

## CHAPTER 2

### ARGUMENT AND CONTROVERSY

#### *HISTORY OF FRENCH HOMOEOPATHY*

By Charles JANOT

*This extremely interesting book recounts the mishaps of Homoeopathy in our country since 1828, when Dr DES GUIDI, an inspector of the Académie de Lyon, introduced it.*

*The following passages will give an idea of the fierce attacks which the new doctrine had to suffer.*

#### THE 1858 LAWSUIT

In 1857, Baillièrè published a book written by a very young Homoeopath, Dr A. MAGNAN, *De l'Homéopathie, et particulièrement de l'action des doses infinitésimales*. According to custom, two copies were left at the office of the journal *L'Union Médicale* with a request for a summary of it to be given to the readers.

Amédée LATOUR, the editor in chief, answered the author that it would get a harsh review and, in that case, he thought it would be better to refrain from writing it. MAGNAN insisted, preferring criticism to silence. LATOUR bowed to so strong wishes and entrusted the book to a certain Dr T. GALLARD. At the same time, the clever editor asked the latter for the summary of a satirical tract against homoeopathy, a jumble of selected or mutilated, truncated and oft-contradicted passages<sup>1</sup>.

The serial according to Amédée LATOUR's wish was published in *L'Union Médicale* on 24 October, 1857. Let us quote a few enlightening passages :

'Homoeopathy cannot be adopted and put into practice in good faith by educated doctors.'

'One can only remain silent when faced with those who, beaten on superior grounds where scientific discussion occurs, try to start a contemptible battle on the despicable ground of industrial practice and exploitation.'

'Homoeopathy is no longer a science, it is commercial activity practised by some to the detriment of science and humanity.'

'The keenest instigators of the doctrine have the good sense to give it up in practice but shout from the rooftops that they practise homoeopathy.'

'The work written by homoeopaths capable of such things must not be discussed or read. It was written with the intention of gaining the confidence of polite society, it lies like all leaflets.'

'If we abandon our reserve for M. MAGNAN's book, it is because, "exceptionally", we think that we have found in the author a sincerely convinced man.'

To finish with those very moderate maxims, here is a sentence taken from MAGNAN's book and turned back by GALLARD : 'If there is a time when one has applied HAHNEMANN's

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<sup>1</sup> *Lettres sur l'Homéopathie, ou réfutation complète de cette méthode curative* by A. P. MANEC jeune (Paris, Victor Masson).

method without being ignorant, despicable, a poor crank or a contemptible charlatan, it is not the present day.<sup>1</sup>

Who was that old seasoned man bowed down under the weight of experience and science who took the liberty of judging before all doctors venerable men such as DES GUIDI, SIMON, PETROZ, CHARGE, GASTIER, MOLIN, TESSIER, etc. ? GALLARD was a young doctor who had been awarded his diploma as a doctor three years before and only had the hospitals' gold medal to give him value. Among the people that he defamed, there were chevaliers and officers of the Legion of Honour, all of them had done serious work and had had, as allopaths, numerous patients before devoting themselves to homoeopathy. Among the young doctors who protested with them, several had been house physicians and also had the hospitals' gold medal. That was going too far.

The *Commission centrale homéopathique*, whose job was to defend the interests of French homoeopaths, asked *L'Union Médicale* if they could insert a reply, which they refused. A demand, on 29 October, was no more successful. Consequently, a summons to appear before the *tribunal de grande instance* reached M. GALLARD, the author of the article, Amédée LATOUR, the editor in chief and RICHELOT, the managing editor, on 2 December, 1857. Twelve homoeopaths had signed it<sup>2</sup>, adding, after their names, that they were members of the *Commission centrale homéopathique* : they wanted to show in that manner that they represented all French homoeopaths. Their conclusions aimed at the obtention of 50,000 francs in damages and the insertion of the decision to come in *L'Union Médicale* as well as in four other journals to be chosen by the applicants and paid for by MM. GALLARD, LATOUR and RICHELOT.

As was predictable, a certain number of medical associations of Paris made common cause to give moral support to the three summonsed men against 'the common enemy' while all the other French medical associations remained indifferent. In favour of RICHELOT, LATOUR and GALLARD, there were the associations of the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup>, 7<sup>th</sup> and 11<sup>th</sup> *arrondissements* of Paris, the *Société Anatomique*, the *Société médicale d'observation*, the *Société médico-pratique*, the *Société médico-chirurgicale*, the *Société médicale d'émulation*, the *Société des médecins des bureaux de bienfaisance* and, to crown it all, the *Association des médecins du département de la Seine*.

All past scandals, without exception, came back to everyone for that important public debate in which it already appeared that the issue of defamation would not count as much as that of doctrines. To show the care with which they prepared for the assault, let us say that the registers of the chemists of Paris were even scrutinised to see if homoeopaths did not sometimes prescribe according to the law of opposites.

The debate lasted for three entire hearings on 17 November, 1 and 3 December, 1858 before the *première chambre* of the *Tribunal civil de la Seine* presided over by M. *le premier président* Benoît CHAMPY<sup>3</sup>. It might still continue if the judges had not put an end to it. The pleas and their responses quickly wandered from the point, as everyone wished, becoming attacks on and praises for the therapeutic methods. Despite their talents, the defence counsels were beaten on that ground for *Maître* OLIVIER, who represented the plaintiffs, showed himself to be positively extraordinary, making good use of surprising erudition in homoeopathy and its history, sometimes making such apt replies, with texts in his hands, that the other side, caught with insufficient or false documents, had to back down or

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<sup>2</sup> Simon, Pétröz, Gastier, Chargé, L. Molin, Escalier, Leboucher, Love, Gueyrard, Audouit, Desterne.

<sup>3</sup> *La Médecine traditionnelle et l'homéopathie*, twelve homoeopaths sue the journal *L'Union Médicale*, by J. SABATIER, the editor of the *Tribune Judiciaire*, December 1858, Paris.

temporise. Personally, we do not hesitate to say that we do not know, in the whole of homoeopathic literature - whether it is old or modern -, of finer pieces of persuasive eloquence in favour of the Hahnemannian reform. The defence counsels and the imperial deputy public prosecutor could not help expressing publicly their personal admiration for *Maître* OLIVIER's talents.

In fact, there remained nothing good for the defence except ideas of that nature : *Maître* ANDRAL, GALLARD's counsel, said that the article in question, having been published in a scientific journal, had remained unknown to the general public ; homoeopaths, indifferent to the winning or loss of their case, only sought publicity in it ; if it was undeniable that that therapy was 'fashionable' throughout the world, the real successes were due to imagination, etc. *Maître* LEFRANC, very positive, supported inadmissibility by that dilemma : the plaintiffs acted as a collection or as individuals ; as a collection, they had not been authorised by the Government to do so ; as individuals, they were not affected by the words in question, which had been conceived in general.

The court adopted the conclusions of the imperial deputy public prosecutor SALLANTIN, he declared the plaintiffs inadmissible and ordered RICHELOT and GALLARD to pay the costs. Among the grounds noticed, it was mentioned that Dr GALLARD might have been wrong to use offensive words but, besides their general nature which was beyond people, the impact of the only group of words upheld by the court, 'ignorant, despicable, a poor crank, a contemptible charlatan', was weakened because it was a group of words by MAGNAN turned back by GALLARD.

The lawsuit, much more important through its debate than through its conclusions, henceforth toned down all anti-homoeopathic manifestations of the doctors of Paris and, as an inevitable indirect consequence, attracted attention to it still more.<sup>4</sup>

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<sup>4</sup> Translated by Pascale Tempka