

LETTER TO THE EDITOR

DEAR SIR,

The deterrent theory of punishment put forward by Fr Kenny in the October number of *BLACKFRIARS* seems to me to suffer from one fatal flaw. For it would seem possible in principle to imagine a situation where no conceivable punishment would be successful as a deterrent: let us suggest some situation in which the punishment was to be secret. If the justice of a punishment is nothing more than its rightness as a deterrent, then it would clearly be *unjust* to punish such a crime. If this is what justice and injustice *mean* when applied to punishments, then it would be impossible to make a distinction between the unjust punishment of someone who was innocent, and the unjust punishment of someone when there was no possibility of deterrence. And yet these two cases are clearly distinct.

The truth is that the justice of a punishment, even if it must take into account the success the punishment may have as a deterrent, does not *mean* such successfulness. To account for the meaning of justice in this context we have to elaborate a theory of punishment which makes it a return for the crime as such, and not merely a practical act to avoid crime's consequences. It is this bearing of punishment on the crime itself which is the essential thesis of retributive theories of punishment, and not the rather vague analogies with commercial transactions which Fr Kenny criticizes.

Yours sincerely,

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REVIEWS

Encounters: Mythical and Technical

WHATEVER associations of hostility the word may originally have had, an 'encounter' is now taken to mean a meeting between two parties in which difference is recognized and understanding sought at the deepest level; this must be a dialogue, not a monologue, a dialogue of image and idea. In the encounter between the West and the non-Western world this has its dangers still but they are less for the West than the non-Western. A virus may enter Europe from Macao, a mamba uncurl from among the bananas, but the materialism which follows in the tracks of the oilmen is destroying domains of human experience and creations of the human spirit more valuable than the jungles and savannahs the derricks lay waste. Recently in a broadcast four anthropologists discussed and differed over the possibility of withholding Western contacts from peoples as yet uncontaminated to give them time to assimilate the goods of the West without losing their own special virtue. But one can be sure that by