

Q&A on the Vatican's 'butler did it' saga

John L. Allen Jr. | Aug. 13, 2012 NCR Today

Today the Vatican confirmed it's proceeding to a criminal trial against Paolo Gabriele, the 45-year-old former papal butler charged with being the mole at the heart of the Vatican leaks scandal, which has featured revelations painting an unflattering picture of corruption, cronyism and palace intrigue.

Also to stand trial is 48-year-old Claudio Scarpelletti, a computer specialist working in the Vatican's Secretariat of State, charged with a minor offense of aiding and abetting Gabriele's crime, based on discovery of an envelope containing sensitive materials found in his Vatican desk.

This morning, the Vatican released 35 pages of material related to the case, comprised of two lengthy reports — one from the Vatican's prosecutor, the other from the judge who ruled that both Gabriele and Scarpelletti must stand trial. Those documents contain extracts from the interrogations of both men, as well as from two psychological evaluations of Gabriele. (Under the Vatican's penal law, the psychological state of the accused is relevant to assessing culpability.)

The following are some basic questions and answers about the latest developments in the Vatican's "butler did it" saga.

What happens now?

The Vatican's criminal tribunal is in recess until Sept. 20, so it's unlikely that a trial could get underway much before early October. A three-judge panel will hear the case, as there's no trial by jury in the Vatican penal system. At this stage it seems likely that Gabriele and Scarpelletti will be tried together, although defense attorneys could petition to separate the procedures when the judges come back from their summer vacations.

Earlier this summer, a retired Vatican judge not involved in the Gabriele case gave a briefing to reporters in which he said that 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.

Gabriele is charged with the crime of "aggravated theft" under the Vatican's penal law, which carries a sentence of up to six years. If he's convicted, Vatican officials have said they'd likely ask Italy to enforce Gabriele's sentence, since the Vatican doesn't operate its own prison.

Is there any doubt the butler did it?

Not much. Gabriele's own lawyer, Italian attorney Carol Fusco, has already basically conceded that his client is guilty, while insisting that he acted out of love for the pope and the church.

If the extracts released this morning are to be believed, Gabriele initially denied everything, but when confronted with evidence of an "enormous quantity" of secret documents found in his family home, Gabriele switched gears and freely admitted passing material to Italian journalist Gianluigi Nuzzi, who earlier this year

published the leaked texts in a book titled *His Holiness: The Secret Papers of Benedict XVI*.

Also in Gabriele's home, three other items were reportedly discovered: a check made out to the pope for 100,000 Euro from a Catholic university in Spain; a golden nugget given to the pope by a benefactor in Peru; and a 16th century edition of Virgil's "Aeneid." There was apparently no indication, however, that Gabriele intended to profit from the items.

In this context, the contested issues at trial aren't likely to center on what Gabriele did, but why he did it.

The psychological profiles released by the Vatican paint a picture of a conflicted personality, suffering from "paranoid tendencies" and "a deep personal insecurity and unresolved need to enjoy the affection of others." One expert wrote that Gabriele experiences "grave psychological disturbance" rooted in "restlessness, tension, anger and frustrations."

The suggestion seemed to be that Gabriele's behavior came out of a neurotic need for attention and respect.

Gabriele himself, however, appeared to offer a moral and spiritual defense.

"Seeing evil and corruption everywhere in the church, I arrived at a point of no return, when the usual brakes no longer stopped me," Gabriele is quoted as saying during an interrogation conducted on June 5. "I was convinced that a shock, including one in the media, could be healthy for putting the church back on the right path."

"Moreover, I always felt a certain intelligence acting in my interest, and I thought that this is precisely the role of the Holy Spirit in the church," Gabriele said. "In a certain way, I felt infiltrated [by the Holy Spirit.]"

At another point, Gabriele asserts that "my motivations were always promoting improvement in the ecclesial situation, never damaging the church or its pastor."

"From the position in which I found myself, I was able to observe the double function of the papacy, that of head of the church and of head of state," Gabriele said. "In particular with these latter functions, I saw the way some Vatican operations were run as an obstacle to the faith, or anyway a motive for scandal. I also noticed that on some things, the Holy Father wasn't informed or was informed poorly."

These seem poised to be the competing narratives at trial: self-aggrandizing neurotic vs. morally noble whistleblower.

(As for Scarpelletti, it's less clear what his defense might look like, since according to the documents produced today he's offered several different versions of how the envelope containing sensitive documents got into his desk. Aside from the fact the envelope had Gabriele's name, it also apparently contained a text published in Nuzzi's book under the title "Napoleon in the Vatican," concerning Domenico Giani, head of the Vatican gendarmes.)

What were the leaks about?

There have been almost too many leaks to keep track, but big-ticket items have included:

- Letters written to the pope and to the Secretary of State, Cardinal Tarcisio Bertone, by the current papal ambassador in the United States, Italian Archbishop Carlo Maria Viganò, complaining of corruption in Vatican finances and a campaign of defamation against him. At the time, he was the number two official in the Vatican City State, and desperately trying to avoid being sent away.
- An anonymous memo criticizing a new Vatican law against money laundering, suggesting that the law

contains an enormous loophole blocking action against any offense before April 1, 2011, when it came into effect.

- Leaked materials fueling charges that the Institute for the Works of Religion (the so-called "Vatican Bank") is a rogue "off-shore bank." Accusations included that the bank transferred millions of Euro to foreign banks to evade Italian controls, that it's dodged various Italian investigations, and that it maintains secret encrypted accounts for privileged VIP clients.
- Another anonymous document, written in German, describing a conversation Cardinal Paolo Romeo of Palermo, Sicily, allegedly had during a trip to China, in which he predicted the pope would be dead within 12 months and replaced with Cardinal Angelo Scola of Milan. Press reports billed it as a Borgia-esque "plot to kill the pope."
- Two internal Vatican memos, including one written by Cardinal Attilio Nicora, who heads a new financial watchdog agency, warning that recent modifications to the Vatican's anti-money laundering law would be seen as a "step back" on reform, and could create "alarm" among international regulatory bodies.
- Additional revelations on the sex abuse crisis, including a document suggesting that John Paul II was given first-hand testimony regarding the misconduct of Fr. Marcial Maciel Degollado, founder of the Legionaries of Christ, in 2003, but that the late pope "didn't want to hear" the charges and "didn't believe" them.

As the leaks rolled out, Vatican officials either shrugged them off as silly (for instance, the plot to kill the pope) or insisted that whatever problems they exposed are already being handled. On the financial front, for instance, officials point to a recent evaluation by secular European anti-money laundering regulators, who found that the Vatican "has come a long way in a very short period of time" toward transparency and that there is "no empirical evidence" of corruption.

How bad is this for the Vatican?

For sure, it's not good news. This October, Benedict XVI plans to convene a Synod of Bishops on the "New Evangelization," trying to attract people back to the Catholic church, and it's a safe bet that the specter of Gabriele's trial happening at the same time is hardly the backdrop he would have wanted.

That said, there's a sense in which the damage for the Vatican is almost worse internally than externally.

In the court of popular opinion, "Vatileaks" is not tantamount to the sex abuse crisis as a blow to the church's moral standing. Ordinary people haven't followed the content of the leaks very closely, and as the documents have come out, the Vatican has had some success in providing alternative explanations or arguing that Benedict XVI is trying to clean up the mess.

While some of the documents can be read to suggest power struggles and ideological divisions in the Vatican, people who know a little history may be tempted to think: "So what else is new?"

Within the system, however, the leaks scandal is toxic because it creates a crisis of confidence.

Bishops and other Catholic leaders around the world report that they've become less inclined to share sensitive information with Rome, for fear of reading about it in tomorrow's newspaper.

People who work in the Vatican itself, meanwhile, say the climate has become more suspicious and guarded, because they just can't avoid the obvious question: If you can't trust the pope's butler to keep your secrets, who exactly can you trust?

In that sense, the internal "trust deficit" may be just as bad for the Vatican, if not worse, than the external PR hit.

Were higher-ups involved?

tThat's the \$64,000 unanswered question. Vatican officials, prosecutors in the case, and even Gabriele's own lawyer are saying "no," but a large swath of opinion, especially in Italy, just isn't buying it.

Among Vatican-watchers there, it's virtually an article of faith that Gabriele could not possibly have been the real master-mind of the affair, so its architects are to be found at higher levels of the system ? up to, and including, the College of Cardinals.

tToday, for instance, veteran Italian writer Marco Tosatti asserted: "The shadow of a conspiracy looms over the Vatican." Another Italian paper carried the headline, "The scapegoats who wash away the sins of the cardinals."

tAmong other things, Tosatti notes that the reports released today quote Sciarpetletti as saying that various individuals gave him things to pass on to Gabriele or vice-versa, who are identified in the reports only as X, W, and Y. In a blog post, Tosatti basically issued a plea to the Vatican: "Please, tell us everything!"

tFacing such suspicions, Gabriele's attorney has declared publicly that there were no "masterminds." Every time they've been asked the question, Vatican officials have denied that any cardinals or other senior figures are suspects.

tYet if this process ends with Gabriele and Sciarpetletti as the lone identified culprits, many Italians seem prepared to add Vatileaks to the list of the country's infamous *gialli* ... meaning mysteries which have never been fully resolved.

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Will there be a papal pardon?

tProbably, but not just yet.

tSooner or later, most people think Benedict XVI will issue a pardon. After all, John Paul II forgave the guy who tried to kill him in 1981, so it's not unreasonable to expect that Benedict XVI will forgive someone whose offense was stealing papers from his apartment.

tAt the moment, however, the signals from the pope are that he wants the judicial process to move forward in order to get to the bottom of what actually happened. Moreover, Vatican officials also realize that a pardon at this stage would risk coming off not as a gesture of Christian mercy, but as a way of sweeping an embarrassing mess under the rug.

When and if the pope does forgive Gabriele, in other words, they'd like it to be seen as an act of compassion rather than cover-up.

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