

1942

Book Reviews

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Book Reviews

FEDERALISM AS A DEMOCRATIC PROCESS: Essays by *Roscoe Pound, Charles H. McIlwain and Roy F. Nichols*. New Brunswick, Rutgers University Press, 1942, Pp. 90, \$1.25.

The needs of the post-war world have advanced Federalism from academic theorizing to practical discussion that envisages early actual and important modifications in international organization. Everyone recognizes the desirability of limiting sovereignty while at the same time the demands for autonomy are equally insistent. Obviously the American experience of 160 years provides the laboratory of greatest significance.

Three distinguished scholars have written the essays that comprise this little volume. Two are mainly historical: McIlwain treats of mediaeval and early modern England. His argument is that numerous pamphlets published in this country in 1774 and 1775 show familiarity with this history and the major constitutional issue dividing England and the colonies, namely whether the relationship was a federal one or whether power was centered in Westminster. In an acute commentary on McIlwain's position, Francis Coker points out that the 1774-5 American pamphleteers were arguing "for a devolution of governing authority," since they wished to refute the English view that authority remained centered; whereas in 1787 the framers of the Constitution felt a great need for strong central government—at least in comparison with the impotent Confederation. In the second historical essay, Nichols discusses the Civil War as a controversy on Federalism. This essay is notable for its emphasis on the economic aspects of the problem—with the North and West developing free from slave labor, the interests of the southern slave economy required insistence on states' rights and federal protection. Pound's essay, a combination of history, political theory, and jurisprudence, raises a number of important issues on the relation of Federalism to Democracy. It is the only essay that is avowedly polemic, the other two purporting to be merely historical.

It would require much more space than is available to consider any of the major theses involved in Federalism. The reviewer must here be content with a few general remarks. Some bias for the American system is evident, and it is even assumed that Federalism is especially adapted to maintenance of Democracy. Reference to Dicey's discussion in his *Law of the Constitution* will reveal how debatable these positions are. Indeed, in this aspect, the essays are dogmatic rather than critical, and many of the more subtle and difficult problems are left untouched. Hence, even though the general plan of the book was excellent, the final result falls short of expectations, probably because specific issues were not formulated and the means to further analysis of common problems were not adequately developed. The book is nonetheless suggestive because of the indicated possibilities for co-operative analysis of major problems.

Finally, the readers of this JOURNAL will be interested in the significance of this book for the problems of crime control. This question is, of course, not discussed, but some general considerations may be readily inferred. McIlwain points out that whereas, under conditions of modern transportation and communication, defense against external attack requires great centralization of power, the very opposite was true under mediaeval conditions. Where it required weeks to travel from Westminster to Chester, in time of stress "large powers had to be conceded to local authorities to act on their own initiative" (38); these became necessarily permanent. Criminal behavior

calls for similar instantaneous action, and limitations on centralization are likewise suggested for crime control. But more than that, many writers in the crime field have in recent years assumed that centralization and efficiency are synonymous. Some of them have almost been obsessed with a vision of a single authority ruling out all possible conflicts (on paper!), and they have not even considered it necessary to study the problems of organization. If a conflict is theoretically possible, *ipso facto* centralization is the one and only answer! Federalism suggests quite a different approach to these problems, and it is to be hoped that the current interest will encourage students to re-examine their opinions of these very important problems.

JEROME HALL

Indiana University

ONE HUNDRED YEARS OF PROBATION 1841-1941. By *N. S. Timasheff*: Fordham University Press, New York, 1941, Pp. 88.

This excellent monograph is delightfully informative. It gives in clear, simple language a history of probation during the last hundred years without sacrificing scientific presentation, analysis, and good organization. It appeals to the legal student because of its documentary evidence. The sociological student is pleased by the lucid manner with which the author explains what has occurred in terms of sociological concepts. He refers to probation as a social invention having a polygenetic origin which spread throughout the world by a process of imitation and diffusion.

In 1841 probation appeared almost simultaneously in Boston, Massachusetts and Birmingham, England, as a new method of treating corrigible offenders. This social invention was not born in a vacuum but arose out of similar cultural and institutional backgrounds found both in England and in United States at that time. Probation was antedated by the common law practice of, (1) suspension of sentence, (2) the recognizance for peace and good behavior, and (3) the friendly supervision of delinquents and ex-convicts by benevolent persons and charitable societies. These three practices considered separately are not probation because the possibility of applying punishment for failure to perform was lacking; but these three practices in combination plus a potential penalty for non-performance constitute probation.

Massachusetts was the first state to write the word "probation" into statutory law in 1878. This example was followed by several states until the first period of development of probation in this country came to an end with the enactment of the Illinois Juvenile Court Law in 1899. Probation was not introduced into the statutory law of England until 1879 and differed somewhat from the American concept and practice. This difference accounted for two separate patterns of imitation which for awhile vied with one another, caused some mutations, but later converged to follow the predominant American practice. Probation as known today throughout the civilized world can be referred to as an American social device.

The monograph adheres closely to statutory evidence, showing the parallel development throughout the United States and the British Empire. This evidence is convincing and illustrates in a very interesting manner the underlying sociological theory of the author.

CHARLES H. C. MEYER

United States Probation Officer, Chicago

WOMEN IN CRIME. By *Florence Monahan*, Introduction by *Lewis E. Lawes*: Ives Washburn, New York. Pp. 306. \$2.75.

The colorful account of Florence Monahan's administration of the re-

reformatories at Shakopee, Minnesota; Techachapi, California; and Geneva, Illinois, is almost identical with the story of her own life. She sets up no theory of penology nor does she present merely a collection of case studies, but rather tells the stories of the women and girls who have come into conflict with the law, as she has known and dealt with them in these reformatories.

The book, a model of objectivity, gives in sufficient detail information on specific problems, including something of the life histories of the persons involved together with the way in which the problems were treated, to make it of practical value. The book reveals also a departure from the old method of administration in which policies are established on the basis of the worst offences and the greatest potential dangers. Miss Monahan sets up a minimum of rules and restraints and deals with the specific problems as they arise, letting the offenders, rather than the whole population, take the consequences.

Of course, having undertaken her first job at Shakopee without apprenticeship in a penal institution and also without academic education in penology, although she held a law degree, Miss Monahan had to rely upon her own resources. Her youthful enthusiasm, physical, mental, and emotional healthiness; her sense of humor, sympathy, and courage, all of which the reader finds operating in one difficult situation after another, Miss Monahan calls, "common sense." And so it is—rare "common sense."

In her stories of the women the author frequently includes an exposition of court procedure and the law as they affected the individual women and the administration of the correctional institution. At one point she comes out boldly and names the "politicians" who attempted to discredit her administration of the Illinois Training School for Girls. She includes in her exposure the Director of the Illinois Department of Public Welfare, accusing him, no doubt justly, of failure to give her the support necessary to maintain honest and efficient administration of the School, but apparently she disregards the possibility that he, too, may have had to reckon with "politicians."

The book should be of value not only to penologists, social workers, teachers, and in fact to all who as professional workers are responsible for making decision directly affecting the lives of others, but to those who as citizens hold themselves responsible for the conduct of correctional institutions.

NEVA L. BOYD

Chicago, Illinois

PROBATION AND PAROLE PROGRESS. Edited by *Marjorie Bell*. Published by National Probation Association, New York City. 1941. Pp. 470. Cloth, \$1.75; Paper, \$1.25.

This symposium on probation is an assembling of papers on that subject presented at the annual meeting of the National Probation Association held in Boston and constitutes its year book for 1941. The various papers, written by judges, professors, probation officers and other experts in the field of human behavior, presents the best discussion of the subject to date known to this reviewer.

The volume may fairly be considered in three aspects or divisions: viz. the origin of probation: the function of probation, and the future of probation. Following an introductory and understanding letter to the President of the Association from former Chief Justice Charles E. Hughes, the frontispiece of the book reproduces the Memorial Tablet to John Augustus, the pioneer in adult probation service. This tablet, affixed to the Boston City Hall reads: "Moved by the plight of the unfortunate in the jails and prisons of the day a humble Boston shoemaker began a great movement in the reformation of

offenders when in 1841 he took * * * one who under his care and friendship became a man again."

Thus John Augustus, one hundred years ago, became not only the first probation officer but a volunteer social case-worker as well. It was the impress of his work and that of other volunteers upon public sentiment that brought about the passage of the first Adult Probation Law in Massachusetts in 1878. From this sanction of a common law background and the recognition of a conscious social background the movement gained statutory and official recognition.

In several articles by outstanding leaders, pertinent and discriminating discussion is given to the underlying causes of crime and to the growing sense of social responsibility for the juvenile and adolescent offender and the adult delinquent as well. The growth of the probation principle and its adoption in state after state is outlined by Mr. Charles L. Chute, the veteran Director of the Probation Association. The scope and function of probation is analyzed, with some difference of opinion as to whether such supervision should be merely a negative process of preventing violations or should be extended to a character building program. That a helpful human relationship between client and probation officer is more effective than drastic court orders or routine report rules would seem to be obvious and is convincingly argued by writers of practical experience.

As to the administration of probation and its relationship to parole there is also a variance of opinion. While the courts are quite naturally jealous of their prerogatives, it is more and more recognized that their function is a legal function, arising from the defendant's conduct of the past, while treatment is, or should be, an administrative process looking toward the future. The trend is clearly in that direction, as ably disclosed by several writers in this volume. Whether such administration should combine juvenile and adult probation; whether either or both should be a function of the state welfare department or a responsibility of the local community, and whether probation and parole have identical problems and objectives, is still in the realm of discussion. The prevailing concensus seems to be, as one of these writers puts it: "Probation, prison and parole together will constitute a protective penal process."

In this volume you will find three cogent articles about the much discussed Youth Correction Authority Act, which need not be described to the readers of this JOURNAL. Sufficient to say that one of these writers strongly advocates the adoption of this measure in the various states as the best means of dealing with the adolescent offender, while the other two are quite critical and apparently doubtful of its feasibility. It is stated that the measure is likely to have the opposition of many judges, since it takes away from them the traditional power to sentence or punish. It is further held that many probation departments object to the proposal on the ground that it will invade or be in conflict with the already organized and better understood system of probationary supervision.

The whole philosophy of "Youth in the Toils," or of youth in conflict with authority and with themselves is quite adequately discussed in these papers. As to treatment, it is recognized that the penal and correctional processes heretofore relied upon have been subversive and often destructive of initiative and hindrances in the development of human character. Mass treatment has failed as a preventive of crime, and everything points to some form of intensive understanding and individual guidance by qualified personnel, say these forward looking observers.

In the process of individual supervision it is found that the comparatively new technique of social case work treatment is in keeping with the best interest

of the client and the better adjustment to his environment. Recognizing, at the same time, that the individual probationer is not living in a vacuum, the use of group situations and resources, group treatment is discussed in two excellent papers. An extensive digest of legislation and legal decisions affecting probation, found in chapter seven is well worth while as a matter of reference. All this together with chapter eight reviewing the executive and field work of the National Probation Association for 1941, makes the volume of great informative interest and value.

F. EMORY LYON

Chicago

CRIMINOLOGY. By *Donald R. Taft*: The Macmillan Co., New York. 1942
Pp. 708. \$4.50.

This volume is described in the sub-title as "An attempt at a synthetic interpretation with a cultural emphasis." The author is Professor of Sociology in the University of Illinois. He says in the preface: "The book is largely the result of some twenty year's teaching of criminology and owes much to the endurance and suggestions of more than a thousand undergraduate and graduate students." It is divided into forty chapters. In the Index of Names one discovers that the author has given credit to approximately 640 writers, recent and remote, who have contributed their opinions and data toward developing the area of criminology. A text book is no place for a comprehensive bibliography and Professor Taft has made no attempt to supply it. At the conclusion of nearly every chapter, however, he has inserted "Selected References" for reading aggregating approximately 480.

The foregoing statements about the physical features of the book suggest that what we have here is on a broad base and that it has a very generous scope.

The most significant product of the study of criminology consists, in the author's opinion, in the tendency toward a deterministic philosophy of life. "The basic finding of criminology is that the criminal is a product" (p. 290). But Professor Taft describes his own position as that of "tentative determinism." The weight of scientific evidence, he says, points away from the doctrine of responsibility—free choice—freedom of will.

In the reviewer's opinion we can afford to refrain from dragging out any more the opposed doctrines of responsibility and determinism. Scientific folk have no just claim to having teased out every link in the chain of motives that lead up to the performance of an act or the assumption of an attitude. It is likely, too, that the thorough free-willist who thinks that the hardened member of a criminal gang can become a good man by merely "resolving" to be so is a straw man who has been set up to be pulled down again.

It is doubtful if, in the mind of a man of science, the following indicates any more than a vision of a much more completely scientific world than that in which we now live:

"A deterministic criminology means that not merely the child, but the adult; not merely the mentally unsound, but the mentally sound; not merely the criminal acting under emotional stress, but the coolly calculating burglar, or robber or kidnaper; not merely the lone wolf, but the brains of the underworld crime syndicate which dominates a city; not merely the unfortunate exploited prostitute, but pimp and panderer who fatten on her degradation—all are seen as products. Their acts are the only possible behavior, given their antecedents.

"Similarly both the wise and the ignorant who deal with criminals are products . . . given their motivations and training, they could not do otherwise" (page 291).

That "they could not do otherwise" is hypothetical in our present state of knowledge, and is therefore in the same class as the assertion that crim-

inals could "resolve" to conform to the standards of the rest of us and succeed in their conformity. Our best policy is to consider the offender as "accountable" for his nonconformity and to go on from there bending our best effort toward preventing the development of his kind and dealing with him in the light of the best wisdom available to the end that we may not be injured by him again.

Even though our attitude were completely deterministic, when we have the evidence that a crime has been committed and when we have the criminal in our hands, we can't stop to enquire how "he got that way." We have to do something about it. That's why we have prisons. And in a wider world, Professor Taft indicates, that's why we have wars. But we must go about it, when "we have done something" to learn why as a preliminary to preventing such criminal behavior and wars in the wider relation in future. Professor Taft is strong on that. He gives 375 pages in this book (more than half of the volume) to a discussion of the treatment of the adult criminal, and of the juvenile delinquent and to crime prevention.

"The school probably prevents crime most significantly when it deals adequately with the normal child." (Page 650) Unquestionably "Character Education in the Public Schools" deserves great space in the literature on the prevention of crime. The author says (Page 651):

"If our analysis of the causes of crime has been sound, there are some moral values—such as cooperation rather than competition—which powerful interest groups do not *wish* taught in the school. Such influence on the one hand shows the difficulty of introducing character education into the school. On the other hand, it further emphasizes the need for such education."

But in the reviewer's opinion competition is in human nature to stay. We might as well face it and shape our schemes for character education accordingly. It is not competition but some of its customary objects that need to be shunned. The ugliest example of competition that the reviewer has ever seen was among adults who were once striving for the leadership of a small church choir. No high or low financial interests were involved. In the same category are many struggles for the chairmanship of college faculty committees, for a place on non-remunerative boards in the state government everywhere from the United States of America, through Europe, Russia, China and back again. We had better make up our minds to live in a competitive society and to train our children to choose aims of their competitive effort that are consonant with the public good (which includes their own) and then train them to compete cooperatively and individually, too, with might and main when the situation requires it.

In this connection the author appropriately mentions literature and biography (page 653) as materials for instruction and discussion. We make too little of this in our pedagogics. The indescribably heroic and sacrificial struggles of a Dorothea Dix, a Lincoln, Jefferson, Bok, Riis, and of many a youth whose record is in the archives of this or that state department, and who by the aid of the state has "come through"—such neglected material as this *can* be used to make us proud of the greatest ideals of a democracy and of its government because of the best that it does and in spite of its failures. Once we are proud of all that we shall be less likely than otherwise to injure the laws of the state.

Evanston, Illinois

ROBERT H. GAULT

CASES ON CRIMINAL LAW AND PROCEDURE. By *James J. Robinson*: Lawyer's Co-operative Publishing Co., Rochester, N. Y., 1942. Pp. 1246. \$6.50.

In this justly famous book one finds an interesting and useful collection of materials relating to the criminal law and procedure. Concerning the

materials included in the volume the author writes: "Each important criminal offense and each step in criminal procedure are presented, with some variations, by statements of the provisions of the common law, of constitutions and of statutes, followed by the forms of indictment or of other pleadings, and by leading cases and other informative decisions of the courts." In this respect the volume forms a valuable documentary source book for the student and practitioner. The book is divided into four principal sections. The first deals with law and procedures prior to the indictment. The second turns attention to the indictment and to situations previous to the trial. The third is concerned with the trial up to the time judgment is rendered. The fourth section deals with the judgment and its reversal or its execution.

DAVID GEETING MONROE

Northwestern University

THE RORSCHACH TECHNIQUE. By *Bruno Klopfer* and *Douglas McG. Kelley*. Introduction by *Nolan D. C. Lewis*, M. D.: World Book Co., Yonkers, N. Y., 1942. Pp. XII + 436. \$3.60.

The sub-title for the volume is: "A Manual for a Projective Method of Personality Diagnosis" and the book adequately fulfills this title. Dr. Klopfer's description and clarification of the Rorschach technique is especially commendable because up to this time the artistic and interpretive approach has been stressed and the practical constructive teaching phase somewhat neglected. The foreword opens with the statement: "This book grew out of seven years of 'learning by teaching'" and the satisfaction that an interested but amateur student of the Rorschach method gets from the book more than justifies this type of approach.

The book is divided into four parts, the first giving the history and methodological problems of the Rorschach technique, the second part is concerned with the technique of administration and scoring procedures, the third deals with interpretation, and part four with clinical diagnosis and characteristic Rorschach findings.

The history of the Rorschach method is gratifyingly up-to-date with a description of the latest attempts to make large scale application of the Rorschach method, such as, the Harrower-Erickson technique, and the abbreviated evaluation procedures.

The methodological problems and scoring problems are presented so simply but clearly as to encourage the beginner in Rorschach and at the same time to give the psychologist steeped in the "orthodox psychometric approach" a much more sympathetic and broader concept of this projective method.

In discussing the problems of general interpretation the authors state: "the theory of the Rorschach method is still in the process of development; it is a field therefore for advanced research rather than for beginners." At this point a distinction is made between structural interpretation and clinical interpretation. The structural interpretation is the result of the direct use of the total evidence which a Rorschach record provides while the clinical diagnosis studies the environmental situation in addition to the structural personality diagnosis. The two final steps, only for the specialist in the Rorschach field, are (1) "blind diagnosis" made on the basis of the Rorschach record without any personal contact with the subject or any information about it except as to age and sex, and (2) a complete integration of all available information with the Rorschach as the crystallization point.

Under the heading, "Clinical Diagnosis," Part IV indicates "the Rorschach patterns which are more or less characteristic for particular types of disease entities." One might of course question the validity of including dementia

praecox, psychoneurosis and depressive states under the heading "disease entities."

The book as a whole is a definite addition to the growing number of books on the Rorschach method because of its simple, readable style and the authoritative analysis of the method and the material presented.

PHYLLIS W. WITTMAN

Elgin (Ill.) State Hospital

FOUNDATIONS FOR A SCIENCE OF PERSONALITY. By *Andras Angyal*, New York: The Commonwealth Fund, 1941. Pp. XII + 398. \$2.25.

"Foundations for a Science of Personality" is a holistic or Gestalt approach to a study of this topic. At the very beginning this author states his position that the whole personality is not just the sum of its parts. Nevertheless this does not prevent a type of analysis so long as the organismic concept is kept in the foreground. This organismic point of view is stressed by showing the integrative actions of the body structure. It is likened to a circle but an open circle with intake such as food and other types of energy resulting in the production of work. It is this integration or autonomy which characterizes living as distinct from non-living things. Living things not only manifest biological autonomy but dynamic organization. Life is an ongoing directional process oriented toward a certain goal. A rather fine distinction is made between a teleological and a directional interpretation with an acceptance of the latter.

The organism is a resultant of two forces and this relationship is expressed by the ratio a:h in which a stands for autonomy (biological) and h for heteronomy (environment). Numerous illustrations of the influence of each factor are given. In the discussion of the relative influence of the two factors the author becomes greatly involved in the relatively unimportant question as to whether food in the alimentary canal should be represented by a or h. The question is never fully resolved.

Angyal unlike some of the Gestalt psychologists subscribes to the idea of drives or instincts and his list is so extensive and inclusive that those who have been objecting to the doctrine of instincts will be greatly disturbed by his list. It includes such things as a "drive for superiority," "acquisition," "exploration," "integrity," "security," and "orientation." While it is not specifically stated that these are innate tendencies, this is definitely implied.

In addition to the autonomous nature of man, he also possesses what is called a "homonomous" nature. "This trend, which we call the trend toward homonomy, is based upon the experience of being a part of meaningful super-individual wholes such as the family, social group, and meaningful world order. The person's homonomous attitude toward such superindividual entities consists in a tendency to submerge himself, participate, and share in those larger units and to conform to them." (p. 181) This tendency is divided into two levels (1) the symbiotic and (2) the cultural.

In two later chapters the author discusses integration and disturbance of integration. In these chapters the holistic theory of the relation of the parts to the whole is again discussed but little reference is made to personality as such. In fact it seems to the reviewer that the term personality in this text is a misnomer. It is rather a discussion of problems of physiological adjustment.

It is evident from the preceding discussion that this text is not for the casual reader or for the person searching for practical advice on personality adjustments. Rather it is an attempt to present a theoretical Gestalt approach

to problems of biological adjustment and personality. Whether it does this as well as some of the writings of Lewin or J. F. Brown is open to question.

A. R. GILLILAND

Northwestern University

PSYCHOTHERAPY WITH CHILDREN. By *Frederick H. Allen*, New York: W. W. Norton & Co., 1942. Pp. 311. \$3.50.

This book is much more than a discussion of therapeutic technic. The child therapist or the social case worker, seeking technical suggestions and detailed case material, will not be disappointed in its excellent presentation, but the title should not limit the reading of *Psychotherapy with Children* to specialists in that field. Anyone concerned professionally or otherwise with the dynamics of human behavior, in its social as well as its personal implications, will find here a challenging philosophy and a fresh orientation toward the psychology of personal adjustment.

Dr. Allen's point of view is not new to those who have followed reports from the Philadelphia Child Guidance Clinic, of which he is Director. Jessie Taft's *Dynamics of Therapy* (Macmillan, 1937) and articles by Allen, Taft, Blanchard, Dawley and others have already set forth a treatment philosophy which has become known as "Relationship Therapy." The present volume is important, not as news, but as a comprehensive statement of a significant theory, including exposition of its scientific foundation and illustrations of its effectiveness in practice.

"Relationship," as the author clearly states, is involved in all treatment procedures. Approaches to therapeutic problems differ only in the use to which the relationship between therapist and client is put. In the early days of psychiatry, it was used largely to exercise authority in order to bring about change in the patient. In Psychoanalysis, the relationship, or "transfer," is a means to bring out "content" for catharsis and interpretation. For Relationship Therapy, "the therapeutic focus is on what the individual can begin to do about what was, and more important, still is wrong. Therapy emerges, then, from an experience in living, not in isolation, but within a relationship with another from whom the patient can eventually differentiate himself."

Against a background composed of the experimental physiology of Coghill and Child, theories of cultural anthropology set forth by Malinowski and others, and the psychological principles of Otto Rank, Allen presents a therapeutic technic based on the principles of normal growth. Belief in an individual's inherent power for growth is the cornerstone of his concept of psychotherapy. "There is great need for a philosophy, whether therapeutic or more broadly social, that stems from a recognition and acceptance of individual differences. The therapeutic point of view . . . in this book has its roots deep in a concept of individual responsibility. Its recurrent theme is that individuals can be helped to help themselves." In order to resume growth which has been interrupted in the process of individuation, the patient needs freedom to express his feeling *within the limits* of a stable relationship in which self can reach new definition. It is here that therapy performs its unique function. Incidentally, stress upon the value of limits as well as of freedom, carries implications not only for individual treatment, but for education, parenthood and social control, which have been overlooked in the psychiatric literature of recent years.

Familiar Psychoanalytic concepts are drastically revised and given new meaning. For example, "the Oedipus analogy . . . takes on wider and more significant meaning when it is seen as the drama of individuation and self-differentiation rather than as the solution of a theoretical instinctive in-

cestuous attachment of the growing child to the mother." Such terms as "identification," and "resistance" are given different emphasis, and the traditional technic of interpretation takes a new direction.

Particular attention is given to the important beginning and ending phases of therapy, long a problem to analysts. The book also contains an illuminating chapter on factors which interfere with therapy, and step-by-step accounts of two complete therapeutic contacts. According to the author, it "deals with only one half of the therapeutic process in a child guidance clinic; the other half is still to be written by one skilled in the art of case work with parents." When it is, one editorial fault might well be corrected. In this volume, bibliographical references are given only in footnotes and often as a part of expository material. The notes contain valuable discussion and should be included. But for student use, a separate and complete bibliography would facilitate cross-reference.

HELEN SARGENT

Northwestern University

NINETY-SEVENTH ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK. By *Edwin O. Holter* and *E. R. Cass*. New York City, 1942. Pp. 133.

The letter of transmittal of this report addressed to Lt. Governor Charles Poletti is signed by Mr. Holter, President, and Mr. Cass, Secretary of the Prison Association of New York. The report covers the year 1941.

We need a revolution in institutional reports that are published and distributed by local, state and national governments. If they can not be put out in a style so dramatic that the man in the street ("The back-bone of democracy") may be enticed to read them; if they can't hit within the region of that bull's eye their value is on a low level. A very few students may pull them down from the shelves occasionally, read them without a flicker of emotional stirring, "make a report" before drowsing fellow students and let that be the end of it. The man in the street is the bull's eye and public reports must somehow hit him in the head.

The report of the New York Prison Association is an encouraging approach to the ideal. As soon as we may allow ourselves to be less distracted by international affairs than we are now we can go on from here and make our public reports of all governmental departments, from A to Z, so vivid and warm blooded that every citizen will want to read them. Our public archives are brim full of material. Where is there a form of state service that is fuller of opportunity for building up the spirit of good citizenship (which is *morale*) than the interpretation to the public of the heroic and sacrificial service that the democratic system does "for the people" collectively and individually?

The Prison Association in this report makes thirteen recommendations to the State Legislature:

1—Explore and use the man power and equipment in reformatories and prisons to the end that labor toward fulfilling war needs be not lost.

2—Reorganize, consolidate, equalize, standardize the eight probation services in New York City.

3—"Abolish by title" the Court of General Sessions of Manhattan and the County Courts of Kings, Bronx, Queens and Richmond. Turn their functions into the Supreme Court of the State of New York. Thus cut out confusion and over-lapping and bring needed economy into the picture.

4—Look to the methods of treating young offenders. Consider the recommendations of the American Law Institute and improve upon them if possible.

5—Restore the psychiatric, educational and other professional services that were eliminated in 1939 and round them out. Their omission has had a telling effect, and not for the good.

6—Classify prisoners so as to use correctional institutions more effectively than is now the rule.

7—Arrange for the Department of Correction to select those who should be sent to the Elmira Reformatory, so as to assure that the population of the institution will be able to profit by it.

8—Let the Department select, also, those who can most profitably be sent to the New York State Vocational Institution. Direct commitment by the courts has not proven satisfactory.

9—Extend State Civil Service to include employees of County Penitentiaries. The personnel shouldn't be upset with every change of political leadership.

10—Fingerprint all who are committed to jails, all misdemeanants, and all who are charged with disorderly conduct, all vagrants. Persons who are arrested on minor charges are often later found to be fugitives from justice and in such cases we need to help all we can toward identification.

11—Fix a date beyond which the cells in unfit Sing Sing Prison may no longer be used.

12—Arrange for compensation of prisoners who are injured in prison labor. At present some are compensated—others are not. For morale's sake, avoid the appearance of discrimination.

13—Allow the Department of Correction or the Division of Parole to make regulations concerning minimum sentences to be served by prisoners who are transferred from a State prison to the Elmira Reformatory. Administration of the Reformatory is handicapped when there is resentment because of an appearance of widely different sentences of prisoners who have been sent up on conviction of the same or similar offenses.

The foregoing recommendations are in line with the best thought in the area of penology.

The New York Prison Association was interested in forty one bills that were before the legislature in 1941. Seventeen, approved by the Association, were written into law. Ten that the Association approved failed of passage and fourteen, approved, failed to pass.

ROBERT H. GAULT

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REPORT TO THE JUDICIAL CONFERENCE OF THE COMMITTEE ON PUNISHMENT FOR CRIME. By *Judges Parker, Hand, Phillips, Hincks, Collet, McCormick and Laws*. Office of Administration of Federal Courts, Washington, D. C., 1942. Pp. 126.

As this number of the Journal goes to press we have received the report under the above title from the Office of Administration of Federal Courts in Washington, D. C. The conference had, in October, 1940, recommended passage of an Indeterminate Sentence Law for the Federal Courts. This was followed by such objection to the proposal that a year ago the conference resolved to make further study of the indeterminate sentence and of the general subject of punishment for crime including the treatment of juvenile delinquents. The present publication is a result of that resolution. The report is signed by Judge Parker, Chairman, and Circuit Judges Hand and Phillips and District Judges Carroll C. Hincks, John C. Collet, Paul J. McCormick and Bolitha J. Laws.

The Committee makes the following recommendations:

1—That the sentencing function be left in the trial courts.

2—That in the first instance the Court sentence the offender to “imprisonment generally” for the maximum term prescribed by law but not more; that in the first months of imprisonment the Board of Corrections study the prisoner and report to the Court defining the sentence it regards as most suitable; that thereupon the Court determine the definite sentence within the maximum giving the report of the Board of Corrections such weight as is deemed proper.

3—That prisoners under 24 years of age have advantage of a more flexible system than the present penal system with opportunity for training for useful trades and for living under more wholesome social conditions than are possible in the usual prisons; that it be optional with the courts to commit to such a system rather than to more conventional institutions.

4—That in the case of minor offenders, wherever climatic and other conditions permit, camps be provided as a substitute for local jails and that such camps be equipped with opportunities for constructive work.

5—That to lessen the length of confinement in local jails provision be made, in the case of those who will plead guilty, for waiver of indictment by a grand jury and for consent to be charged by information. Thus such persons can begin serving sentence at once.

6—That there be a parole period of not less than two years in all cases; that as a means of realizing the full possibilities of parole, Volunteers should be enlisted as “friends of released prisoners” to extend the parole service beyond what paid officials are able to perform.

7—Policies for sentencing and parole according to the plan will be brought into harmony through the Board of Corrections and the Director of the Bureau of Prisons (both appointed by the Attorney General) and by the Chief Parole Officer (appointed by the Director of the Bureau of Prisons). The Board of Correction should lay down the general policies to be followed in the treatment of criminals. It should be the purpose to make all treatment following conviction one continuous process.

Leave the sentencing function in the courts but help them to discharge that function so as best to protect society and to rehabilitate the offender.

In 121 pages the Committee goes into the details from a study of which they have arrived at the foregoing recommendations. It should be said that their conclusions are stated in the form of recommendations.

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PUBLICATIONS RECEIVED

(The following named publications are in the hands of reviewers and will have more extended notice as early as possible.)

PERSONALITY AND MENTAL ILLNESS: An Essay in Psychiatric Diagnosis. By *John Bowlby M.D.* Emerson Books Inc. New York, 1942. Pp. 288. \$2.75.

PROBATION AND PAROLE IN THEORY AND PRACTICE. By *Helen D. Pidgeon.* National Probation Association. New York, 1942. Pp. 420. \$2.50 and \$2.00

BLOOD GROUPING TECHNIC. By *Fritz Schiff M.D.* and *William C. Boyd M.D.* Interscience Publishers Inc. New York, 1942. Pp. 248. \$5.00.

THE CLARKS: An American Phenomenon. By *William D. Mangam.* Silver Bow Press. New York, 1942. Pp. 257. \$2.50.

THE ECLIPSE OF A MIND. By *Alonzo Graves.* The Medical Journal Press. New York, 1942. Pp. 722.

- THE FIELD OF SOCIAL WORK. By *Arthur E. Fink*. Henry Holt and Co. New York. 1942. Pp. 518. \$3.00.
- PRINCIPLES OF ANTHROPOLOGY. By *Eliot D. Chapple* and *Carlton Stevens Coon*. Henry Holt and Co. New York. 1942. Pp. 718. \$3.75.
- VOLTAIRE AND BECCARIA AS REFORMERS OF CRIMINAL LAW. By *Marcello T. Maestro*. Columbia University Press. New York. 1942. Pp. 177. \$2.00.
- IN AND OUT OF COURT. By *Francis X. Busch*. De Paul University Press. Chicago. 1942. Pp. 303. \$3.00.
- PSYCHIATRIC SOCIAL WORK. By *Lois Meredith French*. Commonwealth Fund. New York. 1942. Pp. 344. \$2.25.
- CRIMINAL YOUTH AND THE BOBSTAL SYSTEM. By *William Healy* and *Benedict Alper*. The Commonwealth Fund, New York. 1941. Pp. 251. \$1.50.
- THE PATIENT AS A PERSON. By *E. Canby Robinson M.D.* The Commonwealth Fund, New York. 1939. Pp. 423. \$3.00.
- ATTACK ALARM. By *Hammond Innes*. The Macmillian Co. New York. 1942. Pp. 287. \$2.50.
- BLOOD GROUPING AND TYPING TESTS: Scientific and Legal Aspects. By *Judge Victor B. Wylegalia* and *Ernest Witebsky*. Privately printed. 1942. Pp. 14.
- THE CRIMINALITY OF THE COLORED WOMAN. By *Hans von Hentig*. University of Colorado Studies. Vol. I, No. 3, 1942. Pp. 231—260.
- ANNUAL REPORT OF THE SOCIAL SCIENCE RESEARCH COUNCIL, 1940 to 1941.
- THE ROCKEFELLER FOUNDATION: A Review for 1941. By *Raymond D. Fosdick*.
- INTERNATIONAL CONCILIATION. June, 1942. 405 West 117 Street, New York. (Addresses of Prime Minister *Winston Churchill* and Vice President *Henry A. Wallace*).
- PROBATION AND PSYCHIATRIC CARE FOR ADOLESCENT OFFENDERS. By *Paul Blanshard* and *Edwin J. Lukas*. Society for the Prevention of Crime, 18 East 48th Street, New York, 1942. Pp. 99. 15 cents.
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