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## **Benedict in Milan, Vatileaks, LCWR and Farley**

by John L. Allen Jr.

All Things Catholic

In moments of crisis, there's a natural desire among many Catholics to rally around the flag, meaning to show support for the church and the pope. It's not about denial, because Catholics are nothing if not sober realists about the church's failures. It's instead about saying to the world that despite it all, there's still something positive about the church that commands grassroots loyalty.

That instinct seemed to be the principal subtext to Benedict XVI's June 1-3 outing to Milan.

Formally, Benedict made the short trip north to attend the seventh "World Meeting of Families," a Vatican-organized event held every three years to celebrate marriage, youth and the family. In context, however, the trip also offered an opportunity for the Catholic rank and file to embrace Benedict amid one of the greatest trials of his papacy, the mushrooming Vatileaks scandal.

That, at any rate, is how Vatican officials have touted what happened. In an interview with Italian TV, Cardinal Tarcisio Bertone, the Secretary of State (and, according to many analysts, the principal target of the leaks), referred to the "extraordinary display of love for the pope and ... support for him and his magisterium" witnessed in the streets of Milan, as well as among the more than 1 million people who turned out for Sunday Mass at Bresso Park.

Bertone said it was significant that such affection, including "frenetic" applause for the pope wherever he went, poured out "in this particular moment" -- and by that, of course, he meant the current atmosphere of scandal.

While there's no sign the leaks have dried up or that the internal tensions they've revealed have been resolved, Benedict's Milan weekend was nevertheless a reminder that the present meltdown in the Vatican is not the only storyline worth tracking about the Catholic church, or this papacy.

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In terms of content, the trip was a vintage display of "affirmative orthodoxy," meaning Benedict's effort to phrase traditional Christian messages in the most positive terms possible.

Recall that the "World Meeting of Families" is the signature event of the Pontifical Council for the Family, a Vatican agency created in 1981 partly to fight the culture wars. Yet in eight lengthy addresses totaling more than 12,000 words of verbiage, Benedict XVI never once used hot-button terms such as "abortion," "contraception" or "homosexuality." To be sure, he did refer to the "right to life," which may never be "deliberately suppressed," as well as the importance of marriage between a man and a woman, "open to life." On the whole, however, this was not the rhetoric of a fire-breathing moralist.

Milan has a proud ecclesiastical tradition, though today it is Italy's commercial capital and often prides itself on being thoroughly secular and pragmatic. Benedict began his visit in the city's central square by inviting the Milan that is "positively secular" and the "Milan of faith" to come together in defense of the common good.

In an address to civil authorities, Benedict said the idea of a confessional state "has been overcome," meaning that it belongs to the past -- a significant point in Italy, where the church is often accused of nostalgia for the *ancien régime*. What the church hopes for instead, the pope suggested, is a "positive" version of secularism.

"One of the principal elements of positive secularism," he said, "is defending liberty so that all may propose their vision of life together, always with respect for the other and in the context of laws which aim at the common good."

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Another element of positive secularism, Benedict argued, is that civil law must be rooted in natural law, because otherwise there's no ethical basis for the defense of human dignity.

There were also a couple of vintage pastoral moments along the way, especially in the pope's dialogue Saturday night with five children and families from different parts of the world.

A 7-year-old from Vietnam asked Benedict to talk about his own family and childhood, and the pope waxed nostalgic about Sundays at the Ratzinger household, including memories of his father leading the family in a sing-along while playing the zither. He said, "To tell the truth, if I try to imagine a little bit what Paradise will be like, it always seems like the time of my youth, of my infancy."

A Jamaican bookkeeper from New York talked about how tough it is in the present economy to squeeze out time to be with his family, which includes his wife and six kids. In reply, among other points, Benedict asked employers to make sure personnel have time off for the family, if for no other reason than because it will make them better workers.

Perhaps the pope's most original proposal came in response to a question from a Greek couple, who spoke in heart-rending terms about the impact of their country's economic implosion on their small business and their anxiety about being able to support their children.

Benedict promised prayers, but also acknowledged that prayer alone isn't enough. He suggested the

creation of "twinning" arrangements between families, parishes and communities across Europe, with the idea being that a family with means could "adopt" a suffering family in another part of the continent, providing them material support.

In what may be the most striking bit of rhetoric from the trip, Benedict called on parish communities to be "more and more like families" in his homily Sunday morning. Perhaps with one eye on October's Synod on the New Evangelization, the pope then said parishes that exude a real family spirit are able "to evangelize not only by word, but I would say by 'radiation,' in the strength of living love."

It will be interesting to see if that concept of "evangelization by radiation" has any traction during the upcoming synod.

Finally, an American footnote: At the end of the trip, Benedict announced that the next edition of the World Meeting of Families will take place in Philadelphia in 2015, which all but guarantees the city a papal trip three years hence.

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By way of an update on the Vatileaks affair, the Vatican held a press briefing Tuesday to outline the judicial processing facing Paolo Gabriele, the papal butler arrested on charges of being one of the leakers. The briefing was given by the Vatican spokesperson, Jesuit Fr. Federico Lombardi, and Paolo Papanti Pelletier, a law professor at Rome's Tor Vergata University, who also serves as a Vatican judge, though he's not involved in this case.

Salient points include:

- Gabriele is charged with "aggravated theft" and faces a sentence of one to six years if convicted. It's possible he could be charged with other crimes under the Vatican's penal code, including "offense or outrage to the figure of the pope."
- An interrogation of Gabriele began Tuesday, part of what's known as the "formal judicial investigation." It's led by a Vatican judge and will end in a decision to either dismiss the charges or to bind Gabriele over for trial. It's not clear either how long the interrogation will last, or the investigation. Gabriele is being advised during the interrogation by two lawyers of his choice.
- If Gabriele is convicted, the Vatican could ask Italy to enforce a prison sentence.
- Under Vatican law, Gabriele can remain in "cautionary custody" for up to 50 days, with the possibility of adding another 50 days. All told, that means he could be in detention until September. If indicted, he'll remain under detention for as long as the trial lasts, though with the possibility of house arrest.
- Gabriele is being held in one of four detention rooms of the Vatican gendarmes, which include a bathroom, window, desk and bed. Detainees eat the same meals as the gendarmes. Last Sunday, Gabriele was taken to Mass inside the Vatican, escorted by two gendarmes, and was not handcuffed.
- An average criminal trial in the Vatican lasts about two and a half years, including the initial court and an appeals court. In theory, there could also be an appeal to a third court, but that's rare.
- Vatican penal law applies to clergy and laity equally, with this exception: Cardinals can only be tried before the third and highest court, the Court of Cassation, which is presided over by three cardinals. That's because as princes of the church, cardinals may be judged only by other cardinals. (If things ever get that far, it's worth noting that the current president of the Court of Cassation is an American, Cardinal Raymond Burke.)

Also on the Gabriele front, an Italian TV channel reported this week that one possible scenario, should the butler indeed be found guilty, is that he could be sent into a sort of exile away from Rome as opposed to

doing actual jail time. When Lombardi defined that report as "speculation without foundation," the channel fired off an email to reporters insisting that its information came from "a senior prelate who's worked for years in the Vatican," who even provided the setting for Gabriele's future exile -- a villa in Sardinia.

While the investigation of Gabriele unfolds, the leaks have not taken a holiday. Over the weekend, the Italian paper *La Repubblica* published a confidential note by Benedict XVI, appended to a letter from Burke objecting to pending Vatican approval for the liturgical practices of the Neocatechumenate. The paper also said it had received two other papers bearing the letterhead and signature of Monsignor Georg Gänswein, the pope's personal secretary, but without any text.

According to the *La Repubblica* account, the materials were accompanied by a computer-written note from one of the leakers asserting that they have "hundreds" of additional documents, and threatening to reveal more if Bertone and Gänswein are not fired, charging that they're responsible for internal mismanagement. The anonymous note also claimed that Gabriele is simply a "scapegoat" for the scandal.

In a press briefing Wednesday, Lombardi said the Vatican is basically being "blackmailed" with the threat of additional leaks if certain people aren't fired. Nonetheless, Lombardi insisted, "the pope and the curia aren't overly nervous or disoriented." Also this week, senior Vatican figures such as the former Secretary of State, Cardinal Angelo Sodano, and the current prefect of the Congregation for Eastern Churches, Cardinal Leonardo Sandri, have gone on record to deny that there are deep tensions or power struggles unfolding within the Vatican.

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Additional revelations may be in the offing, this time not from internal moles but from an Italian investigation.

On Tuesday, Italian carabinieri conducted a search of the house and two offices of Ettore Gotti Tedeschi, the recently deposed head of the Institute for the Works of Religion, the so-called "Vatican Bank." The search was part of an investigation of a defense technology firm called Finmeccanica, which has done business with banks with which Gotti Tedeschi has ties. According to prosecutors, Gotti Tedeschi is not a suspect but an "informed witness" and is cooperating with investigators.

Formally, the Finmeccanica probe has nothing to do with the Vatican (though some media outlets have speculated that money may have been laundered through accounts at the Vatican Bank). An Italian paper reported Thursday, however, that one of the documents now in the hands of investigators is a memo by Gotti Tedeschi about his two and a half years at the Vatican Bank in which he allegedly names both his friends and his enemies. If a prosecution results from the investigation, it's possible such documents could become part of the public record.

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Since the arrest of the pope's butler May 23, I've done innumerable TV and radio segments commenting on the Vatican leaks scandal. Because I haven't been in Rome, quite often I've come in after a reporter on the ground has laid out the latest developments, to which I'm then supposed to provide context and perspective.

For the most part, these reporters aren't Vatican specialists. They work for mainstream news outlets, so their normal *métier* in Italy is covering the Amanda Knox saga, Berlusconi, the Euro crisis and so on.

Here's what I've taken away:

- Pride in how smart people in the news business can get up to speed fast, on a story fairly far outside their comfort zone;
- A degree of sympathy for Vatican officials and other Catholics who sometimes grumble about inaccurate media coverage.

Tuesday brought an example of both, no different from many others. I did a half-hour for the main morning news program in another country, with the introductory segment provided by a reporter based in Rome. It was an able summary of the main points, phrased in terms that nonexperts could readily grasp.

Sprinkled here and there, however, were also mistakes both small and large, and as I listened, I could almost hear teeth grinding in Catholic circles.

In terms of small-scale stuff, the reporter repeatedly referred to Archbishop Carlo Maria Viganò, the pope's ambassador to Washington, as a cardinal. Viganò is a central figure in Vatileaks, since it was revelation of his correspondence charging financial corruption and cronyism, written while he was the No. 2 figure in the Vatican City State, which started the ball rolling.

To be sure, getting Viganò's rank wrong is hardly the sin against the Holy Spirit. It's relevant, however, partly because one of the claims in his letters was that an informal understanding had been struck that Viganò would take over as the top official in the City State, which would have put him in line to become a cardinal, whereas his transfer to Washington means he remains an archbishop. In part, too, as we saw above, rank has juridical consequences, since a cardinal can only be judged by other cardinals. (That's not to suggest that Viganò has been charged with any offense.)

Also in a minor key, the reporter was asked to explain the term "Roman Curia," and ended up suggesting it refers to the government of the Vatican's physical territory. In fact, the Roman Curia is the organ of government for the universal church, not the 108-acre City State.

Of greater significance, the reporter suggested that some of the recent leaks are about supposed Vatican pay-outs in the sexual abuse scandals. That's not accurate, as those costs have been covered by dioceses, religious orders and their insurers. Faced with litigation in the United States seeking compensation from Rome, the Vatican has taken a staunch position of "no settlements" based on its sovereign immunity.

Perhaps the confusion arose from a recent leak concerning Bishop William Francis Malooly of Wilmington, Del., and a \$10 million loan to finance the diocese's bankruptcy settlement. Initially, some read the leaked note to mean that Malooly wanted to borrow the money from the Vatican. In fact, Malooly was requesting permission to borrow from commercial lenders; church law requires Vatican approval for any step that jeopardizes the patrimony of a local church above a certain amount.

(For the record, the Institute for Works of Religion doesn't even make loans, one reason why officials always insist the term "Vatican Bank" is inaccurate. Instead, the IOR will occasionally issue something called a *pegno* as a way to resolve a short-term cash flow problem. It happens when a client, such as a religious order, needs a quick infusion of cash and is willing to put up property of equivalent value as collateral. It's not a "loan" because it's short-term, risk-free, and does not use depositors' money.)

Making matters worse, when the host of this show expressed surprise, saying that in her country the money had come from parishes and dioceses, the reporter suggested it was probably because the bishops there aren't very powerful, while the American bishops have greater influence. The suggestion was that

not only is the Vatican secretly funneling money to pay off abuse victims, but it's doing so on the basis of whose bishops have better political connections.

Such confusion is inevitable whenever journalists are forced to work fast to master a complicated story. Yet for insiders already convinced that "they're out to get us," it's the sort of thing that adds fuel to the fire.

As a footnote, I got an email from producers 30 seconds later asking if I would come back on to discuss why their country wasn't getting Vatican money while others are. I explained that's not really the case, which killed the segment, but under other circumstances the network might have spent a chunk of airspace amplifying a bogus story.

There's probably a lesson here for both the media and the church.

For reporters, getting the details right is important, as is the ability to admit it when we're out of our depth. For the church, if you want to avoid this sort of thing, be open and helpful when reporters call. It's hardly fair to refuse to respond to questions or to offer only pious platitudes, then to complain when people don't get the answers right.

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Here's a final thought on the Vatileaks affair.

At various points, Vatican officials have tried to play down the significance of the leaked documents, arguing that they merely illustrate the pluralism and internal diversity of the church. It's normal, they've argued, for officials to have different opinions about policy matters, and the kind of disagreement revealed in many of these documents doesn't mean the institution is on the brink of ruin.

To a great extent, that's probably right. Figuring out how to bring the Vatican's financial apparatus into compliance with 21st century expectations of transparency and accountability, for instance, while not squandering the sovereignty and autonomy the Vatican has always treasured is no easy task. Frankly, if spokespersons tried to claim it could be done without significant internal resistance and debate, it wouldn't pass the smell test anyway.

In that light, one good way to take the sting out of future leaks is to be more open about the Vatican's internal tensions. If they're routine and ultimately healthy, as officials have claimed, then why not talk about them?

To be concrete, other journalists and I have repeatedly suggested that the Vatican organize a briefing with senior financial officials to discuss the new Financial Information Authority established by Benedict XVI in December 2010, intended to be the "tip of the spear" for reform. Spokespersons have touted the new agency as proof of the Vatican's commitment to change, yet to date they've provided essentially no opportunity for the media or the public to get a sense of what it's actually doing.

When we've floated that idea, the answer always comes back that because things are still unsettled, it's not "opportune" to go public. Yet recent leaks documenting tensions over the agency's role and authority would seem a lot less like thunderclaps had officials already briefed us on what's happening, including an honest account of those internal disagreements.

Reasonable people won't be confused by such debates; if anything, they'll admire the way officials seem to be grappling with how to get things right. As a bonus, this kind of transparency is also an inoculation against the scandal of leaks.

They can't hurt you, in other words, if there's no secret to reveal.

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Next week promises to be a fairly big one on the Vatican news beat. Not only will we have the story of the Gabriele investigation and whatever new leaks erupt in the meantime, but a delegation of the Leadership Conference of Women Religious is scheduled to meet with officials of the Congregation for the Doctrine of the Faith on Tuesday. Also at that meeting will be Seattle Archbishop J. Peter Sartain, tapped to be the U.S. representative in charge of revamping the LCWR.

Last Friday, LCWR officials released a statement complaining that the Vatican's crackdown is "based on unsubstantiated accusations and the result of a flawed process that lacked transparency."

In other words, there should be plenty to talk about. I'll be in Rome next week tracking these stories, so watch NCR Today for my reports.

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My colleagues at the *National Catholic Reporter* broke the news Monday of a Vatican censure of American theologian Margaret Farley, a Sister of Mercy. The Congregation for the Doctrine of the Faith objected to Farley's 2008 book *Just Love: A Framework for Christian Sexual Ethics*, specifically its treatment of "masturbation, homosexual acts, homosexual unions, the indissolubility of marriage and the problem of divorce and remarriage."

All the details are in *NCR's* coverage. Here, I'll take up just one question: Why did this notification come from the Vatican, as opposed to the Committee on Doctrine of the U.S. bishops' conference -- as was the case last year with Elizabeth Johnson, a Fordham theologian and a member of the Sisters of St. Joseph?

The question arises because for the last decade, the Congregation for the Doctrine of the Faith has had an informal preference for matters involving individual theologians to be handled by local bishops, especially when a case doesn't raise new doctrinal questions. (Privately, officials have sometimes grouched over the years that if local bishops had been doing their jobs, many cases would never have reached Rome in the first place.)

It's tough to see any new issue in the Farley case, at least in terms of the points cited in the Vatican notice.

I've asked people both in the States and in Rome this question, and speaking on background, they've given different answers. One said that perhaps the doctrinal congregation felt these matters are important enough, even if they're not new, that it wanted the answer to come from the Holy See. Another said it may be as simple as a "division of labor" between Rome and Washington.

Although it's mere speculation, I wonder if there may be another factor. Cardinal Donald Wuerl of Washington, D.C., chair of the U.S. bishops' doctrine committee, experienced fairly serious blowback from the Johnson censure and wound up engaged in time-consuming and controversial public correspondence defending it. Perhaps the thought on Farley's case was that Cardinal William Levada, who's set to retire soon as the prefect of the Congregation for the Doctrine of the Faith anyway, could better afford the political heat.

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Finally, a correction. Last week, I published translated extracts from several of the leaked documents

contained in Gianluigi Nuzzi's book *His Holiness: The Secret Letters of Benedict XVI*. One was a report from Cardinal Velasio De Paolis, the official tapped by the pope to oversee reform of the Legionaries of Christ. I mistakenly attributed two sections of that report, on finances, to Cardinal Domenico Calcagno, president of the Apostolic Patrimony of the Holy See. While Calcagno did study the Legion's finances on behalf of De Paolis, the quotations from the report come from De Paolis.

I regret the error.

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