

LAWSUIT

CONCERNING THE CHAPLAINS

OF THE ROYAL COLLEGES OF PARIS

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NOTICE

Father Lacordaire was ordained priest on 22 September 1827, in the chapel of the archiepiscopal residence of Paris. A few months later, Bishop de Quélen named him chaplain of a convent of Visitation Nuns; then, at the end of one year, he added to that modest charge that of chaplain to the *Collège Henri IV* [Henry IV College].

These latest assignments appeared tailor-made for Father Lacordaire. Student of the University, who better than he would know the depth of the wound which he had to heal? Who would have more greatly commiserated with the victims of our public education? It was not to the administrators of the University — most of them truly worthy of the esteem of everyone — that he attributed the lamentable state in which college youth were found. He called attention to a situation, unfortunately stronger than the Administration: to the general status of society, everywhere devastated by the spirit of doubt and indifference; to education itself, which was, as has been said, the *conscription of souls*, as a kind of determined rupture which, inevitably and inexorably, tore children away from Christian families to make them live for eight years pell-mell among children of families in whom all faith had been extinguished. Father Lacordaire did not delude himself that he was equal

to stemming the torrent through his own actions. But after all, as a chaplain, he hoped to have some means of action over at least some of these young minds, over some of these young hearts. As modest as had been his hopes, they were nonetheless determined to be unfounded. All his youthful soul, all his vigor, all his eloquence, could do nothing whatever for their hearts, withered before their time. The pain which he experienced was profound. A remarkable monument to it remains: the report which he drafted for the Archbishop of Paris concerning the religious and moral status of the colleges of the metropolitan city, and which was counter-signed by the nine chaplains of these colleges on 6 July 1830. Here is the document which very clearly expresses the stand which Father Lacordaire was to adopt some time later in an impressive battle. (*Vie du R. P. Lacordaire*, par M. Foisset, t. 1, p. 83)

Translators' note:

In English usage, the term “college” generally refers to an educational institution which offers post-secondary education, leading to a bachelor’s degree with orientation in a determined area. Not so in French. But clear-cut definitions are difficult to make.

In French, “collège” refers to middle-school level education. This is the level at which many students end their schooling. This type of school, with or without a boarding component, is set up by a local municipality, following a process dictated by the central authority.

For continuing studies, college is followed by “lycée,” an institution founded by the state and belonging to the state, not to a local municipality. Originally, it was directly under the authority of the King and not subject to the regulations of the University (governing body). It was sometimes called a “royal college.” Its overall regulation today falls to the State. Studies at a *lycée* lead to a bachelor’s degree in the subject of one’s orientation and prepare the student for attendance at university.

“University” deals with superior education: graduate and post-graduate work, as in the US system. But in France, university has two meanings: (1) university: a particular and local educational institution, for graduate and post-graduate studies ; (2) with a capital U, University in France denotes a body of professors in charge of national education, a governing body, called in the US: the Department of Education. This body controls and supervises elementary, secondary, and superior education. Currently known as: Ministry of National Education.

In the current document, Lacordaire uses the term “University” to mean the national governing body of education.

MEMORANDUM

Concerning the religious and moral status of the Royal Colleges of Paris¹

A warrant of His Excellency the Minister of Ecclesiastical Affairs and of Public Instruction, dated 15 June 1830, appointed a commission to inquire, among other topics, into the religious and moral status of the royal colleges of Paris. Consequently, the chaplains of those establishments deemed it necessary to present humbly to the authorities all that they knew and could relate on such an important topic.

¹ See *L'Almanach de l'Université* for the scholastic year 1829-1830.

They had not done this up to now, because they were never asked to do so.

They do so today to assuage their consciences, lest, if they remained silent, following an inquiry that was publicly ordered, their silence — in the eyes of the authorities and of families — be a sign of their approval as well as a motive for personal security.

They do so as a group because their duties are all the same, their concerns shared, and the thoughts which disturb them deal with no particular failings, nor of this royal college rather than of another.

Convinced that, in the University, the misfortunes of religion derive from more generalized causes, the undersigned will therefore set aside every local and personal issue. Following the terms of the warrant, they will restrict themselves to pointing out the religious and moral status of the royal colleges of Paris, all the while remembering in their exposé the boundaries, a thousand times sacred, which the ministry they hold forbids them to transcend. It is along these grounds of conscience and by restricting themselves within these boundaries that they present to the authorities the overall details which follow as true in themselves and yet like a painting faded by the poor state of religion in the colleges.

They were profoundly depressed and unspeakably disgusted because of the near absolute ineffectiveness of their ministry, even though they neglected neither service nor study to make it fruitful.

The children who were entrusted to them had hardly entered the University when already the good attitudes which they had absorbed in their families began to change. A conspicuous anxiety accompanied them in the most elementary, the most necessary exercises of Christian life. Moreover, it was quite an achievement if at the approach of their first communion, for at least a few days, they could be drawn out of their habitual

mechanical state in order to fulfill their religious duties. If there were a few who remained faithful to their initial feelings, they would try to hide them as a deadly secret. They could be seen affecting a liveliness which was not theirs and excusing themselves in a thousand ways for being somewhat better than their schoolmates. And so, human respect wore down these delicate souls through a hidden and continuous persecution, which was sometimes even more overt. For them, the idea of *the good* is linked to the idea of *shame*. They dare not pray except by keeping the prayer book closed. The sign of the cross becomes for them an act of courage; in a large assembly of these children, brought together to adore God, a stranger could never guess whether they were Christians, until he looked at the altar.

Their faith had not yet perished; but a little later, at age fourteen or fifteen, our efforts became useless. As a result, we lost all religious influence on them, to the point that, in each college, in the joint classes of mathematics, philosophy, rhetoric I and II, out of the ninety or one hundred pupils, only seven or eight fulfilled their Easter duty.

To be sure, it is neither indifference nor passion alone which brings them to so widespread and so early a forgetting of their God, but a decided unbelief. Indeed, how could they believe when they see such contempt for religion; when every day of their lives, they hear so many contradictory speeches; when they find Christianity only in chapel — and an empty Christianity at that, formal and prescribed? We ourselves, when we speak to them, are aware of the holy boldness of faith dying on our lips; we stand before them no longer as ministers of Jesus Christ, but simply as teachers of philosophy. Our hopes are limited to sowing a few doubts in their soul, to make them think that, after all, it would perhaps be quite possible that the Gospel could be the work of God. Unfortunately, we are not always able to leave to their spirit this final resource against prejudice.

So, there they are, at fifteen, without regulation of their thoughts, without brakes on their actions, except for an external discipline they detest, as well as teachers whom they

treat as mercenaries. Only the fear of punishment and the interest in their future provide their spirit of rebellion with some appearance of submission; weary of a life which religion in no way softens, they consider college as a prison and their youth as a time of misfortune.

Finally, when the course of their studies has ended, among those who have completed rhetoric or philosophy, can we say how many there are whose faith has been preserved and put into practice? Each year, *there is approximately one per college.*

Consequently, a chaplain who devotes eight years of his life to the University can hope, within that time frame, to make eight or ten Christians; if he has colleagues — each of us has several — even that glory is subject to being shared. Thus, a child sent to one of our establishments, made up of four hundred students, there to spend eight school years, has only eight to ten chances of preserving his faith: all the rest is against him. That is to say, out of four hundred chances, there are three hundred ninety which forecast that he will be a man without religion. For the University, this is a number that expresses hope; (for us), it is the final (meager) result of all our efforts. Further verification can also be found in special schools of all types by noting the small number of young men who practice their religion. This small number, with a few exceptions, did not come from the houses of the University.

We vouch for all these details. Nonetheless, it is with regret that we have presented them, and that we have painted with so few favorable colors children who have become dear to us. We console ourselves for this painful need by realizing that we provide them today with the strongest proof of affection which they yet had received from us; and besides, who would not acknowledge that these children are more to be pitied than censured?

The facts that we have highlighted are well-known to the headmasters and to some other lay officials in charge of monitoring in the University. We have related nothing which is contrary to their secret laments. The sole possible difference between their opinion and ours is that they believe that evil is characteristic of the century, and thus is incorrigible. Indeed, discouragement appears justified when one considers that, at all times, under all regimes, after multiple reforms, the University as constituted has always borne the same fruits. A few among us have spent their youth in its bosom. As students, they saw in former times what they see today as officials. They never remembered their education except with boundless ingratitude, just as they will not remember their current ministry without pain. Moreover, it is true that the experience of the Royal College of Saint Louis, which has been the most outstanding venture of the University in favor of religion, is nonetheless capable of destroying all confidence for the future. Indeed, we have no confidence in whatever it might do, *if it continues in the same direction which it has been following to this day.*

With this, the undersigned stop. It belongs to authority to proceed further and to determine, after so many fruitless attempts, *whether the most effective solution of all would be the emancipation of teaching so frequently claimed*, which seems to flow naturally from the institutions founded in France by the wisdom of our kings. They (the undersigned) add only that they cannot allow themselves to believe that Christianity, which had raised so many people from spiritual infancy, had been deprived of the gift of rearing generations in the fear of God, and that, having reached this legitimate freedom, they could not complete their noble and divine mission.

The *Gazette des Écoles* [the School Gazette], a university newsletter, in its edition of 10 January 1831, spoke of the above document in this way:

“The University, as all the bodies which enjoy a few privileges, has been exposed for quite some time to many attacks. There are those who reproach it for exercising, contrary to the Charter, a monopoly over teaching. Others, for their part, reproach it for totally neglecting the concern for moral and religious education, and of doing nothing to instruct its students in the study of religion.

“. . . It seems to us that not enough attention has been paid to the last complaint, which, however, is not any less serious, and which finds its expression in the least equivocal terms which are the most able to bring about in all unwary minds a profound impression from the *Report Concerning the Chaplains of the Royal Colleges of Paris*.

“It can hardly be denied that this report contains the expression of the truth; no doubt, we can truly find the absolute severity and the thorough bitterness which the clergy almost always places in its notices — it is almost the compulsory style of the Church — but in the end, however painful the recognition, the chaplains have not lied. . .

“. . . The Report of the Chaplains of the Royal Colleges denounced the University for not having busied itself with the instruction of religion, and for being powerless to bring about in its students the acquisition of religious habits. This report has remained without rejoinder; accordingly, it will be seen in the eyes of France as the expression of a truth. And, there can be no doubt that fathers of families will hear this truth, and that they will not hear it in vain...”

Quite to the contrary, the *Lycée*, another university newsletter, wrote indignantly about the Report, denouncing it as a “paradigm of censure and hypocrisy.” The paper claimed that the chaplains had painted their establishments as “schools for godlessness, revolt, and immorality”; that they had attributed the evils to “the examples and the lessons of the teachers charged with instructing and directing youth.” In the end, they (the chaplains) were asking for a measure intended to remove from the field of teaching such perverse men,

who were “the most rabid enemies of liberty.” A lawsuit for slander was immediately filed against the newspaper by Father Lacordaire and all his colleagues.

At the outset of this lawsuit, a question of public order arose: what was the appropriate jurisdiction?

If the chaplains were plain citizens, the defamation remained subject to ordinary tribunals. If they were civil servants, a jury needed to be aware of the complaint at law. The King’s lawyer, Mr. de Ségurd’Aguesseau, maintained that the complaint had a public character; he gave as one of the reasons for his opinion that they (the chaplains) were ministers of a non-native sovereign. “No, Sir, replied Lacordaire. This is not the case. We are the ministers of someone who is not a stranger, anywhere: that is to say, of God.” (*Letter of Father Lacordaire to the Editor-in-Chief of L’Avenir, 29 November 1830*). Unanimous applause drowned out these words. (*L’Avenir, t. 1, p. 500*). The Tribunal of the Seine declared itself not qualified. But the King’s Procurator appealed this decision for reasons of the highest degree of order. He maintained that they only are public servants who represent the State at whatever degree, which clearly excludes the ministers of worship; that neither the oath taken by the chaplains, nor the treatment which they receive from the State in any way changed the totally spiritual nature of their activities. It did not escape the attention of this magistrate that this qualification of civil servant demeaned the character of the priest, that it was an attack on the independence and, as a result, on the dignity of his ministry. Nevertheless, the Court of Paris did not accept the appeal; but before rejecting it, it had to hear an outstanding speech for the defense from Father Lacordaire, in which the thesis of the King’s Procurator was decisively confirmed. Even if jurisprudence objected, the truth nonetheless made headway in the minds of listeners.

IS THE PRIEST A CIVIL SERVANT?¹

GENTLEMEN,

I am here to present to the Court a few observations in support of an appeal emanating from The Procurator of the King, and in which I have not joined. I must explain to you this apparent contradiction.

When I appeared before the Court of Petty Sessions on this very same case, the King's lawyer stood up and requested that the Tribunal declare itself lacking jurisdiction. He alleged that since the chaplains of the Royal Colleges had been entrusted with public functions, the libel which they complained of having suffered in their capacity necessarily fell to the competence of a jury. This last word struck only me: I stood up in my turn and hurriedly affirmed the competence of the Court which would allow my complaints to be heard before my fellow citizens. Nevertheless, so little did I recognize myself as a civil servant that I refused to declare to the Tribunal what were the links which tie me to the Catholic hierarchy. I have once again shown the same behavior: that which took place between God and myself, in the secret of my conscience, is a mystery for which I need account to him, and to those in whom I recognize the mission to talk in his name. And so, there exists no contradiction between what I was doing then and what I am doing at the moment. With a similar spirit, I request the judgment of my fellow citizens; with similar firmness, I repudiate the title of civil servant. Even if these two issues are incompatible before the law, in my heart, they are not.

¹ This is the title *L'Avenir* gave to this discourse. [Trans.]

The legal foundation of this case, Gentlemen, lies in Articles 1 and 2 of the law of 8 October 1830, concerning the press. In closing, they regulate the competence of the tribunals regarding *all the offenses committed by the press*. Article 1 assigns the matter to the Courts of Assizes. Article 2 creates a unique exception to the general principle by maintaining in force Article 14 of the Law of 26 May 1819, which confers to the tribunals of the correctional police *offenses of libel or injury caused by means of any publication against individuals, except for cases entrusted to the Courts of Petty Sessions*. There follows from that, Gentlemen, that if the chaplain of a royal college is an ordinary *individual*, the Correctional Police Tribunal is the sole competent unit to handle the offenses committed against him in the exercise of his functions. This is the law. That of 25 March 1822 had conferred to the Court of Petty Sessions all the offenses committed by means of the press, except for the case of an offense against the Chambers. That of 8 October 1830 assigned all these cases to the Courts of Assizes, except for offenses against individuals.

Only one point remains for debate: is the chaplain of a college a civil servant or an ordinary individual? I maintain, Gentlemen, that he is only an ordinary individual, and, accordingly, that the Court of Petty Sessions had judged erroneously in refusing to hear the complaint of libel brought before it by the chaplains of the Royal Colleges of Paris.

In fact, only (1) as a priest or (2) as attached to the University could a college chaplain be a civil servant.

But, [first,] as a priest, he is not a civil servant.

What is a priest? This, Gentlemen, is the question that you are called to answer. What is a priest in the world, in civil society, before the laws of France? These are the three points which I ask you to consider in order to resolve this pressing question.

For an instant, Gentlemen, leave these walls where you are the representatives of justice; let your thoughts fly beyond the times of civilization; enter into the hut of the first humans: what will you find there? A family: a father, a mother, brothers and sisters. And there, you will find something else: God. Not at all an invisible God, vaguely disseminated around men like this air or this space wherein they stretch the hand without grasping anything — but a God announced by repeated words on living lips, a God represented by a man. That man is the priest. The priest is a man who relates to men the word of God and who blesses them in his name.

The philosopher also speaks about God to men; but these are his own thoughts, his refined thoughts that he relates to them. The priest talks of God with the word of God. This word was spoken on the first day; and repeated on the first day, it has followed man everywhere, from the depths of the forests to the threshold of civilization, which it had to pass before reaching us. The priest is the man of this word; his function is to repeat it. From whom does he hold this function? From him alone who was able to give it to him, namely God. Yet God does not set up public officials; he makes men.

If God were setting up public officials, what would you have to tell me, you ordinary magistrates? You received your functions from mortal men, while I received mine from the living God.

If God was making public officials; if from the origin of the world, before there had been States, God had created men of State, theocracy would be the only legitimate government, and civil society would be blended with religious society in the unity of a common hierarchy.

Every priest, however, has not received his mission from God. There are some who transmit as if his word what is not his word: they are priests by their belief in what they say

comes from God. From whom do they hold their function? From their conscience. Now conscience does not make public officials. If conscience made public officials, civil society would be the prey of ambition disguised under a sacred name. Every priest would be king.

Accordingly, Gentlemen, the primitive and proper notion of the priest necessarily excludes the idea of a civil servant. The priest as regarded in the world, that is to say in its general acceptance of him, in that position in which he precedes everything except God, and in which he outlives everything except God, the priest is essentially a private man. God made him his man; that was sufficient.

Now, let us consider him (the priest) transformed into political society amid this civilization which give us at the same time both benefits and obligations. What, then, is the priest? Would he give up this sublime freedom which makes of him an ordinary man to become a civil servant? If he abandoned this freedom, it would be for only one of two motives: to obtain the right to be the man of God, or to cover with the purple of princes this too-modest title. In the first case, he the priest would ask of men the leave to announce to them what existed before them and what will persist after them. In the second case, he (the priest) would humbly approach the throne to tell Caesar: "Caesar, you who are awesome, do something for me. With your glory, cover a bit this mortal who received from God only the secret of his word and the duty of repeating it to the world."

It is sufficient, Gentlemen, to express these two propositions to recognize that they are impossible. No, the priest will not approach men to ask for the right to speak to them about God; he speaks because he speaks. He speaks about what does not pass because everything passes; he speaks of God, because men exist. No, the priest will not approach Caesar to ask him for the title of civil servant to make himself more important: he would be the lowest of the unfortunates if the thought ever came to him; under the mantle of Caesar, he would be the lowest of the low. As for me, I will never beg for those adulterous

honors; I have made my choice between God and the prince, between freedom and authority, and I resolved to remain but a man.

Nonetheless, even if civil society does not alter the natural condition of the priest, according to the will of the priest, could it not change it against his will? Could it not make of him a civil servant, in spite of himself? This point is the nub of the difficulty because of the mists wherein all religious truth has been enveloped in modern times. It is important to clear this up.

The priest must be subject to the laws of civil society because he is born in its midst; he lives under the protection of its weapons and its justice. He satisfies his needs by the industry of his country; he dies leaving his memory in the care of those who would have lived with him in the same country but for one day. Whoever accepts such blessings must accept also the costs thereof; whoever rejects the laws, after having rested in their shade, commits a parricide. But if the priest is subject to the laws of civil society, to common laws, to the laws which bind all citizens, he cannot become a civil servant as a priest — that is to say, as a man who believes that God has spoken to him and that he must repeat what God has told him. Indeed, this conviction cannot be imposed upon citizens by a law; not even a common law. Those who have it one day can cease to have it on the morrow. And so the State, being unable to make a priest, cannot make of the priest a civil servant. Were it to make a priest, it would be creating a conscience, which is impossible for it to do. In making of a priest a civil servant, it would create for a believing citizen what it cannot do for a non-believing citizen; it would create an arbitrary privilege. Now, no citizen is subject to the arbitrary; it is his right and his duty to reject it.

Consequently, the State cannot say to the priest: “You want to remain a freeman, and I do not want that. I will honor you, for fear that you become powerful. Sit here on my throne, because I need you to remain small.”

The priest holds his title only from God and his conscience. I know full well that there were times when the faith of men was subject to trial by the law, when freedom of conscience did not exist in the world. But those days are over. Following numerous centuries of combat, the blood of nations and the Charter of France have established religious liberty: it is imperishable. At one and the same time, it protects the people from the priest, and the priest from power. The priest speaks and blesses, not only with the freedom which he holds from God and his conscience, but with the freedom which he holds from the law. God has become liberated with the liberty of the citizen; we do not claim anything else for him; we desire only that he be a citizen of France...

At this point, some grumbling, whose meaning could not be clearly grasped, reached the speaker. He turned to the side of the hall where they emanated and said:

Gentlemen, if today I knew that there were in the world a more attractive title than that of *citizen of France*, a better way of being free than to bear it, I would bestow this title upon the one who truly sought to become the slave of men to acquire liberty for them.

Let us move along, Gentlemen, [to the second point]. Civil society leaves intact in the priest the character of a private man. Neither his will nor the will of the State could take this away from him. Currently, I am trying to find out whether some special laws might have stolen this from him; if in our codes some designs reveal the intention of making the priest a civil servant. I studied them to no avail, and so, I pray the Solicitor General to advise me what the law is that made me a civil servant; what the law is that called slavery down on my head, while the Pontiff was making God descend there. Where is that law? Where is the law that makes of my person a civil servant? Can I be treated as a civil servant if no law endows the priest with this capacity? Since this entails a burden, I have the right to wait for the proof; I will, however, provide the contrary proof.

The protocol, called by the name *Concordat*, is the first civil monument to religion in the 19th century. It regulates the relationship of worship and Catholic ministers to the State; none of these arrangements confers on us the title of civil servants.

The so-called Organic Articles of the Concordat — which should have been called *dis-organic articles* — maintain a similar silence. In addition, Article 57 states that *the day of rest for civil servants will be fixed to Sunday*. If we were civil servants, this stipulation would be ridiculous since Sunday is our major work day.

The penal code which must specify exact qualifications of persons — since on this definition rests a large number of offenses and crimes — never labels the priest as a civil servant. The penalties which fall on ministers of worship are applied to them by special articles wherein they are clearly called by the name: ministers of worship. The Solicitor General has cited some of these arrangements, listed under this heading: *Manquements envers l'autorité publique* [Offenses against public authority]. But under this same heading are arranged in paragraphs “defacing of monuments, breaking of seals, etc....”, as well as the paragraph which concerns the ministers of religion, entitled: “Offenses against the free exercise of religion.”

The law of 25 March 1822, concerning the press, positively distinguishes the priest from the civil servant. Here are its very words: “An offense made publicly. . . whether to one or more members of one of the two Chambers, whether a public agent, whether finally to a minister of religion of the State, will be punished . . . etc.”

What was the result of these texts taken from the special laws of diverse periods? Evidently, it is that the legislator shrank back from facing the thought of making a priest a civil servant. He feared to utter a single time this deadly word, so strongly had the true idea of the priesthood been preserved incorruptible even during times of little faith — and

lest he prompt expressions of praise from the universal conscience!

When nothing is left of God in the world, the memory will long remain that there were men, who, one after the other, spoke in his name and did not wait to receive their mission from transitory and deceitful governments. These were free men who disappeared in the storm along with the freedom of the world. But they will not perish any more than freedom will; they will not accept the yoke that is being forced upon them. I am a priest, and I have not at all chained my life to duties which had never been proposed to me by the State. God, my conscience, and the Charter will fight for my freedom.

Accordingly, Gentlemen, the priest is not a civil servant, and consequently neither is the chaplain of a Royal College by reason of his priesthood which is within him. Could it be by reason of his dealings with the University? That is what is left for us to see: the task will be short and easy.

The imperial decree establishing the University is dated 17 March 1808. Its Article 29 regulates the rank of “the civil servants of the Imperial University” with a chart laid out in two columns: the first, dedicated to the civil servants for “administration”; the other, to civil servants for “instruction”. Neither one includes the chaplain.

A decree of the University Council, dated 19 September 1809 on the maintenance of order in the *lycées*, enumerating the civil servants of these establishments, does not include the chaplain either; but it adds that “he is equivalent in rank to a professor of the first order.”

Finally, a notice from the same Council, “Concerning the question of the compensation of chaplains of the *lycées* being subject to the deduction of the twenty-fifth part, hereby resolves the issue: Considering that, however vital are the functions which they

perform, the decree of 17 March 1808 does not identify the chaplains “as civil servants of the *lycées*”; that the right to list them usefully in this category cannot belong to it, and that, up to now, no decree has extended to them the dispositions which regulate retirement pensions in the University; the Council is of the opinion that, as of now, there is no authority to deduct the twenty-fifth part of their compensation.” This notice was dated 14 June 1811.

Thus, it is clear from the very constitutions of the University that the chaplain is not a civil servant of this body, and, as a result, is not transformed into one by his dealings with it. He is in a similar position as that of the medical doctor of a college, remunerated like him, performing his service at regular hours, but always as a free and private man.

This is why, Gentlemen, the two reasons which could make you hesitate on the question of whether the chaplain of a college is a public or civil servant, having been resolved by the discussion, what is left if not that you return this case to the judges who are assigned to it by the law of 8 October 1830? This law is precise: it assigns the hearing of offenses committed by way of the press to the Courts of Assizes, except in the case of an offense toward individuals. I am a plain individual: whether I consider the priest in the world, in civil society, before the laws of France, I find only one place for him, that of the private man. In the world, he is a man who transmits to other men the word of God, and who blesses them in his name. This mission he holds from God and from his conscience; and neither God nor conscience creates civil servants. In civil society the priest retains his primitive character; subjected as the priest is to common laws, common freedom protects his native freedom, his conscience, and his God. Common law cannot make a priest, nor make a priest a civil servant. Facing special laws, the priest remains in the end what his faith has made him, what the instinct of peoples had made of him everywhere. Neither the Concordat, the Organic Articles, nor the laws concerning the press, transform into civil services the priest’s duties sent from heaven. I claim for myself, Gentlemen, this sublime

title of private man; I will defend it as I would my very life, my honor, and the honor of all those who wear it with me.

The following speech was delivered to expose some unjust attacks and even some slanderous charges. Father Lacordaire did not respond to these, but Father Glabet [died later as bishop of Perpignan - Trans.] did it in his place in an eloquent and avenging letter. We are not resisting the desire to publish it, to demonstrate how easy it would have been for the Father to respond victoriously to diverse accusations of which he was the target during the entire course of his oratorical career — if he had not judged better to keep a silence which he never gave up. Indeed, just about all of the accusations had a basis with as little solidity as these and originated from an alleged clairvoyance, not so say from a very dubious good faith.

The report of the speech of Father Lacordaire before the Royal Court, which your edition of 22 January published, is, in the main (right away, I use the appropriate word) a lie. The obvious purpose of this article is to cast into doubt the attachment of Father Lacordaire to the principles of Catholicism. Yet you know full well in your soul and in your conscience, that he holds to Catholicism more than you do, because your Gallicanism cannot reproach him of anything other than to be “too” attached to Rome. But that in itself reveals the secret which these slanderous charges cover up. They are part of a plan which you have followed for quite some time, Sir, with deplorable single-mindedness; this plan consists in presenting those who have the misfortune of professing an unbridled submission to the Vicar of Jesus Christ as if they were men who conceal under a misleading appearance both revolt and schism. With Father Lacordaire, you are pursuing an even more prominent name, and something else even more respectable than that name. While you seem in broad

daylight to attack only persons, Roman doctrine is there in the shadows as the eternal and invisible enemy which your blows seek to hit. So you should not at all be surprised if I take upon myself the task of answering you. United with Father Lacordaire by bonds of the closest friendship, I have to defend against you what is most sacred in the reputation of my friend: the faith of a good priest. But even more devoted to the cause of the Holy See, I come to call you to account for the injuries you have heaped abundantly on his defenders. I want to disclose in a single argument the value of all the others, and finally to cast light on six years of deception. Take care, Sir: what is involved here is your own reputation more than that of my friend. Much as I defend him, I accuse you more strongly.

The first striking observation in your narrative is that you applied yourself to picking out isolated phrases from the words of Father Lacordaire; had you reported these exactly, your readers would nevertheless have taken them in their true meaning, necessarily determined by what precedes and by what follows. Those who have followed your discussions know that this method is an old habit of yours. It is, indeed, even much older than you. Do you know just how far back it goes? In the history of Christianity, it dates from the very day of the deicide. The witnesses who accused the Savior also knew how to quote words out of context; the words which they attributed to him had in fact come out of the very mouth of the living truth. Why, then, did the sacred historian say that they were giving “false testimony” against the Just man? Do you hear the answer in your conscience?

Now, I will deal in detail with the hateful consequences of your accusations.

“Interrogated, you say, if he were a cleric, Father Lacordaire requested permission not to explain himself at all on the matter.” This isolated phrase, combined with the rest of your article, insinuates dishonesty. The first words of my friend reviewed the explanations he had already given in this regard to the Tribunal of the Correctional Police. He refused to give an account of his sacred title to the law because this title is outside the jurisdiction

of the law. But did he hide it in the course of his speech for the defense? Is he hiding it in the world? In the days of oppression, his forebears said to the proconsuls: “I am a Christian.” In the days of freedom, the Christian said to the magistrates: “Here is my name in the homeland; for the rest, I am free!” It is quite possible that you did not understand the analogy of these two responses, Sir; and it is your right to complain about it. What is not your right is to still the motive for an honorable silence and to expose it to offensive suspicions.

You suppose that Father Lacordaire would have said: “I received from my conscience ALONE the functions of priest.” That is not so, Sir, he said quite the contrary. Searching from whom the priest could have received his mission, he distinguished the ministers of the true religion and the ministers of false cults. The first, according to him and according to theology, receive their mission from God, not directly, as you seem to make him say, but through the channel of the Church, which *speaks to them in the name of God*, as he himself has said. The others believe to have received their mission from their conscience, but conscience, by itself, is subject to error. In one case or the other, the priest — and that was the issue — did not receive his mission from the State.

You quote the following sentence by separating it from all that preceded: God “*has become liberated with the liberty of the citizen; we do not claim anything else for him; we desire only that he be a citizen of France...*” It hurts to see a Christian whose God made himself “a man”; whose God dared to call himself the *Son of Man*; whose God was Jewish; who observed Jewish law; and *who did not tire*, as Bossuet said (*Histoire universelle*, ch. XIX), to do good for his fellow citizens; whose God took the *form of a slave*, according to St. Paul. It hurts to see a Christian take offense because we demand for God the freedom which the citizen enjoys. What is a citizen, if not a member of the *Cité* [City]. And what have you been complaining about for the past fifteen years other than that God was not a member of the *Cité*? About what are you complaining when you say that the law is *atheist*? Is it that

the name of God is not found in the law, or that God Himself is exiled from the homeland? For fifteen years you spoke of the “God of the State,” but you do not permit us to speak of the “God of the City”? We are weary of the captive Christianity which was created for us and which, according to our oppressors, should be confined to the temple. We want Roman Christianity, a Christianity which is associated with nations everywhere; which is free to speak to them in every place where we have the right to make our voice heard to our fellow citizens; which is free and at ease in public squares. What we want is not simply a chapel Christianity, with a cold and prescribed reverence, which fears giving to God the name *man*. The name “man” is sacred in all its forms: father, spouse, brother, prince, citizen, slave. God has taken all our names; God has loved them all, God has blessed them all. He has brought them all into Heaven, to the site of the majestic *City*, to the place where the angels are called *citizens*. That some men have been startled when hearing this language, I am well aware: they are startled every day by the fact that God is man. Their astonishment becomes uncommon testimony in the mouth of a Christian.

Meanwhile, what was Father Lacordaire doing during his speech for the defense? He maintained that the priest was not a civil servant, namely, that the State cannot dismiss him, obstruct him, pursue him arbitrarily. He maintained Christian frankness in the sanctuary of the laws [*i.e.*, in the Court – Trans.], at the moment when they (the laws) are attacked from all sides; when the independence of the priest, the pastor, the curate, the seminarians, the bishops, is threatened; when there is an attempt to annihilate the words which made free the Christian and the world: *Euntes docete* [Go and teach]. Though he may have let some mysterious words slip into his extemporaneous speech, his intent was clear: each of his emphases was a Catholic emphasis. Even his very presence in the temple of justice, following forty years of interruption — when more than ever Christians had need not to let themselves be slaughtered — was a blessing. At least, he should have been forgiven for it. And to think that an elderly man appears, trying to cast doubts about faith in the heart of a young priest whose offense was to have been too bold in doing good!

I am looking for your apologies, Sir. Father Lacordaire's speech was published on the eve of the day your edition appeared. And I, who was present in the audience, I vouch for the conformity of the written talk with the spoken one, except for some redundancy which the editorial board deleted. Should you not have gotten more informed about it before venturing your accusations? If in fact you did, was there not in your soul some emotion to restrain the hand which wrote them? One of the assertions which you attribute to him was part of the rejoinder which the newspaper did not reprint, because the speech, already very extensive, contained the nub of it. If, on this point, you had been tricked by an unreliable reporter, could you not have suspected — according to the report itself, so genuine, so Catholic — that this phrase should not have been interpreted in a hateful meaning? Or is it that you culled your report from anti-Christian newspapers which took pleasure in parodying Father Lacordaire's words? What would you say if the mandates of the Archbishop were to be denounced based on articles in the *Figaro*? Hear this, Sir, which should make you lower your eyes in shame. The only newspaper which has formally renounced Christianity, the *Globe*, surprisingly admitted an inaccurate reporting about the audience where Father Lacordaire had spoken. On the following day, the editor spontaneously penned a letter of apology to the Catholic priest whom the *Ami de la Religion* [Friend of Religion: a review – Trans.] had slandered.

In a week, Sir, this priest will appear before the Court of Assizes for having uttered the cry of alarm in the face of the dangers which threaten Catholicism and which have frightened even you for the fiery words of love for the Church, filled with the most profound submission to its Leader, with fond veneration for our first pastors. This moment is of your choosing. At a time when he is exposed to the persecutions of power, you try to rob him of the esteem of his brothers!

Those who will read his speech and your report, Sir, will be at a loss to understand whence could have come so much hatred against public efforts attempted in good faith, and

with a commitment for which criminal justice will perhaps be less severe than yours. For a long time this hatred has revealed itself with the same innuendoes accompanied by obstinate predictions of the day when we will fall into schism and heresy. Ten years of patience and besieged Catholicism have not moved our persecutors. The young man whom they are pursuing today expected a similar fate; he will bear it with a perseverance which is not likely to win over the pride of wounded opinions. God and his friends will rival each other to bring him consolation until that day when, in the face of death, hatred will fall silent.

Judgment of the Court of Appeals declaring that the priest is not a civil servant

The Royal Court, contrary to the conclusions of the speech of Father Lacordaire, confirms the judgment of the Lower Court, to wit:

“Given the law of 15 October last;

“Given that the chaplains take an oath in the hands of the Minister of Public Instruction; that they are salaried by the State; that thus they must be considered as civil servants;

“Given that the libel took place by means of the press and on the occasion of a report made by the chaplains in their capacity as chaplains;

“The Court declares itself lacking jurisdiction.”

But some months later, the Court of Appeals, summoned to provide a verdict on this matter, authorized the opposite conclusion, by a judgment rendered on 23 June, in the matter of Father Royer, pastor of Saint-Jean-de-Rebervilliers [Eure-et-Loir], charged with seditious speech.

Mr. Dupin, Attorney General of the Court of Appeals delivered the word in favor of the principle invoked.

Here is this judgment of the Court of Appeals which declares, contrary to that of the Royal Court of Paris, that *the priest is not a civil servant*:

“Whereas neither the salary conferred to the ministers of worship on the budget of the State nor the oath to which they could be subject, are not circumstances proper to give them the character of civil servants;

“Whereas that Article 75 of the Constitution of 22 Frimaire [third month of the French Revolution calendar: 21 Nov. to 20 Dec. - Trans.], year VIII, anterior to the Concordat of year X, is in no way applicable to them...;

“Whereas the Royal Court of Paris in deciding that prior authorization of the Council of State was needed had made a false application of Articles 6, 7, and 8 of the Concordat of 22 Frimaire, year VIII, and exceeded its authority;

“Annuls the judgment of the Royal Court of Paris, and to be informed on the arraignment, forwards [it] to the Royal Court of Orléans.”