

1955

Book Reviews

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Recommended Citation

Book Reviews, 46 J. Crim. L. Criminology & Police Sci. 91 (1955-1956)

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BOOK REVIEWS

MILITARY CRIMES AND INTERNATIONAL TRIBUNALS. By *John Alan Appleman*. Indianapolis, The Bobbs-Merrill Company, Inc. 1954. Pp. 436, \$8.00.

Mr. Appleman presents this useful survey and appraisal of the war crimes trials since World War II as a trial lawyer with background studies in international law. He approached the subject, he writes "with somewhat of a preconceived notion against the validity of the trials," but to his surprise detailed scrutiny of the voluminous materials convinced him that the proceedings and sentences were on the whole just and salutary (p. VI).

"If these trials point a way toward reduction or elimination of war through the judicial process, it will be a landmark in the direction of peace greater than any yet discovered. Whether or not this result is achieved, the trials are of tremendous historical significance. It is the first time in history that an effort has been made, through the testimony of military and political leaders, and thousands of official documents, to evaluate the causes of war and the steps leading to its outbreak." (p. VII).

In the detailed study of the original Nuremberg trial, the subsequent Nuremberg trials, the Tokyo trial, the trials in numerous national military commissions and the proceedings in other national tribunals including certain appeals to the Supreme Court of the United States, the author makes some critical comments but his final judgment is favorable. On the most debated question, for example, the alleged *ex post facto* character of the crime of "aggressive war" he concludes:

"Even opponents of the trial must admit that violations of international law have long been punished, even in the absence of legislative material fixing the punishments. Clearly the concept of aggressive war was, long prior to 1939, one of illegality. . . . With reference to the concept of individual punishment, it seems that many writers who have quibbled over technicalities in the establishment of the Nuremberg Tribunal, have lost sight of one major factor. It is a crime, *per se*, for one in-

dividual to kill another. It is a crime to restrain another against his will, or to assault or beat him. These things, occurring in time of war, are legalized, we say, under the doctrine of necessity, justified by the abnormal occasion. But suppose the war, which is relied upon as a defense, is itself illegal? What happens to the defense or excuse upon which the wrongdoer relies? . . . Aggressive war has, it is believed, by the acceptance of nations and their pacts and assurances, been outlawed. The effect of outlawing aggressive war is to remove the legal excuse or justification for the instigation or commission of acts otherwise condemned by all penal codes, and to render the offenders liable to answer for the crime of murder, mayhem, arson, theft, kidnapping, or whatever it may be. That is the impact of international law upon national law, and the punishments commonly accepted in national law may, themselves, help to constitute international law." (pp. 52-53).

The book is particularly valuable because it quotes the pertinent points from the evidence and legal analysis presented to the courts, thus providing the reader with easy access to the voluminous records of these trials. From this material the author develops the concepts of international criminal law, of international criminal jurisdiction, of aggressive war, of crimes against humanity, of conspiracy, of *ex post facto* laws, of "act of state, of *mens rea*, and of other fundamental concepts as accepted by these tribunals.

For students both of history and of law the volume is important. The author has packed a remarkable amount of factual information, quotation and illuminating comment on the subject of war crimes in a short space. Furthermore the book is given a certain popular appeal by including illustrations of the courtroom in most of the trials, data on the personalities involved, and a bibliography of juristic discussions. Footnote references are made throughout the volume and there is an adequate index.

QUINCY WRIGHT

University of Chicago

THE COMMUNITY AND THE DELINQUENT. By William C. Kvaraceus. Yonkers-on-Hudson, New York: World Book Company, 1954. Pp. x, 566.

It is rather interesting that *The Community and the Delinquent* is written by an educator. The author is a Professor of Education at Boston University and has had extensive experience in the areas of exceptional children and juvenile delinquency. It is quite obvious that his experiences have brought him into contact with various community agencies and groups who are interested in approaching similar problems from diverse training back-grounds. Thus, Dr. Kvaraceus attempts to offer a community-wide program for the study and control of delinquency which is far beyond the classroom approach.

Essentially, this book can be worthwhile for the student, professional worker, and layman. It emphasizes cooperation and interdisciplinary action, using all of the community's resources, in studying predelinquent and delinquent children. Suggestions are also made for a systematic program of therapy. The scales, guides, and check lists for the gathering of basic data and appraising community progress in the prevention and control of delinquency can be especially helpful.

One should think of this work as a contribution which endeavors to be of practical help in a most puzzling field. Regardless of countless volumes and reports by private and governmental agencies, juvenile delinquency is still a national headache involving an exorbitant price mentally, physically, socially, spiritually, morally and emotionally to the nation at large. A book of this nature, which indicates for example the work of the school without minimizing the role of the family, church, law enforcing and other agencies, and vice versa will always have a welcoming effect in the area of human relations.

ARTHUR LERNER

Los Angeles, California

SHOULD YOU DRINK . . . By Charles H. Durfee. New York: The Macmillan Company, 1954. Pp. XI, 1952. \$2.49.

This book, according to the author, is in-

tended to serve the function of an informal and non-technical guide in the field of alcohol. In this respect, it aims to point up how and why a normal drinker becomes a problem drinker and how the latter can be restored to his rightful place in society.

Dr. Durfee places a good deal of emphasis in the rehabilitation process of the alcoholic on the term *re-education*, without minimizing possibilities inherent in various therapies. The experiences of the reviewer and of many of his colleagues working in the field of alcoholism also seem to suggest the importance of the re-education process of the inebriate.

The author draws from his rich experiences in counseling alcoholics and presents an interesting approach to a most difficult subject. The emphasis is primarily on the non-neurotic problem drinker—(Dr. Durfee coined the phrase "Problem Drinker") who, through habituation, is on the road to becoming a chronic alcoholic. Searching warning lights of all kinds are presented as a personal check list in order that those who can benefit may direct their energies into more constructive channels. This is a book from which both lay and professional groups may profit—be they drinkers or non-drinkers.

ARTHUR LERNER

Los Angeles

THE PSYCHOLOGY OF THE CRIMINAL ACT AND PUNISHMENT. By Gregory Zilboorg, M.D. Harcourt, Brace and Company, N. Y., 1954, XI, p. 141, \$3.50.

Lately, there have appeared a number of brilliantly written books in the field of criminology; in fact, these books are so persuasive in style that by the end you have to rub your eyes and ask yourself, "how does this compare to works of Beccaria, Feuerbach, Lombroso, Aschaffenburg?" In this list, that fortunately for criminology could be continued, each book contains new principles, new insights, new orientations. What are the new insights, the new principles, the new orientations in Zilboorg's book, which received the Issac Ray Award of the American Psychiatric Association?

Zilboorg is possibly the most outspoken repre-

sentative of that school of psychiatrists that deny any sense in criminal jurisprudence. He urges the psychiatrists to give up any semblance of cooperation with present criminal procedures. Is he willing to let all the progress that we have made since the reign of Edward I, slip by the roadside? Does he want to stand by with arms folded and let philosophers, as in the days of Kant, decide whether the perpetrator was of ill mind?

The author also has an absolutist idea about "the" mind of "the" criminal. Says he (p. 120), "One of the most valuable things which modern psychiatry has discovered is the presence of a conscience in *every* (italics mine) criminal, no matter how brutal the crime; and the presence of a sense of guilt in *every* criminal, no matter how carefree and callous he might appear." Such sentences are based largely on quotations from the book by Ralph Partridge, Broadmoor, A History of Criminal Lunacy, and the comprehensive review thereof by C. B. Farrar in the American Journal of Psychiatry, November 1953.

I have italicized the word *every* to show that the brilliancy of this book, as occurs so often, is based on an implacable, nay paradoxical dogmatism. What we need at present, let me repeat, are new insights, new methods, new orientations, as given e.g., by R. Partridge and by G. Spencer. It is one thing to arouse the conscience of the people at large, it is definitely another, to write a book on the science of criminology. Both purposes are justified, but they must not be confused.

W. G. ELLASBERG

New York City

TRIALS OF PATRICK CARRAHER. Edited by George Blake. Pp. xii, 278, illustrations. London and Edinburgh, William Hodge and Company, Limited, 1951. \$3.50.

The act of murder is constituted by any wilful action causing death, be there a purposed intent to kill or the resolve to commit deliberate bodily assault with a reckless indifference as to consequences. Would, however, a no-rhyme, no-reason crime, the unpremeditated knifing of a total stranger by a half-

drunk youth, who was termed by two eminent psychiatrists to be a "psychopathic personality," fall into the grave category of murder or the lesser charge of "culpable homicide" or manslaughter? That was the issue in contention during the two *Trials of Patrick Carraher*.

On August 14, 1938, an intoxicated delinquent from the Glasgow slums, Patrick Carraher, knifed a total stranger, Peter Howard, a soldier who had the misfortune to cross his path by accident. Keeping in mind the factor of drink and the degrading environment which had spawned the degenerate Carraher, a Scottish jury reduced the charge to manslaughter, and Carraher was sentenced to three years imprisonment.

After serving his time, an almost identical set of circumstances sent Carraher back into the hands of the law. On November 23, 1945, this petty hoodlum, while in a state of morose madness accentuated by drink, knifed another soldier, one John Gordon. Rather than use the recognized allegations of intoxication or even of self-defense, counsel introduced into the proceedings a somewhat experimental plea of impaired or diminished responsibility, that Carraher showed an emotional instability and mental disorder which affected behavior and judgment but was not of a degree of abnormality amounting to certifiable insanity. Acceptance by the court of the condition of diminished responsibility would have meant that although the accused was perfectly sane and fit to plead, he was not totally accountable for his actions and was not fully answerable to the law for murder.

To examine this unusual premise put forth in the second trial, both sides called upon medical experts to discuss Carraher's delusional suspicions, anti-social behaviors, repressions, and compulsions, and to split psychiatric hairs over the categorical meanings of such forensic concepts as "aberration or weakness of mind," "mental unsoundness," "partial insanity," and "great peculiarity of mind." It took three days for qualified witnesses to present medical evidence urging a reduction of the charge to manslaughter, but only twenty

minutes for a jury to throw out the plea of diminished responsibility and condemn Carraher to hang for first-degree murder.

One looks askance at the editor's suggestion that after more than fifteen years during which there had been no hangings in Scotland, the Glasgow police might have been behind Carraher's capital sentence in the hope that his hanging would "notably" reduce "the post-war exuberance of the local gangsters."

HAROLD M. HELFMAN

The Ohio State University

THE VIOLATORS. *Israel Beckhardt* with *Wenzell Brown*. Harcourt, Brace and Company, New York, 1954, 253.

This book is not intended for the professional worker in the field of crime, but is rather a collection of case histories set forth in such a manner as to acquaint the general public with the diversified nature of the criminal and his acts. The twenty-seven cases cited cover only felonies, but are well designed to cover this area, and so constructed as to present the underlying motivation for the commission of the criminal act. There is, however, only slightly more than one page in the whole book tying together the author's concept of the function the book is to serve with the material he has presented. The cases are presented in sympathetic fashion and make easy reading for the lay public. Again it should be emphasized that this book is simply a compilation of case histories, and as such would have little interest for the professional worker.

A. STANLEY WEBSTER

State Hospital, Knoxville, Tenn.

SAVING CHILDREN FROM DELINQUENCY. By *D. H. Stott*. New York. Philosophical Library, Inc., 1953. x, 266 pp. \$4.75.

This book, which emphasizes prevention and treatment of delinquency in England, is a sequel to the author's earlier report entitled *Delinquency and Human Nature*. Dr. Stott, a psychologist, is Research Fellow, Institute of Education, University of Bristol.

The book consists of a series of ten interpretive essays. The author posits a general thesis

of personality as emerging from satisfaction of two important emotional needs; for personal status and feeling of competence; and for inclusion in a small belonging-group. Maladjustment and delinquency arise when one or both of these needs are thwarted; rehabilitation is primarily the process of building up a feeling of adequacy and of providing inclusion in a small intimate group, usually a family, which will give affection and guidance.

The book first introduces the reader to the unfavorable social backgrounds of the child who can be helped by school and youth club. The child in the family with inadequate emotional strength is next considered; then the deprived recognized delinquent in the Approved School (correctional school).

A main thesis of the book is that social situations conducive to delinquency should be eradicated; Dr. Stott believes that eradication could be accomplished by a 5-10 year planned attack on unfavorable family situations, early school maladjustment, and physical conditions that produce emotional strains. Of these the family is most important; when emotional relationships are rejecting or harsh, they tend to lead to maladjustment in the children. The relationship often cannot be improved without prior therapy for husband and wife. The school may help compensate for personality and behavior deviations initiated by the family by establishing stable and approving relationships between teacher and child that extend over a period of three or four years. Youth clubs are advocated, of small size and informal program, to facilitate close leader-youth relationships.

The chapter on "The Deprived Child" is an excellent discussion of the psychological difficulties of both institutional and foster homes. The author emphasizes the lack of intimate ties between child and parent that characterize children in many child-care institutions. A pilot study revealed the suspicious, withdrawing tendencies of some institutional children and the hostile aggressiveness of others. Many live in constant anxiety about their families; on the other hand, children who have never known family life are too detached and alone

in feeling. The alternative, the foster home, also creates psychological tensions.

More serious as behavior deviates are the "immanently delinquent"—restless, unsettled youth who are semi-delinquent. These youths, the author feels would be best served by incorporation into foster homes where they would receive love and discipline on a family basis. He recognizes the difficulties of finding foster homes for pre-delinquent youths, and also the need that would arise for training foster parents to meet the emotional as well as practical needs of boys previously deprived of family affection. For this group as for the deprived group, Dr. Stott urges the building up of self-respect and status.

Approved schools (correctional schools) are discussed and credit is given to them for good work accomplished. The author feels, however, that an explicit guiding principle is lacking and too much emphasis is placed upon smooth operation of the schools. He advocates classification of the boys on the basis of need for rehabilitation, establishment of reasonable goals as incentives, individualized treatment to meet psychological needs, non-punitive methods, and acceptance of the delinquents by adults in the schools.

The book ends in two appendices: one is an outline of diagnosis for the use of social workers; the other, a discussion of delinquency and dullness.

This book is refreshing in its pointed analysis of the psychological processes that lead to delinquency and its suggestions for prevention and rehabilitation through manipulation of the social environment. The discussion is sufficiently free from allusions to local English conditions to be fruitful in analysis of American situations.

RUTH SHONLE CAVAN

Rockford College, Rockford, Illinois

GROUP WORK IN COMMUNITY LIFE. Edited by Clyde E. Murray, Marx G. Bowens, Russell Hogrefe. Association Press, New York, 1954. pp. 245. \$4.75.

Group work programs appear to be far and few between in criminology, as group work's

values have not been fully recognized. Likewise, group workers seem to shy away from correctional agencies for the authoritarian approach, which dominates penology, is not acceptable to most social workers. Or so it seems. There is, of course, little doubt that authority can be used constructively.

This book, while an excellent text for group workers, admits its failure in this respect, as apparently the worker's role consisted only "in relation to antisocial activity to be considered here for its usefulness in establishing contacts." Therefore, the editors state, "it is extremely difficult to assess the merits of this kind (establishing contacts with delinquent street gangs) of worker activity." Needless to say that a practitioner's relationship to the client differs in intramural and in extramural aspects. By "community" the editors, of course, mean extramural activities. This reviewer would like to see a sorely needed text on group work activities under the auspices of a correctional agency, whereby the factor of authority has to be and can be used constructively.

HANS A. ILLING

Los Angeles

It's YOUR LAW. By Charles P. Curtis. Harvard University Press, Cambridge, Massachusetts. 1955. Pp. 178. \$3.75.

Beyond all cavil laymen have been long deprived of creditable books about law, lawyers and laws. With intellectual insolvency permeating myriad aspects of our society, non-lawyers need to understand the rule of law. This is a tactically sound point at which to commence counter-action against the current onslaught of anti-intellectualism. Tales of flashy court room victories simply stimulate exaggeration of processes too long envisaged as esoteric rituals. Curtis' slender volume seeks to dispel some of these pseudo mysteries by stripping away legalistic trappings so that laymen can see the frame work on which hangs his law. Authored by the co-editor of *The Practical Cogitator*, Charles P. Curtis, it is readily understandable why *It's Your Law* mirrors

a spirit nurtured by a wide range of ideas and thoughts expressed by great minds.

"Justice," writes lawyer Curtis, "is a chilly virtue." But student Curtis quickly bathes his subject in shafts of clear warm sunshine, let in by ventilating with exhilarating explanations. Capsuled jurisprudence is fed the untrained reader in pleasurable doses. Thoreau strolls through several sentences, pausing long enough to plant several apophthegms. His friend Emerson again contributes several penetrating thoughts relevant to fringes on the tapestry of life. Whitehead, Wigmore and Williston are all tapped for ideas, though Curtis draws more heavily on Alfred North Whitehead, especially in the area of immanent and imposed order.

If, as Curtis states, "communication is collaboration" some readers may resist following the tangential excursions and by-paths to which the author points. But the book could do some worthwhile missionary work among laymen, mending and patching rents in the fabric of understanding the legal profession. Curtis has deftly, though tacitly, drawn a line of demarcation between law license-holder and lawyer.

MELVIN F. WINGERSKY

Chicago, Ill.

CRIME AND THE SERVICES. By *John Spencer*.

Foreword by Hermann Mannheim. Routledge & Kegan Paul, Ltd., London, 1954, XII, p. 306, \$6.00.

As professor H. Mannheim, the well known sociologist of the London School of Economics, points out, this book is not only destined to fill the gap of our knowledge about the influence of military service on the increase of criminality and the behavior of criminals during service and after, its purpose is also to use the experiences of a circumscribed field for a fresh contribution to the age old problems of criminality.

The latter, the book does by a refinement in the methodical approach. In this reviewer's opinion the many hints at how to understand the role of the researcher in the prison set-up, how to read records, get the cooperation of the staff, form workable groups without being

bogged down by ingroup-outgroup frictions, are the valuable parts of the book. The many pitfalls that would trap less experienced, less cautious researchers are clearly outlined. It is to be hoped that these parts will be read by a young generation of prison psychologists and prison psychiatrists, who will then try, against heavy odds, to carve out for themselves and for their profession that position within the prison set-up, that will help overcome rusty routine.

All prisons in which riots occurred in the last years, in our country, had psychiatrists, psychologists, chaplains on their staff. While we do not doubt that there was a fair proportion of men of good will among them, there is reason to doubt that team-work such as envisaged by the author of *Crime and the Services*, was achieved.

The excellent book by Spencer should be read with the memory of the prison riots fresh in our minds.

W. G. ELIASBERG

New York City

DER HEIRATSSCHWINDEL. By *Marianne Padozewitz*. Wien: Springer, 1954. Pp. 100. No price indicated.

The present study of the lonely-hearts racket in Austria is based on the court records of 187 convictions involving as many male offenders and 530 female victims. The author's findings rest on what appears to be an adequate statistical treatment of the case material gathered. Representative case histories are liberally interspersed throughout the publication. The portrait which the author presents of the matrimonial racketeer is not different from that of the embezzler and other non-violent property offenders. He appears to be an unstable person with a long record of unsocial conduct, several convictions, repeated occupational shifts, a history of early neglect and deficient home environment, and a prematurely ended education. His domestic relations are likewise unstable. Most offenders are in financial troubles due to miscarried business speculations, unemployment or obligations resulting from divorce or illegitimate fatherhood. The attempt to defraud women by the ruse of ro-

mance or marriage is mostly one in a series of other fraudulent ventures. Two thirds of these offenders become recidivists within a period of ten years after their first conviction of marital swindle. One half of the contacts leading to the financial exploitation of the victims were made with the help of go-betweens; well over one third of the contacts resulted from newspaper advertisements.

The majority of the victims were employed women, mostly household workers, past the usual marital age. This fact and their felt inferiority as well as their desire to escape loneliness appear to have paralysed their resistance to their exploiters who in most instances disappeared after taking hold of the victims' savings. A minority of women was defrauded by more than one pretender; some women attempted to continue the association with their exploiters after their true intent became evident.

As mentioned before, the lonely-hearts racket attracts persons whose type is not appreciably different from embezzlers and other predatory offenders; nor is the racket a particular field of specialized careers. The practice of preying on socially isolated women constitutes mostly an episode in certain criminal careers. Less than one half of the seven times convicted persons began their criminal career with the combination of fraud and courtship, while fully one fourth of these practices follow ten or more convictions of some other acts of fraud or theft.

In her conclusion the author points to the victims' fear of publicity and their consequent reluctance to cooperate with law enforcing agencies. More effective detection and prevention will therefore depend on adequate protection of the victims from embarrassing publicity.

ERNEST MANNHEIM

University of Kansas City

FIVE HUNDRED BORSTAL BOYS. By *A. G. Rose*. Oxford: Basil Blackwell, 1954. Pp. vi, 199. 21s. net.

A number of follow-up studies of offenders who have been released from various corrective settings have been undertaken in the United States. It appears there is a dearth of such in-

vestigations in England. Thus, the author writes as follows: The primary aim of this study can be stated briefly: to attempt to apply the follow-up method to a group of discharged offenders, in order to provide British material comparable with that available for similar groups in the U. S. A.

The author reminds us in an appropriate footnote of Mannheim's timely suggestion: U. S. results cannot necessarily pertain in an acceptable manner as referring to English conditions without conducting similar studies in England. Social scientists are well aware of the fact that findings of one situation may not particularly obtain in a similar milieu where conditions may be slightly varied. It seems there can never be "too-much" overlearning on this point.

Borstal boys were selected for this study because of the availability of data. Pertinent administrative procedures of the borstal system are explained in order to clarify the aim and the method of the study. Criteria for such terms as 'success' and 'failure' are indicated. Explanations of 'non-offender', 'occasional offender', and 'habitual offender' are given. In addition, there is an interesting chapter on the topic of the borstals during wartime.

Most of the statistical data centers around the pre-borstal, institutional and post-institutional periods. Readers, unsophisticated in the ways of statistics, need not be frightened away. The author presents this allaying thought to faint hearted individuals:

Those, however, who agree with a recent judicial pronouncement that 'facts are more important than statistics' need not be unduly deterred by these technicalities. The meaning of the table is rarely difficult to see, and it is, in any case commented upon in the text; and all the reader need remember is that, in these tables, the *higher* the figure for C and χ^2 (chi-squared) and the *lower* the figure for P, the greater the reliability of the table. He need not worry about the figure for n (degrees of freedom) at all.

Personality typing and major factors in the anti-social behavior of the subjects are discussed. The author also raises some vital

questions regarding certain aspects of the methodology of the study. These include reference to limited information, size and heterogeneity of the sample, and statistical measures. These points are raised in a serious atmosphere of scholarship and critical research.

Finally, we are reminded that the study, although carried on as thoroughly as possible, should be thought of as a preliminary endeavor. It can be stated without reserve that this study should have a most inspiring effect upon serious research in the field.

ARTHUR LERNER

Los Angeles, California

THE LEGAL AID SOCIETY OF NEW YORK, N. Y., 1876-1951. By *Hamilton Tweed*. Legal Aid Society, New York. 1954. Pp. 122.

Harrison Tweed, a New York lawyer, has written a fascinating little history of the organization and growth of the New York Legal Aid Society, the first and largest agency of its kind in the United States.

Mr. Tweed's interest in the Legal Aid movement goes back many years, and as President of the New York Legal Aid Society and Chairman of the American Bar Association Committee on Legal Aid, he is eminently qualified to write this interesting story.

Like Gaul of ancient history, Mr. Tweed has divided his little history into three parts. The first part covers the early years between 1876-1926 and here he tells of the heroic struggle of a relatively small group of men of vision, courage and determination to provide legal assistance to a large group of people desperately in need of legal assistance but financially not in a position to buy it.

It is an interesting fact that the group of persons who first recognized this need for legal service to the low income group were laymen. In the very first years of the Society's operation, the matters which clients brought to the Legal Aid office mostly concerned wage and rent disputes and defense against the claims of those seeking to defraud the poor and ignorant.

Originally divorce, separation and support problems were not handled, for as the author

says, in those days there was no great demand for service in that field. But as the end of the century approached, the need for advice in family matters materially increased as did the various difficulties in other fields of law.

One of the chief difficulties with which the Agency had to combat, was the lack of understanding of its work on the part of the general public and also the urgent need of money to carry on its program. However, the promoters of the movement were able to bring into the ranks of the Society outstanding men and women in the community.

Throughout the years, the most eminent citizens have served on the Society's Board of Directors, including that very great public servant and personality, the late former Chief Justice of the United States, Charles E. Hughes, who for several years also held the office of President of the Association. The Agency has been the recipient of some most substantial financial aid and the beneficiary of a large number of legacies.

The New York office, as well as the numerous other Legal Aid Agencies have always operated on the principle that legal aid is not a charity but is strictly a legal relationship between the lawyer and the client.

The New York office took the lead in establishing a legal aid referral service which service has been adopted by many other legal aid offices and Bar Associations.

Mr. Tweed points out there are some eighty-five referral offices operating throughout the country, which taken together with legal aid, are evidence of the efforts the Bar is making to serve the public, not merely that part of it which can pay large fees.

The Society cooperates with the various universities in its community, using the law students as volunteers in an effort to create an enduring interest in the young lawyer in the future of the Legal Aid field.

The third part of this little history deals with graphs and charts which help the reader to visualize quickly and effectively the work that is being performed by the New York Office of the Legal Aid Society.

Mr. Tweed makes the suggestion that an

extensive survey at this time would seem appropriate and advisable in order that the organization may be fully assured it is meeting its responsibilities in the growing metropolis—a suggestion that other presently existing Legal Aids and the National Association might wisely give some thought to doing likewise.

The reading of this history should be required of all persons employed in Legal Aid offices to emphasize what hard work, courage, enthusiasm and persistence can accomplish.

NELLIE MACNAMARA

Chicago Legal Aid

THE SHAME OF NEW YORK. By *Ed Reid*. Random House, Inc., New York, 1953. Pp. xii, 234. \$3.00.

Ed Reid, the reporter whose spectacular exposé of New York's police-bookie alliance won the 1950 Pulitzer Prize, has detailed the inside story of how a well-organized network of crime and corruption has cast its illicit shadow over the politics, economics, and social structure of New York City. "The Shame of New York" blows the whistle on gang chiefs whom the Kefauver Committee did not expose and put on television. Here are named the big shots and their followers, the muscle guys and the easy money boys.

New York's multi-million-dollar kingdom of organized crime moved into power when Mayor William O'Dwyer bowed out and when municipal shake-ups forced hundreds of crooked policemen to relinquish control of the city's gambling rackets. Two undisputed leaders emerged as overlords of the Big Town's crime syndicate—Thomas "Toddo" Marino, the hulking boss of Brooklyn's underworld, and diminutive Thomas Luchese ("Three-Finger Brown"), king-pin of Manhattan's rackets.

America's number one city was efficiently divided into various territories with lesser hoodlums assigned to milk the illicit profits of dope, bookmaking, waterfront protection, and murder.

Obviously using newspaper morgue files, Ed Reid has compiled a veritable "Who's Who" of New York's mobsters, naming names, dates, and places, and itemizing the background and personal life of dozens of hoodlums, their hangouts and habits, territories and influence. Considerable coverage is given to the well-established "conspiracy of silence" which permits the crime kingdom to dominate New York's waterfront and garment centers. Mr. Reid discovers in the bustling half-jungle life of the pier and garment areas a sordid picture of organized pilferage, narcotics traffic, protection payments, and trucking monopolies which siphons annually hundreds of millions of dollars into the pockets of the Mob. Sometimes conscientious public servants resist corrupt pressures and expose crooked policemen and politicians. But so vicious and varied is the Mob's influence in municipal and state politics that these courageous exposures represent the exception rather than the rule of civic behavior.

In revealing an eye-opening picture of civic crime and corruption, Mr. Reid suggests no sure-fire panacea. Like the crusading muck-rakers of fifty years ago, this hard-hitting reporter calls for a general public awakening. Only by keeping tabs on its elected officials can an alert citizenry nullify the effectiveness of the crime syndicate.

HAROLD M. HELFMAN
Air Research and Development Command
Baltimore, Maryland

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

Compiled by Kurt Schwerin†

The *Archiv für Kriminologie* Resumes Publication—With Volume 115, 1955, the *Archiv für Kriminologie* has resumed publication. The Editor is Dr. Robert Heindl who had edited the *Archiv* from 1918 (Volume 70) to 1945 when it was suspended with Volume 114. Associate Editors are Herbert Kalicinski, Director of the Police Institute, Hiltrup, and Franz Meinert, Director of the Bavarian State Office of Criminology (Landeskriminalamt).

The *Archiv für Kriminologie* was founded in 1899 by Hans Gross who edited, until he died in 1915, its first 65 volumes. When the *Archiv* was established scientific criminal investigation still was a novelty and widely rejected by police authorities and practicing lawyers. There was no support from Government officials or professional organizations. Dr. Heindl, in a brief historical survey in the opening pages of the present volume, recalls the difficult start of the *Archiv*. For long years the journal, then the first and only publication of its kind, relied entirely on its publisher's financial support. In spite of the great difficulties it not only firmly established itself in Germany where it became the great forum for discussion and introduction of modern criminological methods, but it gained an international reputation and became the model for similar journals in other countries. Dr. Heindl recalls that during the earlier years of his editorship, the *Archiv* had more subscribers in Japan than in Prussia. It had contributors from all parts of the world. Originally published by F. C. W. Vogel, Leipzig (founded in 1730) through special initiative of Dr. h.c.Lampe-Vischer, the President of the firm, it passed in 1930 to the great publishing

house of Springer. The present publisher is Georg Schmidt-Römhild, Lübeck, a firm founded about 1500 and long interested in the field of criminology. A brief preface by Raymond B. Fosdick, a former President of the Rockefeller Foundation introduces the present volume.

We welcome the *Archiv für Kriminologie* back into the family of publications in the field of criminology.

ARCHIV FÜR KRIMINOLOGIE. Lübeck (Germany). Vol. 115, nos. 1/2, Jan.-Feb. 1955.

Raymond B. Fosdick, *Geleitwort* (Preface) (p. 1-2).—R. Heindl, *Das Archiv für Kriminologie: Ein historischer Rückblick* (A historical review) (p. 3-7). The Preface and the Historical Review are both in German and English.—A. Schöntag, *War der Kurzschluss Brandursache oder Brandfolge?* (Was the short circuit the cause or the consequence of the fire?) (p. 16-22).—Hans Langenbruch, *Der Nachweis von Zahlenverfälschungen* (The proof of the falsification of figures) (p. 23-28).—Heinz Lorenz and W. Pawlowski, *Unterscheidung von absoluten und relativen Nahschüssen auf Leder* (The distinction of absolute and relative close range shots at leather) (p. 29-37).

CRIMINALIA. Mexico. 20th year, no. 5, May; no. 8, August, 1954.

Enrique C. Henriquez, *Factores patológicos y criterios de peligrosidad en el trastorno mental transitorio médico-legal* (Pathological factors and criteria of danger in transitory mental disorder from a medico-legal viewpoint) (no. 5, p. 234-45). Francisco Blasco y Fernandez de Moreda, *Delincuencia infantil* (Juvenile delinquency) (p. 274-89).—No. 8 contains articles in memory of Mariano Ruiz-Funes: Alfonso Teja Zabre, *Las ideas penales de Mariano Ruiz-Funes* (The criminological ideas of Mariano Ruiz-Funes) (p. 440-42).—Al-

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

† Assistant Librarian, Elbert H. Gary Library, Northwestern University, School of Law.

fonso Quiroz Cuarón, *Mariano Ruiz-Funes y su obra* (Mariano Ruiz-Funes and his work) (p. 443-46).—Luis Garrido, *El aspecto humano de Don Mariano Ruiz-Funes* (The human aspect of M. Ruiz-Funes) (p. 447-50).

DEUTSCHE ZEITSCHRIFT FÜR DIE GESAMTE GERICHTLICHE MEDIZIN. Berlin-Munich. vol. 43, nos. 1-2, 1954.

E. Weinig, *Eine Methode zur Altersbestimmung von Blut- und Spermaflecken* (A method to determine the age of blood or sperm spots) (p. 1-10).—H. P. Hoheisel, *Kriminalität bei Gehirnerkrankten unter Bezugnahme auf den Ort der Verletzung* (Criminality of persons with cerebral injuries, with reference to the place of injury) (p. 59-73).

GOLDAMMER'S ARCHIV FÜR STRAFRECHT. Hamburg. 1954. no. 12, December.

Paul M. Friedrich, *Verflachung des Schuld-bewusstseins? Ein Beitrag zur Täterpsychologie* (Levelling off of guilt feeling? A contribution to the psychology of the criminal) (p. 364-74).

KRIMINALISTIK. Hamburg. 8th year, no. 11, Nov. 1954 (including Supplement "Kriminalwissenschaft"); 9th year, no. 1, Jan. 1955.

Ernst Seelig, *Haupttypen krimineller Jugendlicher* (Main types of juvenile delinquents) (no. 11, p. 273-79).—K. H. Jung, *Der Kriminalist und die Schweisstechnik* (Criminology and the welding technique), with comments by W. Specht (Supp. p. 105-113).—F. Meixner, *Föhn und Kriminalität* (The foehn and criminality) (no. 1, p. 11-16).

MONATSSCHRIFT FÜR KRIMINOLOGIE UND STRAFRECHTSREFORM. Cologne. Vol. 37, nos. 5-6, Nov. 1954.

Dr. Nass, *Haftreaktionen bei Kriminellen* (The reaction of criminals to imprisonment) (p. 139-70).

RASSEGNA DI STUDI PENITENZIARI. Rome. Fourth year, no. 4, July/August, 1954.

B. Di Tullio, *I progressi criminologici nel sistema penitenziario francese* (The criminological progress in the French penological system) (p. 457-67).

REVISTA BRASILEIRA DE CRIMINOLOGIA E DIREITO PENAL. Rio de Janeiro. 4th ser., 24th year, nos. 1-2, Jan.-June, 1954.

Roberto Lyra, *Novos meios de prova da autoria* (New ways of proof for criminal charges)

(p. 9-30).—Clovis Meira, *Endocrinologia e criminalidade* (Endocrinology and criminality) (p. 42-53).

REVISTA PENAL Y PENITENCIARIA. Buenos Aires. 18th year, no. 70, Dec. 1953. (One vol. of 687 p.)

Published as a homage to the First Justicialista Penitentiary Congress (Buenos Aires, October 14-20, 1953), and including its proceedings. Main topics: I. *Aportes del penitenciarismo justicialista a la ley de ejecucion de las sanciones penales* (Contributions of the justicialist [Argentine] penitentiary method on the execution of criminal sanctions).—II. *Consideracion y aplicacion de las "reglas minimas para el tratamiento de reclusos"* (Consideration and application of the "minimum rules for treatment of recluses").—III. *El problema sexual en el ambito penitenciario* (The sexual problem in penitentiaries).—IV. *El personal en el sistema penitenciario justicialista* (The personnel in the justicialist penitentiary system).

REVUE INTERNATIONALE DE CRIMINOLOGIE ET DE POLICE TECHNIQUE. Geneva. Vol. 8, nos. 2-4, April/June—Oct./Dec. 1954.

J. Graven, *Le problème des délinquants sexuels devant la justice pénale en Suisse* (The problem of sex delinquents before criminal justice in Switzerland) (no. 2, p. 83-97).—C. Simonin, *L'expertise médicale dite contradictoire* (Contradictory testimony by medical experts) (p. 98-102).—H. Ellenberger, *Relations psychologiques entre le criminel et la victime* (Psychological relations between the criminal and the victim) (p. 103-21).—C. Kohler, *Débilité mentale et délinquance chez l'enfant* (Mental infirmity and delinquency among children) (p. 122-26).—Walter Hepner, *Une incendiaire démasquée par la criminalistique* (Contribution à l'étude crimino-biologique des types des délinquants) (Unmasking an incendiary through criminology. A contribution to the criminological-biological study of the types of delinquents) (p. 127-42).—Francesco Carnelutti, *Considérations sur le droit pénal et sur la peine* (Considerations on criminal law and punishment) (p. 142-44).—L. Jimenez de Asua, *L'état dangereux ou la "péculosité" et le droit pénal* (The "dangerous situation" and

criminal law (no. 3, p. 163-71).—M. Rimet, *Les sciences criminologiques et l'état dangereux* (Criminological science and the "dangerous situation") (p. 172-85).—H. Binder, *Contribution à l'étude du problème de l'utilisation de la narco-analyse dans la psychiatrie judiciaire* (A contribution to the study of the problem of the use of narco-analysis in legal psychiatry) (p. 196-205).—J. F. A. Bessemans, *Identification, par le procédé de la glissière et par spectrographie d'un tournevis ayant servi à fracturer un coffret* (The identification, by the method of the slide bar and by spectrography of a screw-driver which served to break a box) (p. 205-14).—J. Matthyer, *Notes de police scientifique: Grilles d'échappement des machines à écrire* (Frames testing the escapements of typewriters) (p. 219-21).—Carlos G. Chabat, *La technique moderne du déguisement* (The modern technique of disguise) (p. 214-18).—M. Ancel, *Deux aspects nouveaux de la législation pénale française récente* (Two new aspects of recent French criminal legislation) (no. 4, p. 243-49).—J. Graven, *Vers un nouveau droit pénal éthiopien* (Toward a new Ethiopian criminal law) (p. 250-80).—E. Seelig, *Les types principaux de délinquants juvéniles* (Main types of juvenile delinquents) (p. 281-92).—M. Sicot, *La Commission internationale de police criminelle: Sa structure, son oeuvre, son influence dans le monde* (The International Criminal Police Commission: Its structure, its work, its influence) (p. 293-302).

REVUE INTERNATIONALE DE DROIT PÉNAL.
Paris. 25th year, nos. 1/2, 1954.

Rapports présentés au VI Congrès international de droit pénal (Reports presented at the 6th International Congress of criminal law, Rome, Sep.-Oct., 1953): *La protection de la liberté individuelle durant l'interrogation* (The protection of individual liberty during the interrogation).—*Le problème de l'unification de la peine et des mesures de sûreté* (The problem

of unification of the penalty and security measures).—*Compte rendu sommaire des débats* (Summary report of the discussions).

REVUE DE SCIENCE CRIMINELLE ET DE DROIT PÉNAL COMPARÉ. Paris. no. 3, July/Sep. 1954.

Edmund Mezger, *L'état actuel du droit pénal allemand* (The actual state of German criminal law) (p. 457-65).—Max Horrow, *L'évolution du droit criminel autrichien depuis 1945* (The evolution of Austrian criminal law since 1945) (p. 467-95).—Marcel Reboul, *Grandeur et misères de l'expérience toulousaine de la "probation"* (Greatness and misery of the Toulouse system of probation) (p. 497-518).—K. Stoyanovitch, *Le nouveau Code de procédure pénale yougoslave* (The new Yugoslav Code of criminal procedure) (p. 519-22).—Michel Fridieff, *L'appréciation des preuves au cours de la procédure de cassation et de surveillance judiciaire en Russie soviétique* (The evaluation of proofs in the course of cassation and judicial supervision in Soviet Russia) (p. 523-34).

RIVISTA DI POLIZIA, ROME. Seventh year, no. 11, Nov. 1954.

Ugo Sorrentino, *La conoscenza antropologica biografica del delinquente* (The anthropological-biographical knowledge of the delinquent) (p. 509-26).

SCHWEIZERISCHE ZEITSCHRIFT FÜR STRAFRECHT — REVUE PÉNALE SUISSE. Bern. Sonderheft (Special issue), 1954, pp. 401-500.

The special issue contains reports presented at the Spring Convention, 1954 of the Swiss Society for Criminal Law. They deal with problems of the revision of the Criminal Code in penitentiary matters.

TIJDSCHRIFT VOOR STRAFRECHT. Leiden. Vol. 62, no. 4, 1954.

B. V. A. Röling, *Opmerkingen over het subsociale als element van het strafbaar feit* (Remarks on the subsocial as an element in punishable acts) (p. 259-87).