

1954

## Book Reviews

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### Recommended Citation

Book Reviews, 44 J. Crim. L. Criminology & Police Sci. 493 (1953-1954)

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## BOOK REVIEWS

CASES ON CRIMINAL LAW. By *J. W. Cecil Turner and A. LL. Armitage*, New York, Cambridge University Press, 1953. Pp. XX & 568. \$9.00.

It was a very practical reason that had caused Professor Kenny at Cambridge to write his first case book on Criminal Law: There was no such thing as a case book on Criminal Law, and his students had to check the reporters for each and every case mentioned in his lectures. One would think that Kenny's first case book was a mere collection of the cases he discussed in his lecture course. But this pioneer work went way beyond a mere abstract case collection. It was truly endowed with the genius of its creator; it was not only a well organized case book, but a living monument to Common Law criminal justice. In addition, it was a fine piece of integration with "Kenny's Outlines of Criminal Law," a textbook based on Courtney Stanley Kenny's lecture course on Criminal Law.

Professor Kenny lived long enough to help his case book through several editions. A number of years after W.W. II, and many years after Kenny's death, the need for a new edition arose again. Messrs. Turner and Armitage undertook the task of a revision, and this they did masterfully. With the craftsmanship of a Kenny they selected and prepared the cases for the new edition, preserving the original character of the work despite all modernization.

The work has a number of features that make for a good Criminal Law case book, it lacks others that so frequently make for a bad one. To name only a few, as to the former: Excellent selection of representative cases, good cutting, intelligent grouping, indicative abstracting of holdings in the form of headnotes, limitation of the whole to a usable length, etc.; as to the latter: omission of lengthy question lists after sections or cases which, wherever included in case books, are rarely used if ever (to save time and prevent frustration of the students!).

One can truly say that it must be a pleasure to teach Substantive Criminal Law with this case book.

The work contains a handy "book three" on Criminal Evidence. In America this subject is dealt with in the course on Evidence only. (But why?) The authors convince one, through their collection of cases, that Criminal Evidence is very much an integral part of the Law of Crimes, and that the main rules of evidence must and can be dealt with in the course on Criminal Law. This, perhaps, could be done in addition to general discussion of Criminal Evidence in the course of Evidence. It certainly would be a great relief for the overburdened Evidence course.

Turner and Armitage wrote a strict case book which omits the "and materials." There is a growing tendency to write course books consisting of cases and other materials. The need for materials in addition to cases is obvious in certain branches of the law, say Modern Real Estate Transactions. There is no danger in confronting the advanced law student with a case and material book. But a first year law student, and the student of Substantive Criminal Law generally is a first year student, does not yet have a firm concept of the Common Law, the law by precedent, its traditions and its sanctity. Additional "material" on Criminal Law necessarily would be of criminological nature, important and complex. The student would have to switch back and forth between "lawyer-like thinking" and the mode of thinking of the criminologist of the various faculties. That he cannot and should not be expected to accomplish at this early stage of his training. Let him become a good criminal lawyer first, then a criminal law strategist. This

does not mean that the law student should not, while at law school, be concerned with anti-criminal strategy, criminology, i.e. the "materials" on Criminal Law. He definitely should. This however, can best be done in a special seminar for advanced law students, guided by a case and material book on Criminal Science that is yet to be written.

The work has naturally another limitation, the territorial one. With a few exceptions it is restricted to British cases. This limitation, of course, will prevent a large scale use of the book in American law schools. But for the American criminal lawyer, teacher and researcher, the book has quite a different significance. It is, together with Mr. Turner's edition of Kenny's *Outlines of Criminal Law*, the handiest general authority on British Criminal Law. It is a valuable means for checking back—and the need for such checking back arises quite frequently—on the Common Criminal Law in its modern appearance. Lastly, as has been said, it is a model for case book writers beyond the limits of Criminal Law.

This reviewer is convinced that Messrs. Turner and Armitage have presented a work that will be received with interest and pleasure in all American law school libraries, where it will not be condemned to dust away on the shelves, as do many less significant foreign works.

University of Washington Law School

GERHARD O. W. MUELLER

O. A. Germann: *SCHWEIZERISCHES STRAFGESETZBUCH*. Schutthess and Co., Zürich. 1952, 352 p.

Untouched by wars and social upheavals Switzerland has had the opportunity of advancing slowly but steadily on the path of legal reforms. That is why the Swiss Criminal Code of 1942, altered in 1951, is generally regarded as the most modern piece of legislature in Europe, a model of soundness and moderate progressivity. Professor O. A. Germann of Basle has added explanatory notes and the most important decisions of the Supreme Court of Switzerland. The handy little volume will find much interest and appreciation.

Bonn

HANS VON HENTIG

Bernhard Düsing: *DIE GESCHICHTE DER ABSCHAFFUNG DER TODESSTRAFE IN DER BUNDESREPUBLIK DEUTSCHLAND*. Hermann Kahn, Schwenningen. 1952, 344 p.

Capital punishment has been abolished by the Provisional Constitution of West-Germany. The recent elections have given a clear majority to the adherents of the death penalty. It will soon be re-introduced. The abolition had been an instinctive movement of repugnance to the overstepping of all limits by the Hitler-regime. The author has made a significant contribution by gathering the available material concerning the application of capital punishment during the dark years 1933-1945. Although the facts remain incomplete we are allowed to glance through the iron curtain; we learn that one sole assistant of the regular executioner put 931 people to death from April 1944 to March 1945. Many records have, of course, been destroyed or hidden, yet even these detached figures are conveying a lesson to those who are willing or able to learn.

Bonn

HANS VON HENTIG

*THE PSYCHOPATHIC DELINQUENT AND CRIMINAL*. By *George N. Thompson*, M.D. Charles C. Thomas, Springfield, Ill. 1953. XIII and 157 pages, plus preface, bibliography, index.

This book proclaims treatment of the offender instead of punishment. To

get the bull by the horns, the author deals with a most difficult problem which is the psychiatric treatment of the psychopathic offender, and particularly, the psychopathic sex offender. The study is a clinical one, and it should be remarked in passing, that the case reports on non-psychopathic offenders i.e. delinquency "due to other psychiatric abnormality" for their shortness, are instructive.

As to the treatment, Ben Karpman's persistent attempts to treat the true psychopathic offender analytically are mentioned. The book winds up with a catalogue of methods, to mention a few: shock treatment which from the author's own case histories as well as from those of other authors can be adjudged useless in sex criminality and other criminality. Psychoanalytic treatment reaps its successes not so much in psychopathic as in psychoneurotic cases. This also holds true for hypnoanalysis and narcoanalysis. Chemotherapy with barbiturates and antiepileptic drugs has its field in the primary or secondary epileptoid conditions as basis of psychopathic criminality. Neurosurgery offers better prospects than castration which indeed has proven completely worthless. Criminality is the result of brain processes not of faulty endocrines. Carbon dioxide has been used without convincing results.

On the whole, then, the problem of the psychopathic offender remains one of the thorniest. Nevertheless, this is a valuable and worthwhile contribution, mainly because the author, for all his optimism, does not indulge in glossing over or exaggeration. If at present you do not succeed, try again, is Thompson's encouraging creed which we may safely adopt.

New York City

W. G. ELIASBERG

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THE PSYCHOPATHIC DELINQUENT AND CRIMINAL. By *George N. Thompson*, M.D. Charles C. Thomas, Springfield, Ill. 1953. XIII and 157 pages, plus preface, bibliography, index.

The subject of this monograph is of considerable interest, especially to psychiatrists and criminologists as well as to workers trained in the ancillary disciplines. In spite of the interest shown by investigator and observers working in the field of interpersonal relationships in one way or another, there has been a dearth of literature which could be considered outstanding or authoritative. Undoubtedly the small number of published works concerning themselves with the psychopathic personality is due to the difficulties encountered in studying these very shrewd individuals. A secondary, but nevertheless important, contributing factor to the paucity of literature is the widespread attitude of futility in their treatment encountered by the individuals who are most often required to be in contact with psychopaths, that is the psychiatrists, criminologists and penologists. Despite these and other problems, it seems to this writer that Dr. Thompson is compounding the difficulties when he attempts to make a special category of the psychopathic delinquent and criminal.

Dr. Thompson has dedicated his book "To the Society of Biological Psychiatry and to all that it represents." Even if one had not been forewarned by this dedication, careful perusal of the work leaves the reader with the impression that Dr. Thompson emphasizes the biological approach to this ailment as being the only one. He mentions, in the course of his text that there are Freudian views, and quotes from some of the Meyerian psychobiologists, but it is obvious that this is mentioned only in passing, and is not to be taken seriously.

One becomes aware of this biased thinking very early in the text and it becomes emphasized the further one reads. More than half the chapter entitled

"Etiology" is devoted to a discussion of specific organic etiologies of the syndrome. This alone raises a question when one considers that proven organic causation of this illness statically plays a very small part in the whole question. The author also emphasizes, out of all proportion to its importance, the hereditary genesis of psychopathic personality and quotes Sheldon's work on constitutional factors in human physique and temperament as his authority. The author hedges very obviously when he comes to discuss the psychogenic factors. Previously in the same chapter he has discussed the organic causal factors as it relates to the whole syndrome of psychopathic personality. However, when discussing psychogenesis, he narrows his sights and confines himself to those psychopaths who have come in conflict with the law.

There is no doubt in this reviewer's mind that the organic factors in this, or any other psychiatric illness, are of extreme importance etiologically speaking. Nor can we, under any circumstances, ignore even the slight evidences which have been advanced by neurophysiologists in the past few decades. On the other hand, to discuss such an important syndrome as psychopathic personality and to totally ignore the evidences which have been offered by the various schools of dynamic psychiatry, would seem to be wholly without justification. Dr. Thompson, in the chapter on "Evidence" states, "Psychological factors affecting the individual in a psychodynamic way seem to have little to do with the etiology of delinquency in the true psychopath. In non-psychopaths delinquency may develop because of conditioning that has turned the individual against society. Revenge or other motive may turn him against the social order. But it does not create a psychopath."

The chapter on "Psychopathology" seems to be a hodge-podge of symptoms, most of which could be ascribed to almost any psychiatric disability. For instance we have the following. "Frigidity and impotence are at times manifestations of psychopathic personality, although most of these cases are psychoneurotic in origin. Frigidity and impotence with the opposite sex occur in homosexuals. These syndromes are, of course, well known to other mental disorders as well, particularly in the functional paranoid psychosis." The author also states, "The electroencephalogram in the study of the psychopathic personality is an important procedure." He then goes on to quote Marsh, from personal communications and unpublished material, saying that they had "studied 1300 delinquents and found an incidence of abnormal electroencephalograms in seventy per cent. The dysrhythmia found in most cases is a generalized one and there is no individual tracing which can be said to be characteristic. There are, however, two abnormalities in the electroencephalograms of a considerable number of patients with psychopathic personality. These are psychomotor waves of three-per-second frequency and occasional spikes coming from the temporal leads. At times six-per-second waves are found." One can only comment that such statements and material do not impel the reader to any great regard for the scientific method as employed in this study. Neither is one's admiration of this scientific method increased by that portion of the book which deals with therapy. Here the author seems to emphasize the place of treatment rather than the mode. With what seems to be a snap of the fingers and only one paragraph, the author dismisses psychotherapy and states that chemotherapy has been shown to be of considerable value in the treatment of psychopathic delinquency. However, he offers little evidence to support this statement.

There is no doubt that a well rounded and up-to-date monograph on psycho-

pathic personality is in demand. In the publisher's blurbs, it is stated ". . . the author has tackled this problem with complete scientific freedom—with no attachments, no alliances, and no emotional prejudices . . . Complete objectivity and freedom from inhibitions resulting from acceptance of 'authorities' are the keynote of this work." This may be true but it still leaves us with a monograph which discusses psychopathic personality from so narrow a concept that it neither teaches nor enlightens the psychiatrist, the criminologist or the neurologist as to the true picture of psychopathic personality.

Baltimore, Md.

J. G. N. CUSHING, M.D.

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PSYCHOLOGICAL DISORDER AND CRIME. By *W. Lindsay Neustatter*, M.D., B.Sc., M.R.C.P. Foreword by John Maude, Q.C. Christopher Johnson Publishers Ltd., London, England. Pp. 248, 21s. net.

The author of this book is Physician in Psychological Medicine, The Royal Northern Hospital, Queen Mary's Hospital for the East End, London, and Harold Wood Hospital, Physician, St. Ebba's Hospital, Epsom. Consulting Psychiatrist to the London County Council School Health Service. Sometime Lt.-Col., R.A.M.C.; Visiting Psychiatrist, Cairo Military Gaols. Commonwealth Fellow in Child Psychiatry; Psychiatrist to the State Mental Hospital, Worcester, Mass., U.S.A. He is also the author of "Modern Psychiatry in Practice" and "The Early Treatment of Nervous and Mental Disorders".

This book is described as an attempt to explain to the non-medical and especially the legal world about disorders of the mind and the available treatments of these conditions. The author is quoted as saying, "My object is a bold one . . . of trying to convince you that a psychiatrist can be both useful and credible in the witness-box . . . provided he confines himself to relevant matter and realizes that abstruse psycho-pathological speculation is out of place in Court, and that he does not try to overstate his case, or make exaggerated claims of cure."

The author describes in the first chapter of his book some of the popular fallacies with reference to psychiatry and the law. He then goes into considerable detail to describe various types of psychiatric disorders. He then shows the relationship which may exist between the various types of mental disorders and various criminal activities. He also discusses the common treatments used, including hypnosis, suggestion, medical therapy, electroshock therapy, insulin treatment, psychoanalysis, etc.

An American reviewer finds that at times the technical language used by the author differs from current concepts in the United States. For example, when he is discussing mental deficiency, he classifies the three groups of defectives as idiots, imbeciles and the feeble-minded. In the United States, the terms mental deficiency and feeble-mindedness are used inter-changeably and the three categories are idiots, imbeciles and morons.

In discussing the Ganser Syndrome seen in prisons, he describes this as a hysterical or malingering reaction but does not describe it in detail. In the United States, the term Ganser is used by psychiatrists to describe a very specific type of mental disorder in which the prisoner has "the syndrome of approximate answer". Thus, a person when asked a question, gives an approximate, but never an exact answer. For example,  $2 \times 2 = 3\frac{3}{4}$ .

At times, the reviewer had difficulty in understanding the colloquial expressions, such as the term "cat" which apparently refers to the cat-o'-nine-tails, in connection with flogging of prisoners.

Another minor criticism of the book is that it ignores to a very large extent, recent American literature on this topic. It includes no references to current articles or to the two recent text books . . . one written by Davidson and the other by Guttmacher and Weihofen.

All in all, it is the reviewer's belief that the author has done a very creditable job. He has definitely avoided the pitfall of trying to over-sell psychiatry. He is careful to point out the limitations, as well as the contributions which psychiatry can offer the legal profession. He recommends, as have many American psychiatrists, that there be a much closer working relationship between members of the legal and medical professions, with psychiatric courses in the law schools and legal courses in the medical schools.

In conclusion, the reviewer is very happy to recommend this book, not only for members of the legal profession, but for probation officers, social workers and to non-psychiatric medical groups, who deal with the juvenile and adult offender.

University of Virginia Medical School

FRANK J. CURRAN, M.D.

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ANALYZING AND PREDICTING JUVENILE DELINQUENCY WITH THE MMPI.  
 Edited by *Starke R. Hathaway* and *Elio D. Monachesi*. Minneapolis: University of Minnesota Press, 1953, 153 Pp., \$3.50.

The Minnesota Multiphasic Personality Inventory, one of the many "objective" personality tests in existence, gave impetus to the editors and contributors to study some 4,048 pre-delinquents in order to gain more "objective" knowledge of the patterns of personality that underlie delinquent behaviorism.

The editors feel, in conclusion, that the tests seem to indicate "beyond reasonable question" that "some of the patterns of symptoms seen in adult mentally ill patients are more common among juvenile delinquents than chance would suggest."

I have no fault to find with this, certainly useful, study, nor with the test, the MMPI, employed, nor even with the sample (4,048 children) taken, although there may be some pro and con to be said in respect to the study. Both, Dr. Hathaway as a clinical psychologist and Dr. Monachesi as a sociologist, have done an outstanding job in assembling and editing an analysis leading to some prediction in delinquency trends.

The study is intended primarily for the attention of the professional practitioner, may he be psychologist, sociologist, or social worker. But these professionals should be aware that many other factors go into the making of a personality (whether delinquent or non-delinquent) and that no test can or will take into account all factors. While there is little doubt about the value of this present contribution to the knowledge of delinquency, many other fields have not been touched on in this study, fields equally contributory to delinquency, such as general medicine, psychiatry, and social work.

Los Angeles

HANS A. ILLING

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MATERNAL CARE AND MENTAL HEALTH. By *John Bowlby*, M.A., M.D. World Health Organization. Palais Des Nations, Geneva. 1951. Pp. 179. \$2.00.

This book is a report prepared on behalf of the World Health Organization as a contribution to the United Nations program for the welfare of homeless children, by John Bowlby, M. A., M. D., Consultant in Mental Health of the World Health Organization and Director of the Child Guidance Department of the Tavistock Clinic, London.

There is general agreement that one of the main requirements for mental health is that the infant and young child should be raised in an atmosphere of warmth and love and that a continuous satisfactory relationship with his mother is essential. The study of Dr. Bowlby deals with the effects of maternal deprivation and condenses findings and conclusions of important research. Great stress is laid on less understood situations of maternal deprivation, as, for instance, that caused by unconsciously rejecting attitudes or an excessive demand for love on the part of the parent.

The similarity of evidence obtained through work in the fields of embryology and psychology as to biological requirements for healthy development is pointed out.

The effects of deprivation are reviewed in the light of information obtained by direct observation of the mental health and development of children in institutions, hospitals and foster homes, by research on early histories of adolescents and adults who have developed psychological illnesses, and through follow up studies of children who have suffered deprivation. The author stresses that often a quiet, obedient, well-mannered and physically healthy child might give the appearance of normalcy and mental health as long as he is kept in an institution and that behavior of the child may change radically living in normal and free surroundings. Dr. Bowlby is right in warning against "diagnostic" opinions of people who are ignorant of the principles of mental health.

The book discusses the bearing of age level on susceptibility of children to deprivation and refers to the studies of Anna Freud, Bender, Goldfarb, Levy, Powdermaker and others. There seems to be unanimity of opinion that only individualized, skillful, patient and loving care for a child which grew up without proper maternal care can undo in later years the harm suffered. The book pays tribute to the development of the psychoanalytical approach to case-work, as developed in American schools of social work, and to the extent to which social agencies are employing child psychiatrists to assist in case-work. In conclusion it declares that mother love in infancy and childhood is as important for mental health as are vitamins and proteins for physical health and it deplors the lack of insight in this respect on the part of the public, of social agencies and of governments. Dr. Bowlby warns of a vested interest in institutional care of children and refers to the extensive scientific data reviewed in his report.

The material accumulated in this important study should make us realize how out-dated our methods of dealing with offenders are and that we are actually punishing human beings for a kind of development which could have been prevented and can, in many instances, be corrected by the proper scientific approach.

The Hacker Clinic  
Beverly Hills, California

MARCEL FRYM

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I LED THREE LIVES. By *Herbert A. Philbrick*. New York: McGraw-Hill Book Co., Inc., 1952. Pp. 323. Indexed. \$3.50.

Philbrick's nine year saga as a communist counter-spy is a readable and exciting autobiography of a young man's voluntary efforts to obtain inside knowledge about the mechanism of the American Communist Party. *I Led Three Lives* is particularly refreshing because the author has but one goal: to convey to the reader what he himself learned the hard and perilous way. Happily, the book grinds no axe for any political party, nor is it calculated



to condemn any individuals or ideas which have no factual relationship with the Communist Party.

Two or three aspects of this book may be of particular interest to the reader of this JOURNAL. The first has to do with the techniques Philbrick utilized to carry out his "sympathetic association" with American communists and to maintain liaison with the Federal Bureau of Investigation. There would appear to be no more effective technique of criminological research into the thinking and behavior of such groups than the methods of participant observation which were utilized by Philbrick and the FBI.

The insights which Philbrick provides regarding the manner in which the communist party recruits new members and gradually works them into inner circles are of special interest. Prospective initiates and new members are helped along; none need fend for himself. Reenforcement of convictions and enthusiasm is commonly undertaken. "I would have been lost if it had not been that at each turn I found the way paved ahead." (p. 15).

The Party is said to capitalize upon individual's disappointments and frustrations. Flattery and advancement are the constant rewards when jobs are well done—no matter how small they may be. Courses in philosophy and leadership training are aimed at destroying feelings of inferiority and ineffectiveness. Ambition is emphasized as extremely worthwhile—its frustration on the "outside" is asserted to be proof of the defects of class society. Re-assurance is constantly given regarding the significance of individual efforts to the group as a whole. The writer feels that Philbrick's book provokes an important question which deserves considerable study: to what extent, and for what kinds of people, has the Communist Party attracted the enthusiasm and will to participate on the part of individuals who were not similarly attracted by the ideals of a democratic society? It seems obvious that many individuals who have risen and become prominent in the ranks of the Party, given equal drive, could have gone as far or farther in winning prestige and respect in non-communist circles.

The final chapter emphasizes the necessity of leading "a positive political and social life, not a negative, bitter or denunciatory life." This is another way of suggesting that individuals should live and conduct themselves in accordance with socially approved conditions—a worthy proposition which is not going to discourage the kind of individuals who are attracted to a cause such as the American Communist Party. On the other hand, Mr. Philbrick is constructive in his evaluation of the extent to which we aid and abet the Communist cause by promiscuously labeling those with whom we disagree as guilty by verbal association techniques.

John Hopkins University

ROBERT C. SORENSEN

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MURDER, MADNESS AND THE LAW. By *Louis H. Cohen, M.D.*, with the assistance of *Thomas E. Coffin* and *Barbara Frank*. The World Publishing Company, Cleveland, 1952, 173 pp., \$3.50.

As Jerome N. Frank, Judge of the U.S. Circuit Court of Appeals, points out in the Introduction, "A society that punishes the sick is not wholly civilized . . . A society that does not restrain the dangerous madman lacks common sense." These sentences may well serve for the motto of the book. According to the author, the book is written "for the interested layman as well as for the psychiatrist, the judge and the lawyer." Note the sequence: while the book is written primarily for the "interested layman," the author means to say that psychiatrist, judge and lawyer also are by no means beyond the need for psychiatric education.

Dr. Cohen illustrates his thesis with 17 dramatic case histories, based on his investigations and most of them well-known to the average newspaper reader. As reading, the book could well compete with the best mystery thriller, so well told are the histories. At the same time, however, these fascinating dramas point up the author's thesis: that the law pertaining to psychopaths is out-dated; that closer cooperation and coordination between the two disciplines, jurisprudence and psychiatry, should be established for the benefit of society; that, in the "borderline" cases, the sick are likely to be penalized and the courts (alias "society"), therefore, are "not wholly civilized."

Some of the cases go back into history, such as the murder of President Garfield. For, which historian has been able or was interested to analyze the motives of the murderer? It is a presentation of "civilized society" 1870 versus "civilized society" 1950: the author does not draw a comparison, but the thoughtful reader himself will draw his own conclusion, namely that not too much has changed in the law since 1870 to make our society more "civilized."

Although the author does not propose specific remedies for present-day inadequacies of the legal machinery (inadequacies acknowledged by most enlightened jurists in the country), he raises significant questions: what should be the rules of evidence when the defendant is psycho-pathological or the witness is to testify on behalf of or against an accused psychopathological defendant? What should be the clinical experience of professors of psychiatry if they are to be genuinely useful to the courts? What is a "plea of temporary insanity," a plea hardly ever absent in most of our murder trials today?

This book could go a long way in enlightening those agents of our society who administer the penal laws. It should not only enlighten, but also stimulate remedial action, to make our legal machinery "more civilized."

Mount Sinai Hospital & Clinic,  
Los Angeles, California

HANS A. ILLING, M.S.W.

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THE PINKERTON STORY. By *James D. Horan* and *Howard Swiggett*. Pp. xiii, 366, illustrations. New York, G. P. Putnam's Sons, 1952. \$4.50.

For over one hundred years agents of the Pinkerton National Detective Agency have worked to further the cause of law and order. Their missions have been as varied as their clients have been many. They have pursued criminals on three continents, caught murderers, guarded presidents and crowned heads, broken strikes, cooperated with the northern Secret Service during the Civil War, and protected industrial plants, amusements centers, banks, express companies, and private automobiles.

From early Pinkerton activities came elaborate collections of data covering the origins, associates, photographs, meeting places, and personal habits of known or suspected criminals, out of which emerged the records of the present-day Identification Division of the Federal Bureau of Investigation. Although their names and scope of activities have changed, the code of the Pinkerton agents has remained virtually the same: they will not handle divorcees; they will not shadow jurors; they will not investigate public officials or work for political parties; they will not serve vice crusaders; they will not accept contingent fees, gratuities, or rewards.

*The Pinkerton Story* opens in America's lawless era of the late 1860's when Allen Pinkerton, head of a Chicago detective agency, was called in to track down the notorious Reno brothers, the first outlaw band to stage a train robbery in this country. Putting the Renos behind bars gave the agency a

national reputation as the scourge of America's outlaws, a fame enhanced by successful campaigns waged against the James and Younger brothers, the Farringtons, the Burrows, the Cooks, and the Wild Bunch. The country marveled at the Pinkerton technique of infiltrating outlaw bands, a daring that the agents had perfected as northern spies during the Civil War and a device which they would utilize later in breaking up the terrorist Molly Maguires of Pennsylvania and the notorious Mafia of Louisiana. Murderers, forgers, subversives, embezzlers, and thieves all came to know and to fear the tenacious men whose slogan boasted that "We Never Sleep."

It is of interest to this reviewer as a historian that considerable space is devoted to the use of uniformed Pinkerton guards as hired strikebreakers, particularly in the bloody Homestead Strike of 1892. Although the authors lump the critics of the agency's violent industrial activities under the convenient label of "radicals," Horan and Swiggett freely admit that as late as 1936, thirty percent of the Pinkerton business was industrial spying on the preparation of confidential reports to the employer "as to the degree of plant unrest and the presence of outside agitators or organizers." In 1937, after a Senate investigating committee had condemned the Pinkerton's policy of labor espionage as breeding "fear, suspicion and animosity," tending "to cause strikes and industrial warfare," and "contrary to sound public policy," the practice was abandoned.

James D. Horan and Howard Swiggett have examined hitherto unopened files of the Pinkertons to chronicle the inside story of the doings of this most famous of institutions. They have recorded colorful melodramas of relentless pursuit, uncanny deductions, and audacious courage, all abundantly punctuated with bursts of gunfire, suspense, and blood and thunder. With a novelist and a historian combining their best literary talents, the reader will find much to hold his interest in the vignettes contained in this well-written, authoritative study.

The Ohio State University

HAROLD M. HELFMAN

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### FOREIGN LANGUAGE PERIODICALS AND ARTICLES OF INTEREST IN THE FIELD OF CRIMINAL LAW AND CRIMINOLOGY\*

Compiled by  
Kurt Schwerin\*\*

Criminalia. Mexico. 19th year, Jan.-April, 1953, nos. 1-4.

Eduardo Urzaiz R., *Delincuencia precoz* (precocious delinquency) (no. 1, p. 2-8).—Efrain Urzua Macias, *El delito burocrático y la delincuencia administrativa* (The bureaucratic delict and administrative delinquency) (p. 18-23).—Tomas Jimenez Vargas, *Educación contra la delincuencia* (Education against delinquency) (p. 24-31).—Miguel Angel Velasquez y Mauro Cárdenas Ojeda, *La cuantificación de la responsabilidad delictiva* (Quantification of criminal responsibility) (p. 32-36).—Miguel Herrera Figuera, *La personalidad delincuente y el criminólogo* (p. 37-43).—Auri Moura Costa, *El problema sexual de las prisiones* (The sexual problem of prisons) (p. 55-58).—Mario Lins, *Los factores de la delincuencia* (Factors of delinquency) (no. 2, p. 85-91).—Arnulfo Martinez Lavalle, *El estudio*

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\*All periodicals listed are available in the Elbert H. Gary Library, Northwestern University School of Law, 357 East Chicago Ave., Chicago.

\*\*Head, Foreign and International Law Sections, Elbert H. Gary Library, Northwestern University School of Law.

*de la personalidad del delincuente* (The study of the personality of the delinquent) (no. 4, p. 124-135).

Kriminalistik. Heidelberg. Seventh year, no. 9/10, May, 1953.

H. Walder, *Psychologische experimente im dienste der kriminaluntersuchung* (Psychological experiments in the service of criminal investigation) pt. II, (p. 105-107).

Nordisk kriminalteknisk tidskrift. Stockholm. 23d year, no. 3, 1953.

Hjalmar Sjövall, *Rättsmedicin och rätts-säkerhet* (Medico-forensic organization and medico-forensic proof in Sweden) pt. II, (p. 25-31).

Rassegna di studi penitenziari. Rome. Third year, no. 1, Jan.-Feb. 1953.

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