

Thomas Brechenmacher (Hrsg.):
Das Reichskonkordat 1933.
Forschungsstand, Kontroversen, Dokumente,
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The present volume originated in a *Giornate di Studi* organized by the publisher at the German Historical Institute in Rome on 17 June 2004. Under the title »The End of Political Catholicism in Germany in 1933 and the Holy See: Enabling Law, Reich Concordat and Dissolution of the Center Party,« the participants were called upon to debate the »state of research, scholarly perspectives, and new sources 25 years after the Scholder-Reppen controversy.«¹ The immediate catalyst for reexamining these questions of the Center Party's demise and the beginnings of the Reich Concordat, questions that had long been quiescent, was the opening of files pertaining to Germany from the papacy of Pius XI (1922–1939) by the Vatican Secret Archive in February 2003. An important collection of sources from one of the main historical actors, The Holy See – to which only selected individuals had previously been given access – was now open to the wider scholarly community. That alone would have been reason enough to ask both established and younger scholars of recent church history whether they expected the newly opened Vatican files to shed new light on the »question of the Reich Concordat« or had perhaps already gained new understanding as a result of their work with these sources. The fact that around the same time other important archives and collections were made accessible, or were being prepared for opening, provided further impetus for a scholarly »stock-taking.« In late 2002, the archive of the Archdiocese of Munich and Freising made available the papers of Archbishop Michael Cardinal Faulhaber. In the fall of 2003, a scholarly commission began preparing the papers of Bishop Alois Hudal, Rector of the German National Church in Rome, the institute Santa Maria dell'Anima, for opening. Parallel to the *apertura* of the Vatican Secret Archive's holdings pertaining to Germany, the archive of the Roman Congregation of the Faithful also opened important collections of files from the years 1922 to 1939.

The partial opening of the Vatican archive for the period of Pius's XI papacy (1922–1939) in February 2003 was an eagerly awaited event and not only by historians. The broader public, to be sure, sometimes harbored expectations of these holdings' presumed content that

¹ Cf. also Thomas Brechenmacher, »Das Ende des politischen Katholizismus in Deutschland 1933 und der Heilige Stuhl«, *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 84 (2004): 525–530 (conference report).

were simply unrealistic. Professional historians, by contrast, are generally averse toward any form of sensationalism. They are interested only in concrete findings that will help provide eventual answers to controversial questions about the relationship between the Catholic Church and Nazi Germany. Yet even within the historical profession, a sobering effect took hold relatively soon after the opening of the archive. Sensations, even »small sensations,« were nowhere to be found. Instead, a hodge-podge of individual mosaic pieces waited to be taken away and examined. Certainly, these individual pieces help bring the larger mosaic into sharper focus. Long-known and unknown information can be newly mixed. Deadlocked or discontinued debates can receive fresh impulses, and, in the best case, can lead to a refined understanding. That this was indeed possible was shown by the *Giornata di studi* in its treatment of one important episode in the history of the confrontation between the Catholic Church and National Socialism.

Even though the partial opening of the Vatican Archive in 2003 did not fulfill every expectation, it did constitute – 70 years after the events in question – an important caesura. Along with the other newly opened sources, it encouraged not so much a rehashing of old debates. Rather, it made it possible to take them up anew and, in so doing, discover if church historians had become any wiser through these newly available records and to what extent they could discover new aspects to established historical questions.

Initial research efforts in the above-named collections quickly demonstrated that broad interpretations for the entire period between 1933 and 1939 could barely be revised or if so, not any time soon. Overly hasty publications that pointed in a revisionist direction encountered resolute criticism.² In order to develop a well-grounded »big picture« that drew on the full breadth and depth of the new sources, scholars would clearly have to build on comparative case studies on a plethora of individual themes that – relying on those previously available sources – were by no means poorly researched. These ranged from the concordats with individual federal states to the elections of bishops; from the Holy See's policies toward Nazi Germany following the Reich Concordat to the foreign-currency and morality trials involving priests and members of Catholic orders, to the Papal Encyclical »With burning concern«; from school and associational policies to the Church's position toward those groups persecuted under National Socialism – to name only a few major themes. The reports of

² Giovanni Sale, *la Santa Sede e gli Ebrei* (Milan, 2004); Peter Godman, *Der Vatikan und Hitler: Die geheimen Archive* (Munich, 2004); cf. Rudolf Lill, »Als Nuntius beim Teufel: Eine unzureichende Dokumentation über Hitler, den Heiligen Stuhl und die Juden«, *Frankfurter Allgemeine Zeitung*, 10 August 2004 (on Sale), Karl-Joseph Hummel, »Überraschung im Anhang: Der Vatikan und das ›Dritte Reich‹ aus neuseeländischer Sicht« (on Godman); Thomas Brechenmacher, »Versuch und Irrtum: Klare Botschaften über die Nationalsozialisten; Die Geschichte des päpstlichen Nuntius Cesare Orsenigo muß neu geschrieben werden«, *Frankfurter Allgemeine Zeitung*, 27 May 2004 (on Sale).

Cesare Orsenigo, the papal nuncio in Germany, which seamlessly cover and comment on the period of Nazi rule, will also have to be thoroughly examined. This source has been studied in individual parts but never in its entirety.

If only to avoid arbitrariness and fragmentation when confronting this multiplicity of themes, it seemed appropriate to have an initial colloquium focus on a narrow part of the heterogeneous whole. Where better to begin than with the initial collision of the Catholic Church and Nazi rulers in 1933? During those months – from Hitler’s policy declaration on 23 March to the conclusion of the Reich Concordat between the Holy See and the German Reich on 20 July – the course was set, a course whose meaning is hotly debated within the historical profession.

»The end of political Catholicism in Germany in 1933 and the Holy See: Enabling Act, Reich Concordat and Dissolution of the Center Party« addressed the controversy of the late 1970s between Konrad Repgen and Klaus Scholder. In the years since then, debate over the core issue of that controversy had quieted considerably, in part because of lacking new sources. To juxtapose the competing positions of the day: Was the Reich Concordat an act of cooperation between Catholic politicians and those who saw themselves as Catholic politicians – first and foremost Ludwig Kaas and Vice Chancellor Franz von Papen – on the one hand, and the Nazi rulers on the other, that entailed a conscious abandonment of democracy – through political Catholicism’s consent to the Enabling Act – and »self-decapitation« of the Center Party, as Scholder argued? Or, as Repgen countered, was the Reich Concordat of 20 July 1933 the fundament, based in international law, from which the Catholic Church attempted to offer resistance to the Nazi dictatorship?

Upon closer examination, the Scholder-Repgen debate appears as a didactic case study of historical method and hermeneutics. Is it acceptable to declare a more or less probable, or even just possible, chain of indicators as historical truth when the source that would decisively prove that hypothesis is missing, as Konrad Repgen accused Klaus Scholder of doing? Or must we satisfy ourselves with the little that a source-based positivism will – just barely – allow when the available sources cannot shed adequate light into the dark recesses of historical knowledge, a posture that Scholder attributed to Repgen?

Historical hermeneutics were endeavored on occasion at the *Giornata di studi* as well. Fortunately, no one attempted a renewed debate over the possibility or probability of secret agreements between individual actors in the run-up to the concordat proposal that Papen delivered to Rome. Instead, conference participants welcomed the call to approach the issue of the Reich Concordat with a view to the background of guidelines and limited maneuver

room by and within which the Holy See confronted Nazi Germany in 1933. Historians who were involved in the earlier debate, as well as some who have worked or are currently working with the newly opened archives, committed themselves to that endeavor, something that will also facilitate a dialogue between different generations of historians.

Unfortunately, the two leading figures of the former controversy could not both be present in Rome: the Protestant Tübingen church historian Klaus Scholder died on 10 April 1985. Scholders's student Gerhard Besier, who continued Scholders's opus magnum *Die Kirchen und das Dritte Reich* (The Churches and the Third Reich), did attend, however.³ Besier commented critically on the paper by Konrad Repgen (Bonn), which – relying partly on autobiographical reminiscences – examined the personality of the Jesuit priest Robert Leiber and the key role this close adviser to Pacelli played in the story of the Reich Concordat. All the more regrettable that Gerhard Besier considered himself unable, despite repeated entreaties from various sides, to prepare a written version of his own *Giornata* presentation for publication in this volume. Of course, in his extensive recent publications on the subject Besier no longer expressly defends Scholders's central »package hypothesis« (Junktim-Hypothese; i. e. the Reich Concordat in exchange for the Enabling Act and dissolution of the Center Party). Instead, he reviews the various historiographical positions before coming to the rather conventional conclusion »that it was a tangle of causes and motives that in the end induced the Center Party parliamentarians to vote unanimously for the ›Enabling Act.«⁴ Besier does not provide a comprehensive explanation for the evolution of the Reich Concordat in late March-early April 1933. Although he voices several conjectures, in the end he leaves the question open and even downplays its importance. »Despite the ›still unresolved discussion« of whether the Reich Concordat was already the subject of negotiations on 23 March or only from 8 April on, there can be no doubt about the determination of Kaas and Pacelli that they [...] wanted to secure church rights through this kind of contractual agreement.«⁵ Besier's position at the *Giornata*⁶ accorded with that viewpoint; the manuscript of his book, nearly completed in June 2004, almost certainly served as his point of departure.⁷

³ Gerhard Besier, *Die Kirchen und das Dritte Reich: Spaltungen und Abwehrkämpfe 1934–1937* (Berlin and Munich, 2001).

⁴ Gerhard Besier and Francesca Piombo, *Der Heilige Stuhl und Hitler-Deutschland: Die Faszination des Totalitären* (Munich, 2004), 180.

⁵ *Ibid.*, 191.

⁶ Cf. conference report (as in note 1), 528.

⁷ As to the rest of his commentary on Repgen's paper, Besier soon left the path of detailed inquiry into the origins of the Reich Concordat. Instead, he introduced the question of a moral assessment of the Catholic Church's policy into the discussion, a question posed again and again above all in the English-speaking countries. Besier returned to this theme in his two contributions to the discussion that followed the first round of presentations. Continuing, Besier posed the question of why the Holy See never annulled the Reich

The first block of panels at the *Giornata* did not yet directly address the new sources, focusing instead on the current state of scholarship and the prospects for further research. Before the presentations by Repgen and Besier, the opening paper by Carsten Kretschmann (Stuttgart) refreshed memories of the substance, the interpretations, and the arguments of the Scholder-Reppen Debate. The two papers that followed Repgen and Besier, by Rudolf Morsey (Neustadt and Speyer) and Georg Denzler (Munich and Bamberg) illuminated the issue of the Concordat from the German perspective, examined the demise of the Center Party and the role of Vice-Chancellor Franz von Papen, and reviewed – in part through autobiographical reminiscences – the beginnings of Catholic contemporary historical studies in the 1950s and 1960s.

The second block of panels at the *Giornata* was entirely devoted to the newly open sources. Peter Pfister and Susanne Kornacker, both from the Archive of the Archdiocese of Munich and Freising, provided an introduction to the holdings of the Faulhaber Archive in Munich, with an emphasis on those documents relevant to the issue of the Concordat. Karl-Joseph Hummel (Bonn) offered a first glimpse into the newly accessible archive of Alois Hudal, Rector of Santa Maria dell'Anima in Rome. Pacelli's concordat policy occupied the audience once more as Antonius Hamers (Münster and Rome) reconstructed – on the basis of new sources from the Vatican Secret Archive – the failed efforts to achieve concordats with the German states Württemberg and Hesse. The closing presentation by Thomas Brechenmacher (Munich and Rome) attempted to assess the testimonial authority of the Vatican sources on the issue of the Reich Concordat and, finally, to bring together some of the individual threads spun during the course of the day.

Since June 2004, two and a half years have passed. During that time, the contributions prepared for the conference have naturally been revised and brought up to the latest standard, ready for publication. As always when publication is somewhat protracted, there were good and comprehensible reasons for the delay. In the present case, however, delay turned out to be not only a reason for complaint. In September 2006, the Vatican Secret Archive opened all Pius's XI files and thereby consummated the *apertura* that had begun in 2003 with the opening of the »German« files. This development provided the welcome opportunity to search for clues about the origins of the Reich Concordat in those files that had not yet been open to the public at the time of the *Giornata* (see the article by Brechenmacher). Finally, in

Concordat. In the further discussions that day, Besier continued to abstain from a renewed defense of Scholders's theses. Sound recordings from the *Giornata* exist only for the discussion rounds; the presentations themselves were not recorded, in the assumption that the presenters would submit copies of their papers. Copies of the recorded discussions are located in the archive of the German Historical Institute in Rome and in the archive of the Kommission für Zeitgeschichte in Bonn.

October 2006, in the context of an international symposium held on its grounds, the papal institute Santa Maria dell'Anima offered a first glimpse into the papers of Rector Alois Hudal (see the contribution by Hummel).

A further stroke of luck occurred when Günter Buttman, son of *Ministerialdirektor* Rudolf Buttman, approached the Commission for Contemporary History (Kommission für Zeitgeschichte) in Bonn with previously unpublished documents on the subject of the Reich Concordat from his deceased father's papers. Rudolf Buttman was the state civil servant who between July 1933 and June 1935 led negotiations in all cases concerning the enactment of the Concordat. The Commission eagerly accepted Günter Buttman's offer. One could hardly find a more suitable place to publish these documents than the present volume on the Reich Concordat. Together with Rudolf Buttman's notes, previously published elsewhere, the 29 documents reproduced here – they have been used before by Ernst Deuerlein, Ludwig Volk and Klaus Scholder, who had access to Buttman's personal papers, but never comprehensively cited – form a complete, previously unpublished chain of sources on the history of the Reich Concordat.