

# The Catholic Record.

"Christianus mihi nomen est Catholicus vero Cognomen."—(Christian is my Name, but Catholic my Surname)—St. Pacien, 4th Century

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## EDUCATIONAL RIGHT OF PARENTS

### AUSTRIAN LAW RECOGNIZES RIGHT TO CHOOSE SCHOOL AS INCONTESTABLE

ARTICLE IV.

By Dr. Frederick Funder  
Vienna Correspondent N. C. W. C.

The laws of Austria relating to the rights of parents with reference to the education of their children reflect the legislation of other Continental countries. Since it is an admitted principle of Austrian law that parents have the right to choose between sending their children to Public or to Private schools, there have never been any legal decisions regulating this right.

The school legislation of Austria, dating from 1868, not only recognizes parental choice in the matter of education but formally states the State's obligation in the matter of religious education. These laws likewise grant to religious bodies the right to found and maintain religious schools. In Austrian jurisprudence, therefore, the parents' right is incontestable. There is but one legal restriction placed on parents with reference to education—they have no right to prevent their children from receiving formal religious instruction. So strict is this law that even in schools which are maintained by the Masonic bodies, the so-called "free school" (Freie Schule), religious instruction must be provided for the children, due account taken of difference in creed. In this way the Austrian law not only protects the rights of parents to select the kind of education they wish their children to have, but likewise the religious teaching which is given to the children themselves.

#### PARENTS MUST HAVE VOICE

Many famous Austrian legal authorities were interviewed with direct reference to the so-called Compulsory Education Law passed in the State of Oregon. Doctor Max Hussarek, Professor of Jurisprudence and former Prime Minister of Austria, who is recognized as the most distinguished authority on school law in Austria, said to the correspondent of the N. C. W. C. News Service: "It is quite natural that the parents upon whom devolves the care of educating their children to become efficient members of society, should have a voice in school matters. Home and school will be the more linked together the more a community is full of life and vigor, and the more its citizens are inspired by a public spirit and readiness to sacrifice themselves for the common weal on the conviction that all must stand for one and one for all, if both the whole and the part are to prosper. Conceivably the right spirit of the school is not an institution which has to turn out a certain number of pupils a year, educated after a fixed pattern by the State and fashioned for the purposes of the supreme power in the State. The school represents the parents' rights and for this reason the parents should and must be allowed to demand that the school be such as a good father and good mother would wish it to be in order to provide the best education possible for their children."

Doctor Hans Karl Zessner, a functionary in the Department of Constitutional Law of the Office of the Austrian Chancellor, has stated: "The basis for the legal relationship between the school and the home is that the school in the first place exists for the child. State control of schools which offers no guarantee for religious teaching, nor for the existence of private and religious schools is a mockery of the rights of man and of liberty. Moreover, it is a great mistake to rely upon the State completely for elementary teaching. It is true that it devolves upon the State to see that elementary education be general and free and that a minimum of educational standards be generally accepted. Complete control, however, of education is not a function of the State. Schools must be maintained in keeping with the intention and the spirit of the parents and of the religion of the children who attend the same. The rights of parents and the rights of children must be considered first of all in education. It is an unjustifiable act of violence to suppress them."

#### GENERAL AUSTRIAN VIEW

The following statement which appears in the Encyclopedia of Pedagogics, edited by Doctor Josef Loos, represents the common viewpoint of German and Austrian scholars. "The undenominational school is either a compromise in districts which have a population belonging to different creeds or it is founded upon a compromise made between two different views of life. From the pedagogic point of view uniformity and concentration are the chief necessities of teaching. Even when we admit that the school is a product of the people's need of instruction rather than education, we still must demand that it should promote the fundamental aim of

education, hand in hand with the two principal factors of education; namely, the family and the Church."

The greatest living scholar in Europe in the science of education, the celebrated Swiss professor, Friedrich Wilhelm Foerster, in his book "Education and Self Education," declares on page seventy-four: "The widespread movement of the present time, which seeks to give the State control of education, shows us how important it is for every one to possess a clear conception of the place of the individual in education. This movement insofar as it is justified and valuable, must, however, be understood with one important qualification always kept in mind, that such a doctrine must be preserved free from every fetish and built upon the fact that the State is not the highest aim in life. The rights of the individual must be protected, otherwise the State itself will break up on the rocks of its own absolutism. The great danger is that in the future the principle of State organization will be greatly exaggerated and in consequence the individual, when attempting to join in the collective life of the community, can only do so to the detriment not only of his own individuality but that of the State itself."

#### COMPETITION LIFE OF PEDAGOGY

Speaking of the system of education in vogue in the United States, Doctor Foerster has stated: "Undoubtedly American pedagogy owes its truly progressive spirit to the competition between the Public schools and a widespread system of private institutions. Private schools in America have been the pioneers of pedagogy. Naturally this freedom of teaching makes absolute State control impossible. A certain measure of State control, however, is indispensable in order to secure common educational standards. Beyond this, however, there should reign freedom. If, with us, the separation of State and Church would lead to a giving up of a State monopoly of education, a decisive step in the direction of educational progress would be made. The mere dechristianization of the State school, without granting educational freedom as it is done in America, would be looked upon as a violation, even a destruction of the religious life of the community itself."

#### ORTHODOX SCHISM AFFECTS UNITED STATES

New York, June 29.—The Metropolitan Platon Rodzevsky, head of the Russian Orthodox Church in the United States, was excommunicated by the All-Russian Church Convention in Moscow, it is reported here. The action of the convention together with the identity of the successor to Dr. Platon, alleged to have been named at the Moscow meeting, were kept secret. It is reported that the successor is on his way to the United States where he will attempt to displace Dr. Platon and obtain possession of church property in this country.

The Metropolitan Platon claimed authority over the church in the United States by virtue of a secret appointment which, it is asserted, he received from the Patriarch Tikhon who was himself unroofed and deposed by the Moscow convention.

News of the impending controversy over control of the Russian Church in the United States became known simultaneously with dispatches from Moscow telling of the action of the Third Internationale in rejecting the plea advanced by some of its members that religion was a matter of the individual conscience. The Internationale declared that while this might be true in "bourgeois" States, religion was entirely incompatible with Communism.

#### FIRST LOURDES CURE OF THE YEAR

Paris, June 30.—The Lourdes Medical Bureau has registered the first officially recognized cure for the year 1923, that of Sister Scholastique, Prioress of the Servants of the Poor, at Angers.

Sister Scholastique arrived June 12, and had been in a plaster cast, fastened to a stretcher for six months. She had suffered from Pott's disease and could not even eat without assistance.

On June 13, at the pool, she felt an improvement, and was completely cured on the 15th after leaving the pool. Three physicians, who came to the hospital to give the nun a thorough examination, recognized the cure. Sister Scholastique no longer has any rigidity in the spinal column. She can move freely and without pain.

The three practitioners and the physician of the Medical Bureau have concluded unanimously: (1) That the disease undoubtedly existed, (2) That the cure is absolute, (3) That its instantaneous character does not permit it to be attributed to normal evolution and natural causes.

## THE INTERVENTION OF THE POPE

The Springfield Republican, July 9

Europe, while America has averted its eyes, has been falling into desperate straits, and to the gravity of its case must be ascribed the earnest effort of Pope Pius to reconcile the nations or at least to keep them from beginning a new competition in hatred and the deeds which hatred inspires. There was need of a voice, and he speaks out. There was lack of moral leadership, and he courageously takes the lead. Desperately needed was advice from a neutral and benevolent source, and the head of the Catholic church gives to all involved in the tragic ruin advice the sanity and humane spirit of which cannot be questioned however irritating to the passions of the moment may be the recall to sanity and humaneness.

The first move, taken after long consideration and careful study of the facts from first-hand sources, was a calm and well reasoned plea for a settlement of the menacing controversy between France and Germany. No attempt was made to distribute blame; the imbroglio was simply treated as calamity to be dealt with in a rational and humane spirit. It was assumed that Germany should pay all that was possible, and that France should demand no more—assumptions which neither side would care openly to challenge. And to convert general assumptions into practice the Pope gave his approval to the adjustment of Germany's burden by an impartial commission as urged last January by Secretary Hughes, the sound common sense of whose plan has never been impugned.

Precisely because common sense was on the side of ending a wrangle harmful to all concerned and to the world at large this suggestion by the Pope made a tremendous stir. It ran counter to the policy of Premier Poincare, which has been increasingly to regard the controversy much as Austria in July, 1914, regarded the controversy with Serbia, in the light of a domestic affair in which interference from outside could not be tolerated. The Paris press was very bitter and the premier himself replied to the papal letter in a speech in the French Senate reaffirming his policy, declaring that the Vatican was misinformed, and putting the blame for the troubles in the Ruhr upon the German government for failing to put an end to resistance of the Franco-Belgian occupation.

To meet this protest Pope Pius turned his attention next to Germany, denouncing the acts of sabotage and crime in the Ruhr, and calling upon Chancellor Cuno to end them. This step perhaps took the French and Belgian governments by surprise; they met it by making a peremptory demand, backed by veiled threats, upon the German government to take just the action for which the Pope had asked on moral grounds. Their diplomatic purpose may be assumed to be maintenance of prestige because otherwise in might be said that Germany had yielded to persuasion rather than force.

Having met criticism from the French side by his denunciation of sabotage and crime, the Pope was free to take the no less important third step of calling upon France and Belgium to refrain from reprisals. This action was taken Saturday and its effect is not yet known, but it is a perfectly logical step in an effort, evidently carefully considered and not readily to be abandoned, to persuade both sides to refrain from reproducing on a vast scale in Europe the conditions which in Ireland gave the Pope such distress, and to enlist the moral forces of the world in support of a rational and humane effort to restore genuine peace. Pope Pius may fall as Pope Benedict did in 1917, but he has a better chance of success, and the earnest persuasiveness with which he has undertaken his task will have a great influence.

#### FOUR BROTHERS JESUITS; MOTHER A NUN

St. Louis, July 9.—Among the thirty-four members of the Society of Jesus ordained to the priesthood by the Most Rev. John J. Glennon, Archbishop of St. Louis, was the Rev. Edward A. Scott, of Chicago, the third member of his family to be ordained a Jesuit priest. A fourth brother, Francis Scott, is now pursuing his studies in a Jesuit scholasticate and will be ordained two years hence. The mother of the four Jesuits is a member of the community of Visitation Convent, Springfield, Mo., which she entered several years ago.

The Rev. L. A. Wheeler, S. J., of Baltimore, who was among those ordained, has two brothers in the priesthood, the Rev. David Wheeler, S. J., president of Holy Cross College, Worcester, Mass., and the Rev. Francis Wheeler of Rochester, N. Y.

Included in the class ordained here was the Rev. Simon Tang, said to be the first Chinese priest to be ordained in the United States.

## JUDICIAL REFORM IN IRELAND

A commission was appointed by the Free State Government to inquire into and report upon a judicial system suitable to the Free State. That commission has recommended a complete reform. It divides the Judiciary into four branches, namely: (1) District Courts, (2) Circuit Courts, (3) High Court, (4) Supreme Court or Court of Appeal. The District Courts and the Circuit Courts are to administer justice locally. It is proposed gradually to extend the jurisdiction of the District Courts.

The Circuit Courts which are to replace the County Courts are to have much larger powers than the old tribunals. The Free State is to be divided into eight Circuits with a minimum of eight judges.

The High Court will try all cases of importance and also all appeals on the civil and criminal sides from the Circuit Courts. The right of appeal in criminal cases is an innovation.

Six judges are to be assigned to the High Court while the Supreme Court shall consist of three judges. The corresponding Courts now functioning consist also of nine judges, five of whom are Catholics and four Protestants.

Under the reformed system there may be two or three Protestant judges in the Supreme Courts in the capital. In proportion to population this would be quite a fair distribution.

The right of trial by jury is to be retained but in civil cases a modification is to be made. Hitherto a jury verdict had to be unanimous. The disservice of one crank could make a jury trial abortive. It is proposed that in civil actions a majority vote of nine shall be sufficient to carry a verdict. Another proposal is that official stenographers should be attached to the courts.

Broadly speaking the tendency of the report is to expedite and cheapen the administration of justice, and to make it easier and simpler for the poor man to assert or defend his rights.

#### GLENNAVY PRAISES CATHOLIC TOLERANCE

The commission consisted of twelve members, eight Catholics and four Protestants. Lord Glenavy, Chairman of the Free State Senate, presided over the commission. He is a Protestant. Formerly he occupied the positions of Lord Chief Justice and Lord Chancellor. In a note submitted to the Government he said the commission had striven to provide for the establishment of a Judiciary which would command the confidence and respect of every class in the community. It is the intention of the Government to introduce a bill on the lines of the report.

Addressing a public gathering in Dublin on the eve of the publication of the report Lord Glenavy declared:

"I have lived all my life in Southern Ireland, all my life amongst my fellow-citizens of Dublin, and I wish to record, not for the first time, my experience that never once during that long time have I ever had to complain either of religious intolerance or religious persecution."

#### THE PRESIDENT OF POLAND

The recent trip of President Wojciechowski along the western frontiers of Poland has produced a very happy effect on the population of that part of the country.

The Polish President is both an excellent politician and a fervent Catholic. During his trip he made a pilgrimage to the celebrated shrine of the Virgin and was a daily attendant at Mass. He was accompanied by His Eminence Cardinal Dalbor, the Primate of Poland, and it was a touching sight to see the masses of the people lining the roads to see the Chief Executive kneel to receive the blessing of the first dignitary of the Church in Poland. The President's trip has been of especial importance in that it has tended to restore the confidence of the western section of Poland in the Warsaw Government, a confidence which had been somewhat shaken by the sending of inexperienced and irreligious officials to a part of Poland which is profoundly Catholic.

President Wojciechowski was elected by the radical Left, and there has been considerable consternation in the Red camp over some of the speeches made by him on his trip, notably those delivered at Thorn and Stargard, when he declared that he greatly desires a union of parties and the formation of a Polish majority in the Parliament. The entire policy of the Left has hitherto been to prevent the

union of the Right and the Center, which is composed of groups of peasants of moderate tendencies. Such a union would mean the formation of a stable national majority in the two Chambers and the end of a radical regime hostile to Catholic interests.

## DISCUSS BIRTH RATE AT SOCIAL WEEK

Following instructions of the Supreme Pontiff, Cardinal Gasparri has sent to the organizers of the Social Week of France a letter congratulating them on having selected as the subject of their conference this year "The Problem of Population and the Birth Rate Crisis."

"This subject," the Cardinal writes, "deserves, in the highest degree, to retain the attention of Catholic sociologists, to study the disquieting phenomenon of the diminishing birth rate in order to formulate remedies, is to seek the means of restoring the family. There is nothing, truly, which is of as much importance to society of which the family is the 'mother-unit.' Nothing is of more importance to the Church which expects the first training of its members to be given to Christian families and to whom Christian families are accustomed to furnish priests and missionaries."

"Any effort, even incomplete, to preserve or protect the family institution will always be considered with benevolence by the Holy See. All the more so when this benevolence is assured to men who, famed for their science, undertake to study in the light of faith, the laws of the family, and who do not fear to proclaim the concordance between the attachment of peoples to Christian practices and the normal accomplishment of the views of Providence by the happy multiplication of human lives, nor to point out the loss and weakening of faith in such and such a country and the more and more deplorable decline of the birth rate."

It is in Grenoble that the Social Week will be held this year, from July 30 to August 5.

According to the traditional custom of these Weeks, the program includes three kinds of lectures. Sociologists, professors and men of action will study the crisis in the birth rate in all its aspects, according to their own information and in the light of the extensive survey made recently among the study circles of the Catholic social leaders of France. Theologians will next explain the doctrines of the Church on the questions under consideration and, lastly, theologians, professors, leaders in organization work and legislators will study the political, economic, social and moral reforms which should be proposed in order to promote the restoration of the family and bring about a new and favorable policy on the subject of population.

## FARM LABORERS STRIKE

In the South of Ireland an acute conflict has arisen between farmers and laborers in the county Waterford. The agricultural industry in Ireland, as in other countries, has come in for a period of depression and farmers bearing in mind what America has done by means of liberal credits to assist agriculture, have been clamouring for some form of State aid or protection.

Finding outlay heavy, they sought to cut down wages. The workers would not agree to the reduction. Hence the big strike in Waterford recently.

Speaking on the rights and obligations of workers, Dr. Cohahan, Bishop of Cork, said in a recent address:

"Societies and unions were founded to protect the individual workers, and undoubtedly were needed. Free trade in labor used to be an economic theory that meant that wages were to be determined solely by supply and demand, and that when the supply of workers was over-plentiful and competition for employment keen the great industries could employ workers even under the minimum wage, under a living wage."

"That would be unjust. Workers are within their right in preventing action by members of their own class which would lead to the injustice of employment under a minimum wage. The purposes of societies should be to ensure that employers should discharge their obligations towards their employees and especially that they should pay a good wage."

"But all things human are liable to abuse, and when one considers the present economic situation of Cork one may fairly ask if there is not something wrong with labor societies and unions. There is unemployment in Cork, and yet thousands of tons of manufactured articles are being imported. Is it legitimate to limit output in a way that it is not limited anywhere

else? Is it legitimate to demand the highest wage for this limited output?"

## MR. BELLOC GIVES HIS IMPRESSIONS

Speaking to a large audience here for the benefit of a fund which is being raised to relieve the poor of Dublin, Hilaire Belloc disclosed the impressions of America which he received during his recent visit to the United States.

"Irishmen in America," he said, "have created in another world and amid other influences, a singular, separate, and intensely conscious body."

"But the intense nationalism of Americans generally appears in profound ways. It is manifest in the manner in which an American approves or disapproves of a thing. It is 'un-American' if he disapproves of it and vice-versa. This is Nationalism in excelsis."

"America can have civil wars of religion, of race, of region, or wars arising from differences of economic position; but they will be American in character and will work within the framework of American unity, and it will be a profound error on the part of any European nation to think that such a conflict means the dissolution of American culture or the disruption of American society."

Mr. Belloc did not believe that the bond of language was an important link amongst peoples. It would not prevent conflict or war or hate. England's attempt to get an American alliance based on the community of language was being made on a weak bond.

The much more important bond of sympathy between Europe and America was religion. But what were the spiritual forces at work today? Mr. Belloc answered this question as follows:

"Firstly, governing American society the major influence is profoundly Puritanism. That is increasing. Secondly there is skepticism. Outside the Catholic body and a small, curious, very determined, rather wealthy, landed nucleus the whole of America is skeptical. It is being swept by a wave of skepticism which is rapidly spreading across to England. The Catholic body represents certainly more than one-fifth of the people of the United States. It is mainly in the towns in the industrial regions. It is largely emigrant and it does not control the traditional sources of power."

"Those who won the greater part of wealth, those who for the most part direct politics and finance are not in proportion to the magnitude of the Catholic body and are not connected with that body."

"From all these considerations it seems inevitable that there is going to be a conflict of the spirit between the Catholic body and the rest of the American community. I do not say that it will be a violent conflict, but one of these two spirits will ultimately absorb the other."

## POPE FAVORS WOMAN SUFFRAGE

Pope Pius XI. expressed his approval of the women's suffrage movement to a group of twenty-five members of the American, English and French delegations to the Congress of the International Women's Suffrage Alliance who called on him, but he made it plain that he could not approve of some portions of the program of the Congress, especially that relating to divorce.

Because of the Pope's attitude toward features of the programme which he considered unworthy of his approval, he explained that he could not receive the delegates to the Congress officially. Members of the Catholic Woman Suffrage Society were included among those received in audience by the Holy Father and later visited the Vatican galleries, which were especially opened for them.

Mrs. Corbett Ashby, of England was elected president of the Alliance, succeeding Mrs. Carrie Chapman Catt.

## FAVOR SCHOOL COURSE IN CHRISTIAN MORALS

Winona Lake, Ind., July 6.—Intelligence divorced from moral and religious considerations will bring the world to chaos, was the declaration made by Dr. Nathaniel Butler, dean of the School of Education of the University of Chicago, in an address before the International Conference on Christian Citizenship here. Dr. Butler declared that a democracy without religious and moral training for its citizens could not long survive.

The conference adopted a resolution, introduced by Dr. W. I. Wishart of Pittsburgh, declaring that patriotism demands that attention be given to the teaching of Christian morals in American schools.

## CATHOLIC NOTES

Cologne, July 2.—Continental Europe is witnessing an enthusiasm for missionary work among students of high schools and colleges that is comparable to that displayed by the Catholic Students' Mission Crusade of the United States.

Paris, June 30.—The appointment of Canon Beaupin, Secretary of the "Comite Catholique des Amities Francaises a L'Etranger" as Domestic Prelate of His Holiness has caused great satisfaction among those interested in international Catholic relations.

New York, July 9.—Seven teaching sisters, all natives of Ireland, were admitted to citizenship in Justice John M. Tierney's court here last week. Judge Tierney, who declared that he was proud to boast that he is Irish and Catholic, said it was an honor to confer citizenship on "the most self-sacrificing profession in the world."

Washington, July 6.—Daniel J. Callahan, Supreme Treasurer of the Knights of Columbus, has been elected president of the Board of Education of the District of Columbia. His election was unanimous. He succeeds Dr. Abram Simon, President of the Washington Hebrew Congregation.

Chicago, July 6.—Rev. Daniel J. McHugh, C. M., head of the department of astronomy at DePaul University, has received the rare distinction to be elected a fellow in the Royal Astronomical Society of London. There are only 70 fellows of the society in the United States, and besides Father McHugh, only one priest.

Montevideo, June 21.—An endeavor to have every Catholic home in Uruguay consecrated to the Sacred Heart is being made by the "League of Catholic Ladies of Uruguay," with a view to counteracting the corrupt and pagan spirit of the times. Groups of members of the organization are visiting from house to house and promulgating the pious work.

Cologne, July 2.—The distinguished leader of the Centrist Party, Herr Herold, celebrated on June 16 his twenty-fifth anniversary as a member of the Reichstag and Landtag. He has served uninterrupted since June 16, 1898. Now at the age of seventy-five he has the confidence of all parties and is beloved for his moderation and gentleness, which have contributed much to his success as a statesman.

The new editor of the London Tablet, whose appointment has now been announced, is Mr. Ernest James Oldmeadow, a novelist of distinction and an authority in musical biography and criticism. He is a convert to Catholicism and entered the Church in 1900. Previously he had been a Nonconformist minister at St. John's, Halifax. His wife, a daughter of the Rev. Joseph Dawson is also a convert.

Paris, June 30.—The Catholic Union of French Railroad Employees has just celebrated its silver jubilee. Mgr. Reymann, the president, founded the organization in 1878, not as a labor union for the defense of material interests, but as a purely religious organization for the spiritual uplift of the French railroad personnel. Mgr. Reymann was then vicar in a labor parish in the suburbs of Paris, and began his Union with one hundred and eleven railroad employees whom he assembled at Montmartre. Today the Union has more than 100,000 members and 466 branches. It served as a model for the creation of similar unions among the metallurgists, employees of the big department stores, etc.

Buenos Aires, June 18.—The great project of building homes for Catholic working men, sponsored by the Catholic Popular Union of Argentina, which collected \$1,000,000 for that purpose, is finally being brought to a head. Sixty-four of the first group of 111 houses have been completed and are ready for occupancy. In addition, a commodious collective dwelling, comprising ninety-three flats, has been finished and arrangements are now being made to rent the houses and flats to worthy families at a very small cost. Special preference will be given to large families of small means.

Milwaukee, July 2.—Excavation work on sites of two new buildings for Marquette University will be started within the next two weeks, according to an announcement of the Rev. Albert C. Fox, S. J., president. A four-story science and administrative building will be erected at Thirteenth street and Grand avenue, next to the Church of the Gesu. A three-story building for the College of Law will be erected at Eleventh street and Grand avenue. Both sites are in the heart of Milwaukee. A new two-story home for the Marquette Union, students' centering club of the university, also will be built this summer.