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Reports and Announcements

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REPORTS AND ANNOUNCEMENTS

Essay Volume Dedicated to Journal and Dr. Gault—This *Journal* and its Editor Emeritus, Dr. Robert H. Gault, are the dedicatees of a recently published volume of essays prepared by distinguished scholars representing a number of countries.

The collection, entitled *Essays in Criminal Science*, is the first volume of the publications of the Comparative Criminal Law Project of New York University. The Project's Director, Professor Gerhard O. W. Mueller, edited the book.

The volume was formally dedicated by Professor Mueller at a luncheon in Chicago on March 24, 1961.

The contributors to *Essays in Criminal Science* were invited to write on any subject which particularly interested them, and the result is an unusually stimulating collection of essays which are comparative in outlook and represent every aspect of criminal science. The essays deal with the quest for new ideas in contemporary criminology, modern criminal theory, and the problems of forensic medicine and criminal law. The four final essays present the many problems encountered by France, Germany, the Soviet Union, and Japan in their efforts to reform the criminal law.

The following persons contributed to the collection: Manuel Lopez-Ray, Paul W. Tappan, Hans von Hentig, Franco Ferracuti, Helen Silving, Jerome Hall, Gerhard O. W. Mueller, John Andenaes, James E. Starrs, Norval Morris, J. Ll. J. Edwards, Glanville L. Williams, Morris Ploscowe, Marc Ancel, Hans-Heinrich Jescheck, George Ginsburgs, George Mason, and Shigemitsu Dando.

The publishers of the volume are Fred B. Rothman & Co., 57 Leuning Street, South Hackensack, N. J., and Sweet & Maxwell, Ltd., 11 New Fetter Lane, London, England. The price in the United States is \$10.00.

Utah Creates State Council on Criminal Justice Administration—Under the joint sponsorship of both political parties, the Utah Legislature of 1961 recently passed—without a dissenting vote in either chamber—a bill creating a State Council on Criminal Justice Administration. Approved by

Governor George D. Clyde on February 16, this act establishes an advisory body charged, by statute, to "observe the criminal law in action" and authorized to strengthen the administration of criminal justice by means of research, consultation, and recommendation. The scope of the Council's oversight is total, i.e., ranging from law enforcement, bail, detention, prosecution, trial (or hearing, in case of juveniles), probation, imprisonment (penitentiary and jails), to parole and its administration.

For the first time in any American state, it is believed, such an agency has been charged with the task of observing criminal justice administration in its entirety. To be sure, many plans, narrower in scope, have been tried in other states, but such plans seem to have failed because they dealt with only one phase of the total problem, i.e., law enforcement, the courts, imprisonment, etc. The Utah law explicitly limits the Council's functions to a consideration of basic principles and administrative processes; it, therefore, cannot relieve any existing agency of its statutory duties.

Another unique feature of Utah's new law is the structure of the Council itself, totalling fifteen members in all: five are ex-officio—Supreme Court, Attorney General, Legislative Council, Welfare Commission, and Board of Corrections; four others are to be nominated to the Council by the respective presidents of the four main professional groups involved: the State Bar, the Medical Association, the Conference of Social Welfare, and the Peace Officers' Association; and six persons are to be appointed by the Governor, subject to Senate confirmation. All members will serve without pay.

The plan for such a law grew out of a resolution, adopted by the Utah State Conference of Social Welfare, October 1958, following a report* dealing with a number of acute problems: serious prison disturbances; inadequacy of the juvenile court system; gross lack of coordination between law enforcement and other agencies; the continued, uncritical use of obsolete methods of punishment, notwithstanding an increase in crime and juvenile

* Beeley, *Parenthood, the Police Power, and Criminal Justice Administration*, 12 WEST. POLITICAL QUAR. 799 (1959).

delinquency, and the consequent need to strengthen and revitalize the machinery of control and prevention.

Acting on the recommendation of the Welfare Conference, the Legislature of 1959 instructed the Legislative Council (its interim agency) to create an advisory committee on the subject of criminal justice. Following its own eighteen months' study, this *ad hoc* committee of seven legislators submitted a 32-page report, and a series of concrete recommendations, the chief of which was a proposal for a continuing agency, charged specifically "to observe the criminal law in action" and to report its findings and make further recommendations.

The basic conception, expressed and implied, in Utah's new law creating a State Council on Criminal Justice Administration derives from the idea of a "Ministry of Justice," advocated over 40 years ago by Dean Emeritus Roscoe Pound of the Harvard Law School and the late Associate Justice of the United States Supreme Court, Benjamin N. Cardozo.

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University Teaching of Criminology in the Republic of South Africa—The university teaching of Criminology has developed along different lines in various countries and at different universities. In Europe it is treated mainly as an auxiliary discipline to the teaching of law and therefore usually attached to criminological institutes in the faculties of law. In England, the United States, and South Africa, Criminology is usually regarded as a branch of the social sciences. For this reason it is taught in the faculties of Art and Social Sciences.

In South Africa, there are three universities where Criminology is taught as an independent science within the framework of its own department. The other six universities, as well as the six university colleges, do not as yet teach Criminology as an independent science but integrate the study material in the syllabuses of the other social sciences, e.g., Sociology and Psychology. Criminology became established twelve years ago as a science in South Africa, when in 1949 the University of Pretoria decided to offer this discipline as an independent degree course.

The University of South Africa as well as the University of the Orange Free State followed suit in 1953/1954 and at present provide tuition in Criminology for purposes of a Bachelor's (B.A.), Honours Bachelor (B.A. Hons.), Master's (M.A.) or Doctor's (D.Phil. or D.Litt et Phil.) degree.

The Criminology courses are open to students of the three above mentioned universities. Students must be registered at the Universities in order to obtain certificates and degrees and must pay registration, tuition and examination fees.

The number of students in Criminology is constantly increasing.

Methods of Teaching

The teaching is carried out by the staff of the departments of Criminology. They have considerable flexibility regarding the pedagogic tools and methods to be used.

1. At the two residential Universities (University of Pretoria and University of the Orange Free State) instruction is mainly given by means of lectures.

2. Seminars, in which students present both written and oral reports based on independent study. This gives the opportunity for interchange of ideas between lecturers and students.

3. Visiting lecturers from other departments, educational institutions, law enforcement and correctional agencies—thus providing the student and university personnel with some communication between theory and practice.

4. Visits to various types of correctional institutions, etc.

5. The normal tuition offered to students of the University of South Africa is chiefly through correspondence. Lectures are despatched to students in the course of the academic year. These lectures are fairly comprehensive but should be regarded mainly as a guide and a basis for the reading of text books and reference works.

6. Written exercises are regularly set and answers checked and commented upon. Moreover students are at liberty to submit their difficulties and problems to lecturers by means of personal calls or by correspondence. The teaching staff are always available for personal discussions.

7. Efforts are constantly made to establish personal contact between lecturers and students by arranging vacation schools. Lectures are given in Criminology and other disciplines and opportunities provided for discussion of problems and for social activities.

8. Emphasis is placed on the teaching and supervision of post-graduate students.

Candidates for doctoral degrees must present a thesis. It must be an original dissertation, the theme of which has been submitted for approval to the head of the department as well as the dean of the faculty concerned. The thesis is then examined by a board of examiners who may request that the thesis also be defended orally before them. Several outstanding doctoral theses of this kind have been published in recent years and others are in the process of being published.

If a person examines the investigations which have already been carried out in South Africa it becomes apparent that such themes as Juvenile delinquency amongst Europeans, Bantu, Coloureds, Indians; liquor smuggling; prostitution; homosexuality; recidivism; penal and prison reform; reformatories; crime statistics; the classification of crimes; and general introductions to criminology, etc., have received the attention of South African investigators in the past.

The effective teaching of Criminology presupposes a bibliography available to the student. The above-mentioned three universities which offer courses in Criminology have well-equipped libraries with text books (from nearly every country in the world), reviews, official reports on criminal statistics, prisons, justice and police.

Membership of the library is free for all students who enroll with the University for tuition.

Curriculum

Students who choose Criminology as one of their major subjects when studying at our universities obtain a thorough training in the study of crime problems.

The following is a very abridged exposition of various subjects which are dealt with in the students' training:

Criminology as a science, its sphere of study, viz., crime, the criminal, the administration of justice; the history of and modern tendencies in Criminology; constituent sciences; methods and procedures in research; theories of crime.

Crime and criminological problems with special reference to South Africa: e.g., an analysis of the South African Criminal Statistics; particular problems of crime, inter alia, crime according to sex, age, occupation, marital status, religion; crime and other socio-pathological phenomena; rural-urban differences; criminography; recidivism, etc.

Crime as a social phenomena; crime as a detrimental factor; the causation of crime; classification (juridical and criminological); the social structure in South Africa and its influence on crime; crime amongst the different racial groups, etc.

The criminal as a human being; physical and mental attributes; the link between physical defects and crime; the relationships between mental defects and crime; the problem of aptitude and environment; the part played by heredity; criminal groups such as thieves, swindlers, receivers of stolen goods, robbers, rapists, murderers, etc.

Furthermore criminal nature approached from both the sociological and psychological point of view.

Juvenile delinquency. What juvenile delinquency is; the difference between the crimes committed by girls and those committed by boys and the way in which the neglect of juveniles and their delinquency is connected; the youthful offender, his personality and his mental qualities in particular; his domestic environment and his environment outside the home, e.g., influence of the school, his friends, the neighbourhood, recreation, the environment in which he works, etc. Particular attention is paid to the sociological, psychological and other factors concerning his behaviour.

Penology. The history of punishment; the origin, development, purpose and social implications of punishment. Types of punishment, inter alia, imprisonment, corporal punishment, capital punishment as well as other forms of punishment. The penal systems and criminal policies in various countries with special reference to South Africa, the prevention and combatting of crime as a social and legal responsibility. The following two constituent sciences are subjected to critical examination in this respect, i.e., criminal hygiene and criminal policy.

Criminal law. The general principles of criminal law and procedure, specific crimes in South Africa, such as murder, assault, rape, theft, forgery, sedition, public violence, etc.

From the foregoing summary it is clear that the student should be able to acquaint himself with practically all the constituent sciences of criminology, viz., criminal psychology, criminal sociology, criminal anthropology, criminal psycho- and neuro-pathology, criminal pedagogics, penology, criminal hygiene, and criminal policy.

The only constituent science which is something

of a closed book to the student is criminalistics. The police in South Africa, however, get a thorough training in this highly specialized and interesting field and the work done by the Criminal Bureau of the South African Police is well known throughout the world.

The Teaching of Criminology Outside the Universities

In South Africa the state organizes Criminology teaching for its police and prison officers at the South African Police Training College. The South African Railway Police are trained at a separate college.

The police as well as the Department of Prisons have done some very valuable pioneering work and have made a significant contribution to the development of Criminology. Their syllabuses and promotion examinations have, for some time past, included a paper on this subject. Many of these officials, however, are at present reading for a degree with Criminology as a major.

Both Departments realize the importance of University training and for this reason encourage their officials to study.

The University of South Africa is at present offering a diploma in Police Science.

Future Prospects

South Africans must realize that the teaching of Criminology is indispensable in order to encourage scientific research in this domain. Crime problems are of an extremely complicated nature as a result of the presence of various heterogeneous racial groups, who are at different stages of development and who live within the same economic and social structure. Furthermore, the growth in our population and the industrialization and urbanization of this young country create problems of the first magnitude. These factors (and others) result in the fact that our crime problem differs substantially from that of other countries.

It is essential that criminal research in South Africa should develop along the following lines:

1. Individual investigators must to a greater extent undertake crime research in the future.

2. Government commissions (to examine the more general aspects).

3. Universities must to a larger extent than in the past become research centres. More inter-disciplinary research should be undertaken into all aspects of the crime problem.

4. The establishment of a criminological institute at one or more of our universities has become an urgent necessity. Its main functions can be summarized as: (a) research and publications; (b) lecturing; (c) training centre; (d) liaison body; (e) organising conferences; (f) clinical services; and (g) to establish international contacts.

5. Establishment of a Research Bureau in the Departments of Police, Prison and/or Justice.

The other universities and university colleges must also introduce Criminology as an independent science, and establish chairs of Criminology.

Clinics at various prison-institutions in collaboration with Universities should be established in the near future.

Students ought to be brought into closer contact with the criminal, the criminal act, and the administration of justice.

Universities must ensure the criminological training of police, prison and probation officers, etc. Our universities must, in collaboration with the police force, introduce a diploma and degree course in Police Science.

A most urgent task is the training of criminologists who can take up appointments as lecturers, research workers, officials in the departments of Justice, Police, Prison, Social Welfare, Social Services, etc.

There must be closer co-operation between criminologists and all those who co-operate in crime prevention in combatting crime and in the treatment of criminals in South Africa.

Criminologists in South Africa have to build up and maintain international contacts. We must compare experience and knowledge. We must investigate and teach with courage and perseverance for the advancement of Criminology.

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