

Winter 1939

## Book Reviews

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>



Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

---

### Recommended Citation

Book Reviews, 29 Am. Inst. Crim. L. & Criminology 763 (1938-1939)

This Book Review is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

## BOOK REVIEWS

ALFRED R. LINDESMITH [Ed.]

CULTURE CONFLICT AND CRIME: A REPORT OF THE SUBCOMMITTEE ON DELINQUENCY OF THE COMMITTEE ON PERSONALITY AND CULTURE. By *Thorsten Sellin*. Preface by Mark A. May. New York: Social Science Research Council, 1938. Pp. 116. (\$1.00.)

This monograph is the product of what started out to be a somewhat ambitious effort on the part of the Social Science Research Council to promote research in various fields of the social sciences by evaluating past work and suggesting problems for the future by means of the critical examination of concepts and procedures in current use. The subcommittee on delinquency, consisting of Professors Thorsten Sellin and E. H. Sutherland, was appointed in 1935 and in the words of the Preface, ". . . decided to explore some one segment of the field of causation in an effort to uncover research questions which might, when answered, expand our knowledge concerning etiological processes in delinquency. . . . It was felt that it would be desirable to undertake also an analysis of some of the basic concepts underlying criminological research. Both tasks were finally undertaken by Professor Sellin."

While responsibility for the views expressed are thus placed on the shoulders of Professor Sellin, it is explained that Professor Sutherland assisted "with his wise counsel" during "the entire period

that this monograph has been in preparation." The contents of the first three chapters were presented in tentative form to the first annual meeting of the Sociological Research Association in 1936 for discussion and criticism. Other conferences were held as well on problems relating to research in criminology so that a considerable number of research sociologists have been familiar with the central ideas of this monograph for some time.

The argument is developed through four chapters, namely, I, Criminology and the Way of Science (pp. 1-16), II, A Sociological Approach to the Study of Crime Causation (pp. 17-46), III, Research Procedures (pp. 47-56), IV, The Conflict of Conduct Norms (pp. 57-116). Much of the emphasis and general point of view are reflected in the fact that half of the space is devoted to the last chapter. An indirect result is that only a relatively few studies or possible avenues for future studies are subjected to critical review and evaluative analysis.

The principal theoretical argument is presented in Chapter II, in the development of a sociological approach to the study of crime causation. Generally speaking, it is a specific application of the well-known position of the cultural sociologists or anthropologists. The nature of science and of law, the interpretation of human personality and of normal and abnormal

conduct are presented from this point of view. The following sketchy summary may help clarify the position and indicate the general outline of the argument.

Personality, in so far as its study is the concern of the sociologist (and presumably also the "criminologist") is defined as the subjective aspect of culture; conduct is the personal reaction or activity which occurs in situations defined by some social group and governed by some rule or norm; such conduct norms are the product of group living and represent the social values of the group; a conflict of norms exists when more or less divergent rules of conduct govern the same specific life situation; in democratic countries law represents the legislative compromise between conduct norms of politically dominant groups, criminal law norms rest on crude analogies and artificial groupings (e. g., rape and statutory rape, essentially different kinds of acts but classed together in the criminal law) entirely inadequate for typological classifications or generalizations of universal application; criminologists must therefore conceive of their tasks in terms of "ethological (i. e., the branch of Sociology given to the etiologial study of conduct norms irrespective of the criminal law) criteria (p. 39); this becomes the study of "personality elements" or the *meanings* defined by social groups; these *meanings*, when they are isolated, will be found to exist in patterns or configurations; the goal of the scientist should be the possible generalization, "that if a person of type A is placed in a life situation of type B, he will violate the norm governing that life situation" (p. 41).

It is observed that the severest penalties everywhere are those which deprive nonconformists of the privileges or benefits most treasured by the group and which conformists may enjoy. "A conduct norm . . . is authoritative to the extent of the group's resistance to violation. The inherent energy or power of the norm . . . may be called its *resistance potential* (p. 34). The concept of *resistance potential* is suggested as a basis for experimental classification of the personality types of offenders in relation to group norms and the following fourfold scheme is outlined: (1) *no group resistance* is felt (a) when a person is incapable of receiving or understanding the norm, (b) when the cultural groups from which the person has drawn his personality elements does not possess the norm of the group judging the conduct, (c) when he is the product of a group or groups which has defined the situation in a manner different from that of the group judging his conduct; (2) *no group resistance* is felt by one who *accidentally violates* a known norm; (3) *reduced group resistance* is felt in the case of the person who has absorbed into the structure of his personality conflicting elements growing out of the conflicting definition of the same life situation by different groups so that the authority of the norm of the dominant group is less effective; (4) *complete group resistance* may be assumed to be felt by a person who possesses only one norm, referring to the particular life situation involved" (pp. 42-43).

The remainder of the monograph (Chapters III and IV) is devoted to a critical discussion of past research procedures with a penetrating analysis of shortcomings

and inconsistencies, both with reference to logic and with reference to fact. Attention is centered on efforts to analyze and clarify the concept of the conflict of conduct norms as a *principle of explanation* basic to the understanding of criminal behavior. Limitations of space make it impracticable even to outline the details of this analysis.

The limitations of a study of this kind are also perhaps one of its principal assets. When a sociologist sets out to outline a sociological approach to the study of crime causation, most other sociologists may be expected to agree, in a general way at least. Students and research workers in other fields of scientific endeavor, however, are likely to approve only in so far as the point of view in question does not do too serious violence to the accepted convictions and ideas of procedure generally held by workers in these other disciplines. The problem of an adequate, scientific explanation of the phenomena of crime is a challenge that anyone may take up who feels that he possesses any insight, information, or research techniques that may further knowledge in this field. Workers engaged in such a task should presumably merit the appellation of "criminologists," and their "body of knowledge and methods of research" should likewise presumably constitute a "science" of criminology. The monograph under review makes no attempt to present the outline of such a "science" as an independent enterprise, but may be said rather to express a "sociological approach" of the "culture conflict type" to problems in the field of criminal behavior.

The present reviewer is by profession a sociologist with strong

leanings towards the cultural school. As such he is inclined to express hearty approval of the general approach and methods suggested by Professor Sellin. Critical reactions are to some of the details, such for example, as the concept of *resistance potential*. This concept appeals to the present reviewer as likely to be only another phrase until it is incorporated into and made descriptive of some technique of measurement. For precision of meaning an operational definition of the term seems inevitable. Whether a more satisfactory measuring device than the one suggested in the monograph can be discovered, namely, the differences in the penalties prescribed by the criminal law, remains to be demonstrated.

Most social scientists will agree that, "scientific research does not consist merely in the collection of data . . . [but] . . . equally important . . . is the creative imagination which . . . sees order and hitherto unknown relationships, providing new avenues for research" (p. 52). To those who seek a sociological approach to the study of crime, the logical and critical analysis of concepts presented in this monograph should be helpful in promoting more careful thinking about basic hypotheses and the nature of the "facts" to be collected. To those who are inclined to reject the sociological approach as one-sided and inadequate, this monograph is likely to offer but slight appeal. Be that good or bad, it is probably quite characteristic of present attitudes in social science research.

GEORGE B. VOLD.

University of Minnesota.

DIFFERENCES BETWEEN TWO GROUPS OF ADULT CRIMINALS. By Ruth Sherman Tolman. Provincetown, Mass.: Journal Press, *Genetic Psychology Monographs*, XX (3), August, 1938. Pp. 104. \$3.00.

THE RUNAWAY BOY IN THE CORRECTIONAL SCHOOL. By Zena C. O'Connor. New York: Teachers College, *Columbia University Contributions to Education*, No. 742, 1938. Pp. 78. \$1.60.

The author of the first of these two monographs begins with a fairly complete and well-balanced survey of previous attempts to establish *differentiae* of criminality. This is accompanied with a summary of the problems of methodology involved.

Her main study is an attempt to find differences between two groups, both of whom were incarcerated and awaiting sentence. The experimental group had several times previously been in conflict with the law; the other group had no history of previous offenses. There were fifty subjects in each group.

The study is an attempt to establish criteria to differentiate good and poor risks for probation. The two groups were studied by means of an oral interview and a rating scale to obtain measures of attitudes toward various personal and social situations, of intelligence tests, of a modification of the Self-Ordinary-Ideal Test and of their biographical and sociological background.

The repeaters showed greater feelings of grievance, antagonism toward authority, hostility toward father, frequency of parental friction and lower economic status

than the control group. The two groups did not differ in the degree of dissatisfaction with the community or work relationships, in intelligence test scores, in difference score on the Self-Ordinary-Ideal Test or in sociability.

The author recognizes the danger of generalization from her findings and considers them to be pertinent only to probation prediction. She says: "For in the adult criminal it is impossible to differentiate between those attitudes acquired in the course of, and even because of, his criminal career."

The work is well organized, well written and the statistical work is laudable.

The reading of the second monograph is neither as profitable nor as pleasant a task as the first. The author compares her runaways and controls with respect to the following factors: chronological age, mental age, intelligence and achievement quotients, Rogers Personality Adjustment Test scores and results obtained from the Woodworth-Matthews Questionnaire.

The only reliable difference between the runaways and the "controls" is in chronological age. The author says, "This suggests that boys committed at a younger age show greater flexibility in responding to institutional routines." We must assume, since the author does not state otherwise, that the length of time in the institution is not a differentiating factor between the runaways and the so-called controls. Internal evidence suggests that this may be so, however.

Approximately one-quarter of the monograph is devoted to a comparison of runaways and controls regarding answers to an adjustment questionnaire. The num-

ber of cases in each group is only fifteen.

The monograph is poorly organized, lacking in proportion and confusedly written.

FREDERICK J. GAUDET.

University of Newark.

THEY WERE IN PRISON. By *Negley K. Teeters*. Philadelphia: John C. Winston Co., 1937. Pp. 557. \$10.00.

Many of the valuable records of the Pennsylvania Prison Society are brought to light in the 557 pages of this profusely illustrated volume. At the invitation of the Society, Dr. Teeters has assembled the documents and presents them together with a discursive account of the circumstances and personalities that brought them forth. The publication of the volume in the sesqui-centennial year of the Society provides a fitting memorial to the humanitarian endeavors of the long list of active members of that oldest of prison societies. The student of penology will appreciate the significant activity of the society as revealed in its records, without necessarily agreeing with Dr. Harry Elmer Barnes in his introductory characterization of it as "the most influential organization in the whole history of modern penology."

Many instructive details are now made available to students of penology. Such data as that supplied on the 1808—movement for a prison library, on the 1823—organization of a ladies' auxiliary, and on the early study and treatment of insane prisoners, to mention a few illustrations, reveal pioneer endeavors that have previously been overlooked. The Pennsylvania Prison Society's great service was

of course in the elaboration of the solitary system, and full consideration is given to this achievement. Because his researches have been confined chiefly to the records of the Philadelphia reformers, Dr. Teeters has been duly cautious about claiming originality for the secondary policies and programs of the society. But something more might have been added without too much trouble concerning Boston, New York, and other precedents for the appointment of visiting agents, the care of the discharged, and the provision of special arrangements for female prisoners.

The long-forgotten rivalry between Auburn and Cherry Hill receives extensive consideration. It is interesting to note that, while the problems of health and insanity received frequent attention in the documents, little is revealed to show that the Philadelphians were concerned over the unfavorable fiscal comparisons. The author might have found an explanation for this circumstance in the fact that the Cherry Hill authorities distributed their bills among the counties rather than handing them over to a jealous legislature, as was the practice in most states. Perhaps the most instructive effect of the mass of documents on this old controversy is their demonstration of the extent to which conscientious reformers may be blinded by one attractive ideal. Except for one slip where the author refers to the Auburn of 1817 as "notorious," the treatment of this dispute is quite objective, always remembering that the documents are chiefly from one side.

There is however one phase of the society's career which deserved more attention. The part played by the Philadelphians in the move-

ment for a national prison association is scarcely mentioned, yet a Convention of the Friends of Prison Reform gathered in this city in 1859, eleven years before the great meeting at Cincinnati! The relationships between the Philadelphia reformers and Enoch Cobb Wines of New York during the struggle to establish the American and international prison associations might be greatly illuminated from the records of the Pennsylvania Society. The modern society, as described in the last chapter by its present Executive Secretary, Mr. Albert G. Fraser, is sufficiently virile and its early record of pioneering is so distinguished that it could well afford to examine more critically the reasons why its leaders for several decades after the mid-sixties persistently turned deaf ears to the more enlightened agitation coming out of the New York and American prison societies.

If the volume had not been so avowedly organized around the documents more attention might have been given to an interpretation of the relationship between various aspects of the program. But the student now has the documents before him and can derive his own theories as to the evolution of the various functional patterns and institutional techniques of modern penology. For this product of diligent research we can be very grateful to Dr. Teeters.

BLAKE MCKELVEY.

Rochester, New York.

---

CAUSES OF CRIME. By Arthur E. Fink. Philadelphia: University of Pennsylvania Press, 1938. Pp. 309. \$3.00.

The subtitle of the volume, "Biological Theories in the United

States 1800-1915," is a better indication of its contents than the title "Causes of Crime." The author states that "American authors of textbooks in criminology have paid homage to the earlier works of Europeans, but they have consistently failed to indicate their awareness of the necessary groundwork which had been laid here by American physicians, prison administrators, and other students of human behavior." His study undertakes to describe the nature and the extent of their work on the causal factors in criminal behavior during the period 1800-1915.

The material is presented from the biological, criminal-anthropological, and psychological points of view (feeble-mindedness and early intelligence testing of criminals). The chapters deal with the early phrenological doctrines, the early views of the relation between insanity and crime, alcohol and crime, drugs and crime, the anatomy and physiology of the criminal (criminal anthropology), the role of heredity in criminal behavior, and the relation of feeble-mindedness to crime.

The listing of these categories merely indicates the subjects covered. It fails to indicate the wealth of material uncovered and sifted by Dr. Fink. The appended bibliography of this study covers no less than fifty pages. This is the first work to present the history and theories of crime causation in the United States during the nineteenth century and up to the time of Healy's work on *The Individual Delinquent* (1915). Dr. Fink shows the relation of the American ideas of crime causation to the prevailing European ideas of that period. By and large the American views

were influenced by the European contributions.

In the concluding chapter Dr. Fink rightly cautions the reader to evaluate the contributions of the writers dealt with in light of the knowledge and experiences of their day. We, today, can discern the errors in believing that the shape of the skull or the brain determines criminal behavior, that there are fixed anatomical criminal types, and that all feeble-minded persons are necessarily potential criminals. Modern criminological research has recognized the great role of the "environment" in producing criminal behavior.

Dr. Fink's study shows the passion and positiveness with which the early students clung to their opinions. Like all excellent historical studies this volume provides a corrective perspective of contemporary convictions. It leads to an uneasy suspicion that we may be a bit too certain about the modern views of crime causation, that we really know much less about the causes of crime than we think we know. Our ideas, too, "have their intellectual climate."

The closing sentence of the work is an interesting reflection on the present state of knowledge of crime causation. "Modern criminological research now reveals him [the criminal] not as a composite of traits, which when added together become the criminal personality, but rather as a functioning, integrated personality." This statement might well preface every statistical study on the causes of crime.

NATHANIEL CANTOR.

University of Buffalo.

THE CLERMONT ASSIZES OF 1665: A MERRY ACCOUNT OF A GRIM COURT. Translated from Abbe Fléchier's *Memoires sur les Grand Jours d'Auvergne*. By W. W. Comfort. Philadelphia: University of Pennsylvania Press. Pp. xi+291. \$3.00.

The kings of France in the sixteenth and seventeenth centuries occasionally appointed judges to hold special assizes with far-reaching jurisdiction in circumstances where ordinary judges were powerless. This power was used principally against the feudal landowners and was a part of the trend toward centralization of government. An assize of this nature was held in Clermont in 1665, following the civil war of the Fronde, when outlawry and disorder were prevalent in Auvergne.

Fléchier who later became a prominent clerical leader was at this time a tutor in the home of a man who was appointed as one of the judges in this special assize. Fléchier was requested by the wife of this judge to write an account of this assize which could be read in her salon before the friends of the family. He was not an official clerk of the court but a journalist who was attempting to describe the amusing incidents, the technical issues, and the sub-surface intrigues in an interesting manner. The result is not unlike a series of feature articles.

This translation makes available this interesting description of a special court, in which the feudal lords and other members of the upper classes were the principal offenders. It throws light on many of the practices of the court and on social life in general. It appears that the court was sometimes in-



clined then, as now, to reduce the penalty for an offence in order to induce a plea of guilty (p. 202). Also, business practices were apparently on no higher level then than now. The wife of the prosecutor for this special assize made a check on the weights and measures used by the merchants of the town, but the effort to correct them was abandoned because it would "upset all business habits and change the usage of the different trades" (p. 99).

EDWIN H. SUTHERLAND.  
Indiana University.

MAY'S CRIMINAL LAW (4th edition).

By *Kenneth C. Sears* and *Henry Weihofen*. Boston: Little Brown & Company, 1938. Pp. lvi+438.

As one reviews the fourth edition of *May's Criminal Law*, the fable of the barrel comes to mind. It was an old barrel, carefully and skillfully wrought. But as time went on, parts of it wore out and were replaced until each stave and hoop had been replaced and only the bung-hole of the original barrel remained. Judge May intended and wrote a text of practical value. In the preface to his book, which appeared in 1881, he wrote, "The brevity of this treatise did not admit of a history of what the law has been, nor a discussion of what it ought to be; but only a statement of what it is." He went on in his forthright way to say, "In the cases cited will be found ample learning upon the first of these points. Digressions upon the second would be out of place in a book designed as a lawyer's and student's handbook."

The second edition of the book made its appearance under the skillful supervision of Professor

Joseph H. Beale; the third, under the guidance of an equally skilled workman, Professor Harry A. Bigelow; and now in the preface to the fourth edition. Professors Sears and Weihofen, the editors, tell us "that which started out as a revision has ended as a practically complete rewriting." Of the third edition, they say, very little of the text has been retained; and of the first, "there is practically nothing left."

Strangely enough, it still is *May's Criminal Law*. Judge May would have difficulty in recognizing his handiwork. The present edition is not even in keeping with his objectives, for in it there are short historical statements and repeated and pointed admonitions on what the law ought to be. Nevertheless, the reviewer feels that Judge May's influence remains. Many of the definitions are terse and legal, and bear unmistakable evidence of an effort to state the law as it is. In all of its evolutionary stages, the book has been and remains a useful text.

The work consists of eight chapters. The first deals with general principles and definitions. In the remainder of the book the specific crimes are classified under chapter headings, for example, Offenses Against the Government, Offenses Against the Public Tranquillity, Health and Economy, Crimes Against Religion, Morality and Decency. The utility of this scheme is open to doubt and, in fact, it cannot be wholly maintained. The classification, Crimes Against a Dwelling, though it may have had some import under the common law, no longer marks a clear distinction since the statutory enlargement of the crimes of burglary and arson. What is more,

there is so much overlapping among crimes against the person, against property and against the dwelling that the scheme breaks down in detail. As an index to problems in social behavior these groupings have no significance.

Brief as the work is, the discussions of the various topics are adequate and at times excellent. The analyses on criminal attempts and homicide, for example, show a thorough understanding of the literature in these fields and a penetration into the social problems involved. The citations in this edition to recent periodical literature are a distinct addition. In a brief work of this type, only a limited number of citations can be given. The editors have, however, included citations to well-chosen recent cases. Unfortunately, they held it necessary to omit the dates of the cases and of the articles cited.

The work is commended to students for collateral reading in the course in criminal law. Lawyers will find it an excellent means through which to refresh themselves on the principles of this subject.

ALBERT J. HARNO.

The University of Illinois.

---

THE TRAINING OF PRISON GUARDS IN THE STATE OF NEW YORK. By *Walter M. Wallack*. New York: Bureau of Publications, Teachers' College, Columbia University, 1938. Pp. xix-396. \$2.75.

Unquestionably, this report from Dr. Wallack will have great immediate value and usefulness in modern correctional procedures and administration. The American Prison Association emphasized the great need for trained officer personnel at its last annual Congress

held in St. Paul in October, 1938. Until this book was published there was extremely little in the field that was of significance to those interested in initiating training programs.

Dr. Wallack has built a strong case for officer training by pointing out that, in large measure, the success of a correctional program depends upon the cooperation of the officers. These are the men, he says, who have the most intimate contact, the most frequent association, with the inmates. It is this group which is most likely to affect the social organization of the prison community. They are the men best in a position to offer personal guidance to individuals, and Dr. Wallack believes that in prison work, personal guidance is a most forceful weapon.

Parts II, III and V will be found most useful to those administrators of institutions and correctional systems who plan to set up officer training programs. In those sections of the book are well organized statements of the structure, procedures and functions of the New York State Department of Correction Central Guard School; a brief reproduction of the syllabus for instructors; an evaluation of the training in terms of test results; and reproductions of all the forms used by the school. It is these sections of the book that will serve to make it a manual of procedure, and thus the recorded experience of the State of New York will aid other states in avoiding early mistakes resulting from lack of information.

Probably the most interesting and informative section of the book, Part IV, is that devoted to Special Lectures. The State of New York is rich in talent and is thus able

to bring to the Central Guard School a number of lecturers who speak on special problems to the guard candidates. These speakers ranged from practical administrators of the New York State Prisons to such a student as Nathaniel Cantor of the University of Buffalo.

As Dr. Wallack points out, these lectures are "straight from the shoulder" presentations, stenographically recorded as delivered. They are, therefore, lively, personal, spontaneous remarks from men personally enthusiastic about their work. Cantor contributes in his lecture a valuable "feeling quality" which he delivers masterfully. "Human contacts are the currents of reform," he says. In contrast, from Warden Hunt of Attica Prison is a gusty description of that prison and its population and a solid statement of what he thinks a guard should be in a prison such as his.

Dr. Branham, of Woodbourne, drops the role of formal lecturer and by interrogating his students, teaches them about Defective Delinquents. His efforts make interesting reading. Austin MacCormick, Lewis Lawes, and John J. O'Connell are among the seventeen contributors to this section of the book.

Considering all the five parts of his book together, Dr. Wallack has combined many sources of information within his Division of Education in the State Department of Correction. The book makes interesting and informative reading to early and advanced students of criminology and treatment policies. It will interest and please administrators of practical experience. It is a satisfactory combination of the point of view of the so-called professional worker and the so-

called practical administrator, and is thus a new contribution to the field.

HANS RIEMER.

Indiana Department  
of Public Welfare.

*INVISIBLE STRIPES.* By Warden Lewis E. Lawes. New York: Farrar & Rinehart, 1938. Pp. 315. \$2.50.

Entertainingly informative to the general reader and strikingly provocative of thought and action is "Invisible Stripes" this latest book by a noted warden of a famous prison.

In scope it raises questions and offers answer with a wealth of anecdotes and examples pertaining to every storm-swept area of the broad zone of crime prevention, penal corrections and ultimate readjustment.

Lawes opens briefly with "A Warden's Apology" that expresses a sense of unfulfillment, after thirty-three years; a sense of frustration; yet still declares faith in his dream of providing men "while in prison, with those spiritual props the lack of which had brought them there."

In chapter two, "A Prison Diary," through the realistic diary notes, sordid or wholesome, fearful or consoling, he presents the prisoner's recorded facts about prison and prisoners, along with the vital baffling questions raised by that thinking prisoner.

In the forty pages, "Don't Turn 'Em Loose," he kicks "the hound-minded critic" who would "impress fear in men by denying them the opportunity for redemption, who would dehumanize prison and reject parole and probation—to lash rather than lead men toward decency": who would, by baying and

snarling, incite the public against prisoners and scientific methods of treatment, perpetuate the mollycoddling concept of parole and so sour public sentiment against the paroled prisoner that it is unconcerned over "the invisible stripes he wears after his discharge."

The warden writing this review believes that this great book will be stimulatingly helpful to every warden and all others who labor in the more or less productive field of penal correction.

WARDEN JOEL R. MOORE.

Michigan State Prison.

---

LUCK AND OPPORTUNITY. By Francis L. Wellman. New York: The Macmillan Company, 1938. Pp. viii+214. \$2.50.

The distinguished author of *THE ART OF CROSS EXAMINATION* has written a fascinating book of reminiscences—the kind of book one hates to lay down. Nevertheless, this reviewer finds himself almost wishing it had not been written. For interesting though it is, *LUCK AND OPPORTUNITY* adds nothing to the stature of its author. Worse than that, to the thoughtful reader the book suggests that the successful practice of law is a tricky, not to say a shifty, business.

For example, Mr. Wellman tells without apology about a case in which he secured the acquittal of a guilty man by seating beside him in the court-room a young friend who bore an uncanny resemblance to the prisoner. Confused witnesses identified first one and then the other as the murderer; and the author applauds himself for his cleverness in defeating the ends of

justice. Again, to judge by several examples of his own extremely effective cross-examinations, Mr. Wellman appears to sense no impropriety in the cross-examiner's making statements of fact quite outside the record. Obviously, a strong trial judge would not tolerate this unfair practice; but Mr. Wellman seems to have experienced little difficulty in overawing the judges before whom he appeared.

In our American democracy, lawyers play an important rôle in the formation of the public opinion that must support advances in jurisprudence. Therefore, it is a little disturbing that toward the close of a long and conspicuously successful career at the bar, when he comes to write his reminiscences, the author seems unable to point to any constructive service either in the development of a better jurisprudence or in any related field of public service. Mr. Wellman has found the law "a jealous mistress,"—and a very profitable business. He has proved himself a superlatively good technician; he has, in his *ART OF CROSS EXAMINATION*, written an illuminating and valuable treatise that has become a classic in its field. But his reminiscences reveal that larger questions concerning the development of law as the servant of a better civilization have neither struck a responsive chord in his imagination nor aroused his splendid talents to any kind of action.

This is a pity. But if you want to read a highly entertaining book of lawyer's chat, by all means read *LUCK AND OPPORTUNITY*.

JOSEPH N. ULMAN.

Supreme Bench of  
Baltimore City, Md.

**THE POLICE IDEA: ITS HISTORY AND EVOLUTION IN ENGLAND IN THE EIGHTEENTH CENTURY AND AFTER.** By *Charles Reith*. London: Oxford University Press, 1938. Pp. x+261. \$3.00.

This is a history of the efforts to develop a central police system in England during the period 1749 to 1829, or from the time of Henry Fielding to Robert Peel. The author describes two factors—crime and mob violence—as significant in this movement. He makes no effort to indicate the comparative importance of these two factors but the reader is left with the impression that mob violence was much more important than ordinary crime in promoting this movement. Both crime and mob violence were reactions against the social and economic conditions during the period of the industrial revolution. The parish system which had worked with adequate satisfaction in the simple rural life of England had deteriorated into a corrupt and inefficient system in the urban and industrialized portions of England. The principal impediment to the development of a police system was the fear of infringement of personal and municipal liberties, especially in London. This fear was based on some experience with the various types of armies and resulted in a picture of the police as a super-state. When the police system was finally organized in 1829 the fears were quickly dissipated.

Along with this history of the movement for organized police, goes a running account of changing crime conditions during this period of eighty years and also a description of Romilly and the

other criminal law reformers in the later part of the period.

EDWIN H. SUTHERLAND.  
Indiana University.

---

**INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE YEARBOOK.** Chicago: International Association of Chiefs of Police. Pp. 254. \$2.50.

This could very properly be called a summary of professionalized police service and a record of police progress in America, instead of a review of the Yearbook. Each article in the book points toward the rapid strides being made in professionalized policing. The Yearbook contains many articles drawn mostly from papers presented at the 44th Annual Convention of the International Association of Chiefs of Police held at Baltimore in 1937. The old time police official reading this book would be amazed to learn of the multitudinous duties now falling under the caption of law enforcement, and now being handled, in most cases, by specially trained officers. There are several discussions regarding the help and cooperation police departments throughout the United States are receiving from the National Police Academy and the Federal Bureau of Investigation. Many officers who have taken courses at the Academy are now in charge of police training programs in their own departments. There is a most interesting and instructive panel discussion of the cooperation of police with engineering and community agencies for traffic safety. Taking part in this talk were: Burton W. Marsh, Safety Director of the Automobile Association; Lieutenant Frank

Kreml, Director of the Safety Division of the I. A. C. P., and Clarence Taylor, Maryland State Roads Commission. They discuss in detail the lack of public support, need of a sound program, responsibility of Chiefs, and education of public in observance. The articles embrace some of the most important phases of police work, such as: scientific crime detection; criminal investigation and control; police organization and administration; big brother movements; traffic control and accident prevention; selective enforcement; strikes and disorders; radio traffic checks; crime prevention and juvenile delinquency; advanced recruit training; international police relationships, and new tests for intoxication. The authors of these articles are officials noted for their work in law enforcement, i. e., J. Edgar Hoover, O. W. Wilson, T. P. Sullivan, Frank Kreml, Thomas E. Dewey, and many others. The book is one that could very well be used by police executives as a home study course for Captains, Lieutenants and Sergeants. It should be on the "must read" list of every police official, and those interested in governmental, social, and law enforcement programs. The Yearbook is furnished free to members of the I. A. C. P.

JOHN I. HOWE.

Chicago Police Department.

---

MUNICIPAL POLICE ADMINISTRATION.

By Earle Garrett. Chicago: Institute for Training in Municipal Administration: Chicago University, 1938. Pp. 441.

Municipal Police Administration is an advanced home study course. It strives to teach the police ex-

ecutive the importance of his problems and the best methods to cope with them, rather than to show him any improvements in the work he is already doing. The course does not give the answers to the questions raised but aims to have the reader search for the answers in his own community and in his own police department. It concerns itself with making good officers out of good policemen. The course is composed of general instructions, reading assignments, examination questions and selected bibliography. Its editor, Earle Garrett, formerly a member of several police surveys has done a most complete job. He is as well equipped to handle a work of this kind as any law enforcement official in the United States. A chapter is devoted to each lesson running in the following order:

1. The Municipal Police Problem.
2. Organization and Control.
3. Personnel.
4. Training.
5. Crime Prevention.
6. Patrol Division.
7. Criminal Investigation.
8. Traffic Control.
9. Communications.
10. Records.
11. Property and Equipment.
12. Relations with other enforcement and identification units.
13. The Police and the Public.

The course, a very comprehensive one, calls attention of the reader to the many problems he will find in his own city and suggests possible solutions. It points to the fact that most of these problems are not given sufficient consideration by many police administrators. It stresses the importance

of scientific development in police work and points to great changes that have been made in police work in the last few decades. Many added duties make it necessary for police administrators to be better equipped than ever before.

Garrett, with the help of J. A. Greening, Chief of Police of Berkeley, Cal., O. W. Wilson, Chief of Police, Wichita, Kansas, A. J. Kavanaugh, former director of Safety, Miami, Fla., Donald Stone, and Arnold Miles takes up and covers all the newest phases of police work, especially: Police and Labor, Science, Motorization, Communications, Development of Policing as a Profession, Planning and Budgeting, Coordination, Reporting, Organization, and Recruit and In-service Training.

Chapter V is devoted to the most important of police problems: Crime Prevention. The importance of a constructive crime prevention program is stressed. Attention is called to the fact that two-thirds of all delinquency cases come first to the notice of the police. The action they take is bound to weigh heavily in the final result.

"Patrol," we are told is the backbone of any police department. In all these chapters and especially this one on patrol it is necessary to do much private reading. The answers, not being found in the text, call for the reader to do research work in his individual city. For instance, how would you answer the following questions:

"Describe the beat layout of your city?"

"Enumerate reasons why the patrol force should be in uniform?"

"To what extent is the patrol force in your city motorized?"

These questions, and many others asked, indicate to most of us how little we know of our own departments. The problems are discussed in general but the thinking, the research work, the outside reading and the answers must be worked out by the reader.

The chapter on Criminal Investigation indicates the importance of specialists in the crime field: pickpocket detail to apprehend dips; confidence game detail to curb con-men; automobile unit to minimize theft of autos and parts, and so on with other specialized details. Necessity of mobility in the detective unit and that they be held to no geographical districts is discussed in detail. Important also are the suggestions made on a follow-up system, advocating a follow-up officer on all cases; follow-up work on complaints, and plans to make the follow-up most effective.

Chapter eight devoted to traffic control shouts the need for specialization in traffic work. Accident prevention is given due consideration along with selective enforcement.

In the Chapter on Communications we are given the essentials of an up to date communications system. In this regard dependability, speed, accuracy, secrecy and effective cooperation are discussed at length.

The complete change in the problems which confront the police, and in the methods developed for dealing with these problems has certainly supplied the need for a course such as this on Municipal Police Administration. It is the most enlightening opus that has ever been written on police work in general. Running the gamut of police administration from A to Z,

as this volume does, it will be found most useful and educational to any police official.

JOHN I. HOWE.

Chicago Police Department.

---

THE TROUBLED MIND. By C. S. Bluemel. Baltimore: Williams & Wilkins Co., 1938. Pp. 520. \$3.50.

Many books have been written recently upon the problems of psychopathic behavior, especially in order to give the general reader some systematic knowledge of psychopathology. In many instances the author also attempts to give the lay reader some material help in reorienting his own behavior. The book under review does not attempt especially to deal with everyday behavior or to make suggestions regarding the reorientation of the reader's difficulties. In the preface the author states that his purpose is to describe nervous and mental diseases in simple terms and also to point out the problems of the "public lunatic," that is the person who influences others through his own abnormality.

The book of 520 pages is composed of sixty-five chapters, a short glossary, and an index. The first reaction of the reviewer was to wonder why the book was divided into so many chapters, some of which are only four pages long (chapter 38) and some less than three (chapter 36). Chapter divisions are supposedly made to facilitate the presentation of different topics. There is no logical reason, however, for some of the divisions which the author has made. As an example, Part Four deals with traumatic hysteria and is divided into six chapters dealing with the

results of encounter with bandits, lightning stroke and electric shock, minor head injuries, major head injuries, and injuries to extremities. In the first place, all of these topics could very well have been discussed in one chapter, and in the second place, the reviewer doubts very much the wisdom of discussing "encounter with bandits" or "electric shock" in such a book. If the author is presenting a description of nervous and mental diseases, as he states in the preface, it is questionable whether encounter with bandits is a common cause of the development of nervous or mental diseases. The author might well have written a chapter on "rounding a curve at high speed" or "falling off a fourth story window." The author states (page 217) "an encounter with holdups or bandits is not altogether an uncommon experience in modern American life." From the reports of police departments, the reviewer is inclined to believe that it is an uncommon experience, that is, in relation to the total number of experiences that each person is likely to have. Furthermore, careful reading of chapters 38 and 39 shows that encounter with bandits and lightning stroke and electric shock all produce nervousness and a sense of unreality, pains and dizziness, and other symptoms which show no differential between the kind of trauma and the reactions to them.

From page 359 on, the author discusses mental abnormality. The topics are: delusions, hallucinations, confusional reactions, senile dementia, paresis, melancholia, paranoia, dementia praecox, mania, infantilism, the psychopathic infantoid, and the public lunatic. This is indeed a curious mixture



of topics for presentation of the problems of mental abnormality. Many of the chapter headings contain obsolete terms, such as melancholia, infantilism, and psychopath, each of which supposedly signifies some mental disease.

Probably sixty per cent of the content of this book is made up of case studies which are brief and extremely well presented. The reviewer is somewhat puzzled by the fact that the author makes very little attempt to present a coordinated and correlated theory of neurotic manifestations or mental disorder, but merely presents varying symptoms in a somewhat disconnected fashion. The first chapter gave the reviewer an excellent impression of the book, and the hope that the rest of the material would be as carefully written and interesting. This chapter deals with fixed ideas in the normal mind, and not only presents interesting material but also raises many questions regarding the meaning of the rigidity of human behavior in everyday activities.

The book is well written and there is no attempt to dramatize in the newspaper style which is so often observed in popular books. It is doubtful whether any student will be able to systematize his knowledge in this field by reading this book. But it will give him a good deal of information, and in this respect the book is highly recommended.

MANDEL SHERMAN.

University of Chicago.

& Company, 1938. Pp. 273. \$2.50.

This is a brief, simply written autobiography of some personal experiences and a number of psychiatric experiences. As the author states in the preface, it is written not for the professional person but for the lay person who may be able to obtain a better understanding of the purpose of psychiatry. In this autobiography there is less emphasis upon philosophical discussion than in most such books which have come off the press recently. The author apparently attempts to develop the problem of the growth of psychiatry and weaves a great deal of theory into his personal experiences.

Dr. White attempts to show, and quite successfully, the difference in the attitudes towards insanity between the scientifically trained psychiatrist and the public. The public looks upon the insane person as an erratic, queer, and dangerous individual. The psychiatrist, on the other hand, recognizes him as a person who is psychologically ill. More than being psychologically ill, however, his total organism is unbalanced. Thus the psychiatrist is called upon to deal not only with his total biological system but also with the factors in his environment and the general cultural and social background of the community from which he comes. Dr. White points out how an institution which is well organized may do much more for the abnormal person than treatment in his own community. In the hospital the patient understands that his problems will not be looked upon as abnormal and that he is not considered queer and a nuisance. Thus his own security and his belief in being accepted

---

THE AUTOBIOGRAPHY OF A PURPOSE.

By William Alanson White.  
New York: Doubleday Doran

by others can do much towards re-orienting his ideational and emotional systems. Dr. White brings out one point which is of special significance for present day psychiatry. This concerns the scientific development in methodology. At St. Elizabeth's Hospital in Washington, where most of Dr. White's time was spent and of which he was superintendent, attention is paid not only to the mental abnormalities of the individual, but also to his social orientation within the institution and to his general physical welfare.

In addition to the discussion of the problems of mental abnormality, Dr. White discusses the problem of medical legal work and points to the many flaws in the present system of expert testimony in the courts. It is well known, of course, that the lawyer for the defense or for the prosecution can practically buy his expert testimony, but Dr. White shows in addition to this well known fact how such "buying" is inevitable under our present system. Dr. White himself was well known as an expert in court, having testified at many famous trials. He deplores especially the legal theory that the responsibility for the offense and subsequent punishment is based in part upon the ability of the individual to know the difference between right and wrong. Thus he describes the case of a fourteen-year-old boy who was sentenced to death because the judge believed that the boy knew the difference between right and wrong. Dr. White points out that even an imbecile may be able to know this difference, but of course not in a conceptual way. In other words, the verbalization of right or wrong and the knowledge that certain acts

are punished should have no standing in court since many such individuals are unable not only to control their behavior but also to understand fully the meaning of their actions.

The advanced student in psychiatry or psychology or in criminal law may obtain very little precise scientific information from this book. Nevertheless this volume presents an attitude and a scientific philosophy which may well repay anyone who reads it.

MANDEL SHERMAN.

University of Chicago.

---

THE BIOLOGY OF HUMAN CONFLICT, AN ANATOMY OF BEHAVIOR, INDIVIDUAL AND SOCIAL. By *Trigant Burrow*. New York: The Macmillan Co., 1937. Pp. xl+435. \$3.50.

Within the last few years a vigorously growing body of literature has sprung up in consequence of the fact that the psychoanalysts have discovered society. Recent contributions by Alexander, Fromm, Horney, Kardiner, Moreno, Plant, Sullivan, and Burrow testify to the significance of this thought stream. Certain generalizations about this literature seem justified. Most of these contributions arise in the first place from a critical attitude toward the orthodox psychoanalytic interpretations rather than from an interest in sociology as such. Although these writers do not reveal a wide acquaintance with sociological literature, their offerings have a certain value for sociology, the value which will always attach to unconventional thought and to hypotheses which shatter existing configurations. Again, the contributions of

this school are nearly always badly expounded, so that it is not easy to tell how far they have merely rediscovered what sociologists already know and how far they have added anything new.

Dr. Burrow is an exception to none of these generalizations. In his most recent book he has obviously made a great stride toward intelligibility, but the average reader will probably agree that he still has far to go. The book under review reports the conclusions reached to date as a result of sixteen years of investigation by the Lifwyr foundation, of which Burrow is the scientific director. The Lifwynn Foundation is a small community within the larger community; its members, who comprise both normal and neurotic types, constitute a research unit in which the behavior studied is the behavior of the student himself. Such an ingrowing group, seeking its own special truth, runs a great danger of cultism, a danger which Burrow and his associates have not altogether avoided. Nevertheless, they have pursued their researches with energy and intelligence, and it would be a mistake to overlook them altogether.

Burrow's contributions are always phrased in a special jargon. A comprehensive set of definitions is presented in the present work, but the reviewer is still far from certain as to Burrow's stand on many points. Freely translated, the central thesis is perhaps as follows: The social self has significance for pathology, individual and social. The individual's conception of his role sets itself up as a guiding principle and necessarily imposes frustration upon other segments of personality. Further, the

fact that communication takes place through language occasions an everlasting distortion of truth. Likewise, the fact that our knowledge of others is largely imaginative and intellectual makes for many misunderstandings in society and facilitates the formation of fictions and conventionalizations which are far from reality. Again, the disorder of the individual—such as neurosis or crime—and the disorder of society are one. Burrow's work contains a method by which these sick selves may be integrated and both the individual and society may be healed. To the reviewer, this seems the clearest part of what Burrow is trying to say. It seems possible but not certain that there is relatively little in the Burrow point of view which is not already known to the sociologist. It is very clear that he is turning to the biologist for the conceptual equipment with which to attack a sociological problem.

Before we can pass judgment on Burrow's work, we must know more exactly what the experiments are upon which he bases his conclusions. An excellent book by Galt clarified Burrow's work in its earlier phases, but we do not know what form it has assumed in recent years. Until we can have these laboratory notes we must follow this work with a divided mind. In part, the sociologist may agree with Burrow completely. For the rest, he should not rule out the possibility that Burrow possesses really profound and unverbalizable insights, but he must also duly note the tendency toward cultism in the Burrow group.

WILLARD WALLER.

Barnard College.