

Difficulties of Obtaining Recognition of the Institute by Rome

From the resignation of Brother François to the relative success of
Brother Louis-Marie (1860 - 1863)

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[Translated from the original French by Colin Chalmers FMS]

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The Decree of Praise of December 1859 placed the Marist Brothers under the canonical guardianship of the Archdiocese of Lyon and the Marist Fathers were charged with revising the schema of the constitutions. The effective sacking of Brother François, in July 1860, had been the first consequence of the Roman directives, transmitted by Father Favre, who had just spent time in Rome during June 1860.

The letters of Father Favre to Father Capouillet, the second Procurator in Rome for the Marists, show a Superior in a hurry to obtain the approbation of his Rule. Since it was the era when the Pope was losing the bulk of his States, Favre multiplied his words of loyalty for the sorely-tested papacy. After a period of mistrust, he appeared to be reconciled to Mgr Chaillot, thanks to whom he finally obtained the approbation of his Rule on 15th June 1860. However, his relations with Rome were about to sour.

The Congregations caught between Roman intransigence and harassment of the French Government

The General Chapter of the Marist Fathers which was destined to approve the Rule was held from 11th to 15th December 1860, and, in one of the sessions, a hesitation about the terms of the vow of poverty (Doc 284 P 434), set in motion a consultation with the SCBR. In a letter of 10th March 1861, (Doc 300 P 457) Father Favre complained about the response of a Consultor, “I found a tone of bitterness which astonished me: in Rome it is not customary to write in this way, particularly to people completely devoted to the Holy See and whose intentions are well-known. The author [...] assumes that we want to establish two camps in the Society [...] the reformed and

the unreformed. Truly, this “simple Consultor” treats the Chapter with disdain from the lofty heights of his science.”

The culprit was probably Mgr Chaillot, who, at that time, was attempting to relaunch his *La Correspondance de Rome*, which the French government had forced the Pope to suppress in 1852 because it made endless accusations of gallicanism against the French bishops. With the creation of a Kingdom of Italy, thanks to the support of Napoleon III, the papacy had no more reason than before to humour France, even if its army had prevented Italy from seizing Rome. This letter might also reflect a hardening of Roman ultramontanism coupled with a resentment by the papal administration - at least on the part of Mgr Chaillot - of everything French. Moreover, the very person who was looking for subscriptions to his journal, was disappointed by Father Favre¹, who, on 9th December 1860 (Doc 283 P 492), explains to Father Capouillet that he cannot take out a subscription to *La Correspondance de Rome* for each Marist community: the Fathers, being very busy, would not read it; it would mean significant expenditure; finally, to take advantage of Rome, it was necessary to know it. He would be the only one to read the journal.

The final session of the General Chapter also makes clear to us the Marist Fathers’ fears of persecution from a French government furious at ultramontane opposition, which multiplied the harassment against Congregations (Doc 285 P 436) and allowed the anti-religious press to lead campaigns against them. Father Favre goes as far as contemplating “a devotedness, even unto death. If we see a renewal of the evils of times past, it is better to die than to separate ourselves from the Church.”

Such a sentiment might appear exaggerated, but the revolutions, coups d’état and wars of 1848 to 1860 led to a rupture between French catholicism and an authoritarian state embarrassed by the Roman Question while Roman ultramontanism, unconscious of the difficulties it was creating in France, on the contrary, appeared stimulated by the trials undergone and resentment towards French Catholics, never sufficiently devoted to the papal cause.

Unease of the Marist Fathers towards the Rule

The Consultor also raised the issue of a rumour of division among the Marist Fathers, and that was not entirely untrue: Father Colin was still alive, but had not been present at the Chapter which endorsed Favre’s Rule, and this absence made some uneasy, an allusion to which was made in the Chapter Minutes by Father Favre (Doc 311 P 469 - 470). This rumour could have come from Father Capouillet himself, a great gossip, very much influenced by Mgr Chaillot, and a blundering Procurator. This is why, in a letter of 5th May 1861 (Doc 304 P 462) Father

¹ In a letter to Father Capouillet of 2nd September 1860 (Doc 269 P 415) Father Favre asks him to take out a year’s subscription to *La Correspondance de Rome*.

Favre considered replacing him with a Procurator “who could organise our business perfectly”. In fact, Capouillet remained Procurator until 1866, but Father Favre was only too aware of what to expect from him. At the same time, his ultramontane convictions and his confidence in Mgr Chaillot were seriously shaken.

The height of the conflict between Fathers and Brothers on the direction of conscience

It seems that the correction of the Marist Brothers’ Constitutions under de Bonald and Father Favre, did not begin before 1862, possibly because the conflict between the Fathers and Brothers on the direction of conscience had intensified. On 6th October 1861, Father Favre had contacted Brother Louis-Marie, Vicar General of the Institute, about a personal dispute at Beaucamps between Father Ferry and the Brother Director. After making enquiries, Father Favre judged that “the discontent and division was caused by Brother Director’s encroaching on the functions of the chaplains”. From this, he sets out, in eight points, a theory which makes the chaplain the exclusive spiritual director of the Brothers. It is he, and not the Brother Director, who arranges worship, directs the sodalities, admits to First Communion, exercises spiritual direction which is “an appendix of confession”, makes judgements in the internal forum on vocations and aptitude for vows “particularly chastity”. And finally, is it for a “lay brother”, even a Director, “to receive and, in particular, to require an openness of heart to secret faults, such that it is equivalent to confession”?

According to this theory, the chaplain is the lawful master of novices, and even Superior of the house, with the Brother Director’s power being confined to the temporal domain. It was clear to Favre that several Brothers Director and even teaching Brothers, were encroaching on the functions of chaplains and he even said that, “There will be no change, either in theory or practice, until the Holy See gives its formal and express order to the Little Brothers of Mary.” For him, a decision from Rome will end all uncertainty: “Must the Fathers allow themselves to be taught by lay Brothers?” Since he did not want to get into a fight, he decided to withdraw the chaplains from Beaucamps.

Father Favre resonated with the complaints of the Marist chaplains and recognised them as his own. At the same time, like many Marist Fathers of his generation, he was a witness to the irredeemable break-up of the two Societies: that of the priests, more clerical than preceding generations; that of the Brothers, less disposed to allowing themselves to be directed by the priests, even in spiritual matters. It was quite an original aspect of the ascent of lay autonomy, not only outside the Church, but even within its bosom.

Apart from this real ecclesiological conflict, typical of the nineteenth century, Father Favre’s letter announced his giving up of the assertion of what he considered his right: “When things reach this point, there is only one route to take for peace: that is to separate” (Doc 321 P 483 no

21). However, incidents between Fathers and Brothers multiplied as witnessed to by the Annals of Brother Avit (in particular Volume 3 1863 nos 18 - 25), where he notes, “Relationships (between Marist Fathers and Brothers) had been chilly for a few years.”. The problem of the direction of conscience was central to the break-up. On this topic, Father Ducourneau, “who had preached several retreats”, displayed such virulence that he had been forbidden to go back to the Brothers. On the issue of conscience, Father Favre was no exception among the Marist Fathers. He at least had the merit of keeping the conflict on the level of principles, something not all Fathers and Brothers did. It was only with Father Martin, Father Favre’s successor, that mollified relations between the two Societies, henceforth clearly separated from each other, would be established. (Annals Volume 3 P 347 French edition). In 1890 the Decree *Quemadmodum* of the SCBR tardily resolved the basic problem by forbidding lay superiors from questioning their directees in the internal forum.

Resumption of proceedings by the Marist Brothers and a decisive Chapter in 1862

From 1860, the Marist Brothers had, canonically speaking, no other Superiors than the Archbishop of Lyon and Father Favre. Nevertheless, Brother Louis-Marie, the Vicar General, and Brother Euthyme, Secretary General, went to Rome in February 1862. Why they did so is not very clear: presumably they were looking to negotiate the approbation directly with the SCBR while explaining that it would be impossible for them to completely follow the Roman directives without compromising their status as a civil association. They quickly came up against the intransigence of Mgr Chaillot and Cardinal Bizzarri, who demanded that they follow the instructions of 1859. They lodged with Father Capouillet, who was not very welcoming.

So it was between the end of February 1862 and the opening of the General Chapter, 22nd - 25th April of the same year, that the Superiors resigned themselves to going back to the process foreseen in 1859. A letter of Brother Louis-Marie to Mgr Chaillot of 11th April 1862 (Favre Doc 353 P518) informed him that work had been finished after a long meeting with Father Favre and an examination of the schema article by article. He also announced the holding of the next General Chapter, which had to ratify the Constitutions.

In conformity with the Roman instructions, Father Favre presided at the Chapter, but without intervening (Annals Vol 3 1862 no 12). In a letter of 4th May 1862 (Doc 358 P 523) he gives an account to Cardinal Bizzarri of its satisfactory progress, stating that, “His Eminence the Cardinal Archbishop of Lyon has ensured that all these steps (of the Roman instructions) have been faithfully followed”. He himself, before and during the Chapter, ensured that “the spirit of the Sacred Congregation and the purpose of the Institute” be respected - an ambiguous enough statement. In fact, the new fundamental articles of the Constitutions only partially corresponded to the Roman instructions, which wanted a government weaker but more Roman. The schema,

presented in 72 articles, kept a Superior General elected for life, provinces without autonomy, and a control far enough away from the Holy See.² The schema was freshly welcomed in Rome.

Father Favre's apparent complacency is explained in part by the politico-religious atmosphere in France, which was most unfavourable to Congregations. Also, however, in getting to know the Brothers better and sensitive to the case put forward by Brother Louis-Marie, he was aware of the dangers posed by constitutions which were too branded with Roman intransigence. He was also able to state that his presence at the Chapter stimulated the turmoil among the Brothers and that they would have had a hard time accepting the guardianship of the Marist Fathers, even if it were reduced to spiritual direction. This accounts for his silence during the debates and his affirming, at the end of the Chapter, that his role was at an end.

The atmosphere at the SCBR and among certain Marist Fathers

In Rome, the ultramontane atmosphere was getting worse. We are able to know this through the words and actions of Father Capouillet, reported in the correspondence of Brother Louis-Marie and Brother Euthyme³. Clearly in a hurry to get things done, Brother Louis-Marie left again for Rome on 4th May 1862, taking with him the new file from the Chapter and Father Favre's minutes. He had notified Father Capouillet of his arrival and had counted on lodging with him, as on previous occasions. However, Capouillet refused to welcome him at the Marist Fathers' Procure, apart from a meal once a day⁴. The rest of the correspondence shows that Capouillet, who could be quite a troublesome character, but easily influenced, reflected the hostility of the Roman environment towards the French in general (he himself was Belgian) and towards the Marist Brothers in particular, who, as Cardinal Bizzarri reminded him, were only laymen. Brother Louis-Marie is not exaggerating when he says in a letter of 20th May, "He believes he is responsible for safeguarding the interests of the Church and investigating in the work we are presenting [...] anything that could harm the rights of the Holy See. This is a work coming from France, made in France, it is therefore something to be cautious about" - an opinion which reflects the suspicions of the SCBR and, in particular of Mgr Chaillot, towards Congregations. So Brother Louis-Marie had a thoughtful time, tiptoeing around Father Capouillet and awaiting the arrival of Father Favre. Nevertheless, on 20th May, he invited Brother Euthyme to join him in Rome.

In the end, the two Brothers found refuge with the De la Salle Brothers, probably on Brother Euthyme's arrival. In a message of 20th June (Bourtot P 146) Brother Louis-Marie mentions that

² André Lanfrey, *Une congrégation enseignante : les Frères Maristes de 1850 à 1904*, Université Lyon II, 1979, p. 158.

³ Bernard Bourtot, *Pères et Frères de la Société de Marie en Europe, de 1860 à 1903*, Centre de documentation maristes, Paris, June 2001, p. 145-146. ; A. Lanfrey, *Une congrégation enseignante : les Frères Maristes de 1850 à 1904*, 1979, p. 158. There are numerous copies of these works.

⁴ Brother Louis-Marie had to take a room in town, breakfast in a nearby cafe, lunch with Father Capouillet and look after himself for supper (Letter to Brother Jean-Baptiste, 8th May). He suspected that Father Capouillet wanted to get out of the lunch-invitation, explaining the priest's attitude by his worry about receiving Father Favre "and his suite" in June..

Brother Anaclet, the Director of the house “highly intelligent and very well-regarded [...] will make our business one hundred times easier than poor Father Capouillet.” So, for some economic reason and for some substantive reasons, a link with the De la Salle Brothers was born, something Rome had been envisaging since 1858. Pius IX never seemed to change his mind on the fact that the Marist Brothers were a true copy of the De la Salle Brothers. In an audience granted to Brother Louis-Marie in 1869, he never stopped comparing the Marist Brothers to the De la Salle Brothers. (Life of Brother Louis-Marie P 203 - 207 French edition)

Father Favre finally arrived in Rome for the canonisation of the Japanese martyrs, happily bringing with him support, albeit too limited. On 20th June, Brother Louis-Marie noted that “he had made few recommendations to Cardinal Bizzarri ” and that he had just accompanied him to Mgr Chaillot’s. He ends his letter with the bitter words, “ I don’t know if the first stranger to turn up would be more loyal to us than these Fathers, who scarcely look at you.” The words are evidently an echo of the conflict about chaplains, which appeared to have created a deep rupture between the Fathers and Brothers. We find this feeling again in the Annals of Brother Avit, who situates the conflict less in the area of doctrine than in relationships. Although he was very much opposed to the Brothers in principle, Father Favre at least avoided the invective and wounding attitudes displayed by Father Capouillet and a certain number of the Fathers.

Brother Louis-Marie returned prematurely to France on 6th July, because of Brother Jean-Baptiste’s illness, leaving Brother Euthyme to get on with the business while keeping at a distance Father Capouillet, who was desperate to get involved in it. Nevertheless he kept up quite extensive contact with him, as related in Brother Louis-Marie’s letters. An inveterate gossip, Capouillet was a good source of information, as Brother Euthyme says (letter of 23rd August. Bourtot P 147) “a spark here, a spark there, and light appears”.

Brother Euthyme’s letters constitute a small anthology on the thinking of the Brothers about the Marist Fathers and the SCBR. He finds fault with the Brothers over lack of respect for their chaplains since, “their priestly character puts them far above us”; “we should have the Marist Fathers for house-visits and receiving our accounts of our consciences.”; “I am furious about the direction we are taking with the Superior.”. He confirmed that Father Favre had been wounded by the lack of welcome he received at the Chapter. He was astonished that the Brothers had not trusted him with the business of their approbation.

The most interesting thing, however, is undoubtedly a statement of Brother Louis-Marie at the start of his stay in Rome about Father Capouillet’s intentions. He wanted to take charge of the Brothers’ file and had advocated a letter “of complete abandonment to the Holy See; this letter, he had said, would strengthen him for our defence” (Bourtot P 145). Basically, he was saying aloud what many members of the papal administration in Rome were saying quietly. When

Brother Euthyme left Rome on 7th September, the file had not been confided to Father Capouillet; it is possible that Brother Anaclet took over from him.”

A long-awaited Decree of Praise

In any case, this time, the wait for a result was short: a Decree of Praise from the SCBR dated 9th January 1863 arrived at the Institute, recognising “the Marist Brothers of the Schools” (and not “the Little Brothers of Mary”)⁵. It confirms for a trial-period of five years “the Constitutions written below”, which were not those drafted in 1862, but the Constitutions of 69 articles emanating from Chaillot and conforming to Roman ultramontaniam.

This new Decree of Praise marked real progress in comparison with that of 1859 since there was no longer a question of guardianship by the Marist Fathers nor of constitutions to be redrafted by others. The modification of the canonical name of the Institute is annoying since it differs from the name of the civil association, but it is something we can live with. On the other hand, the schema of the constitutions from Rome posed an enormous problem as they contradicted the statutes of the civil association on several points (Circulars Vol 2 P 450 - 452 French edition), notably in the area of the authority of the Superior General: article 4 of the civil statutes of 1851 stated that he was elected for life, but Rome wanted him elected for ten years. Article 8 foresaw the heads of novitiate houses as being nominated by the Superior General and removed at will, whereas Rome wanted autonomous provinces. Article 12 foresaw a 2 year-novitiate: one in the novitiate-house, the other in an establishment while the Roman constitutions wanted the two years in the novitiate-house...

Today, these divergences appear quite trivial and we cannot quite understand why the State should involve itself in such detail. However, the Church and State were still not quite separate and the feeling ran round the Congregations that was far from theoretical, of persecution by an ill-willed State and frankly hostile pressure-groups. Reading these Roman constitutions staggered the Superiors, who were afraid of their civil recognition being put into question. Since every recourse to Rome was blocked by the intransigence of the SCBR, they looked for a way out of their difficulty.

On 12th June 1863, Brothers Louis-Marie and Theophane went to visit Bishop Parisis of Arras to get out of the impasse in which the Congregation found itself. He was incontestably the man for the job since it was largely thanks to him that the civil authorisation had been obtained in 1851. He knew Brother Louis-Marie well and certainly did not want to see a work which had cost him so much trouble being destroyed. Moreover, he was a member of the group of clearly ultramontane bishops and was not suspected in Rome of gallican indulgence.

⁵ The news was announced to the Brothers in the Circular of 29th June 1863.

He was the one who furnished the Superiors with the necessary casuistry, which can be summarised thus: if the Roman constitutions are causing difficulties for the Institute, putting them into practice can be suspended. Cardinal de Bonald would also approve of this solution (Life of Brother Louis-Marie, 1907 P 194 - 195 French edition). On 7th July, Brother Louis-Marie thanked Bishop Parisis for his sound advice. The Chapter which was going to approve the constitutions met again on 17th - 23rd July at St Genis-Laval. Brother Louis-Marie was elected Superior General, which made him, in the eyes of the SCBR, the first Superior General of the Institute of Marist Brothers of the Schools. He explained to the capitulants the difficulties linked to the constitutions coming for Rome and asked for secrecy on the existence of these constitutions, which, to all intents and purposes, were put aside. In this way, Brother Louis-Marie succeeded in getting the Congregation recognised and in gaining time to avoid difficulties with the French government. Basically, however, nothing of the affair was resolved.

A new phase in the history of the Constitutions then began, from 1863 to 1903, with the Institute ending up by adopting the Roman Constitutions on the eve of its dissolution in France. I am not going to enter into the history of this phase, as I have dealt with it quite extensively elsewhere. There is no lack of works dealing with previous phases: the oldest of these is chapter 10 of the biography of Brother Louis-Marie P 185 - 200 (French version). It has the advantage of setting out, with great clarity, the Brothers' side of the affair, from 1858 to 1863. Clearly, however, many of the facts presented under the umbrella of a fight between Mgr Chaillot and the Marist Brothers would need to be nuanced or corrected.

Marist history and ecclesiological problems

Without compiling a balance-sheet of responsibility, it is useful to consider that two major causes made for difficulties for relations with Rome. On the one hand, there was the atmosphere of ultramontanism which was exacerbated by the conflict between the papacy and the Risorgimento in which the French government and episcopacy found themselves caught up, despite their efforts. However, since the Revolution, Catholic sensibilities could scarcely have been more gallican, with a veneration for the pope without a touchy Roman centralism which would harden as the political powers fought against the papacy. Basically, Mgr Chaillot had been an extreme representation of Roman ultramontanism while Brother François, as abundantly witnessed by his Roman journal, was imbued with a mystical ultramontanism, in line with its origins.

The other characters in this affair of the Constitutions of the Marist Fathers and Brothers appear to me to be more complex when it comes to this topic: Father Favre, at first very Roman, became more moderate; Brother Louis-Marie, undoubtedly ultramontane, and perhaps even influenced

by the philosophy of Joseph de Maistre⁶ found himself once again fighting against a Rule too much marked with Romanness, something that appeared to him to be contrary to the tradition of the Institute.

It is quite useless to attempt to establish a scale of degrees of ultramontanism. What is important is to think of the Marists, not as mere spectators but, for better or worse, as participants in a debate which has been quite forgotten today, but which, at that time, was of such importance that it is not possible to interpret the story at the time of being built up into Roman Congregations without using this key-reading and avoiding the reduction of the challenges to clashes of personality.

The other problem is one internal to Marists and can be summarised by the following question: how does one achieve separation without an irremediable tearing apart of the priestly and lay branches, considered at their point of origin as “Cor Unum et Anima Una”? In particular, at L’Hermitage in the time of Champagnat, the priests exercised spiritual authority and even exercised guardianship over the temporal. However, from 1836, with Rome having refused a fusion of the two branches under the same Superior, the problem of the independence of the Brothers on the temporal level arose, while the chaplains continued to exercise spiritual authority in the houses of formation. Too rigid a distinction between the two powers was impossible: the chaplain had to share his authority with the novitiate’s Director and Master of Novices, who saw themselves as partners of the priest, and invested themselves, as Superiors, with spiritual authority. This is the reason for the row over direction of conscience between the Brothers and the Marist Fathers which was undoubtedly the principal cause of Brother François’ resignation in 1860.

It is possible to quickly sketch out several stages of this old problem. The Rule of 1837, which had been edited during Champagnat’s lifetime and after Rome’s having rejected the union of the SM branches, gave an extremely ambiguous “instruction on the account of conscience”. It recalls that, “This pious practice must not be confused with sacramental confession”, it also asks that good and bad inclinations and temptations are made known to Superiors. However, how does one talk about such topics without endlessly crossing the rigid line between confession and direction?

The *Manuel de piété à l’usage des novices*, printed in 1855 but confirming an earlier teaching, has a chapter on “The necessity of direction” (Part 2, Ch V P 197). It asks the Brother to consider his Superior as “his father, his friend, his guide and his physician” since the opening of one’s heart to the Superior is “the basis of the spiritual life” and is recommended by all the saints, in particular, St Dorotheus, St Francis de Sales, St Basil and St Bernard. In fact this teaching of the

⁶ He considered that, after the French Revolution, European order could only be lastingly restored under the pope’s spiritual guardianship over the nations.

opening of the heart is based on the tradition of ancient monasticism, of which Dorotheus of Gaza and Basil are prime exponents.

In all likelihood, this teaching, with its monastic origins, was only set down after Champagnat's time. It enabled the Superior General and his Assistants to keep in touch with the Brothers dispersed in the elementary schools by means of letters. In the 1852 *Common Rules* Chapter IV on "The account of conscience and the opening of the heart to the Superior" systematised a previous practice in requesting the Professed to render account every four months and the younger Brothers (the "Obedient") every two months. Above all (article 7), the Brothers Director of novitiates were to see the postulants and novices every eight days.

It is understandable that such an arrangement was seen to be galling for a chaplain, whether Marist or not. In fact, without having seen the basic problem, the Marist Brothers' Superiors were using the ancient monastic tradition, as opposed to that of the Council of Trent, which had integrated direction of conscience into confession. For them direction by letter was the most practical way of keeping in touch with the dispersed Brothers. It does not seem that this practice was condemned by the Marist Fathers, who did not have access to the correspondence. It was quite natural that, in the novitiates, the Marist Fathers perceived direction by the Brother Director as an encroachment of laymen on their privileges and competencies. As this direction of novices has left scarcely any trace, it is impossible to know with any precision how far the complaints of the Marist Fathers were justified, inasmuch as, consciously or not, the novices could very easily exploit the differences between the Director and the chaplain when it came to their interior life. In contrast, we have available a window into the study of the spiritual direction of the Brothers in the schools since we have collections of replies of the Superiors, in particular, of Brother François, to the letters of direction from the Brothers and we can quite often make a good guess as to the contents of these letters. A reading gives the impression of a direction carried out in good faith. Nevertheless, we cannot reduce the complaints of the Marist Fathers, and particularly those of Father Favre, to corporate pettiness. The business of the Constitutions, then, clearly reveals a fundamental problem, in part due to the Society of Mary, in part to priest-lay relations, not only in matters of spirituality, but at the heart of an ecclesiological tradition, springing from the Council of Trent, but beginning to unravel.

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