

April 22, 1852

Minutes

*Taken in the Motherhouse of the Poor School Sisters
on the Anger in Munich, April 22, 1852, 6 p.m.*¹

His Excellency, Archbishop Carl August [von Reisach], accompanied by Dr. Frederick Windischmann, the vicar-general, and [Joseph] Glink, the archbishop's secretary, arrived on the above day and hour at the motherhouse of the Poor School Sisters on the Anger. The archbishop summoned Fr. Matthias Siegert, the motherhouse confessor, and Mary Theresa of Jesus Gerhardinger, the superior, as well as all the available professed sisters (who also signed these minutes) to appear before him.

After a brief introduction, the archbishop had his secretary announce the episcopal decree enacted on April 21, which referred to the internal and external affairs of the Religious Institute of the School Sisters. The secretary then read the decree aloud in a clear voice.²

When this was finished, His Excellency demanded that all those present would state whether or not, in the future, they were willing (1) to submit exactly and unreservedly to these episcopal orders as contained in this decree, (2) to fulfill this sacred duty of conscience, and (3) to obey the will of their archbishop, who wanted only the best for the convent.

Then Mary Theresa of Jesus, Superior, stated, "I submit to the Church as I have always done" (recorded word for word in these minutes).

The superior was then asked whether or not she would submit to the decree that had just been read. She was told by His Excellency to answer this simple question with a "Yes," or "No."

The superior replied, "Yes, until the Holy See decides otherwise."

Petra Foreria [Schiesser] declared that she submits to the decree as Reverend Mother did.

M. Ludovica [Pfahler] declared likewise.

M. Sabina [Mayrl] declared likewise.

M. Margaretha [Käss] declared that she would follow the decree.

Josepha Calasanctia [Amann] declared that she submits as Mother Superior did.

M. Apollonia [Brönner] declared as Reverend Mother did.

M. Vincentia [Wildenrother] declared as Reverend Mother did.

M. Caroline [Ziegler] declared that she submits to the decree according to the mind of Reverend Mother.

M. Emmanuela [Landgrebe] declared as Reverend Mother did.

M. Josepha Hermanna [Sittler] declared that she would follow the decree, but only in the sense that Reverend Mother did, and as she would have done had she been given sufficient time for reflection.

M. Pelagia [Andrä] declared as Reverend Mother did.

M. Luka [Karl] also declared as Reverend Mother did.

M. Victoria [Fischer] declared that she submits to the decree according to the mind of Reverend Mother.

M. Martina [Schmid] declared as Reverend Mother did.

M. Jacobina [Karl] declared as Reverend Mother did.

Then the above minutes were closed, read aloud once again, and—with the exception of Fr. Matthias Siegert, the confessor whom the archbishop ordered to leave—signed by those present, subject to further resolutions by His Excellency.

Munich, on the day and hour indicated above:

Carl August,
Archbishop

Dr. Windischmann,
Vicar-General and
Writer of the Minutes

Glink, Secretary

M. Theresa of Jesus, Superior

Mar. Pet. Foreria

Mar. Ludovica

Mar. Sabina

Mar. Margaretha

Mar. Jos. Calasanctia

Mar. Apollonia

Mar. Vincentia

Mar. Caroline

Mar. Emmanuela

Mar. Josepha Hermanna

Mar. Pelagia

Mar. Luka

Mar. Victoria

Mar. Martina

Mar. Jacobina

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On April 21 at 12:00 p.m., the archbishop's secretary⁴ asked at what time the archbishop could meet with the venerable mother superior [Mary Theresa of Jesus Gerhardinger], the confessor [Matthias Siegert], and all the professed sisters because he had a public announcement to make. Reverend Mother set the time for 5:30 p.m.

On April 22 at 4:45 p.m., the archbishop's secretary came to inspect the room prepared for the meeting and was taken to the chapter room that had been arranged in a simple manner for the occasion. The secretary found it too gloomy and asked why, when we had such beautiful rooms, we could not have chosen another. We replied that we had only one other room. It was much smaller, but he could look at it if he wished. Since it would no longer be heated, however, he left it at that.

At 5:45 p.m., Archbishop Carl August [von Reisach] came with Dr. [Frederick] Windischmann, the vicar-general. They were met at the entrance by Reverend Father, Reverend Mother, two sisters, and finally by all the professed sisters who were waiting in the convent corridor.

Upon his arrival in the room, the archbishop began: "Recent events make it my duty in conscience, as your bishop, to direct my attention to your institute, which still does not have Church approval. Therefore, I considered my episcopal rights and set down in a decree what I found necessary. Now I will have it announced.

"I summoned all the professed sisters of the motherhouse (Bernardine [Stiessberger] was ill) as well as the superior and your confessor, through whom, from now on, I will give you my orders and commands. Each of you must state freely and unreservedly whether or not you will obey the demands stated in the decree. Now, Secretary, read the manifesto."

Then the archbishop's secretary read the decree aloud while we stood, although we had been allowed to sit during the introductory speech. Our confessor remained standing because the secretary's coat and hat were on his chair.

After that, the *archbishop* began: "You have heard and understood the decree. I am here in God's name and in the

name of the Church, and I have the right to demand this obedience. I will punish with the severest canonical censure every act of rebellion and every act of disobedience of any one of my commands. I will write my resolutions in accordance with these commands and send them to you.”

Then there was a long, tense pause, after which the archbishop called upon Reverend Mother to begin.

Reverend Mother approached the table, knelt down, and began: “Your Excellency, I see from all of this that the decree pertains to my person alone. I humbly beg pardon, and I ask that my sisters would not have to suffer because of me. I have never acted on my own, but always with the consent of the Church, and I was never disobedient. To obey unknown commands, however—we could never do that.”

The *archbishop* interrupted her, shouting vehemently, “*Unknown commands!* How can you talk about *unknown commands* when your *bishop* issues them? Do you want to portray me above all as *the one* who does you wrong? I am not interested in your person, but in ‘God’s work,’ as you call it, and the salvation of the souls of those who have entered the religious institute in order to strive for perfection. It is my duty to save them.”

Reverend Mother replied, “According to this, I can no longer be the superior. I beg pardon of all the sisters.”

The *sisters* stepped forward, knelt down, and cried with one voice, “O Reverend Mother, Reverend Mother, you never . . .”

The *vicar-general* stood up immediately, yelling, “None of this nonsense! Stand up!”

His Excellency repeated his words, adding, “Stop your wailing!”

Reverend Mother was then called upon to dictate her statement. She responded once again, “I have never done anything against the Church, but in such an important matter, one cannot speak without having had time to think about it. It affects the life of the order, and if the events . . .”

His Excellency spoke: “I am the one to decide about what has happened. You have to state only whether or not you will obey me.”

The *vicar-general* spoke: “With whom are you connected?”
“With the Church.”

“Who is the Church?”

“The bishop.”

“Then whom will you obey?”

“The bishop.”

“Now you are contradicting yourself.”

“I mean, until our rule is settled, should we not be allowed to continue our former observance as we requested? Your Excellency explained the holy rule to us and gave us instructions on it, and I always governed the sisters accordingly.”

His Excellency said: “We will not speak about what has gone on before, and it is my business whether or not the rule goes to Rome. I will see to it.”

Vicar-General: “Immediately!”

Archbishop: “I worked on it for three weeks. That is one proof.”

Vicar-General: “And that includes the decree, which you must obey until the rule is approved. Do not think for a moment that the Holy See will release you from obedience to the archbishop.”

Secretary: “The superior thinks the order will be changed completely. You need not fear that.”

Archbishop: “I will certainly take experience into consideration, but now you must state whether or not you will obey me. ‘Yes’ or ‘No!’ It makes no difference to me.”

Then *Reverend Mother* addressed the sisters: “Yes, Sisters, speak now. I have never done anything without your counsel, dear Sisters, and this is not only about me. It involves the very life of the order. Speak now as you do in chapter. You are my councilors, and you see that I cannot speak.”

Archbishop: “Forget the chapter! You are to make a statement, not the sisters.”

Vicar-General: “The sisters will be called, and they must submit their statements, one by one.”

Sister Margaretha [Käss]: “Yes, Reverend Mother, yes.”

Sister Foreria [Schiesser]: “Reverend Mother, you always taught us to be obedient to the Church and to love His Excellency. You always submitted to the Church, and you also stated that, until our rule is approved by the Holy See, you will

submit to this decree in accordance with our former observance.”

Reverend Mother was repeatedly asked to make a statement, but she responded, “I cannot.”

Then the *Reverend Confessor* began to speak: “I was also summoned to appear here and to speak, and I was the first one mentioned in the minutes. Therefore, I now request permission to speak. This appears to be such an important matter and is accompanied by such momentous circumstances that I think the superior and the sisters ought to be allowed to seek counsel with God as to whether or not they can give their consent in conscience. I believe, therefore, that I may humbly beg that you would grant them time for reflection.”

Vicar-General: “But, my dear Father Confessor, one does not need a long time for reflection to answer ‘Yes’ or ‘No.’ Are we doing something wrong?”

Reverend Father: “Nothing wrong, but turning to the archbishop⁵ in matters involving other dioceses is contrary to our former practice. We always dealt directly with the respective diocesan bishop.”

Archbishop: “That is not true! Father Confessor, you are not in the confessional where you give advice, and the bishop is not arguing. What we have said up to now served only to explain the whole situation. Today, it is a juridical act. Reverend Mother, speak!”

Vicar-General: “Dictate! What you say will be written word for word in the minutes.”

Reverend Mother: “Since my request according to our former observances . . .”

Vicar-General: “That is not necessary. Just say whether you submit or not. Who is supposed to be over you? You call yourself a general superior. Who gave you this office?”

Reverend Father: “The secular government calls her this; she herself does not want it.”

Archbishop: “We know that.”

Vicar-General: “So you do not want anyone over you? By whom, then, is your institute supposed to be governed? Do you, a woman, a weak woman, a very weak woman, want to continue to govern such a great work without ecclesial authority? That is precisely what you want—no one over you.”

Reverend Father: "I certainly know the difference when it comes to episcopal rights. . . ."

Vicar-General: "Silence! You were not asked to speak!"

Archbishop: "Silence! You are not in the confessional where you give advice."

Vicar-General: "Mother Superior, dictate!"

Reverend Mother: "I do not know what I have already dictated. Please, Secretary . . ."

Vicar-General: "Nothing has been written yet."

Reverend Mother: "I submit to the Church, as heretofore."

Vicar-General: "Then who is the Church?"

Reverend Mother: "The bishops."

Reverend Father (who understood, "The bishop."): "Reverend Mother, it is not one bishop who constitutes the Church, but all the bishops together."

Vicar-General: "Be quiet or leave!"

Reverend Father: "Reverend Mother, we must submit to the Church."

The *vicar-general* could not contain himself any longer. He went to Reverend Father, grabbed him by the shoulder, and shoved him, saying, "Confessor, get out!"

The *archbishop* also stood up, angrily repeating the same thing.

Bowing deeply, *Reverend Father* replied, "Yes, I will leave, but I did not say anything wrong."

With one voice, *Reverend Mother* and the sisters begged him to stay, but he left.

Archbishop: "In God's name, I call upon you now to state whether or not you will obey."

Reverend Mother: "Before the judgment seat of God, I cannot say anything else, and now I do not even know what I said. Sisters, please help me!"

Sister Foreria: "I submit according to the former observances."

Vicar-General: "The superior is supposed to dictate, not you."

Sister Foreria: "I am not dictating, but only repeating the words that I heard from Reverend Mother's own lips."

Reverend Mother: "I cannot go on."

Vicar-General: “Let the sisters leave! You will speak for yourself, and then we will hear the sisters, one by one.”

Reverend Mother: “No, Sisters, stay here. I have never kept anything secret from you. You may hear everything. It is only that I am deeply shaken.”

Sister Foreria: “Reverend Mother is extremely exhausted and has been suffering for months. Until she has recovered, could some sisters prepare a statement and put it into writing for Reverend Mother?”

Vicar-General: “Mother Superior, you now have five minutes to think about this. Then I will read the statement aloud, and you may say ‘Yes’ or ‘No.’”

The *vicar-general* read aloud some lines and then demanded once more that Reverend Mother dictate.

Reverend Mother: “Please repeat the sentence I began. . . .” She wanted to continue.

Vicar-General: “No, you may not continue. You may say only, ‘Yes’ or ‘No.’”

Reverend Mother: “Yes, I submit according to our former observance until the Holy See decides otherwise.” The phrase, “according to our former observance,” however, was not written down.

Then the *vicar-general* said, “Now, the sisters may say only whether or not they agree with the superior.” He pointed to one after the other, saying, “You? You?”

Sister *Foreria* did not notice this and thought it was only a pause, so she knelt down before the archbishop and said, “In regard to this, Your Excellency’s decree, I also vow what I have vowed to God.”

His Excellency immediately turned his face away from her. The *vicar-general* shouted: “No! You can accomplish more with little children in school—than . . .”

The *archbishop* banged the table with a container, stood up in a rage, and rushed toward the door, saying, “We are going, but I will take other action. My hat! You cannot do a thing with these people. You cannot get anywhere.”

The sisters hurried after him with *Sister Foreria* in the lead. She fell to her knees. “Your Excellency, please! I did not want to upset you. Did I say something wrong?”

His Excellency did not seem to hear, and the sisters kept repeating the plea until they got to the door. Then the *archbishop* said, "I wanted to do everything for your sake." He wanted to leave quickly, however.

The *vicar-general* followed the archbishop, but before he made his exit from the room, he pointed to Reverend Mother and said, "You are destroying the entire institute."

Reverend Mother did not reply, but said to a few sisters who were still there, "Please go and ask; I cannot go any further."

Vicar-General: "Nothing more will come of it."

In the meantime, the first sisters repeatedly begged him to return.

Sister Foreria said, "Your Excellency, please, Reverend Mother is ill. . . ."

Vicar-General: "No, it is only a pretense."

Sister Foreria: "I beg your pardon. For months, she has been suffering terribly, and if His Excellency had seen her during this time, he certainly would not have been surprised that she was so exhausted. We were amazed that she withstood so much."

Weeping, Ludovica [Pfahler] said the same. His Excellency kept moving as if to leave.

Sister Foreria: "Please, Your Excellency was always our good father. Will it be so no longer?"

Archbishop: "For your sake, I will go back," but he turned to Foreria and said in an undertone, "That woman in there annoys me," meaning Reverend Mother who was still in the room.

Oh, how our hearts bled at such talk, but we had to remain silent.

Upon returning to the room, His Excellency said to the *vicar-general*, "Call the sisters, one after the other. Each one should submit her statement."

Sister Foreria: "I submit to the decree according to our former observances." The last phrase was passed over in silence.

Vicar-General: "Therefore, I submit to the decree."

Sister Foreria: "Yes, as Reverend Mother submitted, according to our former observances." This was not written in

the minutes, however, and the sentence ended with the word, “submitted.”

Sister Ludovica: “I declare likewise.”

Vicar-General: “Therefore the same? Don’t you have a phrase to add?”

Sister Ludovica: “Yes, I will keep my vows to God.”

Vicar-General: “Well, yes.”

This sentence was not written down. The rest of the sisters were allowed to make a statement as they wished, but these sentences were not written down either, no matter how often they were said.

There was one exception. *Sister Josepha Hermanna* [Sittler] dictated, “I declare that I will obey the decree, but only in the same sense as Reverend Mother would have declared if she had been allowed the necessary time for reflection.”

Sister Margaretha: “In God’s name!”

Reverend Mother: “What did she say?”

Sister Foreria: “Thanks be to God! A thousand thanks be to God!” (All three repeated this in an undertone.)

Vicar-General: “Your Excellency, do you approve this?”

Archbishop, after deliberation: “Yes, I approve it. It should be written as evidence. . . . The minutes are going to Rome.”

Then the rest followed. After the last sister had made her statement, the *vicar-general* said, “Call the superior to sign.”

Sister Foreria: “Reverend Mother is already here; she only stepped back. Please, Reverend Mother, step forward.”

Then *Reverend Mother* signed, but her hand was trembling, and she could not complete the word, “Superior.” She told *Foreria* to write it for her, which she did with a trembling hand. Then she signed her own name, and the other sisters followed.

The *archbishop* spoke with the *vicar-general* in the meantime.

After the last sister signed, the *archbishop* stood up and said, “I regret very much that I had to see for myself what I long suspected. I was not mistaken. I saw it correctly, and I found what I feared. This has never happened to me in any other convent. The decree, as well as the minutes, which I will send tomorrow with the rest of my orders, must be deposited in

the archives. Every contrary action will be severely punished according to canonical censures.”

We never received the minutes, however, and no further orders came from His Excellency either.

When *Sister Margaretha* asked to be allowed to speak a few words with *His Excellency*, he replied, “No, I am here only on business today.” He then hurried toward the convent entrance.

Letters of Mary Theresa of Jesus Gerhardinger, translation and notes by Mary Ann Kuttner, SSND, vol. 3, *Jolted and Joggled, 1849-1852* (Elm Grove, Wisconsin, 2009), 118-130.

1. Document 1171 contains two sets of minutes, the first of which were taken by Dr. Frederick Windischmann, the vicar-general.

2. In this decree, Archbishop Reisach stated that the increasing expansion of the religious institute at home and abroad necessitated its ecclesial direction because the lack of a definite rule would lead to inevitable conflicts with the bishops. “In his overly great trust in the order’s leadership, as he now realizes to his great regret,” he had not insisted on the presentation of an outline of the rule. However, the latest occurrences [involving the mission in Rottenburg] convinced him that, “for the well-being of the entire institute, he was strictly obliged in conscience to take things into his own hands and hasten with all possible means the compilation of a well-ordered constitution.

“This was all the more urgent because, as bishop of the motherhouse,” it was the archbishop’s responsibility to the other bishops to see to it that the institute is governed “in the spirit of the Church according to definite rules and not through the arbitrary use of power outside the jurisdiction of episcopal authority.”

Archbishop Reisach stated that he had the right to do this because the School Sisters’ institute was not an order approved by the Church and still did not have an approved rule. According to the archbishop, the *Notre Dame Rule* to which they referred “was not given to them by the Holy See as a rule,” and “it could not be used without drastic and essential changes.” The entire external and internal structure of the institute, the existence of the motherhouse and its missions, the recognition of the vows made by its members, and the power of the superior were “solely dependent on the recognition and approval of the diocesan bishop.”

The archbishop stated that, although he had allowed the superior freedom of movement until that time and had not insisted on the presentation of a rule, she could not draw the conclusion that the norms she followed were recognized by the Church. If the superior would be confronted with episcopal orders, she could not refer to a definite rule based on experience. As superior of the motherhouse, she was subject to the archbishop and must obey him in the exercise of her office—inside as well as outside his diocese—because her office was solely dependent on him. She may not take exception from his jurisdiction through any higher power.

By virtue of the obedience she owed him, the archbishop ordered that, from then on and until the order and its rule were approved by the Church, “she is not to decide or arrange anything new in regard to personnel, goods, and precepts without his express permission and approval. She is not to change anything that is already in existence, and she is not to accept any new mission houses in Bavaria or any other country without having presented all the initial negotiations and obtained his approval first.”

The decree continued: “Moreover, the archbishop demands and orders that, in the exercise of her office, she turn to him in all important matters, especially when these

have to do with mission houses in other countries, and that she act only with his consent." With no mercy, he would "severely punish every single infringement" with canonical censure. See Ziegler, *Kampf um die Regel*, 64-65.

3. The second set of minutes was taken by an unidentified sister.
4. Fr. Joseph Glink
5. Archbishop Reisach