

Fact Sheet

1. Trial Name: Crown vs. Pope Pius XII

2. Trial Date: Thursday, January 17, 2008

3. a) Your Name: Ruba Khan

b) Prosecution Lawyers: Vivian & Meagan

c) Defense Lawyers: Ruba & Angela

4. Your Opening Statement

- *“Your Honour, members of the jury, my name is Ruba Khan and I am representing the Defendant in this case.*
- *I intend to prove that Pope Pius XII is innocent of the charge, failure to uphold the Vatican’s declaration of neutrality.*
- *These are the facts of the case:
The Roman Catholic Church derives its authority from the traditions of the Fathers of the Catholic church, the pronouncements of the Pope and the Bible. However, at times where the Bible and Catholic dogma, referring to tradition, clash, tradition takes precedence¹. Cardinal Eugenio Pacelli began his papacy March 2, 1939. According to a firm belief of the Roman Catholic Church, the Pope is the 'supreme ruler of the world'; superior to all kings, prime ministers and presidents². The pope has papal infallibility which means the church allows the office of the pope to be the ruling agent in deciding what will be accepted as formal beliefs in the church. During the Holocaust the Vatican declared neutrality and in respect to this, Pope Pius denied at many times to make public statements denouncing the Holocaust. In December 1942 the Pope gave reason to his lack of public awareness and it was because he could not condemn the Holocaust without including the Communists as well so he had to condemn them generally. However, privately Pope Pius XII did instruct Catholic institutions to take in Jews, the Vatican itself had 477 Jews and another 4 238 Jews were protected in Roman monasteries and convents.³ He is innocent because though he tried to remain neutral for the sake of the Vatican he had still done what was right. If he saved so many Jewish lives was it not justified in going against the declaration of neutrality?*
- *Today you will be presented with evidence and will hear testimony from my witness, Adolph Hitler which will leave no doubt in your mind of the innocence of the defendant.*
- *Please find the defendant, not guilty.*

5. Your Charge

- Failure to uphold the Vatican’s declaration of neutrality

¹ Schroeder, John. The Fallacy of Catholicism's Papacy. 9 Aug. 2003. 16 Jan. 2008
<<http://www.contenderministries.org/Catholicism/papalfallacy.php>>.

² Armstrong, Mark. The Power of the Pope. 2005. 16 Jan. 2008
<http://www.garnertedarmstrong.ws/Mark_Wordfroms/manews0033.shtml>.

³ Schoenberg, Shira. Pope Pius XII and the Holocaust. 2008. 16 Jan. 2008
<<http://www.jewishvirtuallibrary.org/jsourc/anti-semitism/pius.html>>.

6. Arguments / Evidence disproving the charge:

- Vatican also breached the declaration of neutrality because the Vatican itself had 477 Jews and another 4 238 Jews were protected in Roman monasteries and convents⁴
- As well On September 8, 1943, the Nazis invaded Italy and, suddenly, the Vatican was the local authority. The Nazis gave the Jews 36 hours to come up with 50 kilograms of gold or else the Nazis would take 300 hostages. The Vatican was willing to loan 15 kilos⁵
- The pope saved hundreds of thousands of lives privately but it was justified because of the good it caused
- Hitler left Pope Pius XII no choice but to stay neutral as he feared for his people and the Catholics in Germany
- In his public statements he never named names or specifics, therefore had not breached neutrality
- The Vatican apologized on April 8, 1998 for their declaration of neutrality and praised Pope Pius XII for all his efforts that saved lives⁶
- "He was through and through a diplomat, but that simply didn't work when confronted with the Nazi machinery," Eva Fleischner, a Catholic on the six-member committee, said of Pius XII at a news conference here today. But, she noted, "so many other world leaders failed as much as the pope."⁷

7. a) Your Witness: Hitler played by Evan

b) Information / Arguments/ Evidence / Questions for witness

- The Vatican's secretary of state, Cardinal Eugenio Pacelli, who was to soon become the future Pope Pius XII, and Germany's vice chancellor, Franz von Papen, formally signed a concordat between the Holy See and the German Reich on July 20, 1933.⁸
How did you Adolf Hitler interpret this?
I interpreted it as meaning that I had won the church's approval, thereby gaining international recognition of my Nazi regime.
- If Pope Pius XII had not signed the Concordat what would have resulted in Germany?
It would have the possibility of exterminating Catholicism in Germany altogether
- What is your faith?
I am Catholic
- And as a Catholic, if the Pope was to say anything against your cause or beliefs would you see it as an attack to your religiousness?
I would

⁴ A Catholic Response. Pope Pius XII and the Holocaust. 18 Apr. 2004. 16 Jan. 2008
<<http://users.binary.net/polycarp/piusxii.html>>.

⁵ Schoenberg, Shira. Pope Pius XII and the Holocaust. 2008. 16 Jan. 2008
<<http://www.jewishvirtuallibrary.org/jsourc/anti-semitism/pius.html>>.

⁶ BBC News. Vatican Apologises over Holocaust. 16 Mar. 1998. 16 Jan. 2008
<<http://news.bbc.co.uk/1/hi/world/europe/65889.stm>>.

⁷ PBS. Papal Apology. 1996-2008. 16 Jan. 2008 <http://www.pbs.org/newshour/bb/religion/jan-june98/vatican_4-8.html>.

⁸ Schoenberg, Shira. Pope Pius XII and the Holocaust. 2008. 16 Jan. 2008
<<http://www.jewishvirtuallibrary.org/jsourc/anti-semitism/pius.html>>.

- Just as you would see it as an attack to your faithfulness to Catholicism, would then the other 22 000 000 Catholic followers of yours in Germany also see this as an attack to their faithfulness?⁹

That would certainly be the case as many of my Nazi followers were Catholics

- Would you please read this quote? ("The Pope set the rules of discourse. He said from the beginning that he was not going to name names, and as far as criticism was concerned, he did not. He did name some names when he mentioned victims and praised those who helped the Holy See.")¹⁰ Because he had not named names or given specifics in public statements would he then have remained neutral?

Yes

- Did you ever feel as if the Pope in any of his public displays targeted you or your cause?

No as he was general in his statements

- Is it then fair to say he remained neutral out of fear, that the Nazis would invade Italy? Which they had done On September 8, 1943 which suddenly made the Vatican the local authority.

Well seeing as how it did happen, it would only be natural for the pope to fear the worst and therefore he remain silenced.

- What had happened during the invasion?

Well several deportations of Roman Jews were occurring.

- Can you specify?

On an occasion the Nazis gave the Jews 36 hours to come up with 50 kilograms of gold or else the Nazis would take 300 Romanian Jews hostages.

- What had Pope Pius XII done about this?

Well actually it was not only the pope but the Vatican as well that was willing to loan 15 kilos

- Does this mean that the Vatican had also gone against their own declaration of neutrality?

I believe so

- And so does this mean that the Pope was not the only one who went against the declaration of neutrality?

Yes

- Thus this would mean that this charge is flawed because the Vatican that declared neutrality had gone against it and thus the pope should not be held accountable for doing the same thing.

- Did you leave Pope Pius XII any other choice?

I would say he feared me enough, with all the power I professed, to openly condemn anything I did and of course I used this to my advantage. Therefore I do not feel he was given much of a choice because of this.

- Were you a larger threat to him than the Soviet Union?

Yes, I think that is why he probably condemned communism and not the holocaust

⁹ A Catholic Response. [Pope Pius XII and the Holocaust](http://users.binary.net/polycarp/piusxii.html). 18 Apr. 2004. 16 Jan. 2008
<<http://users.binary.net/polycarp/piusxii.html>>.

¹⁰ José M. Sánchez, Pius XII and the Holocaust: Understanding the Controversy. (United States of America: The Catholic University of America Press) 48

- Had you known that Pope Pius was secretly saving some Jews would you consider him an enemy?
Yes of course, Catholicism would suffer as it would lose its influence in Germany.

8. a) Cross Examination of witness for opposition: Rev. Gerald Fogarty played by Jocelyn

b) Information / Arguments/ Evidence / Questions for witness

- What makes you an expert on Pope Pius XII?
- Are you not a catholic and a Jesuit, so then how were you open-minded in your studies?
- So then is it true that you took part in this study? (The panel, the International Catholic-Jewish Commission, was formed 11 months ago during the year 2000 by the Vatican and Jewish groups to sort out accusations that Pius XII did not speak out forcefully enough against the Holocaust. The Vatican has allowed scholars to examine archival material only up to 1922, saying more recent papers have yet to be properly classified. But because of the intense interest in World War II, the Vatican began selecting materials it deemed relevant, and those were published in 11 volumes between 1965 and 1981.)¹¹
- Did you feel that the study was successful?
- Really, then can you explain this? (A July 24th *Catholic News Service* article by Cindy Wooden quotes Historical Commission member Dr. Gerald Fogarty, a Catholic and a Jesuit, as observing, "There were two different sets of expectations and two different agendas from the very beginning, and they finally clashed." Some of the scholars saw the study as the best way to press for open access to the archives, which, as a historian is a principle with which Dr. Fogarty agrees. "But I thought we went far too fast in focusing on the questions [that required further archival material], when we should have been interacting, then going back and in detail reading the volumes that we had not read," Dr. Fogarty is quoted as saying. "It is a fact, we could not work together with some people wanting greater access and others saying we can do more work [on the published materials]; there was no point in saying we could work together as a group.")¹²
- So it would appear that your study here of the Pope does not have enough evidence to properly accuse Pope Pius XII, correct?
- However, since the purpose of the study was to investigate why he had not done more for the Jews, are you then saying he was publicly neutral?
- And with all that he had done privately to save the Jews, do you agree it is justified in breaking the Vatican's declaration of neutrality?
- The pope may have hated communism but doesn't that mean he hated the government and not the people?

9. Examination of Historical Figure: Information / Arguments / Evidence / Questions for Pope Pius XII

- You had publicly remained neutral in your statements, correct?
Well, yes I had not said anything directly
- However privately you saved many lives instructing Catholic institutions to take in Jews, why the secrecy?

¹¹ PBS. Papal Apology. 1996-2008. 16 Jan. 2008 <http://www.pbs.org/newshour/bb/religion/jan-june98/vatican_4-8.html>.

¹² STANLEY, ALESSANDRA. Jewish and Catholic Scholars Seek Pius XII's Files. 27 Oct. 2000. 17 Jan. 2008 <<http://query.nytimes.com/gst/fullpage.html?res=9A01E0D61131F934A15753C1A9669C8B63>>.

Because I feared it would have little helpful effect and would worsen conditions for Catholics as well as Jews, in both Germany and other countries occupied by Nazi forces of command.

- The Vatican itself had saved 477 Jews so does this show that the declaration of neutrality was breached by the Vatican itself and not just you?
Yes
- Can you justify your failure to uphold the declaration of neutrality?
Yes because the Vatican had also breached the declaration of neutrality and it had saved lives thus it was justified.
- Finally, the Vatican had made a papal apology on April 8, 1998. Does this mean they are admitting to making a mistake in declaring neutrality?
Yes it would appear the Vatican was realizing a mistake.
- And how do you feel about this?
Well, I know feel that it was of course truly justified that I tried to help the Jews during the Holocaust and I only wish I was able to do more to help them.

10. Closing Statement

Your honour and members of the jury, The prosecution has charged Pope Pius XII for failing to uphold the declaration of neutrality, But, I ask you, if you were faced with this dilemma where you could privately save many lives or follow a declaration that prohibited you from doing so, then would you not also choose to save lives? What kind of person would stand back and do nothing? How can the prosecution charge a man who never publicly targeted the Nazis but did all he could behind the scenes to save Jewish lives? Pope Pius is a saint he had saved hundreds of thousands of Jews despite the pressures he received from Hitler during the Holocaust. For this he should be applauded and not scolded. As well keep in mind that the Vatican at times had also breached their declaration of neutrality when keeping 477 Jews from harms-way. And then during the Invasion of Italy they offered 15 kilos of gold when the Nazi's demanded 50 kilograms from the Jews. These examples clearly show they had at times helped the Jews and had therefore not remained neutral either. As well he had not suffered as much of a threat from the Soviet Union so there evils he was able to condemn, he faced too much pressure from Hitler to speak out publicly. Therefore, the defendant is innocent. Please provide justice to this great man, find Pope Pius XII innocent.

11. Works Cited List

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