

# The Catholic Lawyer

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## Letters

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## LETTERS

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CHICAGO, ILL.

To the Editor:

In what issues, since 1950, have you had articles on federal or state aid to private schools?

(Rev.) Thomas J. Meik, C. M.

*Articles on federal or state aid to private schools appear in the October 1955, Summer 1958, Spring 1959, and Autumn 1960 issues.*

PARIS, FRANCE

To the Editor:

The International Secretariate of Lawyers of Pax Romana has already organised three international congresses of Roman Catholic lawyers: at Royaumont-Paris (October 1953), about "The family in the legal order"; Rome-Ostie (October 1956), about "The respect of the human person in the application of penal law"; Luxembourg (September 1959), about "Law and peace."

We now begin the preparation of a fourth congress about "Law and social peace." It will take place in Essen, Germany, in the Summer of 1962.

Any enquiry from our English-speaking friends can be sent to the Rev. Father Faidherbe, O.P. Chaplain of the French Roman Catholic lawyers, Couvent Saint Jacques, 35, rue de la Glacière, Paris — 13ème.

It would be perhaps convenient to see the themes of the coming Congress from a large point of view, that is to say, not to limit ourselves to the problem of labour law.

First of all, theoretically: social peace is not limited to a question of good understanding between employers and workmen.

Practically too: all lawyers who wish to take part in the Congress are not technicians of social law.

We could examine the four following items:

(I) *What is social peace; what are its relations with law?*

Social peace is a tranquility of the social order, but, moreover, it implies the virtues of prudence, justice and charity. It is not uniform. It does not exclude the diversity of different social classes, tensions, contradictions and conflicts of powers and interests. It requires not only a balance of the forces but also a trend of individual and collective finalities towards the common good.

The law can be at the same time a result of social peace and a means to get it.

(II) *The questions of property: the lawfulness of fortune and the duties it implies.*

The right of property has its foundations in the natural law, but its exercise sustains

an evolution in its modalities. What are the rights and duties of society and the individuals interested in the question? What is the relationship between wealth, misery and social peace?

(III) *Labour.*

Social peace is linked with the historical evolution of legal guarantees given to workmen on a national and an international basis. It is also linked with the question of how workmen are represented in national and international institutions.

The speeding up of technical progress brings up the problem of the organisation of "leisure" as a factor of social equilibrium.

(IV) *The interventions of the state and connected organisms in view of social solidarity and specially the redistribution of income.*

It finds its expression in the present tendencies of the Health Service, the familial allowances and the modes of taxation. The question of under-development extends the notion of social solidarity to the universal level.

Maître André Richard  
Dean of the Catholic  
Faculty of Law in Paris;  
International Chairman  
International Secretariate  
of Lawyers of Pax Romana

*Readers who are interested in more details on the above Conferences are referred to a feature article by Rev. Father Faidherbe, O.P., which appeared in the Spring 1956 issue of The Catholic Lawyer.*

HARRISBURG, PA.

To the Editor:

I have a recollection which may be faulty that you have available for purchase color portraits of St. Thomas More. I should very much like to get such a portrait for this office, and I wonder if you could inform me as to the price thereof.

William B. Ball  
Executive Director  
and General Counsel  
Pennsylvania Catholic  
Welfare Committee

*Holbein's portrait of Sir Thomas More has been reproduced in a color print which measures 8" x 10" and costs \$.25 plus a mailing charge of \$.24. There is also available a 29" x 23" size which costs \$15.00 plus a \$1.00 mailing charge. Prints may be obtained by writing directly to:*

*The Frick Collection  
1 East 70th Street  
New York 21, New York*

SANTA CLARA, CALIF.

To the Editor:

The St. Thomas More Society at Santa Clara University, of which I am a committee member, is desirous of contributing research and authorship of material of the nature published in your magazine. May we be of some assistance to you?

William J. Riordan

*The Catholic Lawyer will be happy to examine, with a view to publication, any material which our readers submit.*

BRISBANE, AUSTRALIA

To the Editor:

The University Catholic Federation of Australia is a national association of Catho-

lic graduates and university students in Australia. The aim of our Federation is to promote the development of Catholic intellectual life here.

As one means of furthering our aim we wish to see greater use made of Catholic periodicals by the Catholic community in our country. During our next National Convention, to be held in about two months' time, which will be attended by upwards of 400 clergy, graduates and students, we intend having a display of those major Catholic periodicals which would be of interest to our members. We would very much like to include a copy of *The Catholic Lawyer*.

Peter D. Phelan  
National Secretary  
University Catholic  
Federation of Australia

RUSH CITY, MINN.

To the Editor:

This is just a little comment on one of the articles in the recent issue of *The Catholic Lawyer*.

In the Spring 1960 issue of *The Catholic Lawyer*, there was an article on indeterminate sentencing.

On page 168 is the following statement: "[T]he more enlightened modern philosophy of penology looks not only for the

protection of society in general, but also for the individualization of the penalty and rehabilitation of the offender in particular. Progressive penal systems must accept both of these objectives as goals to be attained, for any system which concentrates on the one to the exclusion of the other would be palpably inequitable. . . ." This reference to "modern" and "progressive" would indicate, it seems, something new.

This "modern" thought recalled to my mind that St. Thomas had mentioned something on this subject. In checking through the Summa, I found the following at I,II, Question 95, Article I, "A discussion of whether it was useful for laws to be framed by men." He states in part: "But since some [men] are found to be dissolute and prone to vice, and not easily amenable to words, it was necessary for such to be restrained from evil by force and fear, in order that, at least, they might *desist from evil* doing, and *leave others in peace*, and that *they* themselves, by being habituated in this way, *might* be brought to do willingly what hitherto they did from fear, and thus *become virtuous*. . . ."

It is interesting to think, perhaps that this "modern" "progressive" theory of penal philosophy is not so modern, but is rather, a theory that has been forgotten.

Patrick McGuire



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