage of votes from Protestant rather than Catholic regions. In the November elections this voting trend continued, but with a significant decline in the total votes cast for the Nazis. As a result the number of Reichstag seats held by the Nazis dropped from 230 to 196, their first setback in years.⁴²

⁴⁰Erich Matthias and Rudolf Morsey, eds., Das Ende der Parteien 1933 (Düsseldorf: Droste Verlag, 1960), pp. 303-4.

⁴¹Good accounts of the Reich presidential election of 1932 may be found in Bracher, pp. 474-80; and Wheaton, pp. 117-20. Wheaton includes tables showing the percentage of votes for Hitler and Hindenburg in a number of predominantly Catholic and Protestant electoral districts.

⁴²For a detailed analysis of electoral developments between 1928 and 1932 see Bracher, pp. 648-56 and 650,

The reluctance of Catholics to vote for Nazi candidates in the final days of Weimar was manifested in the relative stability of the two Catholic parties. Despite the Nazi success at the polls in 1932, the Center Party and the Bavarian People's Party together continued to retain their average of around 15 per cent of the national vote. As a matter of fact, in the July elections the Center Party actually gained eight seats, although it lost five in November.⁴³ These results show clearly that prior to 1933 Nazi efforts to breach the Catholic parties were ineffective. Catholic leaders naturally found grounds for optimism in the success of the Catholic parties, and one Center Party organ jubilantly interpreted the November election as the beginning of the end for the NSDAP, whose troops were deserting "Adolf the Great."⁴⁴ It does appear that the Hitler movement passed the zenith of its popularity in the summer of 1932, and that many Germans were beginning to recoil from Nazi extremism. Nevertheless, with 196

footnote 15. Bracher states that some Catholic districts in lower Bavaria did not even give the Nazis 10 per cent of the vote in any of the 1932 elections.

⁴³Matthias and Morsey, pp. 314, 329. Much of the Nazi success came at the expense of the German State Party, the German People's Party, and the German Nationalists. A table showing the election results between 1928 and 1932 may be found in Bracher, p. 646.

⁴⁴Matthias and Morsey, p. 329, footnote 29.

seats the Nazis were still the largest party in the Reichstag, and this left little room for rejoicing.

As the fateful year of 1933 approached, it seems clear that both the German hierarchy and the Catholic parties were united in their opposition to National Socialism, and there was growing agreement among Church leaders that the Nazis would have to undertake a major revision of their religious and cultural goals before the party program would be acceptable to the Church. At this time the Church leadership certainly did not appear to be duped by Nazi promises of good intentions or blind to the real dangers inherent in National Socialism. Both the Catholic leaders and the Catholic press believed the Church and the Nazis would be unable to reconcile their differences, despite the contrary claims of Nazi leaders.⁴⁵ Hence, in the event Hitler did become Chancellor, it would seem the Catholic Church would have been prepared to make every effort to prevent the consolidation of power by the Nazis. Unfortunately, in the early months of 1933 the Church leadership decided upon a new course--a course designed to make peace and come to terms with the National Socialist government.

⁴⁵Eriksen, p. 203.

CHAPTER III

JANUARY 30 - JULY 20, 1933: CAPITULATION AND REAPPROACHMENT

On January 30, 1933, President Hindenburg reluctantly appointed Hitler Reich Chancellor, and almost immediately the German people began to feel the effect of a "government-backed" Nazi terror. On February 4 the new government issued the "Decree for the Protection of the German People," which authorized officials to prohibit public meetings and sharply curtail freedom of the press. On February 19 Göring suppressed Germania and other Catholic newspapers in Prussia for criticizing the Hitler government. On the following day, eighteen non-Nazi newspapers were suppressed, and the pace increased during the remaining part of February. Arrests were common, especially among Hitler's left-wing opponents, and the hundreds of storm troopers who roared through the streets rounding up their victims often resorted to violence in the process. The burning of the Reichstag on February 27 merely served as a convenient

pretext for the permanent suspension of additional personal liberties.¹

Hitler was too clever to depend solely on the use of political terror to achieve his objectives, however; he realized this would tend to make martyrs. As a result he relied heavily upon propaganda, a subject which had long fascinated him. In Mein Kampf Hitler devoted two chapters to the subject of propaganda, and according to the English historian, Z. A. B. Zeman, achieved a "level of clarity unequalled in other parts of the book."² Aiming his propaganda at the masses, whom he regarded as malleable and corruptible, Hitler liked to concentrate on as few points as possible and present them in terms of black and white. He would then blend these points with emotional appeal, repeat them constantly, and add a large dose of intimidation and terror.³ When the Nazis applied these tactics to the struggle against the Catholic Church, it resulted in a barrage of words and promises, all designed to moderate or avert Catholic resentment and

¹Wheaton, pp. 209, 212, 220, 222; and William L. Shirer, The Rise and Fall of the Third Reich: A History of Nazi Germany (New York: Simon and Schuster, 1960), p. 94.

²Z. A. B. Zeman, Nazi Propaganda (London: Oxford University Press, 1964), p. 4.

³Ibid., p. 6. See also Liam O'Connor, "The Psychology of Persecution," Commonweal, XXXIV (September 5, 1941), 469-72.

to make the official interpretation acceptable, at least to the uncritical.

On January 30 and 31 the leaders of the Center Party held talks with Hitler in hopes of being included in Hitler's cabinet. Nothing came of the talks as Hitler refused the terms presented by chairman Ludwig Kaas, but they did reveal a willingness of the Center's leadership to settle their differences with the Nazis and to work with the new government.⁴ On February 1, in his first radio address to the German people as Chancellor, Hitler declared the new Reich government regarded Christianity as the foundation of "national morality," and the family the basis of "national life."⁵ The conciliatory tone of Hitler's speech was obviously calculated to divide and weaken the opposition of the churches, and there is reason to believe it had the desired effect. During February the Catholic press curtailed its criticism of National Socialism while stepping up its criticism of Communism and the failures of Weimar. When the Reichstag building went up in

⁴Rudolf Morsey, "Hitlers Verhandlungen mit der Zentrumsführung an 31. Januar 1933," Vierteljahrshefte für Zeitgeschichte, IX (April, 1961), 182-94; and Matthias and Morsey, pp. 339-44.

⁵Adolf Hitler, The Speeches of Adolf Hitler, April 1922-August 1939, ed. by Norman H. Baynes (2 vols.; London: Oxford University Press, 1942), I, 369-70. For the German text see Adolf Hitler, Reden und Proklamationen, 1932-1945, ed. by Max Domarus (2 vols. in 4; Munich: Süddeutscher Verlag, 1965), I, 191-95.

flames on February 27, it generally accepted the Nazi version that the fire was a signal to set off a Communist uprising.⁶ Clearly, the first signs of a break in what had been an almost solid front of Catholic opposition to National Socialism were beginning to appear.

On March 5, the Reich government had scheduled elections to the Reichstag. Unlike the elections of the previous November, this time the Nazis controlled the government, and they took full advantage of their newly acquired power. All opposition parties soon felt the pressure of Nazi terror and propaganda.⁷ In these circumstances the Catholic leaders found it advisable to be somewhat more discreet in their criticism of National Socialism than in previous elections. With a few exceptions, the instructions on the elections issued by the bishops to their parishioners were non-committal and evasive.⁸ The Center Party also softened its criticism of the Nazis as it strived to acknowledge what was good in National Socialism, while focusing its attack against Marxism, liberalism, and atheism. Unfortunately for the Center, the Nazis were not inclined to reward their

⁶Eriksen, pp. 331, 334.

⁷See Karl Dietrich Bracher, Wolfgang Sauer, and Gerhard Schulz, Die nationalsozialistische Machtergreifung: Studien zur Errichtung des totalitären Herrschaftssystems in Deutschland 1933/34 (Cologne and Opladen: Westdeutscher Verlag, 1960), pp. 90-91.

⁸See Lewy, pp. 28-29.

opponents for good behavior. Beginning about the middle of February, they vigorously concentrated their terror on the Center Party in a variety of ways. Centrist meetings, speeches, and newspapers were arbitrarily prohibited, and many civil servants belonging to the Center Party suddenly received dismissal notices. The party had not endured so severe a test since the Kulturkampf, and Center leaders became convinced that the government intended to abolish the party altogether. Although former Chancellor Heinrich Bruening and other Center leaders appeared determined to fight for the continued existence of the party, the majority were setting a course which would soon result in the Center's unconditional surrender to the Hitler government.⁹

On March 5 the elections took place as scheduled, and the returns showed that the Center Party had actually increased its representation in the Reichstag from seventy to seventy-three deputies. In consideration of the Nazi terror, these results seemingly should have pleased Center leaders, but there were other significant facts about the election that provided grounds for pessimism in Catholic circles. Most serious, the number of Nazi delegates in the Reichstag jumped dramatically from 196 to 288, or 43.9 per cent of the total votes cast.¹⁰ Secondly, the

⁹Matthias and Morsey, pp. 346-49.

¹⁰Wheaton, p. 248. For a detailed analysis of each electoral district see the tables in Bracher, Sauer, and Schulz, pp. 95-133.

Center Party actually received a slightly smaller percentage of the total vote than in November, despite its increase of three seats. Finally, for the first time the Nazis made significant gains in securing the vote of predominately Catholic Bavaria, which in turn brought about a slight decline in the percentage of votes cast for the Bavarian People's Party. As a result of these factors, the total effect of the March 5 elections was to undermine rather than strengthen the political influence of German Catholicism. Admittedly, the election did not provide Hitler with the majority he had sought, but the results were still impressive enough to confirm the legal character of the Hitler government. This factor, when combined with the Nazi terror and dismissal of numerous Catholic civil servants, must have raised the question in the minds of many Catholics as to the feasibility of opposing the Hitler regime any longer and strengthened their desire to reach an agreement. A number of Catholic leaders, who later became known as the "March casualties," now left the Center Party, and several influential Catholic newspapers began to call for support of the new government. At this same time, reports were circulating that the Vatican wished to see friendly relations established between the Reich government and German Catholics, which could only have

strengthened the desire of the Center leaders to seek an accommodation with Hitler.¹¹

On March 23, two days after an impressive ceremonial opening at the Potsdam Garrison Church, the new Reichstag convened at its temporary quarters in the Kroll Opera House. It was well-known at the time that Hitler planned to request the passage of the so-called Enabling Act (Ermächtigungsgesetz), which had already been drafted. In essence, the act granted dictatorial powers to Hitler for a period of four years. Since the Weimar Constitution was still in force, the act required approval of two-thirds of the Reichstag before it could become law. This meant, in the light of the political situation at the time, that passage of the act hinged upon the support of the two Catholic parties, the Center and the Bavarian People's Party. Together, the members of these parties, either by abstaining or by voting against the measure, held the key to grant or to deny Hitler the legal assent to dictatorship. Hitler was well aware of this and took the necessary steps to assure himself the support of the Catholic parties. On March 20 and March 22 Hitler and Reich Minister of Interior Frick held discussions with Ludwig Kaas and other Center leaders to determine the conditions under which the party could be persuaded to support the Enabling Act. During these talks Kaas

¹¹Lewy, pp. 30-31; and Wheaton, pp. 248-50.

presented the Center's terms,¹² to which Hitler not only responded in a surprisingly conciliatory manner, but agreed to accept the essential demands of the party negotiators. Hitler's promises included the guarantee of the continued existence of the separate German states, recognition of the existing Länder concordats with the Vatican,¹³ assurance that the Reich government would not use the additional power granted by the act to alter the constitution, the retention of civil servants belonging to the Center Party, and the pledge to respect the irremovability of judges. Hitler also agreed to mention these promises in the text of his speech to be delivered before the Reichstag. On the morning of March 23 the Center Party delegates met to discuss these developments. Kaas, who had become convinced Hitler would force the act through the Reichstag by one means or another, warned of the serious consequences to the Center Party if it refused to support the act. Since former Chancellor Bruening and a small minority of deputies opposed the act, however, it was decided to postpone a final decision until after they had heard the Reich Chancellor's speech later the same day.¹⁴

¹²See Matthias and Morsey, pp. 429-31.

¹³See below, p. 83.

¹⁴Matthias and Morsey, pp. 360-63; and Lewy, p. 33.

On the afternoon of March 23, just prior to the vote on the Enabling Act, Hitler delivered a major address to the members of the new Reichstag. The tone of his speech was moderate, despite the ominous presence of armed SA and SS troops lining the walls. Hitler not only included a carefully worded version of his promises made previously to the leaders of the Center Party, but also went to some length to express his desire for co-operation with the Christian churches:

The Government, being resolved to undertake the political and moral purification of our public life, is creating and securing the conditions necessary for a really profound revival of religious life.

. . . The national Government regards the two Christian confessions as the weightiest factors for the maintenance of our nationality. It will respect the agreements concluded between it and the federal States. Their rights are not to be infringed. But the Government hopes and expects that the work on the national and moral regeneration of our nation which it has made its task will, on the other hand, be treated with the same respect.

.
 In the same way, the Government of the Reich, which regards Christianity as the unshakable foundation of the morals and moral code of the nation, attaches the greatest value to friendly relations with the Holy See, and is endeavoring to develop them.¹⁵

In the recess that followed immediately after Hitler's speech, the deputies retired to their respective

¹⁵ Adolf Hitler, My New Order, ed. with Commentary by Raoul de Roussy de Sales (New York: Reynal & Hitchcock, 1941), pp. 152-58. Although not as complete, this is a smoother translation than the one printed in Hitler, The Speeches of Adolf Hitler, I, 371-72. For the German text see Hitler, Reden und Proklamationen, I, 229-37.

party chambers to make their final decision on the vote. In the tense meeting of the Center Party delegates, Bruening again attempted to persuade the others to oppose the act. The majority sided with Kaas, however, and the Center deputies finally agreed to support the act as a unit.¹⁶ Apparently Hitler's assurances had satisfied the Center leaders, despite the fact he had generally avoided making specific promises that might later prove embarrassing.¹⁷ When the deputies reassembled in the evening session to cast their votes, Kaas announced the Center's decision. He admitted the Center had entertained certain reservations in regard to the Enabling Act, but the Reich Chancellor's explanations had made it possible for the party to reconsider its position. On the assumption that these statements constituted the "practical direction for the passing of legislation which could be expected," Kaas continued, the Center Party supported the Enabling Act.¹⁸ Immediately after

¹⁶Wheaton, pp. 265-66.

¹⁷One sentence did prove embarrassing, particularly after the Reich government began its campaign against the confessional schools. The sentence, "the National Government will allow and secure to the Christian Confessions the influence which is their due both in the school and education," was omitted from later official versions of the speech. Ernst Christian Helmreich, Religious Education in German Schools: An Historical Approach (Cambridge, Mass.: Harvard University Press, 1959), p. 334, footnote 3.

¹⁸Cited by Matthias and Morsey, p. 366.

Kaas finished the spokesman for the Bavarian People's Party announced that his party would also support the act. As a result, the Enabling Act easily passed the Reichstag by a majority of 441 to 94, with the Social Democrats bravely casting the negative votes.

In general, historians have dealt harshly with the Center Party for capitulating so easily to Hitler.¹⁹ Perhaps this is partially because they have expected more from a party which established a reputation for vigorously defending its principles during the Kulturkampf. It is not easy to determine the precise motives behind the affirmative vote, especially when it is taken into consideration that if the two Catholic parties had joined hands with the Social Democrats they might very well have blocked passage of the act. While the possibility exists that the Vatican might have had something to do with the decision of the Center leaders, evidence is lacking and this question must remain open.²⁰ It does appear, however, that the Center deputies were influenced by Hitler's promises, and that once he had convinced them the government would protect the rights and prerogatives of the Church the

¹⁹As an example, the distinguished English historian, Alan Bullock, refers to the vote of the Center as "a fitting close to the shabby policy of compromise with the Nazis which the Center had followed since the summer of 1932." Bullock, p. 245.

²⁰Matthias and Morsey, p. 369.

majority were willing to take a chance on authoritarian rule. Kaas seemed to be especially impressed by Hitler's assurances, and he worked hard to persuade others that resistance was unwise and would be punished. Apparently the coercive measures of the Nazis during the election campaign and the dismissal of Catholic civil servants had convinced many Center deputies that opposition was useless, and the dramatic increase in Nazi strength as a result of the elections further undermined their will to resist. Finally, the widespread belief that Catholic patriotism would again be questioned at a critical time in Germany's history also contributed to the affirmative vote.²¹ Whatever the motives, the Center and all other parties that voted for the act had in effect written Hitler a blank check.

The Center Party's acquiescence to the Enabling Act clearly dealt a serious blow to German Catholicism and its continued resistance to Hitler, but this action did not stand alone. Only five days after the passage of the act the bishops followed by withdrawing the prohibitions they had previously imposed on the Nazi Party. On March 24 Cardinal Bertram of Breslau advised the members of the Fulda bishops' conference to issue without delay a public proclamation on the position of the

²¹Lewy, pp. 35-36; and Wheaton, pp. 272-73.

Catholic Church.²² To expedite matters, the Cardinal drew up a draft of the proclamation, which the bishops accepted with minor changes. Although Bertram had suggested March 29 as the date of publication, most bishops made it public on March 28:

The bishops of the diocese of Germany . . . have adopted, for weighty reasons during the last years, an attitude of opposition toward the National Socialist movement, through prohibitions and warnings, which were to remain in effect as long and as far as those reasons remained valid.

It should now be recognized that there are public and solemn declarations issued by the highest representative of the Reich Government--which acknowledge the inviolability of the teachings of the Catholic faith and the unswerving mission and rights of the Church and which expressly guarantee the full validity of the legal pacts concluded between the several German Länder and the Church.

Without lifting the condemnation, implied in our previous measures, of certain religious and ethical errors, the Episcopate now believes it can be confident that those general prohibitions and warnings prescribed need no longer be regarded as necessary.²³

On the next day, March 29, the bishops followed through by issuing specific instructions to their clergy. Henceforth, the members of the Nazi Party could be admitted to the sacraments, even when appearing in uniform and in large groups, and party membership did not by itself constitute sufficient ground for refusing Church burial.²⁴ Thus, in

²²Printed in Müller, No. 29, p. 76. For a discussion of Bertram's motives in taking this step, see Lewy, p. 37.

²³TMWC, IV, 501. For the German text, which is printed side by side with the original draft by Cardinal Bertram, see Müller, No. 30, pp. 76-78.

²⁴Lewy, pp. 40-41; and Müller, No. 33, pp. 80-81.

this dramatic turn of events, the bishops established a working relationship between the Catholic Church and the new Hitler regime. By lifting the prohibitions against National Socialism, the bishops had in effect informed Catholics they could participate in Hitler's program of national regeneration without fear of betraying the principles of their Church. On the whole, Catholics accepted this action with approval. Several Catholic organizations quickly issued statements urging cooperation with the new government,²⁵ and the response of the Catholic press was generally favorable.²⁶ This comes as no great surprise for many Catholics earnestly wished to see the Church make peace with the Nazi government. In part at least, the bishops had only acted in response to this growing sentiment.²⁷ Whether or not there was any connection between the action of the Center Party in voting for the Enabling Act and the bishops' proclamation of March 28 is simply not known as conclusive evidence is lacking.²⁸ It is also possible the Vatican may have played a role in the decisions of the Center Party and the Episcopate during this period, but again it cannot be established on the basis of the available sources.²⁹

²⁵Lewy, pp. 42-43. For Catholic dissent see pp. 43-44.

²⁶Eriksen, p. 349.

²⁷Lewy, p. 43.

²⁸Ibid., p. 34.

²⁹Ibid., pp. 37-38.

In any case, a great many Catholics must have been gratified by the proclamation of March 28 for it not only permitted them to express their true feelings toward the new regime freely, but also to resolve a moral dilemma which was generally regarded as intolerable.

In the ensuing weeks, the process of Gleichschaltung proceeded at a rapid pace. Buttressed by the power of the Enabling Act, the Nazis continued to rout their opponents and mobilize all forces to the task of rebuilding Germany. The government declared April 1 official "Boycott Day," and SA men stood guard before placarded Jewish stores throughout the country.³⁰ On April 7 a new Civil Service Law provided the authorities with the utmost latitude in cases involving the dismissal of Jews and persons whose political record did not give assurance they "would support the national State without reservation."³¹ It was a period of tremendous insecurity for all Germans, and thousands of Catholics were among those who lost their jobs or suffered abuse in a variety of other ways.

Alarmed over these events, Cardinal Bertram complained about the Nazi excesses in a personal letter to the Reich Chancellor on April 16.³² In his lengthy reply of April 28, Hitler made every effort to pacify the Cardinal. If priests had been abused, he was "sincerely

³⁰Wheaton, p. 283.

³¹Ibid., pp. 288-89.

³²Printed in Müller, No. 44, pp. 97-98.

sorry," and he asked the Cardinal to accept "with trust the good will and the good intentions of the National Government." In concluding Hitler reminded Bertram that National Socialism actually protected Christianity against the great danger of Bolshevism.³³ The Reich Chancellor was also in an agreeable mood on April 26, when he discussed the religious situation with Bishop Wilhelm Berning of Osnabrück and Monsignor Paul Steinmann of Berlin. After the two clergymen had pointed out the major grievances of the Church, Hitler calmly replied that he was keenly hurt by the accusation he had acted against Christianity. He had become "firmly convinced" that neither a personal life nor a State could be built without Christianity, and therefore, the State must support the Church in the fight against godlessness and Bolshevism. The State would have to accompany this fight with sternness and force, but this could not be avoided. Hitler denied Germany was undergoing a Kulturkampf, and asserted the government had no intention of interfering with the rights of the Church.³⁴ Throughout the talk, Bishop Berning later commented, Hitler spoke with warmth and calmness; he expressed only

³³Hitler to Bertram, April 28, 1933, DGFP, C, Vol. I, No. 196, pp. 358-61. The German text is printed in Müller, No. 50, pp. 122-25.

³⁴Unsigned Note, June 7, 1933, DGFP, C, Vol. I, No. 188, pp. 347-48. The German text is printed in Müller, No. 49, pp. 120-22. See also Lewy, pp. 50-51.

appreciation for the bishops and said nothing against the Church.³⁵

Despite Hitler's repeated assurances he intended no harm to the Christian churches, the actual situation remained critical as the government continued to apply pressure on all fronts. Obviously, there was a wide discrepancy between Hitler's promises and the political realities. On May 30, 1933, the bishops again met at Fulda, and although they criticized some aspects of National Socialism in their pastoral letter of June 6, their protests were accompanied by repeated affirmations of loyalty to the Reich government. In essence, the letter indicated the bishops wished to continue the policy of cooperation that had been decided upon in March, despite the pressure applied against the Church since that time.³⁶ It clearly revealed the dilemma of the German Catholics, who were apprehensive over the Nazi excesses but still earnestly desired to cooperate with the new regime. In the words of the French historian, Robert d'Harcourt, they were "trying to reconcile the irreconcilable, to flatter the hangman and console the victim."³⁷ Perhaps, as Lewy suggests, the

³⁵Müller, No. 48, p. 118.

³⁶The text of the pastoral letter is printed in Mason, appendix; and Müller, No. 64, pp. 152-61. See also Lewy, pp. 94-100.

³⁷Harcourt, p. 84.

Catholic Episcopate so welcomed Nazi opposition to free-thinkers and godless Communism they failed to apprehend the true inhumanity of National Socialism.³⁸ Also, the bishops at Fulda undoubtedly found cause for optimism in the anticipation of a concordat, which by this time had become a near-certainty.³⁹

In attempting to conclude a concordat with the Vatican, Hitler did not embark upon a new course in German foreign policy but simply continued one already well-established. As early as 1919, negotiations had taken place between President Friedrich Ebert and Monsignor Eugenio Pacelli, who at the time was the papal nuncio to Germany. These negotiations were discontinued in 1922, however, primarily because the non-Catholic majorities which dominated the Reichstag and Reichsrat opposed a formal treaty with the Vatican.⁴⁰ They were resumed in the final years of the Weimar Republic, but again no settlement was reached.⁴¹ As a result the Holy

³⁸Lewy, pp. 98-99.

³⁹Ibid., p. 56.

⁴⁰Ibid., p. 58; and John Brown Mason, "The Concordat with the Third Reich," Catholic Historical Review, XX (April, 1934), 24.

⁴¹Discussions of the negotiations for a Reich Concordat between 1919 and 1933 may be found in Lewy, pp. 57-62; Ernst Deuerlein, Das Reichskonkordat: Beiträge zu Vorgeschichte, Abschluss und Vollzug des Konkordates zwischen dem Heiligen Stuhl und dem deutschen Reich vom 20. Juli 1933 (Düsseldorf: Patmos-Verlag, 1956), pp. 15-40; and the memorandum by Menshausen from the files of the German Foreign Ministry, April 5, 1933, 6153/E460617-20.

See subsequently set about to conclude agreements with the individual German states, or Länder governments. These goals proved to be within reach, and the Vatican concluded concordats with Bavaria (1924), Prussia (1929), and Baden (1932).⁴²

The passage of the Enabling Act in one way vastly improved the chances of a Reich-Vatican concordat, i.e., it provided Hitler with the legal right to conclude treaties without having to obtain a parliamentary majority. On the other hand, the radical position of the Nazis on race and religion provided a good reason for the Vatican to refuse a settlement with the Hitler government on any terms. In the end, the Vatican and the Reich reached an agreement because both expected to make substantial gains, and this took precedence over the wide philosophical gap that separated Catholic doctrine and Nazi ideology.

From Hitler's point of view, the new government could expect to boost its international prestige considerably by concluding a treaty with the Vatican. A concordat would help substantially in demonstrating to foreign governments that the Nazis were respectable and eager

⁴²The texts of all three concordats are printed in Joseph Wenner, ed., Reichskonkordat und Länderkonkordate: Mit Einleitung und Schverzeichnis (5th ed.; Paderborn: Ferdinand Schöningh Verlag, 1949), pp. 40-86. For discussions of the negotiations see Deuerlein, pp. 40-52 (Bavaria), 71-84 (Prussia), and 85-87 (Baden).

to solve problems through peaceful negotiation. Secondly, it would be useful in proving the good intentions of the government toward the Church, which in turn would rally to the Nazi banner those Catholics who either opposed or had not committed themselves to the new regime. Thirdly, Hitler hoped to secure a number of concessions from the Church, particularly the termination of "political Catholicism." Fourthly, since a Reich Concordat would apply to all parts of Germany it would aid the new regime in achieving the goal of Gleichschaltung. Finally, it would be a personal triumph for Hitler and would add immensely to his prestige, just as Mussolini benefited from his role as maker of the Lateran Accord.⁴³

Fortunately for Hitler, the authorities at the Vatican also believed a concordat with the Reich government would be advantageous. In the first place, a formal agreement of an international character would provide a legal safeguard for the rights and activities of German Catholics. If the Hitler government did not prove to be permanent, as many in the Vatican believed, then a concordat would serve as a useful starting point for negotiations with the ensuing regime. Secondly, a Vatican rebuff of Nazi efforts to reach an agreement would very

⁴³Westermeyer, p. 140; George Nauman Shuster, Like a Mighty Army: Hitler versus Established Religion (New York and London: D. Appleton-Century Co., 1935), p. 188; and Lewy, p. 66.

likely be misunderstood by the large numbers of German Catholics who were sympathetic toward the Hitler government. Many would undoubtedly assume the Vatican was deliberately trying to bring an end to the Nazi regime by refusing to grant it the prestige that would automatically accompany the conclusion of a Concordat. Finally, despite the hostility which many Nazi leaders had expressed toward the Christian religion, in 1933 the Vatican considered the Communist gospel of "world revolution" to be more of a threat to the peace and security of the world than National Socialism. Therefore, in order that Germany might serve more effectively as a bulwark against Communist expansion, many in the Vatican felt it would be wise to grant the Reich government the additional strength and prestige it would derive from a concordat.⁴⁴

As his principal negotiator for the Concordat, Hitler assigned his Vice-Chancellor, Franz von Papen. A diplomat by profession, Papen was in many ways ideally suited for the role. He was a devout Catholic, a monarchist by conviction, graceful in manner, and favored by a proper heritage from an old Westphalian family. Like Neurath, he had no real enthusiasm for National Socialism, but he still served the Hitler government

⁴⁴Shuster, p. 188; and Gurian, "Hitler's Undeclared War on the Catholic Church," pp. 267-68.

effectively.⁴⁵ Despite his important role in obtaining an agreement with the Holy See, it is doubtful whether Papen actually "initiated" the discussions as he immodestly boasts in his Memoirs:

I was not content with mere assurances by Hitler. I wanted to establish a legal basis for the rights of the Christian Churches in Germany. The violent anti-clericalism of the Nazi Party's radical wing increased the urgency of the problem. I decided to pay an Easter visit to Rome to study the possibility of reaching some firm agreement.⁴⁶

Papen's story is interesting but probably untrue. More likely, Monsignor Kaas informed Hitler of the willingness of the Vatican to conclude a concordat, and the Reich Chancellor decided to explore the possibility. Accordingly, Hitler instructed Papen to familiarize himself with the details through the Foreign Office and dispatched him to Rome.⁴⁷

Papen arrived in Rome on April 9, and although the purpose of his mission was supposedly secret, the news leaked out.⁴⁸ According to Papen, the Pope and the

⁴⁵Davidson, p. 177. At Nuremberg Papen was charged with using his position as "Germany's Most Famous Catholic Layman and as Negotiator of the Vatican Concordat" to prepare for Nazi aggression. NCA, II, 931. While the Nuremberg Tribunal found Papen innocent, two German courts later found him guilty under the denazification laws and sentenced him to eight years in prison. For the entire defense testimony of Papen see the TMWC, XIX, 143-59.

⁴⁶Papen, p. 278.

⁴⁷Lewy, pp. 65-67.

⁴⁸Memorandum by Menshausen, April 7, 1933, DGFP, C, Vol. I, No. 145, p. 268.

Cardinal Secretary of State received him warmly. The Holy Father even remarked that it pleased him to see the German government headed by a man "uncompromisingly opposed to Communism and Russian nihilism."⁴⁹ The following day Papen was joined by Göring, whom Hitler had ordered to Rome to assist in the discussions. The German ambassador to the Vatican, Diego von Bergen, also played a prominent part in the negotiations. On the Vatican side the negotiations were conducted largely by Cardinal Pacelli, who had obtained a thorough knowledge of the German political scene by virtue of his experiences in Munich and Berlin as the Apostolic Nuncio. Pacelli received a great deal of assistance from Monsignor Kaas, who on March 6 had resigned as the head of the Center Party and settled in Rome.⁵⁰

In the next several days, discussions on the Concordat took place between Kaas, Papen, Göring, and Cardinal Pacelli. For the most part the talks were harmonious, and on April 18 Bergen reported that the Pope had stated to third persons he "entertained the best hope of a continuance of friendly relations between the Holy See and Germany."⁵¹ Primarily through the efforts of Kaas, a draft of the Concordat was already prepared by the time

⁴⁹Papen, p. 279.

⁵⁰Lewy, p. 71.

⁵¹Bergen to the Foreign Ministry, April 18, 1933, DGFP, C, Vol. I, No. 162, p. 298.

of Papen's departure for Berlin on the same day. Kaas was authorized to continue the negotiations by maintaining written contact with Papen in Berlin and by keeping in touch with Ambassador Bergen in Rome. Also, as the negotiations progressed beyond the preliminary stages, the Foreign Office began to participate in the work.⁵²

The main point of contention centered around Article Thirty-one, which pertained to the role of the Catholic associations in Germany. The Reich government wished to dissolve all Catholic organizations which were in any way involved in the political life of Germany. On this issue, even the normally optimistic Papen admitted he found it difficult to see how the government's position could correspond to the stand which the German Episcopate intended to take.⁵³ The bishops examined the draft of the Concordat early in June at the Fulda bishops' conference. As Papen had foreseen, they refused to accept the government's draft of Article Thirty-one, although Cardinal Faulhaber let Papen know they did not "at all want to let the conclusion of the Concordat break down over that."⁵⁴ The government continued to insist the clergy be taken out of politics, however, and on June 1

⁵²Lewy, p. 71.

⁵³Papen to Bergen, May 26, 1933, DGFP, C, Vol. I, No. 263, p. 491.

⁵⁴Papen to Menshausen, June 16, 1933, DGFP, C, Vol. I, No. 319, pp. 573-74.

Bergen wrote Papen this should be done "even at the risk of failure of the negotiations."⁵⁵

On June 22 Papen made a detailed report to Hitler on the status of the negotiations. In general, Hitler approved the content of the provisions, but still insisted that Article Thirty-one must exclude the clergy from all political activity. He also insisted that Article Twenty-seven should give the right of nominating the army bishop to the Reich government.⁵⁶

During June the Nazis opened up a systematic campaign of terror against Catholics, especially in Bavaria. On June 9 bloody street battles broke out between the SA and the members of the Catholic Journeymen's Association, who had gathered in Munich for a conference. On June 19 Eugen Bolz, a prominent member of the Center Party and the former Prime Minister of Württemberg, was arrested and brutally mistreated. The seizure of the offices and funds of the Christian Trade Unions followed on June 24, and two days later the Bavarian Political police announced they had arrested the prominent members of the Bavarian People's Party. The campaign also saw the possessions of many Catholic organizations confiscated and the arrests of large numbers of priests.⁵⁷

⁵⁵Bergen to Papen, June 1, 1933, DGFP, C, Vol. I, No. 278, pp. 507-8.

⁵⁶Papen to Menshausen, June 23, 1933, DGFP, C, Vol. I, No. 333, pp. 593-94.

⁵⁷Wheaton, pp. 319, 322-24.

Whatever the intention of these measures, they had the effect of applying pressure on the Vatican to comply with Hitler's demands.⁵⁸ By June 30 Papen was back in Rome, and, assisted by Ambassador Bergen, he immediately began discussions with Cardinal Pacelli.⁵⁹ At the first meeting Pacelli appeared upset over the general situation in Germany, especially the arrests of Catholic priests and the repeated opening of official diplomatic letters addressed to the Pope and himself by currency control officials. Papen urged Pacelli to contribute to the general pacification by a swift conclusion of the Concordat. The Vice-Chancellor also requested the Reich government to take urgent steps to stop the practice of opening official diplomatic correspondence.⁶⁰

Hitler's insistent demand that the Center Party be dissolved encountered no serious difficulty, and its formal dissolution took place quietly on July 5.⁶¹ That

⁵⁸Lewy, p. 73. It should be added that Papen believed the repressive measures against Catholics had quite the opposite effect on the negotiations. On July 2 he wrote Hitler that the reports concerning the arrests and abusive treatment of clergymen, etc., had "brought about a frame of mind which made the conclusion of this concordat very difficult." DGFP, C, Vol. I, No. 347, p. 624.

⁵⁹Also present during the final two sessions were Archbishop Gröber, who acted as the representative of the German Episcopate, and Monsignor Kaas.

⁶⁰Bergen to the Foreign Ministry, June 30, 1933, DGFP, C, Vol. I, No. 341, pp. 610-11.

⁶¹Wheaton, p. 332. The Bavarian People's Party had already announced its dissolution on July 4.

Papen should have no strong objections to the demise of the Center comes as no great shock,⁶² but the Vatican's silent acceptance of this fact is something of a surprise. According to Lewy, the Vatican had always been suspicious of the Center Party's "essentially political commitment," and believed a concordat would be a far better way of dealing with Hitler than by relying on the Catholic political parties. Also, after the passage of the Enabling Act, the usefulness of the Center Party was clearly at an end.⁶³ Apparently the Vatican decided to concede this point to Hitler and obtain concessions elsewhere.

In the early part of July events began to move swiftly. On July 2 Papen wired the Foreign Office that the final conference with Pacelli had just taken place, and the Pope had approved the draft of the Concordat.⁶⁴ On the following day a courier plane hurried the draft to Berlin for final approval by the Reich government. At meetings held on July 4 and 5, Hitler, Neurath, Frick, Count von Schwerin-Krosigk (Minister of Finance), and Franz Gürtner (Minister of Justice) examined the draft

⁶²See Papen's note to Bergen, May 26, 1933, DGFP, C, Vol. I, No. 263, pp. 491-92.

⁶³Lewy, p. 69. Along this same line, see the comments by Monsignor Giuseppe Pizzardo, the Papal Under-Secretary of State, as reported by Sir Robert H. Clive to Sir John Simon, April 22, 1933, DBFP, Second series, Vol. V, No. 85, p. 156.

⁶⁴Papen to the Foreign Ministry, July 2, 1933, DGFP, C, Vol. I, No. 341, p. 611, footnote 2.

and agreed upon a number of changes. Neurath entered these changes directly on the draft, and on July 6, Rudolf Buttman, Director of the Cultural Policy Department of the Reich Ministry of Interior, journeyed to Rome to obtain the Vatican's approval of the changes.⁶⁵ The final negotiations were conducted by Papen, Pacelli, Kaas, Gröber, and the newly arrived Buttman.⁶⁶ Since the two parties disagreed over the specific Catholic organizations to receive protection under Article Thirty-one, it was decided to settle the matter by "mutual agreement" in future discussions between the Reich government and the German Episcopate. Late in the evening of July 8, Bergen wired the Foreign Ministry that the Vice-Chancellor and the Cardinal Secretary of State had initialed the Concordat.⁶⁷

In a quick change of political tactics, Hitler now decided to "soften" the campaign of terror against the Church. In a public statement issued to the press on July 9, Hitler declared the Concordat appeared to furnish sufficient guarantees that German Catholics

⁶⁵For the draft of the Concordat see DGFP, C, Vol. I, No. 348, pp. 625-33. The changes made on the draft by Neurath are printed in the footnotes. Buttman was unable to obtain the Vatican's approval of all of these changes. Lewy, p. 76.

⁶⁶A discussion of the final talks of July 6-8 may be found in Deuerlein, pp. 117-19.

⁶⁷Bergen to the Foreign Ministry, July 8, 1933, DGFP, C, Vol. I, No. 356, p. 642.

would henceforth "place themselves unreservedly in the service of the new National Socialist state." Therefore, Hitler continued, "all coercive measures against priests and other leaders of the Catholic organizations are to be annulled." Hitler concluded by expressing his delight to see the end of a period in which religious and political interests were all too often locked in "apparently inextricable conflict," and he hoped a settlement of the questions affecting the Protestant faith would follow.⁶⁸ Hitler continued to express high hopes during the discussions of the Concordat at a cabinet meeting held on July 14. The Reich Chancellor explained that one should see only success in the Concordat. It created an area of confidence which was particularly significant in the urgent fight against international Jewry. Any possible shortcomings in the agreement could be rectified later when the foreign policy situation had improved. After making a few minor changes in the text, the cabinet agreed to accept the draft.⁶⁹

On July 18 a final round of talks regarding Article Thirty-one took place. After the government made additional assurances pertaining to the future of the Catholic

⁶⁸U.S., Department of State, Foreign Relations of the United States, 1933, II, 298-300. The German text is printed in Deuerlein, pp. 119-20. See also Lewy, p. 77.

⁶⁹Extract from the Minutes of the Conference of Ministers on July 14, 1933, DGFP, C, Vol. I, No. 362, pp. 651-53.

organizations, the Vatican approved the treaty, although there was still no agreement on the specific organizations to come under this article. On July 20 Cardinal Pacelli and Vice-Chancellor Papen formally signed and sealed the Concordat in an elaborate ceremony held in the Papal Secretariat.⁷⁰ The final text of the Concordat, which contained Thirty-four articles, was published on July 22. It was written in both German and Italian, with the two texts having "equal force." The following is a brief summary.⁷¹

Article One simply guaranteed German Catholics the right to profess and practice their religion in Germany. Article Two recognized the continued validity of the existing Länderkonkordate with Bavaria, Prussia, and Baden, while Article Three confirmed the continuation of diplomatic representation between the Reich and the Holy See. Article Four pledged and agreed that ecclesiastical authorities could transmit instructions, pastoral letters, etc., to the faithful in the usual manner.

⁷⁰Wheaton, pp. 337-38; and Deuerlein, pp. 122-23.

⁷¹The translation of the Concordat referred to here, together with the secret annex, may be found in the appendix. It is the same as the one printed in DGFP, C, Vol. I, No. 371, pp. 669-79. For a different English translation see Sidney Z. Ehler and John B. Morrall, trans. and ed., Church and State Through the Centuries: A Collection of Historic Documents with Commentaries (Westminster, Md.: Newman Press, 1954), pp. 484-96. The German text is printed in Wenner, pp. 12-27. Summaries may be found in Lewy, pp. 76-82; and Wheaton, pp. 338-40.

Articles Five-Ten pertained to the legal status of the clergy. Specifically, they dealt with such matters as exemptions from taking public offices and other duties regarded as incompatible with their clerical status. Article Nine affirmed the secrecy of the confessional, while Articles Eleven-Thirteen dealt with the administrative organization of the Church. Any change in the demarcation of the dioceses must have government approval. Article Fourteen, the longest of all the articles, concerned the appointment of bishops. "In principle" the Church had the right to make appointments freely to "all Church offices and benefices without the participation of the State." It was agreed, however, the bull for the nominations would be drawn up only after it had been confirmed that the State had "no objections of a general political nature against the person." If the State did have objections, according to the Final Protocol it would have to make them known within a period of twenty days or the Holy See would assume the candidate was acceptable. As events were to prove later, the Reich government had in effect established the right of veto because it could effectively block the filling of a vacant see by repeatedly issuing political objections to the nominees of the Vatican.⁷²

Article Fifteen guaranteed the religious orders freedom to carry on their work "subject to no special

⁷²Lewy, p. 81.

restrictions on the part of the State." Article Sixteen required the bishops to take a loyalty oath to the German Reich and to their particular province before taking possession of their dioceses. Article Seventeen guaranteed the Church the right to own property, and Article Eighteen declared the Reich and the Vatican would reach a "friendly agreement" prior to any discontinuance of payments to the Church by the German government.⁷³

Articles Nineteen through Twenty-five pertained to the Catholic educational system. While Hitler later flagrantly disregarded them, at the time they represented some of the most significant concessions to the Church found in the entire document.⁷⁴ Article Nineteen affirmed the retention of the Catholic theological faculties in the State institutions of higher learning, and Article Twenty guaranteed the right of the Church to establish theological seminaries. Article Twenty-one recognized Catholic religious instruction in the primary, vocational, secondary, and higher schools as a "regular subject of instruction" to be taught "in accordance with the principles of the Catholic Church." Special emphasis, however, would be placed on the "inculcation of a patriotic, civil, and

⁷³Ibid., p. 82. It is interesting to note that despite all the measures undertaken by the Nazi regime to harass and subdue the Catholic Church, it never ceased to pay these subsidies, although it did reduce the amount.

⁷⁴Ibid.

social sense of duty." Article Twenty-three guaranteed the retention of the existing Catholic denominational schools and provided for the establishment of new ones when requested by the parents or guardians.

In Article Twenty-six the Reich government agreed to allow the Church marriage to take place prior to the civil wedding in the event the betrothed person became critically ill or in case of a "serious moral emergency." Article Twenty-seven concerned the duties of the army bishop, a subject which had been a matter of controversy since the early years of the Weimar Republic. The Reich government wished the army bishop to have exclusive authority over the military chaplains, without interference from the local bishops. The German hierarchy, fearful of losing its control over the military clergy, naturally opposed this exempt status. In the settlement of this issue the Vatican granted the government's wish for "exempted pastoral care," i.e., the chaplains would be under the direction of the army bishop rather than the local bishop. The Vatican and the Reich government would select the army bishop by mutual agreement, and he would have authority to appoint other military clergymen after obtaining prior agreement from the competent government authorities. Article Twenty-eight permitted the Church the right to make pastoral visits and hold services in State hospitals, prisons, and similar institutions, while

Article Twenty-nine defined the rights of Catholic minorities residing in Germany. Article Thirty required the churches to offer a prayer on Sundays and religious holidays for the "welfare of the German Reich and Nation" following the main service.

As previously stated, the Reich and the Vatican resolved their impasse over the highly controversial Article Thirty-one by postponing the decision on the specific organizations which would receive protection for future discussions. While this procedure enabled the two parties to go ahead with the signing of the Concordat, it was no solution, and the disputes over this article sharply aggravated future Reich-Vatican relations. Even the provision which protected Catholic organizations and societies serving "exclusively religious, purely cultural and charitable purposes" did not offer a real solution, as the problem of distinguishing such organizations from those serving "political" purposes provided ample opportunity for disagreement over the interpretation of these terms. Article Thirty-two granted Hitler his all-important goal of excluding the clergy from politics. Specifically, it stated that the Holy See would "publish stipulations which exclude the clergy and members of orders from membership in political parties, and activity for such parties." While Hitler insisted upon such a provision as a prerequisite for a settlement with the

Church, by the time the Concordat was signed he had already succeeded in outlawing all opposition political parties to the NSDAP.⁷⁵

The Concordat concluded on a congenial note. Article Thirty-three provided that in the event a difference of opinion should occur over the interpretation or application of any of the articles, the Holy See and the German Reich would arrive at a "friendly solution by mutual agreement." Finally, Article Thirty-four stated ratification would take place as soon as possible, and the treaty would go into effect on the day of ratification.

Although it was not generally known at the time, the Reich and the Vatican also agreed to a secret annex which was ratified several weeks after the Concordat. This agreement, which governed the treatment of the clergy in the event Germany introduced universal military service, was made at the request of the Fulda bishops' conference.⁷⁶ According to the terms of the agreement, students studying for the priesthood and most of the diocesan clergy, i.e., bishops, parish priests, curates, rectors, professors in seminaries, etc., would be exempt from military service except in the event of mobilization. Those who did not qualify for an exemption would, if declared fit, enter the armed forces and either devote themselves to pastoral work with the troops or enter the medical service.

⁷⁵Bullock, p. 249.

⁷⁶Lewy, p. 85.

According to Cesare Orsenigo, the papal nuncio to Germany, even future State Secretary Ernst von Weizsäcker did not know of its existence until shortly before the outbreak of World War II.⁷⁷ This is surprising as rumors of a secret agreement were circulating as early as August of 1933.⁷⁸

Clearly, the Concordat contained serious weaknesses. It was sometimes badly drafted, did not anywhere define its terms, and left for future negotiations the important matter of deciding the specific organizations to come under Article Thirty-one. Such shortcomings could not help but undermine the value of the Concordat as a legal basis for guarantees against the strong-arm methods of National Socialism, despite the fact that twenty-one of the thirty-four articles pertained to the rights and prerogatives of the Church. No one seems to have been more aware of these weaknesses than Cardinal Pacelli, who expressed his views on the Concordat a few weeks later to the British chargé d'affaires to the Vatican, Ivone Kirkpatrick (later Sir Ivone). According to Kirkpatrick, Pacelli made no effort to conceal his disgust at the activities of the Hitler government, and he was actually apologetic when he explained how he had come to sign the

⁷⁷Memorandum by State Secretary Weizsäcker, August 29, 1939, DGFP, Series D, Vol. VII, No. 432, p. 426.

⁷⁸See below, p. 117.

Concordat. Pacelli declared a pistol had been pointed at his head, giving him no alternative. Since the Reich government had offered concessions, he had to choose between an agreement along their lines or the virtual elimination of the Catholic Church in Germany. The first and only consideration, was the spiritual welfare of the twenty million Catholics in Germany. The German government was certain to violate the Concordat, Pacelli admitted, but in this event the Vatican would at least have a written agreement on which it could base a protest.⁷⁹

In the years ahead Pacelli never wavered in his defense of the Concordat, either as Papal Secretary of State or as Pope. Even after the holocaust of World War II, Pacelli was able to make the following statement in a speech to the Sacred College of Cardinals on June 2, 1945:

It must, nevertheless, be recognized that the Concordat, in the years that followed, brought some advantages, or at least prevented worse evils. In fact, despite all the violations to which it was subjected, it gave Catholics a juridical basis for their defense, a stronghold behind which they could shield themselves in their opposition--as long as this was possible--to the ever growing campaign of religious persecution.⁸⁰

While Pacelli's defense of the Concordat at first appears reasonable, it is highly vulnerable in one respect. In consideration of all that happened during the War,

⁷⁹Kirkpatrick to Sir R. Vansittart, August 19, 1933, DBFP, Second series, Vol. V, No. 342, pp. 524-25.

⁸⁰TMWC, XVI, 284.

including the murder of six million Jews, what "worse evils" could possibly have occurred than did actually take place? Anything worse seems almost inconceivable to the human mind, and Hochhuth did not fail to point this out in The Deputy.⁸¹ Some critics have also suggested the Concordat was in reality harmful to Catholics because it tended to hide the fundamental differences between National Socialism and Christianity by persuading Catholics the Hitler government sought an honest understanding with the Church. The noted German historian, Gerhard Ritter, admits the Concordat served as a means of defense for Catholics, but believes it also "acted as a brake since it could legitimately be feared that over-loud protest would endanger the rights that were left untouched."⁸² In a more critical tone, Guenter Lewy expresses a similar opinion:

The pact with Hitler in effect, then, dictated a policy of caution when a more vigorous opposition was called for or desired. An open conflict or break with the regime had to be prevented at all cost, for either might jeopardize those privileges the Concordat still protected. To make matters worse, the Concordat was virtually no deterrent at all against the Nazis' attacks. At the same time, it very definitely broke the back of any latent Catholic resistance to the Hitler regime before it could develop. The fact that the Holy See had

⁸¹Hochhuth, p. 329.

⁸²Gerhard Ritter, The German Resistance: Carl Goerdeler's Struggle Against Tyranny, trans. by R. T. Clark (New York: Frederick A. Praeger, 1958), p. 54.

concluded a pact with the National Socialist State paralyzed the will to resist of those Catholics who, despite this diplomatic reapproachment, did not consider the Nazis reformed and rehabilitated.⁸³

Despite the criticism which has been leveled at the Concordat, it cannot justly be condemned simply because it was imperfect. All treaties contain flaws, and often they do not become apparent until after a few years have passed. What is most important for the successful execution of a treaty is a sincere desire on the part of those responsible to make it work, and in Hitler's case, this was clearly lacking. Essentially, the Concordat failed to safeguard Catholic rights adequately because Hitler did not intend for it to work. No treaty is workable if one party has no intention of adhering to its terms. While the Vatican can be criticized for failing to recognize Hitler's unlimited capacity for deceit, it should be remembered that some of Europe's most distinguished statesmen repeatedly made the same mistake during this period. In a way the Catholic leaders fought the Nazis on uneven terms; they continued to rely on the Concordat as the legal basis for the settlement of their grievances while Hitler considered the agreement valid only so long as it served the interests of party and State. As the history of Reich-Vatican relations after the conclusion of the Concordat shows, this would not be long.

⁸³Lewy, p. 90.

CHAPTER IV

JULY 21 - SEPTEMBER 10: FROM THE SIGNING OF THE CONCORDAT TO ITS RATIFICATION

In general, the conclusion of the Concordat between the Reich and the Vatican pleased both Catholics and Nazis. A few of the Nazi extremists opposed a settlement with the Church, but they were exceptions.¹ As could be expected, Papen was pleased with the results of his handiwork, and in the period immediately following the Concordat he lectured extensively on its behalf before Catholic groups.² In a speech delivered at the Benedictine monastery of Maria Laach on July 22, Papen praised the Concordat as the final conclusion of the Kulturkampf; advised German Catholics to forego their old political ties, since the Concordat provided the Church full opportunity to develop; and asked them to forget their former resentments and join in the building of a Third Reich.³ Two days later the Völkischer Beobachter hailed the Concordat as a refutation by the Church of its past "provocative agitation" against

¹Papen, p. 281.

²Eriksen, p. 371.

³Lewy, p. 86.

the Nazi Party, which signified a "tremendous moral strengthening of the National Socialist government of the Reich and its reputation."⁴ This boast was not entirely without foundation as the Concordat most certainly enhanced the international prestige of the Hitler government. Mussolini seemed especially pleased that Hitler had decided to reach a settlement with the Church. Just one week after the initialing of the Concordat the Duce requested the German ambassador to Italy, Ulrich von Hassell, to convey his gratification to Hitler and Papen for their recent success. Together with the Four-Power Pact,⁵ Mussolini asserted, the Concordat would vitally ease Germany's position.⁶

Catholics received the news of the Concordat with equal enthusiasm, and Church leaders wasted no time in expressing bright hopes for a forthcoming era of cordial relations between Church and State in Germany.⁷ A deluge of books and articles poured forth testifying to the bond of union which had always existed between Roman Catholicism

⁴Völkischer Beobachter, No. 205, July 23, 1933, cited by Lewy, p. 86.

⁵Signed on July 15 between Germany, France, Italy, and Great Britain. See Konrad Hugo Jarausch, The Four Power Pact, 1933 (Madison, Wis.: The State Historical Society of Wisconsin for the Department of History, University of Wisconsin, 1965).

⁶Hassell to the Foreign Ministry, July 15, 1933, 3241/D702267.

⁷Wheaton, pp. 339-40.

and National Socialism but which had passed unnoticed until 1933. On July 21 the following statement appeared in the influential Catholic newspaper, the Kölnische Volkszeitung:

The Concordat gives us great happiness as Germans as well as Catholics. . . . We hope that it will be put into effect with the same spirit of peace which inspired its creation. We owe warm thanks to all the leaders who made it possible--the Pope, Pacelli, Hitler, von Papen, and Kaas.⁸

Cardinal Bertram was equally jubilant, and in a warm letter to Hitler on July 22, he declared the cooperation of Church and State had found solemn expression in the Concordat, thanks to the Pope and the vision of the government.⁹ Two days later Cardinal Faulhaber expressed his approval of the Concordat in a letter to the Reich Chancellor. Faulhaber complimented Hitler for accomplishing in six months, by his "statesmanlike foresight," what the old political parties and parliaments had not accomplished in sixty years.¹⁰

The honeymoon between the Reich government and the Church was not, however, entirely free of difficulties.

⁸Kölnische Volkszeitung, July 21, 1933, p. 1, cited by Eriksen, p. 368.

⁹Bertram to Hitler, July 22, 1933, 8118/E581420-21. Printed also in Müller, No. 76, pp. 169-70.

¹⁰Faulhaber to Hitler, July 24, 1933, 8118/E581422-25. Printed also in Müller, No. 77, pp. 170-71. Hitler thanked Cardinal Faulhaber for his letter in a short note written about a week later. Hitler to Faulhaber, August 2, 1933, 8118/E581426.

The first problem occurred as a result of two articles which appeared on July 26 and July 27 in the semi-official organ of the Vatican, the Osservatore Romano. According to Eugen Klee, who handled Vatican affairs while Ambassador Bergen was on vacation, Cardinal Pacelli had informed him a correction would be necessary because of inaccurate statements made about the Concordat in the newspapers. Pacelli stated that not only the German newspapers, but also the French and Austrian press had interpreted the Concordat incorrectly.¹¹

In the attempt to correct these errors, the Osservatore Romano referred to Article Twenty-one of the Concordat. This article, the Osservatore Romano admitted, clearly implied that education should develop one's sense of duty toward the Fatherland, but this should be done according to the writings of the Gospels, which demanded "justice and love." The Osservatore Romano articles also insisted the Concordat did not mean the Church had abandoned its traditional neutrality regarding the various

¹¹Klee to the Foreign Ministry, July 26, 1933, 8115/E581422-25. Klee refused to accept Monsignor Pizzardo's assertion that the Osservatore Romano articles were not official, and he emphatically stated they were "without doubt" inspired by Pacelli. It should be noted that even though Klee's note was dated July 26, he enclosed a copy of the article published on July 27 (8115/E579938-39) as well as July 26 (8115/E579933-37). Apparently the Vatican had provided Klee with advance copies of the Osservatore Romano articles, both of which were translated into German before Klee forwarded them to the Foreign Ministry.

forms of government, or that the Concordat represented a recognition of any "specific trend of political doctrines and ideas."¹²

The German response to the Osservatore Romano came quickly. On July 29 the Wolffs Telegraphisches Büro (W.T.B.), the principal German news agency, published a critical but unsigned reply. The article was in reality written by Buttman of the Reich Ministry of Interior, but stated only that its information was based upon an "informed source" ("unterrichtete Seite"). In the reply Buttman corrected a number of allegedly false interpretations of the Concordat made in the Osservatore Romano, especially those pertaining to Articles Twenty-one, Twenty-six, and Thirty-two. He reminded the Vatican it had concluded a treaty with a government which was moving solely in a National Socialist direction, and this itself implied de facto and de jure recognition of the Nazi government.¹³

The reaction of the Foreign Ministry to the W.T.B. article is both interesting and enlightening. In a note to Klee, Menshausen apologetically confessed that the article unfortunately appeared in the press before the

¹²See Ibid.; or Gerhardt Ohlemüller, ed., Reichskonkordat zwischen Deutschland und dem Vatikan (Berlin: Säemann-Verlag, 1937), pp. 38-44. See also Lewy, p. 87; and Wheaton, p. 341.

¹³Enclosed in Menshausen's note to Klee, July 29, 1933, 8125/E581693-96.

Foreign Office had the opportunity to read it. The Foreign Office, Menshausen continued, would have preferred a milder reply. In particular, the conclusion should have been more conciliatory. Menshausen stated he had discussed the matter with Buttman and had advised him not to engage in polemics with the Vatican as this would only diminish the meaning of the Concordat and delight the enemies of Germany. If asked, Menshausen informed Klee, he could tell the Vatican with the "purest conscience" that the Foreign Ministry in no way participated in the W.T.B. article.¹⁴

The controversy over the Osservatore Romano and W.T.B. articles continued well into August, despite the fact that neither the Reich nor the Vatican wished the matter to seriously interrupt their cordial relations. On July 31 Klee reported to the Foreign Ministry that he had discussed the matter with Cardinal Pacelli, who had informed him the Vatican could not accept the incorrect interpretations of the Concordat printed in the German press without comment because foreign powers, especially the French, were criticizing the Holy See for concluding a treaty with the Hitler government. When Klee remarked that debates between the Vatican and the Reich would only aid the Marxists, the common enemy of both the Church and

¹⁴Menshausen to Klee, July 29, 1933, 8125/E581693-94.

State, Pacelli promptly agreed. In concluding, Klee expressed the opinion the Vatican would be willing to drop the matter if the press debates ceased, although the "authoritarian" Pope might intervene personally at any time.¹⁵

In Berlin, discussions over the press commentaries took place between Menshausen and Cesare Orsenigo, the papal nuncio to Germany. Menshausen, obviously on the defensive, pointed out to the Nuncio that the government had instructed the press immediately after the publication of the Concordat to refrain from public commentary on the treaty and that Buttman's reply had been made necessary because of the two articles published in the Osservatore Romano. Menshausen also assured Orsenigo that if he had been given the opportunity to look at the article before publication, he would have made certain it did not appear as if there were contradictions in the respective points of view held by the Reich and the Vatican. Orsenigo replied he was convinced the government would fulfill the treaty obligations with the same good will it had shown during the negotiations, and he believed the Vatican also wished to avoid polemics over the matter. Menshausen concluded from the talk that Orsenigo was striving to convince Vatican authorities

¹⁵Klee to the Foreign Ministry, July 31, 1933, 3241/D702273-74.

they should refrain from using strong language in replying to Buttman's article.¹⁶

Gradually, the Foreign Office took firmer steps to prevent the controversy over the press commentaries from becoming more serious. On August 3 State Secretary Bülow notified the German Embassy to inform Pacelli of the German government's strong desire to prevent an open debate over the Concordat, and that the government had instructed the German press to avoid a biased interpretation of the Concordat or to take stands toward articles appearing in the Osservatore Romano.¹⁷ By this time, however, Cardinal Pacelli wanted assurances that Buttman's article was not the official statement of the Reich government. Menshausen, in discussing the matter with Orsenigo, asserted he had no objections to this demand, but felt he could not make such a statement without first securing the approval of the Reich Ministry of Interior. At this point Menshausen ran into difficulty. Hans Pfundtner, State Secretary of the Ministry of Interior, informed Menshausen he was of the opinion that such a statement could not be made because the articles in the Osservatore Romano contained interpretations of the Concordat which were incompatible with

¹⁶Memorandum by Menshausen, July 31, 1933, 8115/E579940-41.

¹⁷Bülow to the Embassy to the Holy See, August 3, 1933, 8125/E581697.

the German point of view. Going one step further, Pfundtner presented Menshausen with the proposed reply to be sent in the event Pacelli decided to answer the article by Buttman. Menshausen found the reply too harsh, but passed it on to the Nuncio because he was unable to get in touch with Pfundtner to work out a new draft. Orsenigo in turn rejected it on the grounds it was not sufficiently apologetic.¹⁸

On August 7 Klee wired the Foreign Ministry that Cardinal Pacelli believed the interpretation contained in the W.T.B. article was at least the "semi-official announcement" of the Reich government, and this the Holy See could not accept.¹⁹ In an effort to resolve the issue, on the following day State Secretary Bülow proposed that the Reich government and the Vatican publish a joint official communique which in effect would inform their respective presses they had agreed discussion on the Concordat should cease. If a public interpretation should become necessary, then this should be done with the agreement of both sides.²⁰ Cardinal Pacelli opposed the publication of a joint communique for the time being,

¹⁸Memorandum by Menshausen, August 4, 1933, 8115/E579947-52.

¹⁹Klee to the Foreign Ministry, August 7, 1933, 8115/E579953-54.

²⁰Bülow to the Embassy to the Holy See, August 8, 1933, 3241/D702278.

however, largely because he felt it could be misinterpreted by public opinion. He did indicate the Osservatore Romano would publish no further commentary on the Concordat unless the German press initiated new discussions. If additional articles did appear, the Holy See reserved the right to reply.²¹ About a week later Bülow informed the Embassy the German government also wished to postpone the publication of the communique. He also stated the German press had been instructed once again to adhere to her prohibition against discussions of the Concordat.²²

By the latter part of August, the press commentaries on the Concordat had ceased and the matter was no longer an issue of importance in Reich-Vatican relations. While neither side could be accredited with a clear-cut diplomatic victory, it should be noted the German government did not dissociate itself from the W.T.B. reply as Cardinal Pacelli had requested. It is also interesting that during the entire controversy, both the government and Vatican appeared anxious to settle the matter quietly and peacefully, perhaps because the Concordat was still not ratified. The Vatican must have been especially eager to maintain cordial relations at this time as it chose to

²¹Klee to the Foreign Ministry, August 11, 1933, 3241/D702279-80. Cardinal Pacelli emphasized he had not consulted the Pope and was only expressing his personal views.

²²Bülow to the Embassy to the Holy See, August 17, 1933, 8115/E579966-67.

remain silent when the government published a law intended to improve the human race through eugenics--a law certain to offend Catholics.

On July 25, 1933, the government made public the "Law for the Prevention of Hereditarily Diseased Offspring," or Sterilization Law. According to the provisions of the law, which would go into effect on January 1, 1934, anyone afflicted with hereditary disease could be rendered sterile by surgical means.²³ On this issue Church doctrine was perfectly clear, for Pope Pius XI had reaffirmed the traditional Catholic position on sterilization as recently as December 31, 1930. In his encyclical, Casti Connubii (On Christian Marriage), the Pope stated that public magistrates had "no direct power over the bodies of their subjects," and where no crime had taken place they could never "directly harm, or tamper with the integrity of the body, either for reasons of eugenics or for any other

²³The list included hereditary imbecility, schizophrenia, manic depression, hereditary epilepsy, Huntington chorea, hereditary blindness, hereditary deafness, and extreme physical malformation. Individual cases were to be decided by a special "Hereditary Health Court" (Erbgesundheitsgericht), which was composed of a judge, a medical officer, and a medical practitioner. A higher court (Erbgesundheitsobergericht), which had a similar composition and whose decision was final, received appeals from the lower court. Franz Neumann, Behemoth: The Structure and Practice of National Socialism, 1933-1944, Harper Torchbooks (New York and Evanston: Harper & Row, 1966), pp. 111-12; and Wheaton, p. 335.

reason."²⁴ This law, however, concerned the all-important question of race, and Hitler was determined the Church would not stand in his way. Consequently, shortly after the Nazis assumed power the government began preparations for a law on sterilization. The bishops were not unaware of this, and at their Fulda conference in June they had before them a draft of a law providing for "voluntary" sterilization. As expected, they opposed the proposed legislation as a violation of traditional Catholic doctrine. Nevertheless, on July 14 the cabinet approved a law requiring "compulsory" sterilization. Because Hitler did not wish to jeopardize the negotiations on the Concordat still in process, the Reich government postponed the publication of the law until July 25.²⁵ But this in no way altered the fact that Hitler had delivered a backstab to the Church at the very time he was promising to respect Catholic rights and morality. In view of the circumstances, it seems reasonable to assume the Vatican would have protested the law immediately, but there is no sign of such a protest in the German archives. Even the controversial articles which appeared in the Osservatore Romano on July 26 and 27 failed to mention the newly

²⁴Anne Fremantle, ed., The Papal Encyclicals in their Historical Context, A Mentor-Omega Book (New York: New American Library, 1963), p. 241.

²⁵Wheaton, p. 335; and Lewy, pp. 258-59.

published law. Apparently, the Holy See was unwilling at this time to jeopardize the cordial relations it had thus far maintained with the new Hitler government by registering a formal diplomatic protest.²⁶

During July and August the Reich and the Vatican exchanged notes on a variety of other issues, but most were of a routine or minor nature. A number of the notes during this period pertained to changes in the text of the Concordat, sometimes involving nothing more than changes in the punctuation.²⁷ The forced resignation of Alfred Hugenberg on June 29 as Minister of Economics caused Cardinal Pacelli some concern.²⁸ The reason is contained in Article Six of the Enabling Act, which stated that "if the present federal cabinet is replaced by another" the act would lose its validity.²⁹ Because of this provision, Pacelli was apprehensive that Hugenberg's resignation would leave the Hitler government without the legal power to carry out the ratification of the Concordat.³⁰ State Secretary Bülow soon put

²⁶The Vatican did bring the issue up during the early part of 1934, after the promulgation of the law. See below, pp. 187-88.

²⁷See 8115/E579927-30, 8115/E579972-73, 8115/E579976, and 8115/E579980, dated August 7, 16, 25, and 31, respectively.

²⁸Bullock, p. 251.

²⁹Hitler, The Speeches of Adolf Hitler, I, 420-501.

³⁰Klee to the Foreign Ministry, August 11, 1933, 3241/D702279-80.

Pacelli's mind at ease by assuring the Cardinal the resignation of Hugenberg in no way affected the Enabling Act, which would be invalid only in the event the entire cabinet was dismissed.³¹

During this same period Cardinal Pacelli informed Klee that various persons, including two foreign diplomats, had asked if the Concordat contained a "secret" agreement. Pacelli stated one of the diplomats believed the secret agreement referred to a common Reich-Vatican front against Russia, while the other understood it dealt with military pastoral duties. The Cardinal, Klee wired Berlin, "displayed much concern" over this indiscretion.³² A few days later, Pacelli also called Klee's attention to comments on the secret annex in the press, and he cited the August 12 edition of the Journal de Genève as an example.³³ If anyone in the German government knew how the leak occurred this information was certainly not passed on to the Vatican. Bülow's evasive reply stated only that the German government placed "great value" on keeping the annex of the Concordat secret.³⁴

³¹Bülow to the Embassy to the Holy See, August 17, 1933, 3241/D702282.

³²Klee to the Foreign Ministry, August 11, 1933, 3241/D702279-80.

³³Klee to the Foreign Ministry, August 16, 1933, 3241/D702281.

³⁴Bülow to the Embassy to the Holy See, August 17, 1933, 8115/E579966-67.

Also during August a minor disagreement occurred over the place of the ratification. In late July the German government suggested that since the signing of the Concordat had taken place in Rome, the ratification should take place in Berlin.³⁵ The Vatican pressed for Rome,³⁶ however, and on August 8 Bülow informed the German Embassy the Reich government would be happy to accept Rome as the place of ratification.³⁷ Upon receiving the news, Pacelli expressed his appreciation to Klee for this concession, and added he would like the ratification to take place before September 8, when he would leave on his vacation.³⁸

In September, as Pacelli and Klee began the final round of discussions prior to ratification, new obstacles appeared. On September 5 Pacelli informed Klee the Pope had received information a German newspaper had discussed the Concordat, despite the prohibitions of the government. Also, the Vatican had recently received reports from Germany which spoke of disagreements over the execution of Articles Thirty-one and Thirty-two. In view of the situation, Pacelli suggested it would be better to postpone

³⁵Bülow to the Embassy to the Holy See, July 29, 1933, 8115/E579942.

³⁶Klee to the Foreign Ministry, August 7, 1933, 8115/E579953-54.

³⁷Bülow to the Embassy to the Holy See, August 8, 1933, 8115/E579957-58.

³⁸Klee to the Foreign Ministry, August 11, 1933, 3241/D702279-80.

the ratification. After inquiring as to the origin of these disturbing reports, Klee expressed the opinion to Pacelli the matter would not prevent ratification since Article Thirty-three provided for the settlement of such disagreements through future negotiations. The Cardinal, Klee concluded, was "apparently under the influence of his discussion with the Pope."³⁹

On the following day Pacelli handed Klee a note regarding their conversation, which Klee immediately forwarded to the Foreign Ministry. The note, entitled a "Short Note on a Discussion on September 5, 1933," was surprisingly harsh in tone. Pacelli began by referring to "disquieting reports" which had reached him from various parts of Germany regarding actions taken against the Catholic clergy, the Catholic press, and Catholic organizations. Unfortunately, the Cardinal wrote, his anxieties concerning these reports had since been confirmed by subsequent reports:

The above-mentioned reports show that not only are there differences of opinion or uncertainties about the meaning of Concordat provisions . . . but that unquestionably the basic views diverge on essential points, and that, above all, the Concordat has in practice been applied in a manner detrimental to the Catholic interests and contrary to the intention of the Holy See.

In these circumstances the Holy See considers it highly expedient, if not absolutely imperative, that a number of Concordat provisions be clarified

³⁹Klee to the Foreign Ministry, September 5, 1933, 8115/E579981.

and their practical application assured even before ratification.⁴⁰

Pacelli continued by citing the specific points which should be given "special attention." These included Articles Fourteen, Thirty-one, and Thirty-two, with some additional changes to be made in the Final Protocol. In particular, Pacelli believed it "urgently desirable" to agree upon the list of Catholic organizations to be protected by Article Thirty-one before ratification. There must also be assurances that the Catholic organizations would not be prohibited from appearing in public and that the members would not suffer any "legal or economic discrimination on account of their membership." Already the Holy See had received reports that the recent decree of the Reich Youth Leader, which prohibited simultaneous membership in both the Catholic and National Socialist youth organizations, discriminated against the Catholic youth associations.⁴¹ For professional and economic reasons, Pacelli continued, many Catholic youths believed they must belong to the latter. Because of the press

⁴⁰ Short Note on a Discussion on September 5, 1933, enclosed in Klee's note to the Foreign Ministry, September 6, 1933, DGFP, C, Vol. I, No. 418, pp. 782-85.

⁴¹ Reich Youth Leader Baldur von Schirach's order of July 30 is printed in The Persecution of the Catholic Church in the Third Reich: Facts and Documents Translated from the German (London: Burns, Oates, 1940), p. 89. The author of this volume has long been anonymous, but it is now believed it was Father Walther Mariaux, a German Jesuit priest who resided at the Curia. See Deutsch, p. 123; and Lewy, p. 367, footnote 5.

controversies carried on in connection with Article Thirty-two, it was urgent that the "concepts and spheres of activity of party politics, politics in general and public life be defined in relation to each other." In concluding, Pacelli stressed his remarks were not intended to evade ratification; he wished only to "gain time for reaching an amicable agreement on the sense and implementation of the Concordat."⁴²

On September 6 Cardinal Pacelli discussed the ratification with Klee. Pacelli informed Klee the Pope desired to have certain "mentioned points" cleared up before the ratification took place.⁴³ Klee replied this would take some time, and since Pacelli intended to leave on his vacation, it would delay ratification. Klee also informed the Foreign Office he believed Pacelli would like an immediate ratification, despite the "apparent uncooperative and critical position of the Pope." Pacelli expressed the opinion that ratification could take place as early as Saturday, September 9, provided the German government would issue a declaration indicating its willingness to begin discussions on unsettled

⁴²Short Note on a Discussion on September 5, 1933, DGFP, C, Vol. I, No. 418, pp. 783-85.

⁴³Klee to the Foreign Ministry, September 7, 1933, 8115/E579998-99. Presumably, the "mentioned points" referred to were those contained in Pacelli's "Short Note on a Discussion on September 5, 1933," although Klee did not specifically indicate this in his note.

provisions of the Concordat as soon as possible.⁴⁴ If there was no other way, the Cardinal agreed to postpone his vacation until Sunday. In order to maintain the secrecy of the annex, Klee recommended that a special diplomatic courier be delegated to carry the necessary documents by regular air service.⁴⁵

On the following day (September 8), Klee got in touch by telephone with Hermann Hüffer, a legation Counselor in Department II of the Foreign Ministry. Hüffer suggested minor changes in the text of the proposed statement, which Klee asserted served only the purpose of pacifying the Pope. Klee immediately presented the proposed changes to Pacelli, who expressed the fear the Pope would not accept them. Klee again telephoned Berlin and informed Buttman and Hüffer of Pacelli's concern. Both agreed to use the wording of the original statement proposed by the Vatican, but Hüffer stated it was opposed

⁴⁴8125/E581705-06 (undated). The last section of this declaration, which is printed in DGFP, C, Vol. I, No. 419, p. 786, footnote 3, reads as follows: "The German Government is prepared to enter into consultations as soon as possible on these and other Concordat matters which in the opinion of the Holy See need to be clarified and definitively settled immediately in order to bring about an understanding that is genuinely in harmony with the letter and the spirit of the Concordat and will ensure a fruitful cooperation of Church and State." Klee informed Pacelli he would only forward this last section to the Foreign Office since the other points mentioned in the declaration had been brought up in the "Short Note" of September 5. Pacelli at first objected to this procedure but soon agreed.

⁴⁵Klee to the Foreign Ministry, September 7, 1933, 8115/E579998-99.

by the Reich Ministry of Justice. Nevertheless, Klee was authorized to inform the Vatican "verbally" that the government agreed to the original declaration without the changes.⁴⁶

At eight o'clock on the evening of the same day, Cardinal Pacelli contacted Klee and informed him a verbal statement would not satisfy the Pope. Klee explained to Pacelli the lack of time had made it impossible to obtain the agreement of all the offices involved to the original declaration. Klee and Pacelli then sat down and worked out a statement which took into consideration the position of both the Holy See and the Reich government:

The German Government is prepared to enter into consultations as soon as possible on the Concordat matters set forth in the "Short Note on a Discussion on September 5, 1933," delivered by His Eminence the Cardinal Secretary of State, as well as on all those Concordat matters which need to be clarified and definitively settled immediately in order to bring about an understanding that is genuinely in harmony with the letter and the spirit of the Concordat and that will ensure a fruitful cooperation of Church and State.⁴⁷

The statement was subject to the approval of the Pope and Reich government, which proved to be no major hurdle. On September 9 Pacelli informed Klee the Pope had agreed to the statement with the insertion of the word "likewise" ("gleichfalls") following the words ". . . all those

⁴⁶Memorandum by Klee, September 8, 1933, 8125/E581708-12.

⁴⁷Memorandum by Klee, September 8, 1933, DGFP, C, Vol. I, No. 422, p. 789.

Concordat matters which" ⁴⁸ The government accepted this insertion and thus removed the last obstacle to ratification. On September 10, at 5:30 P.M., Cardinal Pacelli and Klee exchanged the documents of ratification in the Vatican, and the Concordat went into effect. ⁴⁹

Not surprisingly, there are some important questions on the ratification of the Concordat left unanswered by the German archives. For example, it would be most enlightening to know more about the precise role of the Pope during these proceedings, but the German documents provide only passing comments. Undoubtedly, the Vatican archives would be of great use here. The most intriguing question, however, pertains to the role of the Cardinal Secretary of State. Although Pacelli declared in his "Short Note" of September 5 it was "absolutely imperative" to clarify a number of issues before ratification, ⁵⁰ he afterwards worked fervently for immediate ratification, even though the controversial issues had not been clarified. While it is true Pacelli was scheduled to leave on his vacation, it seems unlikely he would rush an event of such importance

⁴⁸ Ibid., footnote 4.

⁴⁹ Klee to the Foreign Ministry, September 11, 1933, 8115/E580016-17. The Pope signed the Concordat on September 9. The ratification documents pertaining to the secret annex were not exchanged until November 2, 1933, this time between Pacelli and Ambassador Bergen. See 6153/E560915-16 (October 10), 6153/E460918 (October 16), and 6153/E460928 (November 2).

⁵⁰ See above, pp. 119-20.

for purely personal reasons. The most plausible answer is Lewy's suggestion that Pacelli waived his earlier demand for a settlement of the problems listed in his "Short Note" primarily because the German Episcopate wished a speedy ratification.⁵¹ According to Lewy, Pacelli consulted the Episcopate on the question of whether ratification should precede a satisfactory solution of the most important problems.⁵² The bishops discussed the question at the second session of the Fulda conference, which took place between August 29 and 31. On September 2 Cardinal Bertram answered Pacelli in the name of all the German bishops. Leaving no doubt as to the position of the Episcopate, Bertram proceeded to explain why "any delay in the ratification of the Concordat was not to be recommended." It was generally believed, he wrote, that Hitler had no interest in the Concordat other than the increase in international prestige it would bring Germany. Also, many were of the opinion that the government had gone too far in making concessions to the Church. If the ratification were postponed, Bertram continued, these voices would become louder, and this would cause unrest among Catholics. Not until after the Concordat was ratified would it be possible for the Church to proceed against the numerous anti-Catholic activities

⁵¹Lewy, p. 89.

⁵²Ibid., p. 88.

with determination. Any further delay would only weaken the position of the Episcopate.⁵³

It should be clearly understood that the members of the Episcopate did not press for immediate ratification because they were unaware of those violations of the Concordat which had already occurred. As a matter of fact, in a visit with Counselor Hüffer of the Foreign Ministry on September 6, Cardinal Bertram specifically pointed out the attacks of the Hitler Youth on the Catholic youth organizations.⁵⁴ On the following day, in a formal protest to the Reich government, Bertram complained about the violations of Article Thirty-one, which, as far as could be seen, the government was doing nothing to prevent. The Cardinal also let it be known he had obtained a thick pamphlet containing a list of violations against the Catholic youth organizations at the Fulda bishops' conference.⁵⁵

In the light of this information, it would seem the Episcopate might have recommended a postponement of the ratification until the difficulties had been cleared up, but such was not the case. The bishops were not being inconsistent; they simply believed the Concordat would

⁵³Müller, No. 87, pp. 185-90.

⁵⁴Memorandum by Hüffer, September 6, 1933, 8115/E579994-96.

⁵⁵Bertram to the Foreign Ministry, September 7, 1933, 8115/E579991-93. Menshausen replied to Bertram on September 15, 1933, 8115/E579994-96.

provide the means for the settlement of their disputes with the Reich government. Once this is understood it is not difficult to see why the bishops at Fulda favored immediate ratification, for they saw in the implementation of the Concordat the legal instrument by which the abuses committed against the Catholic Church might be corrected.

CHAPTER V

SEPTEMBER 11 - DECEMBER 31: THE FIRST APPLICATION OF THE CONCORDAT

To many observers, the quick ratification of the Concordat came as a surprise. According to Klee, the foreign correspondents were especially astonished since it was rumored the Reich government and the Vatican were unable to agree on its interpretation. Consequently, many believed the ratification would be postponed at least until Pacelli returned from his vacation. When the ratification did take place, Klee reported to Berlin the representatives of hostile states were "painfully surprised," and some members of the press refused to believe it at all. The French especially found the news unpleasant.¹

During this same period a new controversy emerged as a factor in Reich-Vatican relations--the Jewish question. Despite the fact the Concordat did not specifically deal with this matter, Cardinal Pacelli raised the

¹Klee to the Foreign Ministry, September 12, 1933, 8115/E580026-28.

question during the ratification proceedings by asking Klee to accept a pro memoria on the dismissal of Catholic officials and Catholics of Jewish descent.² In essence, Pacelli requested the government to treat the officials in both classifications the same and to reinstate those who had already been dismissed for political reasons. Klee replied by informing Pacelli the appointment of officials was an "internal matter" which only the Reich government could decide. It was impossible to give Catholics of Jewish descent the same status as Catholics of Aryan descent because the "Jewish question was not a religious but a race problem." At this point Pacelli indicated it was the Pope who wished the pro memoria delivered, and although Klee promised he would take this into consideration, he still had to insist the pro memoria include a statement indicating the Holy See would not interfere in the internal political affairs of Germany. Also, Klee insisted that the sentence concerning equal status for Catholics of Jewish descent be deleted. Pacelli agreed to these demands and decided not to forward the pro memoria to the German government.³

Later the same night Cardinal Pacelli delivered another note to Klee, stamped by the seal of the Papal

²Klee to the Foreign Ministry, September 12, 1933, DGFP, C, Vol. I, No. 425, p. 793.

³Ibid., pp. 793-94.

Secretariat of State. The "Notiz," as it is referred to in the German archives, complied with both of Klee's demands. The Holy See, the Notiz began, has "no intention of interfering in Germany's internal political affairs." The Holy See did have information, however, that a great many Catholic officials and employees had been dismissed because the government feared they were "nationally unreliable." If these recent steps taken were reviewed and as "far as possible rescinded or their harsh effects mitigated," it would "contribute immensely to the friendly understanding between the Holy See and Reich government." Also, the Holy See wished to "add a word in behalf of those German Catholics" who were descendants of Jews, but who "for reasons known to the Reich government" also suffered from social and economic difficulties.⁴

Although the German government did not bother to make a formal reply to the Notiz, Klee did respond to the comments on the Jewish question in a detailed note which he handed Under-Secretary of State Pizzardo on September 14.⁵ Basing his information on material previously sent to the Embassy, Klee explained in his note why the Jews represented a "danger to the German race and culture." The "rootlessness" of the Jews, Klee contended,

⁴Enclosed in ibid.

⁵Pacelli left on his vacation shortly after the ratification of the Concordat.

had proved to be a source of danger in all areas of German spiritual life. The Catholic Church itself has long recognized this danger, Klee continued, and as an example he referred to a decree passed in 1593 at the General Assembly of the Jesuits which excluded the descendants of Jewish families from the order.⁶ While the Church had since moderated this decree, it had nevertheless retained it throughout the centuries. It exceeded in severity the measures taken against the Jews in Germany, and therefore showed plainly how justified the anxieties of the Reich government were in maintaining the racial purity of the German people.⁷

Despite the confidential nature of this subject, the British and French press announced on September 10 and 11 the Vatican had brought up the Jewish question. Ambassador Bergen, who had recently returned from his vacation, pointed out to Pizzardo on September 16 that this "indiscretion" could seriously hinder the smooth progress of the forthcoming discussions on the

⁶The fifty-second decree of this assembly ruled that applicants of Jewish or Moorish origin could not be admitted to the Society of Jesus. Even those Jews and Moors who were already members had to be expelled if the error was discovered prior to their profession. Thomas J. Campbell, The Jesuits, 1534-1921: A History of the Society of Jesus from its Foundation to the Present Time (2 vols.; New York: Encyclopedia Press, 1921), I, 211.

⁷Klee to the Foreign Ministry, September 14, 1933, 8115/E580032-34. Klee asked the Foreign Office to inform the Ministry of Interior of this matter.

implementation of the Concordat. Pizzardo replied it was impossible that such indiscretions could have occurred from within the State Secretariat as only a few persons had knowledge of the matter. Nevertheless, the French Le Temps hinted the information had come from Vatican authorities. Bergen surmised it came from a prelate in the press information services whose views were of a purely private character.⁸

On September 21 Ministerialdirektor Köpke of the Foreign Office forwarded a copy of the Notiz to the Reich Ministry of Interior. At the same time he requested the Ministry's views on the advisability of answering the Notiz.⁹ About two weeks later State Secretary Hans Pfundtner informed the Foreign Office a reply to the Notiz did not appear to be necessary. He justified this decision on the premise the dismissal of civil service employees who offered no assurance they would give "unreserved support" to the State had no relation to confessional questions.¹⁰ Thus, the Ministry of Interior supported Klee in judging the Jewish question to be one concerning race rather than religion. Apparently the

⁸Bergen to the Foreign Ministry, September 16, 1933, 8115/E580031. See also, 8115/E580014-15.

⁹Köpke to the Ministry of Interior, September 21, 1933, 8115/E580037-39.

¹⁰Pfundtner to the Foreign Ministry, October 4, 1933, 8115/E580056.

Foreign Office accepted this decision as Köpke later informed the German Embassy it would not be necessary to reply to the Notiz.¹¹

During the later part of September, the Reich Ministry of Interior made an effort to initiate the negotiations on the implementation of the Concordat as had been agreed upon at the time of ratification. Buttman informed Menshausen he had even managed to make an appointment to see Pacelli at Rorschach, where the Cardinal was vacationing.¹² Due to the Pope's intervention, however, Buttman's efforts proved unsuccessful. On September 21 Pizzardo informed Ambassador Bergen the Pope wished Cardinal Pacelli to recuperate from his recent exhausting activities, and it would therefore be impossible for the negotiations to take place at Rorschach. When Bergen asked if the negotiations could take place at the end of Pacelli's vacation, Pizzardo was evasive. Bergen saw proof in these events that the Pope, as in recent times, wished to follow the negotiations closely to enable him to intervene directly at any time.¹³

Despite these attempts by the Ministry of Interior to initiate discussions, there is no other evidence to

¹¹Köpke to the Embassy to the Holy See, October 16, 1933, 8115/E580059.

¹²Menshausen to Bergen, September 18, 1933, 8115/E580023-24.

¹³Bergen to the Foreign Ministry, September 21, 1933, 8115/E580040.

indicate the Reich government sincerely wished to bring about a settlement of the differences over the Concordat. As a matter of fact, during the fall of 1933 there was an intensification of the campaign against the Catholic Church as the process of Gleichschaltung picked up momentum on all fronts. On October 2, the papal nuncio in Munich, Monsignor Vassallo di Torregrossa, complained to the Chief of the Bavarian State Chancellory, Staatsminister Hermann Esser, about the increased pressure applied by the Bavarian political police against the Catholic associations and trade unions.¹⁴ Ministerialdirektor Buttman informed Menshausen these violations of the Concordat would continue in certain regions because they were provoked by the Länder governments, especially those relating to Article Thirty-one.¹⁵

On September 22 the cabinet approved a law for the establishment of the Reich Cultural Chamber, which placed the cinema, press, radio, theater, literary production, music, and fine arts under the control of Goebbels' Propaganda Ministry. This was followed on October 4 by the promulgation of the "Law Concerning Editors" (Schriftleitergesetz), which strengthened and legalized the already

¹⁴Dieter Albrecht, ed., Der Notenwechsel zwischen dem Heiligen Stuhl und der deutschen Reichsregierung: Vom der Ratifizierung des Reichskonkordats bis zur Enzyklika "Mit brennender Sorge" (Mainz: Matthias-Grünwald-Verlag, 1965), No. 1, pp. 1-2.

¹⁵Menshausen to Bergen, October 2, 1933, 8125/E581723-24.

tight controls on the press. Henceforth, editors had to be German citizens of Aryan descent, they must possess the ability to influence public opinion, and they would be prohibited from publishing anything potentially damaging to the Reich from any point of view. The decision as to whether a particular editor met these requirements rested with the "National Chamber of the Press" (Reichspressekammer), headed by Max Amann but subject to the control of Goebbels. This measure was strengthened by another decree promulgated on November 1, which prevented escape from the rigid inspection of the Reich Cultural Chamber by requiring all persons connected in any way with the output of cultural material to belong to the particular chamber concerned with their field of activity. Such laws spelled the loss of jobs for hundreds of journalists, and the number of magazines published dropped from around 4700 in 1932 to 3100 by 1934.¹⁶

Tension also increased as the result of a speech delivered on October 5 by Reich Youth Leader Baldur von Schirach, who was known as a zealous disciple of Rosenberg. Schirach stated he saw the deepest significance in the fact the Nazi movement vanquished the confessional consciousness and put national conviction in the place of

¹⁶Wheaton, pp. 377-79; Lewy, pp. 134-35; and Karl Aloys Altmeyer, ed., Katholische Presse unter NS-Diktatur. Die katholischen Zeitungen und Zeitschriften Deutschlands in den Jahren 1933 bis 1945: Dokumentation (Berlin: Morus-Verlag, 1962), pp. 31-32.

religious conviction. The German youth no longer thought in terms of confessions but longed for unity, and Schirach declared he took great pride in the fact he himself did not belong to a confession.¹⁷

These events naturally increased the apprehension of the German Episcopate, and this in turn prompted Ambassador Bergen to express his concern over the latest Nazi excesses. In a note to the Foreign Ministry on October 12, Bergen admitted the bishops were striving to cooperate with the new State, but declared their attitude toward the execution of the Concordat was changing because of recent unpleasant experiences. They now believed, Bergen continued, the Church made too many concessions regarding Article Thirty-one, and that the present text of this article did not provide sufficient protection for clerical demands. For this reason the bishops considered the practical formulation of Article Thirty-one to be extremely important. They had hoped an improvement of the text would take place between the signing of the Concordat and the ratification, but for a number of reasons this had not occurred. The bishops still did not doubt the sincerity of the government in carrying out the provisions of the

¹⁷ Shirach's speech is summarized in Charles Stedman Macfarland, The New Church and the New Germany: A Study of Church and State (New York: Macmillan Company, 1934), p. 88.

Concordat, however, and attributed to subordinate officials the responsibility for the disturbances in the provinces.¹⁸

Two days later Bergen again wrote the Foreign Office, this time concerning a matter of considerable importance. Cardinal Pacelli, Bergen reported, declared the Pope had instructed him to lodge a "strong protest against the violations of the Concordat and oppression of the Catholics," which were increasing steadily despite the solemn promises of the Germans. Furthermore, Bergen continued, the Pope was planning to emerge from his silence, which the faithful had found incomprehensible, and speak out publicly against the objectionable events in Germany. A note of protest had already been drafted, Bergen asserted, although he had warned Pacelli against carrying out steps which could not be justified in view of the "cooperative measures of the Reich Government." Such action would have "incalculable consequences," and Bergen further advised the Cardinal Secretary of State to take up the negotiations on the Concordat with Ministerial-direktor Buttman. In reply, Pacelli informed Bergen he doubted if he could dissuade the "deeply annoyed" Pope from carrying out the protest, but he was ready to try.¹⁹

¹⁸Bergen to the Foreign Ministry, October 12, 1933, 8115/E580071-78.

¹⁹Bergen to the Foreign Ministry, October 14, 1933, DGFP, C, Vol. I, No. 501, pp. 927-28.

Obviously, Cardinal Pacelli was a more amiable man for the Reich government to deal with than the Pope. Bergen made this point perfectly clear in a note to the Foreign Office on October 16. The "inflexibility and unpredictability" of the Pope, Bergen declared, often created "serious obstacles" which even the influential and politically realistic Cardinal Secretary of State could not counter. This obstacle became apparent at the time of the ratification, and it was now assuming "disturbing proportions." As promised, Cardinal Pacelli discussed the protest with the Pope. Despite all the new arguments which were introduced, the Pope still considered it necessary to make the protest, and he even expressed the desire it should be sharply worded. Pacelli was preparing to carry out the Pope's instructions, Bergen continued, but decided to discuss the matter with the Pope again under the pressure of "our new and serious arguments." The Cardinal had repeatedly expressed his willingness to receive Ministerialdirektor Buttman at any time for the initiation of talks on the implementation of the Concordat. Nevertheless, Bergen informed Pacelli he would not propose sending Buttman to Rome as long as the "threat of protest persisted." The lodging of such a protest, Bergen maintained, would "greatly impede and perhaps make impossible the commencement of negotiations," and the Pope's rebuke of the Reich

government in an allocution was "bound to entail serious consequences."²⁰

On the following day Bergen again talked to Cardinal Pacelli in another attempt to find a solution which would satisfy the Pope and avoid the threatening conflict. Bergen described the talk as a "friendly conversation" of a "purely private nature." He proposed that Pacelli again explain to the Pope his "serious objections" to a protest note as the resulting delay and public criticism would inevitably produce a severe encounter. Bergen also proposed the commencement of negotiations as soon as possible, and for this reason would ask the Reich government to send Buttman to Rome at once. Upon his arrival, Cardinal Pacelli could then present Buttman with a memorandum concerning the grievances of the Holy See, rather than a note of protest. Bergen also suggested Buttman conduct the negotiations "without haste" in order to avert a serious conflict with

²⁰Bergen to the Foreign Ministry, October 16, 1933, DGFP, C, Vol. II, No. 3, pp. 3-5. Bergen added that the frequent audiences of the German bishops, who regularly unburdened their grievances, had contributed to the recent "unpleasant remarks and annoyance of the Pope." Also, Bergen expressed the opinion there was strong pressure from Vienna for the Pope to make a public declaration against the Nazi government. The reason: if the Pope assumed a friendly attitude toward Germany in the face of Nazi violations of the Concordat, it would bewilder the faithful in Austria. Two days later Bergen informed the Foreign Ministry the visits of the Austrian bishops to Rome were having a "disturbing effect" on the Pope (October 18, 1933, 3241/D702298).

the Vatican. A conflict could be permanently avoided, however, only if the Reich government complied with the wishes of the Curia insofar as they were justified and gave "binding assurances" for the "effective implementation of its promises."²¹

As Bergen had requested, the Reich government wasted little time in deciding Buttman should travel to Rome to begin the negotiations. On October 18 Foreign Minister Neurath wired the German Embassy the matter had been discussed with Hitler, and Buttman would leave during the course of the week. Furthermore, he would be supplied with the necessary instructions and granted "full authority."²² On the following day Hitler discussed the forthcoming negotiations with Buttman and Neurath and presented Buttman with personal instructions for his trip.²³

²¹Bergen to the Foreign Ministry, October 17, 1933, DGFP, C, Vol. II, No. 6, pp. 8-9. In the last paragraph Bergen stated he was attempting to calm the German bishops in Rome, and had advised them to present their complaints to the "leading authorities" in Germany, "who would not neglect to take remedial action, if required."

²²Neurath to the Embassy to the Holy See, October 18, 1933, 8115/E580091.

²³October 19, 1933, 8115/E580094 (the signature on this note is illegible). Unfortunately, the note says nothing as to the nature of Hitler's instructions. On the following day Menshausen informed Klee of these events and that Buttman would arrive in Rome on Sunday evening, October 22. Memorandum by Menshausen, October 20, 1933, 8115/E580095.

On October 19 Cardinal Pacelli wrote Bergen the Holy See was prepared to begin the negotiations immediately after Buttman's arrival in Rome. In connection with Buttman's mission, Pacelli requested the Ambassador to present Buttman, in his capacity as "Plenipotentiary Extraordinary" for the Reich government, with the enclosed pro memoria. In presenting the pro memoria, Pacelli continued, the Holy See in no way wished to touch upon the "purely political sphere," but it was forced to take this step because of the "difficulties and persecutions" endured by the Catholic Church in Germany and which had been carried to a "virtually intolerable degree." The Cardinal concluded by expressing the hope the forthcoming talks would lead to a settlement of the difficulties.²⁴

The enclosed pro memoria, signed by the "Secretariat of State of His Holiness," set forth the conditions in Germany which were in violation of the Concordat. The language used is strong, which is an indication the Pope may have played an important role in its formulation. The pro memoria opens by reminding the Reich government the Holy See had on several occasions called attention to the violations of the Concordat, even before ratification. Since these violations had continued, the Holy See was of the opinion it must speak out on the "flagrant acts of

²⁴Pacelli to Bergen, October 19, 1933, DGFP, C, Vol. II, No. 17, pp. 23-24.

unlawfulness and violence in Germany." These incidents had not only violated the rights of the Catholic religion protected by the Concordat, but had created a situation which differed from the tragic Kulturkampf only by its "greater harshness and despotism." The Holy See had reason to presume the Reich government was well informed on the continued "acts of interference with Catholics." While a detailed discussion of these acts could wait until the forthcoming negotiations, the main issues were as follows: (1) the repression of the Catholic organizations; (2) the curbing of the Catholic press; (3) the dismissal of Catholic civil servants; (4) the desecration of the Sabbath; (5) the violations of the rights of Catholic students of theology; (6) the sequestration of Church property and Church endowments; (7) the threat to the Catholic confessional schools; (8) the compulsory courses on the ideology of National Socialism, which all public servants must attend in certain parts of the Reich; and (9) the Sterilization Law. In concluding, the pro memoria called for a prompt and effective halt to these encroachments, which were "ascribable to subordinate but powerful authorities." While the Holy See had thus far observed self-restraint, it would eventually have to speak out if these violations continued:

If the convincing language of facts should not soon be able to demonstrate to the Catholic world that the legitimate demands of the Catholic Church have

been fulfilled, the Holy See will have no other course but to make known, in such manner as it may deem appropriate, what it has done in the interest of peace, justice, and freedom and to make it clear that the offenses against justice and the freedom of the Church and its followers in Germany, which have not been corrected despite all the efforts of the Holy See, cannot hope through the palliating silence of the supreme authority of the Church to escape just censure.²⁵

On October 22 Buttman arrived in Rome as scheduled, and shortly afterwards he received a copy of the pro memoria. The negotiations began the following day, with Archbishop Gröber of Freiburg also present. During the course of the discussions Pacelli informed Bergen privately he feared the outcome would not be good. Bergen reported he was able to calm the Cardinal only by telling him Buttman would return to Rome to continue the negotiations if they should prove to be unsuccessful.²⁶ The discussions ended inconclusively on October 28, and the next day Buttman left for Berlin where he reported directly to the Reich Chancellor on the results of his mission.²⁷

On October 28 Pacelli sent Buttman a memorandum setting forth both the agreements reached and the questions

²⁵Pacelli's pro memoria is enclosed in ibid., pp. 24-30. Printed also in Albrecht, No. 2, pp. 9-14.

²⁶Bergen to the Foreign Ministry, October 28, 1933, 3241/D702300.

²⁷Bergen to the Foreign Ministry, October 28, 1933, 8115/E580102. Bergen reported on the same day the final talks proceeded satisfactorily (8115/E580103). See also Deuerlein, pp. 137-38.

still unresolved. A large portion of the memorandum concerns the controversial Article Thirty-one. While it had been agreed that Catholic organizations protected by this article should have complete autonomy, the Reich government was provided with a loophole by being granted the right to intervene in the event the Catholic organizations failed to carry out their duties to the State. The government did concede the right of Catholic organizations to have their own possessions, banners, and uniforms. The Reich and the Vatican also agreed, in contradiction to Reich Youth Leader Schirach's order of July 30,²⁸ to permit simultaneous membership in State and Catholic organizations. If carried out this represented an important concession to the Church, because it was rumored at the time the Hitler Youth would be established as an official state organization with compulsory membership for all German Youths.²⁹ None of the concessions made to the Church, however, were of any real value until the Reich government and the Vatican agreed upon the specific Catholic organizations which would receive protection under Article Thirty-one. Since Pacelli and Buttman failed to reach a settlement on this critical issue, Article Thirty-one could still not go into effect. They decided only that the Reich government should present its list of proposed organizations with the greatest possible speed.

²⁸See above, p. 120.

²⁹Lewy, p. 117.

Discussions on Article Thirty-two also took place, during which Buttman emphasized and Pacelli agreed that all members of the clergy must be excluded from active political life.³⁰

The results of the negotiations gave little cause for optimism, and they certainly did nothing to improve the mood of the Pope. In his welcoming speech to a pilgrimage of the German Catholic Young Men's Association on October 27, the Pope expressed fear for the youth and religion in Germany:

German Catholic Youth! German--Catholic--Youth: three words and each one of them a reason for a specially hearty welcome. You feel that it is so, especially at this time, in this hour which is so historic for Germany, and not merely so historic, but so hard. You understand Us. By temperament and desire We are optimistic. And so, difficult and hard as this hour undoubtedly is, We are constrained to say that great hopes are reposed in you. . . . But beloved sons, our hopes cannot exclude every danger. You know that We are filled with the deepest anxiety and real alarm about the youth of Germany, and entertain fears with regard to religion in Germany.³¹

Ambassador Bergen regarded the language used by the Pope as quite strong, and he reported to the Foreign Office that he planned to tell Pacelli he had not expected such an address after the recent discussions. Nevertheless,

³⁰Text Concerning the Execution of the Concordat which Pacelli Delivered to Buttman on October 28, 1933, enclosed in Buttman's note to Neurath, December 1, 1933, 8115/E580131-42. See also Albrecht, Nos. 3 and 4, pp. 14-18.

³¹Quoted in The Persecution of the Catholic Church in the Third Reich, p. 2.

Bergen felt the Reich government should wait until after the election campaign before making any kind of rebuttal.³²

In the early part of November, events in Germany centered around the forthcoming plebiscite, which had been prompted by Hitler's announcement on October 14 that Germany was withdrawing from the Disarmament Conference and the League of Nations.³³ This action had been necessary, Hitler claimed, by the refusal to grant Germany equality of rights, which was the "indispensable moral and material condition" for Germany's participation in international institutions and treaties.³⁴ While this move proved to be one of Hitler's first and most successful gambles in foreign policy, he wished to have it blessed by a vote of confidence from the German people. Hence, on November 12, a national plebiscite was scheduled, to be combined with the election of a new Reichstag.

Catholics, like the majority of Germans, seemed to approve of Hitler's decision. In some instances Catholics even used the occasion to send pledges of support to the

³²Bergen to the Foreign Ministry, October 30, 1933, 3241/D702301.

³³See the "Proclamation of the German Government to the German Nation, October 14, 1933," printed in DGFP, C, Vol. II, No. 1, pp. 1-2; and Hitler's Reden und Proklamationen, I, 307-8.

³⁴DGFP, C, Vol. II, No. 1, pp. 1-2. The refusal of the French to disarm was undoubtedly a factor in bringing Hitler to take this step. Bullock, p. 294.

Reich Chancellor.³⁵ Catholic enthusiasm was dampened, however, by the sobering fact this action flagrantly disregarded international treaty obligations. If Hitler could regard one treaty so lightly, how could he be expected to carry out the terms of the Concordat? In view of the numerous violations of the Concordat which had already occurred, this question was a matter of grave concern for Catholics. The bishops were aware of the problem posed by the plebiscite of November 12, and some found it difficult or impossible to give unqualified support to the Hitler government. The Nazis fully realized the importance of the vote, and they applied considerable pressure on individual bishops to support their cause.³⁶

Eventually, most bishops did issue public pronouncements on the elections and plebiscite, but it was not always the unqualified statement of support the government had desired. Some bishops, such as the always cooperative Archbishop Gröber, asserted that Germany's demand for equal rights was in consonance with "national honor as well as with the Christian law of morality and international law."³⁷ Other bishops, however, attached

³⁵See Müller, No. 100, p. 212, and No. 109, p. 220.

³⁶Lewy, pp. 177-78.

³⁷Cited by Lewy, p. 179. In the early years of the Hitler government, Gröber was so closely attached to the Nazi movement he was sometimes sarcastically referred to as "the brown bishop." It should be added, however, that

reservations to their call for an affirmative vote. As an illustration, in their November 8 declaration the Bavarian bishops in effect asked for a positive vote, but at the same time they indicated their disapproval of certain recent events:

Chancellor Adolf Hitler had called the German people to vote on November 12 in order to prove the peaceful intentions of the German people.

. . . The German bishops, who have consistently supported peace among the nations in sermons and pastoral letters, welcome this public avowal of peace. Because of their patriotic and Christian spirit, Catholics will cast their vote for peace among nations, for honor, and for equality of rights among the German people.

The voting on November 12 does not ask us whether we approve of all those events and decrees of the past months, which fill us with sorrow and anxiety, nor whether we approve of the measures taken against the Catholic organizations in Bavaria and the desecration of the Sabbath. We bishops believe the Reich Concordat will also be carried out in regard to the protection of religion and public morality, the consecration of Sunday, the confessional schools, the freedom and autonomy of the Catholic organizations, and that the stresses on the Catholic conscience will cease and the equality of rights of Catholics before the law and the State be recognized.³⁸

In regard to the elections to the new Reichstag, the bishops declared this was a question of party politics, which the voters would have to decide for themselves.

the Archbishop showed increasing opposition to the Nazis in later years, at a time when the risk was greater. See Gordon C. Zahn, German Catholics and Hitler's Wars: A Study in Social Control (New York: Sheed and Ward, 1962), chap. ix. Zahn discusses Gröber's role as a resistance figure in the Catholic hierarchy.

³⁸Müller, No. 107, p. 219.

Despite the mildness of the criticism, the Nazis prohibited both the reading of the declaration from the pulpit and its publication in the press. Furthermore, on the eve of the plebiscite and almost certain victory for the Nazis, the Bavarian radio publicized the first paragraph of the declaration only, which made it appear the bishops had pledged their unqualified support to the Hitler government.³⁹ In the light of the overwhelming victory of the Nazis at the polls, these steps were hardly necessary.⁴⁰

The Vatican's reaction to the plebiscite and elections was not long delayed. On November 25 Cardinal Pacelli sent a note to Otto Freiherr von Ritter, the Bavarian ambassador to the Holy See, with the request it be forwarded to the German government. Pacelli declared bluntly the Vatican found no evidence the Bavarian Episcopate had exceeded its authority during the recent plebiscite. If the Episcopate had given no hints to the voters, Pacelli continued, the world would have gained the impression the Bavarian bishops did not dare to express themselves. With much regret, the Holy See found the Nazi ban on the publication of the bishops' declaration to be a violation of

³⁹Lewy, p. 181.

⁴⁰On the plebiscite, 96.3 per cent of the eligible voters went to the polls and 95.1 per cent voted in approval of Hitler's action. In the elections to the Reichstag, 92.2 per cent voted for the Nazi slate, the only party allowed. Wheaton, p. 385.

Article Four of the Concordat. The Holy See was also surprised to learn the Bavarian government had published a shortened and censured version of the declaration, which distorted the whole meaning of the announcement.⁴¹

Ritter replied to Pacelli's note on December 14. The Bavarian government, he began, had received the note of November 25 with regret. It could explain some of the statements contained in the note only by attributing them to the mistaken judgments of the Cardinal Secretary of State. The Bavarian government knew of no instances where it used pressure as Pacelli had charged. Also, the Bavarian government denied the accusation it had prohibited the reading of the declaration from the pulpit. The bishops were not allowed, however, to publish the declaration in the official press.⁴²

Obviously, Reich-Vatican relations were taking a turn for the worse. In November, more tension developed as a result of the failure of the German government to resume the negotiations on the execution of the Concordat

⁴¹Pacelli to Ritter, November 25, 1933, 6153/E460949-54. Printed also in Albrecht, No. 6, pp. 19-23. The mention of a "censured" version apparently refers to the publicity given to the first paragraph of the declaration on the Bavarian radio.

Cardinal Faulhaber, in a letter directed to the Bavarian State Chancellery on November 18, also protested the curbs imposed by the government authorities. See Müller, No. 112, pp. 221-24.

⁴²Ritter to Pacelli, December 14, 1933, 6153/E460978-85. Printed also in Albrecht, No. 10, pp. 29-33.

as soon as expected. Cardinal Pacelli was quite concerned over the delay but could obtain no definite answer from Bergen when he inquired as to the date Buttman intended to renew the talks.⁴³ Also, Pacelli regarded the absence of any word from Buttman, which had been expected since the first of November, as "lacking in courtesy." "Contrary to my repeated assurances," Bergen reported, Pacelli interpreted this to mean the Reich government no longer intended to resume the negotiations or to consider the numerous grievances of the Curia.⁴⁴

Bergen as well as Pacelli was disturbed over the delay in the renewal of the negotiations. In a note to Menshausen at the end of November, Bergen stated he could not understand why Buttman had not written Pacelli, and he suggested the matter be referred to Vice-Chancellor Papen.⁴⁵ Bergen's concern over the matter is understandable as it was his sincere wish to settle the differences between the Reich and the Holy See. In his own mind at

⁴³Bergen to the Foreign Ministry, November 23, 1933, 8115/E580116.

⁴⁴Bergen to the Foreign Ministry, December 3, 1933, DGFP, C, Vol. II, No. 98, pp. 172-73. Bergen requested the Foreign Ministry to ask Buttman to communicate with Pacelli, at least to explain his silence and his willingness to continue the negotiations as soon as it was feasible. Bergen added the Cardinal had found Buttman quite acceptable as a partner in the negotiations.

⁴⁵[Bergen] to Menshausen, November 29, 1933, 8125/E581747.

least, he was succeeding rather well at this task. In the same note to Menshausen, Bergen declared his efforts in preventing a conflict had been successful because of his friendly relations with Cardinal Pacelli. He admitted, however, that these efforts would eventually fail if the Reich government did not adhere to the obligations of the Concordat.⁴⁶

While Bergen probably exaggerated his role as the peacemaker in Reich-Vatican affairs, there were occasions when his efforts to prevent new disputes from erupting may very well have been decisive. One such occasion pertained to the proposed transfer of Bishop Nicolaus Bares of Hildesheim to the Episcopal See of Berlin. The difficulty arose when the arrogant and radical Ministerial-direktor of the Prussian Ministry of Ecclesiastical Affairs, August Jäger,⁴⁷ expressed objections to the proposed transfer of Bares. The reason, Jäger confidentially informed the Foreign Office, was the bishop's indisputable opposition to National Socialism. In Jäger's opinion, the important Episcopal See of Berlin required a person whose loyalty to the new government could not be questioned. Therefore, as long as the Foreign Office concurred the Ministry of Ecclesiastical Affairs intended to reject his appointment. In order to determine its own position, the

⁴⁶ Ibid.

⁴⁷ See the description of Jäger in Wheaton, p. 324.

Foreign Office asked Bergen for his opinion. Bergen replied the rejection of Bares as Bishop of Berlin might easily lead to difficulties with the Vatican, as the Curia considered Bares to be a strictly ecclesiastical bishop who was not inclined to get involved in politics. At Neurath's request, Menshausen informed Jäger of Bergen's statement and of the need to avoid controversies with the Vatican, which the Reich Chancellor also wished. Jäger reluctantly accepted these arguments, and the Reich government made no formal protest of Bares's transfer.⁴⁸

On the first day of December, Bergen reported to the Foreign Office he had obtained confidential information from an Italian prelate with good connections in the Vatican and who had proven to be well-informed in the past. According to his informant, the Vatican viewed the suppression of the Bavarian bishops' declaration on the November plebiscite as an "intentionally hostile act" against the Catholic religion. The Vatican was especially concerned with the report police officers had approached officiating priests during the service in order to prevent the reading

⁴⁸Memorandum by Menshausen, November 24, 1933, DGFP, C, Vol. II, No. 85, pp. 150-51 and 151, footnote 5. Göring, acting in his capacity as Minister-President of Prussia, did oppose the transfer of Bares to Berlin. The Foreign Office brought the matter to the attention of Hitler, with the recommendation that no objection be made. Hitler later indicated he had no objection to Bares provided an understanding with Prussia could be reached. See below, p. 163.

of the declaration. The Vatican wished to know the meaning of these hostile measures, and if Germany intended to treat the Concordat as nothing more than a "piece of paper." These opinions, Bergen continued, the Vatican had kept completely secret, although it had received numerous inquiries about the position of Catholics in Germany, especially from France, Britain, and the United States. Nevertheless, the Vatican replied only that certain difficulties had arisen regarding the execution of the Concordat which gave cause for concern.⁴⁹

On the same day, December 1, Bergen summarized Vatican opinion on the religious situation in Germany in a note to Foreign Minister Neurath. Again obtaining his information from a confidential source, Bergen informed Neurath there was talk in the Papal Secretariat of organizing the Catholic world press against Germany during the Christmas holidays. Although the highest Vatican authorities felt no animosity toward the Fuehrer and his government, they were annoyed by the fact that except for Italy, only the Vatican recognized the National Socialist government as a partner. Even against the urgent warning of the other major powers, Bergen continued, the Vatican had acted in a most cooperative manner toward Germany. In recent weeks, however, the Vatican had become increasingly apprehensive

⁴⁹Bergen to the Foreign Ministry, December 1, 1933, K2255/K621882-84.

over the permanence of the Reich government's intention to adhere to the Concordat. In addition to these anxieties, Pope Pius was uneasy over the ideological direction of Germany, which had deposed the Old Testament, purged the New Testament, and replaced the biblical Christ with a new "heroic Aryan Christ-type." In this movement the Pope saw a danger for faith and morality which he could not ignore. The Pope also missed a "public" disavowment of Rosenberg's Myth by the Reich Chancellor, even though Hitler had repeatedly stated the ideas expressed in this book represented only the personal opinions of the author. In concluding, Bergen suggested a person high in the Reich government should make a statement emphasizing the firm Christian principles upon which the Third Reich was founded. This should help prevent the Pope from making a public declaration on the dangerous ideology which prevailed in Germany.⁵⁰

The growing impatience of Vatican authorities with the religious developments in Germany was clearly indicated

⁵⁰Bergen to Neurath, December 1, 1933, 6153/E460939-44. A few days later Bergen wrote the Foreign Ministry he felt the disagreements, which had been created by misunderstanding, could be cleared up if the Reich Chancellor would only engage some of the high ranking but "positive minded" members of the German Episcopate in an open discussion. For this purpose Bergen suggested Cardinal Schulte of Cologne and Archbishop Gröber of Freiburg. He did not think it advisable to permit Cardinal Bertram of Breslau to participate in the discussions. Bergen to the Foreign Ministry, December 5, 1933, 3241/702309.

by Cardinal Pacelli's note of December 4. Pacelli not only cited numerous violations of the Concordat, but also enclosed a special supplement protesting the government's failure to adhere to the terms of the secret annex. Although the demands made on the students and lecturers of theology by the subordinate authorities were inadmissible, Pacelli declared, in consideration of the secrecy of the agreement the Holy See had not discussed the matter with the German Episcopate. Nevertheless, the Holy See expected the "High Government" to find a way to restrict the activities of the subordinate authorities, who naturally were not aware of this agreement, and to provide the necessary security to allow the education of the Catholic clergy to continue peacefully and without interruptions.⁵¹ Pacelli's anxiety could only have been intensified two days later when he received a copy of the protest made previously by Clemens August von Galen, the Bishop of Münster. Destined to become one of the outspoken critics of National Socialism, Galen had complained about the infringements against the Catholic press in a letter to Reich Minister of Interior Frick.⁵²

⁵¹Pacelli to Bergen, December 4, 1933, 6153/E460961-65. Bergen forwarded the supplement (6153/E460967) to the Foreign Ministry on December 11. Printed also in Albrecht, No. 8, pp. 25-27.

⁵²Bergen to the Foreign Ministry, December 7, 1933, 3241/702311. For Galen's protest and the reply by Buttman see 8115/E580161-62 and 8115/E580163, respectively.

On December 12 Monsignor Orsenigo payed a personal visit to Neurath. Orsenigo declared the government's failure to comply with the terms of the Concordat had caused great disturbances in Catholic circles. The Holy See, he continued, had instructed him to point out to the German government that the unfinished negotiations over Article Thirty-one had resulted in "untenable conditions" throughout the Reich. Neurath promised Orsenigo he would bring these complaints before the Reich Chancellor.⁵³

By the middle of December, Reich-Vatican relations once again centered around the negotiations on the implementation of the Concordat. Pacelli remarked to Bergen he hoped this time the German government would send a negotiator with the authority to conclude a final agreement without further delay, as the matter could no longer be postponed.⁵⁴ In a note to Bergen, however, Neurath indicated the discussions would not likely lead to a permanent settlement:

The Reich Government now as before has the firm desire to obtain agreement on pending questions. It cannot be expected, as matters stand at the moment, however, that the talks which are to be conducted again by Ministerialdirektor Buttman will this time lead at once to final agreements. A clarifying discussion of some important points

⁵³Memorandum by Neurath, December 12, 1933, 8115/E580173-74.

⁵⁴Bergen to the Foreign Ministry, December 10, 1933, 8115/E580167.

taking account of the entire situation is first of all necessary.⁵⁵

The reason, Neurath concluded in "strict confidence," was because the pending reforms of the Reich Constitution made it necessary to seriously consider initiating negotiations in the near future on a "new" Reich Concordat, which would set aside the existing Länder concordats. Only then would it be possible to find a "final and comprehensive settlement for all pending questions."⁵⁶

Bergen believed the new Reich reforms would not be easy to bring about, and on December 13 he informed the Foreign Office of his opinion on this matter. The agreements and promises made in the present Concordat, he wrote, would be an "uncomfortable hindrance" to the pending constitutional reforms, because the Vatican would fall back upon and make extensive use of their rights which have already been recognized. This would be especially true of Article Two, which guaranteed the validity of the Länder concordats. Therefore, the government would have to emphasize in a determined manner that after the Reich reforms the treaties concluded with the individual German states would be void, because the sovereignty of the

⁵⁵Neurath to the Embassy to the Holy See, December 12, 1933, DGFP, C, Vol. II, No. 121, p. 210.

⁵⁶Ibid. The pending reforms mentioned refers to the "Law for the Reconstruction of the Reich," which the Reichstag passed on January 30, 1934. See below, p. 196.

Länder would be revoked. In any case, Bergen concluded, the government should make no binding promises in the realm of Church-political affairs until after the promulgation of the constitutional reforms.⁵⁷

After a short delay caused by Cardinal Pacelli's busy schedule,⁵⁸ both the Reich government and the Vatican were ready to resume the negotiations on the implementation of the Concordat. By the middle of December Buttman was back in Rome, and at 10:00 o'clock on the morning of December 18 he and Pacelli began the discussions. According to Buttman's own account, he opened the nearly two-hour conversation by requesting the Cardinal not to consider his visit as a continuation of the October discussions. This meeting should instead be considered as an expression of his desire to remove any fears the Reich government would continue to ignore the questions directed to it, which might have developed as a result of his silence after the conclusion of the October talks. The Fuehrer was of the opinion, however, that questions pertaining to the interpretation and completion of the Concordat could "best be answered in connection with the negotiations of a new Reich Concordat," which would take place in the near future.

⁵⁷Bergen to the Foreign Ministry, December 13, 1933, 8115/E580170-71.

⁵⁸Bergen to the Foreign Ministry, December 6, 1933, 8115/E580127.

Choosing to ignore Buttman's referral to a "new Reich Concordat," Pacelli stated that while he did not regard the silence as a lack of courtesy,⁵⁹ he was nevertheless delighted that Buttman had come in person to explain his delay in replying. The Holy Father was still greatly concerned about the situation in Germany, which he definitely intended to bring up in his Christmas allocution. If only His Holiness could receive some pleasant news, Pacelli remarked, he believed his disposition would improve. Buttman replied that relations between the Reich and the Vatican would undoubtedly be further along if it had not been for the "unfortunate electoral manifesto of the Bavarian bishops."⁶⁰ The expressions used by the bishops were not only a painful surprise to him personally, but they had also acutely depressed the mood of the Reich Chancellor. Pacelli countered by referring to the "exceedingly difficult situation" of the Bavarian bishops and the complaints they had received concerning the inadequate fulfillment of the Concordat. This prompted Buttman to reply that no electoral manifesto at all would have been better than the one issued, which was virtually the same as a recommendation to reject the list of candidates submitted for the Reichstag. It is a "remarkable

⁵⁹This contradicts the statement made by Bergen in his note of December 3. See above, p. 151.

⁶⁰See above, p. 148.

fact," Pacelli responded, that the Bavarian government actually denied it had issued a ban on the reading of the manifesto from the pulpit, and the Cardinal then showed Buttman a carbon copy of the ban which he had in his possession. Buttman replied that he would discuss the matter with the Bavarian Minister-President, who definitely stood by what he had done.⁶¹

After discussing the November plebiscite and elections, the conversation turned to the controversial Article Thirty-one. Cardinal Pacelli expressed regret there had been such a delay in compiling the list of organizations to receive protection under this article. Buttman retorted it was difficult to overcome the "spirit of mistrust," because the heads of these organizations were often the same men who had long opposed the National Socialist movement. Buttman then suggested that the Vatican consolidate the Catholic organizations into four or five large groups and provide them with new leadership. Pacelli reserved an answer to this proposal.⁶²

The remainder of the conversation hit upon a variety of topics. Pacelli informed Buttman he had learned Prussia intended to object to the choice of Bishop Bares for

⁶¹Memorandum by Buttman (unsigned and undated), enclosed in Buttman's letter to Neurath of January 9, 1934, DGFP, C, Vol. II, No. 133, pp. 239-45.

⁶²Ibid.

the Episcopal See of Berlin, despite the fact the twenty-day limit specified in Article Fourteen of the Concordat had passed. Nevertheless, because the Holy See placed great value on maintaining good relations with the German government, it did not wish to go through with the appointment until the Prussian government had expressed its agreement. At the conclusion of the discussion Pacelli informed Buttman he had heard some things during the conversation which he would "gladly report to the Holy Father." Nevertheless, it would still be necessary for him to have a note which he could show the Pope. It should deal with the following points:

1. An interpretation of the various provisions of the Concordat, which the Holy See had previously inquired, must be given in the ensuing negotiations.

2. In the event the Reich reform should take place, the Reich government would have to recognize the interim financial obligations from the Länder concordats.

3. The existing obstacles concerning the election of the Bishop for the Episcopal See of Berlin must be removed before Christmas.

4. The suspensions and dismissals of clerical teachers must be reversed.

5. Theology students must be relieved of SA and Labor Service.

Buttman replied he would get in touch with the Reich

government by telephone and give Pacelli an answer by the next morning. After asking Buttman to give his best regards to the Reich Chancellor and the Reich Minister of Interior, the Cardinal amiably departed.⁶³

Immediately after his conversation with Pacelli on December 18, Buttman telephoned Berlin as he had promised. As a result Hitler ordered State Secretary Pfundtner of the Ministry of Interior to reply to Buttman the same evening. This reply, however, would have to be in accordance with Hitler's own instructions, which in this case, proved conciliatory. Hitler saw no objection to informing the Vatican oral negotiations could take place in the future on those points of the Concordat it desired; he was willing to approve the transfer of Bishop Bares provided Prussia was agreeable;⁶⁴ and he agreed to exempt students of Catholic theology from participation in the SA and Labor Service. Hitler also promised to fulfill "as far as possible" the financial obligations resulting from the Länder concordats until a new Reich Concordat could be concluded. This should not, however, "prejudice the forthcoming Reich concordat."⁶⁵

⁶³Ibid.

⁶⁴On the same day, December 18, the Prussian government decided it would not object to the selection of Bares as Bishop of Berlin. Buttman to Pacelli, December 19, 1933, DGFP, C, Vol. II, No. 135, p. 246.

⁶⁵Position Taken by the Reich Chancellor with Respect to the Inquiries of Ministerialdirektor Dr. Buttman,

Buttmann, Bergen, and Pfundtner immediately drew up a note which closely followed the instructions of the Reich Chancellor.⁶⁶ On the morning of December 19 Buttman presented the note to Cardinal Pacelli, who read it aloud slowly. According to Buttmann, Pacelli immediately expressed his anxiety over the reference to a "new Reich concordat." Buttmann replied that the provisions of the Länder concordats would be worked into the existing Concordat, thus giving the majority of the articles a new wording. In this way a new Reich Concordat would come about. Also, the sentence in which the government promised to fulfill the obligations of the Länder concordats during the negotiations for a new Reich Concordat only "as far as possible" worried Pacelli. Buttmann replied that since he had to assume the responsibility for himself in Rome, he was forced to choose the wording with great care. After a brief discussion on the suspension and dismissal of Catholic officials, Pacelli asked when the negotiations for the new Concordat might begin. Buttmann stated he still had a great deal of work to do in Berlin but he hoped to be free in February for detailed negotiations. Rather suddenly, Pacelli spoke of the danger of a Kulturkampf in Germany. Such a conflict, Buttmann

enclosed in Menshausen's memorandum of December 18, 1933, DGFP, C, Vol. II, No. 134, pp. 245-46.

⁶⁶For the text of this note see Buttmann to Pacelli, December 19, 1933, DGFP, C, Vol. II, No. 135, p. 246.

replied, would not benefit the Church in any way. The November elections must have made it clear to the Church that the loyalty of German Catholics to their fatherland was of "decisive importance" in resolving their difficult conflict of conscience. At the conclusion of the talks, Pacelli asked Buttman to send him the draft of the proposed list of Catholic organizations to receive protection under Article Thirty-one, which Buttman promised he would do.⁶⁷

On December 20 Monsignor Kaas informed Bergen during a visit that Cardinal Pacelli was disturbed by the note he had received from Buttman on the previous day. According to Kaas, Pacelli did not understand the note and feared it represented a danger for the Reich Concordat. The oral explanations of Buttman, however, had made a more favorable impression on the Cardinal. In response, Bergen asked why Pacelli did not let the oral discussions stand alone. Bergen also pointed out that in case the Länder concordats were voided, the Reich government would still voluntarily assume the obligations specified in these concordats. Kaas appeared satisfied with

⁶⁷Memorandum by Buttman (unsigned and undated), enclosed in Buttman's letter to Neurath of January 9, 1934, DGFP, C, Vol. II, No. 136, pp. 247-49. For the list of Catholic organizations protected by Article Thirty-one see M132/M004894-963. According to a marginal note, Bergen received the list on April 10, 1934, but there is no indication when the list was presented to Pacelli.

Bergen's explanations and declared he would try to calm Pacelli.⁶⁸

On the same day Buttman left for Berlin (December 20), Bergen wrote the Foreign Office. He expressed hope the talks between Pacelli and Buttman would bring about a slight release of the tension, and stated he would advise Pacelli to be objective and cautious. All questions pertaining to either the present or the future Concordat, Bergen recommended, should be handled first in the Reich Ministry of Interior before being turned over to the Foreign Office. Buttman should continue with the oral negotiations, however, in order to achieve a calm and objective treatment of the difficult problems.⁶⁹

The Reich government could have strengthened its position considerably by replying promptly and regularly to the Vatican notes, and it is difficult to understand why it did not do so. In a December 22 note to the Foreign Ministry, Bergen declared the Pope had recently referred to the government's failure to answer Pacelli's notes as a "plot of silence." Pacelli also valued written agreements, Bergen continued, and the Cardinal had experienced the same feeling as the Pope. Characteristically, when the Bavarian government replied to the Vatican's

⁶⁸Bergen to Buttman, December 20, 1933, 8125/E581757-59.

⁶⁹Bergen to the Foreign Ministry, December 20, 1933, 8125/E581756.

complaints concerning the November elections,⁷⁰ Pacelli remarked, "at last an answer to my note." In view of these conditions, Bergen concluded, the Reich government should consider sending a "lengthy written reply to any note" of Pacelli's which had not yet received an answer.⁷¹

Despite the unwillingness of the Reich government to adhere to the terms of the Concordat, the Christmas allocution of the Pope was surprisingly moderate in tone. Speaking to the College of Cardinals on December 23, he refrained from mentioning specific complaints against Germany except for the Sterilization Law, which he described as inconsistent with Christianity.⁷² In a New Year's greeting to the German people delivered a few days later, however, the Pope was far less restrained, and his statements corresponded more closely to what many had expected in his Christmas message. This time he referred to the "constantly increasing complaints" coming from Germany, which caused him "deep pain." Some reports, such as those concerning the education of the youth, caused him particular anxiety. Although the temptation to mention all these things in his Christmas message had been strong, he had refrained from doing so and called attention only

⁷⁰ See above, p. 150.

⁷¹ Bergen to the Foreign Ministry, December 22, 1933, 8115/E580180.

⁷² New York Times, December 24, 1933, p. 1.

to the repugnant Sterilization Law. People abroad, he declared, were unable to understand why the German measures were so extreme and why there was such a rapid tempo of everything in Germany.⁷³

After the Pope's speech, Bergen visited Cardinal Pacelli, who remarked it would not be feasible to debate with the Pope. Bergen also commented on the recent pastoral letter issued by the Austrian bishops, who, after praising their own country as an example of a Christian political system and a center of western culture, went on to point out that the German bishops had for years condemned National Socialism from a religious point of view. The Reich Concordat, they continued, "did not in the least denote the recognition and approval of the religious and ecclesiastical errors of National Socialism."⁷⁴ Pacelli replied he knew nothing of the letter prior to its publication.⁷⁵

Bergen's evaluation of Reich-Vatican relations at the end of the year tended to be on the pessimistic side. In the past few weeks, Bergen stated in a note to Neurath,

⁷³Bergen to the Foreign Ministry, December 27, 1933, DGFP, C, Vol. II, No. 149, pp. 276-78. Bergen suggested the Pope's statements reflected the ideas which he originally intended to put in his Christmas address but was prevented from doing so by pressure from the German Embassy.

⁷⁴Deuerlein, pp. 140-41. The letter is dated December 21, 1933.

⁷⁵Ibid., p. 278.

the tension had grown to "extremely serious proportions." The entire world had expected the Pope to make a sharp pronouncement against the German government in his Christmas allocution, and the German Embassy succeeded in "eliminating bit by bit the harsh ideas already set down in writing" only by exerting great effort and by using all possible means of diplomacy. While a few weeks of relative calm could follow if nothing unforeseen happened, Bergen urged the German government to "step out of the defensive and send a long fighting note to the Cardinal Secretary of State." Not only did Pacelli like written replies, Bergen continued, but he possibly intended to publish the Vatican notes sent to the Reich government in a White Book. Sooner or later a conflict with the Curia appeared "quite possible," and in this event the government would have nothing in writing to refute the charges made in the White Book. World opinion would interpret this silence on the German side as an admission of guilt.⁷⁶

⁷⁶Bergen to Neurath, December 28, 1933, DGFP, C, Vol. II, No. 152, pp. 283-85. Bergen enclosed the outline of a note to be presented to Cardinal Pacelli as soon as possible (8115/E580183-86). In another note written the same day Bergen stated he assumed Menshausen would get in touch with Buttman in regard to the formulation of the proposed note to Pacelli. Menshausen was a "good and efficient" editor, Bergen commented, and the resulting note would undoubtedly be well-written. The longer the note the better, but it should be soon. Bergen to Menshausen, December 28, 1933, 8125/E581760.

In his final notes of the year, Bergen summarized two articles which appeared in the Osservatore Romano. The first article, published on December 22, discussed in an unfavorable light the new hereditary health courts which would soon go into operation as a result of the promulgation of the Sterilization Law on January 1. According to the Osservatore Romano, the information it had obtained from the published report of the Reich government was sufficient to make its meaning obvious to anyone with humane and Christian feelings.⁷⁷ The second article, which appeared on the last day of the year, was headlined, "The Silence of the Pope." This article pointed out that while the Pope had remained silent in his Christmas address to the College of Cardinals, this silence was "harsh and fearful." It was as significant as the speeches which the Pope made throughout the year; it was itself a "frightful protest."⁷⁸

As the turbulent year of 1933 drew to a close, events inside Germany failed to show any improvement in the relations between the Reich government and the Catholic Church. It was obvious certain members of the Catholic hierarchy were becoming impatient with the Nazi

⁷⁷Bergen to the Foreign Ministry, December 30, 1933, M129/M004718.

⁷⁸Bergen to the Foreign Ministry, December 31, 1933, K2255/K621889-90.

regime, including some of those who had previously manifested enthusiasm for the Hitler government. The most dramatic and the most critical note was sounded by Cardinal Faulhaber of Munich. During the month of December, Faulhaber boldly delivered three Advent sermons in the Munich Cathedral in which he both defended the Old Testament as an integral part of the Christian tradition and pointed out the errors of National Socialist ideology. In contrast to Rosenberg, who had emphasized the many virtues of the ancient Germans, Faulhaber called attention to their vices, such as savagery, indolence, and excessive drinking.⁷⁹ While he admitted there was nothing wrong with standing up for one's own race, this must not lead to the hatred of other races, and race culture must not be allowed to assume hostility toward Christianity.⁸⁰ The Cardinal agreed it was good German youths received instruction on the origin of their nation and early ancestors, but he warned that they should also learn about the golden age of intellectual life in early Christian times in order to know the religious as well as the pagan side of their people. He called upon the German people to let no one rob them of their priceless inheritance by banning biblical

⁷⁹Michael Faulhaber, Judaism, Christianity, and Germany, trans. by George D. Smith (New York: Macmillan Company, 1934), pp. 96-107.

⁸⁰Ibid., p. 107.

instruction from the German schools. An apostasy from Christianity and a relapse into paganism, the Cardinal pleaded, would be the beginning of the end of the German nations.⁸¹

Unfortunately, not all members of the German hierarchy were as critical of National Socialism as Cardinal Faulhaber. During the same month Bishop Berning declared before a mass meeting of Catholics that the Reich Chancellor had informed him personally of his intention to build the State upon a Christian foundation, and the Bishop counseled his audience to serve the new Germany with love. A short time later the chancery of Passau issued instructions forbidding the Catholic organizations to criticize the government. Instead, they should emphasize love of fatherland and national solidarity. It may be, as Lewy suggests, that these views were more typical of the German hierarchy at the time than the more critical views expressed by Cardinal Faulhaber.⁸² Nevertheless, the Cardinal's sermons strongly indicated that the charismatic brand of leadership provided by Hitler was not by itself sufficient to retain the full

⁸¹Ibid., pp. 109 and 114. The Nazis soon prohibited the sale of the sermons but not until many copies had already been sold. Furthermore, knowledge of these sermons was spread by the loudspeaker system used for the occasion and by the foreign press. Shuster, p. 205.

⁸²Lewy, p. 111.

support of the Catholic leadership so long as the promises of the Reich government remained unfulfilled.

CHAPTER VI

JANUARY 1, 1934 - MARCH 14, 1934:

A DETERIORATION OF RELATIONS

If 1933 closed ominously, the opening weeks of 1934 certainly revealed nothing to indicate relations between the Church and the Reich government would improve. The promulgation of the Sterilization Law on January 1 resulted in the suppression of several papers which dared to discuss the subject.¹ On the following day the Rector of the theological seminary at Freising, Dr. Josef Rossberger, received a sentence of eight months in prison for suggesting at a dinner conversation the Nazis had set fire to the Reichstag.² On January 5 the government arrested and imprisoned two Catholic priests for allegedly seditious conduct.³

Despite the seriousness of these official arrests and trials, they tell only part of the story, because

¹Shuster, p. 220.

²Ludwig Volk, Der bayerische Episkopat und der Nationalsozialismus, 1930-1934 (Mainz: Matthias-Grünewald-Verlag, 1965), pp. 167-68.

³New York Times, January 6, 1934, p. 4. Also, undated and unsigned memorandum, 8125/E581793-95.

the "unofficial" violations of Catholic rights committed by overzealous Nazis occurred with increasing regularity. As an example, on January 17 a group of Catholic students performed a religious play at Würzburg in the presence of a number of high Church dignitaries. Since the police had granted the students permission to perform the play, there seemed to be no reason to suspect an incident would occur. Nevertheless, during the performance members of the Hitler Youth secretly slipped into the balcony and began throwing spitballs and stinkbombs. During an intermission, the leader of the Hitler Youth appeared suddenly on the platform and began to make a recruiting speech, while others attempted to tear down the Christian flag. Eventually, the youths created so much noise and confusion the remainder of the play had to be canceled.⁴

The Reich government, of course, did not officially approve of these aggressive tactics on the part of the Hitler Youth. On the other hand, neither could the authorities logically condemn the youths for provoking incidents which Nazi propaganda had helped to inspire. Consequently, when disturbances did occur the police would frequently arrive too late to stop the violence, conduct a sham investigation, and perhaps make a few temporary arrests. The following day the Nazi newspapers would either say nothing of the incident or refer to it in

⁴Neuhäusler, I, 174.

distorted terms, such as a "spontaneous expression of popular indignation."⁵

The promulgation of the Sterilization Law on January 1 necessitates consideration at this point of a conference which took place late in 1933. The report of the conference is enlightening, not only because of the importance of this issue in Reich-Vatican relations, but also because it shows clearly how far some members of the Catholic hierarchy were willing to go to accommodate the Nazis. It also reveals some interesting sidelights on the attitude of Nazi officials regarding the place of the individual in a totalitarian state. The participants of the conference included Archbishop Gröber, Bishop Berning, Ministerialdirektor Buttman, and Ministerialrat Arthur Gütt of the Reich Ministry of Interior.

According to the report, Gröber welcomed the "advantages" contained in the law, especially the intent of the government to create a vital nation through the elimination of people with hereditary disease. He admitted, however, that according to the moral principles of the Catholic Church the end did not justify the means, and Rome had informed him the Sterilization Law could not be accepted as compatible with the teachings of the Church. Nevertheless, since the Church wished to avoid a conflict

⁵The Persecution of the Catholic Church in the Third Reich, p. 103.

with the government, it would make proposals intended to bring about a solution to this conflict. The Church would also concentrate its attention on paragraph twelve of the law, because only this paragraph failed to provide for "voluntary" sterilization. In this way the Church could show that the interpretation of the paragraph actually did permit voluntary sterilization, which would eliminate part of the conflict. Also, the Bishop continued, the general public required protection from sterilized persons, who would still retain their sexual desire even though unable to bear children.⁶

Buttmann refused to agree that sterilization was in any way immoral, as Gröber had implied. Since the State provided for sterilization in "federal law," Buttmann declared, as such it could "never be immoral." In making these laws, the National Socialist State had to consider the entire people, not the individual. Dr. Gütt seconded Buttmann by pointing out the danger of inherited disease to the individual, the family, and the Volk, because it had been proven a couple could pass these diseases on to their children. Therefore, Dr. Gütt continued, the State must exclude these people from the act of procreation. As a matter of fact, the State had the "duty" of

⁶Report of the Bishops' Conference Concerning the Law for the Prevention of Hereditary Diseases, November 3, 1933, M129/M004754-72, enclosed in Menshausen's note to the German Embassy, January 19, 1933, M129/M004773.

protecting healthy persons from those afflicted by hereditary disease. Unfortunately, the individual could not be expected to volunteer for sterilization, thus obligating the State to make the application through physicians.

Bishop Berning refused to accept the claim that sterilization would strengthen the Volk, a goal that only healthy families could achieve. Although the Catholic Church sympathized with the purpose of the law, it could not ignore the welfare of the individual. In certain cases, such as hereditary blindness, the possibility existed that only a part of the offspring would be affected, and this made sterilization all the more questionable. Furthermore, the State should only make laws which all persons could obey without betraying their individual conscience.

Buttmann rejected any obligation on the part of the State to consider the conscience of individuals. Since all citizens were civil servants, he argued, they must therefore subject their wills to the State. Berning retorted that a law-abiding and conscientious Catholic physician would be unable to practice his profession under the new law, because he would be required to recommend sterilization. Dr. Gütt replied that the physician only sent in the application for sterilization; the decision rested with the courts. If the physician found no cause for sterilization, he did not have to send in the

application. Berning suggested the State should find substitutes for those physicians with a conflict of conscience. Dr. Gütt agreed with this proposal but stated he could not promise the government would carry it out.⁷

On the basis of this conference, it is clear the bishops did not vigorously resist the compulsory sterilization law. This may very well explain why the Vatican failed to protest the promulgation of the law, although only access to the Vatican archives can resolve this question. In any case, at the time both the Vatican and the Episcopate remained silent, and the law quietly went into effect on January 1 as scheduled.

Meanwhile, relations between the Reich government and the Vatican remained tense during the first weeks of 1934 but without any spectacular developments. Ambassador Bergen, as at the end of 1933, continued to urge the Foreign Office to make some kind of response to the previous notes sent by the Vatican in order to eliminate the

⁷Ibid. Pfundtner of the Reich Ministry of Interior further explained the government's point of view on this subject in a note to the Foreign Ministry on January 19, 1934 (M129/M004793-95). He declared that while all doctors would be obligated to report persons afflicted with hereditary disease, only the "official" doctors decided whether or not an application for sterilization should be made. Pfundtner felt that even Catholics should be able to "report" cases, since they did not have to make the decision. The bishops, he maintained, had recognized this view in the conference on November 3, 1933.

impression the government was guilty of a "plot of silence."⁸ On January 11 his efforts finally bore fruit, as Foreign Minister Neurath sent a lengthy memorandum which he instructed Bergen to present to Cardinal Pacelli in the name of the Reich government. While altered, the memorandum retained the basic ideas of the outline which Bergen had enclosed in his note of December 28.⁹

The German government, the memorandum opens, believed the complex problems brought up for discussion could be more easily settled by means of a "confidential exchange of views" rather than by a long drawn out exchange of documents or by public discussions. Therefore, the Reich government preferred to reserve further treatment of the individual questions for the oral negotiations agreed to by Ministerialdirektor Buttman in December. The government believed, however, that these future discussions should be preceded by a few remarks of a "general character," particularly in view of Pacelli's pro memoria of October 19 and the "unusually sharp reproaches made in it."¹⁰

⁸ Bergen to Köpke, January 2, 1934, 8125/E581762-64; and Bergen to Buttman, January 5, 1934, 8125/E581765-66.

⁹ See above, p. 169, footnote 76.

¹⁰ Memorandum of the German Government to the Holy See, enclosed in Neurath's note to Bergen, January 11, 1934, DGFP, C, Vol. II, No. 177, pp. 339-44 and 339, footnote 4. Printed also in Albrecht, No. 12, pp. 37-44. Bergen wired Neurath on January 15 he had delivered the memorandum to Cardinal Pacelli on the same day and without discussion.

The ensuing remarks of the memorandum touch upon a variety of subjects but provide few specific answers to the questions raised in the pro memoria of October 19. The Reich government reminded the Holy See of the sacrifices made by the Nazis in the fight against Communism. In replying to the charge made in the pro memoria that the situation in Germany resembled the tragic Kulturkampf, the government avowed nothing could be "further from the mind of the German Government than the intention of fostering a struggle between Church and State in any way." Even before the Reich Chancellor assumed power, he made known his "sincere desire and intention to respect and protect the rights of the Christian churches, to live with them in peace, and to work together harmoniously with them." Despite his call for "peace and cooperation," however, some Church dignitaries permitted an "unjustified critical attitude to be evident," and many of the younger clergy made "no secret of their dislike for the new Reich." The National Socialist government provided both freedom and protection for the Christian churches, and therefore it regarded the objections to the dismissal of Catholic civil servants made in the pro memoria as "inappropriate." In bringing about the intellectual and spiritual unification of the German people, the National Socialist movement had to remedy not only false Marxist teachings but also the religious splits,

which "certain politically active clergy" had widened. The abuse of power and intervention in State matters by such clergymen would inevitably bring strong resentment from others. Also, the Catholic clergy's identification with the Center Party particularly made it susceptible to the charge of "inadmissible political activity." In the construction of the new Germany, innocent bystanders would unavoidably be injured during the first stage. While the government would attempt to aid these persons, National Socialism must direct its sight beyond individual cases and toward the future.¹¹

In the light of some of the critical remarks made by the German government, it seems unlikely the Vatican authorities would have received the memorandum favorably. Nevertheless, on January 20 Bergen reported he had learned confidentially that the "polite form" of the memorandum had made a good impression upon Pacelli. The Cardinal did point out, however, that the memorandum failed to mention such fundamental questions as education, the Catholic press, and the Catholic youth organizations. The Vatican still considered the implementation of Article Thirty-one to be the main problem.¹² In any case, Bergen wrote a

¹¹Memorandum of the German Government to the Holy See, enclosed in Neurath's note to Bergen, January 11, 1934, DGFP, C, Vol. II, No. 177, pp. 339-44.

¹²Bergen to the Foreign Ministry, January 20, 1934, 8115/E580249-52.

short time later, at least temporarily the memorandum achieved its intended purpose, i.e., to prevent Cardinal Pacelli from publishing a White Book. For the time being, it appeared Pacelli would restrict his activities to formulating a reply to the memorandum.¹³

Despite the strong remarks contained in the government's memorandum, Bergen informed the Foreign Office on January 23 that the German position regarding the Concordat was still "weak." In the same note he also suggested the government initiate a discussion of Article Thirty-two, i.e., on the political activities of the Catholic clergy in Germany, as a "tactical diversion." Insistence upon the fulfillment of the obligations contained in this article, Bergen declared, would tend to make the Holy See more generous in its concessions. Since von Papen repeatedly emphasized during the negotiations for the Concordat that the Church would have to fulfill the promises made in Article Thirty-two before the Reich government would implement Article Thirty-one, the Vatican should be even more willing to make concessions.¹⁴

The Foreign Office not only received Bergen's proposal to initiate a discussion of Article Thirty-two favorably, but quickly complied with his request. After

¹³Bergen to the Foreign Ministry, January 22, 1934, 8115/E580258-59.

¹⁴Bergen to the Foreign Ministry, January 23, 1934, 8115/E580260-61.

conferring with Reich Minister of Interior Frick, Neurath sent a note to Bergen in the name of the Reich government. The note, which Neurath instructed the Ambassador to forward to Cardinal Pacelli, dealt exclusively with Article Thirty-two. In the opening sentence the Reich government reminded the Vatican that in his talks with Pacelli the preceding October, Ministerialdirektor Buttman had referred to the "serious abuses" resulting from the attitude of a number of Catholic clergymen toward the National Socialist State. At that time the Holy See learned of numerous incidents, especially in Bavaria, which clearly violated Article Thirty-two. Since then the number of such incidents had not only failed to diminish but had actually increased. The conduct of these clergymen brought "unrest and confusion" and even undermined respect for the clergy:

When the National Socialist movement is called from the pulpit a work of the devil, when a priest in Württemberg announces and reads a mass for six Communists executed in Cologne with whom there is not the slightest connection either personally or geographically, when this execution is made the subject of political remarks before school children in classes in religion, when furthermore, National Socialist usages, such as, for example, the German greeting, are forbidden to school children, as it can be shown has occurred at various times, this is nothing else than a rebellion against the State and an invitation to disregard legal regulations of the temporal authorities.

In order to maintain public peace and order, the note continued, the State would have to intervene energetically in such cases. The government had even found it necessary to arrest clergymen in order to "protect them

from the indignation of the population." The representation of these measures in the Catholic press abroad as a general persecution of Catholics in Germany made them all the more regrettable. If only the Church had properly instructed the clergy, who in turn would have made it their duty to grant the National Socialist State its "due respect," many of the disagreeable incidents and resulting tensions would undoubtedly have been avoided. The silence of the higher Church authorities often left the impression they were in agreement with the refractory conduct of their subordinate clergy, and this in turn strengthened the latter in their rejection of the Nazi State. As a result, the note concluded, the Reich government expected the Holy See to instruct the German Episcopate to issue "suitable and uniform instructions to the German clergy."¹⁵

The strong language used in this note must have come as a surprise to Vatican authorities, particularly since it came so soon after the government's memorandum of January 11. It seems obvious the German government was attempting to turn the tables on the Vatican by digging up the old charge of "political Catholicism," and in this way diverting attention from its own failure to adhere to the terms of the Concordat. It could not be expected, however,

¹⁵Neurath to Bergen, January 31, 1934, DGFP, C, Vol. II, No. 232, pp. 440-42. On February 3 Bergen informed the Foreign Ministry he had received the note of January 31 and had sent it on to Pacelli the same evening (8115/E580276).

that the Vatican would long accept severe criticism of this type without making an appropriate response, and on January 31 it replied to the Reich government's memorandum of January 11 in a lengthy pro memoria. In an accompanying note to Bergen, Cardinal Pacelli stated the pro memoria dealt with those matters which should be brought up in the forthcoming oral negotiations in order to lessen the tension.

The first part of the pro memoria consists of an outline of those points made in the Reich government's memorandum of January 15 which were agreeable and pleasing to the Vatican.¹⁶ These included the government's statement regarding oral negotiations on the implementation of the Concordat; its acceptance of the Holy See as a partner in the fight against Communism; the explanation that it had no intention of beginning a Kulturkampf; the assertion it was not aiming to create a new faith movement; and its expressed willingness to fulfill the obligations of the Concordat. Unfortunately, the pro memoria continued, the ratification of the Concordat had failed to have any effect in bringing about a speedy application of Article Thirty-one. The Holy See could not ignore the incidents which were in violation of the Concordat, and would have to take

¹⁶The pro memoria uses the date "January 15" rather than "January 11" when referring to the Reich government's memorandum, which is the date it was delivered to the Vatican.

action, especially since these incidents had been publicized in the world press. Some of the questions, particularly those pertaining to the implementation of Article Thirty-one, demanded immediate settlement. Despite previous accusations by the Reich government, the Holy See refused to take any responsibility for the continued delay in the settlement of this article. As an example of how the government infringed upon the rights of Catholic organizations, the pro memoria referred to a speech made by a Hitler Youth official in Düsseldorf, who made the following statement: "Just as we were able to deal with the parties, we will also be able to deal with the confessional organizations, which are not yet ready to give up their own existence." Because so many officials in both the party and State gave orders, Catholics found it difficult to know the proper authority to address a complaint. Also, the areas of responsibility for these officials often overlapped, which tended to make this difficulty worse. Sometimes those who complained, including the bishops, did not even receive answers to their complaints.¹⁷

On the controversial Sterilization Law, the Holy See reminded the Reich government the Church could not

¹⁷Pro memoria of the Holy See to the German Government, enclosed in Pacelli's note to Bergen, January 31, 1934, 8115/E580300-45. Printed also in Albrecht, No. 14, pp. 46-71.

alter its position on this issue for reasons already well known. When the bishops failed to prevent the enactment of the law they attempted to make its application morally acceptable to Catholics, but this too had proved unsuccessful. Even though the bishops had received permission to explain the law from the pulpit and to make their position clear,¹⁸ when the time came the Reich Minister of Interior withdrew this permission. Furthermore, the police frequently spied upon clergymen in the execution of their duties, and the government had brought pressure on the bishops to remove certain members of the lower clergy. In some dioceses, the number of priests in prison exceeded the number imprisoned during the Kulturkampf. Restrictions on the press were so tight newspapers could not even designate themselves as "Catholic" papers. Government officials, the pro memoria charged, promoted pagan beliefs through their speeches, and while the Holy See naturally did not hold the Reich government responsible for individual incidents of this nature, it could explain these events only by acknowledging a "central influence" which permitted them to occur. In attempting to counter this

¹⁸In order to soften the harshness of the law, the bishops had obtained permission to explain the law in the form of an announcement. Essentially, this was an abbreviated version of the Pope's encyclical, Casti Connubii. Bertram to Frick, January 14, 1934, M129/M004774-76. Also see Lewy, pp. 259-60.

new heathen movement, the Church found its protests were either muzzled or falsely interpreted.

In concluding, the Holy See expressed the hope that the German government would realize during the forthcoming negotiations the validity of the points upon which the Vatican based its position. The Holy See also hoped these negotiations would lead to a satisfactory conclusion, thus making it unnecessary for the Holy See to announce its wishes and suggestions publicly in order to prevent a misunderstanding of its position.¹⁹

Any analysis of the pro memoria would have to concede one point--it was thorough. In its forty-five pages it covered every major issue of contention between the Reich and the Vatican. Perhaps most important, the pro memoria attributed the responsibility for individual incidents to a "central influence." While the Holy See did not hold the Reich government responsible for these incidents, it is impossible to see how the Reich government and a "central influence" could be unrelated. In using this term, the Holy See apparently wished to assign at least part of the responsibility for the incidents to the Reich government rather than the local authorities, but did not say so directly for fear of appearing too offensive.

¹⁹Pro memoria of the Holy See to the German Government (January 31, 1934).

Despite the "protests and veiled threats" contained in the pro memoria, Ambassador Bergen believed it still revealed a certain relaxation of tension and the desire of the Vatican to reach an understanding through negotiations. He attributed at least a part of this good will to Prelate Kaas, who still enjoyed the "full confidence" of Cardinal Pacelli and advised him on "all German matters." According to Bergen, Kaas had "continuously sought to exert a tranquilizing, conciliatory, and mediating influence in the Vatican."²⁰ Foreign Minister Neurath agreed with Bergen's conclusion that the pro memoria revealed the wish "to close the existing holes in the agreements in a trusting exchange of opinions," and to reach positive and speedy results in the negotiations. He apparently saw nothing urgent about the pro memoria as he declared the Reich government would not reply, at least not for awhile.²¹

This sharp exchange of notes between the Reich and the Vatican during the early part of 1934 only reflected

²⁰Bergen to the Foreign Ministry, February 5, 1934, DGFP, C, Vol. II, No. 239, pp. 451-52. When presenting the Reich government's memorandum of January 11 to Pacelli, Bergen continued, he confidentially informed the Cardinal the objections made in regard to the "politically-active" clergy did not refer to Prelate Kaas. Pacelli received this statement with "visible satisfaction."

²¹Neurath to the State Secretary of the Reich Chancellery [Lammers], the Reich Minister of Interior [Frick], and the Deputy of the Reich Chancellor [Papen], February 11, 1934, 8115/E580346-47.

the increased tension between the government and Church leaders inside Germany. Relations were further embittered by the designation on January 24 of Alfred Rosenberg as the "Deputy of the Fuehrer for the Supervision of the Spiritual and Ideological Training of the National Socialist Party." In essence, this meant that the man who more than anyone else was responsible for the early opposition of the Church to the Nazi movement would now serve as the official ideological guide for the party. Many Catholics had believed Hitler would purge the party of its anti-Christian elements, but instead he had "demonstrated his confidence in the Church's archenemy."²² Not surprisingly, Rosenberg's appointment contributed to an increase in the criticism of Nazi teachings on the part of the Catholic clergy. On February 9 the Vatican manifested its strong support of the clergy by announcing the Holy Office in Rome had placed the Myth on the Index of Forbidden Books.²³

In an effort to increase understanding, on February 7 Cardinal Schulte had a two-hour conversation with the Reich Chancellor. In a chat with Menshausen on the

²²Lewy, p. 151.

²³Wheaton, pp. 356-57. According to Köpke, the German Embassy at the Vatican had learned from a confidential but responsible source the formal request to have the Myth placed on the Index came from high ecclesiastical authorities in foreign countries. Köpke to the Reich Chancellor, February 14, 1934, K2255/K621895.

following day, the Cardinal indicated the talks were a good beginning, but he was evasive when Menshausen asked whether Hitler had given the impression the government intended to live peacefully with the Church. Schulte stated he had emphasized the failure to reach an agreement on the implementation of Article Thirty-one as one of the reasons for the difficulties. In discussing Rosenberg's role as the spiritual and philosophical educator of the party, Schulte stated he feared the goals expressed in the Myth would be given special consideration. Hitler replied he also opposed the Myth, and Rosenberg's position was due solely to "party politics."²⁴

Hitler's assurances, however, were no longer sufficient to silence the members of the Episcopate, many of whom grew bolder in their criticism of the Nazis. In reference to the Sterilization Law, on February 7 Cardinal Faulhaber pointed out that although the bishops did not want the faithful to disobey the laws of the State, neither could they betray the laws of the Church

²⁴Memorandum by Menshausen, February 8, 1934, 8115/E580279-83. At the conclusion of the talks Cardinal Schulte presented Hitler with a pro memoria containing the grievances of the Church (8115/E480541-44).

Lewy speculates the Vatican might never have placed the Myth on the Index if Hitler had not dissociated himself from the book. He bases his opinion on the fact the Vatican never excommunicated Hitler nor placed his writings on the Index. Lewy, p. 152, footnote.

through silence.²⁵ On March 1 Cardinal Schulte vigorously censured Nazi theories on race and blood in a letter to the members of his archdiocese. "It is heathenism and apostasy from Christ and Christianity," Schulte wrote, "to see the essential element in religion only in the requirements of alleged Blood and Race."²⁶ In his Easter message of March 26, Bishop Galen of Münster criticized the Nazi new heathenism even more severely: "The attack on Christianity which we are now witnessing surpasses in destructive power everything of which history has record."²⁷ A few days later Archbishop Gröber of Freiburg and the recently installed Bishop Bares of Berlin also issued warnings.²⁸

This increase in criticism on the part of the Catholic hierarchy did not mean that all bishops had taken a position in opposition to the Nazi regime. On the contrary, most bishops still urged Catholics to adopt an affirmative attitude toward the government, and when they did protest they often passed over such important issues as the banishment of freedom and justice from Germany.²⁹

²⁵Faulhaber to the Reich Minister of Interior [Frick], February 7, 1934, M129/M004809-13.

²⁶Müller, No. 121, p. 246.

²⁷Ibid., No. 130, p. 262. Excerpt in Shuster, p. 226.

²⁸Ibid., No. 129, pp. 255-60, and No. 128, pp. 253-55.

²⁹Wheaton, pp. 358-60.

Furthermore, even after one year of Nazi tyranny, most Catholic laymen still desired to prove their patriotism was beyond question by supporting Hitler's effort to rejuvenate the German people. Von Papen, with his "Cross and Eagle Society,"³⁰ was typical of such Catholics, and he did not hesitate to praise Hitler's achievements in speeches to Catholic groups.³¹ Nevertheless, a Gestapo report drawn up during the spring of 1934 stated that Catholic clergymen who completely adhered to National Socialist views were "extremely few in number."³² Hitler demanded not partial but absolute loyalty, however, and he regarded "any criticism" of the Reich government as synonymous with civil disobedience. Regardless of how carefully the clergy phrased their criticism, it usually enraged the Nazis.

Inevitably, the tense internal situation in Germany contributed to the deterioration of relations between the Reich and the Vatican. On February 12 Ambassador Bergen informed the Foreign Ministry the recent reports from

³⁰An organization founded by Papen on April 3, 1933, essentially for the purpose of rallying Catholic support behind the creation of the new Reich. Lewy, p. 46.

³¹See Papen's speech to a group of Catholic workers delivered on January 14, 1934, at Gleiwitz (M129/M004723-48).

³²Friedrich Zipfel, Kirchenkampf in Deutschland, 1933-1945: Religionsverfolgung und Selbstbehauptung der Kirchen in der nationalsozialistischen Zeit (Berlin: Walter de Gruyter & Co., 1965), p. 296.

Germany had caused apprehension in the Vatican, especially those concerning the appointment of Rosenberg. According to Bergen, Rosenberg's appointment had intensified the existing fears regarding Catholic beliefs and education, and had caused extreme anger on the part of the Pope. Bergen also reported he had learned confidentially that Cardinal Pacelli was in the process of writing an important document, probably the outline of an encyclical. Bergen stated he had repeatedly warned the Vatican against taking this hasty step. The main danger, the Ambassador warned, was the "unpredictability and the impetuosity" of the Pope, who reportedly declared he had been "advised long enough to be quiet and patient."³³ While no encyclical appeared at this time, the Holy Office did ignore the established custom in order to explain publicly its reason for placing the Myth on the Index. In an article which appeared in the Osservatore Romano, the Holy Office sharply criticized the Myth for its rejection of the Christian creed and for holding to the principle that the Godly nature of man could be defended by blood.³⁴

³³Bergen to the Foreign Ministry, February 12, 1934, 8115/E580357.

³⁴Bergen to the Foreign Ministry, February 14, 1934, K2255/K621909-10. The Osservatore Romano followed with an explanation of the errors contained in Ernst Bergmann's Die deutsche Nationalkirche, a pro-Nazi and racist book which the Holy Office also placed on the Index.

On January 30 the promulgation of a new Reich law took place which directly affected relations between the German government and the Holy See. Entitled the "Law for the Reconstruction of the Reich," the law marked another important step toward achieving the goal of Gleichschaltung by transferring the authority of the Länder to the Reich government in Berlin. It formally abolished the state Landtags, transferred the former sovereign powers of the states to the Reich government, and placed the state governors (Reichsstaathaelter) under the supervision of the Reich Minister of Interior. The Reich government could even promulgate new laws affecting the constitution with no limitation imposed. Furthermore, in the new law the term "Reich government" was arbitrarily interpreted to mean the "individual members acting in their individual domains," not the cabinet as a whole. As a result, cabinet members were now less restricted in their areas of responsibility, and they could more easily expand their legitimate activities, provided, of course, they did not collide with Hitler or other powerful Nazi figures.³⁵

Specifically, the new law affected Reich-Vatican relations in two areas: (1) it raised the question of the validity of the Länder Concordats, which the Reich Concordat still guaranteed; and (2) it voided, at least

³⁵Wheaton, pp. 397-98; and Shirer, p. 200.

in the opinion of the Reich government, the need to continue the special representation between Bavaria and the Vatican.³⁶ The move to dissolve the Bavarian Legation in Rome began early in 1934, even before the new Reich reforms went into effect. On January 15 Neurath wrote Menshausen that since the German Embassy represented the special interests of German Catholics at the Vatican, sentimental reasons for maintaining the Legation should be given little weight.³⁷

Although the dissolution of the Legation did not seem to disturb Neurath, he was concerned with the fate of Otto Freiherr von Ritter, a distant relative of the Foreign Minister. Von Ritter would soon celebrate his twenty-fifth anniversary as the Bavarian envoy to the Holy See, and Neurath feared the news of the dissolution might hurt Ritter. In a note to Bergen on February 13, Neurath suggested that in order to make Ritter's departure from Rome easier the Vatican should honor him in some special way.³⁸

³⁶The law also affected Prussia as the German ambassador to the Vatican, i.e., Bergen, had at the same time been serving as the special representative of Prussia. In accordance with the Reich reforms, Prussia would lose this privilege and her interests would be represented by the German ambassador, the same as the other German states. Bergen to the Foreign Ministry, February 21, 1934, K2140/K595617-19.

³⁷Neurath to Menshausen, January 15, 1934, K2140/K595602.

³⁸Neurath to Bergen, February 13, 1934, 3241/D702331. On the same day Neurath wrote a personal letter

A few days later Bergen wrote Neurath that Cardinal Pacelli had inquired if the papal nuncio to Bavaria, Alberto Vassallo di Torregrossa, could remain in Munich after the dissolution of the Bavarian Nunciature. While Bergen did not directly reply to Pacelli's question, he strongly implied this would not be possible.³⁹ Because of the canonization on May 20 of the Bavarian monk, Konrad von Parzham, however, the Vatican did request a postponement of the date. The Reich government agreed to this request, and the date was changed from April 30 to May 31.⁴⁰ The extension of time pleased Pacelli, Bergen reported later, although the Cardinal still found the dissolution of the Munich Nunciature a bit harsh.⁴¹

During a visit with State Secretary Bülow on February 19, Monsignor Orsenigo brought up the other question resulting from the Reich reforms of January 30, i.e., the validity of the Länder Concordats. Orsenigo especially wanted to know how the agreements made in the Reich Concordat stood in relation to the laws of the individual

to von Ritter explaining why it was necessary to take this step (3241/D702333).

³⁹Bergen to Neurath, February 19, 1934, 3241/D702337-38.

⁴⁰Neurath to Bergen, February 26, 1934, K2140/K595615.

⁴¹Bergen to the Foreign Ministry, March 10, 1934, K2140/K595628.

states, but Bülow could not answer the question.⁴² Bergen believed this question posed no particular problem, and he expressed his opinion in a note to the Foreign Office on February 26. According to Bergen, the Reich reforms made the Länder Concordats void, although he admitted the Vatican would take a different point of view on this subject. Since the Länder Concordats no longer had sovereign rights, Bergen continued, the Reich Concordat would need revision. While necessary this would not be an easy task, because the Vatican would insist upon retaining the concessions it had already obtained. Before the conclusion of a new Concordat, Bergen advised, the State would have to examine all concessions closely. If this were done, certain difficulties which had resulted from the hasty formulation of the present Concordat would not recur in its successor.⁴³

On February 4 Buttman departed for Rome to hold another round of discussions with Cardinal Pacelli on the implementation of the Concordat. Buttman found the Vatican in an uncooperative mood, and at times

⁴²Bülow to the Embassy to the Holy See, February 19, 1934, 3241/D702323-24.

⁴³Bergen to the Foreign Ministry, February 26, 1934, 8115/E580463-64. Bergen enclosed a preliminary draft of a new Concordat prepared by Monsignor Johannes Steinmann, the ecclesiastical adviser in the German Embassy (8115/E580465-90).

even the tactful Pacelli used sharp language.⁴⁴ During the talks Buttman demanded the incorporation of the Catholic youth organizations into the Hitler Youth, and refused to grant Catholic youths the right of double membership, i.e., to belong to both organizations as Pacelli had proposed. The Cardinal declared the anti-religious feeling within the Hitler Youth made the incorporation of the Catholic youth organizations out of the question. To concede this point in view of those conditions which the Holy See mentioned in its pro memoria of January 31, Pacelli continued, would make Germany and the whole world say "we were crazy" ("dass wir einen Vogel hätten"). When Buttman asked Pacelli if he wished to postpone the negotiations, the Cardinal agreed, suggesting at the same time they talk about something other than Article Thirty-one until after they had learned the results of Cardinal Schulte's visit with the Reich Chancellor on February 7.⁴⁵ Buttman replied he would return to Berlin in order to learn more about the intentions of the Reich Chancellor. On this inconclusive note Buttman and Pacelli ended their discussions.⁴⁶

⁴⁴Deuerlein, p. 148.

⁴⁵See above, pp. 191-92.

⁴⁶Bergen to Buttman, February 20, 1934, 8125/E581852-55. This is actually Pacelli's account of his discussions with Buttman, as he reported it to Bergen. Pacelli had passed this information on to Bergen in order

Buttmann's departure for Berlin did not mean the German government intended to bring about a final break up of the negotiations, however, and Bergen made certain this was brought to the attention of the Pope.⁴⁷ At the time Buttmann had assumed he would return to Rome shortly after his meeting with the Reich Chancellor, then scheduled for February 23.⁴⁸ Nevertheless, according to Bergen the interruption of the negotiations had created a negative frame of mind among Vatican officials as to the success of future discussions. On February 20 Bergen reported the interruption had spawned the supposition in the Vatican that the "delaying tactics" used by the Reich government did not at all result from technical difficulties. Instead, they resulted from the intention of the government to settle the various questions unilaterally and present the Holy See with a fait accompli. Bergen assured the Foreign Office he was attempting to destroy this assumption on the part of the Vatican but had found it difficult. In his

to explain the whole affair and prevent any misunderstanding which might arise as a result of using the expression, "dass wir einen Vogel hätten."

⁴⁷Bergen to the Foreign Ministry, February 15, 1934, 8115/E580353. At the same time Bergen suggested the Reich government formulate an immediate reply to the pro memoria of January 31, giving serious consideration to the Vatican's protests.

⁴⁸Buttmann to Bergen, February 20, 1934, 8125/E581856-57. Buttmann's audience with Hitler on the twenty-third was postponed but did finally take place on March 8. Buttmann to Bergen, March 10, 1934, 8125/E581861.

opinion, the Reich and the Vatican would not likely reach an agreement on the disputed points anytime in the foreseeable future.⁴⁹

Undoubtedly the pressure of foreign governments on the Holy See intensified Bergen's pessimism at this time. On February 16 Bergen reported he had heard the Vatican was again considering the publication of a White Book as a means of justifying its attitude toward Germany. According to Bergen, "diverse quarters" had constantly reproached the Vatican for its weak defense of Catholic beliefs and interests. The French compared the "submissiveness of the Holy See toward National Socialism" to the "vigorous action" the Pope had taken against the Action Française.⁵⁰ The American Episcopate and the Catholic lay world particularly failed to understand the cautious attitude of the Curia. People in the United States repeatedly compared the brave stand of the German Protestants to the submissiveness of the Catholic Church. In these circumstances, Bergen suggested, the Reich government should compile further complaints against the German clergy and send detailed replies to the Vatican's pro memoria of January 31 and Pacelli's note of February 14.⁵¹

⁴⁹Bergen to the Foreign Ministry, February 20, 1934, 8115/E580452-53.

⁵⁰Pope Pius XI condemned the militant Action Française in 1925. Fremantle, p. 220.

⁵¹Bergen to the Foreign Ministry, February 16, 1934, DGFP, C, Vol. II, No. 265, p. 504. Pacelli's note

The Italian government also showed keen interest in religious developments in Germany. According to Bergen, an Italian diplomat whom he had known for years informed him confidentially the Italian ministry was watching the hostile intentions of the German government with increasing anxiety. In time, Bergen's confidant maintained, the worsening of relations between the Holy See and the Reich government could not help but have an effect upon the attitude of Italy toward Germany. Prompted by these remarks, Bergen had a long talk with the Italian Ambassador to the Holy See, Cesare Maria de Vecchi, who had always demonstrated a "full understanding of National Socialism." The Vatican, de Vecchi informed Bergen, frankly admitted a regrettable but serious tension existed between the Holy See and the German government. Based upon what he had observed, the most serious worry of the Curia, and above all the Pope, was the increasing fear that the Nazis ultimately intended to destroy the Christian churches and form a new community church with heathenistic tendencies. If it were possible to abolish this fear, de Vecchi continued, the suspended negotiations would have a much better chance of success. In reporting this conversation to the Foreign Office, Bergen emphasized the importance of explaining the position of National Socialism

of February 14, which concerned the freedom of the Catholic press in Germany, is filmed on 8125/E581847-49, and printed in Albrecht, No. 17, pp. 77-78.

in the government's reply to the pro memoria of January 31. Bergen suggested a quotation from Mein Kampf as the best means of describing the Nazi attitude toward Christianity and undermining the fears of the Pope.⁵²

In referring to Mein Kampf, Bergen undoubtedly executed a shrewd tactical maneuver as Hitler had made a number of statements favorable to Christianity in the book.⁵³ This does seem to indicate, however, that at this time Bergen was experiencing no serious difficulty in accommodating himself to the Nazi regime. Fritz Menshausen was not quite so accommodating, and therefore perhaps a keener judge of the reasons behind the strained relations between the Reich and the Vatican. Menshausen expressed his opinions in a memorandum dated March 1, which deserves some attention. Much of the tension, Menshausen reflected, originated from the failure of the Reich government and the Vatican to reach an agreement on Article Thirty-one during the negotiations for the Concordat. The content of this article unfortunately created hopes in the Church which the State could not fulfill. Thus, the recent negotiations on the implementation of the Concordat were again postponed because the Vatican insisted upon the fulfillment of its own

⁵²Bergen to the Foreign Ministry, February 17, 1934, 8115/E580450-51.

⁵³See above, pp. 42-43.

interpretation of the promises made regarding Article Thirty-one. The government's efforts to achieve Gleichschaltung, Menshausen continued, had caused deep resentment on the part of the Vatican, which believed itself deceived. The Vatican also suspected the government intentionally interrupted the negotiations until after it had completely absorbed the Catholic associations and could present the Holy See with a fait accompli. Rosenberg's appointment on January 24 as the party spokesman for spiritual and ideological questions had also stiffened Reich-Vatican relations. The situation had become so tense, that a break appeared inevitable unless the government reached an immediate agreement with the Church. Because of the effect upon German foreign policy, the Reich government would be wise to avoid an open conflict with the Holy See. Such a conflict would have an unfavorable effect upon the entire Catholic world, especially in Italy and Austria. Since the government could no longer restrain the Vatican, it must reveal a willingness to reach an agreement through "action." The Holy See would be reasonable as long as it received satisfactory assurances regarding the philosophical goals of National Socialism and the religious care of the youth. The Nuncio agreed with this, Menshausen declared, for he recently remarked "the government had only to take one step and the Vatican would take ten steps." The Reich

must take this one step in order to clear the way for an understanding.⁵⁴

If this "one step" consisted of replying to the Vatican's pro memoria of January 31, then Menshausen's request was in the process of being granted. The first draft of the reply was prepared in the Reich Ministry of Interior, probably by Buttman, and forwarded to the Foreign Office by Reichminister Frick on February 24.⁵⁵ On the basis of proposals made by Vice-Chancellor Papen, this draft was revised and a second draft drawn up.⁵⁶ Since Menshausen believed it still left unanswered some essential points of the pro memoria, he made a number of additions, three of which concerned the Catholic organizations. When informed, Buttman concurred with Menshausen and the additions were retained.⁵⁷ On March 12 the text was submitted to Hitler,⁵⁸ and later the same day sent on to Bergen for transmittal to the Cardinal Secretary of State.⁵⁹

⁵⁴Memorandum by Menshausen, March 1, 1934, 8115/E580454-58.

⁵⁵Frick to the Foreign Ministry, February 24, 1934, 8115/E580365-84.

⁵⁶An Answer to the Pro Memoria of January 31, 1934, undated, 8115/E580386-411.

⁵⁷Menshausen listed these additions to the draft in his memorandum of March 12, 1934, 8115/E580442-43.

⁵⁸Memorandum by Menshausen, March 12, 1934, 8115/E580385.

⁵⁹[Neurath] to the German Embassy to the Holy See, March 12, 1934, 8115/E580444.

On March 14 Bergen presented to Pacelli the lengthy and undated pro memoria, the German government's answer to the Vatican's pro memoria of January 31.⁶⁰

The pro memoria begins on a friendly and optimistic note. The Reich government agreed with the Holy See that a way had to be found to overcome the difficulties regarding the execution of the Concordat. In consideration of the "sincere willingness of both sides to reach an understanding" this goal appeared quite possible, but the negotiations would have to be continued in an agreeable spirit.⁶¹

The Reich government believed the Church allowed too much time to pass before making an effort to end the active participation of the clergy in politics. Many members of the Catholic associations had still changed very little and they remained politically active. Also, important Church authorities continued to take a critical view of the Nazi movement, which confused Catholics and made the execution of the Concordat more difficult. In effect, the German people believed the Church leaders were unwilling to join the movement. The Reich government

⁶⁰The entire text of the pro memoria is printed in Albrecht, No. 19, pp. 81-99, with Papen's corrections included in the footnotes, and filmed on 8115/E580413-41. For accounts of the formation of the pro memoria see Albrecht, No. 19, footnote 1, pp. 81-82; and DGFP, C, Vol. II, No. 265, p. 504, footnote 4.

⁶¹Albrecht, No. 19, p. 82.

saw the reason for the worsening of relations between the Church and State in the attitude of a great many clergymen, who apparently had not overcome their tendency to interfere in political matters and who therefore remained opposed to the new Germany. As an example, a priest in Dietersheim (Hesse) made the following statement in his Sunday sermon: "There are today people in Germany who are sowing weeds among the wheat. Such people must be exterminated, even if this includes Reich Chancellor Hitler." Another priest, this time in Emeringen (Württemberg), referred to the Reich Chancellor and the NSDAP during a recent service as "criminals and murderers." One priest even struck a boy for using the Hitler greeting.⁶²

Although the Reich government had complied with the wishes of the Holy See by releasing students of theology from the SA and Labor Service, leading Church authorities continued to prevent individual students from voluntary participation. The government saw in this act a lack of understanding for the great task of educating the people. Also, the Catholic associations continued to carry on political activities, and any organization which called itself "Catholic" fell back on Article Thirty-one. For this reason delays had occurred in reaching an agreement on the list of organizations that would receive protection

⁶²Ibid., pp. 86-88. Numerous other examples of this type are listed in the pro memoria.

under this article, and the Reich government rejected the accusation it alone was responsible for these delays. In the event of the incorporation of the Catholic youth groups into the Hitler Youth, the Reich government would take into consideration the religious and pastoral interests of these organizations in the same manner it had dealt with the Protestant youth groups.⁶³ This willingness to permit the pastoral care of the interdenominational State organizations should remove the fear that the Nazis intended to undertake a struggle against Christianity.

The pro memoria continued by reminding the Holy See that Rosenberg had stated explicitly in the introduction to the Myth he was expressing only his personal views and not the views of the Nazi program. The Reich government found it strange that in some countries the press, with the approval of the "highest Church authorities," made it appear German Catholics were undergoing the "severest persecution." The Holy See even permitted the members of the Austrian Episcopate to criticize conditions in Germany publicly.⁶⁴ On the question of sterilization, the Reich government regretted its opinions differed from those of the Holy See, but hoped the Holy See would honor the

⁶³The Protestant youth societies, whose more than one million members had to swear love and loyalty to the Fuehrer, were incorporated into the Hitler Youth on December 20, 1933. Wheaton, p. 367.

⁶⁴See above, p. 168.

reasons which made the pursuance of this policy essential. For its part, the government had considered some of the requests made by the Church. For example, it had conceded that sterilization would not take place in cases involving persons in institutions, under ten years of age, nearly sterile, or when it would endanger the person's life.⁶⁵

After a final comment on the clergy's involvement in politics, the pro memoria closed with a subtle warning:

If the Holy See wishes to engage in a public discussion before reaching a friendly agreement with the German government, then the government will not decline to engage in such a discussion, but it will also not be responsible for any increase in the already existing tension.⁶⁶

When the pro memoria is considered in its entirety, one is struck by its muted but aggressive tone. In view of the Reich government's countless violations of the Concordat and the numerous accusations which the Holy See made in its own pro memoria of January 31, a more defensive document might have been expected. Apparently the Nazis believed the shrewdest tactical maneuver in this situation was to disguise their own campaign against the Church with a verbal barrage aimed to prove that Catholics themselves perpetrated the evil deeds. Thus, the Reich government concentrated on its own grievances, especially the

⁶⁵State Secretary Pfundtner of the Reich Ministry of Interior had requested the granting of these concessions in his note to the Foreign Ministry on January 29, 1934, M129/M004793-95.

⁶⁶Albrecht, No. 19, p. 99.

participation of the clergy in politics. While the government affirmed its desire for friendly relations with the Holy See, it did not hesitate to remind the Vatican in closing that it would not recoil from a public discussion if this became necessary. Also, the government reminded the Vatican of the numerous clergymen who remained opposed to the new Germany, which forced Catholics to defend themselves against the old charge of political disloyalty. The Hitler government clearly understood the vulnerability of German Catholicism at this point, and it did not fail to take advantage of the opportunity.

CHAPTER VII

MARCH 15 - JUNE 29: THE REICH GOVERNMENT

ENCOUNTERS INCREASED CRITICISM

During the Easter season, the Pope twice reacted to the increasingly tense religious situation in Germany. On the first occasion he sent a special Easter greeting to all the German Catholic youth associations through the General President of the associations. Published a short time later in the Kölnische Volkszeitung, the Pope's message had the effect of encouraging all Catholic youths in Germany to remain firm in their faith against the pressure of Nazi heathenism:

In spite of all the difficulties through which Providence is leading you, and in spite of a propaganda working with alluring appeals and with pressure for a new view of life leading away from Christ and back to heathenism, you have kept the vow of love and fidelity to the Saviour and the Church and for that very reason remain all the firmer in allegiance to nation and home, which as in past times, it is your desire to serve unselfishly in the closest spirit of union.

We know from our own responsibility of pastoral care--and we know that it is also the great anxiety of your bishops--the situation of the Catholic youth of Germany. Your associations should in any event know that your cause is our cause. We lead you in fatherly love beneath the cross of Jesus Christ which shines from your banners and bestow from our heart upon you, your parents and your relatives

the desired Apostolic blessing as a source of unshakable loyalty to the Faith.¹

A few days later the Pope spoke out again, this time in an address to 300 German Catholic youths on a pilgrimage to Rome. He spoke of the deep anxiety with which he observed events in Germany and the distressing news he received daily on the difficulties confronting the German Catholics. The Pope promised the youth they could assure their comrades in Germany that he would do everything possible to support them in their defense of the Catholic Church.²

The remarks of the Pope quite naturally created an unfavorable reaction in the German government. In a note to the Foreign Office, Ambassador Bergen referred to the "exceedingly hard and unfriendly statements" made by the Pope in his speech to the Catholic pilgrims from Germany.³ Also, during a talk with Pacelli, Bergen criticized the Pope for referring to the Catholic youth of Germany as persecuted. The harsh speech, Bergen remarked to the Cardinal, would certainly do nothing to

¹Quoted in The Times (London), April 3, 1934, p. 10. Excerpts from the Pope's message are also printed in The Persecution of the Catholic Church in the Third Reich, pp. 2-3; and Neuhäusler, II, 294.

²The Times (London), April 6, 1934, p. 11. Excerpts from the Pope's speech are printed in The Persecution of the Catholic Church in the Third Reich, p. 3; and Neuhäusler, II, 294-95.

³Bergen to the Foreign Ministry, April 6, 1934, 8115/E580561.

facilitate the forthcoming negotiations on the implementation of the Concordat. Pacelli refused to discuss the subject, however, and replied only that the Pope had the habit of improvising his speeches.⁴ Nevertheless, Bergen interpreted the speech as a sign of the Pope's increasing anger. If the next round of negotiations failed again, Bergen wrote Neurath, the Pope would probably make another harsh announcement. Cardinal Pacelli not only left the impression he could not prevent the Pope from making certain decisions, but also appeared pessimistic regarding future successes.⁵

Others at this time shared Pacelli's pessimism about the state of Reich-Vatican relations. Certainly, the opinions expressed by the correspondent for the London Times in Rome provided no basis for optimism. "The Vatican is watching the latest stage in the conflict between the Nazis and the German Roman Catholics with a growing concern," the Times correspondent declared. As long as the "present intransigent spirit" persisted, the Concordat was a "dead letter." The current deadlock would end only if the Nazi leaders applied those rights expressly conceded to Catholic priests and institutions in the Concordat. Until the German authorities changed

⁴Bergen to the Foreign Ministry, April 6, 1934, 8115/E580562.

⁵Bergen to the Foreign Ministry (For the Reich-minister), April 6, 1934, 8115/E580571-72.

their attitude, the chance of any relaxation in the tension between the Vatican and Berlin appeared slight. On the contrary, he predicted, the Vatican would in all probability "harden" its attitude toward Germany.⁶

Also during April Vice-Chancellor Papen expressed his views on the religious situation in a lengthy letter to Bergen. While not assigned to any official position involving Reich-Vatican affairs after the conclusion of the Concordat, Papen had nevertheless managed to remain in close contact with the events. That he sometimes wielded considerable influence is obvious from the role he played in drafting the government's pro memoria of March 14,⁷ and from the frequent mention of his name in the notes exchanged between the Foreign Office and the German Embassy. As his letter of April 7 makes perfectly clear, Papen used this influence to reconcile the Catholic forces to the Hitler government. Even his work in negotiating the Concordat, he frankly admitted, resulted largely from his desire to overcome the ideological differences separating German Catholicism and National Socialism. The Reich Chancellor's willingness to build the Third Reich on Christian foundations, Papen believed, had to be supported by a "definite settlement" with the Catholic Church. "With a firm juristic basis to stand on,"

⁶The Times (London), April 4, 1934, p. 12.

⁷See above, p. 206.

both sides could reconcile their differences much more readily. On many points, Papen continued, the new order in Germany corresponded to what the Catholic Church had long proclaimed as the ideal social order. Tragically, efforts to disclose the similarity between Nazi doctrine and the Catholic conception of society had so far failed. Even the German Episcopate had erroneously identified the theses of Rosenberg's Myth with Nazi doctrine, although the Reich Chancellor had never accepted the ideas of this book as an official part of the party program. Not until the Fuehrer had established his authority "in fact" could the Reich government take "positive action to keep subordinate leaders from acting contrary to the views of the supreme leadership." Despite adverse criticism, Papen declared, he had labored hard to overcome the difficulties between State and Church and to solve the controversial points of the Concordat. He had worked to "activate Catholicism" so that it would become a "positive element in the construction of the new Germany." Unfortunately, the German Episcopate had not seen the necessity of supporting this work, and the situation would not improve as long as Cardinal Bertram remained its leader. In filling vacant bishoprics, Papen advised, appointments must go to younger men who were "aware of the needs of the times." It would be "tragic" if the Vatican allowed difficulties over the Concordat to bring about a break with

the Reich government. Such a step could only strengthen the adversaries of Germany, and undermine the "historic mission" which Europe had assigned Germany. For this historic mission Germany required the "sympathetic understanding and the support of the Holy See." Both sides needed to exercise "extreme patience and farsightedness" in order to resolve the situation in the interest of the Reich, the Church, and Europe in general.⁸

Papen's efforts to bring about greater cooperation between the Church and the State did on occasion contribute to a softening of the position held by the Reich government. As a result of discussions held between Reich Youth Leader Baldur von Schirach and Papen on February 20, Schirach agreed to permit the members of the Catholic youth organizations simultaneous membership in the Hitler Youth. Although Schirach would have preferred to retain the ban on double membership in accordance with his order of July 30, 1933,⁹ he agreed to this concession after "some prodding by Papen."¹⁰ At the same time Schirach also affirmed the willingness of the Hitler Youth leadership to guarantee the Catholic youth "every opportunity for spiritual care by the Church," including sufficient time away

⁸Vice-Chancellor Papen to Ambassador Bergen, April 7, 1934, DGFP, C, Vol. II, No. 383, pp. 714-22. In the margin Bergen wrote: "Note: Not suitable for communication to the Cardinal Secretary of State." Footnote 1.

⁹See above, p. 120.

¹⁰Lewy, p. 120.

from their regular duties to attend Sunday worship and to participate in religious education one afternoon a week. The religious instruction would have to avoid the discussion of political issues, however, and the Hitler Youth leader would have to be permitted to attend any of these lectures, regardless of his denomination. In essence, Schirach permitted the Catholic youth organizations the right to retain their separate identity provided they restricted their activities to a "purely religious area."¹¹

Further discussions on the fate of the Catholic youth organizations took place on March 29, this time in a conference attended by Hitler, Bergen, and Buttman. Bergen informed the Reich Chancellor that in order to avert a clash with the Vatican, Buttman should introduce some new proposals during his next round of talks with Pacelli. Hitler agreed, and he permitted Buttman to make use of the concessions granted by Schirach in the exchange of views on the Catholic youth organizations. Hitler refused, however, to grant any additional concessions to the other Catholic organizations.¹²

While Church leaders undoubtedly believed they had obtained an important concession from the Reich government in acquiring the right of double membership for

¹¹The German Youth Leader to the Vice-Chancellor, February 20, 1934, DGFP, C, Vol. II, No. 272, p. 519.

¹²Bergen to Neurath, March 29, 1934, DGFP, C, Vol. II, No. 370, pp. 692-93.

Catholic youths, this certainly did nothing to prevent unruly members of the Hitler Youth from disrupting meetings of the Catholic youth organizations. As an example, on March 25 some 200 members of the Hitler Youth charged through one wing of the assembled Catholic youths at Henningsdorf, seized their banners, and forced them to return to Berlin.¹³ Such incidents naturally tended to increase the tension between the Holy See and the Reich government, as accounts of these events invariably reached Rome.

By the second week of April Buttman had returned to Rome in order to resume the discussions with Pacelli on the implementation of the Concordat. This time, Buttman expressed optimism over the course of the talks. In accordance with the instructions he received from Hitler on March 29, Buttman informed Pacelli the Reich government had agreed to the concessions made by Reich Youth Leader Schirach regarding the Catholic youth organizations. Buttman also presented Pacelli with a copy of Schirach's letter to Papen, which spelled out the details of the plan. The Cardinal appeared quite satisfied with these proposals, but requested Buttman to present them in an official note to the Vatican in order that it might serve as a basis for future negotiations.¹⁴

¹³The Times (London), April 3, 1934, p. 10, and April 4, 1934, p. 11. Also, see Wheaton, p. 357.

¹⁴Memorandum by Menshausen, April 14, 1934, 8115/E580618-19.

The Vatican presented its suggestions for the regulation of the Catholic associations in the form of two prepared drafts, one dealing exclusively with the Catholic youth organizations and the other consisting of a general interpretation of Article Thirty-one.¹⁵ From the viewpoint of the Reich government, the concessions made by the Vatican in these drafts were disappointing. According to Menshausen, the government had expected the Vatican to be more generous toward its wishes in view of the important concessions made by Schirach.¹⁶ The government's wish to prohibit members of the Catholic youth organizations from wearing uniforms except to Church affairs had not even received serious consideration. In view of this intransigent attitude on the part of the Vatican, Menshausen continued, an understanding seemed impossible. If an agreement should be reached, "both sides" would have to show a willingness to compromise. The Vatican especially desired to retain control of the confessional sports organizations, but Menshausen declared he could see no place for them in the new Germany.¹⁷

¹⁵These drafts, both dated April 18, are enclosed in Menshausen's memorandum of May 5, 1934, 8115/E580636-50.

¹⁶Perhaps, as Lewy suggests, Schirach's reputation for being an "ardent follower of Rosenberg" made the Vatican suspicious and therefore less inclined to make concessions. Lewy, p. 121.

¹⁷Memorandum by Menshausen, May 5, 1934, 8115/E580636-39. The Nuncio, Menshausen added, had hinted that

Once again the failure to reach an agreement on Article Thirty-one brought about the suspension of the negotiations. On April 19 Buttman left for Berlin where he planned to report on the course of the discussions orally. In view of the tense situation, Bergen reported, he would not object to giving up his summer vacation.¹⁸ On April 20 Pacelli wrote Cardinal Bertram that since the talks had failed to make any headway, the Holy See saw no reason why the German Episcopate should not undertake direct negotiations with the Reich government. Pacelli cautioned the bishops, however, to avoid making undue concessions.¹⁹ The government had no objections to discussing the application of Article Thirty-one with representatives of the Episcopate, although in a letter to Cardinal Bertram Reich Minister of Interior Frick did recommend the discussion of other questions at the same time. Frick suggested the Episcopate should keep this in mind when choosing their representatives for the negotiations.²⁰

the Holy See would concede to the government's wish on the sports organizations during the course of the negotiations. Menshausen did not believe the Nuncio was well-informed on the talks, however, because he repeatedly asked questions about the progress of the negotiations. See also, Deuerlein, pp. 151-52.

¹⁸Bergen to the Foreign Ministry, April 19, 1934, 8115/E580620.

¹⁹Lewy, p. 121.

²⁰Frick to Bertram, May 3, 1934, 8115/E580651-52.

Despite Nazi assurance of their willingness to reach an agreement with the Vatican, inside Germany the pressure on the Catholic organizations increased steadily. In a visit with Bülow, Monsignor Orsenigo declared he had received information the Gauleiter of Würzburg had issued an order prohibiting Catholic youth organizations, and a similar situation had occurred in Schweinfurt.²¹ More serious, on April 28 Robert Ley, head of the German Labor Front, issued an order prohibiting simultaneous membership in the Labor Front and the Catholic workers' or journey-men's associations.²² In other words, Ley's ruling banned double membership in the Nazi and Catholic labor organizations just as Schirach's order of the previous July had banned double membership in the Nazi and Catholic youth organizations. In effect, this meant the demise of the Catholic labor organizations, because membership in the German Labor Front was rapidly becoming mandatory as a condition of employment.²³

The Church wasted little time in protesting this latest infringement of Catholic rights. On May 1 Bishop

²¹Memorandum by Bülow, April 27, 1934, 3241/D702370. Bülow knew nothing about the matter but said he would investigate. See also The Times (London), May 5, 1934, p. 11, and May 7, 1934, p. 13.

²²Ley's order is printed in Müller, No. 135, pp. 271-72, with the erroneous date of April 27. Albrecht, No. 25, p. 119, footnote 1. See also Neuhäusler, II, 311.

²³Lewy, p. 121.

Galen or Münster sent a telegram to Hitler requesting the Reich Chancellor to rescind the decree. This way, the Bishop reasoned, the many German men dedicated to the task of reconstruction would not be excluded from the German community.²⁴ A few days later the Vatican registered its protest to the decree. Through Ambassador Bergen, on May 8 Cardinal Pacelli sent a sharp note to the Reich government. The Holy See was astonished, Pacelli declared, to discover subordinate authorities had issued unauthorized decrees, especially when the negotiations were suspended and the Reich government possessed the official proposals of the Vatican. These decrees not only stood in opposition to the Concordat and to the recent negotiations, but they violated in the worst way the existence of the Catholic organizations as guaranteed in Article Thirty-one. As an example of such a decree, Pacelli cited the recent order by Ley. Furthermore, according to reliable reports the government planned to issue "work passes" exclusively to members of the Labor Front. Although they were essential to obtain employment, the members of the Catholic workers' associations would be unable to acquire them. These decrees and intentions, Pacelli concluded, were incompatible with the Concordat and the recent negotiations, and the

²⁴Bishop Galen mentioned this telegram at the end of an address delivered to a group of Catholic workers at Werden on June 17, 1934. See Müller, No. 144, p. 288.

Holy See urged the Reich government to carry out effective corrective measures.²⁵

If Pacelli's sharp language took the Reich authorities by surprise, they received little satisfaction from the note which followed a few days later. On May 14 the Vatican replied to the German pro memoria of March 14 with a lengthy pro memoria of its own. Bearing the seal of the Papal Secretary of State, the pro memoria covered virtually every issue of controversy between the Reich and the Vatican.²⁶

The opening comments of the pro memoria referred to the recent negotiations on the implementation of the Concordat. In effect, the interruptions had tended to lessen the value of the Reich government's assurance that it welcomed these discussions. It had become necessary to interrupt these discussions because the German government failed to send a representative with full authority.

As an important part of the German people, the pro memoria continued, Catholics deserved the right of equal treatment. They at least had the same rights as former members of the Marxist movement, who the Nazis not only

²⁵Pacelli to Bergen, May 8, 1934, enclosed in Bergen's note of May 10 to the Foreign Ministry, 8115/E580654-56. Printed in Albrecht, No. 25, pp. 119-20.

²⁶Pro memoria of the Holy See to the German Government, May 14, 1934, enclosed in Pacelli's note to Bergen, May 14, 1934, 8115/E580676-749. Printed in Albrecht, No. 29, pp. 124-64.

permitted in the NSDAP but even offered them positions refused to Catholics. If Catholics refused to support movements under political disguises which pursued irreligious goals, they did this not because they wished to be disrespectful to the State, but because the Holy Scripture commanded them to "obey God more than man."²⁷

After the Reich Chancellor's speech of March 23, 1933, the bishops were favorably disposed toward National Socialism. Now, however, Catholics in Germany would have to recognize with the "deepest sorrow" that their hopes had not been fulfilled. This had occurred because of persons in anti-clerical circles, who had shifted the positive course of Reich cultural policies away from the solemn declarations proclaimed by the Reich Chancellor in his speech of March 23. In view of the situation, the Holy See found it necessary to request the German government to face this reality with a seriousness which complied with the spirit of the Concordat.²⁸

The pro memoria continued by citing examples of the material given to the leaders of the Landschuljahr.²⁹ A

²⁷Albrecht, No. 29, pp. 126-27.

²⁸Ibid., pp. 130-31.

²⁹The "Landjahr," as it is usually designated, refers to the year in which all boys raised in cities and industrial areas who did not continue their schooling after the compulsory eight years were removed from their parents and sent into the country for about nine months. Here they were brought together in rural camp homes, all

few are worth quoting:

National Socialism is a religion . . . born from the blood and soil of Nordic spirit and the Aryan soul. The confessions which still exist, both Catholic and Protestant, must disappear. If they do not dissolve voluntarily, the State should eliminate them. Point 24 of the party program was inserted only to serve as bait for Catholics of all shades. But only a complete idiot would rely on this program and the Concordat with Rome. Anyone with any intelligence knows that National Socialism and Christianity are deadly enemies.³⁰

The school curriculum required every boy to participate in this training, the pro memoria continued, even though sincere Catholics could not accept Nazi doctrines. Furthermore, the authorities systematically trained the leaders of these schools in a heathenish manner. Their parents allowed this only because they did not realize the nature of the instruction, which made atheism the leitmotiv. The Holy See could not help but ask, "were these instructions coming from central authorities?" The totalitarian demands of the State regarding education, the pro memoria declared,

managed by carefully selected Nazi leaders. The idea was to indoctrinate the youths with National Socialist theories and to make them more aware of the significance of land and nature, which the Nazis believed could be accomplished much more readily in a rural environment than amidst urban surroundings. In accordance with this goal, theoretical instruction at these camps played a secondary role to physical exercise and courses in folklore, art, German history, racial biology, folk dancing, etc. See Persecution of the Catholic Church in the Third Reich, pp. 392-93; Mario Bendiscioli, Nazism versus Christianity, trans. by Gerald Griffin (London: Skeffington and Son, 1939), p. 190; and H. J. Arnold, "Germany's New 'Rural Year' Plan," School and Society, XLI (January 5, 1935), 23-24.

³⁰Albrecht, No. 29, p. 133.

would eventually bring an end to the State itself as the welfare of the State and people could not be served properly "without religion." Without discipline and moral training, a physical power alone could only bring destruction. When the Church had learned the youth were being taught the false message of a new "materialism of the race," it had no alternative but to resist.

According to the Reich government, the German people regarded the Catholic organizations with hostility. If so, it had been brought about by Nazi propaganda. While the Reich government had assured the Holy See it was not attempting to create a new faith movement, it tolerated certain practices which cast doubt on the validity of these assurances. It was not just individual cases but the "regularity" of the attacks which caused the Holy See to protest, for these attacks could occur only with the aid of a "central influence."³¹

While the Holy See found the Myth unconvincing, more important than what the author of this book described was what he and others did with their anti-Christian ideology. Unfortunately, Nazi authorities gave future teachers intensive ideological instruction in the spirit of Rosenberg, and all teachers were expected to obtain a copy of the Myth. While the Reich government indicated in its pro memoria of March 14 that it wished to avoid a public

³¹Ibid., p. 151.

discussion of these issues, in reality the violations of the Concordat had already made these discussions public in Germany.³²

Clearly, the language of the pro memoria was strong, and may be considered a reflection of the increased tension between the Church and State inside Germany. The Holy See struck hard at the heathenish tendencies of the Nazis, especially the anti-Christian instruction given to German youths. Again, as in the case of its pro memoria of January 31, the Holy See implied the responsibility for the violations of Catholic rights fell on the shoulders of a "central influence," and not just the local authorities. Everything considered, in the pro memoria of May 14 the Holy See had made its strongest protest up to this time.

Considering the sharp tone of the pro memoria, a warm reception on the part of the Reich government could hardly be expected. Although Ambassador Bergen admitted the document was thorough and carefully prepared, he suggested an examination of its "harsh allegations, despite their length." Bergen also recommended that the pro memoria be submitted to the Reich Chancellor. In Bergen's opinion, Hitler should see these "pedantic documents written in almost an

³²Ibid., p. 163.

ultimatum-like vein" before the Holy See published them in a White Book.³³

In the same note to Neurath, Bergen made some other comments which are revealing about himself as well as for the light they shed on Reich-Vatican relations. In the Vatican, he remarked, many believed that without his services, the Reich government and the Holy See would have broken off relations long ago. Bergen added he had not mentioned this matter in order to "glorify" himself, but only to "characterize the situation." It would be difficult, Bergen continued, to continue putting the Vatican off with "tactical maneuvers." Unless the Reich government decided to discharge the obligations it had assumed and to settle the various pending questions, a clash seemed "inevitable." A public reproach by the Vatican would delight the "less amicably disposed powers, particularly France." A break with the Curia, Bergen continued, "might produce a sensitive reaction in the Catholic countries and provoke unpleasant manifestations," especially in the Saar.³⁴

On May 20 about 3000 German pilgrims and ten bishops,³⁵ including Cardinal Faulhaber, gathered in Rome for

³³Bergen to Neurath, May 24, 1934, DGFP, C, Vol. II, No. 463, pp. 841-42. A marginal note in Neurath's handwriting and dated June 6 states the memorandum was presented to the Reich Chancellor. Footnote 1.

³⁴Ibid.

³⁵According to The Times (London), May 22, 1934, p. 9, fourteen bishops were present rather than the ten reported by Bergen.

the canonization of the Capuchin monk, Konrad von Parzham. During the evening the Pope received these pilgrims in a special audience and delivered a lengthy but moderate address. While the Pope expressed his sympathy for those who suffered for their religious beliefs in such "difficult times" and praised the faithful for their courageous fight, he refrained from making specific attacks upon the Reich government.³⁶ The Pope did receive the bishops individually, however, and this prompted the London Times to write "with confidence" that the German prelates were profiting from this occasion to discuss the "peculiar circumstances" of the Catholic Church in Germany among themselves and with the representatives of the Holy See.³⁷ Although Bergen never learned the exact content of these conversations, he did inform Berlin that "heated arguments" supposedly took place between the "intransigent Cardinal Faulhaber and the quiet, restrained" Archbishop Gröber of Freiburg. According to Bergen, Gröber had not originally intended to come and did so only at the request of Prelate Kaas, who wanted the Archbishop in Rome so that he and "other moderate bishops" could form a "counterpoise"

³⁶ Bergen to the Foreign Ministry, May 20, 1934, 8115/E580664-65. Although Bergen attributed the moderate tone of the Pope's address to "various parties" who exerted their influence upon the Pope, he did not say who these parties were. Bergen to the Foreign Ministry (For the Reichminister), May 20, 1934, 8115/E580667-68.

³⁷ The Times (London), May 22, 1934, p. 9.

to Cardinal Faulhaber, Bishop Ehrenfried of Würzburg, and others.³⁸

In the past few days, Bergen wrote on May 20, the Vatican had outwardly exercised "remarkable caution" in its relations with the Reich government. In regard to future relations, however, Bergen was not very optimistic. The chairman of the Fulda bishops' conference, he reported, had recently compiled a series of documents on the execution of the Concordat, especially Article Thirty-one. All members of the Episcopate would receive copies of these documents to enable them to make decisions based upon a definite knowledge of the negotiations which had taken place. The strictest secrecy had been ordered, and the bishops could use them only for stated purposes. Apparently, Bergen continued, the Pope planned to speak out strongly, although not to the point of bringing about a break between Germany and the Vatican. He reportedly would wait for the results of the forthcoming talks between the representatives of the Reich government and the Episcopate before making any "decisive resolutions."³⁹

Considering the tense state of Reich-Vatican relations at this time, it is no surprise that the efforts of the German government to bring about the dissolution of

³⁸Bergen to Neurath, May 24, 1934, DGFP, C, Vol. II, No. 463, pp. 841-42.

³⁹Bergen to the Foreign Ministry (For the Reich-minister), May 20, 1934, 8115/E580667-68.

the Bavarian Legation in Rome and the Papal Nunciature in Munich failed to proceed smoothly. Although the Holy See had already agreed to accept May 31 as the termination date for the Bavarian Legation,⁴⁰ Neurath learned Cardinal Pacelli had reportedly stated the Vatican still found the matter "distressing." If so, it had little effect on the Reich government, which remained adamant on this issue. Neurath took the position that since no other country in the world maintained special diplomatic missions at the Vatican from districts within the State, it would be an expression of "unjustified distrust" in the German government for the Holy See to insist upon retaining this privilege.⁴¹

While reluctant to see the Bavarian Embassy in Rome terminated, the Vatican appeared even more unwilling to accept the dissolution of the Munich Nunciature. According to Bergen, Pacelli wished to show his friends in Bavaria, especially Cardinal Faulhaber, that he was exerting every effort to maintain the Nunciature. Again, the Reich government insisted that the Nuncio to Bavaria, Alberto Vassallo di Torregrossa, would have to step down from his post. Bergen even requested Kaas to try and persuade Pacelli to accept this fact,⁴² but by the middle

⁴⁰ See above, p. 198.

⁴¹ Neurath to Bergen, April 13, 1934, K2140/K595636-38.

⁴² Bergen to Neurath, May 10, 1934, 8115/E580660-62.

of May the Foreign Office still had received no word the Vatican had issued any instructions regarding the dissolution of the Nunciature. Neurath attributed the delay to the fact the Vatican had recently gained the impression there was a disagreement between the Reich and the Bavarian government over this issue. In view of this, Neurath wrote Minister-President Ludwig Siebert of Bavaria, Monsignor Vassallo should be informed that his diplomatic mission in Bavaria would end on May 31, i.e., at the same time as the Bavarian Legation in Rome. If necessary, it should be pointed out to Vassallo that the Bavarian government would no longer have authority to continue its official relations with him after May 31. If Vassallo wished to remain in Munich as a private individual until the Vatican appointed him to a new assignment, the Reich government would make no objections.⁴³ Despite the firm stand of the government on this matter, the Vatican continued to hope the Nunciature could be maintained.⁴⁴ By the end of May, however, the Vatican had acquiesced on this issue, and Pacelli proceeded to inform Monsignor Vassallo the dissolution of the Nunciature would take place on the last day of the month.⁴⁵

⁴³Neurath to Siebert, May 16, 1934, K2140/K595661-63. On May 22 Bergen informed Neurath Monsignor Vassallo did wish to remain longer in Munich (K2140/K595679-80).

⁴⁴Neurath to Göring, May 18, 1934, K2140/K595664-66.

⁴⁵Neurath to Siebert, May 29, 1934, K2140/K595681-82. Neurath received this information from Bergen, who in turn had received it from Pacelli. A copy of Pacelli's note to Vassallo could not be located.

The final termination of the Vatican's special representation with Bavaria and Prussia was carried out without difficulty. On May 18 Neurath requested Göring, Minister-President of Prussia, to notify the Vatican that Ambassador Bergen's authorization to act as the special envoy of Prussia to the Holy See would be terminated on May 31.⁴⁶ Göring carried out this request on May 28 in a letter to Pope Pius. He simply informed His Holiness that in accordance with the new Reich law of January 30, which transferred the sovereign powers of the states to the Reich government, the Prussian Legation to the Holy See had ceased to exist.⁴⁷ In a similar letter to the Pope, Minister-President Siebert severed Bavaria's relations with the Holy See by recalling the Bavarian envoy to the Vatican, Baron von Ritter.⁴⁸

During June, which culminated in the famous "Blood Purge," there was a noticeable decline in the number of protest notes exchanged between the Reich and the Vatican.

⁴⁶Neurath to Göring, May 18, 1934, K2140/K595664-66.

⁴⁷Göring to His Holiness the Pope, May 28, 1934, enclosed in Göring's note to Neurath, May 28, 1934, K2140/K595672-76. It should be added that at this time the authority of Orsenigo to act as the papal envoy to Prussia was also withdrawn. Orsenigo had been performing these duties in addition to his regular duties as papal nuncio to the German government (K2140/K595664-66).

⁴⁸Siebert to His Holiness, June [day not given], enclosed in Siebert's note to Neurath, June 12, 1934, K2140/K595685-86. Bergen wrote the Foreign Ministry on July 3 that Ritter left Rome on June 28 (K2140/K595690). See also Franz-Willing, pp. 247-49.

The most plausible explanation for this decline was the desire of both sides to avoid any increase in tension until after the negotiations on Article Thirty-one had taken place. There were, however, some significant internal religious developments during this month which directly affected Reich-Vatican relations.

On June 5 the German Episcopate met at Fulda for their annual plenary conference. One important item of business was to select their representatives for the negotiations with the Reich government later in the month. For this assignment the Episcopate chose Bishop Bares of Berlin, Bishop Berning of Osnabrück, and Archbishop Gröber of Freiburg. Since the Nazis regarded Gröber and Berning as friendly, the Episcopate probably selected them thinking they would have more success in the negotiations than bishops known to be hostile.⁴⁹

In general, the tone and content of the joint pastoral letter adopted on June 7 reveals the increased anxiety of the bishops concerning the spread of neopaganism in Germany. Nazi theories on race, the bishops declared, absolutely negated the doctrines and ethics of the Church. They referred to Rosenberg's Myth as a book "radical of expression," which made use of countless distortions in order to undermine faith in God, the Christian religion, and to destroy respect for the authority of Christ and the

⁴⁹Lewy, p. 122.

Church. No longer could they remain silent, the bishops continued, when they saw persons with "vast influence and powers at their disposal numbered among the supporters and propagators of neopagan ideas."⁵⁰ Despite these strong statements, the bishops did place limits upon their criticism. For example, they refrained from identifying either the Myth or Rosenberg by name, nor did they attack the Nazi party and its teachings. Lewy suggests the bishops were forced to distinguish between the Nazi movement itself and the aberrations of the radical elements in order to continue their support of the Hitler regime. Also, Lewy believes, some of the bishops in 1934 still hoped for a break between Hitler and Rosenberg. In any case, in their public pronouncements the bishops made it clear they directed their criticism at the neopaganism of certain party leaders and not at the State and movement itself.⁵¹

In view of the pending negotiations between the representatives of the Episcopate and the Reich Ministry of Interior on the Concordat, the bishops decided to postpone the reading of the letter for fear it would hamper the talks. On June 27 Cardinal Bertram and Bishop Berning sent a joint telegram to all members of

⁵⁰The full text of the letter is printed in Müller, No. 142, pp. 276-86. Also, see Shuster, pp. 227-28.

⁵¹Lewy, pp. 152-53.

the Episcopate informing them to delay the reading of the letter.⁵² The Reich government was not impressed by this concession, however, as the letter had already been printed and distributed widely. Accordingly, the Gestapo quickly confiscated all unsold copies and prohibited publication of the letter by the press and diocesan gazettes. While this obviously violated Article Four of the Concordat, the Nazis justified this step on the grounds the letter jeopardized public order and deprecated the authority of the State and movement.⁵³ Cardinal Bertram vainly attempted to convince Reich Minister of Interior Frick that the Episcopate had no intention of attacking the State or movement,⁵⁴ but the Nazis regarded any criticism as intolerable, even when indirect.

On June 17 the Hitler government received another jolt, this time from Vice-Chancellor von Papen. Speaking at the University of Marburg, Papen openly called for an end to the Nazi revolution and Nazi terror, and he criticized the government for its mishandling of propaganda. Some of his statements were amazingly bold. In referring to the talk of a second revolution Papen declared:

⁵²Printed in Müller, No. 148, p. 290 and No. 149, p. 291. On the same day, June 27, Cardinal Bertram explained the reasons for this action in a letter to the German bishops.

⁵³Lewy, p. 153.

⁵⁴Bertram to the Reich Minister of Interior, July 16, 1934, Müller, No. 151, pp. 292-93.

"Whoever toys irresponsibility with such ideas should not forget that a second wave of revolution might be followed by a third, and that he who threatens to employ the guillotine may be its first victim."⁵⁵ Precisely what motivated Papen to attack the Nazis at this time is not easy to determine, as he had previously worked hard at the task of consolidating Catholic support for the Hitler government. Possibly he had become unhappy with the Reich Chancellor for shoving him into the background after the conclusion of the Concordat in 1933. Or, as Shirer suggests, perhaps he was encouraged to attack the Nazi government by President Hindenburg, who still thought highly of von Papen.⁵⁶ Whatever his reason, the speech made Hitler and other party leaders furious. But while the Reich government made every effort to prevent knowledge of the speech from spreading, the text soon found its way around in pamphlet form.⁵⁷ Also, the crafty Papen had provided the diplomats and foreign correspondents in Berlin with advance texts.⁵⁸ Considering the large number of important figures purged at the end of the month, it is clear the Marburg speech could easily have cost Papen his life. Fortunately for Papen,

⁵⁵Excerpts from this speech are printed in Bullock, pp. 272-73; and The Times (London), June 19, 1934, p. 14. For the full text see TMWC, XL, 543-58.

⁵⁶Shirer, p. 218.

⁵⁷The Times (London), June 21, 1934, p. 14.

⁵⁸Shirer, p. 218.

Hitler found further use for him in Vienna, where he continued to serve the Nazi regime faithfully by preparing the way for the Anschluss. Nevertheless, Papen deserves credit for the courage he displayed in the Marburg speech. As Wheaton suggests, it was the "best thing Papen did during the Nazi era."⁵⁹

On June 25 the representatives of the Episcopate and the Reich government began the negotiations on Article Thirty-one in the Reich Ministry of Interior. Ministerialdirektor Buttman, who acted as chairman, was backed up by a number of important German officials, including Schirach, Ley, and Herr D. von Detten, the "Leader of the Department of Cultural Peace of the NSDAP." On the other side, Bishops Berning, Gröber, and Bares were assisted by Monsignor Orsenigo.⁶⁰ At the outset of the conference the bishops submitted a list of prepared questions, which included a request for the government to clarify the position of the State toward Christianity, the Church, and the Concordat.⁶¹ According to Menshausen, the "highly confidential" negotiations proceeded harmoniously as both sides appeared sincere in their desire to reach an agreement.⁶²

⁵⁹Wheaton, p. 489, footnote 221.

⁶⁰The Times (London), June 26, 1934, p. 13; and Lewy, p. 122. For other participants in the conference see Deuerlein, p. 160

⁶¹Memorandum by Berning, Gröber, and Bares, June 25, 1934, 8118/E581489.

⁶²Memorandum by Menshausen, June 30, 1934, DGFP, C, Vol. III, No. 50, pp. 109-11. Apparently the negotiations

On June 27 Hitler received the representatives of the Episcopate for a discussion of the urgent religious problems. After thanking Hitler for granting the audience, Bishop Berning stated the bishops had accepted the new State but they were worried over the Concordat, which they feared the government would not fully execute. Hitler replied that the Church would have to avoid all criticism of the State and party and remain aloof from politics.⁶³ He did, however, grant Berning's request to issue a public statement to the effect that both the government and the party were "favourably and helpfully disposed towards the activities of the Catholic Church in her own sphere and that neither would have anything to do with the so-called 'third religion,' the German National Church and similar movements opposed to Christianity."⁶⁴

On June 29 the representatives of the Episcopate and the government reached an agreement on the controversial Article Thirty-one, although it was still subject to the approval of higher government authorities, the German Episcopate, and the Vatican. The representatives agreed that those Catholic associations whose "sphere of work"

were not too "confidential," or at least the London Times had enough information to report correctly on both the question discussed and the progress of the negotiations. See The Times (London), June 30, p. 11.

⁶³Lewy, p. 122.

⁶⁴Memorandum by Menshausen, June 30, 1934, DGFP, C, Vol. III, No. 50, pp. 109-10.

overlapped the activities carried out by the national associations, such as the sports and labor associations, would not receive protection under Article Thirty-one. The Church authorities could, however, incorporate these associations and their funds into Catholic Action, a lay organization instituted by Pope Pius XI in an effort to revive Catholic life and to spread Catholic teachings.⁶⁵ The associations, it was agreed, would have to limit their activities to purely religious, cultural, and charitable purposes. After the incorporation of these associations the Reich government would remove the ban on double membership, thus permitting Catholics to belong to both their own organizations and the national associations. The Catholic youth associations would continue to exist but only to the extent that they confined their activities to the "religious and moral education of their members." In order to prevent future

⁶⁵The expression, "Catholic Action," had long been used in Italy and elsewhere as a general term, but Pius XI gave it a more specific meaning and world-wide significance by defining it as the "participation and collaboration of the laity with the apostolic hierarchy." In essence, the Pope called upon Catholic laymen to become involved in solving the problems of society and not to leave everything to the clergy. Although the Concordat had not specifically mentioned Catholic Action, according to Catholic interpretation it was protected under Articles One and Thirty-one as a non-political organization. Nevertheless, the Nazis regarded the organization as a disguised political group intended to replace the dissolved Center Party. Lewy, p. 49; Micklem, pp. 55-57; and H. E. Westermeyer, The Fall of the German Gods (Mountain View, Calif.: Pacific Press Publishing Association, 1950), p. 138.

disputes, the bishops would "temporarily" prohibit the members of the Catholic youth associations from wearing uniforms, although they could still wear badges and carry banners on special occasions. Furthermore, on the basis of these conditions Reich Youth Leader Schirach declared he would make certain the Hitler Youth maintained a friendly attitude toward the Catholic youth associations.⁶⁶

In addition to the above, the representatives of the German Episcopate and the Reich government reached a number of other agreements. The bishops promised Catholic Action would serve completely non-political goals, while the State would reserve the right to examine the Catholic associations to determine whether their activities remained within the framework of Article Thirty-one. The State also guaranteed the possessions of the Catholic associations, subject to the usual legal restriction valid for the members of all organizations. Also, these associations would retain the right to solicit funds so long as they did not exceed the scope of their legitimate activities. The negotiators agreed that physical training should be under the control of the State. Finally, it was agreed that Schirach would appoint a "mediator" to the Catholic Church as soon as the Reich government

⁶⁶Memorandum by Menshausen, June 30, 1934, DGFP, C, Vol. III, No. 50, pp. 109-10; and Lewy, p. 123.

and the Episcopate had reached an agreement on the individual to be selected.⁶⁷

Thus, after several months of controversy, the Reich government and the Church finally reached a tentative settlement on the implementation of Article Thirty-one. While the representatives of the Episcopate had made a number of concessions in order to obtain this agreement, they expected no serious objections when they submitted the draft to Cardinal Bertram for his formal approval.⁶⁸ Events soon proved the bishops to be poor prognosticators, because Bertram considered the concessions too extensive and sent a copy of the agreement to both the Vatican and the other members of the German hierarchy.⁶⁹ Since the confiscation of the June pastoral letter had infuriated both the bishops and the Vatican, it did not appear likely these agreements would be quickly ratified. Whatever chance remained, however, was eliminated by the events of June 29-30--the time Hitler selected to carry out his famous "Roehm purge."

⁶⁷Draft of the Agreement on the Execution of Article Thirty-one, enclosed in Frick's note to the Foreign Ministry, July 7, 1934, 8115/E580759-67.

⁶⁸Memorandum by Menshausen, June 30, 1934, DGFP, C, Vol. III, No. 50, pp. 109-10.

⁶⁹Lewy, p. 124.

CHAPTER VIII

JULY 1 - SEPTEMBER 30: THE REICH GOVERNMENT ATTEMPTS TO RESTORE CATHOLIC CONFIDENCE

During the early morning hours of June 30 a fast moving squad of cars bearing the Reich Chancellor and his party tore down the road from Munich to Bad Wiessee, where Ernst Roehm and his friends were still asleep in the Hanselbauer Hotel. While accounts of what followed vary in detail, the final results involve no mystery. Roehm was removed to the Stadelheim Prison in Munich where two SS officers later murdered him in his cell. In Berlin, where Göring and Himmler directed the executions, firing squads shot some 150 leaders of the SA at the Lichterfelde Cadet School. By no means limited to the SA, the purge also included a number of prominent Germans, such as the former Chancellor, General Kurt von Schleicher. On the morning of June 30 the SS murdered Schleicher as he answered the door of his villa on the outskirts of Berlin. Gregor Strasser, Hitler's one-time friend, was seized at his home in Berlin and shot a few hours later in his cell at the Prinz Albrechtstrasse Prison. The body of Gustav von Kahr, a former Prime

Minister of Bavaria, was found in a swamp near Dachau, hacked to pieces. And the slaughter continued, on through the "Night of the Long Knives," and into the week-end.¹

Since Göring apparently ordered all the incriminating documents destroyed,² the precise number killed is not known. In his Reichstag speech of July 13 Hitler quoted a figure of seventy-seven, but the total was assuredly much higher.³ Neither are Hitler's motives easily determined, especially since there is no evidence Roehm had planned to carry out an SA insurrection during the last days of June.⁴ There is reason to believe Roehm had set himself up as a rival to Hitler, however, and that the SA consciously pursued its own course in defiance of the government. Such a course led inevitably to a collision with Hitler, who was not about to tolerate insubordination regardless of the past services which the SA had rendered to the Nazis. By 1934 the huge size of the SA made it difficult to control, and the Reichswehr as well as Hitler considered the organization a threat.⁵ In essence, the SA

¹Bullock, pp. 275-77; Shirer, pp. 221-22; and Wheaton, pp. 443-44.

²Shirer, p. 217.

³Adolf Hitler, My New Order, pp. 276-77. Estimates on the number killed vary from a minimum of 144 to over 400. See Joseph Nyomarkay, Charisma and Factionalism in the Nazi Party (Minneapolis: University of Minnesota Press, 1967), p. 135, footnote 56.

⁴Nyomarkay, pp. 133 and 135; and Shirer, p. 224.

⁵Wheaton, pp. 436-37.

had outlived its raison d'être, and secured by the blessing of the Reichswehr, Hitler plucked up the courage to carry out the purge. At the same time he took advantage of the opportunity to settle old scores and to rid himself of anyone who had incurred his ill will.⁶

A number of prominent Catholics were included among the victims. Dr. Erich Klausener, the head of Catholic Action in Berlin since 1928, was slain in his office. Furthermore, the SS immediately cremated his body without consulting his relatives, and officially announced suicide as the cause of death. Edgar Jung, who had played an important role in composing Papen's Marburg speech, was murdered in prison. Other prominent Catholics purged included Dr. Friedrich Beck, leader of the Catholic Action in Munich; Dr. Fritz Gerlich, former editor of the anti-Nazi Der Gerade Weg; and Adalbert Probst, a former deputy of the Bavarian People's Party and the National Director of the Catholic Youth Sports Association.⁷

The most prominent Catholic of all, von Papen, surprisingly escaped harm, although he was in greater danger than he realized. Hitler had never forgiven him for the Marburg speech, and had Papen not received some

⁶ Shirer, p. 223.

⁷ Ibid., pp. 222-23; Wheaton, p. 444; and Shuster, pp. 234-35.

protection by virtue of his position as Vice-Chancellor and through his close ties with President Hindenburg, he too would likely have become a victim of the purge.⁸ As it was, he suffered only the indignity of house arrest for a few days, during which an SS detachment surrounded his home and severed his contact with the outside world.⁹

Although the purge destroyed the last vestige of a quasi-independent power within the Nazi Party, the resulting shock wave carried around the world. Despite Goebbel's best efforts to prevent knowledge of the purge from spreading, attacks on the Nazi regime increased both at home and abroad. Often Goebbel's futile attempts to conceal the news only led to an exaggeration of the rumors and an intensification of the feelings of horror and fear. Hitler revealed the story for the first time in his speech to the Reichstag on July 13, during which he placed the blame entirely on Roehm, who had forced him to act against his will.¹⁰

Catholics generally responded to the murders of June 30 with shock and bitterness. The Catholic clergy especially resented the murder of Klausener and the cremation of his body in defiance of Catholic doctrine. According to the London Times, the purge seriously jeopardized

⁸Bullock, p. 276; and Dutch, pp. 217-18.

⁹Papen, p. 316.

¹⁰Hitler, My New Order, pp. 253-78.

the agreement previously reached on Article Thirty-one.¹¹ The reaction of the Saar Catholics was especially strong, and the requiem masses held for Klausener and Probst drew overflowing crowds throughout the area.¹² In referring to Klausener's death, the Catholic Saarbrücker Landeszeitung declared that German Catholics would "not have one of their most meritorious leaders branded as a traitor by fiat."¹³ On July 14 the Avenire d'Italia wrote that the death of Klausener had created the "deepest sympathy" among the Austrian Catholics.¹⁴ The elimination of Klausener and Probst, the London Times wrote three days later, indicated a "calculated anti-Catholic move" on the part of the Reich government.¹⁵

Despite the resentment which the murders created among Catholics all over the world, the German Episcopate remained silent. This failure to denounce the Hitler regime for its barbarity at such a critical time has not gone unnoticed by historians. "The German Catholics and the world at large waited anxiously for the reaction of the Church," Lewy writes, "but none was to be forthcoming."¹⁶

¹¹The Times (London), July 7, 1934, p. 12.

¹²Lewy, p. 185.

¹³Quoted in the New York Times, July 6, 1934, p. 2.

¹⁴Bergen to the Foreign Ministry, July 15, 1934, K2255/K621942-43.

¹⁵The Times (London), July 17, 1934, p. 14.

¹⁶Lewy, p. 170.

Another historian, J. S. Conway, is even more critical:

It is a sad fact that the leaders of the Churches also acquiesced in this deplorable apostasy. The Catholic Hierarchy made no attempt to condemn the atrocities carried out despite Hitler's promises to the Bishops on 27 June.¹⁷

While the bishops made no joint effort to condemn the murders, Bishop Bares of Berlin did issue a warning to Hitler. In his letter of July 12, Bares denied the possibility Klausener had engaged in any subversive activity, and he warned the Reich Chancellor of the "disasterous consequences" which his death could have for all Germans, especially in the Saar.¹⁸ The vast majority of the bishops, however, remained silent.

Unfortunately, the Vatican also failed to speak out on the events of June 30, or at least there is no sign of a protest in the German archives. While access to the Vatican archives is necessary to explain this silence, it does appear the Vatican was deeply disturbed over the murders. On July 11 the New York Times reported the Vatican planned to take action in response to the death of Klausener, and that Cardinal Pacelli, who had consistently proposed compromise with the Hitler government, could lose his post as the Papal Secretary of State.¹⁹

¹⁷Conway, p. 93. See also Wheaton, p. 360.

¹⁸Printed in Müller, No. 153a, pp. 295-96. Bares received an evasive reply to his letter from Hans Lammers, State Secretary of the Reich Chancellery. See Zipfel, p. 65.

¹⁹New York Times, July 11, 1934, p. 1.

The German archives, however, reveal nothing to either support or refute this rumor. On July 18 Bergen informed Neurath that the Vatican took a "critical view" of the recent events in Germany, especially the shooting of Klausener and the burning of the corpse. Bergen added he had refused to discuss this matter with Vatican officials on the grounds it concerned "internal" questions.²⁰ On the following day the London Times referred to a recent article in the Osservatore Romano as a sign Probst's murder had caused "deep indignation" in Vatican circles. According to the Osservatore Romano, neither Probst nor Klausener had taken part in any alleged military revolt, nor was Probst shot while attempting to escape as the government had claimed.²¹ Finally, at the end of the month Bergen again reported that the shooting of Klausener, Probst, and the cremation of Catholics had "deeply upset" the Pope.²²

Although no one seriously doubts that the atrocities of June 30 disturbed the Church authorities, the fact remains that both the Vatican and the Episcopate failed to publicly condemn the murders or to send a

²⁰Bergen to Neurath, July 18, 1934, 6153/E460996-99.

²¹The Times (London), July 19, 1934, p. 13.

²²Bergen to the Foreign Ministry, July 31, 1934, 6153/E461000. At the same time Bergen reported that the abortive Nazi putsch on July 25, which resulted in the murder of the Austrian Chancellor, Engelbert Dollfuss, also disturbed the Pope.

formal note of protest to the Reich government. Since this silence on the part of the Catholic leadership lessened the criticism at a time when the Hitler government was already under heavy attack, it unquestionably worked to the advantage of the Nazis. Hitler realized that the patience of the Church was not without limits, however, and that he could not forever depend upon Catholics remaining silent if he persisted in playing the role of hatchet man. The Roehm purge had already increased criticism of the government, and an open conflict with the Church at this time could have serious consequences.²³ Hitler understood this, and therefore it is no surprise that the Nazis applied considerably less pressure on the Church in the second half of 1934 than in the first six months. Nazi goals remained the same, but for the time being Hitler wished to mitigate the campaign against the Church in order to restore Catholic confidence in the respectability of the Reich government. As a result of Hitler's efforts to placate the Church, a kind of "superficial" lull in the Church conflict took place, both inside Germany and in the government's relations with the Holy See. In no way, however, did these efforts remove Catholic distrust of the Nazis or ease the tension between the Reich and the Vatican.

²³Heinrich Fraenkel, The German People versus Hitler (London: George Allen & Unwin, Ltd., 1940), p. 147.

Hitler had still another reason for wishing to restore Catholic good will during the second half of 1934--the Saar plebiscite. On January 13, 1935, the inhabitants of the Saar would go to the polls to determine whether the territory would return to Germany, go to France, or remain under the control of the League of Nations, which had administered the area since World War I. Because of the great industrial importance of this region and the psychological advantage which a positive vote would give Germany, Hitler considered a victory essential. Since the population was overwhelmingly German and desired to return to the Reich, it would appear Hitler had no serious problem. Unfortunately for Hitler the population was also predominately Catholic,²⁴ and this meant that the official position of the Church in the Saar would be of great importance in determining the outcome of the plebiscite. It also meant the course of Church-State relations in Germany would have a direct relationship to the plebiscite, because both the Saar clergy and laity watched these events with keen interest.

In his effort to secure the vote of the Saar Catholics Hitler did have one important advantage; both Bishop Bornwasser of Trier and Bishop Ludwig Sebastian of Speyer

²⁴ According to the census of 1927, Catholics accounted for 72.6 per cent of the population. Sarah Wambaugh, The Saar Plebiscite: With a Collection of Official Documents (Cambridge, Mass.: Harvard University Press, 1940), p. 15.

were ardent German nationalists. The Saar fell under the ecclesiastical jurisdiction of these bishops, and they did not hesitate to use their authority to work toward the Saar's reunion with Germany.²⁵ The French naturally resented the pro-German influence of the two bishops, and attempted to eliminate their authority in the Saar. Together with the Commission for the League of Nations, the French repeatedly requested the Vatican to establish a separate bishopric for the Saar. The Vatican refused to grant the request, however, and the two bishops continued to actively propagate pro-German sentiments among the Saar Catholics. During the fall of 1933 the French complained to the Vatican that the activities of the Saar clergy and the Nazi propagandists seriously threatened a free vote. As a result, in November of the same year the Pope appointed Monsignor Gustavo Testa as his confidential emissary to the Saar.²⁶ The Pope assigned to Monsignor Testa the task of keeping the Vatican informed about complaints and general conditions in the Saar.²⁷

Until the Nazis came to power in January of 1933, most observers had assumed the predominantly German

²⁵Lewy, p. 182.

²⁶Report of the Bishop of Trier on His Negotiations Concerning the Saar Territory, November 20, 1933, DGFP, C, Vol. II, No. 96, pp. 167-71.

²⁷Ibid., p. 168; and Lewy, pp. 183-84.

population of the Saar would vote overwhelmingly for reunion with the Reich. The presence of Hitler as Reich Chancellor, however, had made many Saar inhabitants ponder the wisdom of this course, and their numbers grew as the Nazi government increased its harassment of the Catholic Church in Germany during the first half of 1934. To many Saar Catholics it seemed wiser to postpone an immediate return to Germany by voting for the status quo, and in this way help bring about the downfall of the Hitler government. These Catholics received an unexpected boost from the Roehm purge, which was known immediately in the Saar by virtue of its free press.²⁸ The recently founded Catholic Neue Saar Post, which strongly opposed reunion with Germany as long as the Nazis ruled, now gained many new supporters.²⁹ Sentiment grew among Saar Catholics that the plebiscite should be postponed, or if this proved impossible, a second and final plebiscite should take place after the collapse of the Hitler government.³⁰ The purge so altered the situation in the Saar that some observers believed the Reich might lose the Saar indefinitely unless Hitler succeeded in placating the Church and rehabilitating himself, or unless a new German government replaced the Nazis.³¹ On July 29 the Saar Catholics manifested both their massive strength and their hostility

²⁸Wambaugh, p. 207.

²⁹Lewy, p. 185.

³⁰Wambaugh, p. 207.

³¹Lewy, p. 185.

toward the Nazis at a meeting of the Catholic youth organization in Saarbrücken. Although about 50,000 young people marched in the orderly procession, they carried no swastikas and failed to mention Hitler when they gave a silent tribute to the murdered Adalbert Probst.³² No longer could Hitler safely assume the Saar Catholics would vote for reunion with Germany on January 13.

Hitler clearly needed to restore Catholic confidence in the government before the plebiscite. Consequently, shortly after the Roehm purge he made a serious effort to finalize the agreements reached during the June conference on the implementation of Article Thirty-one. In keeping with the promise made to the bishops at this time,³³ Hitler prepared to issue a public declaration clarifying the government's position toward the Catholic Church and Christianity in general.³⁴ On July 7 Reich Minister of Interior Frick submitted a draft to Hitler,

³²Wambaugh, p. 208. Despite the large number involved in the procession, the Bishops of Trier and Speyer remained firm in their pro-German sentiments. In a telegram to President Hindenburg, they even went so far as to use the occasion to express the "unwavering fidelity" of the Catholic youths to the "Supreme Head of the German Reich." See also The Times (London), August 18, 1934, p. 9.

³³See above, p. 240.

³⁴See Frick to the Foreign Ministry, July 7, 1934, 8115/E580759-61. Two days later Köpke wrote the Embassy to the Holy See to avoid letting anyone know the content of the proposed declaration, including the Vatican (8125/E581957). See also Lammers's note to Frick, July 16, 1934, DGFP, C, Vol. III, No. 91, pp. 175-76.

who approved the declaration after the inclusion of a few minor changes. Because the Vatican rejected the agreements reached during the June conference, the Reich government never published this declaration. Nevertheless, it is worth quoting as an indication of how far Hitler would go at this time to strengthen his position with the Church:

Now that the differences, formerly frequent, between the State and the Catholic Church have been composed by means of exhaustive negotiations, I am making it incumbent upon all State and Party administrative offices to refrain from making any kind of disparaging remarks either about the Church's religious and moral doctrines or about ecclesiastical institutions and persons. Where there appears to be cause for intervention, this will be solely a matter for the competent State authorities. It is inadmissible and hereby strictly prohibited to take any kind of individual action.

The National Socialist State and the NSDAP are opposed to any interference in religious controversies. All State and Party administrative offices shall, in particular, refrain from proselytizing on behalf of any kind of religious movement.³⁵

Unlike some of his nebulous statements of the past, this time Hitler made specific promises which he could not easily circumvent without leaving himself wide open to the charge of deceit. The Church would have especially derived satisfaction from the last paragraph, which in essence warned State and party officials against participating in the various neopagan

³⁵Frick to Lammers, August 4, 1934, DGFP, C, Vol. III, No. 147, pp. 291-92, including footnote 3.

movements then current in Germany, such as Dr. Jacob Hauer's German Faith Movement (Deutsche Glaubensbewegung).³⁶

Despite the apparent improvement in Hitler's attitude toward the Church, the Vatican remained in an adamant and unconciliatory mood. Neither did this mood improve when the Vatican learned the full story of the June conference from the minutes forwarded by Cardinal Bertram. On July 18 Bergen reported to Neurath on the Vatican's response to these minutes, basing his information on confidential reports and his talks with Cardinal Pacelli. According to Bergen, the Pope had believed the Reich government would insist upon conducting the negotiations itself, and would refuse to allow party authorities such as Pfeffer and Detton to participate in the discussions. Because of the statements made by these party representatives, the Vatican would have to question the value of any final agreement concluded with the Reich government. According to the minutes, Bergen continued, Pfeffer had contended that agreements made by representatives of the State did not necessarily bind the NSDAP. Hence, if the Episcopate negotiated only with the State, the party organizations had no obligation to abide by these agreements. The Holy See, Pacelli informed Bergen, could not possibly accept these conditions. In the Cardinal's mind, Bergen wrote,

³⁶For a discussion of the neopagan movements during the Third Reich see Westermeyer, The Fall of the German Gods, chap. v.

only the "Reich government" existed.³⁷ The perceptive Pacelli obviously realized that an agreement which failed to bind the NSDAP was of little value.

Pacelli had raised a vital question, and Neurath knew it. On August 2 Neurath wrote Hess that the refusal of the NSDAP to abide by agreements concluded with the Reich government had made the Vatican "extremely upset." In order to avoid future difficulties, Neurath requested Hess to inform the responsible party authorities to recognize only the Reich government, which had negotiated the treaty with the Holy See and other sovereign powers, and to make certain party officials did not violate the obligations accepted by the government in the Concordat.³⁸

In addition to its difficulties with the Vatican, the Reich government soon discovered that the members of the German Episcopate were also reluctant to approve the June agreements. On July 26 Pfundtner wrote the Foreign Office that the bishops who had participated in the June conference had still not obtained the agreement of the rest of the clerical authorities, even though the Reich

³⁷Bergen to Neurath, July 18, 1934, 6153/E460996-99.

³⁸Neurath to the Deputy of the Fuehrer, Reichminister Hess, August 2, 1934, 6153/E461001-02. Hess's reply could not be located in the files. More than likely he never wrote one.

government had proved by these negotiations just how much it desired "true peace between the Church and State."³⁹

Although both the Vatican and the German Episcopate wished to postpone the decision on the June agreements, the delay did not appear to disturb the Reich government. On August 8 State Secretary Bülow informed the Ministry of Interior that since the Reich government had revealed its willingness to conclude an agreement during the June negotiations, the Curia would have to decide whether it wished to approve or disapprove the results. Nor should the government urge the Holy See to expedite matters, as this would probably lead to an intensification of the existing tensions. It would be wiser, Bülow concluded, to leave the matter in the hands of the Curia, which would then have to assume responsibility for any further prolongation of the final settlement.⁴⁰

Early in September the Vatican finally informed the Reich government it could not approve the June agreements. After studying the bishops' report of the negotiations, Cardinal Pacelli wrote Klee on September 2,⁴¹ the Holy See had concluded that the concessions made by

³⁹Pfundtner to the Foreign Ministry, July 26, 1934, 8115/E580782-83.

⁴⁰The State Secretary [Bülow] to the Reich Ministry of Interior, August 8, 1934, 8115/E580799-01.

⁴¹Ambassador Bergen was on vacation.

the Reich government in "various essential matters" were "below the degree of religious freedom guaranteed by the text of the Concordat." In the judgement of both the Holy See and the German hierarchy, Pacelli continued, these concessions did not represent a "true interpretation of the Concordat itself." For this reason, the Reich government and the representatives of the hierarchy would have to agree upon the necessary modifications in future conversations.⁴²

Cardinal Pacelli discussed the specific points which required modification in considerable detail. The ban on dual membership in the Catholic and State organizations, Pacelli declared, would have to be lifted by the Reich government, and not by separate agreements concluded between the hierarchy and the organizations concerned. Nor could the Holy See agree to the disbandment of the Catholic occupational organizations. Moreover, in order that Article Thirty-one could become effective, the Holy See desired a clarification of the statements made during the June conference by the representatives of the NSDAP, who maintained the party was not bound to agreements concluded by the Reich government. The Holy See, Pacelli continued, could acknowledge "none other than the highest

⁴²Pacelli to the Chargé d'Affaires [Klee], September 2, 1934, enclosed in Klee's note to the Foreign Ministry, September 6, 1934, DGFP, C, Vol. III, No. 195, pp. 386-90. Printed in Albrecht, No. 41, pp. 184-88.

responsible representative of Government authority" as a negotiator. The views expressed by the party representatives during the June talks deprived "all agreements of their intrinsic value," and in order to bring an end to such views the Holy See believed the "highest State authority" would have to issue a statement pointing out the "binding legal nature" of the Concordat. Furthermore, neopagan propaganda had grown steadily more intense since the Nazis came into office, and the frequent restrictions placed upon the Church's freedom to defend itself made this situation "all the more intolerable." If the Reich Chancellor, as had been reported, intended to make an official proclamation in order to bring these "intolerable conditions" to an end, he would have to make it "absolutely clear" that both the State authorities and the members of the Nazi party were forbidden to foster anti-Christian propaganda. With a view to submitting a draft revised in accordance with the proposals set forth by the bishops and the Holy See, Pacelli concluded, the representatives of the hierarchy intended to "resume contact with the Reich government without delay."⁴³

Cardinal Pacelli strongly implied that the Holy See rejected the June agreements solely on the basis of over-generous concessions made by the bishops and the refusal of the party representatives to recognize the

⁴³Ibid. See also Lewy, pp. 125-26.

Concordat as valid for the NSDAP. The evidence indicates that the Roehm purge also played a role in this decision, however, despite the fact that Pacelli did not even mention this subject in his note. Bergen reported that the shooting of prominent Catholics and the subsequent murder of Dollfuss had so disturbed the Pope he no longer wished to negotiate with the Reich government. In all probability, Bergen predicted, the Pope would refuse to accept the agreements made during the June talks in toto. Bergen even suggested that the Reich government wait until the momentary "psychosis" of the Pope had vanished before attempting to deal with him further.⁴⁴ Clearly, the June murders had increased Vatican fears as to the intentions of the Hitler government, which in turn created an atmosphere of suspicion hostile to a final settlement. Also, the Vatican hesitated to ratify the June agreements because it would have enhanced the prestige of the Nazis, and this would have been incomprehensible to Catholics so soon after the purge.⁴⁵

Despite the continued tension, the summer of 1934 saw no new pro memorias and few sharp notes exchanged between the Reich government and the Vatican. Only one new controversy emerged of any significance--the school

⁴⁴Bergen to the Foreign Ministry, July 31, 1934, 6153/E481000.

⁴⁵Gurian, Hitler and the Christians, p. 144.

question. While the most serious conflict over the control of the schools took place in the years ahead, the difficulties of 1934 clearly anticipated this struggle.

Like any revolutionary movement, the Nazis strived to gain control of the educational system. They considered this essential in order to capture the minds and souls of the new generation, and thus rally all German youths to their cause. Instead of emphasizing the acquisition of knowledge, which was out of tune with the pronounced anti-intellectualism of Hitler and the movement as a whole, the Nazis stressed "character building." They did not apply the term in the usual sense, however, i.e., the development of one's self-reliance and independence. On the contrary, the Nazis interpreted character building to mean the cultivation of a sense of community, and the "steeling of oneself for service and obedience in the name of the Volk and the Führer."⁴⁶ In practical terms, this meant less emphasis upon traditional classical subjects and more on new courses, such as racial biology, which inculcated the student with the proper attitude regarding the State, Volk, and race. Since the Nazis could easily adapt physical training to the pursuance of these goals, they made it a subject of prime importance. Book learning always

⁴⁶George L. Mosse, ed., Nazi Culture: Intellectual, Cultural and Social Life in the Third Reich, trans. by Salvator Attanasio and others (New York: Grosset & Dunlap, 1966), p. 265.

came second to physical training in the educational system of Nazi Germany.⁴⁷

Consistent with the policy of Gleichschaltung, Hitler desired to saturate the German schools with Nazi principles and coordinate them into a unified educational system. To accomplish this goal, he sought to convert the confessional schools (Konfessionsschule or Bekenntisschulen) into interdenominational or community schools (Simultanschulen or Gemeinschaftsschulen), but at this point he ran into opposition from the Catholic Church. Article Twenty-three of the Concordat not only guaranteed the maintenance of the existing Catholic schools but even provided for the establishment of new ones when requested by parents. Also, according to Article Twenty-one, the German schools would provide Catholic religious instruction as a "regular subject." While the Church had already obtained these privileges in parts of Germany, the Concordat extended them to the entire Reich.⁴⁸

Despite these concessions, the Nazis considered the education of the youth far too important to be left in the hands of the Church. Even the existence of the Concordat did not prevent the Reich government from taking steps calculated to ultimately bring an end to the confessional

⁴⁷Ibid., pp. 263 and 265.

⁴⁸For a discussion of the schools in Germany during the first two years of Hitler's rule see Helmreich, chap. x.

schools. While the Nazis did not campaign openly against the confessional schools until after the Saar plebiscite, they began to exert pressure much earlier. In a note to Bergen shortly after the Roehm purge, Cardinal Pacelli complained about the methods used by the Nazis in their efforts to convert the confessional schools into community schools. Pacelli specifically called attention to the school vote in Darmstadt, which did not take place in accordance with the elementary school laws of Hesse. On one occasion, Pacelli declared, a Catholic teacher voted in favor of the community school solely out of fear of losing his position. Without such pressure, which clearly contradicted the Concordat, the vote would have favored the confessional rather than the community school.⁴⁹ Bergen delayed his reply until well after the Saar plebiscite, at which time he refuted Pacelli's arguments by claiming that the Cardinal both lacked knowledge of the school laws of Hesse and failed to base his criticism on facts.⁵⁰

By the late summer and fall of 1934, Hitler began personally to take steps to placate Catholic fears in preparation for the Saar plebiscite. Increasingly, his speeches re-affirmed the Reich government's good intentions

⁴⁹Pacelli to Bergen, July 18, 1934, 8115/E580793-97. Printed in Albrecht, No. 39, pp. 176-78.

⁵⁰Bergen to Pacelli, June 6, 1935, Albrecht, No. 58, pp. 239-43.

toward the Christian churches. Hitler's Hamburg speech of August 17 serves as a good example:

The National Socialist State professes its allegiance to positive Christianity. It will be its honest endeavour to protect both the great Christian Confessions in their rights, to secure them from interference with their doctrines, and in their duties to constitute a harmony with the views and the exigencies of the State of to-day.⁵¹

Hitler continued to speak in a conciliatory tone on August 26 at Koblenz, where he addressed about 300,000 persons, half of whom had arrived from the Saar in special trains.⁵² The National Socialist movement, he declared, neither opposed the Church nor was anti-religious, but stood on the foundation of a "real Christianity."⁵³ A few days later, Hitler asserted in a proclamation read at the Nuremberg party rally that the Reich government was endeavoring to "establish a sincere and satisfactory relationship" with the Catholic Church. If lapses had occurred on both sides due to the memory of past struggles, Hitler declared, "we still do not doubt that in the end success will crown the work of the past year."⁵⁴ At the same party rally Schirach and other Nazi leaders made statements aimed at moderating the overly-exuberant

⁵¹Hitler, The Speeches of Adolf Hitler, I, 385-86.

⁵²The Times (London), August 27, 1934, p. 10.

⁵³Hitler, The Speeches of Adolf Hitler, I, 386-87.

⁵⁴The Times (London), September 6, 1934, p. 12.

activities of the Hitler Youth. According to the London Times, these Nazi officials admonished the Hitler Youth to make all their actions "exemplary in order that German parents should voluntarily send their youths to the Hitler organizations."⁵⁵

On September 14 the same negotiating teams that had participated in the June conference resumed the discussions on Article Thirty-one in Berlin. Three days later Bishops Bares and Berning presented Buttman with a draft of the proposed changes to Article Thirty-one agreed upon by the Vatican and the German hierarchy (subsequently referred to as the "September draft").⁵⁶ For the most part these changes reflected the Vatican's wishes as expressed in Pacelli's note of September 2.⁵⁷ Buttman requested von Detten, one of the negotiators, to obtain from the leaders of the party organizations concerned the views of the proposed changes, especially the Labor Front and the Hitler Youth. As soon as possible, Detten was to inform Reich Minister of Interior Frick on the outcome of these talks, and if necessary, Frick would ask Hitler for a decision on the changes.

⁵⁵Ibid., September 4, 1934, p. 11.

⁵⁶Amended Draft of the Agreement Concerning the Execution of Article Thirty-one, received in the Foreign Ministry on September 19, 1934, 8115/E580820-30.

⁵⁷See above, pp. 259-61.

In view of the Saar plebiscite, Menshausen recorded, all agreed the Reich government should reach an agreement with the bishops before Cardinal Pacelli left for the Eucharistic Congress at Buenos Aires on September 23. Otherwise, the "unpleasant state of suspense" would be prolonged until after Pacelli's return from South America on November 12.⁵⁸

The Hitler government had never revealed a greater willingness to cooperate with the Vatican. On September 21 Köpke instructed the German Embassy to inform Cardinal Pacelli orally that the Reich government had entered the new discussions in order to furnish "fresh proof" of its "sincere desire for an understanding," even though it had considered the agreements reached with the representatives of the Episcopate final.⁵⁹ On September 20, the last day of the discussions, Buttman informed the three representatives of the Episcopate that while Hitler had "on the whole approved the agreements reached during the June conference, he had rejected the proposed amendments pertaining to sports in the Catholic youth organizations and the incorporation of the

⁵⁸Minutes by an Official of Department II (Menshausen), September 18, 1934, DGFP, C, Vol. III, No. 212, pp. 416-17. On the same day Köpke informed Lammers of these developments (8115/E580831), and Neurath informed Hess (8115/E580832).

⁵⁹Köpke to the Embassy to the Holy See, September 21, 1934, DGFP, C, Vol. III, No. 215, pp. 422-23.

occupational associations into Catholic Action.⁶⁰ According to Cecil von Renthe-Fink, Deputy Directory of Department II, Hitler described the demands made in these amendments as "too extensive." Hitler did make one important concession; he declared the Nazi party as well as the State would be bound to the Concordat and the provisions for its application. Furthermore, as soon as the Reich government and the Vatican approved the final agreement, Hitler agreed to issue a public statement as he had promised the representatives of the Episcopate on June 27.⁶¹ Since Hitler intended to leave for a vacation, Renthe-Fink believed it would be impossible to resume the discussions with the bishops until the middle of October. Meanwhile, the Reich government would prepare a new draft of Article Thirty-one which took Hitler's objections into consideration.⁶²

⁶⁰ Apparently Hitler disliked the idea of distinguishing between physical education and organized sports, which came under the supervision of the State, and such recreational activities as gymnastics, swimming, and hiking, which would remain within the sphere of the Catholic youth organizations. The occupational associations proposed for incorporation into the Catholic Action included associations of workers, officials, merchants, and domestic servants. Köpke to the Embassy to the Holy See, September 21, 1934, DGFP, C, Vol. III, No. 215, p. 423, footnote 3.

⁶¹ See above, p. 240.

⁶² The Deputy Director of Department II (Renthe-Fink) to the Embassy to the Holy See, September 21, 1934, DGFP, C, Vol. III, No. 216, pp. 423-24.

Despite the expressed desire of both sides to reach an agreement, once again the negotiations on the implementation of the Concordat came to a halt. While it seems clear that Hitler must bear a large share of the responsibility for the suspension of the negotiations, this was not generally realized at the time. Bergen reported that certain foreign newspapers, which he did not name, blamed the Vatican more than the Nazis for the failure to reach a final settlement. These papers, Bergen wrote, maintained the Vatican had prolonged the negotiations because it anticipated an early fall of the Nazi regime. They even implied the Vatican could be working toward this goal. Bergen brought the matter up with Pacelli shortly before the latter left for Buenos Aires. The Cardinal dismissed the reports as "completely unfounded," and reiterated the Vatican's wish to live in friendship with Germany and avoid a break in relations.⁶³

Although the Reich and the Vatican frequently expressed their good intentions, the feeling of distrust remained. According to Bergen, this feeling especially applied to the Pope, who believed the Nazis posed a threat to the Catholic Church in Germany which exceeded that of the Reformation. In the Pope's opinion, the

⁶³Bergen to the Foreign Ministry, September 27, 1934, 8116/E581246-47.

Hitler government not only intended to bring about a separation from Rome but also to destroy the Christian religion itself. The forceful methods used against the Evangelical Church, Bergen continued,⁶⁴ had increased the fear in the Vatican that the Nazis would use the same methods against the Catholic Church. Many Vatican authorities considered the assurances of the Reich government to respect the freedom and rights of the Church as nothing more than a "sleeping potion." Although Bergen believed the situation to be serious, he admitted a settlement of the suspended negotiations would ease the tension considerably. In order to obtain a more favorable final settlement, Bergen advised the government to wait until Pacelli returned before resuming the negotiations. This way the Pope would not have the opportunity to make hasty

⁶⁴While the conflict between the Nazis and the Protestants is beyond the scope of this study, a few remarks are in order. Soon after taking over the government Hitler began waging a vigorous campaign to coordinate and unify the Protestant churches into a single Reich Church headed by a Reich Bishop. Hitler's choice for this position fell upon one of his most devoted followers, Ludwig Müller, a pliable man who had spent the greatest part of his career as a military chaplain. In the fall of 1934 the Nazis went all out to destroy the independence of the Evangelical Church, and the comments of some of the pro-Nazi Protestant Church leaders caused concern in Catholic circles. As an example, in a tactless speech made at Hanover on September 19, Reich Bishop Müller declared: "Whoever is not willing to cooperate in the construction of this church and whoever will not take his place in the Third Reich must be still or retire. . . . Our final purpose is one State, one people, one Church." Quoted in the New York Times, September 20, 1934, p. 1. For surveys of the conflict between the Nazis and the Protestants see Wheaton, chap. xx; and Conway, et passim.

decisions without considering the advice of the Cardinal Secretary of State, who was "politically realistic and constantly attempting to find a compromise."⁶⁵

In this atmosphere of tension and distrust, a rumor circulated in Vatican circles that the Holy See planned to place an "interdict" on Germany. Although Bergen did not believe the rumor, he informed Monsignor Pizzardo it would be certain to create anxiety among German Catholics. Pizzardo replied he had not heard the rumor and had no idea how it started. The use of the interdict, he declared, had become obsolete in the last two centuries. To support this statement, Pizzardo referred to the Vatican's refusal to take this step against Russia, Mexico, and Spain.⁶⁶

One final event of September should be noted. In a note to Göring at the end of the month, Neurath enclosed a copy of a letter from Heydrich to the Commandant of the concentration camp at Lichtenburg. Monsignor Orsenigo, Neurath wrote, had "lodged a most vigorous protest against the contents of this letter," which concerned the spiritual care of the guards at the State concentration camps and the persons in protective custody at these camps. Orsenigo directed his complaints against three points contained in

⁶⁵Bergen to Köpke, September 27, 1934, 8115/E580858-60.

⁶⁶Bergen to the Foreign Ministry, September 28, 1934, 8116/E581250.

the letter: (1) the prohibition against auricular confession for Catholic prisoners; (2) the refusal to permit Church services more than once every two weeks; and (3) the closing sentence of the letter, which the Nuncio interpreted as a mockery of Church institutions and customs. It reads as follows:

The spiritual care is to be administered by the pastors, with whom you should communicate direct with a view to their undertaking to provide this care, in an honorary capacity, that is to say, without any special remunerations; the churches are supranatural institutions of Divine Love and will gladly bear the costs themselves.⁶⁷

To insure a satisfactory reply to Orsenigo, Neurath asked Göring to give his "personal attention" to this matter. In the interest of preserving peace, and since the complaints seemed "only too well justified," Neurath declared, he would gladly cooperate with the Nuncio as far as possible. At all times, Neurath concluded, Monsignor Orsenigo had endeavored to "compose our differences," and he made complaints only in "really serious matters."⁶⁸ Göring replied to Neurath nearly one month later, at which time he agreed to permit a weekly Church service. He postponed the decision on auricular confession

⁶⁷Heydrich to the Camp Command of the State Concentration Camp in Lichtenburg, July 24, 1934, enclosed in Neurath's note to Göring, September 29, 1934, DGFP, C, Vol. III, No. 225, pp. 444-46. The film number is erroneously printed as 8115/E580583 rather than 8115/E580853.

⁶⁸Neurath to Göring, September 29, 1934, DGFP, C, Vol. III, No. 225, pp. 444-45.

on the grounds that "special security reasons" might have led to the ban. In regard to the closing sentence of Heydrich's letter, Göring wrote Neurath he saw no reason why the State Secret Police should apologize because he did not believe the statement contained an insult to the Church.⁶⁹

⁶⁹Göring to Neurath, October 26, 1934, DGFP, C, Vol. III, No. 275, p. 536.

CHAPTER IX

OCTOBER 1, 1934 - JANUARY 13, 1935:

TO THE SAAR PLEBISCITE

The last quarter of 1934 saw the Reich government continue and intensify its efforts to placate the Catholic Church in preparation for the Saar plebiscite. Formerly the good behavior exhibited by the Nazis at this time would have made a favorable impression on Church authorities, and Reich-Vatican relations would have undoubtedly improved as a result. By the autumn of 1934, however, the Catholic leadership seemed to realize the lessening of pressure on the Church represented only a change in political tactics and not a change in Nazi goals toward religion. Nor did the Church authorities have high hopes for the resumption of cordial relations in the near future. Once the Saar had been returned to Germany, the New York Times wrote on October 1, Catholics feared the Reich government would take "no steps whatever" to check the party's attacks on Catholic organizations.¹ Two days later the London Times echoed this pessimistic

¹New York Times, October 1, 1934, p. 8.

view by stating that "neither side now has much faith in a useful resumption of the Concordat negotiations before the Saar plebiscite."² On October 11 the Times again commented on the religious difficulties in Germany, this time referring to the Protestants as well as Catholics:

Past experience has taught them to see in every move, especially an apparent retreat, only a tactical manoeuvre. They are becoming daily more thoroughly convinced that the final goal of influential leaders in the new Germany is a German National Church strongly imbued with the Germanic race and blood mysticism, a Church from which certain fundamental Christian principles would be eliminated.³

Having experienced so many broken promises on the part of the Nazis, Church authorities both in Germany and in the Vatican understood fully the real purpose behind the government's curtailment of assaults on the Catholic Church. As a result they continued and even stepped up the pace of their own offensive against the Nazis. Thus, the Reich government's relations with the Church and the Vatican still remained tense.

During the month of October, the focal point of the conflict centered on ideological differences. More vigorously than ever before, Church leaders defended Catholic doctrine against the neopagan propaganda promoted by the Nazis. As an example of what the London Times referred to as a "Roman Catholic offensive," Bishop Maximilian

²The Times (London), October 3, 1934, p. 11.

³Ibid., October 11, 1934, p. 13.

Kaller of Ermland quoted passages in a sermon from the confiscated June pastoral letter, which had attacked the pagan beliefs expressed in Rosenberg's Myth.⁴ Because many Catholic clergymen considered this book responsible for the rapid spread of paganism in Germany, they made it their primary target. A group of Catholic scholars, who remained anonymous, exposed the fallacies of the Myth in a critique entitled Studies in the Myth of the Twentieth Century.⁵ Sponsored by Bishop Galen, the publication appeared as a supplement to the October issue of the diocesan gazette of Münster. Although the Gestapo confiscated the pamphlet in places, it still reached a wide audience. The scholars were severe in their criticism of Rosenberg, not only for his over-evaluation of the Nordic race but also for his numerous errors of fact and insults to the Pope. In Rosenberg's opinion, the authors asserted, the Nordic man must reject the Old Testament because it was

⁴Ibid., October 3, 1934, p. 11. For a brief summary of the pastoral letter see above, pp. 235-36. See also the New York Times, October 23, 1934, p. 4.

⁵Excerpts from the Studien zum Mythos des XX. Jahrhunderts may be found in Rosenberg's Positive Christianity, By German Catholic Scholars of the Archdiocese of Cologne, No. 27 of the "Friends of Europe" Publications (London: Friends of Europe, 1935). In the early part of 1935, Rosenberg attempted to refute his critics by publishing An die Dunkelmänner unserer Zeit: Eine Antwort auf die Angriffe gegen den Mythos des XX. Jahrhunderts (Munich: Hoheneichen Verlag, 1935). The Vatican responded by placing this book on the Index along with his Myth. See also Lewy, pp. 153-54.

purely a Jewish work. In portraying the Old Testament God, Rosenberg presented a "totally distorted" picture which had little to do with authentic sources. Furthermore, Rosenberg constructed his conception of Christ around a few sources arbitrarily selected to fit his thesis. In attaching himself to what he called "positive Christianity," Rosenberg actually accepted a belief that rejected the Holy Scriptures and denied the divinity of Christ.⁶

On October 11 Pope Pius received Ambassador Bergen in a traditional autumn audience. In reporting to the Foreign Ministry on the results of the audience, Bergen made it clear the remarks of the Pope had not pleased him. After a few friendly words, Bergen declared, the Pope purposely turned the conversation to Germany, where "all sorts of events" in recent months had given him cause for "serious anxiety." To the Pope, it appeared Germany wished to bring about a schism by establishing a National Catholic Church, which would conduct services in the German language and admit Protestants. Moreover, he could not conceal his "great dissatisfaction over the slow and unsatisfactory progress" of the negotiations on the Concordat, and he was beginning to doubt the good will of the German government. In the long run, the Pope

⁶Rosenberg's Positive Christianity, pp. 14, 20, and 24.

concluded, it would not be possible for him to continue showing the restraint which he had so frequently demonstrated in the past. Bergen refuted the Pope's accusations by asserting that the Reich government "had no intention whatever of establishing a National Catholic Church." Bergen further expressed the hope that with the good will which he "assumed existed on both sides," the negotiations would be successfully concluded soon after the return of Cardinal Pacelli. At the end of his note Bergen requested the Foreign Ministry to prolong the negotiations until after Pacelli's arrival in Rome, despite the need to expedite the negotiations. The danger of the Pope making "disastrous decisions," Bergen wrote, would increase considerably without the Cardinal's "moderating influence."⁷

Apparently the strong language used by the Pope caught Bergen off guard. Because of his remarks, Bergen visited Pizzardo later in the day. He informed Pizzardo the Pope's anxiety had taken him by surprise, especially since he thought he had noticed a slight relaxation of tension in recent weeks. Pizzardo replied he too had observed the same anxiety in his talks with the Pope, which he believed the latest reports from Germany had brought about. The Vatican considered the ruthless

⁷Bergen to the Foreign Ministry, October 12, 1934, DGFP, C, Vol. III, No. 245, pp. 477-78.

attacks against the Protestant churches incomprehensible, and feared the Nazis would later use the same forceful methods against the Catholic Church. Also, Pizzardo continued, the Vatican had received reports the Reich government intended to postpone the negotiations on Article Thirty-one until after the Saar plebiscite. If the vote should be unfavorable, the government would then blame the Vatican. In reply, Bergen labeled as "crazy" the report which maintained the Reich government intended to carry out a persecution of the Catholic Church. On this issue, Bergen stated, the Vatican's fears were "completely unfounded."⁸

Bergen's comments regarding his audience with the Pope and the unfavorable reaction the Nazi violations of Catholic rights were creating in Vatican circles apparently had considerable effect on Köpke in the German Foreign Ministry. On October 13 Köpke sent a note to Frick, Hess, and Goebbels, with a copy of Bergen's report on the audience enclosed. At the conclusion of the note Köpke "urgently recommended" that the Reich government take the appropriate steps to halt the reports appearing in the press, which created new anxieties in the Vatican and could have an unfavorable effect on the suspended negotiations. The forthcoming

⁸Bergen to the Foreign Ministry, October 12, 1934, 8115/E580868-70.

Saar plebiscite, Köpke declared, made this especially important.⁹

Despite Köpke's efforts, relations between the Reich and the Vatican remained tense. In a visit with Bülow on October 17, Monsignor Orsenigo registered a protest against those party authorities who demanded the unification of the two Christian confessions. In particular, Orsenigo complained about the speech made in Danzig by Hans Schemm, the Bavarian Minister of Culture. According to Orsenigo, Schemm had asserted the Nazi State regarded the two confessions as an intermediate stage rather than a final end. Also, Schemm stated that in the attempt to reach God, Germans should not oppose as "atheistic" the beliefs of Germany's pre-Christian ancestors. Orsenigo expressed the hope Hitler would publicly correct these views.¹⁰

⁹Köpke to the Reichminister of Interior [Frick], to Reichminister Hess, the Deputy of the Führer and NSDAP, and to the Reichminister of Popular Enlightenment and Propaganda [Goebbels], October 13, 1934, 8115/E580865-67.

¹⁰Bülow to the Reichminister [Neurath], October 17, 1934, 8115/E580874-76. Lammers discussed Orsenigo's complaints with the Reich Chancellor, although no mention is made of how Hitler reacted. Menshausen to the State Secretary [probably Bülow], October 29, 1934, 8115/E580881-82. In this same note Menshausen also stated that Hess was carrying out an investigation of the financial subsidies which the Vatican allegedly had made to Roehm. It seems far-fetched to believe that the Vatican would have subsidized Roehm to bring about the downfall of Hitler, however, especially since both the Pope and Cardinal Pacelli believed strongly in a regenerated Germany as a bulwark against Communism. Perhaps the Nazis believed the investigation would have propaganda value.

Meanwhile, as the date of the plebiscite grew nearer, both the Reich government and the Church increasingly turned their attention to the Saar. The Roehm purge and the repeated assaults on the Church in the Reich had deeply disturbed the Saar Catholics, and many opposed an immediate return of the Saar to a "Hitler" Germany. In their opinion it would be better to vote for the status quo, and thousands intended to do so. The Nazis responded to this fact with extreme sensitivity, and any Catholic clergymen who advocated a vote for the status quo quickly found himself charged with "political Catholicism." According to Josef Bürckel, an ardent Nazi whom Hitler had appointed Saar Plenipotentiary on July 26, the Reich government must insist that the Church carry out her duty of exhorting Christians to remain loyal to the national community. At the same time Bürckel labeled as "intolerable for the Reich" the efforts of the Church to prevent the clergy from supporting Germany on the grounds of neutrality while permitting clergymen to work for the status quo. Even the Vatican, Bürckel maintained, did not have the right to demand neutrality, which in essence meant the clergy should "refrain from openly and publicly professing allegiance to their own people."¹¹

¹¹Bürckel to Neurath, October 17, 1934, DGFP, C, Vol. III, No. 244, pp. 495-98 and 498, footnote 4. The Foreign Ministry sent a copy of this letter to the Embassy to the Holy See, suggesting at the same time that the Embassy make use of these arguments in its oral communications with the Curia.

Regardless of Bürckel's opinion, the Vatican had adopted an official policy of neutrality toward the Saar plebiscite. In order that the Vatican could be assured the Church in the Saar also maintained neutrality and permitted all Catholics to vote in full liberty of conscience, the Pope had sent Monsignor Gustavo Testa to the Saar as his confidential emissary. On September 11 the Pope replaced Testa with Monsignor Giovanni Panico, formerly the chargé d'affaires of the Apostolic Nunciature at Prague.¹² Monsignor Panico's political outlook, however, was decidedly pro-German, and this made him a poor choice as a neutral observer. On one occasion he even went so far as to personally wish success for Hitler.¹³ For that matter, the attitude of the Vatican toward the plebiscite also tended to favor Germany, despite its official policy of neutrality. While the Holy See certainly had no wish to contribute to the prestige of the Hitler regime, it nevertheless took the position unofficially that the Saar was German territory which rightfully belonged to the Reich. According to Bergen, who based his opinion on conversations held in the Papal Secretariat, the Vatican considered the Saar's return to Germany "not only natural and legitimate but even obligatory." The Vatican insisted

¹²The Pope made Monsignor Testa a bishop and appointed him the Apostolic Delegate to Egypt and Palestine. Wambaugh, p. 210, footnote 43.

¹³Lewy, pp. 187-88.

upon a policy of neutrality, Bergen reported, primarily because the French would make counter-claims at the "smallest measure" which they could construe as favoritism toward Germany. For this reason, Bergen did not believe the Vatican would change its attitude.¹⁴

Regardless of the Vatican's wish to see the Saar returned to Germany, it consistently adhered to its official policy of neutrality. The Nazis did not find neutrality to their liking, because they wished to obtain the Curia's active support in silencing those members of the Saar clergy who defended the status quo. Consequently, on November 7 three members of the Deutsche Front,¹⁵ led by Bürckel's assistant, Max Müller, visited Cardinal Pacelli at the Vatican. Müller explained to Pacelli that he had unsuccessfully attempted to get Bishop Bornewasser of Trier and Bishop Sebastian of Speyer to issue instructions which in effect would silence those clergymen who supported the status quo. Pacelli replied that the Vatican had imposed no restrictions on the German bishops and clergy, who had complete freedom of action.¹⁶ Müller returned from Rome eager to make use of Pacelli's statement,

¹⁴Bergen to Köpke, October 31, 1934, DGFP, C, Vol. III, No. 286, pp. 552-54.

¹⁵An organization formally established by the Saar Nazi Party in July of 1933 to direct the efforts of all groups and individuals working for the Saar's return to Germany. Wambaugh, p. 124.

¹⁶Lewy, p. 189.

and immediately attempted to see the two bishops. Borne-
wasser at first refused to see Müller, but finally con-
sented when Müller informed him he had news from Hitler
as well as from the Vatican. Perhaps, as Lewy suggests,
the Bishops wished to spare themselves the embarrassment
of acting under orders, because prior to their meeting
with Müller on November 17 they issued instructions to
their clergy which accorded perfectly with Nazi wishes.
In an order dated November 12, the two Bishops forbade
the clergy of their respective dioceses to speak at public
political meetings held in the Saar, and cautioned them to
exercise restraint in the pulpit and in meetings of Catho-
lic associations. Furthermore, priests were forbidden to
recommend newspapers, periodicals, and books from the
pulpit. The order concluded with a reminder to the clergy
that love of one's national ancestors and loyalty to the
Fatherland was a "moral duty," and the Church considered
the fulfillment of these duties a moral virtue.¹⁷ The
Nazis themselves could hardly have written a more pro-
German document.

During this same month of November, the Reich and
the Vatican resumed the negotiations on Article Thirty-one
in Berlin, which had been purposely delayed until after
the return of Cardinal Pacelli from South America. On

¹⁷Ibid., pp. 189-90. For the German text see
Müller, No. 163, p. 314.

November 7 Buttman presented an amended draft of Article Thirty-one to the three representatives of the Episcopate--Bares, Berning, and Gröber.¹⁸ Presumably, the new draft took into account the wishes expressed by the hierarchy and the Vatican since the conclusion of the June 29 agreement. In reality, the text of the new draft differed little from the June draft except for the inclusion of certain additions. The representatives of the Episcopate reacted unfavorably to the amended text, which in consideration of the Vatican's rejection of the June draft could have been expected. In their opinion the new proposals were still inadequate, but they admitted they were "bound by the instructions of the Holy See" and could not make definitive statements. Buttman informed the Bishops he would take up direct negotiations with Pacelli.¹⁹ The Cardinal appeared eager to renew the talks but could not see Buttman between November 18 and 27, when he and the Pope would participate in prayers and devotionals. Consequently, Menshausen suggested to the Reich Ministry of Interior that Buttman

¹⁸Amended Draft of the Agreement Concerning Article Thirty-one, Received in the Foreign Ministry on November 8, 1934, 8115/E580899-904. See also 8115/E580917-36, which has the June 29 agreement printed side by side with the changes proposed by the Reich government.

¹⁹Köpke to the Embassy to the Holy See, November 8, 1934, 8115/E580907-08.

should plan to arrive in Rome before the eighteenth.²⁰ Since the Curia expected a final settlement of all the unresolved questions concerning the Concordat, Bergen wrote, the Reich government should provide Buttman with the "appropriate authority."²¹

Despite the willingness of both sides to resume the negotiations, at no time did the preparation for the talks progress smoothly. On November 16 Bergen informed the Foreign Office he had learned confidentially that Pacelli feared a collapse of the discussions would lead to an intensification of the existing tension. Within the limits of his authority, Bergen continued, Pacelli would strive for peace, but the danger was growing that the Pope would abandon the restraint he had so unwillingly maintained in the past and make a public announcement concerning the threat to the Christian faith in Germany.²² Bergen also reported that the Vatican generally viewed the new draft of Article Thirty-one, which the Reich government had submitted on November 7, as no more than a slightly improved version of the June draft, which it had already rejected. The Vatican found a

²⁰Menshausen to the Reich Ministry of Interior, November 10, 1934, 8115/E580912.

²¹Bergen to the Foreign Ministry, November 10, 1934, 8115/E580913.

²²Bergen to the Foreign Ministry, November 16, 1934, 8115/E580950. Bergen requested the Foreign Ministry to pass this information on to Buttman.

number of objections in the new draft, including the following: (1) the unclear regulations concerning double membership in the Catholic organizations; (2) the reinstatement of the words "completely unpolitical" ("völlig unpolitisch"), a concept which was virtually unusable; and (3) the activities of the Catholic youth associations.²³

On the following day the Nuncio confirmed Bergen's report when he stated the Reich government's new draft took the Vatican's wishes into account only on "unimportant points"; otherwise it adhered to the text of the June draft. Therefore, Orsenigo continued, it seemed "premature and inadvisable" to send Buttman to Rome for the purpose of resuming the negotiations. In response to an inquiry, Orsenigo stated he could give no information as to the action the Reich government should take except to resume contact with Bishop Berning. Apparently this was sufficient to convince Menshausen the government had done everything possible to obtain a settlement:

By notifying the Vatican of their intention to send Ministerialdirektor Buttman as soon as possible, the Reich Government have given fresh proof of their readiness to come to an understanding. They are now leaving the initiative to the Holy See and will, for the moment, await the further action which . . . the Nuncio may be expected to take.²⁴

²³Bergen to the Foreign Ministry, November 16, 1934, 8115/E580952.

²⁴Menshausen to the Embassy to the Holy See, November 19, 1934, DGFP, C, Vol. III, No. 338, pp. 645-46.

A few days later Orsenigo had better information on the recommended course of action for the Reich government. In a conversation with Neurath on November 24, Orsenigo declared the Vatican had instructed him to obtain information on the remaining disputed points of Article Thirty-one "before" Buttman journeyed to Rome. The Vatican considered it expedient, Orsenigo continued, to make another effort to reach an agreement in Berlin because an unsuccessful mission would only make the situation more difficult. While Orsenigo had no special authority to conduct the negotiations himself, the Vatican had instructed him to reach a "further elucidation and rap-proachement" on the different points of view through conversations with Buttman.²⁵

Why the Vatican reversed its position after Cardinal Pacelli had apparently agreed to resume the negotiations with Buttman in Rome is not clear. Possibly the Pope intervened at this point. In any case, the Reich government made no fuss over the matter. After consulting Buttman, Menshausen informed Orsenigo the Reich government was pleased to learn the Nuncio and Buttman planned to discuss the state of the negotiations in Berlin. It would be several days, however, before Buttman could find time in his busy schedule to begin the talks. Orsenigo

²⁵Memorandum by the Foreign Minister, November 24, 1934, DGFP, C, Vol. III, No. 353, p. 672.

answered he had in no way wished to prevent Buttman from going to Rome, but the Vatican had instructed him to explain that the visit would be unsuccessful unless Buttman had something to offer other than the proposals submitted by the Reich government on November 7. In reply to a remark made by the Nuncio a few days earlier regarding the government's failure to respond to Pacelli's note of September 2,²⁶ Menshausen stated the matter was not then under consideration. Whether the Reich government would ever answer the note depended "entirely on the progress of the negotiations," which, if successful, could make a reply unnecessary. Orsenigo then spoke of how much it would "clear the tense atmosphere" if the Reich Chancellor would issue a public statement regarding neopaganism. Menshausen replied Hitler had promised such a statement, and it could be expected after the satisfactory conclusion of the negotiations. Because of the seriousness of the foreign political problems, such as the Saar plebiscite, Menshausen believed Hitler should make the declaration soon, irrespective of how the negotiations progressed.²⁷

On December 4 the discussions between Buttman and Orsenigo commenced in Berlin. According to Menshausen, the

²⁶On November 24 Orsenigo informed Neurath the Vatican was still waiting for a reply to Pacelli's note. Neurath promised he would look into the matter. Memorandum by Neurath, November 24, 1934, 8115/E580961.

²⁷Memorandum by Menshausen, November 29, 1934, DGFP, C, Vol. III, No. 361, pp. 686-88.

Nuncio had little to say other than to list the reasons why the Vatican considered Buttman's trip to Rome as impractical and premature. He emphasized that the Reich government should view the September draft as a "minimum demand" on the part of the Church.²⁸ When Buttman digressed into other areas the Nuncio would evade the subject and urge the Reich government to renew its contact with the representatives of the Episcopate. Buttman replied that this would serve no meaningful purpose because the representatives had declared on November 7 they could not negotiate on the essential points, but must stay strictly within the limits of the September draft. In response to Orsenigo's inquiry, Buttman stated he could not possibly make the trip to Rome until the end of January because until then he would be busy with the Saar plebiscite.²⁹

A few days later, after receiving instructions from the Vatican, Orsenigo informed Buttman he wished to continue the talks. He did ask that the "strictest secrecy" be maintained, even toward the bishops.³⁰ On December 18, the date agreed upon for the resumption of the discussions, Buttman and Orsenigo met in the office

²⁸See above, p. 267.

²⁹Menshausen to the Embassy to the Holy See, December 5, 1934, 8115/E580979-80.

³⁰Buttman to Menshausen, December 20, 1934, 8115/E581001-03.

of the Nuncio. Walter Konrad of the Reich Ministry of Interior also participated in the talks. Orsenigo again requested that the results of these discussions be withheld from the public, as he especially wished to keep the meetings secret from the German bishops. The negotiators quickly agreed they would not attempt to reach a settlement but try only to diminish the problems standing in the way of the negotiations in Rome. The conversation centered largely around the Catholic organizations and the interpretation of those terms particularly subject to controversy. The talks were friendly, and Buttman and Orsenigo agreed to resume them on January 3.³¹

On December 18 the Foreign Ministry forwarded the draft of a note to the German Embassy, with instructions to send it on to Cardinal Pacelli.³² According to the draft, which Bergen passed on to Pacelli with only minor changes, the Reich government had not replied to Pacelli's notes of May 14 and September 2 because it considered oral discussions a more practical way of clarifying and composing existing differences. In June it

³¹Buttmann to Menshausen, December 20, 1934, 8115/E581001-03.

³²According to Menshausen, the reasons for this action on the part of the Foreign Ministry included the need to stifle criticism for its failure to reply to Pacelli's note of September 2, the possibility of the Vatican publishing a White Book, and the forthcoming Christmas allocution by the Pope. Memorandum by Menshausen, December 17, 1934, 8115/E580988.

appeared the representatives of the Episcopate and the government had reached an agreement, but "contrary to all expectations," the draft agreement was submitted to the bishops for their opinions. Since then the bishops, in agreement with the Holy See, had submitted a new draft (the September draft), which the government had scrutinized in a most "conciliatory spirit." When the Reich government made a "few minor counter proposals" in reply to this draft on November 7, the representatives of the Episcopate replied they had no authority to "enter into negotiations" on these proposals. The Reich government hoped the confidential exchange of views between Buttman and the Nuncio would clarify the outstanding questions, and thereby allow the final negotiations in Rome to take place at the earliest possible date. The government was convinced that when the final agreement had been reached the ensuing instructions issued to the State and party authorities would "dispel the fears expressed in the Note of September 2, and provide the Holy See with a comprehensive guarantee that the agreements reached would be put into operation."³³ The apologetic tone of the draft clearly indicated the Reich government's strong desire to placate Catholic fears prior to the Saar plebiscite.

³³The Foreign Ministry to the Embassy to the Holy See, December 18, 1934, DGFP, C, Vol. III, No. 394, pp. 745-46. See also Bergen to Pacelli, December 21, 1934, 8115/E581013-15; or Albrecht, No. 45, pp. 193-95, for the note in its final form.

On December 24 Pope Pius delivered his traditional Christmas allocution to the Sacred College of Cardinals. The Nazis feared the Pope would make some harsh statements about conditions in Germany, and the moderate tone of the address came as a surprise. While the Pope did refer to the spread of "moral paganism, social paganism and State paganism" as "horrible things," he did not specifically mention Germany by name.³⁴ Ambassador Bergen was obviously pleased with the Pope's address. "Much to the disappointment of the disseminators of poison," Bergen reported, the Pope refrained from making hostile remarks toward Germany.³⁵ Even the efforts of the French and other foreign newspapers to interpret the address as a condemnation of National Socialism Bergen regarded as "erroneously biased." Somehow Bergen managed to convince himself that the Pope's remarks on paganism did not apply to the Reich, although Germany was the only country making an effort to revive pagan forms of worship. The fact that the Pope delivered his speech extemporaneously and did not have it carried on the radio, Bergen wrote, indicated he did not intend it as a political announcement.³⁶

³⁴New York Times, December 25, 1934, p. 1.

³⁵Bergen to Neurath, December 29, 1934, 3241/D702410-11.

³⁶Bergen to the Foreign Ministry, December 28, 1934, K2255/K621985.

The London Times linked the Pope's Christmas address to an article on church-state relations by Mussolini which the Osservatore Romano reprinted on December 19. According to Mussolini, in fighting religion the state fought against the spirit, and its weapons were useless in this kind of struggle. The Duce rejected the idea of establishing a state religion, and expressed the view religion must be absolutely free and independent in its own house. It was not the duty of the state to overthrow old dieties and replace them with new ones established on race, blood, and Nordic faith. The Times believed it possible that Mussolini's article and the Pope's address were both "designed to convey indirectly a warning to those influential quarters in Germany," which had been working toward the secularization of public life and the separation of church and state.³⁷ Unfortunately, the German archives are silent on this matter.

In the final days of the year Pope Pius received Ambassador Bergen in a special audience. Bergen reported the Pope refrained from temperamental attacks and tried to assume a certain degree of moderation. Despite his emphasis upon the need for peaceful cooperation, the Pope also asserted that the whole world looked toward Germany with "increasing nervousness." In reply Bergen

³⁷The Times (London), December 29, 1934, p. 9.

stated the alarming reports on Germany which had recently appeared in the Italian press were reprints from the French newspapers, and these had been fabricated to bring about unrest in the Saar. No one, Bergen told the Pope, desired peace more "honestly and convincingly than the Fuehrer and Reich Chancellor."³⁸

Following the guidelines set by the Pope, the Osservatore Romano avoided a sharp condemnation of Nazi Germany in its summary of the year. For the most part it directed its attention to broad issues, such as the failure of the disarmament plans, the intensification of nationalism, and the spread of Communism. It expressed particular concern over the admittance of Soviet Russia into the League of Nations without serious opposition. The Osservatore Romano did refer to one highly sensitive question in Germany, the Roehm purge, which it cited as an example of a crisis in the administration of justice.³⁹

During the final weeks of 1934 and the early part of 1935, attention centered on the Saar plebiscite as the various individuals and organizations increased their activities in behalf of their own particular interests. While the Vatican continued to adhere to its official policy of neutrality, in reality it favored the Saar's

³⁸Bergen to Neurath, December 29, 1934, 3241/D702410-11.

³⁹Bergen to the Foreign Ministry, January 9, 1935, K2255/K621999-2001.

return to Germany. Not only did the Vatican consider the Saar a natural part of the Reich, but it also feared the Hitler government would blame Catholics for a defeat and use this as a pretext for fresh reprisals against the Church in Germany.⁴⁰ As the date grew nearer, the Nazis intensified their efforts to secure the active support of the Catholic clergy. In December the assistant to Saar Plenipotentiary Bürckel, Max Müller, proposed that the entire German Episcopate issue a public declaration which would make it clear the bishops did not aim their criticism of neopaganism in Germany at National Socialism.⁴¹ While the bishops declined to accept Müller's proposal, they did issue a pronouncement of their own. Inspired by Bishop Galen and Cardinal Schulte, on December 26 the six bishops of the Church province of Cologne issued a proclamation to be read in all churches of the dioceses on January 6, one week before the plebiscite. With the exception of one lone dissenter, whose identity is not known,⁴² the entire German Episcopate agreed to the publication of the declaration. It reads as follows:

On Sunday, January 13, a plebiscite will be held in the Saar Territory on the question whether this German land and its people shall remain under the separation from the German Reich forced upon them by the dictated peace of Versailles [Versailler Gewaltfrieden]. This decision, to be made in a

⁴⁰New York Times, December 9, 1934, p. 1.

⁴¹Lewy, pp. 191-92.

⁴²Ibid., p. 193.

few days at the Saar and fraught with fateful consequences for the future of our fatherland, no true German can face with indifference. As German Catholics we are duty bound to stand up for the greatness, welfare, and peace of our fatherland. Our most effective help is prayer. We, therefore, order that on said Sunday in all churches three Lord's Prayers and Ave Marias be recited with the faithful after the general prayer in order to implore for a result of the Saar plebiscite that will bring blessings for our German people.⁴³

As to the meaning of this declaration there could be no mistake--the bishops supported the immediate union of the Saar to the Reich. Quite correctly the London Times reported that German Catholics had "made it clear" they would not allow internal problems to affect their "deep and instinctive devotion to their Fatherland" on a "patriotic issue" like the return of the Saar to Germany.⁴⁴

Despite the pressure exerted by the bishops, some Saar Catholics still considered the status quo more attractive than reunion to a Hitler Germany. They naturally opposed the bishops' prayer declaration because it restricted the rights of Catholics to cast a free vote. As the heated campaign reached a climax, the pro status quo Neue Saar Post became distinctly more aggressive. On January 9 it reported that the Deutscher Volksbund⁴⁵ had informed Pacelli

⁴³Quoted in ibid., p. 192. The German text is printed in Wambaugh, p. 288; and Müller, No. 168, p. 328.

⁴⁴The Times (London), January 1, 1935, p. 14.

⁴⁵Deutscher Volksbund für Christlich-soziale Gemeinschaft (German People's League for Christian-social Community), the long discussed Catholic party for the

of the use the Nazis were making of the prayer declaration, and had requested the Cardinal to take immediate steps to remove the moral constraint threatening a free vote.⁴⁶

Also, Bergen wrote the Foreign Ministry that the French had sent a protest against the prayer declaration to the Vatican.⁴⁷ On January 5 the Plebiscite Commission complained about the declaration and the pro-German activities of some of the Saar clergy in a letter addressed to the Bishops of Trier and Speyer.⁴⁸ The Bishops chose to ignore the protest, however, and on January 6 the reading of the proclamation from the pulpits took place as scheduled. According to Lewy, Bishops Bornewasser and Sebastian were "heartened in their stand by the absence of any action on the part of the Vatican."⁴⁹

On January 7-8 the Osservatore Romano ran an editorial which again emphasized the neutrality of the Vatican. In closing, the editorial asserted the Holy See wished "only that every faithful son of the Church should follow the rules of his Catholic conscience."⁵⁰ This

status quo which was launched on November 30. Reportedly, there were over seventy Catholic priests among its founders. Wambaugh, p. 271.

⁴⁶Lewy, p. 195. The exact date of this telegram is not known.

⁴⁷Ibid., pp. 195-96.

⁴⁸Ibid., p. 196; and Wambaugh, pp. 289-90.

⁴⁹Lewy, p. 196.

⁵⁰Quoted in Wambaugh, p. 292.

statement pleased the Neue Saar Post, which on January 9 jubilantly carried the headlines: "The Holy Father Proclaims Freedom of Conscience for Saar Catholics!"⁵¹ To the majority of Catholics, however, the sentence implied a duty to follow the leadership of their bishops. As a result the efforts of the Vatican to insure freedom of conscience for the Catholic voters played directly into the hands of the Bishops of Trier and Speyer.⁵²

Since most Catholics went to the polls on January 13 believing both their Bishops and the Pope supported an immediate return of the Saar to Germany, the outcome could hardly be in doubt. The results showed that over 90 per cent of the Saar inhabitants had voted for union with Germany:⁵³

Registered voters539,541
Votes cast528,105
For union with Germany477,119
For the status quo	46,613
For union with France	2,124
Invalid ballots	905
Blank ballots	1,292

Unquestionably, the vote represented a major triumph for the Nazis, and Hitler had reason to be elated. On January 15, just after the Plebiscite Commission had announced the results of the vote, Hitler went on the air and hailed

⁵¹Ibid. "Der Hl. Vater proklamiert Gewissensfreiheit der Saarkatholiken!"

⁵²Lewy, pp. 196-97; and Wambaugh, p. 292.

⁵³Wambaugh, p. 304.

the event as a great German victory. "The whole German nation rejoices at the return of our comrades," Hitler declared, and in a few hours bells will ring throughout the Reich as an "external expression of our pride and joy."⁵⁴ Bishops Bornewasser and Sebastian were no less enthusiastic, and ordered special services of thanks to be held throughout their dioceses on the first Sunday following the plebiscite. On January 26 Bishop Sebastian asserted in a sermon that the results of the plebiscite indicated God himself had spoken and dealt a devastating reply to those who did not believe Catholics were reliable patriots.⁵⁵ The Reich bishops were also jubilant, and undoubtedly relieved that so few Catholics had voted for the status quo. This way the Nazis would have no sound basis for reviving the charge that Catholics were not politically reliable. On March 1, when the Saar officially returned to Germany, the Catholic clergy showed their appreciation by ringing Church bells, displaying flags, and offering special prayers of thanks.

Although the Nazis attempted to minimize the assistance rendered by the Catholic bishops in the campaign, it seems clear they played a crucial role in securing the overwhelming pro-German vote. Lewy puts it this way:

⁵⁴Hitler, My New Order, p. 296.

⁵⁵Lewy, p. 198.

The fact that the Saar remained part of the German Church and thus under the influence of a German clergy was an important reason for the prevalence of a strong pro-German sentiment. There was a time in 1934, moreover, when the fate of the Saar hung in the balance. After the Blood Purge of June 30 sentiment for deferring a return to Germany was strong and an anti-Nazi Church might well have made the difference. Had the Bishops of Trier and Speyer not curbed the status quo movement with their disciplinary measures, it is possible that the outcome on January 13 might have been different indeed.⁵⁶

The Vatican, of course, could have exerted pressure on the Bishops of Trier and Speyer to administer their dioceses in a more impartial manner, but it chose not to do so. Like the bishops, the Vatican also believed the Saar was historically German and rightfully belonged to the Reich.⁵⁷

In retrospect, it is unfortunate the Vatican and the Episcopate did not oppose the immediate return of the Saar to Germany, as together they could probably have exerted sufficient influence to swing the vote in favor of the status quo. This would have denied Hitler both the prestige that accompanied the victory and the acquisition of a rich industrial area which greatly enhanced Germany's capacity to build a war machine. It is perhaps too much to say that the Catholic Church, by denying the Saar to Germany, could have stopped Hitler at this point, but it

⁵⁶Ibid., p. 199.

⁵⁷Ibid., p. 196. Reportedly, the Pope did criticize the German bishops for the prayer declaration in an audience granted to French Foreign Minister Pierre Laval. There appears to be no evidence to support this rumor, however, and Lewy suggests it was falsified.

would have been a serious setback for the Nazis. Never again would the Church have a similar opportunity to thwart the consolidation of power by Hitler. What Hitler would have done if the majority of Saar inhabitants had voted for the status quo is anybody's guess. In his anger Hitler could have conceivably unleashed his fury on Catholics as the perpetrators of the deed, and initiated a persecution of the Church which would have greatly exceeded the Kulturkampf in severity. But an open persecution did not correspond to Hitler's preferred technique for dealing with such problems, and if implemented could have inspired an anti-Nazi reaction that even he could not handle. Perhaps the greatest surprise is the failure of the bishops to demand concessions from the Reich in exchange for their support on the plebiscite. In their eagerness to prove the patriotism of Catholics, they rendered valuable service to the Nazis while the Church received nothing in return.

Unfortunately, Catholics were forced to face the realities of the situation in a matter of days. As early as January 18 the Osservatore Romano expressed disappointment that Hitler had given no assurance he would remedy the grievances of the Church in his speech of January 15. Since the Saar Catholics had demonstrated proof of their patriotism, the Osservatore Romano continued, some such assurances were deserved.⁵⁸ Not only did Hitler fail to

⁵⁸The Times (London), January 19, 1935, p. 11.

give these assurances, but his next moves clearly revealed the deceit behind the Nazi campaign in the Saar. In accordance with Hitler's instructions, Buttman informed Orsenigo on January 28 that the Reich government "could make no further concessions on important points."⁵⁹ This meant the formal collapse of the discussions between Buttman and Orsenigo, and while the government and the Vatican later resumed negotiations on Article Thirty-one, the results were equally fruitless.⁶⁰ Furthermore, with the plebiscite over the Nazis quickly abandoned their efforts to placate Catholics and systematically set about to destroy the influence of the Church throughout the Reich. In the Saar the situation became especially deplorable, perhaps because the Reich government refused to recognize the validity of the Concordat in this area. Ironically, by the spring of 1935 Bishop Sebastian of Speyer had already complained to the Vatican about the difficulties the Church was experiencing in the Saar.⁶¹ He should not have been surprised, because the Nazis were only executing a pattern already well established. Like the great majority of the German Catholics, Bishop Sebastian had gambled the Nazis would reward the Church for its patriotic stand--and lost.

⁵⁹Köpke to the Embassy to the Holy See, January 31, 1935, DGFP, C, Vol. III, No. 470, pp. 889-90.

⁶⁰Lewy, p. 130.

⁶¹Ibid., p. 200.

CHAPTER X

CONCLUSIONS

If Reich-Vatican relations were strained between 1933 and 1935, the years ahead gave no cause for optimism. After the Saar plebiscite the Hitler government stepped up its efforts to destroy the influence of the Catholic Church in Germany. During 1935 the Nazis increased their pressure on the Catholic organizations and press, and followed with a campaign of vilification against the religious orders for violation of the foreign currency laws. The following year the Nazis carried out a systematic campaign against the confessional schools, and attempted to undermine the moral character of the Catholic clergy by instituting the so-called "immorality trials." These trials charged the members of the religious orders with sexual perversity, which the Nazi press covered in every lurid detail. Faced with such repeated and flagrant violations of Catholic rights, Reich-Vatican relations could only deteriorate.

The continued Nazi excesses finally drove Pope Pius XI to publicize the grievances of the Church before the world. On March 21, 1937, the papal encyclical, Mit brennender Sorge, was read from every Catholic pulpit in

Germany. In the encyclical, which young clerics had smuggled into the Reich, the Pope attacked the neopaganism and the denial of religious freedom in Germany, and called upon the faithful to resist the perversion of Christian doctrines and morality. Although the encyclical caught the Reich government off guard it came too late to intimidate the Nazis. A furious Hitler not only initiated new attacks on the Church but even considered renouncing the Concordat, and once again Reich-Vatican relations took a turn for the worse.

Although Hitler did not involve himself in the routine relations between the Reich and the Vatican, the evidence indicates that he did make the major decisions. Repeatedly in this study, important officials found it necessary to consult with the Reich Chancellor on matters of importance before issuing instructions to their subordinates. It is also clear that Hitler had extraordinary success in dealing with both the Vatican and the Catholic Church in Germany, regardless of how much one may wish to condemn him. He accurately judged the limits of Catholic patience, and his technique of alternating terror with promises of concessions served the Nazi cause well. If he had carried out the more violent methods advocated by the party extremists, Catholic resistance would have stiffened, and the Vatican might have broken off relations with the Reich government. Hitler's tactics not only

prevented such a break, but Hitler even managed to evade a papal bull of excommunication--all while the Nazis carried out some of the most barbaric crimes in history.

In the execution of his decisions, Hitler generally found the German Foreign Ministry to be a pliable tool. The aristocrats of the Foreign Ministry may have held the Nazi leaders in contempt, but they still proved willing enough to carry out Hitler's instructions. If on occasion certain officials, such as Bergen and Menshausen, expressed the need for a softer policy toward the Vatican, they carefully voiced their opinions in muted tones. Even if they had been more vociferous in their criticism it is unlikely they would have had much effect, because Neurath was not inclined to pass their views on to Hitler. In general, the Foreign Ministry performed its function of preventing a break in Reich-Vatican relations superbly, and in this sense served Hitler well. Nevertheless, Hitler still preferred to work through the Reich Ministry of Interior, which had at its head the loyal and trustworthy Frick. Since the Fuehrer considered the Ministry of Interior more reliable than the Foreign Office, it assumed more authority. On numerous occasions the diplomats found it advisable to check with Buttman before making a decision, or were relegated to the less significant role of polishing drafts prepared initially in the Ministry of Interior.

The frequent Nazi violations of the Concordat only confirms the fact that Hitler never intended to take the

document seriously. Hitler found it useful at the time because it provided the new government with a degree of respectability, and nothing more. Faced with these conditions, the Concordat could not possibly have provided an adequate defense for Catholic rights. Nevertheless, it would be going too far to write the Concordat off as totally useless to the Church, despite the arguments of some that it tended to weaken Church resistance by lulling Catholics into a false sense of security. In areas where the Concordat did not apply, such as Austria and the Saar, the Nazi persecution of the Church was even more severe than in Germany. This suggests that the Concordat did provide some degree of protection for Catholic rights, however limited it may have been. Also, to regard the Concordat as a total failure is to ignore Hitler's strong desire and threats to abolish the agreement. If the Church received no benefit from the Concordat, it seems strange that Hitler would have been so eager to see it terminated.

The comments of Pope Pius XI and Cardinal Pacelli definitely indicate they considered Communism a more serious threat to civilization than National Socialism, and this goes far to explain the willingness of the Vatican to cooperate with the Nazis. The Reich government naturally exploited the Vatican's fear of Communism whenever possible. On a number of occasions the government

reminded the Vatican of the common interest both had in thwarting the spread of Communism. During 1936, when the Spanish Civil War broke out, even more attention was devoted to the Communist menace as a basis for German-Vatican collaboration.

For the defenders of Cardinal Pacelli, this study is not especially comforting. The evidence submitted clearly indicates that the Nazis found Pacelli a more compromising and an easier man to work with than the Pope. On several occasions Pacelli promised to use his influence in the attempt to moderate the Pope's position toward the Nazis. To what extent he was successful cannot be answered on the basis of the German archives alone, but it is clear the Germans preferred Pacelli to the Pope. Neither is it intended here to imply that Pacelli allowed his pro-German sentiments to prevent him from speaking out against the mass murder of the Jews during the Second World War. This is another question, which this study has not resolved.

In retrospect, it is easy to criticize the Vatican for its failure to stand up more firmly against the Nazis. It must be remembered, however, that to a great extent the Vatican had responded to the wishes of the German Episcopate, which earnestly sought to remain loyal to the new government. Also, for the Vatican to have encouraged the clergy to resist would not have accorded well with the teachings of the Church, which has always taught obedience

to the state, not rebellion. Nevertheless, on certain points the Vatican did leave itself open to criticism. First, although the Vatican made numerous protests, it often failed to mention some of the most important issues of the day. For example, the Vatican frequently pointed out the infringement of Catholic rights as guaranteed in the Concordat, but remained silent on the flagrant violations of justice committed by the Nazis. Apparently the Vatican believed an open protest on so sensitive an issue would bring about an abrogation of the Concordat and a break in relations with Germany, which it wished to avoid. Secondly, when the Vatican did protest, too often it weakened its protest by referring to the Reich Chancellor in complimentary tones, or by assigning the responsibility for the violations to subordinate authorities. Hitler, the most important single source of the difficulties, remained virtually immune from Vatican attacks. Thirdly, and perhaps most serious, the Vatican tended to limit its sphere too much to "Catholic" interests, which was neither the humanitarian approach nor in accord with Christian principles. To illustrate, the Vatican seldom mentioned the persecution of the Protestants in its protests, although they suffered quite as much as the Catholics. On one occasion the Vatican referred to the persecution of the Protestants only because it feared the Nazis would use the same methods against the Catholic Church. Again,

when protesting the dismissal of Catholic officials of Jewish descent, the Vatican did not say a word about the thousands of unconverted Jews who were dismissed. When the Nazis murdered hundreds during the Roehm purge, the Pope mentioned only the shooting of prominent Catholics. Unfortunately, the Vatican appears to have been more concerned with the mere survival of the institution of the Church than the survival of justice and morality. The Church did survive, but only at the price of submitting to Hitler's tyranny. True, there were many brave Catholic priests and laymen who chose to fight and die rather than to carry out orders contrary to their beliefs and conscience, but they received no encouragement from their bishops or the Vatican.

.

BIBLIOGRAPHY

List of Files Used from the Archives of the German Foreign Ministry

<u>Film Serial Numbers</u>	<u>Title of File</u>
3241	Büro des Reichsministers: Kurie [and miscellaneous]
6153	Geheimakten 1920-36: Vatikan, Abschluss von Konkordaten mit dem deutschen Reich und deutschen Ländern
8114	Abteilung II: Vatikan, Deutsch diplomatische Vertretung beim päpstlichen Stuhl
8115	Abteilung II: Vatikan, Abschluss von Konkordaten mit Deutschland und deutschen Ländern (ausser Preussen)
8116	Abteilung II: Vatikan, Stellung des Vatikans zum Bolschewismus, Kommunismus, Sozialismus, Faschis- mus, Nationalsozialismus
8118	Neue Reichskanzlei: Konkordate
8125	Deutsche Botschaft zum päpstlichen Stuhl: Konkordat mit dem deutschen Reich
K2140	Abteilung II: Vatikan, Deutsche diplomatische Vertretungen beim päpstlichen Stuhl
K2255	Alte Reichskanzlei Auswaertige Angel.: Vatikan

Published Documents

- Albrecht, Dieter, ed. Der Notenwechsel zwischen dem Heiligen Stuhl und der deutschen Reichregierung: Vom der Ratifizierung des Reichskonkordats bis zur Enzyklika "Mit brennender Sorge." Mainz: Matthias-Grünwald-Verlag, 1965.
- Altmeyer, Karl Aloys, ed. Katholische Presse unter NS-Diktatur. Die katholischen Zeitungen und Zeitschriften Deutschlands in den Jahren 1933 bis 1945: Dokumentation. Berlin: Morus-Verlag, 1962.
- Ehler, Sidney, Z., and Morrall, John B., trans. and ed. Church and State Through the Centuries: A Collection of Historic Documents with Commentaries. Westminster, Maryland: Newman Press, 1954.
- Fremantle, Anne, ed. The Papal Encyclicals in their Historical Context. A Mentor-Omega Book. New York: New American Library, 1963.
- Great Britain. Documents on British Foreign Policy, 1919-1939. Edited by E. L. Woodward and Rohan Butler. Second Series. London: His Majesty's Stationery Office, 1946- .
- Hofer, Walther, ed. Der Nationalsozialismus: Dokumente, 1933-1945. Frankfurt am Main: Fischer Bücherei, 1957.
- International Military Tribunal. Trial of the Major War Criminals Before the International Military Tribunal, Nürnberg, 14 November--1 October 1946. 42 vols. Nuremberg: International Military Tribunal, 1947-49.
- Müller, Hans, ed. Katholische Kirche und Nationalsozialismus: Dokumente, 1930-1935. Munich: Nymphenburger Verlagshandlung, 1963.
- Neuhäusler, Johann. Kreuz und Hakenkreuz: Der Kampf des Nationalsozialismus gegen die Katholische Kirche und der kirchliche Widerstand. 2 vols. in 1. Munich: Katholische Kirche Bayerns, 1946.

Ohlemüller, Gerhardt, ed. Reichskonkordat zwischen Deutschland und dem Vatikan. Berlin: Sämänn-Verlag, 1937.

The Persecution of the Catholic Church in the Third Reich: Facts and Documents Translated from the German. London: Burns, Oates, 1940.

U.S. Department of State. Documents on German Foreign Policy, 1918-1945. Edited Jointly by the American, British, and French Governments. Series C, Vols. I-III, and Series D, Vol. I. Washington, D.C.: Government Printing Office, 1949- .

Foreign Relations of the United States: Diplomatic Papers. Washington, D.C.: Government Printing Office, 1861- .

U.S. Office of Chief of Counsel for the Prosecution of Axis Criminality. Nazi Conspiracy and Aggression. 8 vols. and 2 supplements, A and B. Washington, D.C.: Government Printing Office, 1946-48.

Wenner, Joseph, ed. Reichskonkordat und Länderkonkordate: Mit Einleitung und Schverzeichnis. 5th ed. Paderborn: F. Schöningh, 1949.

Memoirs, Speeches, and Personal Narratives

Charles-Roux, François. Huit Ans au Vatican, 1932-1940. Paris: Flammarion, 1947.

Ciano, Galeazzo Count. Ciano's Diary, 1939-1943. Edited with an Introduction by Malcolm Muggeridge. London: William Heinemann, 1947.

Dietrich, Otto. The Hitler I Knew. Translated by Richard & Clara Winston. London: Methuen & Co., Ltd., 1955.

Dirksen, Herbert von. Moscow, Tokyo, London: Twenty Years of German Foreign Policy. Norman, Okla.: University of Oklahoma Press, 1952.

Dodd, Martha. Through Embassy Eyes. New York: Harcourt, Brace and Company, 1939.

Dodd, William Edward. Ambassador Dodd's Diary, 1933-1938. Edited by William E. Dodd, Jr., and Martha Dodd. New York: Harcourt, Brace and Company, 1941.

- Eden, Sir Anthony. The Memoirs of Anthony Eden, Earl of Avon. Vol. I: Facing the Dictators. Boston: Houghton Mifflin Company, 1962.
- Faulhaber, Michael Cardinal. Judaism, Christianity, and Germany. Translated by George D. Smith. New York: Macmillan Company, 1934.
- François-Poncet, André. The Fateful Years: Memoirs of a French Ambassador in Berlin, 1931-1938. Translated by Jacques LeClercq. New York: Harcourt, Brace and Company, 1949.
- Fromm, Bella. Blood and Banquets: A Berlin Social Diary. New York: Harper & Brothers, 1942.
- Gilbert, G. M. Nuremberg Diary. Signet Books. New York: New American Library, 1947.
- Henderson, Sir Neville. Failure of a Mission: Berlin, 1937-1939. New York: G. P. Putnam's Son, 1940.
- Hitler, Adolf. Hitler's Secret Conversations, 1941-1944. Signet Books. New York: New American Library, 1953.
- _____. Mein Kampf. Translated by Ralph Manheim. Boston: Houghton Mifflin Company, 1943.
- _____. My New Order. Edited with Commentary by Raoul de Roussy de Sales. New York: Reynal & Hitchcock, 1941.
- _____. The Speeches of Adolf Hitler, April 1922 - August 1939. Edited by Norman H. Baynes. 2 vols. London: Oxford University Press, 1942.
- _____. Reden und Proklamationen, 1932-1945. Edited by Max Domarus. 2 vols. in 4. Munich: Süddeutscher Verlag [1965].
- Kelley, Douglas M. 22 Cells in Nuremberg. New York: Greenberg, 1947.
- Kordt, Erich. Nicht aus den Akten: Die Wilhelmstrasse in Frieden und Krieg: Erlebnisse, Begegnungen und Eindrücke, 1928-1945. Stuttgart: Union Deutsche Verlagsgesellschaft, 1950.
- _____. Wahn und Wirklichkeit. Stuttgart: Union Deutsche Verlagsgesellschaft, 1948.

- Ludecke, Kurt G. W. I Knew Hitler. New York: Scribner's Sons, 1938.
- McGurn, Barrett. A Reporter Looks at the Vatican. New York: Coward-McCann, Inc., 1962.
- Meissner, Otto. Staatssekretär unter Ebert--Hindenburg--Hitler: Der Schicksalsweg des deutschen Volkes von 1918-1945, wie ich ihn erlebte. Hamburg: Hoffmann und Campe Verlag, 1950.
- Morgan, Thomas B. A Reporter at the Papal Court: A Narrative of the Reign of Pope Pius XI. New York and Toronto: Longmans, Green and Co., 1938.
- Mosse, George L., ed. Nazi Culture: Intellectual, Cultural and Social Life in the Third Reich. Translated by Salvator Attanasio and others. New York: Grosset & Dunlap, 1966.
- Papen, Franz von. Memoirs. Translated by Brian Connell. New York: E. P. Dutton & Company, Inc., 1953.
- Rahn, Rudolf. Ruheloses Leben: Aufzeichnungen und Erinnerungen. Düsseldorf: Diederichs Verlag, 1949.
- Randall, Sir Alec. Vatican Assignment. London: William Heinemann, Ltd., 1956.
- Rauschnig, Hermann. The Revolution of Nihilism: Warning to the West. New York: Alliance Book Corporation, 1939.
- _____. The Voice of Destruction. New York: G. P. Putnam's Son, 1940.
- Rosenberg, Alfred. An die Dunkelmänner unserer Zeit: Eine Antwort auf die Angriffe gegen den Mythos des XX. Jahrhunderts. Munich: Hoheneichen-Verlag, 1935.
- _____. Memoirs of Alfred Rosenberg: With Commentaries by Serge Lang and Ernst von Schenck. Translated by Eric Posselt. Chicago and New York: Ziff-Davis Publishing Co., 1949.
- _____. Der Mythos des 20. Jahrhunderts. 175-176th ed. Munich: Hoheneichen-Verlag, 1941.
- Schmidt, Paul. Hitler's Interpreter. Edited by R. H. C. Steed. New York: Macmillan Company, 1951.

Weizsäcker, Ernst von. Memoirs of Ernst von Weizsäcker. Translated by John Andrews. Chicago: Henry Regnery Company, 1951.

Books

Bendiscioli, Mario. Nazism versus Christianity. Translated by Gerald Griffin. London: Skeffington and Son, 1939.

Bengtson, John. Nazi War Aims: The Plans for the Thousand Year Reich. Rock Island, Ill.: Augustana College Library, 1962.

Binchy, D. A. Church and State in Fascist Italy. London, New York, Toronto: Oxford University Press, 1941.

Bossenbrook, William J. The German Mind. Detroit: Wayne State University Press, 1961.

Bracher, Karl Dietrich. Die Auflösung der Weimarer Republik: Eine Studie zum Problem des Machtverfalls in der Demokratie. 2nd ed. Stuttgart and Düsseldorf: Ring-Verlag, 1957.

_____. Nationalsozialistische Machtergreifung und Reichskonkordat: Ein Gutachten zur Frage des geschichtlichen Zusammenhangs und der politischen Verknüpfung von Reichskonkordat und nationalsozialistischer Revolution. Wiesbaden: Hessische Landesregierung in Wiesbaden, 1956.

Bracher, Karl Dietrich; Sauer, Wolfgang; and Schulz, Gerhard. Die nationalsozialistische Machtergreifung: Studien zur Errichtung des totalitären Herrschaftsystems in Deutschland 1933/34. Cologne and Opladen: Westdeutscher Verlag, 1960.

Broszat, Martin. Der Nationalsozialismus: Weltanschauung Programm und Wirklichkeit. Stuttgart: Deutsche Verlags-Anstalt, 1961.

Buchheim, Hans. Glaubenskrise im Dritten Reich: Drei Kapitel Nationalsozialistischer Religionspolitik. Stuttgart: Deutsche Verlags-Anstalt, 1953.

Bullock, Alan. Hitler: A Study in Tyranny. Revised ed. New York: Harper & Brothers, 1958.

_____. "The Theory of Nazism: Hitler's Basic Ideas." Hitler and Nazi Germany. Edited by Robert G. L. Waite. New York: Holt, Rinehart and Winston, 1965.

- Campbell, Thomas J. The Jesuits, 1534-1921: A History of the Society of Jesus from its Foundation to the Present Time. 2 vols. New York: Encyclopedia Press, 1921.
- Chandler, Albert R. Rosenberg's Nazi Myth. Ithaca, N.Y.: Cornell University Press, 1945.
- Clonmore, William. Pope Pius XI and World Peace. New York: E. P. Dutton, 1938.
- Conway, J. S. The Nazi Persecution of the Churches, 1933-45. New York: Basic Books, Inc., 1968.
- Craig, Gordon, and Gilbert, Felix, eds. The Diplomats, 1919-1939. Princeton, N.J.: Princeton University Press, 1953.
- Davidson, Eugene. The Trial of the Germans: An Account of the Twenty-two Defendants Before the International Military Tribunal at Nuremberg. New York: Macmillan Company, 1966.
- Deuerlein, Ernst. Das Reichskonkordat: Beiträge zu Vorgeschichte, Abschluss und Vollzug des Konkordates zwischen dem Heiligen Stuhl und dem deutschen Reich vom 20. Juli 1933. Düsseldorf: Patmos-Verlag, 1956.
- Deutsch, Harold C. The Conspiracy Against Hitler in the Twilight War. Minneapolis: The University of Minnesota Press, 1968.
- Donohoe, James. Hitler's Conservative Opponents in Bavaria, 1930-1935: A Study of Catholic, Monarchist, and Separatist Anti-Nazi Activities. Leiden: E. J. Brill, 1961.
- Douglass, Paul F. God Among the Germans. Philadelphia: University of Pennsylvania Press, 1935.
- Duncan-Jones, Arthur Stuart. The Struggle for Religious Freedom in Germany. London: Victor Gollancz, 1938.
- Dutch, Oswald (pseud.). The Errant Diplomat: The Life of Franz von Papen. London: Edward Arnold, 1940.
- Eyck, Erich. A History of the Weimar Republic. 2 vols. Cambridge, Mass.: Harvard University Press, 1963.
- Fraenkel, Heinrich. The German People versus Hitler. London: George Allen & Unwin, Ltd., 1940.

- Franz-Willing, Georg. Die bayerische Vatikangesandtschaft, 1803-1934. Munich: Ehrenwirth Verlag, 1965.
- Friedländer, Saul. Pius XII and the Third Reich: A Documentation. Translated from the French and German by Charles Fullman. New York: Alfred A. Knopf, 1966.
- Gallin, Mother Mary Alice. German Resistance to Hitler: Ethical and Religious Factors. Washington, D.C.: Catholic University of America, 1961.
- Gilbert, G. M. The Psychology of Dictatorship. New York: Ronald Press Company, 1950.
- Graham, Robert A. Vatican Diplomacy: A Study of Church and State on the International Plane. Princeton, N.J.: Princeton University Press, 1959.
- Gurian, Waldemar. Hitler and the Christians. Translated by E. F. Peeler. New York: Sneed and Ward, 1936.
- Hales, E. E. Y. The Catholic Church in the Modern World: A Survey from the French Revolution to the Present. Image Books. Garden City, N.Y.: Doubleday & Company, Inc., 1958.
- Hanus, Franciscus. Die preussische Vatikangesandtschaft, 1747-1920. Munich: Pohl & Co., 1954.
- Harcourt, Robert d'. The German Catholics. Translated by Reginald J. Dingle. London: Burns, Oates and Washbourne, 1939.
- Heiden, Konrad. Der Fuehrer: Hitler's Rise to Power. Translated by Ralph Manheim. Boston: Houghton Mifflin Co., 1944.
- _____. A History of National Socialism. New York: Alfred A. Knopf, 1935.
- Helmreich, Ernst Christian. Religious Education in German Schools: An Historical Approach. Cambridge, Mass.: Harvard University Press, 1959.
- Hochhuth, Rolf. The Deputy. Translated by Richard and Clara Winston. New York: Grove Press, Inc., 1964.
- Holborn, Hajo. A History of Modern Germany, 1840-1945. New York: Alfred A. Knopf, 1969.

- Jarausch, Konrad Hugo. The Four Power Pact, 1933. Madison, Wis.: The State Historical Society of Wisconsin for the Department of History, University of Wisconsin, 1965.
- Kaufmann, Walter H. Monarchism in the Weimar Republic. New York: Bookman Associates, 1953.
- Kent, George O., and others, comp. and ed. Catalogue of Files and Microfilms of the German Foreign Ministry Archives, 1920-1945. Stanford, Calif.: Hoover Institution, 1962- .
- Laqueur, Walter Z. Young Germany: A History of the German Youth Movement. London: Routledge & Kegan Paul, 1962.
- Lewy, Guenter. The Catholic Church and Nazi Germany. London: Weidenfeld and Nicolson, 1964.
- Maccarrone, Michele. Il Nazionalsocialismo e la Santa Sede. Rome: Editrice Studium, 1947.
- Macfarland, Charles Stedman. The New Church and the New Germany: A Study of Church and State. New York: Macmillan Company, 1934.
- McCabe, Joseph. The Papacy in Politics To-Day: Vatican Plots in Spain and Other Countries. London: Watts & Co., 1937.
- _____. The Vatican and the Nazis. London: Watts, 1942.
- McKnight, John P. The Papacy: A New Appraisal. New York and Toronto: Rinehart & Co., Inc., 1952.
- McRandle, James H. The Track of the Wolf: Essays on National Socialism and its Leader, Adolf Hitler. Evanston, Ill.: Northwestern University Press, 1965.
- Mason, John Brown. Hitler's First Foes: A Study in Religion and Politics. Minneapolis: Burgess Publishing Co., 1936.
- Matthias, Erich, and Morsey, Rudolf, eds. Das Ende der Parteien 1933. Düsseldorf: Droste Verlag, 1960.
- Micklem, Nathaniel. National Socialism and the Roman Catholic Church. London, New York, Toronto: Oxford University Press, 1939.

- Moody, Joseph, ed. Church and Society: Catholic Social Thought and Political Thought and Movements, 1789-1950. New York: Arts, Inc., 1953.
- Mosse, George L. The Crisis of German Ideology: Intellectual Origins of the Third Reich. Universal Library. New York: Grosset & Dunlap, 1964.
- _____. The Culture of Western Europe: The Nineteenth and Twentieth Centuries. [Chicago]: Rand McNally & Company, 1961.
- Neumann, Franz. Behemoth: The Structure and Practice of National Socialism, 1933-1944. Harper Torchbooks. New York and Evanston: Harper & Row, 1966.
- Neville, Robert. The World of the Vatican. New York and Evanston: Harper & Row, 1962.
- Nicholls, A. J. Weimar and the Rise of Hitler. London: Macmillan and Co., Ltd., 1968.
- Nyomarkay, Joseph. Charisma and Factionalism in the Nazi Party. Minneapolis: University of Minnesota Press, 1967.
- Orlow, Dietrich. The History of the Nazi Party, 1919-1933. [Pittsburgh]: University of Pittsburgh Press, 1969.
- Pallenberg, Corrado. Inside the Vatican. New York: Hawthorn Books, Inc., 1960.
- Peterson, Edward N. The Limits of Hitler's Power. Princeton, N.J.: Princeton University Press, 1969.
- Pinson, Koppel S. Modern Germany: Its History and Civilization. New York: Macmillan Company, 1954.
- Prittie, Terence. Germans Against Hitler. Boston: Little, Brown and Company, 1964.
- Purdy, W. A. The Church on the Move: The Characters and Policies of Pius XII and John XXIII. New York: John Day Company, 1966.
- Renouvin, Pierre. World War II and its Origins: International Relations, 1929-1945. Translated by Rémy Inglis Hall. New York, Evanston, and London: Harper & Row, 1969.

- Ritter, Gerhard. The German Resistance: Carl Goerdeler's Struggle against Tyranny. Translated by R. T. Clark. New York: Frederick A. Praeger, 1958.
- Robertson, E. M. Hitler's Pre-War Policy and Military Plans, 1933-1939. New York: Citadel Press, 1963.
- Rosenberg's Positive Christianity. By German Catholic Scholars of the Archdiocese of Cologne. No. 27 of the "Friends of Europe" Publications. London: Friends of Europe, 1935 [a pamphlet].
- Seabury, Paul. The Wilhelmstrasse: A Study of German Diplomats Under the Nazi Regime. Berkeley and Los Angeles: University of California Press, 1954.
- Schwarz, Paul. This Man Ribbentrop: His Life and Times. New York: Julian Messner, Inc. 1943.
- Shirer, William L. The Rise and Fall of the Third Reich: A History of Nazi Germany. New York: Simon and Schuster, 1960.
- Shuster, George Nauman. Like a Mighty Army: Hitler versus Established Religion. New York and London: D. Appleton-Century Co., 1935.
- Smith, Bradley, F. Adolf Hitler: His Family, Childhood and Youth. Stanford, Calif.: Hoover Institution on War, Revolution and Peace, 1967.
- Sugrue, Francis. Popes in the Modern World. New York: Thomas Y. Crowell Company, 1961.
- Taylor, A. J. P. The Origins of the Second World War. A Premier Book. 2nd ed. Greenwich, Conn.: Fawcett Publications, Inc., 1961.
- Teeling, William. Pope Pius XI and World Affairs. New York: Frederick A. Stokes, 1937.
- Tenenbaum, Joseph. Race and Reich: The Story of an Epoch. New York: Twayne Publishers, 1956.
- Viereck, Peter. Metapolitics: From the Romantics to Hitler. New York: Alfred A. Knopf, 1941.
- Volk, Ludwig. Der bayerische Episkopat und der Nationalsozialismus, 1930-1934. Mainz: Matthias-Grünwald-Verlag, 1965.

- Wambaugh, Sarah. The Saar Plebiscite: With a Collection of Official Documents. Cambridge, Mass.: Harvard University Press, 1940.
- Wheaton, Eliot Barculo. Prelude to Calamity: The Nazi Revolution, 1933-1935. Garden City, N.Y.: Doubleday & Company, Inc., 1968.
- Westermeyer, H. E. The Fall of the German Gods. Mountain View, Calif.: Pacific Press Publishing Association, 1950.
- Zahn, Gordon C. German Catholics and Hitler's Wars: A Study in Social Control. New York: Sheed and Ward, 1962.
- Zeman, Z. A. B. Nazi Propaganda. London: Oxford University Press, 1964.
- Zipfel, Friedrich. Kirchenkampf in Deutschland, 1933-1945: Religionsverfolgung und Selbstbehauptung der Kirchen in der nationalsozialistischen Zeit. Berlin: Walter de Gruyter & Co., 1965.

Articles

- Arnold, H. J. "Germany's New 'Rural Year' Plan." School and Society, XLI (January 5, 1935), 23-24.
- Binchy, D. A. "The Vatican and International Diplomacy." International Affairs, XXII (January, 1946), 47-56.
- Fuller, Leon W. "Education in Germany under the National Socialist Regime." The Department of State Bulletin, XI (October 22, October 29, and November 5, 1944), 466-75, 511-24, and 551-59.
- Gurian, Waldemar. "Hitler's Undeclared War on the Catholic Church." Foreign Affairs, XVI (January, 1938), 260-71.
- Harrigan, William M. "Nazi Germany and the Holy See, 1933-1936: The Historical Background of Mit brennender Sorge." Catholic Historical Review, XLVII (July, 1961), 164-98.
- Helmreich, Ernst C. "Religious Education in Germany: I. The Weimar Republic and Hitler." Current History, XIX (September, 1950), 154-62.
- Hertzman, Lewis. "The Vatican and the Third Reich." Western Humanities Review, XX (winter, 1966), 25-33.

- Hill, Leonidas E. "The Wilhelmstrasse in the Nazi Era." Political Science Quarterly, LXXXII (December, 1967), 546-70.
- Kent, George O. "Pope Pius XII and Germany: Some Aspects of German-Vatican Relations, 1933-1943." American Historical Review, LXX (October, 1964), 59-78.
- Mason, John Brown. "The Concordat with the Third Reich." Catholic Historical Review, XX (April, 1934), 23-37.
- Mayer, Carl. "On the Intellectual Origin of National Socialism." Social Research, IX (May, 1942), 225-47.
- Morsey, Rudolf. "Hitlers Verhandlungen mit der Zentrumsführung am 31. Januar 1933." Vierteljahrshefte für Zeitgeschichte, IX (April, 1961), 182-94.
- O'Connor, Liam. "The Psychology of Persecution." Commonweal, XXXIV (September 5, 1941), 469-72.
- Poole, DeWitt C. "Light on Nazi Foreign Policy." Foreign Affairs, XXV (October, 1946), 130-54.
- Seabury, Paul. "Ribbentrop and the German Foreign Office." Political Science Quarterly, LXVI (December, 1951), 532-55.
- Watt, Donald C. "The German Diplomats and the Nazi Leaders, 1933-1939." Journal of Central European Affairs, XV (July, 1955), 148-60.
- Whiteside, Andrew G. "The Nature and Origins of National Socialism." Journal of Central European Affairs, XVII (April, 1957), 48-73.

Newspapers

New York Times.

The Times (London).

Unpublished Manuscripts

- Eriksen, John. "The Political Implications of Church Leadership Resistance to the National Socialist Party, 1930-1933." Unpublished Ph.D. dissertation, University of Minnesota, 1957.

Harrigan, William Millard. "German Relations with the Holy See, March 1937 to September 1939." Unpublished Ph.D. dissertation, University of Michigan, 1956.

Westermeyer, Harry Edward. "The Religious Policies of the Third Reich, 1933-1937." Unpublished Ph.D. dissertation, Stanford University, 1946.

APPENDIX

Concordat Between the Holy See and the German Reich

His Holiness Pope Pius XI and the President of the German Reich, moved by the common desire to consolidate and promote the friendly relations existing between the Holy See and the German Reich, and wishing to regulate lastingly, in a manner satisfying to both parties, the relations between the Catholic Church and the State for the entire territory of the German Reich, have decided to conclude a solemn agreement supplementing the concordats concluded with individual German States and also accuring for the remaining states a fundamentally uniform treatment of the questions to which it pertains.

For this purpose:

His Holiness Pope Pius XI has appointed as his Plenipotentiary His Eminence the Most Reverend Cardinal Eugenio Pacelli, his Secretary of State.

The President of the German Reich has appointed as Plenipotentiary the Vice Chancellor of the German Reich, Herr Franz von Papen.

Who, having exchanged their respective credentials and found them to be in good and proper form, have agreed on the following articles:

Article 1--The German Reich guarantees the freedom of the profession and public practice of the Catholic religion.

It recognizes the right of the Catholic Church, within the limits of the law that applies to all, to regulate and administer her own affairs independently, and, within the framework of her competence, to publish laws and ordinances binding on her members.

Article 2--The concordats concluded with Bavaria (1924), Prussia (1929), and Baden (1932) remain in force, and the rights and liberties of the Catholic Church recognized in them remain unchanged within the territories of the respective states. For the other states the agreements reached in the present Concordat apply in their entirety. The

latter are also binding for the three States named above in so far as they deal with matters not regulated by the State Concordats or supplement the regulations previously adopted.

In the future, the conclusion of concordats with individual States shall be effected only in accord with the Government of the Reich.

Article 3--In order to foster good relations between the Holy See and the German Reich, an Apostolic Nuncio will as heretofore reside in the capital of the German Reich and an Ambassador of the German Reich at the Holy See.

Article 4--In its relations and correspondence with the bishops, the clergy and other members of the Catholic Church in Germany, the Holy See enjoys full freedom. The same applies to the bishops and other diocesan officials in their relations with the faithful in all matters pertaining to their pastoral office.

Instructions, ordinances, pastoral letters, official diocesan gazettes, and other enactments regarding the spiritual guidance of the faithful issued by the ecclesiastical authorities within the framework of their competence (article 1, paragraph 2) may be published without hindrance and brought to the notice of the faithful in the forms hitherto usual.

Article 5--In the exercise of their spiritual activity the clergy, in the same manner as the officials of the State, enjoy the protection of the State. The latter will proceed in accordance with the general laws of the State against offences to their persons or their character as clergy, as well as against interference with the carrying out of their official duties; and in case of need will provide official protection.

Article 6--The clergy and members of Orders are exempt from the obligation of taking public offices and such duties as are incompatible, under the prescriptions of Canon Law, with the clerical status or membership in an Order. This applies particularly to the office of juror [Schöffen und Geschworenen], member of tax boards or of the finance courts.

Article 7--In order to accept employment or an office of the State, or with a corporation under public law dependent on the State, clergy must have the nihil obstat of their diocesan Ordinarius, as well as that of the Ordinarius of the seat of the corporation under public law. The nihil obstat may be revoked at any time for important reasons of ecclesiastical interest.

Article 8--The official income of the clergy is exempt from attachment, as are the official salaries of officials of the Reich and State.

Article 9--The clergy may not be required by judicial and other authorities to give information concerning facts that have been confided to them while exercising their pastoral duties and therefore come under the pastoral obligation to preserve secrecy.

Article 10--The wearing of the dress of the clergy or of the Orders by laymen, or by clergy or members of the Orders who have been legally forbidden by the competent ecclesiastical authorities to wear them, by order officially communicated to the authorities of the State, is subject to the same penalties by the State as the misuse of the military uniform.

Article 11--The present organization and demarcation of dioceses of the Catholic Church in the German Reich is to remain in force. Establishment of a new bishopric or province of the Church or other changes in the demarcation of the dioceses which may seem advisable in the future, in so far as new arrangements within the boundaries of a German Land are involved, remain subject to agreement with the competent Land Government. New arrangements or changes extending beyond the boundaries of a German Land require agreement with the Reich Government, to whom it is to be left to obtain the consent of the Länder Governments in question. The same applies to the establishment of new provinces of the Church or changes in existing provinces, in the event that several German Länder are concerned. The foregoing conditions do not apply to changes in ecclesiastical boundaries which are made solely in the interest of local pastoral work.

In the event of reorganization within the German Reich, the Reich Government will communicate with the Holy See for the purpose of changing the organization and demarcation of dioceses.

Article 12--Without prejudice to the provisions of article 11, ecclesiastical offices may be freely established and changed, provided expenditures of state funds are not required. Governmental cooperation in the establishment and alteration of parishes is to take place in accordance with principles agreed upon with which the diocesan bishops, and the Reich Government will try to influence the Länder Governments to make them as uniform as possible.

Article 13--Catholic parishes, parish and diocesan associations, Episcopal Sees, bishoprics and chapters, religious orders and congregations, as well as institutions, foundations, and property which are under the administration of ecclesiastical authority, shall retain or acquire legal competence in the civil domain according to the general prescriptions of the law of the State. They shall remain corporations under public law in so far

as they have been such hitherto; the others may be granted the same rights under the law that applies to all.

Article 14--In principle the Church has the right to make appointments freely to all Church offices and benefices without the participation of the State or the civil communities, in so far as other arrangements have not been made through the Concordats mentioned in article 2. With respect to the filling of Episcopal Sees, the regulation applying to the Metropolitan See of Freiburg (ecclesiastical province of Upper Rhine) shall be similarly applicable to the two suffragan bishoprics of Rottenburg and Mainz, as well as to the bishopric of Meissen. The same applies, in the two suffragan bishoprics named, to appointments to the Cathedral Chapter and the regulation of the right of patronage.

Furthermore, there is agreement on the following points:

1. Catholic clergy who hold an ecclesiastical office in Germany or who exercise pastoral or educational functions must:

- (a) be German citizens,
- (b) have obtained a diploma entitling them to study at a German higher institution of learning,
- (c) have finished at least 3 years of philosophical and theological study at a German state university, a German ecclesiastical academic institution or a pontifical institution of higher learning in Rome.

2. The bull for the nomination of archbishops, bishops, of a co-adjutor cum jure successionis, or of a praelatus nullius, will only then be drawn up after the name of the person selected has been communicated to the Reichsstatthalter in the appropriate Land, and after it has been confirmed that there are no objections of a general political nature against the person.

In case of the consent of Church and State, the requirements listed in paragraph 2, figure 7, (a), (b), and (c) may be waived.

Article 15--Orders and religious associations are subject to no special restrictions on the part of the State, with regard to their foundation, establishment, the number and--subject to article 15, paragraph 2--the characteristics of their members, their activity in pastoral work, in education, in nursing and charitable work, in the ordering of their affairs and the administration of their property.

Superiors of Orders who have their official residence in the German Reich must have German citizenship. Superiors of provinces and of Orders, whose residence is outside

the territory of the German Reich, have the right of visitation with respect to their establishments in Germany.

The Holy See will endeavor to ensure that the provincial organization is so arranged for the establishments of the Orders within the German Reich that the subordination of German establishments to foreign provincial Superiors is eliminated as much as is feasible. Exceptions to this may be permitted in agreement with the Reich Government particularly in cases where the small number of establishments makes the creation of a German province impracticable, or where there are special reasons why a provincial organization that has become historic and proved efficient should be retained.

Article 16--Before the bishops take possession of their dioceses they shall take an oath of allegiance either before the Reichsstatthalter of the appropriate province, or the Reich President as follows:

"I swear and promise before God and on the Holy Gospel, as befits a bishop, loyalty to the German Reich and to the province of I swear and promise to respect, and to have my clergy to respect, the constitutionally constituted government. In dutiful solicitude for the welfare and interest of the German State, I shall try, in the exercise of the spiritual office entrusted to me, to prevent any injury that might threaten it."

Article 17--The rights of ownership and other rights of the corporations under public law, institutions, foundations, and associations of the Catholic Church in their property are guaranteed according to the general laws of the State.

Buildings used for religious services may not be destroyed for any reason whatsoever without the previous agreement with the ecclesiastical authorities concerned.

Article 18--In case those payments to the Catholic Church by the State which are based on law, treaty, or special legal titles should be commuted, a friendly agreement will be reached in good time between the Holy See and the Reich before the working out of the principles to be laid down for the commutation.

Usage based on law is numbered among the special legal titles.

The commutation must accord to the party entitled to commutation appropriate compensation for the loss of previous government payments.

Article 19--Catholic theological faculties in State institutions of higher learning are to be retained. Their relation to the ecclesiastical authorities is to be based on the stipulations set forth in the pertinent Concordats

and the Supplementary Protocols appended to them, with due regard to the relevant ecclesiastical regulations. The Reich Government will interest itself in assuring a uniform practice, in accordance with all the pertinent regulations, for all Catholic faculties of Germany in question.

Article 20--The Church has the right, in so far as other agreements do not exist, to establish for the training of the clergy, philosophical, and theological institutions entirely dependent on the ecclesiastical authorities, provided no State subsidies are requested.

The establishment, direction, and administration of the seminaries for priests and as well as of the church-maintained hostels shall, within the limits of the law that applies to all, be left exclusively to the ecclesiastical authorities.

Article 21--Catholic religious instruction in the primary schools, vocational schools, secondary schools, and higher educational institutions is a regular subject of instruction and is to be taught in accordance with the principles of the Catholic Church. In religious instruction, special emphasis is to be placed on the inculcation of a patriotic, civic, and social sense of duty in the spirit of Christian religious and moral law, just as is done in all other instruction. The subject matter of instruction and the selection of textbooks for religious instruction are to be determined in agreement with the ecclesiastical authorities. The ecclesiastical authorities are to have an opportunity, together with the school authorities, to examine whether the students are receiving religious instruction in accordance with the tenets and requirements of the Church.

Article 22--In the appointment of Catholic teachers of religion, agreement is to be reached between the bishop and the Land Government. Teachers who have been declared by the bishop unsuited for further teaching of religion, because of their teachings or moral conduct, may not be employed as teachers of religion as long as this obstacle exists.

Article 23--The retention of Catholic denominational schools and the establishment of new ones, is guaranteed as heretofore. In all parishes in which parents or guardians request it, Catholic elementary schools shall be established, if, with due regard for local conditions of school organization, the number of pupils allows a regular school operation, in accordance with the standards prescribed by the State, to appear feasible.

Article 24--In all Catholic primary schools only such teachers are to be employed as belong to the Catholic

Church, and guarantee to fulfill the special requirements of the Catholic denominational school.

Within the framework of the general professional training of teachers, arrangements will be made which will secure the training of Catholic teachers in accordance with the special requirements of the Catholic denominational school.

Article 25--Orders and religious congregations are entitled to establish and conduct private schools, within the framework of the general laws and conditions fixed by law. These private schools confer the same rights as the State schools in so far as they meet the requirements in effect for the latter with respect to the curriculum.

With respect to the admission of members of Orders or religious associations to the teaching profession, and their appointment to elementary, secondary, or senior schools, the general requirements are applicable.

Article 26--Subject to more comprehensive regulation later on of questions of marriage law, it is agreed that in addition to the case of a critical illness of a betrothed person admitting of no delay, also in case of serious moral emergency, the existence of which must be confirmed by the appropriate episcopal authority, the consecration of the marriage by the Church may precede the civil wedding. The pastor is obliged in such cases to notify the Registry Office without delay.

Article 27--The German Reichswehr is granted an exempted pastoral care for the Catholic officers, officials, and enlisted men belonging to it, as well as for their families.

The Army Bishop is responsible for the direction of the military pastoral care. His ecclesiastical appointment is made by the Holy See after the latter has put itself in touch with the Reich Government in order to designate in agreement with it a suitable candidate.

The ecclesiastical appointment of the chaplains and other military clergy is made by the Army Bishop after prior agreement with the competent authorities of the Reich. The Army Bishop may appoint only such clergy as have received from their competent diocesan bishop permission to enter upon military pastoral work, and an appropriate certificate of qualification. The military clergy are to have pastoral rights with respect to the troops and members of the Army assigned to them.

More detailed regulations concerning the organization of the Catholic pastoral work in the Army are to be set forth in an Apostolic Brief. The regulation of the relationship as it applies to the Civil Service is to be done by the Government of the Reich.

Article 28--In hospitals, penal institutions, and other public establishments the Church is permitted to

make pastoral visits and hold divine services, subject to the general rules of these institutions. If regular pastoral care is established in such institutions, and if clergy must be engaged as State or other public officials for this purpose, this is to be done in agreement with the ecclesiastical authorities.

Article 29--In matters concerning the use of their mother tongue in divine services, religious instruction, and church organizations, the Catholic members of a non-German national minority residing within the German Reich will be placed in no less favorable a position than that which corresponds to the legal and actual position of individuals of German descent and language within the territory of the foreign state in question.

Article 30--On Sundays and religious holidays, a prayer is to be offered up for the welfare of the German Reich and nation in the Episcopal churches, chapels, and abbey churches of the German Reich following the main service, in accordance with the precepts of the Church liturgy.

Article 31--Those Catholic organizations and societies which serve exclusively religious, purely cultural and charitable purposes, and, as such, are subordinate to the ecclesiastical authorities, will be protected in their establishments and their activity.

Those Catholic organizations which, in addition to their religious, cultural and charitable purposes, also serve other purposes, such as social or professional interests, will without prejudice to a possible future inclusion in State associations, enjoy the protection of article 31, paragraph 1, provided they guarantee to carry on their activity outside any political party.

It is reserved to the Government of the Reich and the German Episcopate, to determine by joint agreement which organizations and associations come within the scope of this article.

In so far as the Reich and Länder have in their charge sports and other youth organizations, care will be taken that the members of the same are enabled regularly to perform their church duties on Sundays and holidays, and that they will not be required to do anything irreconcilable with their religious and moral convictions and obligations.

Article 32--On the basis of the special conditions existing in Germany, and in view of the guarantees created by the stipulations of this Concordat of legislation protecting the rights and freedoms of the Catholic Church in the Reich and its Länder, the Holy See will publish stipulations which exclude the clergy and

members of Orders from membership in political parties, and activity for such parties.

Article 33--The matters pertaining to ecclesiastical persons or ecclesiastical affairs, which have not been dealt with in the foregoing articles, will be regulated for the ecclesiastical sphere in accordance with applicable Canon Law.

Should any difference of opinion occur in future regarding the interpretation of application of a stipulation of this Concordat, the Holy See and the German Reich will effect a friendly solution by mutual agreement.

Article 34--This Concordat, whose German and Italian texts have equal force, is to be ratified, and the instruments of ratification are to be exchanged, as soon as possible. It enters into force on the day of their exchange.

In witness hereof, the Plenipotentiaries have signed this Concordat.

Signed in two original texts, in the Vatican City, July 20, 1933.

EUGENIO CARDINAL PACELLI
FRANZ VON PAPEN

Final Protocol

At the signing of the Concordat concluded today between the Holy See and the German Reich, the duly empowered Signatories made the following identical statements, which form an integral part of the Concordat itself.

To Article 3--The Apostolic Nuncio to the German Reich, in accordance with the exchange of notes between the Apostolic Nunciature in Berlin and the Foreign Ministry on March 11 and March 27, 1930, is Doyen of the Diplomatic Corps accredited there.

To Article 13--It is agreed that the right of the Church to levy taxes remains guaranteed.

To Article 14, paragraph 2, section 2--It is agreed that if objections of a general political nature exist, they will be put forward in the shortest possible time. If after 20 days no such statement has been made, the Holy See will be justified in assuming that there are no objections to the candidates. The name of the person in question will be kept in strict confidence until the announcement of the nomination.

This is not to establish the basis for the right of veto by the State.

To Article 17--Buildings or properties of the State devoted to purposes of the Church are to remain in use as before, subject to existing contracts.

To Article 19, paragraph 2--At the time of signature of this Concordat, the basis is provided especially by the Apostolic Constitution, Deus Scientiarum Dominus of May 24, 1931, and the Instruction of July 7, 1932.

To Article 20--The hostels under the direction of the Church in institutions of higher learning and gymnasias are to be regarded, with respect to the tax laws, as essential ecclesiastical institutions in the true sense of the word and as integral parts of the diocesan organization.

To Article 24--Existing institutions of the Orders and Congregations will also be given due consideration in the accordance of recognition [bei ihrer Zulassung], in so far as private institutions are in the position to meet the State requirements generally in effect after the reorganization of the system for the training of teachers.

To Article 26--A serious moral emergency exists when there are insuperable or disproportionately difficult obstacles impeding the procuring of documents necessary for the marriage at the time.

To Article 27, paragraph 1--Catholic officers, officials and enlisted men, as well as their families, do not belong to local parishes, and are not to contribute to their maintenance.

Paragraph 4--Issuance of the Apostolic Brief takes place after agreement has been reached with the Government of the Reich.

To Article 28--In urgent cases entry of the clergy is guaranteed at any time.

To Article 29--Since the Government of the Reich has indicated its readiness to be accommodating in the matter of non-German minorities, the Holy See declares that, in confirmation of the principles it has always upheld regarding the right to the use of the mother tongue in pastoral work, in religious instruction, and the conduct of Catholic societies, it will take into consideration when making arrangements for concordats with other countries in the future the inclusion of an equivalent provision protecting the rights of the German minorities.

To Article 31, paragraph 4--The principles established in article 31, paragraph 4, apply also to the Labor Service.

To Article 32--It is understood that similar regulations regarding activity in party politics will be introduced by the Reich with regard to the non-Catholic denominations.

The conduct which has been made obligatory for the clergy and members of Orders in Germany in virtue of

article 32 does not involve any sort of limitation of the preaching and interpretation of the dogmatic and moral teachings and principles of the Church in accordance with their duty.

At the Vatican City, July 20, 1933.

EUGENIO CARDINAL PACELLI
FRANZ VON PAPEN

Annex

(The High Contracting Parties Agree to Maintain
Secrecy Concerning the Annex)

In the event of a reorganization of the present German military system by the introduction of general military service, the induction of priests and other members of the secular and regular clergy for the performance of military service will be regulated in agreement with the Holy See, in accordance with the following basic principles:

(a) The students of philosophy and theology who are in Church institutions preparing for the priesthood are exempt from military service and the related preparatory training, except in the event of general mobilization.

(b) In the event of general mobilization, the clergy who are engaged in diocesan administration or in pastoral work are exempt from reporting for service. This applies to the bishops, the members of the diocesan courts, principals of seminaries and ecclesiastical hostels, professors in seminaries, the parish priests, curates, rectors, coadjutors, and the clergy who permanently preside over a church of public worship.

(c) The other clergy, in case they are declared fit, enter the armed forces of the State in order, under the ecclesiastical jurisdiction of the Army Bishop, to devote themselves to pastoral work with the troops, unless they are inducted into the medical service.

(d) The remaining clerics in sacris or in the Orders, who are not yet priests, are to be assigned to the medical service. The same is to be done, so far as possible with the candidates for the office of priest mentioned under (a), who have not yet taken the higher Orders.

At the Vatican City, July 20, 1933.

EUGENIO CARDINAL PACELLI
FRANZ VON PAPEN