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## Book Reviews

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### BOOK REVIEWS

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Edited by

C. R. Jeffery\*

CRIME AND THE SOCIAL STRUCTURE. By *John Barron Mays*. London: Faber & Faber, 1963. Pp. 256. 30/— net.

Drawing upon both his familiarity with the relevant literature and his experience as a youth worker, Professor Mays has provided a thoughtful, morally sensitive discussion of criminality. The book is written in the relaxed, anecdotal style which characterizes the author's previous work and, as in *Growing Up in the City* and other books, leaves a primarily "conversational" rather than analytical impression. As an effort to suggest applications of criminological ideas and evidence to the solution of certain behavior control problems in Britain, this is a creditable and, hopefully, generally convincing communication to all who are concerned with doing something about juvenile and adult criminality. Inevitably, such a book is to a degree frustrating to the theoretical, or research criminologist. While there is a genuine appreciation of what the book is and does, there is at the same time an awareness that *Crime and the Social Structure* will be taken by most readers as "criminology" despite what it isn't and doesn't.

The dominant theme is that crime is generally to be understood as a social phenomenon. Criminal behavior is an integral part of social life, is usually learned, and requires social as well as in-

dividualistic treatment programs. These basic propositions are developed in a series of essays on crime statistics, white collar crime, psychology of crime, socialization, vandalism and violence, race, housing, habitual offenders, sex offenders, and prosperity. Two chapters are devoted to the sociology of crime. The message, delivered with sincerity and concern, is an important one:

"We must diligently and objectively turn our attention to a study of those attitudes and values institutionalized and widely accepted in the community which appear to foster and promote anti-social and criminal conduct. It is to the structure and quality of society itself, rather than to the aberrations of individual psychology, that we must look if we are to find the solution. This means that we must face the fact that crime is endemic and not epidemic in character, that we are all either actual or potential delinquents." (66)

"Crime is intimately bound up with the social structure. If we seriously want to eliminate or greatly reduce its incidence, then we must alter the social system. We must create a new society." (206)

In this reviewer's opinion, Mays' general position is the only one from which effective programs of crime control can be developed. Thus, the broad outline of his argument evokes approving nods.

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Unhappily, the main thrust of the book is vitiated by:

- (1) the rather casual use of language,
- (2) a tendency to mistake value assumptions for facts,
- (3) a few surprising factual errors, and
- (4) a gentle eclecticism that promises little for the advancement of criminology *qua* criminology.

(1) Although one does not expect the precision of a technical treatise, many points are obscured by such terminology as "infected with this aggressive and criminal virus" (92), "to assist the delinquent to master his instinctive urges" (106), "most criminals are made by experience rather than born" (150), "inadequate personalities" (168), "benign" and "malignant" crime (210, 221-22), and "collective sin" (227).

(2) It is taken for granted that the Durkheimian view of crime is refuted by statements such as "Unity of purpose, solidarity and feelings of comradeship are known to be desirable and beneficent." (69) Somehow, Durkheim is in error because decency and common sense tell us that crime is *really* an evil thing, normal only in the sense that "it is closely connected with many of the ordinary everyday activities and motivations of social living." (72) Indeed, the author's preference for cooperation and distaste for conflict lead him eventually to equate crime with "predatory relationships" and to worry about the danger of creating a "criminal society" rather than a "healthy" one. (209-10)

(3) It is, of course, not true that the homicide rate for Southern Negroes is "higher than amongst the whites but lower than amongst the whites in New England." (149) Nor is it accurate to refer to Sutherland's "so-called law of 'Differential Association'" (57). And it is empirically dubious that the Japanese in America and the Jews and Chinese in Britain "do not regard themselves as constituting a socially inferior status group," (152) and therefore avoid the minority group feelings of insecurity, self-doubt, and frustration which are assumed to be the products of a desire to be assimilated. (152)

(4) The sociological and social psychological position of the author is subverted by the readiness with which he entertains views fundamentally opposed to that position. For instance, he feels there is definitely something to constitutional

factors in explaining crime, though Sheldon is "excessive," and he cites Lange's studies of twins approvingly without mentioning the severe criticisms which have been leveled against such research. (100) The resultant confusion is reflected in the various meanings of the word *crime*: offence against society, symptom of psychological disorder, index of social stress and strain, delinquent impulses (11); an aspect of immaturity, social and psychological (38), a socio-legal and not necessarily a moral concept (40), evil (71), and aggressiveness (103, 209). The level of conceptualization is indicated by the writer's own attempt to clarify the problem of conceptualization:

"Our whole concept of crime was astray. We thought of it merely as wrongdoing or immorality. But it is in fact a socio-legal concept of immense complexity. It is graphically to be represented by a Hydra. It is many-headed. Its causes are multiple. Even from the purely sociological viewpoint it can be said to arise from a number of different sources: from status and financial frustration, from inadequate socialization in the home, from a conflict of cultural values, from the rebelliousness of youth and from residence in an under-privileged neighbourhood, to name the most important ones only. There is indeed no such thing as Crime except as a very abstract philosophical notion. Pragmatically there are only crimes and criminals." (194)

It is clear that this book, as any book, has defects. Should it be viewed as a contribution to the literature of theoretical criminology, the defects are extremely serious. But should it be viewed rather as an informed contribution to the general discussion of what ought to be done about right and wrong, the defects are less important than the fact that the author has said things which should be said, and said them well. Such books and those who write them "are the living embodiment of the social conscience, and the outlook for our society would be bleak indeed without them." (229) They should be read and appreciated for what they are without undue concern with what they are not.

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DER MENSCH UND DIE KRIMINALITAET. Vol. I: KRIMINALPSYCHOLOGIE. DIE STRUKTURGESETZE DER TAETERPERSOENLICHKEIT. Vol. II: GRUNDLAGENFORSCHUNG DER FORENSISCHEN PSYCHOLOGIE. Vol. III: KRIMINALPAEDAGOGIK. BEHANDLUNG UND RESOZIALISIERUNG DES RECHTSBRECHERS. By *Gustav Nass*. Cologne, Germany: Carl Heymanns Verlag, 1959, 1961, and 1962, respectively. Pp. 229, 120, and 250. All DM 52.—

It is the author's opinion that criminology cannot be tied to a scientific dogma. Although he believes that criminology depends in its applied methods on sociological, psychological, or biological phenomena, he is certain that any conclusions obtained from clinical data must be gained from experience. This appears to me a contradiction, particularly as the author states that a "science of mind" is opposed to any of the social sciences. The author's adherence to empirical, that is clinical, data is apparently contradicted by his own division of "aspects of criminal constitution," among which he finds biological, developmental—psychological, biographical, characterological—and pathopsychological. He calls these aspects a "spectrum," and claims that juvenile criminology is thus made apparent as a developmental phenomenon.

The author demonstrates some interesting theories, some of which are obviously borrowed from American concepts, such as the concept of probation, even though only German sources are quoted. In his opinion, there are three phases of probation: the first phase is preparation, leaning closely toward the German jurist and criminologist, Middendorff (a student of von Hentig, whose name, however, is never mentioned by the author). The second phase is the execution through a relationship of trust (in psychoanalytic terms we would call it "transference"), specific planning of the immediate life and securing of the plan through a material basis and through aids of various kinds in the case of individuals who are more or less labile. The last phase is called the separation, during which probation and its various aids are loosened, the probation officer disappears from the scene, and the need for his help is lessened in the probationer.

While there are many interesting chapters in all three paperbacks, and while the author has undoubtedly made some contributions from a legal point of view (he is a high judicial official in the

State of Hesse in Germany), his lack of references to the literature, both legal as well as psychological and sociological, is appalling. It must be especially frustrating to an intelligent reader to find an authority quoted without any reference to the authority's writings either as a footnote or in a bibliography which is entirely lacking.

Last, but not least, it seems to me an affront to a prospective buyer to be asked to pay the equivalent of \$14.00 for three small paperbacks, particularly since the binding, the paper, and the print are of extremely poor quality. All told, the old saying that one should keep within one's own field of competence is especially true of Mr. Nass: wherever he discusses legal aspects, I feel the reader is getting advice but when he strays into other disciplines, psychological, sociological or related disciplines, then he is on shaky ground.

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FORBIDDEN SEXUAL BEHAVIOR AND MORALITY. AN OBJECTIVE RE-EXAMINATION OF PERVERSE SEX PRACTICES IN DIFFERENT CULTURES. By *R. E. L. Masters*. New York: Julian Press, 1963. Pp. xii, 431. \$9.50.

THE CRADLE OF EROTICA. A STUDY OF AFRO-ASIAN SEXUAL EXPRESSION AND AN ANALYSIS OF EROTIC FREEDOM IN SOCIAL RELATIONSHIPS. By *Allen Edwardes* and *R. E. L. Masters*. New York: Julian Press, 1963. Pp. xxii, 362. \$9.50.

SEX CRIMES IN HISTORY. EVOLVING CONCEPTS OF SADISM, LUST-MURDER, AND NECROPHILIA FROM ANCIENT TO MODERN TIMES. By *R. E. L. Masters* and *Eduard Lea*. New York: Julian Press, 1963. Pp. xv, 323. \$9.50.

The dust-jacket speaks of Masters as a "psycho-anthropologist." Indeed, all three volumes are anthropologically oriented and contain mostly familiar material found in other texts, and a few new observations, from which the author (it can be assumed that the principal author in all three works is Masters) draws some theoretical and moral (!) conclusions. The author generously quotes verses from a host of poets to show to the reader that and why some sexual perversions are really not perversions, but the hypocrisy of our society.

To me, by far the most valuable volume appears to be *Sex Crimes in History*, if for no other reason than to add another abstract of various literatures in a topic of which still little is known, comparatively speaking. Curiously, this volume is the only one of the three which does not contain an index or a bibliography. However, the text is full of quotations by other writers preceding Masters. He then adds his own theory to those of other writers in many case histories, starting with Nero and ending with present-day case histories, which the author does not identify. Karpman, Eissler, *et al.* are generously quoted. However, I miss cohesion in Masters' speculations of the quoted sex crimes, so much so that the suspicion is aroused that various writers were quoted for the sake of quotations; in other words, it seems to me

that these quotations do not add anything to Masters' case histories.

All told, some of the chapters in all of the books make good reading and—not a small achievement—are “entertaining.” Scientifically, much ado has been made about little theorizing and speculating. In many aspects these books appear to be too pretentious, particularly so far as the price is concerned. However, all books are written in a lucid style and do give information which is often difficult to obtain from sources which the authors sometimes quote and sometimes do not quote.

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