

# THE LIMERICK BISHOP WHO SAID NO TO PAPAL INFALLIBILITY

BY LIAM IRWIN

**A** Limerick-born bishop achieved notoriety at the First Vatican Council in 1870, when he was one of only two bishops to defy Pope Pius IX and vote against the formal definition of papal infallibility. The proposal to make this long-held tradition into a binding article of faith did not have universal agreement, indeed it was vigorously opposed by many churchmen. When it became clear in the private sessions of the Council that, while the vast majority of the bishops would accede to the Pope's

request, there would also be a significant minority prepared to vote against it, a face-saving formula was devised. It was tacitly agreed that the dissenting bishops would absent themselves from the public session when the final vote would be taken. In this way any embarrassment to the Pope would be avoided. On the day, more than a hundred bishops chose to stay away, including two members of the Irish hierarchy, Dr. Joseph McHale, the archbishop of Tuam, and Dr. Moriarty, bishop of Kerry. However, two bishops decided not to acquiesce in this sophistry and voted "non-placet": one

was from Naples, the other was Edward Fitzgerald, Bishop of Little Rock, Arkansas.<sup>(1)</sup>

Edward Fitzgerald was born in Limerick city in October, 1833, and baptised in St. Michael's church, Denmark Street on the 26th of that month. He was the eldest son of James Fitzgerald and his wife Johanna Pratt, who had been married in the same church the preceeding January. The baptismal register lists the sponsors as Thomas O'Mealy and Fanny Walsh and the officiating priest was the Rev. Robert Cussen.<sup>(2)</sup> The Fitzgeralds were a Kerry



*The interior of Castle Garden, New York, which was used as a reception centre for emigrants from 1856 until the Ellis Island facilities were opened in 1892.*

family. The young Edward's grandfather lived in Dingle, which led the *Tralee Chronicle* to state in 1867 that the bishop was a native of the town but this attempt to claim a distinguished churchman for the "Kingdom" has no basis.<sup>(3)</sup> There was, however, a further Dingle link as a grand-uncle of his, Fr. Kennedy, had been parish priest of the town.<sup>(4)</sup> James Fitzgerald, who was born sometime in the late 1790s,<sup>(5)</sup> moved to Limerick where the future bishop was born. His mother's background is obscure but there is a tradition that she came from Palatine stock.<sup>(6)</sup> Eight more children were born before the family emigrated to the United States in 1849. A son, Joseph, born in 1836, also became a priest. The first of two sets of twins was baptised on Christmas day 1838 and named James and Stephen. The baptism of another James, in August, 1840, indicates that one twin had died. A daughter Ellen was born in July, 1842, and the second twins, William and Mary, in August, 1844. A daughter, Catherine baptised 27 November, 1846, is the last recorded child.<sup>(7)</sup> The combination of the Great Famine and the decision to emigrate would explain the break in the pattern of a child every two years and we do not know if any further children were born. No details survive about Edward's childhood nor about his family or the circumstances which led to their decision to seek a new life in America.

Edward was then 16 years old, and shortly after settling in the new world he began his studies for the priesthood. He attended the Lazarist-run seminary at Barrens, Missouri, from 1850 to 1852. He spent a further three years at Mount St. Mary's Seminary of the West at Cincinnati, Ohio, and completed his studies in Mount St. Mary's, Emmetsburg, Maryland. He was ordained on 22 August, 1857 for the diocese of Cincinnati and received his first appointment as the pastor of St. Patrick's parish in Columbus, the capital city of the state of Ohio.<sup>(8)</sup> It was a testing position for a young priest: because of a dispute with the trustees, the parish had defied the Mallow-born Archbishop, John B. Purcell, and was placed under interdict. Fr. Fitzgerald showed considerable skill in solving the dispute and remained in the parish for nine years.<sup>(9)</sup> His brother, Joseph, also became a priest and appears to have acted as his assistant in Columbus for a brief period.<sup>(10)</sup> By 1869, Joseph was parish priest of Lowell, New York, at whose home their father Joseph died in that year.<sup>(11)</sup>

Two years prior to this, Edward had been appointed to the See of Little Rock in Arkansas. He had the distinction of being the youngest bishop in the United States.<sup>(12)</sup> The see had been vacant for five years due to the disruption caused by the American Civil War. He was only the second bishop of this vast diocese, comprising not just the entire state of Arkansas but also what was then termed the Indian Territory, the modern state of



Edward Fitzgerald

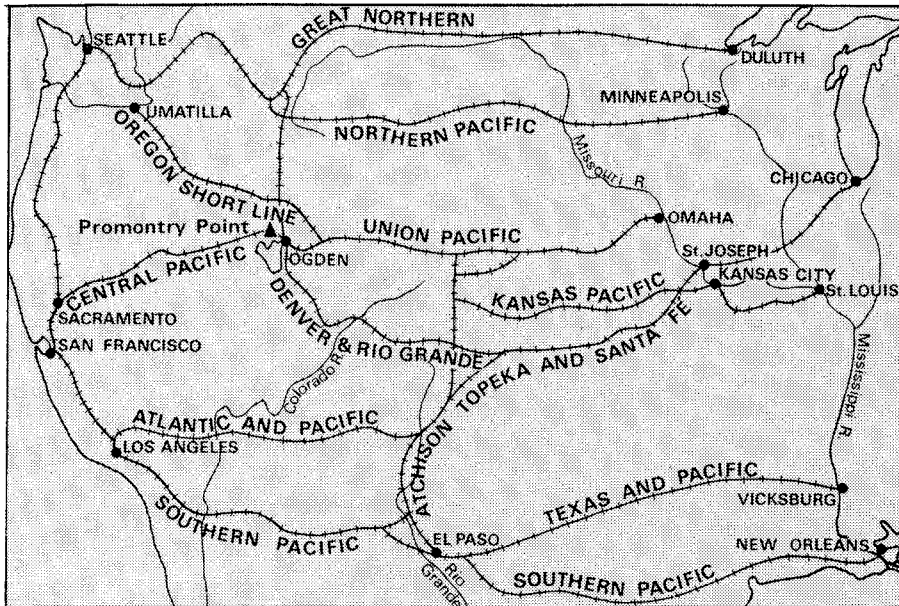
Oklahoma. It was an area that had not yet been settled by many Europeans. There were five priests and three houses of the Sisters of Mercy in the entire diocese, which contained just 1,600 Catholics. During his period in office, the number of Catholics rose to over 20,000, mainly resulting from an influx of German, Polish and Italian immigrants in the later nineteenth century. This settlement was boosted particularly by the famous Oklahoma land races of the 1890s, dramatically recreated in the recent movie *Far and Away*. The best testimony to the trojan work performed by Bishop Fitzgerald was the ability of his diocese to meet this challenge. By the end of his forty year episcopate, there were thirty three missions with their own churches, sixty priests, two hundred and seventy-two religious sisters, forty-one parish churches and an impressive cathedral in Little Rock. He also introduced to the diocese Benedictine monks and nuns, Holy Ghost Fathers, Sisters of Charity, and further Mercy sisters.<sup>(13)</sup> In 1894, he dedicated the first Catholic church for blacks in the state.<sup>(14)</sup> However, this impressive structural and pastoral achievement has always been overshadowed by his stand at the 1870 Council and his fame continues to rest on his courageous and principled action.

The Council, which began its formal sessions in December, 1869, had discussed the issue of papal infallibility at length in its private meetings. Despite the strongly argued opposition of many churchmen and much argument, debate and confusion, a compromise formula eventually emerged. This carefully worded statement of the nature and extent of the new dogma was devised by Cardinal Cullen, Archbishop of Dublin, a

leading proponent of the infallibility faction.<sup>(15)</sup> The outcome was put beyond doubt at the meeting of 13 July, 1870, when a private vote was taken. Four hundred and fifty-one delegates indicated approval, with 88 against, and sixty-two offering conditional acceptance.<sup>(16)</sup> This latter group included not alone those with reservations but also men who felt the proposed decree did not go far enough. The solemn session on 18 July was designed therefore to formalise the decision and the plan for opponents to be absent would facilitate a unanimous acceptance.

The voting system did not allow for any confidentiality. There were no ballot papers and each bishop had to declare his position openly. The procedure was based on a roll call: after his name was called the individual bishop had to reply "placet" or "non-placet", the Latin formula for indicating acceptance or dissent. Just as the voting began, a violent summer storm arose. Throughout the hour and a half it took to complete the cumbersome procedure, thunder, lightning and heavy rain provided a eerie backdrop to the momentous decision being taken. It seemed to the more fanciful people present that a divine signal was being provided. The dramatic effect was intensified when Fitzgerald and the Italian bishop, Riccio, both uttered their unexpected and unwelcome "non-placets". When the voting was completed and the result was placed at the feet of the Pope, a flash of lightning was reported to have flashed across the hall and played for several seconds around the Papal throne. The scene, as described by contemporaries, is reminiscent of Cecil B. De Mille at his most extravagant.<sup>(17)</sup> When the voting was completed, the Pope solemnly promulgated the decree. Bishop Fitzgerald immediately rose from his seat and, kneeling before the Pope, gave his acceptance with the words "Modo credo, Sancte Pater".<sup>(18)</sup> It was later revealed that on the preceding day he had sought permission to be present without voting. The secretary of the Council, Mgr. Fessler, refused this request on the grounds that the rules obliged all those in attendance to vote.<sup>(19)</sup> His defiance therefore, while strongly principled, was reluctant. Some commentators used the incident as proof that liberty of conscience had not been curtailed in the Council as had been alleged. His stance certainly did not affect his subsequent position within the church. He continued to minister successfully in his diocese. He was back in Rome for the Conference of U.S. bishops in 1883, where he represented the Archbishop of New Orleans, and he took a prominent part in the Third Plenary Council of Baltimore in the following year. The silver jubilee of his consecration in 1892 was celebrated with great pomp and attended by twelve of his episcopal colleagues.<sup>(20)</sup>

Fitzgerald's stand needs to be explained. It would be nice to trace some



Railways west of the Mississippi.

formative influences in his native city but this is not alone impossible to document but also extremely unlikely. Having left Limerick at the age of sixteen, his intellectual training and development and his entire pastoral experience were American. In fact, his opposition was entirely consistent with the thinking of the American Church on the issue. Papal infallibility had generally not been taught as a revealed doctrine in the United States. Indeed, some of its most influential bishops had clearly expressed the view that it need not be believed. Among them, interestingly, was John Purcell, for whose diocese of Cincinnati Fitzgerald had been ordained and under whom he had served as parish priest.<sup>(21)</sup> Six other North American bishops opposed the declaration, though all of them chose to absent themselves from the final vote.<sup>(22)</sup> Fitzgerald, therefore, represented a significant strand in American Catholic thought, a view shared by many churchmen in Europe as well. Almost all the German and Austrian bishops were against it, as was the entire Hungarian hierarchy. His distinctiveness lies in his refusal to accept the face-saving formula and his insistence on voicing his opposition to the very end.

There is no direct evidence that Edward Fitzgerald made any return visit to Limerick. However, among his papers in the diocesan archives in Little Rock are three letters from the rector of Mungret College, Fr. Ronan. These date to 1887/8 and relate to three clerical students for his diocese, whose training in the Mungret seminary Fitzgerald was financing. In exhorting him to visit Ireland again and particularly through telling him to expect to see great changes in Mungret College, Fr. Ronan clearly is implying that Bishop Fitzgerald had at some stage been back in his native city.<sup>(23)</sup> He could possibly have done so when attending the Council. Cardinal Cullen records travelling with him to Paris in December, 1869, but it is clear that they

had only met in France.<sup>(24)</sup> While he could have done so on his return in 1870, it is more likely that any such visit occurred during his 1883 journey to Rome. His use of the Mungret seminary certainly shows that he retained close links with the city in which he had been born and raised.

Edward Fitzgerald suffered a stroke in January, 1900, which left him paralysed. He was to spend the remaining seven years of his life as an invalid, cared for by the Mercy Sisters in Hot Springs, Arkansas. He struggled to continue his duties for a further six years with the help of his Vicar-General. In the spring of 1906, a coadjutor was appointed<sup>(25)</sup> and Fitzgerald made his will on 25 May, 1906, by which time he was unable to sign his name and had to have a mark witnessed.<sup>(26)</sup> He left five dollars to his brother Joseph; the rest of his estate was bequeathed to his co-adjutor. The meagre legacy to his brother appears to have been a token payment, perhaps for legal reasons, and he clearly intended that his worldly goods should go to his diocese. Bishop Fitzgerald died at Hot Springs on 21 February, 1907, and was buried in a vault under the atrium of the cathedral he had built in Little Rock.<sup>(27)</sup> He had been a bishop for the unusually long period of forty-one years and had left an indelible mark not only on Catholicism in the United States but, through his action in 1870, on the universal church. He deserves a prominent place in the annals of distinguished Limerickmen abroad.

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