

obvious need for immediate treatment, into the advocacy of reforms which, when adopted, would retard rather than aid the triumph of our own cause. So long as we do this deliberately and explicitly, and in those spheres only which involve no clashing with the vital principles of our own theory, no one can charge us with either ignorance or infidelity to our ultimate ideals. It is just this point of difference which Mr. Bosanquet either fails to perceive or is unwilling to acknowledge.

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“HEGEL’S THEORY OF PUNISHMENT.”

IN the July number of this JOURNAL there appeared a valuable article by Mr. McTaggart on “Hegel’s Theory of Punishment.” With the general drift of this article I find myself in complete agreement; but it seems to me that there is one important point which Mr. McTaggart has omitted to deal with, and to which it may be worth while to call attention.

There is an aspect of punishment indicated by the word “penance,” and it is this aspect which I think must have been uppermost in Hegel’s mind when he wrote the words quoted by Mr. McTaggart. To explain my meaning, I must take the case of punishment inflicted for conscious sin. According to Hegel, as I hold and as I understand Mr. McTaggart to hold, such wrong-doing always implies that the sinner has, for the sake of transitory pleasure, acted in defiance of his deepest self, weakly yielded up his true good at the solicitation of some passion or impulse. Lack of moral strength to suffer the effort of resistance is the cause of the fall. Now the needed strength may often be best acquired, and the fault thus retrieved, by the endurance of pain. It is this pain which it is the privilege of punishment to give. And if the criminal realizes his real position he will long for his punishment, in order that he may gain the strength, and be sure that he has the temptation under his feet at last; and in this case the punishment will have its perfect work and become penance.

The suggestion I would make to Mr. McTaggart is briefly this. He holds that Hegel places the value of punishment in the vividness with which it brings the fact of his wrong-doing being wrong before the offender. I would add to this that the discipline involved in the pain of punishment toughens the moral fibre. This

view seems to me to give even deeper meaning to Hegel's words that the punishment is the criminal's right, and an honor as well as a disgrace, while it also makes more evident the necessity of the element of pain.

It is significant, I think, that in the period of history where punishment has perhaps been most effective as a moral agent, the period of the Church's rule in the Middle Ages, it has borne the character of penance. It seems, moreover; not impossible that what is sometimes taken to be "vindictive pleasure" may be the result of a dimly-felt conviction that it is only through suffering that the criminal can be rescued. I may add that I do not consider this disciplinary and penitential view of punishment applicable in all cases,—obviously it can only be in place where there has been actual sin,—and I agree with Mr. McTaggart in thinking that punishment is needed in other cases, and can be justified on other grounds.

I should like to add one word on the question of corporal punishment. No doubt its opponents deliver themselves of much sentimental nonsense, but they have solid reasons as well. Boys, it may be granted, for the most part take corporal chastisement simply as one, and not the unpleasantest, form of punishment. The average boy would choose to "have his time caned off" rather than to be kept in. But it is both true and important, I think, that corporal punishment is of all forms the most liable to be given and received as a *deterrent*. It is here the danger lies. For girls, at least, and sensitive-natured boys the thought that they are treated "like dogs to whom the master shows a whip" is galling in the extreme. The treatment is apt to make them hardened, cynical, scornful of legitimate authority. In such cases I think it may be fairly said that it does tend to produce degradation.

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THE TRANSLATION OF "SITTLICH."

PROFESSOR DYDE'S recent translation of Hegel's "Philosophy of Right" suggests the question with regard to the best way of rendering *sittlich* and its corresponding substantives. Mr. Dyde apparently adopts "ethical" as the equivalent; but this is evidently in some respects objectionable. The term "Ethics" is best used for the *science* of morals, and an "ethical system" is best under-