

## NOTE

### A PRELUDE TO VATICAN I: AMERICAN BISHOPS AND THE DEFINITION OF THE IMMACULATE CONCEPTION

American bishops participated in the affairs of the universal Church on a major scale for the first time at the Vatican Council of 1869-70, where their involvement dated from the arrival in Rome on November 1, 1868, of Dr. James A. Corcoran, the sole American representative on the Council's preparatory commissions.<sup>1</sup> The First Vatican Council climaxed a sustained campaign by Pope Pius IX against the dominant rationalist philosophy of the nineteenth century, which he had begun in the first year of his pontificate with the Encyclical *Qui pluribus* of November 9, 1846. The purpose of the present essay is to study the role of the American hierarchy at one significant stage in that campaign, the proceedings leading to the 1854 definition of the Immaculate Conception, and to suggest that the part played by two American bishops, Francis Patrick Kenrick of Baltimore and Michael O'Connor of Pittsburgh, foreshadowed the forthright and critical approach that many of their episcopal colleagues from the United States would take at the Council fifteen years later.<sup>2</sup> Interesting light is also thrown on the attitude of the bishops of a century ago with regard to the collegiality of the episcopacy.

Preparations for the definition of the Immaculate Conception had begun before Pius IX's flight from the Roman Revolution with the appointment on June 1, 1848, of a commission to study the subject.<sup>3</sup> While the Pope was in exile at Gaeta, he named a second commission to continue the study,<sup>4</sup> and on February 2, 1849, he addressed to the bishops of the Catholic world the Encyclical *Ubi primum*, in which he asked for a report on the state of devotion to the Immaculate Conception among clergy and faithful, and also for the opinions of the bishops themselves on the projected definition.<sup>5</sup> By

<sup>1</sup> Cf. James Hennesey, S.J., "James A. Corcoran's Mission to Rome: 1868-1869," *Catholic Historical Review* 48 (1962) 157-81; and *The First Council of the Vatican: The American Experience* (New York, 1963).

<sup>2</sup> Francis Patrick Kenrick (1796-1863) was the outstanding American Catholic theologian of the nineteenth century. He was successively Coadjutor Bishop of Philadelphia (1830-42), Bishop of Philadelphia (1842-51), and Archbishop of Baltimore (1851-63). Michael O'Connor (1810-72) was Bishop of Pittsburgh (1843-53 and 1854-60) and of Erie (1853). He resigned the See of Pittsburgh in 1860 to enter the Society of Jesus.

<sup>3</sup> Cf. Vincenzo Sardi (ed.), *La solenne definizione del dogma di Maria santissima: Atti e documenti* 1 (Rome, 1904) 1-2.

<sup>4</sup> *Ibid.*, p. 556.

<sup>5</sup> *Ibid.*, pp. 571-74.

November, 1854, seven draft proposals had been drawn up and submitted in succession to the Holy Father. The second of these, *Quemadmodum ecclesia* (1852), was the work of Carlo Passaglia, S.J., and Dom Prosper Guéranger, O.S.B., and at the Pope's explicit direction it combined the definition of the Immaculate Conception with a condemnation of contemporary errors.<sup>6</sup> The connection lay in the fact that the proposed definition emphasized original sin, from which Mary alone was exempt, and thus constituted a rebuke to contemporary exaltation of human nature and its capabilities. The errors which arose from this misconception were then set down in detail.<sup>7</sup> Pius IX, however, decided to separate the Immaculate Conception definition from the condemnation of errors, and on January 25, 1853, the first members of a commission which would concern itself solely with contemporary errors received their appointments.<sup>8</sup> Meanwhile, work continued on the Bull of definition, and by November, 1854, the seventh draft, and the first to bear the title *Ineffabilis Deus*, was ready.<sup>9</sup>

No American theologians had been consulted in the preparatory work between 1848 and 1854. Apart from Guéranger and the Viennese Jesuit Clemens Schrader, all the commission members and advisers were Italian. The first American intervention took place at a series of meetings held in

<sup>6</sup> *Ibid.* 2, 60-76. On the authorship of *Quemadmodum ecclesia*, see Georges Frénaud, O.S.B., "Dom Guéranger et le projet de la bulle 'Quemadmodum ecclesia,'" *Virgo immaculata: Acta congressus Mariologici-Mariani* 2 (Rome, 1956) 337-86, summarized in Giacomo Martina, "Osservazioni sulle varie redazioni del 'Sillabo,'" in Roger Aubert et al. (ed.), *Chiesa e stato nell'ottocento: Miscellanea in onore di Pietro Pirri* 2 (Padua, 1962) 512.

<sup>7</sup> There is no indication in the sources that the Americans ever thought of the definition of the Immaculate Conception in terms of a condemnation of contemporary errors. The European mentality which inspired the link-up was well expressed after the definition in a book by Canon Jules Morel of Angers, who was later honored by Pius IX by an appointment as consultor to the Sacred Congregation of the Index. Morel wrote: "The Immaculate Conception reversed the capital error of the nineteenth century, which is independence, and struck it a mortal blow, as it has done to all previous heresies. For if Mary alone has been conceived without sin, then the whole of humanity is conceived in sin and bears the consequences of it, which are the wounding of reason and of free will and the predominance of the passions. But if man has a greater inclination for error than for truth, and for evil rather than for good, it follows that the government of men will always have need of a preventive and repressive system, and that self-government is nothing but a utopia. The United States, whose success has for a moment disturbed the faith of the weak, will not delay long in proving this by its history, young as it is" (Jules Morel, *Inquisition et libéralisme: Avis doctrinal soumis à M.M. Louis Veullot, Albert Du Boys et Cie. de Falloux* [Angers, 1857] p. 165).

<sup>8</sup> Sardi 1, 789. The work of this group eventually resulted in the Syllabus of Errors of 1864.

<sup>9</sup> *Ibid.* 2, 177-93.

the Ducal Hall of the Vatican Palace from November 20-24, 1854,<sup>10</sup> but before that time the official opinion of the American Church on the subject of the Immaculate Conception had been registered in a number of conciliar enactments. The nineteenth decree of Bishop John Carroll's Baltimore Synod of 1791 confirmed the Blessed Virgin Mary as patroness of the Diocese of Baltimore, which then embraced the entire United States, and ordered that the Sunday within the octave of the Assumption, or the feast itself if it fell on a Sunday, should be kept as the principal diocesan feast.<sup>11</sup> In 1846 the Sixth Provincial Council of Baltimore had chosen our Lady under the title of the Immaculate Conception as patroness of the United States, but with the provision that December 8 was not to become a holyday of obligation. These dispositions were confirmed by the Sacred Congregation de Propaganda Fide.<sup>12</sup> The same Council also petitioned the privilege of inserting the word "Immaculate" in the office and Mass of the feast of Mary's Conception and of adding the invocation "Queen conceived without original sin" to the litanies. Both requests were granted.<sup>13</sup> Two years after the Sixth Provincial Council of Baltimore was held, Archbishop Francis Norbert Blanchet of Oregon City met in the First Provincial Council of Oregon City with his two suffragans, Augustin Blanchet of Walla Walla and Modeste Demers of Vancouver Island. In a departure from the practice in other parts of the United States, they listed the feast of the Conception of the Blessed Virgin Mary among holydays of obligation, but they took no other action and apparently did not follow the practice of the rest of the country in adding the word "Immaculate."<sup>14</sup>

The Seventh Provincial Council of Baltimore (1849) made the most significant American contribution to the prehistory of the definition. The two archbishops and twenty-two bishops present legislated for all the dioceses of the United States and they passed two decrees in response to Pius IX's Encyclical *Ubi primum*. The decrees simply repeated in declaratory sentences the questions asked by the Pope in his Encyclical. The prelates testified that there was great devotion to Mary's Immaculate Conception among priests and faithful in the United States and declared that they would welcome definition of the privilege if the Pope should judge such a definition opportune.<sup>15</sup> In the ten volumes of documents published at Rome between 1851 and 1854, which contain over six hundred responses to the Encyclical from bishops and others, the text of these two decrees of the

<sup>10</sup> *Ibid.*, pp. 194-214.

<sup>11</sup> Cf. *Collectio Lacensis: Acta et decreta sacrorum conciliorum recentiorum* 3 (Freiburg, 1875) 5-6.

<sup>12</sup> *Ibid.*, pp. 101, 106-7.

<sup>13</sup> *Ibid.*, pp. 103-4.

<sup>14</sup> *Ibid.*, p. 125.

<sup>15</sup> *Ibid.*, p. 115.

Seventh Provincial Council is the only representation from the United States.<sup>16</sup> The only other recorded American petition for the definition is found in Sardi's collection of *Atti e documenti*, and it came from Archbishop John Baptist Purcell of Cincinnati on September 17, 1854.<sup>17</sup>

Among the twenty-four bishops who signed the decrees of the Seventh Provincial Council were four who would later participate in the Roman meetings which immediately preceded the 1854 definition. They were Francis Kenrick, Michael O'Connor, John Hughes of New York, and John Timon, C.M., of Buffalo. Another three signers were later to be among the staunchest opponents of the definition of papal infallibility at the First Vatican Council. They were the newly appointed Archbishop of St. Louis, Peter Richard Kenrick, John B. Purcell, and Bishop Richard Vincent Whelan of Richmond.<sup>18</sup> The action of these last three bishops in regard to the Immaculate Conception definition in 1849 has a certain importance in interpreting their later reluctance over papal infallibility, and a study of the two positions sheds some light on their view of the relation of the episcopal college to the papacy. During the Vatican Council, Peter Kenrick was fully aware that Pope Pius IX's definition of the Immaculate Conception was a strong historical argument in favor of the acceptance of papal infallibility by the Church. He tried to save the anti-infallibilist position which he had then adopted by maintaining that the 1854 definition had not been made by the Pope alone, but only after he had canvassed the opinion of the rest of the world episcopate.<sup>19</sup> It is difficult to assess the exact intention of the fathers of the Seventh Baltimore Council from a reading of the text of their decree.<sup>20</sup> They could simply have been acceding to the obvious desire of Pius IX that they assure him of their moral support in a project which he obviously had very much at heart. But if the decree is read in the context of the thought of the man who was incontestably the leading American Catholic theologian of the day, Peter Kenrick's older brother Francis, then Bishop of Philadelphia, the fathers could have intended to give their formal consent pre-

<sup>16</sup> Cf. *Pareri dell'episcopato cattolico . . . sulla definizione dogmatica dell'Immacolato Concepimento della B. V. Maria rassegnati alla Santità di Pio IX in occasione della sua enciclica data da Gaeta il 2 febbraio 1849* 6 (Rome, 1851-54) 655-57.

<sup>17</sup> Sardi 2, 697.

<sup>18</sup> *Collectio Lacensis* 3, 116. Whelan was the only bishop at the Seventh Provincial Council to oppose the decree approving the definition of the Immaculate Conception (*CL* 3, 113).

<sup>19</sup> Hennesey, *First Council of the Vatican*, p. 198.

<sup>20</sup> The Latin text of the pertinent decree reads: "Censuerunt pariter Patres Summo Pontifici significandum, gratum sibi fore ut veluti Catholicae Ecclesiae doctrinam definiat, si id sapientissimo suo iudicio opportunum existimet, Beatissimae Virginis Mariae Conceptum immaculatum omnino fuisse, atque ab omni prorsus originalis culpae labe immunem" (*Collectio Lacensis* 3, 115).

cisely as part of the episcopal college dispersed throughout the world.<sup>21</sup> Similarly, the 1854 letter of Archbishop Purcell, referred to above, is ambiguous. In it he stated that he, his clergy, and his people "desired and awaited" the definition which would be made "through Pius IX."<sup>22</sup> By 1870 Peter Kenrick, Purcell, and others were opposing what they took to be the majority interpretation of infallibility at the Vatican Council, and one of their basic reasons for opposition was to be expressed by Bishop Bernard McQuaid of Rochester when he said: "Somehow or other it was in my head that the Bishops ought to be consulted" in the promulgation of infallible decrees.<sup>23</sup> It would seem that at the very least it can be said that the concept of episcopal collegiality was not completely alien to the mind of the mid-nineteenth-century American hierarchy.

The last meeting of the bishops of the United States before 1854 was the First Plenary Council of Baltimore, which met with Archbishop Francis Patrick Kenrick as Apostolic Delegate in 1852. The sole reference to the question of the Immaculate Conception in the conciliar acts is a footnote to the effect that the Congregation de Propaganda Fide had urged the American bishops to introduce January 1 and December 8 as holydays, so as to conform more closely to the discipline of the universal Church. In this connection Propaganda warned the bishops not to seek general exemptions which would lead to the apparent establishment of a national Church in the United States.<sup>24</sup>

The date for the formal definition of the Immaculate Conception was set for December 8, 1854. Two months before that day Archbishop Francis Kenrick wrote to his brother in St. Louis:

<sup>21</sup> The opinion of the Roman-trained Francis Kenrick is one of the clearest statements to be found in early-nineteenth-century theological writing of the existence and function of the *collegium episcopale*. Particularly noteworthy is the fact that he insisted on the existence of the episcopal college both when the bishops are gathered in council and when they are dispersed in their respective sees. He also argued that an infallible papal decree demanded at least the tacit consent of the college. In 1839 he wrote: "Non tamen placet ea loquendi ratio qua Pontifex se solo infallibilis praedicatur, nam de eo tamquam privato doctore, privilegium inerrantiae nemo fere ex Theologis Catholicis noscitur propugnasse; nec tamquam Pontifex solus est, ei quippe docenti adhaeret Episcoporum collegium, uti semper contigisse ex Ecclesiastica historia liquet. Pontificias autem definitiones ab Episcoporum collegio exceptas, sive in Concilio, sive in sedibus suis, vel subscribendo decretis, vel haud renitendo, vim habere et auctoritatem nemo orthodoxus negaverit" (Francis Patrick Kenrick, *Theologiae dogmaticae tractatus tres: De revelatione, de ecclesia, et de Verbo Dei* [Philadelphia, 1839] pp. 283-84). See Hennesey, *First Council of the Vatican*, pp. 205-6; and for the opinion of Archbishop Martin J. Spalding of Baltimore on the meaning of the text from F. P. Kenrick, see *ibid.*, p. 210.

<sup>22</sup> Sardi, 2, 697.

<sup>23</sup> Hennesey, *First Council of the Vatican*, p. 312.

<sup>24</sup> *Collectio Lacensis* 3, 151.

Unexpectedly letters have come here from the Prefect [of Propaganda] indicating that it is the Pope's wish to have some Bishops of the United States present at the definition of the doctrine of the Conception, and on me is laid the obligation of carrying out the Pope's wishes. It seems, therefore, that I shall have to start on the way without delay.<sup>25</sup>

The initial American representation in Rome for the occasion was composed of Francis Kenrick, O'Connor, Timon, and Bishop John Nepomucene Neumann, C.S.S.R., of Philadelphia. Kenrick and O'Connor were apparently considered official delegates of the United States hierarchy and were housed with other such representatives from various countries in the residence of the canons of the Vatican Basilica.<sup>26</sup> Two weeks before the ceremony of the definition, Pius IX had invited all the bishops present in Rome to attend a series of meetings at the Vatican to discuss the external form of the Bull to be published on that occasion. It was carefully explained to them that they were not to judge the question of the definition itself or its opportuneness. As Francis Kenrick informed his brother, the bishops' competence was limited to questions of style and expression. Some one hundred prelates attended four sessions on November 20, 21, 23, and 24. Kenrick reported they they "spoke freely, as they were encouraged to do by the Cardinal presiding."<sup>27</sup>

The text submitted for inspection by the visiting bishops was the seventh draft of the proposed Bull, which began with the words *Ineffabilis Deus*.<sup>28</sup> Objections raised during the four November meetings fell into three general categories: (1) the way in which certain scriptural passages were used; (2) the advisability of employing dubiously probative citations from Augustine's *De natura et gratia*<sup>29</sup> and from a sermon of Ambrose on Psalm 118;<sup>30</sup> and (3) the method used in arguing from tradition. Archbishop Hughes and Bishops Timon and Neumann took no part in the discussion, except on one occasion when Hughes joined twenty others in a standing vote that the passages from Ambrose and Augustine be dropped.<sup>31</sup> Kenrick posed objections under

<sup>25</sup> Francis E. Tourscher, O.S.A., *The Kenrick-Frenaye Correspondence: 1830-1862* (Lancaster, Pa., 1920) pp. 376-77. The letter is dated October 8, 1854.

<sup>26</sup> Sardi 2, 196-97, 453. <sup>27</sup> Tourscher, p. 379. <sup>28</sup> Sardi 2, 177-93.

<sup>29</sup> *Ibid.*, p. 181. The citation reads: "De sancta Virgine Maria propter honorem Domini nullam prorsus, cum de peccatis agitur, habendam esse quaestionem. Inde enim scimus quod ei plus gratiae collatum fuerit ad vincendum omni ex parte peccatum, quae concipere et parere meruit, quem constat nullum habuisse peccatum" (*De natura et gratia* 26, 42, and *Op. imp. adv. Iulian.* 1, 122).

<sup>30</sup> *Ibid.* The citation reads: "Veni ergo et quaere ovem tuam iam non per servulos, non per mercenarios, sed per temetipsum. Suscipe me in carne, quae in Adam lapsa est. Suscipe me non ex Sara, sed ex Maria, ut integra sit Virgo, sed Virgo per gratiam ab omni integra labe peccati" (*In ps. 118 serm.* 22, 50).

<sup>31</sup> Sardi 2, 204-5.

all three categories noted above, and O'Connor under the last two. The Archbishop of Baltimore advised his brother: "Hardly any one of the Bishops is opposed to the judgment of faith, although about thirty have not much favored the definition on account of the disturbances and false charges which might easily arise from it. Only four are named who absolutely oppose the definition."<sup>32</sup> None of the Americans was among the four absolute opponents, but both Kenrick and O'Connor had considerable comment to make about the text.

The Archbishop of Baltimore's scriptural objection was to the use of a theological deduction from Gn 3:15 which occurred twice, in the second and fifth paragraphs of the Bull. In both places the Blessed Virgin was spoken of as crushing the serpent's head with her immaculate foot.<sup>33</sup> In the meeting of November 20, Kenrick stated that in his opinion no reference to Mary could be deduced from the text.<sup>34</sup> In a later letter to Pius IX he explained his objection by saying that the Bull should not be so phrased as to seem to indicate that the dogma of the Immaculate Conception had been expressly revealed in Genesis.<sup>35</sup> The Archbishop did not take part in the discussion of the Ambrose and Augustine texts, but he was one of those who voted to have both removed.<sup>36</sup>

In the November 20 session Archbishop Kenrick also questioned two phrases which were used to describe Mary's prerogatives. He felt that both would cause difficulties in the United States and in other countries with non-Catholic populations. The first of these occurred in the exordium of the Bull where, in speaking of the Blessed Virgin's innocence and sanctity, it was stated that they were such that, under God, no one could even conceive them.<sup>37</sup> Kenrick wanted the phrase dropped, "since it could have a bad sense in American countries."<sup>38</sup> For the same reason he asked that another phrase, which declared that "in a certain measure God in redeeming man seemed to depend upon the consent" of Mary, be removed.<sup>39</sup>

Archbishop Kenrick was also concerned about the way in which arguments from tradition were employed. Paragraph 9 in the text was a rather triumphal description of the devotion to the Immaculate Conception through the centuries.<sup>40</sup> The Archbishop of Baltimore's comments were sober and brief: "It is not true that tradition has always been clear in the Church on the Conception. For some centuries it was not mentioned." He then asked that the Bull be simplified, that doubtful or apocryphal authorities be discarded, and that the definition be stated briefly.<sup>41</sup> He likewise objected

<sup>32</sup> Tourscher, p. 380.

<sup>33</sup> *Ibid.*, pp. 231-32.

<sup>34</sup> *Ibid.*, p. 199.

<sup>41</sup> *Ibid.*, p. 208.

<sup>35</sup> Sardi 2, 178, 180-81.

<sup>36</sup> *Ibid.*, p. 204.

<sup>37</sup> *Ibid.*, pp. 200, 180.

<sup>38</sup> *Ibid.*, p. 199.

<sup>39</sup> *Ibid.*, p. 177.

<sup>40</sup> *Ibid.*, pp. 183-84.

to invocation of the *lex credendi* after an enumeration of papal acts which had favored the cult of the Immaculate Conception,<sup>42</sup> and he protested that the statement by the Council of Trent that it did not intend to include the Blessed Virgin in its decree on original sin was not sufficient to found the conclusion drawn in the proposed Bull that the fathers of Trent had therefore indicated their belief that nothing in Scripture or tradition contradicted the doctrine.<sup>43</sup> Kenrick asked that instead the evidence from Scripture and tradition be produced.<sup>44</sup> He also suggested deletion of a passage that discussed various interpretations of the feast which had been proscribed by Roman pontiffs, such as that which held that the devotion should not be to the Conception itself, but to Mary's sanctification.<sup>45</sup> The Archbishop's final comments were contained in a letter which he sent to the Pope during the November meetings.<sup>46</sup> Recalling his difficulty about the use of arguments from tradition, he suggested that paragraph 23, which contained the actual definition of the Immaculate Conception, be changed in two places. The text referred to the "pious opinion" that the soul of Mary was immaculate from the first moment of its creation and infusion into the body. Kenrick thought that it would be better to speak of defining a "doctrine" rather than a "pious opinion." His second request was that the statement that the dogma "was and is the constant doctrine of the Catholic Church revealed by God" be omitted, since it might lead some to think that the doctrine had always been explicitly taught as such. He noted that the opposite had been true and that Pope St. Pius V had rebuked those who spoke of their opinion on the subject as if it were a dogma. The Archbishop pointed out that the text of the Bull made it clear that the Church had held the dogma implicitly. He did not want Pius IX to seem to claim that it had been taught explicitly. Kenrick made one final point in his letter: he suggested omission of the strong passage which immediately followed the definition, in which anyone who refused to accept the newly defined dogma was reminded that he thereby fell into schism and was subject to the canonical penalties which followed upon deliberate separation from the Church. The Archbishop of Baltimore wrote that Catholics who refused to accept the dogma did not need to be reminded of the consequences of their action, and that the warning was superfluous and contrary to the previous usage of the Church.

Bishop Michael O'Connor was one of the leaders in the discussion on the Ambrose and Augustine texts. His basic principle was that no authority should be cited unless it was beyond criticism. The objection to the texts had already been stated by Archbishop Karl von Reisach of Munich: the text from Augustine spoke of actual sins and not of original sin, while

<sup>42</sup> *Ibid.*    <sup>43</sup> *Ibid.*, p. 184.    <sup>44</sup> *Ibid.*, p. 208.    <sup>45</sup> *Ibid.*, p. 210.

<sup>46</sup> *Ibid.*, pp. 231-32.



Ambrose was not referring to Mary at all, but to the virginal flesh of Christ.<sup>47</sup> Picking up the argument, O'Connor reminded his fellow bishops that Protestants would also study the text of the Bull, and he saw no reason why supporting arguments should be used which were harder to defend than the dogma itself.<sup>48</sup> When the standing vote was taken on November 21, he was one of those who indicated that he wanted at least the citation from Ambrose removed.<sup>49</sup> Along the same lines, O'Connor objected to inclusion of an excerpt from Pius V's list of the errors of Michael Baius. As cited in *Ineffabilis Deus*, the proposition read: "No one except Christ is without original sin." The Bull referred to the statement as "condemned." The original text, from the Bull *Ex omnibus afflictionibus* (October 1, 1567), was: "No one except Christ is without original sin. Hence the Blessed Virgin died because of the sin contracted by Adam, and all her afflictions in this life, like those of the other just, were punishments of actual or original sin." O'Connor was one of several bishops to protest that the half citation was not what Pius V had condemned, and he wanted it removed.<sup>50</sup>

O'Connor's final technical point concerned the idea of "constant consent." He pointed out that in one place the Bull asserted this, and in another it spoke of the doctrine taking deeper root. There was, he thought, some confusion here. He preferred to omit the adjective "constant," as something which could be known only a posteriori, and he objected to speaking of gradations of papal thought in the matter of the doctrine. His own view was that the truth had always been the same, but that it had been confirmed *ab extrinseco*.<sup>51</sup> What bothered O'Connor was revealed in the next intervention from the floor, by Bishop Thomas Grant of Southwark. Grant adverted to the discussion about evolution of dogma which was going on in the United States and in England because of Newman's *An Essay on the Development of Christian Doctrine*. He felt that the text of *Ineffabilis Deus* seemed to give countenance to the notions advanced by Newman in the matter of development of doctrine, and he argued that a dogmatic decree should not seem to favor that system.<sup>52</sup> One of the consultors present to answer objections, Padre Passaglia, replied that the Bull adopted no system. He agreed that there was no growth in doctrine itself, but he insisted that it did become more clear in the way it was understood and proposed, and that was what

<sup>47</sup> *Ibid.*, p. 202.    <sup>48</sup> *Ibid.*, p. 203.    <sup>49</sup> *Ibid.*, p. 205.    <sup>50</sup> *Ibid.*, p. 208.

<sup>51</sup> *Ibid.*, p. 210.

<sup>52</sup> *Ibid.*, pp. 210-11. In his diary for 1853 the future Lord Acton recorded a conversation with Orestes Brownson in which the latter told him of his own hostility to Newman's theory of development and also stated that "the bishops," in particular John B. Fitzpatrick of Boston and O'Connor, were also unfriendly to Newman's ideas (Victor Conzemius [ed.], *Ignaz von Döllinger-Lord Acton Briefwechsel 1: 1850-1869* [Munich: Beck, 1963] 289).

was meant in *Ineffabilis Deus*.<sup>53</sup> To a further objection of Bishop O'Connor, that the text should not speak of the present moment as "opportune" since every moment is opportune for the teaching of divine revelation, Passaglia replied that definitions should be made when the truth had been clarified, and that in that sense the present moment was opportune.<sup>54</sup> O'Connor's answer was that special care had to be taken of "ignorant adversaries," and he insisted that modifications be made in the text.<sup>55</sup>

Bishop O'Connor made one last significant point in the final meeting of the bishops on November 24. He asked permission to deliver a speech on the subject matter of the definition itself, so as "to make it shine forth all the more clearly that the definition was made with the consent of the bishops."<sup>56</sup> The presiding officer, Cardinal Giovanni Brunelli, refused to permit such a speech, and the next speaker, Archbishop Andrea Charvaz of Genoa, denounced the idea. To speak of the consent of the bishops where an infallible papal decree was concerned sounded to him like Protestantism. He was willing to have episcopal opinions recorded, but he could not agree with the American prelate's idea of having the bishops give their consent. The Bishop of Namur then asked for and obtained a standing vote to the effect that the bishops would submit to the judgment of the Pope in whatever he decided about the Immaculate Conception, while the Bishop of Bruges also expressed his disagreement with O'Connor's proposal. The Bishop of Pittsburgh then yielded.<sup>57</sup> Nevertheless, his original request is another testimony to the fact that the notion of collegiality was current among the American bishops of his time.

Except for the written memoranda handed in by some of the participants, including Kenrick, the active part played by the bishops in shaping the final form of the definition of the Immaculate Conception ended with the November 24 meeting. Their opinions, together with those of the cardinals, were collected and turned over to a special commission composed of Cardinals Brunelli, Vincenzo Santucci, Nicholas Wiseman, and Prospero Caterini. The commission was instructed to draw up the final version of the Bull of definition in collaboration with Monsignor Luca Pacifici.<sup>58</sup> The definitive draft represented a significant modification of the text which had been submitted to the bishops. Many of their suggestions, and those made in writing by the cardinals, were incorporated. The definition itself was made on December 8, 1854. The Bull *Ineffabilis Deus* was not issued until sometime later. The five Americans who had attended the November bishops' meetings were all on hand for the solemn ceremonies on December 8, and they were joined by Archbishop Anthony Blanc of New Orleans.<sup>59</sup> Francis Kenrick

<sup>53</sup> Sardi 2, 211. <sup>54</sup> *Ibid.* <sup>55</sup> *Ibid.* <sup>56</sup> *Ibid.*, p. 212. <sup>57</sup> *Ibid.* <sup>58</sup> *Ibid.*, p. 299.

<sup>59</sup> *Ibid.*, p. 438.

reported the events to his brother on December 11:

As to the definition, everything was carried out well. For four days meetings were held of the Bishops in a hall of the Vatican, and the form of the Bull was subject to examination and discussion in all its parts. As a result the Pope decided not to publish the Bull on the day of the feast, but to make the definition only. . . . The Bull will be published soon, addressed to the universal Church. That will promulgate the declaration for the whole world. It will be the answer to the five hundred and fifty bishops who requested the definition by letters.<sup>60</sup>

As would later be the case with the First Vatican Council, it cannot be claimed that the American bishops played a major role in the events leading to a definition of the Immaculate Conception. Nevertheless, the story of their activities in connection with the definition should help to revise the commonly accepted notion that nineteenth-century America was a theological desert. It is true that the more active nature of the Church in the United States tended to inhibit massive production in terms of theological tomes (although both Francis Kenrick and his successor at Baltimore, Archbishop Martin J. Spalding, compiled impressive bibliographies), but there were any number of theological themes which were developed, in theory and in practice, in the American Church. A distinctive American contribution to the theology of Church-state relations has long since been recognized. Theologians in the United States also had noteworthy things to say about other problems of universal concern. They dealt with papal infallibility, its exact meaning and extent, and its relation to the episcopal college. Living as they did in a largely non-Catholic environment, their views were necessarily conditioned by contact with real, live Protestants, and they opposed at every opportunity formulations of doctrine which served little purpose except to be offensive. They were particularly anxious to avoid careless use of the sources of Christian doctrine. Their mentality, too often described in terms of an embattled minority, was rather an optimistic one. It is true that they did not want to be weighted down with excess baggage. Michael O'Connor spoke for himself and for the great majority of his fellow bishops when he declared that he wanted no part of arguments for a dogma which were harder to defend than the dogma itself. The same theme would run through the comments of American prelates at the First Vatican Council. Orthodoxy of doctrine has generally been considered a hallmark of American Catholicism. Closer inspection confirms the fact, but it also suggests that in the thought and practice of the Church in the United States there are untapped riches which can and should be placed at the disposal of the Church universal.

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<sup>60</sup> Tourscher, pp. 381-82.