

SOVIET DISINFORMATION AND THE CAMPAIGN AGAINST THE CATHOLIC CHURCH

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ABSTRACT

The Cold War, a conflict often perceived through the lens of nuclear arsenals and ideological standoffs, was equally characterized by psychological operations and sophisticated information warfare. The Soviet Union, in its quest to assert ideological supremacy, recognized that discrediting the moral foundations of its adversaries would help it secure long-term geopolitical influence. Among the Soviets' most potent and enduring strategies was the dissemination of disinformation—false or misleading narratives designed to manipulate public perception and sow discord among its enemies. One of the most egregious examples of this tactic was the effort to discredit leaders of the Roman Catholic Church as collaborators with Nazi Germany.

This smear campaign, meticulously orchestrated by Soviet-bloc intelligence agencies, sought not merely to tarnish the reputation of individual religious leaders but to undermine the credibility of the entire Roman Catholic Church and ultimately, religion itself. Though initially rejected, the narrative was disseminated through forged documents, sympathetic media, and cultural propaganda until it gained significant traction in the West. It continues to influence perceptions to this day.

This paper explores the ideological motivations behind the Soviet attack on the Church, the mechanics of the disinformation campaign, and the responses the attack provoked among scholars, religious figures, and historians. In so doing, it aims to reveal the broader implications of such propaganda efforts on the historical record and on the relationship between religion and political ideology, particularly during the Cold War.

INTRODUCTION

The ideological struggle between communism and religion was intrinsic to the Cold War. The Soviet Union, built upon Marxist-Leninist atheism, regarded organized religion as an opiate that hindered revolutionary consciousness and maintained bourgeois oppression. Its hostility was

particularly acute toward the Catholic Church, which stood as a global institution wielding significant moral and political influence. Under the leadership of Pope Pius XII, the Vatican maintained a firm stance against communism, issuing encyclicals that condemned the atheistic tenets of Marxist ideology and excommunicating Catholic supporters of communist movements.¹

The Church's influence was significant in Central and Eastern Europe, where it served as a symbol of cultural identity and spiritual resistance to the Nazi and Soviet aggression. In Poland, Hungary, and Yugoslavia, Catholic hierarchy provided moral support to dissidents and maintained clandestine networks of communication and aid. To neutralize this opposition, the Soviet Union embarked on an aggressive campaign to infiltrate, co-opt, and ultimately delegitimize the Church. This included the arrest and show trials of prominent clergy, the creation of state-controlled religious organizations, and the deployment of intelligence agents to manipulate ecclesiastical affairs.²

Unlike political opponents, the Vatican could not easily be discredited with conventional propaganda. Its historical continuity, spiritual message, and global constituency necessitated a more insidious approach, one that attacked the Church's credibility by rewriting its role in one of history's darkest chapters: the Second World War.

By associating the papacy with Nazism, Soviet disinformation operatives hoped to both discredit the Church among its followers and to cast doubt on

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1. See Pope Pius XI, *Quadragesimo Anno* [Encyclical Letter on Reconstruction of the Social Order] ¶ 112 (1931) (objecting to communism's professed opposition to religion and its threat to the Church); Pius XI, *Divini Redemptoris* [Encyclical Letter on Atheistic Communism] ¶ 14 (1937) (rejecting atheistic communism as "a system full of errors and sophisms" as opposed to a humane society). In 1949, Pope Pius XII's Congregation of the Holy Office issued a decree that those "who 'defend and spread the materialistic and anti-Christian doctrine of the Communists' would incur major excommunication." It also directed "clergy throughout the world to bar from the sacraments those who 'knowingly and freely' enlist in or support the Communist party and read, or write in any kind of publication in support of Communist doctrine or activity." Camille M. Cianfarra, *Decree of Vatican Puts a Strict Ban Upon Communism; Excommunication is Declared of Roman Catholics Who Aid Red Doctrine or Activity*, N.Y. TIMES, July 14, 1949.

2. As explained by General Ion Mihai Pacepa, who served as head of Romania's foreign intelligence service before seeking asylum in the United States, the Soviet bloc's strategy was not limited to surveillance and repression; it actively involved the construction of false narratives designed to reshape historical memory and undermine institutional legitimacy. As such, the well-known campaign against Pope Pius XII was not an isolated effort but a keystone in a broader architecture of ideological warfare. See ION MIHAI PACEPA & RONALD J. RYCHLAK, *DISINFORMATION: FORMER SPY CHIEF REVEALS SECRET STRATEGIES FOR UNDERMINING FREEDOM, ATTACKING RELIGION, AND PROMOTING TERRORISM* (2013).

the moral clarity of Western resistance to totalitarianism. This campaign was waged with a level of sophistication and attention to detail that belied its false basis, leaving a lasting imprint on historical scholarship and public consciousness.

I. COMMUNISM AND THE CATHOLIC CHURCH

The war between Communism and the Catholic Church is almost as old as Communism itself. After World War II, as the Soviet Union spread its communistic doctrine into new territories, the battle became even more fierce. On June 3, 1945, Radio Moscow announced that the leader of the Catholic Church, Pope Pius XII, had been “Hitler’s Pope.”³ Of course, this insinuation fell flat. Just the day before, on June 2, 1945, in an allocution to the Sacred College which was broadcast on Vatican Radio, Pius XII spoke of the “satanic specter of Nazism.” He noted that his predecessor, Pope Pius XI, called it: “the arrogant apostasy from Jesus Christ, the denial of His doctrine and of His work of redemption, the cult of violence, the idolatry of race and blood, the overthrow of human liberty and dignity.”⁴ Pius XII also pointed to the death of about 2,000 Catholic priests at Dachau.

Radio Moscow’s insinuation attracted no attention whatsoever in the West, because the pope’s heroic support of the Allies and generous aid to the Jews during World War II was still fresh in people’s minds. They knew this pope and had heard what other world leaders said about him.

On August 3, 1944, President Franklin D. Roosevelt wrote to the pontiff, “I should like . . . to take this occasion to express to His Holiness my deeply-felt appreciation of the frequent action which the Holy See has taken . . . to render assistance to the victims of racial and religious persecutions.”⁵ On September 6, 1944, following a meeting with the pontiff, Winston Churchill announced, “I have spoken today to the greatest man of our time.”⁶ Albert

3. GIOVANNI SALE, *IL NOVECENTO TRA GENOCIDI, PAURE E SPERANZE* [THE TWENTIETH CENTURY AMID GENOCIDE, FEAR, AND HOPE] 214 (Jaca Book Spa, 2006); George Weigel, *All War, All the Time*, FIRST THINGS (Apr. 1, 2011), <https://firstthings.com/all-war-all-the-time/> (on file with the Ave Maria Law Review).

4. See Douglas Woodruff, *The Catholic Church and the Third Reich: Pope Pius XII Surveys an Heroic History*, THE TABLET (London), June 9, 1945 (publishing the full English translation of the speech as broadcast on *Vatican Radio*).

5. MYRON C. TAYLOR, *WARTIME CORRESPONDENCE BETWEEN PRESIDENT ROOSEVELT AND POPE PIUS XII* 113 (1947).

6. ANTON J. GAHLINGER, *I SERVED THE POPE* 6 (1952); see *Churchill Talks with Pope On Peace; Vatican Quarters Gratified at Outcome Said to Promise a Profound Effect on Terms*, N.Y. TIMES, Aug. 26, 1944.

Einstein wrote: “Only the Church stood squarely across the path of Hitler’s campaign for suppressing truth. I never had any special interest in the Church before, but now I feel a great affection and admiration because the Church alone has had the courage and persistence to stand for intellectual truth and moral freedom.”⁷ The secular magazine *Wisdom* editorialized: “Of all the great figures of our time, none is more universally respected by men of all faiths than Pope Pius XII.”⁸

The 1943–1944 *American Jewish Yearbook* reported that Pius XII “took an unequivocal stand against the oppression of Jews throughout Europe.”⁹ Dr. Raffael Cantoni, the head of the Italian Jewish Assistance Committee, reported: “The Church and the papacy have saved Jews as much and in as far as they could save Christians. . . . Six million of my co-religionists have been murdered by the Nazis, but there could have been many more victims, had it not been for the efficacious intervention of Pius XII.”¹⁰ Chief Rabbi Herzog of Palestine, who was also father to the future president of Israel, said: “The people of Israel will never forget what His Holiness and his illustrious delegates . . . are doing for our unfortunate brothers and sisters in this most tragic hour of history. . . .”¹¹

After six months of research at Yad Vashem, Pinchas E. Lapidé, the Israeli consul in Italy, wrote:

The Catholic Church saved more Jewish lives during the war than all other churches, religious institutions and rescue organizations put together. Its record stands in startling contrast to the achievements of the International Red Cross and the Western Democracies. . . . The Holy See, the nuncios, and the entire Catholic Church saved some 400,000 Jews from certain death.¹²

7. *Religion: German Martyrs*, TIME, Dec. 23, 1940, at 38; PINCHAS E. LAPIDÉ, THREE POPES AND THE JEWS 251 (1967) (quoting Einstein in *Time*).

8. *Acknowledging the Men and Women of Wisdom*, WISDOM, Sept. 1957, at 2.

9. *The American Jewish Yearbook, 1943–1944*, PHILA.: JEWISH PUBLICATION SOCIETY, 1944, at 292.

10. LAPIDÉ, *supra* note 7, at 133.

11. Dimitri Cavalli, *The Good Samaritan: Jewish Praise for Pope Pius XII*, EWTN (quoting 10 ACTES ET DOCUMENTS DU SAINT SIEGE RELATIFS A LA SECONDE GUERRE MONDIALE, at 292)[<https://www.ewtn.com/catholicism/library/good-samaritan-jewish-praise-for-pope-pius-xii-2710>] (last visited Mar. 29, 2026) (on file with the Ave Maria Law Review).

12. Lapidé later increased his estimate of Jewish lives saved to between 700,000 and 860,000. LAPIDÉ, *supra* note 7, at 269.

The World Jewish Congress also expressed its thanks and donated two million lira (about \$20,000) to Vatican charities.¹³ The press reported that the gift was given in recognition of the work of the Holy See in rescuing Jews from Fascist and Nazi persecution.¹⁴ Dr. Joseph Nathen, a representative of the Hebrew Commission, expressing thanks for support during the Holocaust, said: "Above all, we acknowledge the Supreme Pontiff and the religious men and women who, executing the directives of the Holy Father, recognized the persecuted as their brothers and, with great abnegation, hastened to help them, disregarding the terrible dangers to which they were exposed."¹⁵ The National Jewish Welfare Board wrote to Pius: "From the bottom of our hearts we send to you, Holy Father of the Church, the assurance of our unforgotten gratitude for your noble expression of religious brotherhood and love."¹⁶

Indeed, the end of the war saw Pius XII hailed as "the inspired moral prophet of victory,"¹⁷ and he "enjoyed near-universal acclaim for aiding European Jews through diplomatic initiatives, thinly veiled public pronouncements, and, very concretely, an unprecedented continent-wide network of sanctuary."¹⁸

So, Stalin lost his 1945 battle to defame Pope Pius XII, but he was determined to win the war. He decided to focus on framing other leaders he had inherited with the new Eastern European satellites. They would be indicted as having been pro-Nazi. Stalin knew that the framing of Catholic cardinals would prove valuable later, when the climate would be more propitious for secretly framing Pius XII.

13. *Id.* at 226. In a letter dated October 27, 1945, Msgr. Montini (the future Pope Paul VI) gave a detailed account of a private audience between Pius XII and Leo Kubowitzky, then secretary general of the World Jewish Congress. Kubowitzky expressed gratitude to the Pontiff for his work in support of persecuted Jews. *Corriere della Sera*, Aug. 1999. See also M. Perlzweig, *au délégué apostolique à Washington Cicognani* (Feb. 18, 1944). 10 ACTES ET DOCUMENTS, at 140, no. 67 (expressing gratitude for "the repeated interventions of the Holy Father on behalf of Jewish communities throughout the world" and stating that "[t]hese acts of courage and consecrated statesmanship on the part of His Holiness will always remain a precious memory in the life of the Jewish people.").

14. LAPIDE, *supra* note 7, at 226.

15. John Thavis, *Many Jews Once Defended Pius and Documentary Evidence Supports Him*, INSIDE THE VATICAN, Apr. 1998, at 30.

16. *Le National Jewish Welfare Board au pape Pie XII* (July 21, 1944), reprinted in 10 *Actes et documents du Saint-Siège Relatifs à la Seconde Guerre Mondiale* 359, no. 272.

17. FRANCIS X. MURPHY, *THE PAPACY TODAY* 64 (1981).

18. Kevin Doyle, Robert Graham, S.J., *FIRST THINGS* (June 1, 1997), [<https://evo.firstthings.com/robert-graham-sj/>] (on file with the Ave Maria Law Review).

II. CARDINAL ALJOZIJE STEPINAC

At the beginning of World War II, what is now known as Croatia was part of Yugoslavia. In March 1941, Yugoslavia joined the Axis. Serbian nationalists, however, seized control of Belgrade and announced that they were siding with the Allies. This led Hitler to invade Yugoslavia and support Croat nationalists who had declared an independent Croatia. This new Croat government was led by Ante Pavelić and dominated by his Nazi-like party, the Ustashe.¹⁹ The Ustashe government enacted race laws patterned after those of the Third Reich. Jews, Gypsies, Serbs, Communists, and dissident Catholic priests were all beaten, interned in concentration camps, or murdered.

The leader of the Roman Catholic Church in Croatia was Archbishop Aljozije Stepinac. Historians have noted that when the brutality began, the archbishop “almost immediately . . . used his position to speak out against the treatment of Jews and Orthodox Christians.”²⁰ Stepinac rescued hundreds of refugees through direct action, but many more “through his sermons in which he vigorously condemned the implementation of Racial Laws.”²¹ The French ambassador in Zagreb was convinced that Stepinac’s interventions helped lead to the relaxation of Croatia’s race laws.²²

Stepinac’s sermons against the Ustashe abuses were so strong that the Church was not permitted to publish them. Instead, those who were opposed to the regime copied and circulated them in secret.²³ Partisans also broadcasted extracts over the radio.²⁴ At least once, Stepinac had a copy of his sermon smuggled to Miroslav Šalom Freiburger, the Chief Rabbi of Croatia.²⁵

In October 1941, the Ustashe destroyed the main synagogue in Zagreb. Shortly thereafter, at the cathedral, Stepinac proclaimed, “A House of God, of whatever religion, is a holy place. Whoever touches such a place will pay with

19. For more on the formation of Croatia, see JURE KRIŠTO, *THE CATHOLIC CHURCH IN CROATIA AND BOSNIA-HERZEGOVINA IN THE FACE OF TOTALITARIAN IDEOLOGIES AND REGIMES*, in *RELIGION UNDER SIEGE: THE ROMAN CATHOLIC CHURCH IN OCCUPIED EUROPE 1939–1950*, 39, 51–53 (Gevers & Bank, eds., 2007).

20. Christopher Heffron, *Croatia’s Fearless Defender of Life*, ST. ANTHONY’S MESSENGER, Feb. 2007.

21. Esther Gitman, *A Question of Judgment: Dr. Alojzije Stepinac and the Jews*, 1 REV. OF CROATIAN HIST. 47, 51 (2006); KRIŠTO, *supra* note 19, at 60.

22. KRIŠTO, *supra* note 19, at 60.

23. Gitman, *supra* note 21, at 70.

24. STELLA ALEXANDER, *THE TRIPLE MYTH* 100 (1987).

25. Darko Zubrinic, *Cardinal Alojzije Stepinac and saving the Jews in Croatia during the WW2*, CROATIANHISTORY.NET (2001), <http://www.croatianhistory.net/etf/jews.html> (on file with the Ave Maria Law Review).

his life. An attack on a House of God of any religion constitutes an attack on all religious communities.”²⁶

In February 1942, Stepinac protested to the Interior Minister about the destruction of Orthodox churches.²⁷ “[T]he Associated Press reported that, by 1942 Stepinac had become a harsh critic” of the Ustashe, condemning its “genocidal policies, which killed tens of thousands of Serbs, Jews, Gypsies and Croats.”²⁸ One sermon from October 31, 1943, was typical of those the archbishop gave. He said:

We have always asserted the value in public life of the principles of the eternal law of God without regard to whether it applied to Croats, Serbs, Jews, Bohemians, Catholics, Mohammedans, or Orthodox. . . . The Catholic Church knows nothing of races born to rule and races doomed to slavery. The Catholic Church knows races and nations only as creatures of God, . . . For it the Negro of Central Africa is as much a man as the European. For it the king in a royal palace is, as a man, exactly the same as the lowest pauper or gypsy in his tent We condemn all injustice; all murder of innocent people; all burning of peaceful villages; all killings, all exploitation of the poor. . . .²⁹

A German Nazi general in Zagreb declared at the time: “If any bishop in Germany were speaking this way, he would not descend alive from his pulpit!”³⁰

During the war, the Chief Rabbi of the Holy Land, Isaac Herzog, sent a letter thanking the apostolic legate in Istanbul, Roncalli, for “all you have

26. Gitman, *supra* note 21, at 56.

27. Memorandum from Stephen Lackovic on The Case Against Tito 23, (1947) (on file with the author). See also *Le cardinal Maglione au visiteur apostolique à Zagreb Marcone*, Feb. 21, 1942, ACTES ET DOCUMENTS, vol. 8, page 442, no. 289.

28. Rick Hinshaw, *Cardinal's Past*, CHI. TRIB., Oct. 17, 1998, at 26.

29. RICHARD PATTEE, THE CASE OF CARDINAL ALOYSIUS STEPINAC 283, 285–86 (1953). Six days earlier he had given a similar sermon:

All of them without exception, whether they belong to the race of Gypsies or to another, whether they are Negroes or civilized Europeans, whether they are detested Jews or proud Aryans, have the same right to say, “Our Father who art in heaven”. . . . The Catholic Church condemns . . . all injustice and all violence committed in the name of the theories of class, race, or nationality. One cannot exterminate intellectuals . . . as Bolshevism has taught . . . One cannot extinguish . . . Gypsies or Jews because one considers them inferior races.

Gitman, *supra* note 21, at 68.

30. Gitman, *supra* note 21, at 70 (quoting General Glaise von Herstenau).

done” to save the Jews.³¹ He also wrote to Abbot Marcone, the Vatican’s representative in Zagreb,³² to “express how deeply I appreciate all you have done for our unfortunate brothers and sisters,” noting that he was following the good example of Pope Pius XII.³³

In 1944–1945, Communist partisans under Tito occupied Zagreb. The new Socialist Federation of Yugoslavia became a Soviet satellite. Its Moscow-controlled government nationalized the economy and undertook Soviet-style persecution of the Catholic Church by seizing Church property,³⁴ shutting down seminaries, closing schools,³⁵ banning Masses, and arresting clergy.

Before they came to power, Communist leaders “used Cardinal Stepinac’s speeches in their propaganda, as the Cardinal always spoke against the Nazi occupation and against the violation of human rights committed by Pavelić.”³⁶ The cardinal, however, now presented a challenge.³⁷ It “bothered the new regime that the Catholic Church was the only organization outside of its control.”³⁸

On May 15, 1945, Stepinac’s car was confiscated.³⁹ Two days later, the UDBA arrested him. The archbishop was held for 17 days. One day after his release, Tito called Stepinac for an in-person meeting.⁴⁰ The Communist

31. YITZHAK H. HERZOG, *Le grand rabbin Herzog au délégué apostolique à Istanbul Roncalli*, in 10 ACTES ET DOCUMENTS DU SAINT-SIÈGE RELATIFS À LA PÉRIODE DE LA SECONDE GUERRE MONDIALE, 161 (no.83) (Pierre Blet et al. eds., 1980).

32. *Id.*

33. *Id.*

34. Miroslav Akmadža, *The Position of the Catholic Church in Croatia 1945–1970*, 2 REV. OF CROATIAN HIST. 89, 97 (2006) (“On the territory of the Zagreb Archbishopric alone, between 1945 and 1948 over 70% of the Catholic Church’s agricultural land was taken away through agrarian reforms. Apart from land, the reform also resulted in the confiscation of the Church’s buildings, agricultural reserves, livestock, farming machinery, and tools.”).

35. *Id.* at 99 (“In 1945, the Catholic Church operated several private schools in Croatia . . . [By] October 2, 1945, all private schools were closed with the passing of a new law.”).

36. Ronald J. Rychlak, *Cardinal Stepinac, Pope Pius XII, and the Roman Catholic Church During the Second World War*, 14 CATH. SOC. SCI. REV. 367, 372 (2009) (citing “Stepinac cried out against all injustice, especially against racism.” *Vatican Book Justifies Cardinal Stepinac: Example of Opposition to Fascism, Nazism and Communism*, ZENIT NEWS AGENCY, Mar. 10, 1999 (quoting author Gianpaolo Mattei)).

37. Margareta Matjević, *Religious Communities in Croatia from 1945 to 1991: Social Causality of the Dissent Between Communist Authorities and Religious Communities’ Leadership*, 2 REV. CROAT. HIST. 117, 139 (2006).

38. Akmadža, *supra* note 34, at 89.

39. Matjević, *supra* note 37.

40. Akmadža, *supra* note 34, at 91. (“[I]t is not clear why Tito first had Stepinac arrested, and only later spoke with him. It is possible to conclude that through the arrest of the archbishop, Tito wanted to see the extent of his influence among the people and the Church, or to see whether he could soften the

leader wanted the Croatian Church to cut ties with Rome. Tito argued that the Vatican had mistreated Slovak nations. Stepinac not only corrected Tito on historical facts, he also said, "I insist upon freedom for all the people. You have given no sign that you intend to respect the Constitution. I am going to resist you on every move in which you disregard the Constitution and the people."⁴¹

In March 1946, Tito requested that the Holy See recall Stepinac and send another archbishop in his place. When Pius XII refused the request (as Stepinac had wanted), the archbishop's re-arrest was inevitable.

On September 18, 1946, the UDBA arrested Stepinac, charging him with multiple criminal counts, including: helping to organize Nazi crimes; collaboration with the Nazi puppet Pavelić and his Ustashe; and responsibility for crimes committed by chaplains in the Ustashe army.⁴²

Stepinac's trial started on September 30, 1946. That day, *Time* magazine reported on the archbishop's defiance:

Archbishop Stepinac lashed out at the Nazi "master race" idea and condemned the execution of hostages as "inhuman and anti-Christian." He was just as fearless in condemning Communist outrages. In 1945, the Archbishop wrote in a pastoral letter: "The enemies of the Catholic Church . . . the followers of the materialistic communism . . . have in our Croatia exterminated with fire and sword priests and the more eminent of the faithful The number of dead priests is 243; 169 are in prison."⁴³

The American press recognized the trial as a fraud.⁴⁴ The prosecution had access to government and church documents for well over a year as it prepared its case. Stepinac's lawyers were "restricted to a one-hour visit to their client and one week in which to collect evidence for the defence."⁴⁵ Pope Pius XII sent American Archbishop Joseph Hurley as his representative, but Stepinac

archbishop up and then get him to cooperate on the issue of creating an independent Catholic Church in Croatia.").

41. MARY RAYMOND FLANAGAN, *THE MAN FOR THIS MOMENT: THE LIFE AND DEATH OF ALOYSIUS CARDINAL STEPINAC* 191 (1971).

42. JOHN PRCELA, *ARCHBISHOP STEPINAC IN HIS COUNTRY'S CHURCH-STATE RELATIONS* 53-54 (1990) (reprinting the charges).

43. *Yugoslavia: Archbishop Behind Bars*, *TIME*, Sept. 30, 1946, at 34, 37.

44. *TIME* Magazine later reported: "[T]he world was shocked by the cynical mockery of Stepinac's twelve-day trial for collaboration with the Nazi puppet regime during the war." *Religion: The Silent Voice*, *TIME*, Feb. 22, 1960, at 52.

45. DENNIS BARTON, *CROATIA 1941-1946*, at ch. 2, sec. 11 (Church in Hist. 2006).

was not permitted to consult with him.⁴⁶ Many defense witnesses were not permitted to testify, and much of the defendant's evidence was disallowed. Key prosecution evidence was manufactured. As one author put it:

The trial was a farce. The testimony of witnesses was falsified in court reports. Witnesses were threatened. Judges delivered long monologues, and provided the "appropriate" answers to their own questions. The courtroom was packed with Communist agitators, whose vocal demonstrations were heavily covered by the government-controlled media; only five Church representatives were allowed to be present.⁴⁷

One hundred fifty priests from Zagreb risked arrest by issuing a statement in support of their archbishop,⁴⁸ and Pope Pius XII said: "We have the right and the duty to reject such false accusations. . . ." He called it "a very sad trial."⁴⁹

On the fourth day of the proceedings, Stepinac gave a thirty-eight minute speech. *Time* magazine reported that the archbishop "temporarily lost his equanimity." "He shook an angry finger at the court, [and] cried: 'Not only does the church in Yugoslavia have no freedom, but in a short while the church will be annihilated.'"⁵⁰ He continued:

For seventeen months a campaign has been waged against me, publicly and in the press; and for twelve months I suffered actual house arrest in the Archbishop's palace. . . . During the war the Church had to find its way through countless difficulties. There was a desire to aid, as much as it was at all possible, the Serbian people. . . . I was *persona non grata* to either the Germans or the Ustashe; I was not an Ustasha, nor did I take their oath as did some of the officials of this court whom I see here. The Croatian nation

46. PRCELA, *supra* note 42, at 55.

47. Josip Stilinovic, *A Patriot, Not a Nationalist*, CATH. CULTURE (Sept. 1998) <https://www.catholicculture.org/culture/library/view.cfm?recnum=512> (on file with the Ave Maria Law Review).

48. Lackovic, *supra* note 27, at 3.

49. *Aide for the Archbishop*, TIME (Oct. 14, 1946), <https://time.com/archive/6867148/yugoslavia-aid-for-the-archbishop/> (on file with the Ave Maria Law Review); CARDINAL JOSIP BOZANIĆ, BLAŽENI ALOJZIJE STEPINAC, BAŠTINA KOJA OBVEZUJE 308 (Glas Koncila, 2008) ("Pope Pius XII immediately condemned the process, referring to the procedure in the court room as a bad legal process, '*Il tristissimo processo*,' which in Italian not only means grievous, but a miserable process.").

50. *Aide for the Archbishop*, *supra* at note 49. At the trial, Stepinac did not focus attention on himself, "rather he concentrated on the Church, and he knew that the trial was not so much about him, rather the communists wanted to harm the Church and religion." Jure Krišto, *An American View of the Belgrade Episode of Archbishop Joseph P. Hurley*, 4 REV. CROATIAN HIST. 213, 227 (2008).

unanimously declared itself for the Croatian State and I would have been remiss had I not recognized and acknowledged this desire of the Croatian people enslaved by the former Yugoslavia.⁵¹

Stepinac compared his Communist prosecutors to the Nazi Gestapo. He said his conscience was clear. He also said that he was being prosecuted in order for the state to attack the Church. He insisted that he had not conducted any religious conversions in bad faith.⁵²

The Soviet authorities prohibited publication of the archbishop's statements and the arguments made by his defense attorneys during the entire existence of the Communist Regime in Yugoslavia.⁵³ A government-sponsored film that appeared in theatres throughout the nation shortly after the trial falsely made it appear that Stepinac offered no defense at all to the charges.⁵⁴

A key piece of evidence was a report allegedly sent by the archbishop to the pope dated May 18, 1943. It angrily condemned the Serbs and spoke harsh words about the Orthodox Church. It also indicated that Stepinac had been working for the Ustashe and calling on the pope to arrange for foreign intervention in Yugoslavia.⁵⁵

51. Archbishop Stepinac, Remarks and Reply at Trial (1946) (transcript on file with the Ave Maria Law Review).

52. "HUMAN RIGHTS" AT ZAGREB, N.Y. TIMES, Oct. 13, 1946, at T102. ("[The trial of Archbishop Stepinac] was clearly a political trial . . . It always look[ed] beyond the question of immediate guilt or innocence . . . Archbishop Stepinac [sic] has been convicted and will be imprisoned as part of a campaign against his Church . . . [He] is guilty of unfriendliness toward communism . . . [T]he Archbishop was convicted for political reason[s] . . . Under the United Nations Charter, Yugoslavia is pledged, like other nations, to respect 'human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.' [Archbishop's] political trial, with conviction foreordained, violates this pledge."); see generally Michael Savor, *Cardinal Aloysius Stepinac, "A Servant of God and the Croatian People,"* CROATIAN HIST. (2001), <http://www.croatianhistory.net/etf/stepinac.html> (on file with the Ave Maria Law Review) (explaining Cardinal Stepinac's lifelong relationship with Croatia, his persecution and imprisonment under the Nazis and communists, and assessments of his innocence in the decades following his death); see also *id.* Cardinal Francis J. Spellman, probably the most important American Catholic prelate during and after the war, said: "[T]he only thing Cardinal Stepinac is [sic] guilty of was his love for God and his homeland." The American Jewish Committee also responded, saying: "Stepinac [was] one of [the very] rare men in Europe who [raised his voice] against [the] Nazi['s] tyranny . . . at [a] time when it was [very difficult and] dangerous for him to do so." BARTON, *supra* note 45.

53. KRIŠTO, *supra* note 19, at 85–86.

54. PACEPA & RYCHLAK, *supra* note 2, at 653. This film was played at the Archdiocese of Zagreb's celebration of the 10th anniversary of the beatification of Cardinal Alojzije Stepinac on September 19, 2008. *Id.*

55. PATTEE, *supra* note 29, at 211.

Stepinac denied having written or sent this report.⁵⁶ “It was not written on diocesan paper, and it did not have an address, signature or conclusion. It was in Italian, instead of the formalized Latin style normally used by the archbishop. It had Stepinac referring to himself as the ‘Metropoleta de Croatiae et Slavoniae,’” yet Stepinac never did that. “It contained detailed information about Bosnia that Stepinac was unlikely to know . . . , especially as Bosnia was not part of his diocese.”⁵⁷ The Communists claimed that [the letter] was found in the [Croatian] Foreign Ministry [offices], yet Stepinac” never sent his reports there. The prosecutor, Jakov Blažević, claimed to have a copy signed by Stepinac, but he did not produce it at the trial. Nor does it appear in the record of court documents.⁵⁸

On October 11, Stepinac was found guilty of all six counts and sentenced to sixteen years of forced labor, but due to protests and indignation throughout the democratic world, he was not made to do the hard labor. Instead, he was kept “in a small cell, almost completely isolated from the outside world.”⁵⁹ He later explained: “I surprised myself how calm I was when I went to hear the sentence.”⁶⁰ The following week, the Holy See “excommunicated ‘all those who have participated physically or morally’ in this grave offense against the ‘liberty and dignity [of one of] the Church’s sacred pastors.’”⁶¹

In 1950, a group of American senators sought to allow American aid to Yugoslavia only on the condition of Archbishop Stepinac’s release. “Realizing the need for better relations with the West after the split with the Soviet Union, and also concerned about the archbishop’s declining health, Tito expressed a willingness to release Stepinac from prison if he would leave Yugoslavia.”⁶² As *Time* magazine explained:

Marshal Tito, busy mending fences, made a direct offer to the Vatican last month to release imprisoned Archbishop Stepinac. Tito’s condition: that Stepinac leave Yugoslavia the moment he is released. Last week the Vatican reported Tito’s offer—and its own reply: no bargain. ‘The Holy See would be pleased if Monsignor Stepinac were freed,’ said the answer to Tito. ‘The

56. *Id.* at 211–12.

57. ALEXANDER, *supra* note 24, at 170.

58. BARTON, *supra* note 45.

59. Stilinovic, *supra* note 47.

60. BOZANIĆ, *supra* note 49, at 309. The official representative of Yugoslavia to the Holy See, Mgr. Moscatello, resigned in protest of Stepinac’s trial and sentencing. KRIŠTO, *supra* note 19, at 88.

61. YUGOSLAVIA: *Excommunicate’s Interview*, TIME, Oct. 21, 1946 (“This clearly included Marshal (Josip Broz) Tito and most of his Government,” but “[f]ew, if any . . . members of Tito’s [g]overnment regard themselves as Roman Catholics.”).

62. Akmadža, *supra* note 34, at 95; PRCELA, *supra* note 42, at 7.

Holy See is informed, however, that that Most Excellent Prelate, being convinced of his innocence, prefers to remain near his faithful.' That seemed to hand Tito's awkward dilemma right back to Tito.⁶³

Stepinac explained: "They will never make me leave unless they put me on a plane by force and take me over the frontier. . . . It is my duty in these difficult times to stay with [the] people."⁶⁴

In December 1951, Tito ordered Stepinac to be released from his cell and sent to house arrest in his native village of Krašić.⁶⁵ The Vatican still wanted Tito's regime to acknowledge Stepinac's innocence and to resolve other outstanding issues. Quoting the Vatican newspaper, *Time* magazine reported, "Another bishop, His Excellency Monsignor Peter Cule of Mostar, is still unjustly held. . . . Fully 200 priests and religious are in prison. Seminaries are still held requisitioned, and monasteries and convents are still confiscated . . . Freedom of worship . . . is suffocated."⁶⁶

Immediately after Stepinac's transfer, Pope Pius XII made him a cardinal. Tito's government responded by ending diplomatic relations with the

63. *Religion: Deal Rejected*, TIME, July 23, 1951, at 67. Much later, Time magazine gave another, consistent account of this matter:

In grim Lepoglava Prison, Stepinac occupied a cell with an adjoining chapel, got good food and all the books he wanted. Unlike Hungary's Cardinal Mindszenty, Archbishop Stepinac issued no pronouncements against the regime. He sat silent, and in the free world his silence sounded as a cry of reproach. Tito would gladly have been rid of him. Through a U.S. newspaperman he offered him his freedom if he would agree never again to practice his priesthood in Yugoslavia. Replied Stepinac bluntly: "I am completely indifferent concerning any thoughts of my liberation. I know why I suffer. It is for the rights of the Catholic Church. I am ready to die each day for the church. The Catholic Church cannot be, nor will it ever be, the slave of any regime."

Religion: The Silent Voice, TIME, Feb. 22, 1960.

64. MARCUS TANNER, CROATIA: A NATION FORGED IN WAR 186 (1st ed. 1997).

65. *Time* reported his release as follows:

The iron-barred gates of Lepoglava Prison swung open. Out walked Communist Yugoslavia's No. 1 ideological prisoner, Archbishop Aloysius Stepinac, the gaunt, peasant-born primate of his country's 7,000,000 Roman Catholics. He did not walk into freedom. By order of the Tito government, Archbishop Stepinac had been conditionally released, after serving five years of a 16-year sentence on a trumped-up charge of wartime collaboration with the fascists. Actually, he was on his way to a roomier internment: his native village of Krasic, where, as a government communiqué said, "the former archbishop" would have to limit himself to the duties of a simple priest.

Dust in the Eyes, TIME, Dec. 17, 1951.

66. Akmadža, *supra* note 34, at 95 ("In March 1952, Tito told a delegation from the First Congress of the Association of Yugoslav Students that 'We released Stepinac so that we could knock a propagandistic weapon out of the Vatican's hands, the weapon that Stepinac is a "martyr." Now they have problems because Stepinac is out.'").

Vatican.⁶⁷ Stepinac passed on the opportunity to go to Rome to be invested, because he knew that he would not be permitted to return home. He said, “To leave Yugoslavia in these times would mean to abandon my post and to abandon my people . . . I shall stay here, if need be, until my death.”⁶⁸

In 1953, Stepinac refused to go abroad for treatment of a blood-clotting problem. Two doctors from America were, however, permitted to visit Yugoslavia and treat him. The disease, polycythemia (sometimes called “reverse leukemia”), involves an excess of red blood cells.⁶⁹ It prompted Stepinac to joke: “I am suffering from an excess of reds.”⁷⁰

Stepinac’s health grew worse. He developed congested lungs, and he died of a pulmonary embolism on February 10, 1960. Years later, testing conducted by Vatican officials indicated that he had been slowly poisoned.

Time magazine reported that he had: “never worn his cardinal’s red robe. But no living prince of the Roman Catholic Church had a better right to it than Alojzije Cardinal Stepinac . . . For years, he was a silent but unforgotten symbol of the war between Communism and Christianity. . . .”⁷¹

Decades later, in 1985, the prosecutor from Stepinac’s case, Jakov Blazevic, “admitted that the cardinal had been framed”: he was prosecuted only because he refused to sever ties between Croatia and the Roman Catholic

67. *The Guest of Dishonor*, TIME, Dec. 29, 1952 (“Tito was mad at the Vatican for conferring the Cardinal’s red hat on his archenemy, Archbishop Aloysius Stepinac, who served five years in a Tito jail and is now restricted to his home village.”).

68. Traudl Lessing, *Stepinac Speaks*, CATHOLIC DIGEST, Apr. 1953, at 33.

69. ENCYC. OF WORLD BIOGRAPHY (2004); *Capsules*, TIME, Aug. 3, 1953 (“Armed with radioactive phosphorus supplied by the AEC, two top U.S. specialists flew to Yugoslavia to treat Cardinal Stepinac for polycythemia”).

70. *Religion: The Silent Voice*, TIME, Feb. 22, 1960, at 52; Cf. Matijević, *supra* note 37, at 125 (“In 1954, no less than 143 Catholic priests signed the *Memorandum* in USA, which publicly denounced the government of Yugoslavia for persecutions of the Catholics.”).

71. *Religion: The Silent Voice*, *supra* note 70, at 52.

Church.⁷² Blazevic said that if Stepinac had agreed to make the Croatian Church independent, he would not have been on trial.⁷³

One of Tito's senior legal officials by the name of Hrnčević confirmed that account nearly forty years after the trial. Hrnčević, who had put together the original case against Stepinac and arranged the trial, explained, "[t]he indictments . . . were designed rather more for publicity than for legality."⁷⁴ Yugoslavian political dissident Milovan Đilas, who had been close to Tito,

72. Savor, *supra* note 52. See also Hinshaw, *supra* note 28, at 26. Stepinac's innocence is now recognized by virtually all scholars. *Id.* For a collection of documents vindicating Stepinac see PROCES ALOZIJU STEPINACU [THE TRIAL OF ALOYSIUS STEPINAC] (Marina Stambuk-Skalic, et al. eds., 1997). For Stepinac's anti-Nazi wartime sermons see PROPOVIJEDI, GOVORI, PORUKE [SERMONS, SPEECHES, MESSAGES] (J. Batelja & C. Tomis, eds., 1996); *Three Sermons Against Racism by Archbishop Stepinac*, CHURCH IN HIST. INFO. CTR (May 29, 2006), <https://www.churchinhistory.org/pages/booklets/stepinac-sermons.pdf>; *Vatican Book Justifies Cardinal Stepinac: Example of Opposition to Fascism, Nazism and Communism*, ZENIT NEWS AGENCY (Mar. 10, 1999); Alain Finkielkraut, *Mgr. Stepinac et les deux douleurs de l'Europe*, LE MONDE: ARCHIVES (Oct. 7, 1998) (on file with the Ave Maria Law Review) (rebuking critics of Stepinac).

73. ALEXANDER, *supra* note 24, at 147; BARTON, *supra* note 45, at Ch. IV, Sec. 11 ("He was a man who was disliked by the Nazis as well as the Communists for refusing to compromise the interests of the Catholic Church to the regimes of the moment. Stepinac was aware of the fact that both the Nazis and the Communists were plotting to kill him. . . ."); Gitman, *supra* note 21, at 70.

74. ALEXANDER, *supra* note 24, at 138 (internal citation omitted); BARTON, *supra* note 45, at Ch. IV, Sec. 11. In the 1960s, Italian writer Carlo Falconi wrote *The Silence of Pius XII*, a book entirely based on documents provided to him by the Communist government of Croatia—including those used to frame Archbishop Stepinac. Falconi probably was confused by the contradictory evidence that he found. Consider this observation from an early review critical of the book: "there are excellent citations in the book, especially by Pius XII, giving all the defense needed. But these are patronizingly explained away on psychological grounds." WHITALL N. PERRY, *Book Review: The Silence of Pius XII, by Carlo Falconi*, 4 STUD. IN COMPAR. RELIGION 1 (1971) (reviewing CARLO FALCONI, *THE SILENCE OF PIUS XII* (1970)). In his foreword, Falconi explained that the "central core of the Croatian documents" that had been provided to him by the Croatian (Communist) government "brought to light an entirely new and unsuspected harvest of revelations on the men and the mysterious world" of high Vatican officials. Falconi's book impressed researchers because it was highly footnoted and relied upon documents that had been used in litigation. *The Silence of Pius XII* shaped much of the early scholarship. We now know that Falconi was not looking at legitimate documents but at Communist fabrications. In 1985, Jakov Blažević, who prosecuted Stepinac, confessed that the documents on which the archbishop was tried were false. See CARDINAL STEPINAC: A WITNESS TO THE TRUTH (Željko Tanjić ed., Glas Koncila 2009). In 1992, Croatia came out from under the thumb of Communism. One of the first acts of Parliament in the newly independent Croatia was to issue a declaration condemning the framing and "the political trial and sentence passed on Cardinal Stepinac in 1946." *Assembly Condemns Communist Treatment of Cardinal Stepinac and Andrija Hebrang*, BBC SUMMARY OF WORLD BROADCAST (Feb. 17, 1992). Though modern writers should know better, *The Silence of Pius XII*, which is based on false documents created by Croatian Communist government, remains much cited to this day. *Hitler's Pope*, published in 1999, praised Falconi's "painstaking" research. JOHN CORNWELL, *HITLER'S POPE: THE SECRET HISTORY OF PIUS XII* 251 (Penguin Books (2008) (1999)). As Croatian scholar Jure Krišto explained: "The documents which both men [Falconi and Cornwell] used had, of course, been assembled by the Yugoslav secret police, then led by the Serbian Communist [head of the UDBA] Aleksandar Ranković, and fed to Falconi in order to compromise Pope Pius XII as 'Hitler's Pope.'" KRIŠTO, *supra* note 19, at 44 n.150.

said that the problem with “Stepinac was not his politics [towards] Ustashe, but his politics [towards] the Communists.”⁷⁵

III. JÓSZEF CARDINAL MINDSZENTY

Less than two years after Cardinal Stepinac was framed, Stalin focused on József Cardinal Mindszenty, the Roman Catholic archbishop and primate of Hungary. He had been born József Pehm in Mindszent, a village in the Austro-Hungarian Empire, on March 29, 1892.⁷⁶ He was ordained a priest in 1915, and he patriotically took the name Mindszenty in 1941 when the Nazis threatened Eastern Europe. In 1944, Pope Pius XII made him a bishop, and on September 16, 1945, the same pope appointed him archbishop of Esztergom and primate of Hungary.

Throughout his life, Mindszenty was an outspoken and politically active defender of humanitarian principles, causing him to be arrested by various dictatorships. His first incarceration lasted from February 19 to May 15, 1919. It came about because he publicly criticized the new revolutionary government, served as a leader in the opposing Christian Party, and edited a newspaper that was critical of the regime.⁷⁷ The communist “Hungarian Soviet Republic” took control in 1919. Communists continued to see Mindszenty as a threat, and he was arrested again. After several harrowing days, during which his life hung in the balance, Mindszenty was sent back to live with his parents in his home village.⁷⁸

Throughout most of World War II, Hungary sided with the Axis but avoided being occupied. As such, it became a refuge for European Jews. In the spring of 1944, however, Germany invaded Hungary, claiming it was necessary for the safeguarding of communications. They set up a puppet government in Budapest and immediately issued anti-Jewish laws, confining Jews to ghettos. Catholic churches in Hungary offered conversion to thousands of Jews to save them from persecution and deportation, until the Nazis caught on and began going after the converts.⁷⁹

75. SABRINA P. RAMET, *BALKANSKI BABILON* 89 (Westview Press 4th ed., 2002); *see also* TANNER, *supra* note 64, at 180; BARTON, *supra* note 45, at Ch. IV, Sec. 11.

76. JÓZSEF MINDSZENTY, *MEMOIRS* (1st Am. ed., Richard & Clara Winston trans., Macmillan Publ’g Co. 1974).

77. *Id.* at 4–5.

78. *Id.* at 8.

79. INVESTIGATIVE REPORTS: (Bill Kurtis, A&E Network).

Hungary was headed by Adm. Nicholas Horthy. With the Nazis in control, German forces began deporting Jews which led to protests from the Vatican as well as the Hungarian bishops, including Mindszenty.⁸⁰

Horthy complained to the Germans that he was being bombarded with telegrams from the Vatican and that the nuncio was calling on him several times each day.⁸¹ He eventually withdrew his support from the deportations, making it impossible for the Germans to continue. In a cable to Pope Pius XII, Horthy wrote: "It is with comprehension and profound gratitude that I receive your cable and request you to be convinced that I shall do all within my power to make prevail the demands of Christian humanitarian principles."⁸² Horthy even signed a peace agreement with the Allies. This meant that over 170,000 Hungarian Jews were saved from deportation on the eve of their scheduled departure.⁸³ The Germans, however, would not be dissuaded.

The Germans arrested Horthy in October, put Hungary under the control of a Hungarian Nazi group known as the Arrow Cross, and the deportations resumed. On October 31, 1944, the Hungarian bishops, including Mindszenty, protested. That same month, Pope Pius XII joined in an effort to raise money to support Hungarian refugees, urging all the faithful to redouble their efforts on behalf of all victims, regardless of their race.⁸⁴ In the fall and winter of 1944, just about every Catholic Church in Hungary gave refuge to persecuted Jews.⁸⁵

On November 26, 1944, Mindszenty was again arrested. This time it was for his opposition to the Arrow Cross government, and he was charged with treason. Fortunately, he avoided prosecution. He was freed when the German troops withdrew on the following April. Unfortunately, the country then came under Soviet occupation.

Mindszenty was able to leave the country on November 30, 1945, and travel to Rome, where in February he received the cardinal's hat from Pope

80. See RONALD J. RYCHLAK, *HITLER, THE WAR, AND THE POPE*, REVISED AND EXPANDED 248-52 (2d ed. 2010).

81. MARTIN GILBERT, *AUSCHWITZ AND THE ALLIES* 266 (1981) (citing report of Veesenmayer to Ribbentrop, July 6, 1944, Nuremberg Trial Documents, NG 6584).

82. LAPIDE, *supra* note 7, at 153.

83. MARTIN GILBERT, *THE HOLOCAUST: A HISTORY OF THE JEWS OF EUROPE DURING THE SECOND WORLD WAR* 50 (1987); see PIERRE BLET, *PIUS XII AND THE SECOND WORLD WAR 189-99* (Lawrence J. Johnson trans., 1999).

84. *The Nuncio in Bucharest Cassulo*, in 10 *SECRÉTAIRERIE D'ÉTAT DE SA SAINTÉTÉ, ACTES ET DOCUMENTS DU SAINT SIÈGE RELATIFS À LA SECONDE GUERRE MONDIALE* 428 (Pierre Blet, Robert A. Graham, Angelo Martini & Burkhart Schneider eds., 1975).

85. LAPIDE, *supra* note 7, at 161.

Pius XII. When he returned to Hungary, Soviet troops were still in the country, and religious and political conditions were as bad as ever.

Mindszenty continued to protest, as Church schools were closed and religious orders banned by the Communist government. School children and factory workers were ordered into the streets to demonstrate against him, proclaiming: “We will annihilate Mindszentyism! The well-being of the Hungarian people and peace between Church and state depend on it.”⁸⁶

On November 19, 1948, Soviet-backed police arrested Mindszenty’s secretary, Dr. András Zakar. Mindszenty realized that he, too, would soon be arrested. Stalin wanted him arrested, framed, and “neutralized”—not necessarily killed, because that would make international waves. The Soviets, of course, had a well-tested method to do this. They slandered their enemies as having been pro-Nazi. Of course, the Hungarian primate was widely known as having used his Church to protect Jews, as having repeatedly denounced the Nazis, and as having been imprisoned by the Nazis’ Hungarian allies. They needed another plausible basis for the framing.

When the Soviet state security officers and their surrogates wanted to frame someone, the first thing they did was to collect as much information as possible on the target: where he had traveled, who his contacts were, what kind of letters and documents he had written, especially those providing handwriting and signature samples.⁸⁷ Accordingly, on December 23, 1948, police forced their way into Mindszenty’s palace and meticulously searched every room, claiming that it was in connection with Dr. Zakar’s case.

The following month, a police squadron came to the palace. About ten officers burst into Mindszenty’s apartment, found him kneeling in prayer, and ordered him to come with them. When he asked to see a warrant, one answered that they did not need one, insisting that they could find traitors, spies, and currency smugglers even when they wore a cardinal’s robes.

The prosecutor, Andrey Vyshinsky, was on hand in Budapest to orchestrate the show-trial, just as he had been present for Archbishop Stepinac’s ordeal in Zagreb.⁸⁸ As it approached, Mindszenty was subjected to nightly beatings and urged to sign confessions, which he refused to do. At his trial, held February 3-5, 1949, he was convicted with fabricated documents and sentenced to life imprisonment. It was Stepinac revisited.

86. MINDSZENTY, *supra* note 76, at 83–84.

87. See BRIAN FREEMANTLE, *KGB: INSIDE THE WORLD’S LARGEST INTELLIGENCE NETWORK* 136 (1982) (“With disinformation, as with every other espionage activity, the Soviet Union heavily utilizes its satellite services.”); see LADISLAV BITTERMAN, *THE KGB AND SOVIET DISINFORMATION: AN INSIDER’S VIEW* (1985).

88. PETER C. KENT, *THE LONELY COLD WAR OF POPE PIUS XII* 228 (2002).

Two circumstances in Mindszenty's case show how Stalin and his security police went after these religious leaders. The first is that Mindszenty was able to survive with a clear head and write a detailed account of everything that had happened to him. His book, *Memoirs*, was published in New York in 1974 and provided devastating insight into the way the AVO (Alla-mvedelmi Osztaly), the Hungarian subsidiary of the Soviet security police, framed him as having conspired to overthrow the Communist government and having engaged in illegal currency transactions.

The second fortuitous circumstance was that László and Hanna Sulner, a Hungarian couple who worked with the AVO to fabricate the documents used in Mindszenty's framing, managed to escape to the West immediately after the trial started, and they published several accounts of exactly what they had done. Theirs was a fascinating story, and it shed new light on how the Kremlin went about its framings.⁸⁹

As Mindszenty explained, he was imprisoned and interrogated for thirty-nine days. The guards stripped him of his clothing and gave him only what he called a harlequin "clown suit" to wear. Every day the colonel who interrogated him insisted he sign "confessions," which he refused to do. Every night, a major beat his naked body with a rubber truncheon until he collapsed, but the guards prodded him so that he could not even sleep.

The guards urged him to eat, claiming they would order whatever he wanted from a restaurant. Knowing, however, that prisoners were usually drugged, he at first refused all food, but in his starved state, he finally succumbed to taking a little bread or clear broth. A team of doctors examined him before every meal and left pills for him (which he tried to avoid taking). He grew weaker and, as he later realized, probably did get blurry-minded from drugs slipped into his broth. He agreed to sign the minutes of his interrogations, although he later insisted that he had never signed any "confession of guilt in the sense of an indictment."

The interrogators told the archbishop exactly what confession was required of him. The charges boiled down to Mindszenty's allegedly treasonous contacts with the American Embassy in Budapest and with Otto von Hapsburg, in connection with a plot to stir up a Third World War. Supposedly, Mindszenty had orchestrated the theft of Hungary's crown jewels, and he planned to overthrow the Communist government, draw up a

89. See Robert McG. Thomas Jr., *Hanna F. Sulner, 81, Expert Drawn Into Mindszenty Plot*, N.Y. TIMES (Jan. 19, 1999), at B6, <https://www.nytimes.com/1999/01/19/us/hanna-f-sulner-81-expert-drawn-into-mindszenty-plot.html> (on file with the Ave Maria Law Review).

cabinet for the future kingdom of Hungary, and then bring the ancient Crown of St. Stephen to Budapest to crown Otto von Hapsburg as the new king.

The security police knew that Mindszenty had met with Otto von Hapsburg in the United States in the summer of 1947. In fact, the cardinal had attended a Marian congress in Ottawa that year, and he agreed to meet afterwards with the Hapsburg heir in Chicago. Mindszenty asked him for help in obtaining and transporting charitable gifts from Americans to the Hungarian Church. At the same time, he had also been in contact with Cardinal Spellman, the archbishop of New York, and with the American Embassy in Budapest. Mindszenty had also written letters—now in the hands of the AVO—expressing his wish that the Holy Crown be returned for safekeeping to Rome and entrusted to the care of Pius XII, during the current “difficult period of tribulations and vicissitudes.”

The show-trial was conducted from February 3-8, 1949. Mindszenty reportedly confessed to the crimes he was accused of, agreeing that he had written the letters that discussed plotting to overthrow the government. He was so physically and mentally exhausted that he scarcely knew what he was saying. All the defendants were found guilty. He was sentenced to life imprisonment.

On February 6, while the trial was still ongoing, handwriting experts Lázlo and Hanna Sulner made their way to Austria, where they told their story to the press. They denounced the trial as a farce, displaying microfilms of the *fabricated* documents they had produced for the Hungarian security police in order to frame Mindszenty.⁹⁰ They attested that several months before the search of the archiepiscopal palace, they had been given copies of the documents with instructions to “edit” them.⁹¹

Lázlo was asked to produce a confession by Mindszenty that fit with the typewritten draft the police had provided. He and Hanna were also asked to forge other documents, signatures, and marginal notations for the prosecutors. When they did not work quickly enough, they and their operation were moved to police headquarters. A steady flow of documents came, but many were produced by inexperienced officers and resulted in what Mindszenty described as “outlandish form and spelling, such as my confession.”⁹²

90. *Id.*

91. MINDSZENTY, *supra* note 76, at 87.

92. *Id.* at 116–17.

On February 12, 1949, Pope Pius XII condemned the jailing of the cardinal and excommunicated everyone involved in his trial and conviction.⁹³

IV. OTHER FRAMINGS

Cardinals Mindszenty and Stepinac were not Stalin's only high-ranking Catholic victims. Several other cardinals also suffered. Josef Cardinal Beran of Czechoslovakia was one of them. Arrested by the Gestapo on June 6, 1940, Beran, at that time a bishop, was imprisoned in Pankrác, Theresienstadt, and at the Dachau concentration camp. After the war, he was appointed archbishop of Prague and primate of the Church in Czechoslovakia. When the Communists took over in 1948, he prohibited his clergy from taking an oath of loyalty to the new regime, calling it "treason to the Christian faith." He also protested the new regime's seizure of Church property and the infringement of religious liberty.

In June 1949, the newly created Czechoslovakian political police arrested Beran. He was re-imprisoned from 1949 to 1963. Even upon his release, Beran was impeded from exercising his episcopal ministry. He repeatedly offered his resignation to the pope, but it was always refused. In 1965, Beran moved to Rome in exchange for governmental concessions to the Church. Pope Paul VI made him a cardinal that same month.⁹⁴

Stefan Cardinal Wyszyński of Poland was another of the Kremlin's victims.⁹⁵ When World War II started in 1939, Wyszyński served as chaplain of a unit of a Polish anti-Nazi underground resistance organization. This caused him frequently to be a target for the Germans. After the war, Pius XII appointed him Bishop of Lublin. After the death of Cardinal Hlond in

93. PACEPA & RYCHLAK, *supra* note 2, at 172. Mindszenty's life and his battle against the Kremlin's framing was the subject of the 1950 film *Guilty of Treason*, a film described as "an extraordinary time capsule from the start of the Cold War," which "illustrated how the Communists were out to besmirch the Vatican's high churchmen." See Steve O'Brien, *Shooting the Cardinal: Film and Betrayal in the Mindszenty Case*, SEATTLE CATH. (Jan. 11, 2005), <http://www.seattlecatholic.com/article20050111.html> (on file with the Ave Maria Law Review). In 1955, a slightly fictionalized version of the Mindszenty case was the subject of another movie, *The Prisoner*, starring Alec Guinness. That film opened with the cardinal's arrest and with his—real—statement "that any reported confession would be a lie or the result of human weaknesses." *Id.* The Mindszenty Museum in Esztergom, which opened after Communism collapsed, is another monument to Mindszenty's life and to the Kremlin's criminal framing of him, as is the Mindszenty Foundation in St. Louis, Missouri. See PACEPA & RYCHLAK, *supra* note 2, at 172.

94. PACEPA & RYCHLAK, *supra* note 2, at 175. Cardinal Beran died in Rome, at age 80. He is buried in the grotto of St. Peter's Basilica. In 1998, the Archdiocese of Prague opened his beatification process. *Id.* at 661.

95. See Stefan Wyszyński, *The Culture of Bolshevism and the Polish Intellectuals*, in POLISH PERSPECTIVES ON COMMUNISM (Bogdan Szlachta ed., 2003).

October 1948, Wyszyński was named metropolitan archbishop of Gniezno and Warsaw.

The new Communist government in Poland was hard on the Catholic Church. The conflict increased following Pope Pius XII's 1950-1955 decrees against Communism.⁹⁶ The Kremlin and its Polish viceroys unleashed a new round of persecution against the Polish clergy. Several priests were arrested and charged with collaborating with "reactionary underground movements."⁹⁷

Wyszyński tried to reach a working agreement with the regime in 1950, but it did not hold. Pope Pius XII appointed him cardinal and primate of Poland on January 12, 1953,⁹⁸ but his persecution continued. Wyszyński was arrested on September 25, 1953. He was quickly imprisoned (eventually moving to house arrest).⁹⁹ At the beginning of 1954, there were nine Catholic bishops and several hundred priests in Polish prisons.¹⁰⁰

Wyszyński was incarcerated for a little over three years. In 1956, when the short-lived Hungarian Revolution was ignited, Poles organized street demonstrations demanding Wyszyński's release.¹⁰¹ The Catholic clergy joined in the call for his freedom. On October 28, 1956, Wyszyński was set free, and he returned to his post. Within two years, however, the Communist propaganda machine again went after him with enough personal attacks that his cause drew the attention of the Western media.¹⁰²

Cardinal Wyszyński died on May 28, 1981, at age seventy-nine. To commemorate the twentieth anniversary of his death, the post-Communist Polish government celebrated 2001 as the Year of Stefan Cardinal Wyszyński, who also became known as the Primate of the Millennium.¹⁰³

Conclusion

96. See PACEPA & RYCHLAK, *supra* note 2.

97. *Id.* at 96 (quoting Wyszyński, *supra* note 95).

98. HANNA DISKIN, THE SEEDS OF TRIUMPH: CHURCH AND STATE IN GOMULKA'S POLAND 70-71 (2001). Wyszyński did not travel to Rome for the ceremony because he feared that the Communist regime would not let him return. *Id.* at 79.

99. *Id.* at 214. There was great tension between the Polish government, the Vatican, and the Church in Poland. See *id.* at 20, 28. Pope Pius XII contributed in part to this tension between the Communist government and the Holy See. *Id.* at 28.

100. PACEPA & RYCHLAK, *supra* note 2, at 97.

101. *Id.* at 108.

102. *Id.* at 182-84.

103. *Id.* ("In 1966, Wyszyński oversaw the celebration of Poland's Millennium of Christianity, the one thousandth anniversary of the baptism of Poland's Prince Mieszko I. The Communist authorities refused to allow Pope Paul VI to visit Poland. They also prevented Wyszyński from attending overseas celebrations. In the 1970s, however, Wyszyński gave his support to the growing Solidarity movement. Pope John Paul II was elected in 1978, and the Communist officials could not prevent his papal trip. That 1979 visit sparked a revolution that led to the eventual downfall of the Soviet bloc.").