

## SEMINAR PAPER

### INFALLIBILITY AND THE FRENCH MINORITY BISHOPS OF THE FIRST VATICAN COUNCIL

"Mon ami, je bénis Dieu de m'appeler à lui avant la définition."<sup>1</sup> These words were murmured by Jean Devoucoux, bishop of Evreux, as he lay on his deathbed in the spring of 1870, his last energies spent in the fight against the definition of papal infallibility by the First Vatican Council. His comment highlights the dilemma which remained for his fellow minority bishops from France who opposed the definition on papal infallibility throughout the Council and yet found themselves faced at its end with *Pastor aeternus*. With twenty-two members, the French minority bishops were the single largest nationality group in the Council's minority. They left the Council before the final vote was taken because their consciences would not allow them to vote for *Pastor aeternus*.

John Ford has noted that "a spectrum of interpretations" of papal infallibility "was legitimated" after the close of the First Vatican Council.<sup>2</sup> I would like to show how the French minority bishops can help us to appreciate the complexity of one part of that spectrum.

Trained in the moderate gallicanism that dominated French seminary education before the encyclical *Inter multiplices* in 1853, the French minority bishops came to the Council with the conviction that the Church and its councils were infallible but unconvinced by the arguments in favor of papal infallibility. The ultramontanist excesses sweeping nineteenth century France bound the group together to fight a common fear: that the Council would define the separate, personal, absolute infallibility of the pope. "A mon sens il n'y a pas aujourd'hui de question plus grave que celle-là et les conséquences d'une définition semblable seraient désastreuses pour l'Eglise..." wrote Jacques Ginoulhiac, bishop of Grenoble, to Félix Dupanloup, bishop of Orléans.<sup>3</sup> The French minority bishops interpreted the conciliar schema as proposing the separate, personal, absolute infallibility of the pope; against this schema, they made three cases: first, that papal infallibility should not be defined; second, that it could not be defined; and, third, that it was not true. I will elaborate each of these three cases briefly.

<sup>1</sup>Jean Bravard, bishop of Coutances and Avranches, reports the deathbed words of Jean Devoucoux in a speech cited by *Revue catholique (Semaine religieuse) du diocèse de Coutances et Avranches* 3 (9 June 1870), 588-89. Devoucoux met with the French minority as an active minority participant during the Council until his health forced him to leave Rome in the spring of 1870; he died in his diocese on 2 May 1870.

<sup>2</sup>John T. Ford, "Infallibility: A Review of Recent Studies," *Theological Studies* 40 (1979), 289.

<sup>3</sup>Jacques Ginoulhiac to Félix Dupanloup, 31 January 1867, cited by Jean Rémy Palanque, *Catholiques libéraux et gallicans en France: Face au concile du Vatican, 1867-1870* (Aix-en-Provence: Editions Ophrys, 1962), pp. 66-67.

First, the French minority bishops argued that the definition of papal infallibility should not be made, i.e., that such a definition was untimely. A definition should not be made by a council unless believers are ready to receive it as an expression of their faith, argued some. And because they thought that papal infallibility was not the unanimous belief of the whole Church, they said that its definition would alienate public opinion and stifle the very unity a definition should serve. Irénée Callot, bishop of Oran, urged an atmosphere of freedom of discussion on such a debated question, precisely in order to foster obedience on essentials.<sup>4</sup> Georges Darboy, archbishop of Paris, warned that a definition would increase the number of obstacles blocking the reunion with Protestant, Anglican and Orthodox Christians. A definition is out of touch with the modern spirit, the French minority argued; it would alienate those outside of the Church, including civil governments, and add to the burdens of those within. They anticipated problems which many people would have in understanding the definition.<sup>5</sup> Dupanloup wrote, "Sans doute, les théologiens distingueront ici les nuances et les délicatesses, et montreront qu'il n'y a pas précisément définition; mais la foule des esprits qui ne sont pas théologiens, comment pourra-t-elle discerner que le Pape faillible, dans tel ou tel acte, même comme Pape, ne l'est plus dans tel ou tel autre? . . . Aux yeux du public, ce sera toujours l'infailibilité."<sup>6</sup> And Henri Maret, dean of the Faculty of Theology at the Sorbonne, warned that Catholics would begin to see the pope as a kind of God-man<sup>7</sup> and that such misunderstanding would tempt the pope to exceed his rightful authority.<sup>8</sup>

In their second case, the French minority bishops argued that a definition of papal infallibility was impossible, i.e., that papal infallibility was not definable. They sometimes maintained that it was not definable because of defects in the actual schema, and other times that papal infallibility could never be defined in any schema. They argued that the definition was flawed by unclear formulation, by irregularities in its introduction, and by distortions in its emphasis or argumentation. Some believed that papal infallibility could not be defined because its definition was not necessary to safeguard the faith; others found it not definable because they regarded it as merely the opinion of one theological school. Many thought that the witness of Scripture and Tradition on this teaching lacked the clarity required for establishing the certitude necessary for a *de fide* definition, and Dupanloup provided a long list of instances from history which seemed to contradict papal infallibility.<sup>9</sup> Guillaume Meignan of Châlons<sup>10</sup> and Félix de Las Cases of Constan-

<sup>4</sup>Mansi 52:619A-B.

<sup>5</sup>Georges Darboy, "Lettre pastorale sur le prochain concile," in *Oeuvres pastorales*, 2 vols. (Paris: Adrien le Clere, 1876), 2:411.

<sup>6</sup>Félix Dupanloup, *Observations sur le controverse soulevée relativement à la définition de l'infailibilité au prochain concile* (Paris: Charles Douniol, 1869), p. 41.

<sup>7</sup>Henri Maret, *Mémoire* (25 March 1867), cited by Palanque, p. 67, n. 30.

<sup>8</sup>Henri Maret, *Du concile général et de la paix religieuse*, 2 vols. (Paris: Henri Plon, 1869), 2:386.

<sup>9</sup>Félix Dupanloup to Victor Dechamps, 1 March 1870, *Collectio Lacensis* 7:32.

<sup>10</sup>Mansi 52:1013A.

tine<sup>11</sup> complained that the schema twisted scriptural and historical passages out of context and used them to support false or exaggerated claims.

In their third case against the definition of papal infallibility, some French minority bishops argued that papal infallibility as they understood the schema to propose it—i.e., separate, personal, absolute papal infallibility—was a false teaching. Some believed that it conflicted with the tradition of the Church, which was silent on papal infallibility or even emphasized another view, such as the infallibility of councils. Many complained that the teaching did not do justice to the authority of bishops; Maret taught that their accord with the pope was necessary for an infallible definition.<sup>12</sup> Others stressed that the exercise of infallibility was founded in the *consensus ecclesiae*. If the pope could infallibly define the faith, he did so only if his definition really expressed the faith of the whole Church. But the doctrine of papal infallibility, they complained, isolated the pope from the Church as though cutting a head off from its body.

After the Council closed, the French minority bishops all accepted *Pastor aeternus*. In doing so, they made two cases in its favor, one from formal authority and the other from material authority.

On its formal authority, they argued that the decree had to be accepted because the Council was infallible or because it expressed the faith of the great majority of bishops in union with the pope. Many pictured their obligation of acceptance in the dramatic way which Augustin David of Saint-Brieuc suggested. At the Council each bishop speaks his mind freely, he explained. But “après que le Concile a délibéré en toute maturité et liberté, alors l’Eglise, par l’organe de son chef, prononce et définit. En ce moment, toute autre voix que la sienne doit se taire: l’Eglise enseigne; le monde s’incline et croit; Dieu a parlé!”<sup>13</sup> Some explained their acceptance in terms of obedience; others distinguished between their roles as bishops and as believers. Callot wrote, “Le devoir souvent pénible de discuter et juger a fait place au devoir plus facile et plus doux d’accepter et de se soumettre.”<sup>14</sup> While they all accepted *Pastor aeternus*, a few may have had the inner hesitations about its formal authority which a correspondent reports about Charles Place of Marseille:

Jusqu’à présent il n’affirme pas que l’assemblée du Vatican soit un concile ni que le dogme soit un dogme, mais il ne veut pas non plus dire le contraire parce que, dit-il, le bien de l’unité est si grand qu’il nécessite beaucoup de sacrifices; il pense que l’avenir seul rendra les jugements de Dieu; si dans cent ans d’ici, lorsque toutes les passions seront calmées, l’Eglise reconnaît le Concile du Vatican et enseigne le dogme, c’est que l’un et l’autre sont de foi; si au contraire c’est l’opposé qui arrive, ce sera Dieu qui se chargera lui-même de faire connaître la vérité.<sup>15</sup>

<sup>11</sup>*Ibid.*, cols. 339B-340B.

<sup>12</sup>Maret, *Du concile général et de la paix religieuse*, 1:xx-xxi.

<sup>13</sup>Augustin David, Pastoral Letter (14 June 1870), *Collectio Lacensis* 7:1436B.

<sup>14</sup>Mansi 53:1054C.

<sup>15</sup>Marquise de Forbin d’Oppède to Lady Charlotte Blennerhassett, 26 December

More impressive was the second case which French minority bishops made in favor of *Pastor aeternus*, the argument from its material authority. Some accepted the decree because it did not seem to cause the massive departures from the Church that they had feared; but others, while unhappy that the decree had been passed, found a way to interpret its content that was compatible with their own views. Some found an acceptable interpretation of *Pastor aeternus* by emphasizing the ecclesial context of papal infallibility—much as they had emphasized during their arguments at the Council. "Son infailibilité est donc celle de l'Eglise enseignante elle-même," wrote Aimé Guilbert, bishop of Gap. "Elle n'a pas un autre domaine et lui est essentiellement identique; car le Pape n'est jamais et ne peut pas être séparé de l'Episcopat. . . ."<sup>16</sup> Other bishops claimed that they had never opposed the doctrine of papal infallibility, they had simply found it inopportune. "Je n'y étais opposé comme théologien, car il n'est faux, mais comme homme, parce qu'il est inepte," commented Darboy.<sup>17</sup> But this claim seems to have been based on the conclusion by French minority bishops that the decree after all had not fulfilled their worst fears. It had not proclaimed the separate, personal, absolute infallibility of the pope. Maret believed that infallibility as proclaimed by the Council "n'est pas absolue, puisqu'on suppose des conditions; Elle n'est séparée, puisqu'on suppose un concours et un consentement; Elle n'est pas personnelle, puisqu'elle n'est pas seule dans son examen, et tout ne dépend pas de la seule volonté pontificale."<sup>18</sup> He believed that the decree still made assent of the episcopate an essential condition of infallibility.<sup>19</sup> Maret wrote:

Pris dans son ensemble et dans le teneur de ses termes, le Décret du 18 juillet peut recevoir une interprétation qui permet à la Minorité d'y adhérer sans aucune réserve contraire à la sincérité et à la dignité épiscopales. Dieu l'a voulu ainsi pour récompenser les généreux et constants efforts d'une Minorité qui a tout sacrifié pour obéir à sa conscience et servir les vrais intérêts de l'Eglise.<sup>20</sup>

After the Council, then, these French minority bishops chose to interpret *Pastor aeternus* as though their arguments against the schema had been heard and implemented.

I have been elaborating the three cases made by the French minority bishops against the definition of papal infallibility and the two cases

1870, cited by August Hasler, *Pius IX. (1846-1878), Päpstliche Unfehlbarkeit und I. Vatikanisches Konzil*, 2 vols. (Stuttgart: Anton Hiersemann, 1977), 2:473, n. 31.

<sup>16</sup> Aimé Guilbert, *La divine synthèse, ou l'exposé au double point de vue apologétique et pratique de la religion révélée*, 2d ed., 3 vols. (Gap: J. C. Richaud, 1875), 2:274.

<sup>17</sup> Hyacinthe Loyson's account of the words of Georges Darboy, cited by Palanque, p. 182.

<sup>18</sup> Henri Maret in personal notes to himself, cited by Georges Bazin, *Vie de Mgr Maret, évêque de Sura, archevêque de Lépante, primicier de l'insigne chapitre de Saint-Denis, doyen et professeur de la Faculté de Théologie en Sorbonne*, 3 vols. (Paris: Berche et Tralin, 1891), 3:218.

<sup>19</sup> *Ibid.*, p. 219.

<sup>20</sup> *Ibid.*, p. 218.



made by them in favor of *Pastor aeternus*. Let me close by citing three implications which I believe this material has.

First, the French minority bishops did not understand papal infallibility in univocal, black-and-white terms; the complexity of their understanding led them to oppose the definition during the Council, but it also supplied them with an interpretive framework within which to make sense of *Pastor aeternus* after the Council. Their postconciliar interpretation demonstrates well to us that, as Ford has pointed out, "reception of a conciliar definition" is "an ecclesial hermeneutical process."<sup>21</sup>

Second, one basic idea stands behind the arguments of the French minority bishops against the definition of papal infallibility and in favor of *Pastor aeternus*: the idea that infallibility has an ecclesial character. Because they believed that the schema did not safeguard the ecclesial character of infallibility, they opposed the schema; when they were able to believe that *Pastor aeternus* could be interpreted in such a way that this basic idea had been maintained, they contented themselves—albeit grudgingly—with the acceptance of the decree.

Finally, if their interpretation of papal infallibility was legitimated after the Council, the French minority bishops can teach us something for our thinking today about infallibility. We should avoid the French minority bishops' static understanding of the development of dogma and their collapse of reception into obedience. But we might well make our own their prophetic sensitivity to ecumenical and modern questions, their ecclesiology of communion, and their attention to the demands of epistemology which an adequate theory about even divinely assisted knowledge must meet.<sup>22</sup>

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<sup>21</sup>Ford, "Infallibility," p. 301.

<sup>22</sup>A lengthier discussion of the French minority bishops is available in my Ph.D. dissertation, "The French Minority Bishops of the First Vatican Council and the Ecclesial Character of Infallibility" (University of St. Michael's College, 1980).