

The General Chapter of 1852 - 1854 and Brother François' Progress in Rome in 1858

**Brother Marie-Jubin's letter
challenging the way the Rules and Constitutions were drafted**

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In Marist Notebooks no 38 (May 2020) Brother Antonio Martinez Estaún summarised the history of the drafting of our Constitutions during the years 1852 - 1863. He had consulted the dossier holding the original correspondence on this topic in the Vatican Archives and I will comment on this below.

In 1836 Rome recognised the Marist Fathers as the Society of Mary, but not the other branches. Nevertheless, in the Dioceses of Lyon and Belley, the ecclesiastical authorities considered that the Fathers, Brothers and Sisters formed a single Society, the Superior of which was Father Colin. In addition, in his Spiritual Testament of 1840, Marcellin had bequeathed the Brothers to Father Colin. However, in the face of Rome's refusal to accept a Society such as this, three branches under the same Superior, the General Chapter of the Marist Fathers had voted in 1845 for the separation of the Fathers and Brothers.

This was only a decision in principle since, since, without civil or canonical recognition, the Brothers did not have the practical means to form an independent society. It was the obtaining of civil recognition in 1851 which allowed them to create Constitutions with a view to canonical recognition from Rome. Over three sessions (1852 - 1854) the General Chapter established the Common Rules, the *Schools' Guide*, and, finally, the Rules of Government or Constitutions. At the opening of the first session, Father Colin came to formally declare an end to his role as Superior and to encourage the Brothers to go forward into the future on their own.

However, such a step was not easy to take: as Marcellin had not left a written rule¹ Superiors and senior Brothers had some difficulty in agreeing on the spirit and letter of the Congregation's legislation. Little used to debate in a constituent assembly without representatives of the ecclesiastical authority, Superiors and capitulants experienced times of tension. Brother Avit has left us substantial glimpses of these in his *Annals of the Institute*², glimpses which fill out the very much watered-down Acts of this Chapter, the responsibility of Brother Louis-Marie, as Brother Avit informs us.

These tensions are in no way astonishing: some time ago, in his *Life and Death of Religious Orders*, Raymond Hostie showed us that every Congregation has to go through a difficult time when passing from the authority of the Founder to the authority of the Rule. It is true that the Marist Brothers - whose Founder died prematurely - did not have to experience - as the Marist Fathers did - the contention between a still-living Founder and successors anxious to have a Rule. However, drawing up a Rule in the spirit of a Founder who is no longer there is no easy task. Brother François and his two Assistants believed themselves clothed with the legitimate authority to draw up the Institute's legislation themselves before proposing it to the Chapter. However, the capitulants, the majority of whom had known Marcellin, were unwilling to approve drafts of texts to which they themselves had not contributed, even if, at the end of the General Chapter, they affirmed that the Rules "were the faithful expression of his will and contain his spirit" (ie Marcellin's). The letter that we are going to examine shows that their agreement was not wholehearted.

This unease did not prevent the Superiors from moving forward with 1. The drawing-up of a biography of the Founder, under the care of Brother Jean-Baptiste. 2. The construction of a new Mother-House at St Genis-Laval, with Brother Louis-Marie in particular taking on this responsibility. 3. The compiling of a file with a view to obtaining a Decree of Praise from Rome, which Brother François took charge of. The first two objectives would be successfully completed, the first in 1856, the second in 1858; the third, however, would see a series of delays, partially caused by the letter we are going to comment on.

Brothers François and Louis-Marie in Rome

The dossier for the recognition by Rome was ready by 1857 but the Superiors' progress was delayed by Cardinal de Bonald who reluctantly authorised it while warning that "There is in Rome today a current of ideas and tendencies which could cause you embarrassment." However, neither he nor Brother François foresaw opposition coming from the Brothers themselves.

¹ The Rule of 1838 is a book of customs.

² Volume 2.

Brother François' dossier comprised a note on the origins of the Congregation, a summary of the Constitutions in twenty fundamental articles, testimonial letters from around thirty bishops³, and the Rules drawn up in 1852 - 54. The Superiors hoped to obtain a Decree of Praise during the year 1858 after two or three months' work in Rome. This success would put a stop to the persistent and widespread discontent of the senior Brothers. In fact the Decree of Praise would only be granted in 1863 and the definitive Constitutions would only see the light of day in 1903 after forty years of latent conflict between the Institute and Rome.⁴

The two Superiors left on 6th February 1858 after visiting Cardinal de Bonald, Archbishop of Lyons, who finally gave them his testimonial letter. They also spent time at the Marist Fathers, where Father Favre, the Superior General, gave them his own letter of recommendation.⁵ In Rome they were welcomed by Father Nicolet, the Marist Fathers' Procurator. On 1st March they were received in audience by Pope Pius IX. Everything seemed to be going well until 15th March when they discovered that the very Catholic and very ultramontane newspaper⁶, *L'Univers*, had revealed their business to its enormous readership, presenting them as copies of the Brothers of Christian Schools⁷. Upset by this, they contacted those close to the Pope to let them know that there was nothing in this which should be interpreted as their applying pressure.

A second obstacle quickly followed: a letter from Brother Marie-Jubin, Secretary General in L'Hermitage, dated 26th March 1858 and denouncing the way in which the Institute's legislation being presented in Rome had been drawn up at the 1852 - 1854 General Chapter. If this complaint was taken seriously, there would be a risk of the entire business being thrown out by the Papal administration.

“Institute of the Little Brothers of Mary

From our house of L'Hermitage above St Chamond (Loire), 26th March 1858

Your Excellency,

On the occasion of the request for authorisation made to His Holiness Pope Pius IX by the Superior of the Institute of the Little Brothers of Mary, the undersigned dares to submit confidentially the following to Your Eminence:

³ This large number of approbations made a great impression on the authorities in Rome.

⁴ The *Life of Brother Louis-Marie* published in 1907 gives the Superiors' interpretation of this situation in Chapter 10.

⁵ These two churchmen would later prove to be major obstacles to the recognition of the Marist Brothers by Rome.

⁶ [Translator's Note] In the Church in France at that time there were two schools of thought: the Gallicans, who thought that the French Church should control its own affairs and the Ultramontanists who thought that the Pope should have a much greater role in running the French Church.

⁷ [Translator's Note] Also known in English-speaking countries as the De la Salle Brothers.

- 1. The only General Chapter held in the Institute ended its business in 1854; it revised, augmented and completed the Rules in a way which offered a number of things which were new or which had not been accounted for, in particular the Vow of Stability, which was completely unknown to the Brothers before the year 1852. In view of the brief space of time since these new arrangements were put in place, it would perhaps be useful to try them on an experimental basis before seeking definitive approbation, especially since the convocation of the Chapter was rushed, the sessions very short for examining so much, and the Members of the Chapter so little prepared for such an important task.**
- 2. It would seem useful for the fundamental articles to have been discussed in a General Chapter or at least in the Great Council of the Institute, which has not been convened for a single meeting yet. (See Constitutions, Chapter 12, Articles 3, 4, 5.)**
- 3. One finds that the daily recitation aloud and in community of the Office of Our Lady is tiring for many Brothers who are obliged to spend seven or eight hours each day teaching around sixty children. On the other hand, it is doubted if there is any great advantage to this recitation, given that the Brothers do not understand Latin and recite mechanically. There is little time left for them...**

(foot of the first page) To His Eminence the Lord Cardinal Barnabo

for their own formation and preparation of their classes such that, quite often they scarcely have sufficient education themselves. Perhaps it would be sufficient to recite it only on Sunday and Thursday.

- 4. The exercise of the coulpe⁸ is hardly ever carried out as it should be and, I would say, as little as possible. I think it would be sufficient to tie it into the rendering of account⁹ that the Brothers must make each week to the Brother Director.**
- 5. Beyond the embarrassment and injuries they often cause, the cloth stockings are still the source of several minor illnesses as the too-tight fabric prevents the evaporation of perspiration, which is then reabsorbed by the skin of the feet and legs. They are, moreover, a source of infection in the dormitories. These inconveniences are further increased by the lack of care the Brothers have for**

⁸ [Translator's Note] The coulpe was a community-exercise carried out throughout the Institute on a weekly basis until the 1960s. Brothers accused themselves and other Brothers of the community of minor infringements of community-norms and received a small penance from the Superior.

⁹ According to the Common Rules of 1852 (Part 1, Chapter 4) the Brothers "will render an account of their external conduct" to the Director every week. It is not, properly-speaking, spiritual direction.

keeping them clean, either through negligence or lack of time. A large number of Brothers would wish to modify this article.

- 6. The flat hat, known as the Roman hat, is less expensive, more useful, simpler, and easier to keep clean than the triangular one. It was adopted by the Marist Fathers and the Brothers would like to see it replace the ones they have at present.**

Such are, Your Excellency, the observations I have quite often heard made by several Brothers, even some of the first Brothers, and I believe they should be submitted to Your Eminence. Whatever the importance he may be pleased to attach to them, the thought that they have been made known to the President of the Congregation examining our Rules, will suffice to dissipate the unease that they might yet cause and bring the spirits together in perfect unity. That is all that I desire.

Please accept the profound respect and religious veneration with which I am,

Your Excellency,

the most humble and most obedient servant of Your Eminence,

Bro. M. Jubin, Secretary General”

Brother Marie-Jubin seemingly had his letter sent through the good offices of the Archdiocese, which, knowing that the Superiors of the Marist Brothers were in Rome, would have had no suspicions about the contents of this message. Cardinal Barnabo should have received it in the first days of April.

The 26th March was quite a late date to send representations, but it was perhaps a consequence of the article in the *L'Univers* newspaper which showed that the negotiations with the Roman administration were more delicate than had been foreseen. Clearly, Brother Marie-Jubin did not know what importance the Congregation of Propaganda would place on an isolated letter of protest, even one coming from a Secretary General¹⁰. In any case, the letter was skillfully written; its tone moderate, it threw suspicion on the Superiors and their dossier. Taken seriously in Rome, it could block the Superiors' progress much more than the article in *L'Univers* could.

The author and the consequences of his letter on the Superiors' progress

¹⁰ In fact, the post of an elected Secretary General no longer existed. Brother Marie-Jubin would simply have been head of the administration at L'Hermitage or even just one of the secretaries.

Brother Marie-Jubin is relatively well-known to us since there is a long biographical note devoted to him in Volume 2 of the Letters of Champagnat (English edition pp 363 - 368). Jean-Baptiste Mériqay was born in Valbenoite in 1820. Entering at L'Hermitage in 1833, he took his First Vows in 1834 and Final Vows in 1837. In 1838 he accompanied Marcellin to Paris to learn lithography and follow a course at the school for the education of deaf and dumb children. The rest of the note indicates that he was educated, a good teacher, but a difficult character, very keen on studying, particularly maths and music. At the 1852 - 1854 Chapter he was part of the group of 42 Brothers eligible for election from the Province of Notre Dame de L'Hermitage, but having obtained only 85 out of 190 votes cast, he was only second substitute and would not have been a capitulant. However, he was undoubtedly already present in the administrative services at L'Hermitage and would have been able to gather rumours and inside-information on the unfolding of the Chapter. His being sent away to Paris in 1853 - 1854 and then to Breteuil (Oise) in 1854 - 1856 are perhaps signs of disgrace in a scheming secretary. On his return to Notre Dame de L'Hermitage in 1856, he certainly participated in the compiling of the dossier for Roman authorisation. Moreover, as a member of the group of senior Brothers¹¹, of whom he was one of the youngest at 38, he was well-placed to gather their complaints, without needing to care about discretion over the deliberations of the General Chapter.

The fate of his letter is revealed to us by the reply of the Nuncio in Paris, Archbishop Mazio, to Cardinal Antonelli, the Secretary of State on the 8th June 1858 where we learn that on 30th April document no 92091 requested advice from him on the Little Brothers of Mary. He had requested the Archbishop of Lyons to discreetly investigate the veracity of the criticisms. However Cardinal de Bonald had directly approached the Assistant General, Brother Louis-Marie, just back from Rome, and his reply, dated 31st May, absolutely refuted Brother Marie-Jubin's contentions. In sending on this reply without any comment, Cardinal de Bonald implicitly approved it. The Nuncio deduced from this that the Marie-Jubin letter, coming from a few malcontents, should not be retained by the Holy See. By the time the Roman administration reacted to this letter, it was the month of July. This delay was catastrophic for Brother François.

It was, in fact, on 9th April that the two Superiors learned from Cardinal Barnabo that their dossier was held up: the Pope had asked the Cardinal to hold onto it and "His Holiness added that if we were in a hurry to go home, we could do so."¹² The Cardinal then advised the Superiors to request a leave-taking audience for the 15th April and imparted vital information to them: "The Holy Father told us that he was waiting for a letter from Paris about our business."

Brother Louis-Marie left for France on 24th April while Brother François waited for the much-discussed response of the Nuncio without knowing what it was about and without suspecting that

¹¹ Those who had entered the Institute in Marcellin's time.

¹² It was on the following day, 10th April, that the Secretariat of State sent off a message asking the Nuncio in Paris to make investigations about the famous letter of Brother Marie-Jubin.

he would have to wait for such a long time. Contrary to the preceding phase, he took Father Nicolet, the Marist Fathers' Procurator, as a mentor in finding, in the Roman administrative labyrinth, traces of the famous correspondence. Eventually, Monsignor Guidi from the Secretariat of State sent a reply on 27th May: "Abbiamo scritto; aspettiamo la risposta"¹³ On this date, the response of Brother Louis-Marie, transcribed below, had not yet been sent.

"Saint Genis Laval 31st May 1858

To His Eminence Cardinal de Bonald, Archbishop of Lyons

My Lord,

I beg Your Eminence to allow me to give in writing the explanations which he had the goodness to request of me on some of the articles in our Rules and Constitutions.

- 1. The article which obliges us to wear cloth stocking, sewn and not knitted, comes from 1845. We had adopted them for reasons of uniformity, simplicity and economy; however the principal reason is that the use of knitted stockings, in multiplying relations of the Brothers with persons of the sex¹⁴, gave birth to grave abuse. Father Champagnat did not find a better way of preventing this than by adopting cloth stockings. In addition, it was taken from the Brothers of the Christian Schools who themselves had received it from their Founder, the Venerable Father de la Salle. To date, no one has complained that they were inconvenient or injurious to health.**
- 2. There has never been a question in the Institute of the hat known as "Roman", which probably exists nowhere less than Rome¹⁵. The General Chapter adopted the triangular hat because it was the only one which had been in use among the Little Brothers of Mary.**
- 3. The articles which we have presented for the approbation on the Holy See were faithfully extracted from the Rules and Constitutions adopted by the General Chapter and it seemed to us that it was not appropriate to submit them to it again**

¹³ "We have written; we are awaiting the reply."

¹⁴ [Translator's Note] In male Religious Life of the nineteenth century this was the standard way of referring to women.

¹⁵ [Translator's Note] This is a direct translation of the French, which Brother André says is ambiguous. He suggests that it could mean "which exists nowhere except Rome" or, more probably, "which exists nowhere, not even in Rome".

and that it would suffice to call on it later to pronounce on modifications which it judged appropriate to bring.

4. The daily recitation of the Office of Our Lady in all the houses of the Institute dates from our beginnings. Father Champagnat always regarded it, not as a burden for the Brothers, but as relief and consolation. The Brothers consider themselves fortunate in coming together for this practice of piety and several other Religious Congregations, also applied to the work of teaching, have the happiness of carrying out this practice.
5. Although the Vow of Stability was not taken during the life of our Founder, it was something accepted by him in principle. We find, written in his hand, this article of the Rule: The Brothers will make the four Vows of Poverty, Chastity, Obedience and Stability.

The Vow of Stability ~~which~~ (sic) is only made after 15 years in community and 10 years of profession and is only granted to Brothers who are both the most capable and the most virtuous. As it is obligatory for the Brother Superior General, the Assistants, the Directors of novitiates and all Members of the General Chapter, assurance was sought as far as possible of good government of the Institute by giving to the administrative body the Congregation's best subjects. It is for this reason that the General Chapter, basing itself on the powerful example of the Society of Jesus, was not slow to adopt this fourth vow and make it a basis of the Constitutions.

6. The following observations pertain to the Rules and Constitutions as a whole:
 - I. That everything essential comes from our pious Founder and the General Chapter only brought together and put into writing our customs and usage.
 - II. That the said Chapter, with Your Eminence's approbation, was lawfully convoked by the Brother Superior General and canonically elected by the Professed Brothers of the Institute.
 - III. That it maturely examined and freely accepted the Rules and Constitutions of the Institute, having taken three consecutive years to carry out this work, to which it devoted more than one hundred plenary sessions and as many private sessions.

Here, my Lord, I am obliged to affirm to Your Eminence that the secret opposition

which occurred with our request for approbation by the Holy See is only a consequence and a remnant of the cabals through which the hindering of the General Chapter was sought in 1852. Indeed, a coterie of five or six ambitious and discontented subjects was formed on that occasion to defend, so they said, the rights of the Brothers. Supported by two Members of the Chapter whom they had made their leaders, they had worked the whole time to weaken the ties of religious discipline, to push for their relaxation and a purely material welfare.

Also, on the question of food, in place of two courses, a dessert and wine half diluted with water, which the Rule accords, they demanded three courses, three desserts and undiluted wine. At the same time they proposed and supported everything that tended to make the habit more wearable and elegant, such as the knitted stockings; house furnishings more eye-catching, such as mirrors and curtains; requesting permissions much rarer; visits and travelling much easier; religious exercises shorter, in a word, everything that favoured freedom and independence, comfort, and the easy life.

I give you these details, my Lord, to let Your Eminence know where such subjects would have led the Congregation had the Regime weakened for a single instant before them or if it had a lesser degree of universal confidence among the Brothers.

Happily, however, Providence, which wants the work of the Little Brothers of Mary just as Father Champagnat conceived and established it, has brought sound justice to this half-hearted affair: the two Brother capitulants who supported it shamefully left the Congregation and have gone, after 23 years of Religious Life, to get married in St Etienne, two leagues away from the Mother-House, in the very heart of our establishments. The main leader, dishonoured by the Chapter for his seditious intrigues, again, several months later, had to be relieved of his vows by Your Eminence and reduced to the state of a simple novice as a punishment for his hateful calumnies against one of the most worthy parish priests of the diocese.

The one who today is trying to take up the trends underpinning this business is just as equally discontented because he was not nominated a Member of the General Chapter and still more discontented because he does not occupy a position in the Institute in line with his ambition.

Thus, the universal disapproval of the Brothers had crushed this bad business throughout the entire Institute and it appeared so forgotten that the Regime did not have the slightest suspicion that any trace remained.

However, since we have the pain of rediscovering it in one of our Brothers, we see it as a blessing from God that it had dared to steal up to the feet of the very Vicar of Jesus Christ. We have firm confidence that the Holy Father will confound this latest effort of the evil spirit and rid us of it forever while, at the same time, confirming and approving the true spirit of the Little Brothers of Mary. If, in this solemn and decisive moment for the Institute, the spirit of the cabal and of relaxation comes to attain the slightest triumph, it would be a sure beginning of division and ruin for the Congregation.

I dare to hope, my Lord, that Your Eminence will save us from this danger by throwing the light of his holiness on the true spirit which has dictated the letter concerning it.

Please accept the profound respect with which I am,

My Lord,

Your Eminence's most humble and obedient servant,

Brother Louis-Marie, Assistant.

One might find it strange that the Secretariat of State and the Apostolic Nuncio be given responsibility for clarifying such a fairly minor affair. However, Pius IX often worked through the Apostolic Nuncios for a tighter control of national bodies of bishops. This is undoubtedly why Cardinal de Bonald, unhappy with a process like this that made him subordinate to the Nuncio, did not make any enquiries himself nor add any comments to Brother Louis-Marie's response. This abstention saved Brother François' dossier for a time. It was only on 7th July that Monsignor Guidi, visited once again, declared that "the Nuncio's response arrived a short time ago; that it was favourable; that something still needed to be sorted out; but that the business was going through the normal channels and would soon be completed."

Belated success for Brother François and Father Nicolet at the Congregation for Bishops and Regulars

On Friday 16th July, the situation was finally cleared up. The Pope ordered, "to go through the regular channels and immediately resubmit the dossier (up till then at Propaganda) to the Congregation for Bishops and Regulars (CBR). On 23rd July, Brother François was able to meet its Secretary, Archbishop Bizzarri. Father Nicolet who accompanied him had to emphasise at length the links between the Marist Fathers and Brothers when the Roman administration found that the latter resembled the De la Salle Brothers. After much procrastination, it was only on 31st

July that Brother François himself lodged the dossier at the CBR and Archbishop Bizzarri warned him that it would be a lengthy process.

In any event, Brother François had to return home and Father Nicolet took on the job of keeping track of the dossier. On 9th August he¹⁶ obtained from the Pope a leave-taking audience. The conversation was mundane: Pius IX justified the Roman lack of speed; he was still persuaded that the Marist Brothers were a sort of clone of the De la Salles and asked, “Where are you staying in Rome? With the De la Salles?” When Brother François spoke to him about the devotion of the Institute to his person he replied, “It is really necessary always to be attached to the Centre.” These papal words well summarise the attitude that Brother François found throughout the whole of the papal administration: lack of haste, centralising ultramontanism¹⁷ and reference to the De la Salles, who were well-known in Rome. This is undoubtedly why, before leaving, he paid a visit to Brother Floride, Superior of the De la Salle Brothers in Italy. They had “a friendly conversation on the sense of unity and understanding between the two Societies” and in sum, “The De la Salle Brothers have always shown themselves very straightforward when I have met them.”

Brother François was less happy with Cardinal della Genga, the Prefect of CBR, who received him on 16th August and exclaimed “Another new Institute!” And after Father Nicolet’s explanations, “But it’s a bit like the De la Salle Brothers!” In addition, Father Nicolet drew out the main points of the meeting: “It’s our number, the length of our existence, all the recommendations of the bishops (and I added, our union with the Marist Fathers)” which obliged Rome to accept the dossier. But he warned Brother François: the Rules and Constitutions would be examined minutely. He did not mention to Brother François, but wrote to Father Favre, that Rome would probably give the Marist Fathers a certain amount of control over the Brothers. On the 21st Brother François left Rome in the company of Father Galabert, an Assumptionist, and arrived in St Genis on 24th August. He had left L’Hermitage on 6th February.

When Rome decided not to take any account of the Marie-Jubin letter, the Superiors were obliged to change strategy. They had left the seeking of authorisation without putting forward the historic links with the Marist Fathers; however, Brother François had to resort to the services of Father Nicolet to guide him through the undergrowth of an Italian-speaking administration which was little inclined to appreciate these French men who were in too much of a hurry and not sufficiently Roman.

In the longer term, this letter had shaken the confidence of Cardinal de Bonald in the Superiors of his diocesan Congregation of Brothers and confirmed for the Marist Fathers - and notably for Father Favre their Superior - the conviction that the return of a certain amount of supervision of

¹⁶ [Translator’s Note] ie. Brother François

¹⁷ [Translator’s Note] See Footnote no 6 above.

the Brothers was necessary. The end-result of the understanding between de Bonald and Father Favre would be Cardinal de Bonald's letter of 16th February 1859 in which the Archbishop of Lyons asked that, since the Superiors of the Brothers were lacking education and authority, the formation of novices be put into the hands of the Marist Fathers "as previously". However, the letters commented on below would not play any part in the subsequent adventures. In retrospect, the letter of Brother Marie-Jubin, along with Brother Louis-Marie's response, constituted an important source for the developments of the General Chapter of 1852 - 1854.

Analysis of the contents of the Marie-Jubin and Louis-Marie letters on the General Chapter

Brother Marie-Jubin classified his objections in descending order of importance. In his response, Brother Louis-Marie did the reverse, as is indicated by the numbers in his text. Speaking generally, he justifies his response by the authority of the Founder, without denying other arguments.

Brother Marie-Jubin 26th March 1858	Brother Louis-Marie 31st May 1858
1. The General Chapter started something new: the Vow of Stability "which was completely unknown to the Brothers before the year 1852."	5. "Although the Vow of Stability was not taken during the life of our Founder, it was something accepted by him in principle. ¹⁸ giving to the administrative body the Congregation's best subjects. basing itself on the powerful example of the Society of Jesus...and making it the basis of the Constitutions."
the convocation of the Chapter was rushed, the sessions too short, and the Members of the Chapter badly prepared for such an important task. Novelties should have been tried out before seeking definitive approval.	6. Everything essential in the Rules and Constitutions comes from the Founder. "The General Chapter only brought together and put into writing our customs and usage."

¹⁸ Brother Louis-Marie is specifically relying on a fragment of a Rule found in Vol 1 of *Origines des Frères Maristes* p 141: "The Brothers of Mary will make the simple vows of chastity, poverty, obedience and stability in the Society." That is very little on which to justify an original tradition.

	<p>The Chapter, was approved by the Archbishop, was lawfully convoked by the Superior General and canonically elected.</p> <p>It devoted more than one hundred plenary sessions and as many private sessions to examination of the Rules and Constitutions.¹⁹</p>
2. The fundamental articles should have been discussed in Chapter or at least in the Great Council, as provided for in the Constitutions.	3. The 20 articles presented for the approbation of the Holy See were extracts from the Rules and Constitutions adopted by the General Chapter.
3. The daily recitation of the Office in community is too tiring for the Brothers. Not knowing Latin, they derive little profit from it spiritually. They have no time to study. The Office should be kept for Sundays and Thursdays.	4. “The daily recitation of the Office of Our Lady in all the houses of the Institute dates from our beginnings.” The Brothers are happy with this practice.
4. The coulpe is carried out as little as possible. Be content with the rendering of account ²⁰ that the Brothers must make each week to the Brother Director.	
5. The cloth stockings are unhygienic. This custom should be modified.	1. The article which obliges us to wear cloth stocking, sewn and not knitted, comes from 1845.” Father Champagnat wanted to avoid having to relate to women. Jean Baptiste de la Salle was his inspiration. No one has complained.
6. The triangular hat should be replaced by the flat hat, known as the ‘Roman hat’.	2. “There has never been a question in the Institute of the hat known as ‘Roman’” and which scarcely exists in Rome. The Brothers have always used the triangular hat.

The contrast is interesting because of the silence on certain topics reported by Brother Avit or very much evidenced in the Acts of the Chapter. For example, there is nothing about suffrages

¹⁹ These numbers need to be verified. The Acts of the Chapter do not speak of private sessions. Brother Louis-Marie is perhaps counting sessions held by the Superiors before the Chapter itself.

²⁰ According to the Common Rules of 1852 (Part 1, Chapter 4) the Brothers “will render an account of their external conduct” to the Director every week. It was not, properly-speaking, spiritual direction.

for the dead, an issue at the Chapter which caused a great deal of feeling. Brother Marie-Jubin made no further mention of the problem of decentralisation into autonomous Provinces which had been raised by Father Mazelier in his speech. In fact, Brother Marie-Jubin's objections rested on three points: the Vow of Stability considered to be a novelty; the too rapid progress of the Chapter; the adaptation or reforming of certain practices.

These criticisms linked up quite well with what Brother Avit said about the Vow of Stability and the general atmosphere in the Chapter, where many capitulants were overwhelmed by the issues addressed and troubled by some proposals of the Superiors which were made to block a small minority of opponents. As Brother Marie-Jubin said: it was a question of unease rather than opposition from the senior Brothers, who were being asked to move from oral tradition and customs to written legislation. They found it difficult to see the primitive spirit in that, particularly with the Vow of Stability which, moreover, was going to gradually overtake their status as senior Brothers.

However, by 1858 some of the Institute's primitive customs had fallen into disuse. This was the case with the *coulpe*, which Brother Louis-Marie did not even dream of defending. Others were only followed with hesitation. Rather than ratifying compromises, the Superiors were imbued with a spirit of return to the sources, which set some customs in stone. Brother Avit has told us how he took it upon himself to make fun of the plan to ban watches (*Annals of the Institute Vol 2*) which had become common at that time. As for the cloth stockings, Brother Louis-Marie dated their obligatory use from 1845 as if their imposition by Marcellin around 1829 had not been the absolute that Brother Jean-Baptiste had claimed in the Founder's biography. It was probably the same for the Office of Our Lady, the daily recitation of which in community on school-days was never general. About the use of the hat, Brother Louis-Marie was correct: it was not particularly Roman, but the triangular hat became outdated. There was no a priori objection there.

Rules in line with the origins or adapted to circumstances?

Brother François and his two Assistants were profoundly united in writing Rules and Constitutions which would bring the Institute back, they believed, to its primitive fervour. The rigidity can be seen in the second part of Brother Louis-Marie's response where he claims that the Marie-Jubin letter emanated from "a coterie of five or six ambitious and discontented subjects [...] Supported by two Members of the Chapter whom they had made their leaders". Brother Avit confirmed this point of view only partially: in a lengthy exposé on the opposition in the Chapter, he states that "among the eight or ten capitulants (of whom he was one) who were taken to be the opposition, only two appeared to be inimical."

Then Brother Louis-Marie went on to make the opposition really self-indulgent, wanting an abundance of rich food, a more fashionable and elegant habit, “in a word, everything that favoured freedom and independence, comfort, and the easy life.” However, Brother Avit cites (*Annals Vol 2*) a letter of Father Colin dated 11th June 1852 reporting numerous complaints of the Brothers which had been sent to him. This showed that the link between the Fathers and Brothers was far from being broken and that the authority of the new Superiors was fragile. Whatever the case, Father Colin grouped the complaints into two categories: in the first, requests were made for more Masses and prayers for deceased Brothers; in the second, there was a preoccupation with the precarious health of the young Brothers, for whom more time should be devoted to meals with more substantial nourishment and physical exercises adapted to their age. This was not exactly the decadence which Brother Louis-Marie complained about.

The reason for his intransigence was given: “Providence [wanted] the work of the Little Brothers of Mary just as Father Champagnat conceived and established it”. The signs of this providential act of return to the origins were “the two Brother capitulants who supported [the cabal] shamefully left the Congregation and have gone, after 23 years of Religious Life, to get married in St Etienne”. Brother Avit confirms this fact, with the additional detail that one of the two was the Procurator General, Brother Antoine-Régis, the fifth and last to be elected from the Province of Viviers, with 29 out of 51 votes. We have a few details about him in the *Annals*. His name was Raymond Jean-Baptiste and he was born in Peaugres (Ardèche) in 1817. Sent to L’Hermitage by the Marist Brothers, who had been in Peaugres since 1833, he made temporary profession in 1835 and perpetual in 1836.²¹ From October 1845 until September 1852 he was Headmaster of the school in Villeneuve de Berg and it was with this title that he participated in the first session of the Chapter. In the two subsequent sessions he participated as Procurator General. He left in 1856, for reasons certainly more complex than those given by Brothers Avit and Louis-Marie.

I do not know the name of the second capitulant who left at the same time. Among other Brothers considered to be opponents was undoubtedly Brother Marie-Lin (1813 - 1891), a native of Marllhes. Like Brother Antoine-Régis, he took his temporary vows in 1835 and Final Vows in 1836. Having become Master of Novices at L’Hermitage in September 1852 and the tenth capitulant elected from the Province of L’Hermitage with 140 out of 190 votes, he suddenly found himself, after the first session of the Chapter, Headmaster of the small school at Beaucroissant, where he remained for the rest of his life. His attitude at the Chapter was seemingly driven by this sidelining.²² Brother Avit himself, having entered in 1838, was sent into exile as Headmaster of the difficult post in Digoin in 1855. As for Brother Marie-Jubin,

²¹ His fiche says that he left in 1836, but this is a mistake, as the *Annals* of Peaugres show. [Translator’s Note]: In the nineteenth century periods of temporary profession were extremely flexible. There are examples in the General Archives of Brothers who took their Final Vows at the end of their novitiate and of others who were in temporary vows for nine or ten years.

²² See the biographical notice in (the English translation of) Vol 2 of Marcellin’s Letters, Pages 368 - 372.

Brother Louis-Marie either knew or guessed that he was the author of the famous letter to Rome since he defined him as “discontented because he was not nominated a Member of the General Chapter”.

We have there a large part of the opposition in the Chapter. Were they imbued with “the spirit of the cabal and of relaxation” as Brother Louis-Marie accused them? It was rather a question of Brothers who had entered the Institute between 1833 and 1838, and so were from the second generation of senior Brothers; they had not known the very early customs of the Institute, were more educated than the preceding generation and were more concerned about adapting to a rapidly changing world. They collided with Superiors who were anxious to impose a Rule on an Institute which was already numerous and whose identity appeared to them to be threatened, internally by laxity and externally by a revolutionary spirit.²³ This is why the Superiors looked forward to having their legislation legitimised by the highest spiritual and institutional authority: the Pope.

The two letters commented on illustrate two concepts of the Institute which were meant to last: on the one hand, a fidelity to origins which was not exempt from formalism and centralised power; on the other, adaptation, possibly debatable, for a new era and with a greater sharing of authority. At the same time they give witness to the passing from the era of custom and the spoken word to that of the Rule and a culture of writing. These tensions weakened the already fragile authority of the Superior General and favoured an attempt to re-establish a certain amount of oversight by the Marist Fathers. This is where the sidelining of Brother François in 1860 comes from, motivated as it was by real, but in fact secondary, reasons of health. It was Cardinal de Bonald, Father Favre and the CBR who, for quite different reasons but converging effects, forced his resignation.

²³ The Revolution of 1848 was not too far away.