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Book Reviews

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BOOK REVIEWS

SEXUAL BEHAVIOR IN THE HUMAN FEMALE.

By Kinsey, Alfred C.; Pomeroy, Wardell B.; Martin, Clyde E.; Gebhard, Paul H. W. B. Saunders Company, Philadelphia, 1953. 842 pp. \$8.00.

By the time this review reaches the readers, the flames of indignation and antagonism that were stoked by the bally-hoo of the previews will have died down. This reviewer feels that he is in a position to evaluate this book, from his particular points of view, and the facts and hypotheses, the assumptions and conclusions, and, last but not least, to estimate its effect on those interested in human behavior. May it be said that the effects on the readers of this book is to a large extent not directly desired by the authors; on the other hand, they do not contradict the effect, they just wash their hands. For this attitude, the authors must be taken to task. "The type of premarital experience which correlates most specifically with the responses of the female in marital coitus is premarital coitus" (p. 386). "Even after marriage and even among females who are in their thirties and their forties, difficulties in coital responses are sometimes cleared up if they learn to masturbate to the point of orgasm" (p. 391). These sentences are good examples of what the reviewer wants to point out. Not only will the average reader overlook the cautioning word "sometimes" in the second sentence, he will arrive at the conclusion that premarital intercourse and marital masturbation are the things for the human female to do. No amount of hand washing will take away the spot from the hands that wrote these lines.

On what facts then are these sinister sentences based? The Commission on Statistical Standards of the American Statistical Association, set up a committee to review the statistical methods used in the first of the companion volumes.¹ One of the basic errors is

¹ *Statistical Problems of the Kinsey Report*. J. AMER. STATISTICAL ASS'N., 48, 264. Dec., 1953, 673ff.

that, while Kinsey analyzed a cluster sample (i.e., groups of people rather than individuals), his statistical evaluation, including the evaluation of standard errors, is made on the assumption of random sampling of individuals. We do not therefore know the probable error that may mar the results. There has been no basic improvement in the method applied in the second volume. To this specialist's view, we have to add the criticism that imposes itself on the mind of the layman. The figures in the breakup-groups are infinitesimally small, i.e., the samples are much too small in comparison to the magnitude of the populations.

This reviewer's points of view are those of the psychiatrist, the psychologist, the specialist in human motivations and attitudes. While his feelings were not "hurt" by the zoological approach as were the emotions of many humanists, the writer feels that the decisive point in human sexual relations has been missed. He is nevertheless grateful to the authors for a richly stocked survey of physiological, anatomical, comparative-psychological, neural and hormonal facts. Attention should also be given by criminalists to the statistical facts on what are, at present, punishable criminal sexual contacts with animals and homosexuals. This picture is made richer in Chapter 16: *Psychological Factors in Sexual Response*.

In sum: This is a book that would have done a great service, had the number of printed copies not exceeded the usual issue of technical manuals. As it is, the harm done by reaching the general public, among them the educated laymen, can hardly be estimated.

W. G. ELIASBERG

New York City

ADMINISTRATION OF CRIMINAL LAW. By E. W. Puttkammer. The University of Chicago Press, 1953. Pp. 245. \$5.00.

The author of this excellent book states that he wrote it having in mind two different

kinds of readers. The first was the law student or the lawyer and the second was the layman interested in obtaining some information on how the criminal law functions.

It seems to the reviewer that the author proposed to accomplish an impossible task; namely, to write about the criminal law with sufficient generality so as not to offend the layman, and yet to be sufficiently professional so as not to irritate the lawyer. However, he, the author, has come very close to accomplishing his purpose and has written an informative and easily read book. It gives to the layman an accurate picture of the manner in which the criminal law functions, without harassing him with technical legal words and, at the same time, gives to the criminal lawyer a chance to get the long range point of view on the criminal law that is not afforded by the normal text.

Fifteen of the seventeen chapters are about problems that a criminal lawyer would expect to find in a book bearing the title "The Administration of Criminal Law." The other two chapters discuss the organization of various types of police forces and the various theories of the purpose of criminal law and of punishment. Every chapter discusses the principal topic within the framework of its history and development and this approach is particularly effective with the subjects of indictments, juries, trials, arraignments and magistrates.

The author's style is direct and simple, his division of the subject matter logical and his treatment of controversial points objective. A criminal lawyer would appreciate more case citations and many could have been added without offending the lay-reader. The book was the product of considerable thought and it is a worth-while addition to my criminal law library.

BARNARD T. WELSH

Rockville, Md.

Association of America, New York, 1954, pp. 147, \$2.00.

This modestly priced, unassuming little volume seems to contradict the old saying that one always gets what one pays for. In this reviewer's experience, there are few books, past or present, which contain as much wealth of information and research, so straight-forward an approach and so openminded an attitude towards techniques and schools of thought as the present one, by Dr. Harris Peck, co-editor of the *International J. of Group Psychotherapy*, and Virginia Bellsmith, Assistant Dean of the New York School of Social Work. For such a valuable piece of literature the reader might desire a bound copy for handier reference!

The authors discuss the extramural treatment of delinquent adolescents and their families, focusing the treatment on methods and techniques of special significance. They have worked closely, since 1947, with the New York City Court of Domestic Relations and its Presiding Justice, John Warren Hill, and with the Treatment Service of the Bureau of Mental Health Services. Besides, they have enjoyed the cooperation and assistance of the faculties of the Department of Psychiatry, School of Medicine, and of the New York School of Social Work, both in Columbia University.

The first two chapters deal with methodology and pathology. They are theoretical, but seldom has so much theory been packed into so few pages in a lucid and lively style. Some statements read like revelations, although they are neither new nor startling; they are simply stated, such as "Most authorities are in agreement that, in the light of present scientific knowledge, the category 'delinquency' has only legal or moral meaning and is of little value in understanding pathology or in devising methods of treatment." Having studied and treated numerous cases that came to the attention of the Juvenile Court, the authors feel that they can broadly classify all cases into three major categories: (1) acts against life and property (such acts frequently occur as part of gang activity which may not, however, constitute pathological behavior or even delinquency per

TREATMENT OF THE DELINQUENT ADOLESCENT.
GROUP AND INDIVIDUAL THERAPY WITH
PARENT AND CHILD. By *Harris B. Peck*,
M.D. and *Virginia Bellsmith*. Family Service

se); (2) acts in violation of sexual taboos, or symbolic equivalents of such acts; (3) acts directed against the restraint or restrictions of parents or parental surrogates such as teachers, neighbors, or police.

To be sure, some readers may differ with the authors. Moreover, many practitioners may apply different approaches and techniques to delinquent cases. But it seems to me a virtue in the authors that they adhered to an agreed course of treatment after an agreed course of selection through the "Intake" process. In fact, Chapter III, the "Intake Process," appears to be the gateway to the rest of the book, concerned as it is with practicalities of therapy.

Chapters IV-VIII, the heart of the book, deal with individual and group therapy, the feasibility of each of these for various patients, the selectivity of patients, the interchangeability of the two therapies, and some follow up. Rich case illustrations and group records underscore the authors' points. The therapists indicate an analytical approach (the reviewer's remark is directed toward those readers who, first of all, wish to know the label of the medicine to be dispensed); but many practitioners, not leaning toward classical psychoanalysis, will enjoy reading the group records without becoming too much aware of the label. For it should be obvious to most practitioners that much of the labelling practised today is a semantic rather than a basic matter of difference.

Despite the shortness of this book, little has been oversimplified, as one might expect to happen. The authors rightly emphasize that "a grasp of basic principles is essential for effective work with the delinquent." Especially, "the operations of such authoritative agencies as the police, the detention centers, and the courts themselves must be thoroughly understood before a worker is able to engage in treatment." The authors are not too optimistic either about the results of their own experiments or the experiments in progress elsewhere in the country, since "the existing treatment agencies, even if multiplied many times over, would hardly make an appreciable dent in the incidence of delinquency." Nor

have standards for training for work in the field of delinquency been formulated as yet. The authors feel strongly that "all professional education—whether for psychiatrist, psychologist, social worker, or probation officer—should increasingly take cognizance of the special requirements for practice in the field of delinquency."

A book of the greatest importance to every practitioner even if the clients or patients are not delinquents. For today's clients may be tomorrow's delinquents!

HANS A. ILLING

Los Angeles

THE SEXUAL OFFENDER AND HIS OFFENSES. ETIOLOGY, PATHOLOGY, PSYCHOPATHOLOGY AND TREATMENT. By *Benjamin Karpman, M.D.* Julian Press, N. Y. 1954; XIII—pp. 744; \$10.00.

In starting this review, it should be said that this is not a book in the usual sense of the word. Its endeavor is cyclopedic; but then, for information in the fields of biology, zoology, physiology and endocrinology, one should rather turn to the literature worked into Kinsey's books. Although the author's views on morality and sex, legal treatment of sexual offenders, sex and civilization are outspoken, they are far from being based on real studies of morality, the law or civilization. Karpman feels entitled to give vent to his indignation and wrath, touched off by the traditional handling of deviations in sex. But his assumption that indignation is sufficient to evaluate moral viewpoints is dilettante. May it be said that the well known author is von Schrenck-Notzing, not as it appears on pp. 620 and 731 as Schreck-Notze. Also, *Criminality From a Sense of Guilt*, was first described by Friedrich von Schiller in the 18th Century and only much later by Freud (p. 621).

We have made our critical remarks at the beginning to avoid being hampered in the free flow of praise. This is indeed, as was said before, a cyclopedia of what has been written and thought about in the thorny problems of sexual offence. It should be known to all concerned with this field, that Karpman's writings

have contributed variously to the promotion of our present knowledge.

The cyclopedic character is not due to whims of the author. In fact, our knowledge is at present far from being amenable to scientific systematic presentation. We have no more comprehensive theory of sex offenders or sex offences than we have of cancer or schizophrenia. The reason being that there is no such single thing as schizophrenia, cancer or sexual offence. Every worker in the field is aware of the flabbergasting manifoldness of causes, phenomena, dynamics, psychological disguises and what-not. In such predicament, it is wiser to survey the known facts and ideologies rather than to go on with the pretense of having to offer a well-rounded theory. One author may emphasize social conditions, another will stress conditioning in early family life, a third will be inclined to embrace similar facts under the headlines: Constitutional Psychopathy, Heredity. Karpman's own psychodynamics follows closely Freud's classical theory as developed in the "Three Contributions to the Theory of Sex," and enlarged in Otto Fenichel's, "The Psychoanalytic Theory of Neurosis."

The author himself, has in a very comprehensive, often repetitive, way summarized the extant ideas. Typical of his reasoning is the following: "The sex drive is stronger in the paraphiliac than in the normal individual because the avenues of release are limited. The more obstacles in the way of instinct satisfaction, the greater the strength of the urge," (p. 601). To this reviewer such reasoning seems to be apriori. There are on the contrary, a number of known facts to prove that the intensity of the sex drive in many paraphiliacs is lower than in normal and average individuals. Karpman's assumption, not based on clinical experience, but on logical syllogisms should not be allowed to remain in future editions.

A valuable addenda to the book was contributed by Karpman's research assistant Edna Florence; she read much of the literature published since 1910, and her annotations show what progress, if any, is contained in the ar-

ticles that appeared increasingly, since the thirties of this Century. A goodly number of authors, among them Karpman, are censured for many reasons ranging from "nothing new," to "not proven," "superficial."

If by any chance this review should deter the prospective readers from consulting the book again and again, no one would regret it more than this writer. The book should not be blamed for the incompleteness of sexology or subjective whims of its author. It is the best available guide for such controversial problems as prognosis in general of the sexual offender, prognosis of psychiatric treatment, selection of psychotherapeutic methods, comparative costs, training programs and a host of related questions.

W. G. ELIASBERG

New York City

AGGRESSION, HOSTILITY AND ANXIETY IN CHILDREN. By *Lauretta Bender, M.D.* Charles C. Thomas, Publisher, Springfield, Ill. 1953. Pp. 184. \$5.50.

The author, following a discussion of contemporary studies of aggression in children, takes up in turn children's attitudes toward death; their preoccupations with suicide, homicide, and pyromania; the genesis of their hostility; and finally, anxiety in disturbed children. The book presents a wealth of factual material concerning the incidence of hostility and aggression in children, together with a technique for observation of these occurrences under controlled conditions.

The study included 81 children, divided into sexes proportionate to the general population; ranging in age from 3 to 15 years and from I.Q. 70 to 167. All were hospitalized during 1934-35. The method of the study was by "1) case history; 2) psychiatric interview; 3) observation of behavior on the ward; 4) observation of specific play situations, especially with miniature toys; 5) the children's description of pictures with aggressive content; and 6) a questionnaire for the children who had sufficient verbal facility." Specific conclusions from which generalizations could be made were not formally stated; rather, statements were made

following each chapter concerning dynamics of the cases cited, and the possible ramifications for future conduct. The technique of presentation in each chapter followed the pattern of a brief overview of historical and contemporary thought, case illustrations, and a discussion of the dynamics involved.

No question can arise as to the value of this study in terms of the material elicited from children regarding the diversified forms which their hostility takes. There is, however, a distinct Adlerian flavor overlaying the entire book. This is to be noted in connection with the conclusions drawn from the facts presented. One of the conclusions, e.g., is that, "Hostility is based on general feelings of anxiety and on the sense of possession of power and rivalry . . . ultimately they [children] want to possess everything and will defend this attitude with hostility and aggression" But the conclusions drawn from a body of facts may differ according to the discipline from the viewpoint of which they are being considered. Thus, from the material presented, although one *may* conclude with the author that, "Death does not appear as the natural end of life. It is the result of the hostility of others . . .", it should also be noticed in passing that there can be other interpretations which are more parsimonious.

A. STANLEY WEBSTER

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DIE STRAFE: FRÜHFORMEN UND KULTURGESCHICHTLICHE ZUSAMMENHÄNGE. Vol. I. By Hans v. Hentig. Berlin, Göttingen, Heidelberg: Springer Verlag, 1954. Pp. V + 429.

The present edition of *Die Strafe* embodies twenty years of work since the publication of its predecessors under the same title in 1932. The complete title of the present volume, to be followed by a second, is *Punishment: Its Early Forms and Culture-Historical Ramifications*. Although the author uses a vast historical and ethnological source material to trace major phases of our penal customs to their primitive roots, his principal aim is not to present a history of punishment, and at no point is the reader left with the impression of a

study in origins as such. The work may be well termed a major chapter in the social psychology of collective violence.

The unclaimed, but clearly discernible, thesis of the book is that below the veneer of modern penal theory, based on the concepts of reformation and individual accountability, archaic views and elementary motivations continue to operate in the contemporary treatment of offenders. Once that is understood the wealth of historical references v. Hentig arrays in support of his cardinal thesis becomes of definite interest to the criminologist. The assumption of collective guilt offers one example of the survival of archaic conceptions in contemporary criminal justice. The taking of hostages and the imposition of collective fines in wartime, the prosecution of persons for "passive assistance" in a riot entailing a "clear and present danger" are acts which negate the modern conception of individual accountability in favor of the older aim of deterrence. "This relapse into ancient, and legally anachronistic mechanisms proves that basic impulses are at work which, though precariously checked, will reassert themselves under certain conditions." Frustration, fear, and danger tend to elicit the urge to act even before the source of the threat to existence is identified. Action relieves tension and transforms passive fear into confident self-reliance. The objects of reactive aggression may vary widely. Ancient usage at times sanctions aggression against vicarious objects, such as the self, animals, inanimate objects, associates of an antagonist or his effigy, and deceased persons.

Capital punishment is another occasion on which the ancient impulse of collective self-preservation reasserts itself. This impulse is at work when birds and preliterate people eliminate aging and enfeebled members of the group to relieve scarcity. "Killing in these cases does not greatly differ from execution which we justify as a social defense. Although we are not provoked by acts of aggression and cannot speak of guilt, the claim of old animals to life, consideration, and a share of the common food reserve may become a threat, particularly when it affects all and not only single individuals.

All social instincts of animals as well as humans aim at the preservation of life. The interests of the group take precedence. We give them priority in cases of execution, and acts of aggression enable us to turn sympathy into hate."

Von Hentig assembles a wealth of historical detail in support of the hypothesis that capital punishment is a descendant of earlier types of altruistic killing, such as the taking of lives for magical and sacrificial purposes. He traces various phases of the judicial ceremonial of hanging back to early forms of sacrificial magic, such as the choice of a barren hill, the northward exposure of the gallows, the custom of blind-folding the culprit and shaving his head. It is in support of the same hypothesis that the author traces various other forms of punishment and diverse methods of shaming the offender to early non-punitive customs.

Von Hentig's use of archeological and mythological material shows considerable erudition, originality, and at times daring. His hypotheses are suggestive, and the drift of his main argument points in the direction in which modern criminology in this country tends to move, even though the medium in which the author develops his proposition is reminiscent of Sir James Frazer, E. Westermarck, and W. G. Sumner. Criminologists who read German should not bypass this book.

ERNEST MANHEIM

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TWELFTH INTERNATIONAL PENAL AND PENITENTIARY CONGRESS REPORTS. Proceedings at the Hague, August 14-19, 1950. Two Volumes: Vol. V, General and National Reports of Section III; Vol. VI, General and National Reports of Section IV. By *International Penal and Penitentiary Commission*. Berne, Switzerland: Administration of Prisons, The Hague, 1951. Pp. 457 and 408.

Multiple competent views culminating in general reports on six principal questions considered during proceedings of the Twelfth International Penal and Penitentiary Congress, are collected in these two volumes of French and English text. Volume V contains general and national reports on questions posed to Sec-

tion III concerning: (1) The problem of short-term imprisonment; (2) conditional release; (3) penal register and social rehabilitation. Another trio of problems: (1) The penal treatment of juvenile offenders; (2) juvenile courts versus administrative agencies and; (3) the applicability of juvenile treatment to adults, constitute the framework of reports under Section IV, gathered in Volume VI.

By its 1946 resolution, the Assembly of the Congress established a working definition for "short imprisonment." All sentences of imprisonment not exceeding a period of three months belong in that category for the purposes of the reports. With such short terms predominating among penal measures, derivative reform demands seek indeterminate sentences, for those individuals requiring longer periods of institutional treatment, and further legislative implementation for combating petty delinquencies.

Some of the contributors challenge, as being a dogmatic assertion, the frequently accepted hypothesis that short term imprisonments are harmful. Exaggeration of the result produced by vocational and character training during sustained incarceration is among several factors urged as underlying causes of the status achieved for that hypothesis. However, these criticisms are primarily aimed against misconceptions which tend toward the most radical alternative; abolition of short term imprisonment, whatever the price. Exploration of other alternatives, e.g., abstention from prosecution, conditional sentence, fines, compulsory home labor, and other measures of non-institutional character are presented against the background of varied experiences with such choices and substitutes in different countries.

A succession of ideas are advanced bearing on issues stemming from integrating conditional release in the execution of penal imprisonment. Some reporters envisaged this type of release as a social defense measure, revocable when relapse is actual or threatened. But there is also support for the view that a punished person has a moral right to conditional release. While there is no outstanding objection to compulsory conditional release, when the

prisoner entitled to do so presents his request, a respectable showing is made against automatic conditional releases. More important are those considerations of the necessity that assistance be given conditionally released offenders reentering society. Closely allied to that phase of conditional release are the opinions on supervision of, and cooperation by, the parolee.

Question two, of Section III, opens the door to the whole gamut of basic problems in the area of parole. Where to vest the power for granting, administering and supervising parole, receives extensive attention, highlighted by variations of prevailing conditions in different countries.

Having already treated the record of previous convictions, from the aspect of presentence investigations under question 1 of section I, the contributors subsequently direct their attention, under Section III, to the penal register. At this juncture, equating continued maintenance of the penal register after release, with social rehabilitation, suggests issues to be resolved in developing criteria and guiding precepts applicable to that area. While it is acknowledged that such a register constitutes a source of important information, e.g., about prospective jurors and candidates for public office, the need for secrecy is stressed. But of equal importance, and especial interest, are several matters suggested by a resolution, for section study, concerning replacement of expurgated copies of the penal register with a social certificate. Such certificate to be issued when public administrative agencies or private individuals request information about offenders. Coupled with this suggestion is another contemplating individualization in procedures for restoration to full civil status predicated on moral reformation. This resolution also submits, for further study, elimination of legal provisions pivoting exercise of certain rights on the contents of the penal register.

Penal treatment of juvenile offenders introduces the first groups of reports in Volume VI. The central thesis is, of course, re-education rather than pure punishment. These discussions range from the judicial problems of hearing,

investigations, disposition and sentence to after care. The compatibility of security with training and re-education is accorded some measure of attention. More difficult to resolve, however, are problems of indeterminate sentences for juveniles. Substantial evidence is collected and reported demonstrating a need for employing scientific techniques, and using trained personnel in juvenile delinquency cases.

Professor François Clerc's general report sketches the struggle for opinion on proposals to abolish juvenile courts and replace them with boards of experts. His report concludes without adoption of a resolution either in favor of the Scandinavian system or in favor of juvenile courts. But several principles enunciated by that rapporteur merit quotation here:

"(1) The disposal of juvenile delinquents should be confided to organs composed of persons having experience with juridical, medical and educational matters; if this is impossible the competent authority should reach no decision except after having consulted experts in medico-pedagogical questions.

"(2) Substantive, as well as procedural law, applicable to delinquent minors cannot be copied from norms applicable to adults but should be specially formulated in terms of the needs of the minor, of his personality, and of the necessity for not endangering his adaptation to social life.

"(3) The special law applicable to minors should guarantee to parents the impartial scrutiny of their rights with regard to the education of their child and should protect the minor against every arbitrary infringement of his personal liberty."

Applicability of certain juvenile treatments to adults is ably summarized by Professor Giuliano Vassalli, in his general report on the third question of Section III. His task of correlating information sponsored by individual contributors, in their respective reports, typifies the work confronting each general rapporteur for a section. Conclusions drawn in general reports, for each section, can be partially evaluated, by the reader, because