American Liberty and "Natural Law," Lawyer-Priests, Artificial Insemination
LETTERS

American Liberty and
“Natural Law”

BINGHAMTON, N. Y.

To the Editor:

You were especially kind to send me a copy of the April issue of The Catholic Lawyer containing Mr. Constable’s review of my little book. I am happy to have this along with my other reviews.

Mr. Constable and I had some correspondence about natural law last year, and I found him an outstanding scholar and a gentleman who argued his point with clarity and courtesy. I think he has demonstrated these qualities in his book review, even though, of course, he has a different viewpoint from mine.

When we are born into a new world, we are already in line to be committed to the philosophy adopted by our forebears. Mine were English and Scotch-Irish and of course American. This led me to certain commitments in my childhood which have become my major premises. In the same way Mr. Constable and some of my dearest Catholic friends were led to different major premises in their childhood homes. As Einstein said once, you must assume something. Those who are raised in the tradition of accepting authority, naturally take one view of natural law. We who are rebels against the idea of authority from above, rebel against the authoritarian approach to the state. I am confident that once we start on this major premise, it is impossible for either side to convince the other. One of the grand things in my conversation with others about natural law is that I can respect the sincerity of their views without necessarily accepting their validity for myself. This doesn’t mean that I am right—or that the other fellow is, at least for me.

Eugene C. Gerhardt

NEW YORK, N. Y.

To the Editor:

Thank you for sending me a copy of The Catholic Lawyer. Mr. Constable’s review of Mr. Gerhardt’s book is very thoughtful. I think he has pointed up correctly the errors in emphasis of both sides. There is no question that all thoughtful people are presently concerned with the limitations on freedom required in modern society. This was the subject of our roundtable last year at Columbia (printed in the May, 1955, Col. L. Rev.).

We seem now in 1955 to be returning to a balance, although I sometimes wonder whether some of the limitations are not too rigid when I see the difficulty non-communist teachers have in getting passports or scholars have in getting the words of the enemy so as to analyze them for what they contain. If natural law is the authority of reason working upon the data of experience, I would like to see what it suggests about the ultimate effect of limitations upon freedom of movement for scholars and freedom to read.

John N. Hazard

Lawyer-Priests

SAN FRANCISCO, CAL.

To the Editor:

I was interested in the listing of the priests in the country who have studied law. You might add to that list Reverend Raymond T. Feely, S.J., University of San Francisco, 2130 Fulton Street, San Francisco, California. Father Feely was a practicing lawyer in San Francisco before he studied for the priesthood.

Andrew F. Burke
Other lawyer-priests are:

   Reverend Timothy Bouscaren, S.J.
   Borgo Santo Spirito 5
   Rome, Italy

   Very Rev. Aidan Carr, O.F.M. Conv.
   St. Anthony-on-Hudson
   Rensselaer, N. Y.

   Reverend Charles Coolahan, S.J.
   Georgetown University
   Washington, D. C.

   Reverend Marion L. Gibbons, C.M.
   St. Mary's Seminary
   9745 Memorial Blvd.
   Houston, Texas

   Reverend Paul Gregg, S.J.
   Creighton Law School
   Omaha, Neb.

   Very Rev. George Guilfoyle
   268 Wadsworth Ave.
   New York 33, New York

   Reverend Dexter Hanley, S.J.
   Georgetown University
   Washington, D. C.

   Reverend Francis J. Nicholson, S.J.
   297 Commonwealth Ave.
   Boston, Mass.

POSTCRIPTS (continued)

Motion Picture Censorship

The Kansas Supreme Court declared unconstitutional the 1955 law which abolished the State movie review board.

The statute, included as an amendment to a bill to repeal an obsolete motor vehicle carriers license act, was successfully challenged on the ground that the act covered more than one subject, and the varied points in it were not related.

Previously, in Holby Productions v. Vaughn, 282 P. 2d 412 (1955), the Supreme Court held that under the Kansas Constitution, state officials may prohibit the exhibition of obscene movies, reversing the district court's ruling that such censorship was illegal. [See 1 Catholic Lawyer 159 (April, 1955)].

BOOK REVIEWS (continued)

Amendment consistent with what it was understood to mean when it was adopted.

A "gleam of light" to guide the way to such construction is found by Monsignor Brady in Mr. Justice Reed's opinion in the McCollum case. And Mr. Justice Frankfurter, though faring badly in this book, has assured us, perhaps prophetically, in a wholly different Constitutional context, that: "Decisions of this Court that have not stood the test of time have been due not to want of foresight by the pre-scient Framers of the Constitution, but to misconceptions regarding its requirements."

"Id. at 161.

"Id. at 132-149, 188-189.