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## Book Reviews

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## BOOK REVIEWS

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Edited by

C. R. Jeffery\*

THE MEASUREMENT OF DELINQUENCY. By *Thorsten Sellin* and *Marvin E. Wolfgang*. New York: John Wiley and Sons, 1964. Pp. 423. \$8.95

For over a century criminologists have been trying to measure delinquency, and for all that time several doubts have persisted. Do recorded statistics reflect the true incidence of offenses? If official records are to be used, which are the most valid? Should the relative seriousness of different offenses be taken account of, and, if so, how? This book records the latest and probably the most sophisticated attempt to deal with these and related problems.

The major aim of the study was to devise an instrument for use in evaluative studies—studies, that is, that are concerned with determining whether, under the impact of specified measures, the level of delinquency has declined or increased. The measuring instrument to be constructed was to have three important attributes. It was not to be markedly influenced by variation in legal definitions of offenses or in police or court practices. It was to reflect “hidden” delinquency as well as the delinquency that comes to the attention of official agencies. It was to take into proper account the relative seriousness of the offenses committed. Stated this way, the task would seem almost impossible to carry out. That the investigators have produced a delinquency index that comes close to meeting these criteria is a tribute to their ingenuity and their ability in research.

To get around the problem of variability in legal definitions, as well as that of deciding which part of a complicated offense should be selected for classification purposes, delinquent “events” were made the unit of count. These were broken into their component parts—for instance, an assault and a theft and an act of resistance to a police officer—and each part given a rating.

Variability in court practices was overcome by confining the measurement to police actions, and variability on the part of the police was partially controlled by confining the count to offenses that are especially likely to come to police attention

through reports by victims or other private persons. Offenses of this type are shown to be those that involve the infliction of bodily harm or the theft, damaging, or destruction of property. Not only is the count of such offenses relatively uninfluenced by changes in police practices; so also, it is maintained, is the apprehension of offenders. Since offenders must usually be apprehended to be validly identified as juveniles, this latter is a crucial point in the argument. Only logic can be offered in its support, but it does sound reasonable to assume that, for instance, apprehension on severe assault charges varies less with changes in the level of police activity than apprehension for curfew violation.

The criterion of encompassing “hidden” delinquency was fairly well met by the same device of basing the index on certain types of offenses. It is assumed that most victims or their proponents can be counted on to report major injuries and losses and thus to reveal the true incidence of at least those sorts of crimes.

As to the criterion of taking account of the relative seriousness of the offenses, the investigators devised a system of weights to be applied in the processing of police data. The weights were based on judgments made by several sorts of informants and were rigorously tested, theoretically and statistically. Applied to delinquent events, the weights yield scores that can be used to compute either an index of delinquency or an index of delinquents.

In spite of the brilliance exhibited in these attempted solutions, I would like to express a few cautious, common-sense doubts. With the decision to omit minor offenses from the count on which the index is based, I am in full agreement. We get a faulty picture of the amount of delinquency and of the rise and fall in delinquency rates when a multitude of inconsequential, childish deeds cloud the picture. So, too, I fully agree with the decision to count all “elements” in delinquent “events.”

With the proposal to base the index on police rather than court data I feel fairly comfortable, though I wonder whether, in cases recognized as juvenile, serious offenses are not also likely to be known to the court? If so, would not adjudication

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of the case improve the index? The decision to count only the types of offenses that are especially likely to be reported I favor on the grounds on which it was made. I do have some doubt, however, whether those types account for a sufficiently high and stable proportion of all major offenses and whether their true incidence varies with the true incidence of other crimes.

My chief reservation concerns the system of weights, erudite and admirable as is the method by which it was arrived at. My objection is that in the overall scores that result from using the various proposed formulae we have statements of rather unclear meaning. If, for instance, an index would be cut in half in a given community, we would feel sure that something had improved but we would not know exactly what. The change might be in the number of offenses or the seriousness of the offenses or a combination of the two. Is this really more useful information than that which tells which sorts of offenses decreased (or increased or remained the same) per unit of population? At minimum I think that detailed figures should be attached to any report based on indexes of the sort described here, and that analysis of the meaning of the indexes should take them into account. If this were done repeatedly, we could slowly learn what the indexes really mean and how reliable they are as indicators of change.

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LAWYERS ON THEIR OWN: A STUDY OF INDIVIDUAL PRACTITIONERS IN CHICAGO. By *Jerome E. Carlin*. New Brunswick, New Jersey: Rutgers University Press, 1962. Pp. x, 234. \$6.00.

This book, based on personal interviews with a sample of 93 lawyers, is a good old-fashioned expose. It tells all—all about the unfortunate life of the solo lawyer in Chicago and, presumably, in other large metropolitan areas. These practitioners are, for the most part, self-made men, sons of immigrants, products of the night schools. Their lot is a hard one. They must take the least wanted legal work, work which no one else will handle, much of it on a clerk's level; much of it considered the dirty work of the law—collection matters, divorce, criminal, and negligence work. These lawyers are involved, to a great extent, not in what is generally thought of as the practice of law, but in bribing petty government bureaucrats to win small favors for their neighborhood clients.

Carlin claims that these attorneys, who are at the bottom of the lawyers' status hierarchy, are likely to be bookkeepers, brokers, and/or fixers. That they are dissatisfied and manifest varying degrees of self-hatred is readily understandable. They resent the fact that they are local, ethnic lawyers who must pay off the cops, the ambulance drivers, and the bondsmen to obtain clients. The only redeeming factors to salve their self-esteem are the recognition as a professional which pleases their immigrant parents (although 26 per cent of the sample did not consider law a profession), and the independence derived from not working for an employer. This independence, says Carlin, is an illusion.

The enemy, according to the author, is the legal establishment composed mainly of the lawyers in the large law firms who also hold high and influential positions in the Chicago Bar Association. These attorneys are predominantly white, Anglo-Saxon, Protestant gentlemen, graduates of the principal national law schools. They do little to effect changes which might alter their solo colleagues' present undesirable position. They do not try to modernize the canons of legal ethics or do away with "the unrealistic and unenforceable statutes." They will not relinquish any of their legal work nor handle any of the "dirty work" themselves. As a result, they perpetuate a division in the bar; a division which is fast becoming caste-like. In fact, one of the important points Carlin develops is the almost complete separation between these two segments of the metropolitan bar whose members come from different backgrounds, work for different types of clients, are concerned with different problems and appear in different courts. They are worlds apart and so is the law they practice.

*Lawyers On Their Own* brings to life the seamier side of the law, although the picture presented seems to me to be somewhat exaggerated. It calls on the bar to correct its ways, to stop the corruption and the inefficiency of the local courts and agencies; to re-examine the canons of ethics, and to modernize them; to liberate the solo practitioners from their work ghettos; to reform the law schools and so on. While this volume has some methodological and theoretical weaknesses, it is an interesting and valuable book.

ERWIN O. SMIGEL

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READINGS IN CRIMINOLOGY AND PENOLOGY.  
Edited by *David Dressler*. New York and London:  
Columbia University Press, 1964. Pp. 699. \$3.50.

This is a book of readings intended, according to the author, for the mature student of criminology, penology and juvenile delinquency. Although the author recognizes that in this country criminology is primarily a sociological discipline, he includes also selections from writings by psychologists, psychiatrists, social workers, public administrators, lawyers, police scientists, and others.

It is important to be aware of the policy stated by the author, namely, that since journal articles and documents are sometimes hard to obtain, preference was given to these, and the books one would expect to find in a reasonably good library were not excerpted. Also, since this book is not meant to be a text but to support a text, subject matter conventionally covered in a textbook in criminology is treated sparingly, if at all. The student in the field will do well to keep these characteristics of the volume in mind. The author has made himself pretty much immune to any criticism of the materials selected, because he can justify by his principles of selection almost any serious omission. Since the book is meant to be a supplement and one does not know what, specifically, it is supplementing, it is rather difficult to evaluate. With all of these considerations in mind, one should say that the book presents an interesting and ingenious collection of materials, although many of the same selections have appeared in earlier compilations of similar nature.

The volume deals with six broad topics: The Data of Criminology and Penology, which is really a discussion of what is criminology, what is criminal behavior, and what are the research perspectives in criminology; Behavior Patterns of Offenders, which is a sort of criminal typology; The Search for Explanations, which gives the etiology of criminal behavior; The Administration of Justice; Peno-Correctional and Treatment Programs; and Prevention.

This book will serve as a refresher and provide some new perspectives to the student who already has a general familiarity with the fields of adult criminality and juvenile delinquency. Since it contains materials pertaining to both adult criminology and juvenile delinquency, it is probably difficult to adopt in institutions where specialization goes beyond one general course in the field and both "Criminology" and "Juvenile Delinquency" are taught, because only parts of the book would be useful for each course. Some of the areas included are represented by materials which are by

now out of date, and more recent publications would serve the purpose better. This does not mean a criticism of the inclusion of "classical" statements, but refers to such items as *Research Frontiers in Criminology*, by Marshall B. Clinard, for instance, which at the time it was written was an excellent analysis and perspective, but is now dated and does not reflect the more recent developments. Similar weakness affects the entire section on prevention, which does not reflect the tremendous strides made in this area since 1960, especially in connection with governmental and foundation demonstration and research grants, which have resulted in a very substantial amount of writing on the subject.

The usual general question of the usefulness of "anthologies" also arises, of course, in connection with the publication of this volume. Its value as a handy source of references which otherwise must be hunted for in the library is hard to deny. Perhaps the ready availability of reprints through modern techniques of reproduction may put such publications in a different light. It is always somewhat questionable whether the reading of excerpts, taken out of context from an author's major publication, and the reading of statements which were written within different frames of reference, without these frames of reference being really explained, is as desirable as the reading of a monograph on a specific subject, or even of a good text, which—in spite of being eclectic—represents a coherent view, put through the prism of a thoughtful author's conception of the field.

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THE DEATH PENALTY IN AMERICA. An anthology edited by *Hugo Adam Bedau*. Chicago: Aldine Publishing Company, 1964. Pp. xiv, 584. \$7.95.

In this book, Bedau has set for himself two not insignificant tasks: the selection of the best existing items from the immense literature on capital punishment for this anthology, and with even greater ambition, to fill many of the lacuna in the literature by dint of his own, apparently boundless, energies. As regards the first task, he has succeeded rather well, so that the 33 reprinted items, the seven specially written essays, plus the introductions to the several chapters constitute a valuable set of readings in this macabre field. Admittedly, one might suggest the addition of an article or two which was omitted, as well as suggest the deletion

of some material that was included (the final chapter, offering a number of case histories and attempting to present the "human side" of capital punishment, strike me as having minimal value).

Bedau has written for the book a long general introduction, introductions to eight other chapters, plus six essays on capital crimes, volume and rate of capital crimes, death as a punishment, parole and recidivism of capital offenders, and errors of justice. They are not all equally successful, of course, with several omissions occurring in his list of capital crimes. The article "Murder, Errors of Justice and Capital Punishment" is his least valuable contribution. Nevertheless, his work takes up no less than 187 pages of text which comes to 33 per cent of all the textual material. His labors have been prodigious.

After a long and more than competent introduction to capital punishment, an examination of the chapter on "Laws, Crimes and Executions" indicates the material to be adequate. Chapter 3 sets forth five items offering various arguments for the death penalty, and if the best arguments that can be mustered in support of capital punishment are the tired sophistries of those middle-brow culture heroes, Sidney Hook and Jacques Barzun, then perhaps, the path to abolition is assured. In a subsequent essay, Bedau effectively indicates the egregious limitations of their philosophy. The section on arguments against the death penalty include several religious ones plus the unusual contention that the death penalty may be unconstitutional. Deterrence is treated separately later, after several articles are presented offering data on how the general public, wardens and state police feel about capital punishment. The major (scientific) argument, deterrence, is handled rather thoroughly and the subsequent section, on the history of abolition (and reinstatement) of capital punishment in several states is very valuable indeed. Perhaps the section on general aspects of criminal justice should have been expanded, but the included items on errors of justice and commutation are more than adequate. As mentioned before, somehow the case histories seem to add little to the anthology and their space might have more profitably been used to beef up a few of the other sections.

It is possible to take issue with some statements in the text, such as the one which claims that Negroes probably do not disproportionately receive capital sentences. There exists a rather formidable body of evidence which is contrary to such a belief. Also the bibliography, while quite good, would

have been much more valuable had it been somewhat more complete.

While it in no sense replaces the *British Royal Commission Report* as the best single book on capital punishment in the language, *The Death Penalty in America* has considerable value to the interested layman as well as to the professional criminologist.

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THE LIFE AND DEATH OF JOHN PRICE; A STUDY OF THE EXERCISE OF NAKED POWER. By *John V. Barry*. Melbourne University Press, 1964. Pp. xiv, 204 (with appendices and notes). 50 s.

*The Life and Death of John Price* by the Honorable Sir John Vincent Barry was released by its publishers, Melbourne University Press, at the end of October, 1964. The author is a distinguished judge of the Supreme Court of Victoria whose skill as a lawyer, diligence as a historian, personal observations of human behaviour and practical experience as a divorce court judge and in dealing with offenders in parole board proceedings (he is Chairman of the Parole Board of Victoria) together with a theoretical grasp of the science of criminology (he is Chairman of the Department of Criminology, Melbourne University) have combined to give him that rare combination of knowledge, skill and personal experience which was demonstrated earlier in the writing of *Alexander Maconochie of Norfolk Island* and has now been repeated in *The Life and Death of John Price*.

Australian criminologists and penologists have not been as well known overseas as scholars from other countries with the exception of Sir John Barry (who has twice led the Australian delegation to United Nations Congresses for the Prevention of Crime and Treatment of Offenders) and Professor Norval Morris (Foundation Director, Asia and Far East Institute for the Prevention of Crime and Treatment of Offenders, Tokyo, Japan) and a few others.

This is partly due to the distance, and consequent travel costs, which hinders participation in international meetings more accessible to travelers from Europe and North America. However, Australian history began in an effort to deal with the crime problem and this new book suggests that there is much to be learned from Australia about crime treatment and prevention.

When it was no longer possible to relieve the

overcrowding of her detention and prison accommodations by dispatch of convicts to America, the English Government used the information brought back by Captain James Cook to plan for a new penal colony and the first thousand settlers to arrive in Australia in January 1788 included 736 male and female convicts under the command of Captain Arthur Phillip. The present states of Tasmania and Western Australia were also founded, in the first instance, as convict settlements and while the other states took measures to prevent contamination from "the System" (as Sir John's book shows) the fact remains that all Australian settlements were concerned from the earliest days with problems of crime prevention and treatment.

Unlike the author's earlier hero, Alexander Maconochie, his present subject, John Giles Price, does not inspire the admiration of reformers and humanitarians. After a careful examination of considerable evidence the conclusion of the book is that "On the whole of the record, John Price was a cruel man." The conflicting testimonies of his friends, enemies, victims, employers and associates are presented and as in human behaviour generally, the assessments of Price's personality and behaviour, varied according to the perception of the individual expressing the opinion and the nature of his relationships with Price.

The descendant of wealthy, extravagant and somewhat eccentric English aristocrats, John Giles Price was the fourth son in a family of six sons and eight daughters. He had a "haughty nature" which was to be a predominant trait in his "strangely complex character" but apart from an unusually strong physique and those biological factors which set the pattern for his temperament, Price did not inherit much in the way of material advantages. After an education of unknown quality at Brasenose College Price set out for Van Diemen's Land (Tasmania) with an advance of £1,000 from the trustees of his late father's estate and an official introduction to the Lieutenant-Governor of the colony. He arrived in 1836 and for the next ten years he filled the roles of settler and magistrate; in the latter he earned the gratitude of the citizens of Hobart Town who made a generous public gesture of their appreciation of his public services when he subsequently accepted an appointment as Civil Commandant at the notorious convict settlement of Norfolk Island. His biographer found no evidence that Price ever studied what Alexander Maconochie had called 'penal science' but he manifested a "psychopathological" interest in the most

vicious criminals and took extraordinary measures to apprehend them with a penchant for personal participation in hunting parties for lawbreakers. "... [H]is great and enduring interest was in... the wicked and the vicious... He was strangely fascinated by their viciousness and depravity, and attracted by the evil in them even as he was repelled by it... He regarded them as less than human, with no claim to justice in a civilized sense, but his vanity nevertheless demanded they should move in submissive terror of him."

This attitude was demonstrated in a reign of terror which he established in Norfolk Island where he exercised "naked power" from 1846 to 1853. This tiny island, "about 930 miles east-north-east of Sydney", possesses many natural beauties but as an early convict settlement it was the scene of "appalling inhumanity" except for brief periods when a few courageous commanders (of whom Alexander Maconochie was one) endeavoured to ameliorate the shocking conditions. At the time of Price's appointment there had been a serious revolt in which four officers had been murdered and he set about establishing discipline immediately on his arrival. That he upheld authority was undisputed but he encouraged orgies of torture and torment of which he was frequently a personal observer and used extremes of cruelty to subdue and degrade his victims.

He resigned from his post at Norfolk Island for health reasons and family considerations and in 1854 became the Inspector-General of Penal Establishments in the state of Victoria. The "gold-rush" had rapidly increased that state's population and there were serious problems in providing for penal establishments at a time of social unrest and transition to new political systems. Price was brutally murdered by a group of rioting convicts in 1857 but in the three years in which he controlled the prison system in Victoria he again demonstrated that combination of administrative qualities and abnormal cruelty which made up his typical ambivalence.

Since there is still much about Price that, at this stage, must remain a matter for conjecture it is difficult to make a diagnosis of Price's condition but there are strong suggestions of psychopathology as Barry indicates. Some of the forms of torture that he permitted and the incident with the naked prisoners on the beach suggest sadistic sexual behaviour which may be expressions of a more general destructive attitude towards others. Did Price feel frustrated and rejected by others

and thus seek to achieve power and importance by way of compensation? Did he have delusions of grandeur? The bright eyes, thin lips, large hands and thick fingers shown in the portrait frontispiece would not be ignored by diagnosticians. It will be interesting to hear what others make of the available data.

Sir John Barry says, "His capricious harshness, his preoccupation with the enforcement of the tobacco regulations, his sudden rages, his morbid determination not to be outwitted by any convict, and his abnormal suspiciousness, taken in combination, point to a paranoid condition. But information about peculiarities of behaviour with his family and in private intercourse is wanting, and no description of the symptoms of his ill-health has been discovered. Lacking these, it is difficult to be certain that Price suffered from some psychiatric abnormality, though there is ample reason to suspect it."

Just as Price's associates saw him in various ways so the readers of "The Life and Death of John Price" will be pleased with aspects of the book according to their interests in the fields to which it adds knowledge. However, the seventh chapter is especially thought-provoking for psychiatrists, criminologists, penologists, social workers, and those for whom "Fail-Safe" and "Dr. Strangelove" and other recent fiction is regarded as an expression of current fears. Sir John Barry makes no claim to be a student of psychology but his essay "On cruelty" raises some important issues. He has provided suggestions which scholars in disciplines other than the law will wish to discuss from their own standpoint and in the light of the contributions which have already been made to the subject by the authors with which they are familiar. As Sir John says, the subject of cruelty assumes new proportions when one adds to "the capricious infliction of physical torment" the various non-violent techniques employed for "investigations" and "brain-washing". Such psychological assaults on the individual may in the long run be more devastating than the immediate pain and suffering of physical cruelty.

As the author recognises, the subject of cruelty is not new and ingenious explanations have been put forward to account for its various manifestations. Sigmund Freud, like so many others of his generation, was aghast at the enormous spectacle of cruelty and aggression that World War I afforded and this gave him the clue to the existence of what he called the "Death Instinct" as the force

opposing the "Life Instinct", or "Eros". In 1915 he considered that "sadism" was a perversion which was accounted for by the fusion of a primary aggressive or destructive instinct with sexual impulses. Some years later he suggested that the death instinct was indicated by a primary self-injuring (masochistic) tendency from which destructive and sadistic impulses sprang. As a result of this Freud considered that the conflict between the sexual or life instincts and the aggressive or destructive death instincts resulted in the diversion of the self-destructive tendency outward against other people. This is somewhat different from a theory that explains cruelty "as a manifestation of morbid aberrations of the normal sexual impulse" and Freud's concept of two opposing forces (Life and Death Instincts) are different from the statement that "the primary and fundamental aggressive drives of the individual organism are towards survival and the perpetuation of the species." However, neither Freud nor Sir John support their theories with empirical evidence of the type that is demanded by modern scientific enquiry and in an area where speculation is being employed who is to offer contradiction?

There are psychologists who may want to point out that "the enigma" of the function of "the cortex" with regard to "fear and rage" has been the subject of investigation and there is more data available on this subject.

Of special interest to those responsible for the administration of crime treatment methods is the extent to which it is possible for a prison superintendent to "exercise despotic power over his out-cast charges without significant risk of being called to account for his conduct." That such practices do exist is admitted by some prison officials. The convict who was found dead in his bunk in his cell strangled by his scarf is an extreme case but there are prison officials who find it necessary to exercise their own methods of maintaining discipline within their institutions. There are institutions in Asia and the Far East where cruel practices are not even concealed from foreign prison visitors despite lip service to "the Standard Minimum Rules".

The story of John Price has been ably told by Sir John Barry who makes no attempt to conceal his personal disapproval of his subject's behaviour and his concern that the "naked power" (to which he makes repeated references) of those in authority over their fellow human beings should be restrained to prevent the exercise of unnecessary cruelty. If

there is one lesson which is outstanding in this book it is the need for great care in the selection of those whose position involves exceptional authority over others. Psychologists and psychiatrists are not unanimous on the subject of methods of personality assessment but their present skills enable them to recognize with a fair degree of accuracy those personality traits which make some individuals unsuited for unrestrained exercise of authority. Since human personality is not only unique and complex but also changeable (especially under the corroding influence of such unnatural environments as active involvement in prison administration) there should be regular psychiatric assessment of those who exercise authority over the total lives of human beings and steps should be taken to prevent, or if this is impossible to detect, abnormalities as early as possible. There are a number of reasons why this should be done but apart from the exercise of any value-judgement in such matters, the simple moral of the story of John Giles Price is that unless cruelty is checked it will inevitably provoke resentment which may be suppressed for a time but which will finally rebound with terrible vengeance on its perpetrators and result in a greater degree of social disorganization than that which placed the victim in the hands of authority in the first instance.

"The Life and Death of John Price" is a timely little book with a message which is commended to those who are concerned about the wider social issues of the present time.

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VERSAGT DER MENSCH ODER DIE GESELLSCHAFT:  
PROBLEME DER MODERNEN KRIMINALPSYCHOLOGIE. By *Friedrich Hacker*. Vienna, Austria: Europa Verlag, 1964. Pp. 424. \$3.75

The busy bookreviewer does not, as a rule, tend to get too excited after years and floods of books have come across his desk. When, once in a long while, a book such as the present one is born that, no matter how controversial or disputable it may be, arouses feelings of praise, its merits should be emphasized. This reviewer, however, wishes to state at the outset that he does not subscribe to all of the author's points, and may even disagree with some of them. Yet, if I were to apply my standards for paper, print, readability, scholar-

ship, universality of range, this book would deserve an unqualified *E* for excellence. (The only minor objection is the publisher's new venture of publishing original, new material in paperbacks; in Austria alone the first 5,000 copies are reported to have sold out. The disadvantage is that the admiring reader would not mind a hard-cover edition for his library.)

The readability of this book should be stressed again: the works of even the greatest scholars are often marred by poor writing, which fails to transmit to a large audience their message. One of Professor Hacker's great assets is his command of language, both in English and in German. He has a rich vocabulary and the rare gift to address himself to both the lay and the various professional audiences (jurists, sociologists, anthropologists, psychologists, criminologists, social workers, psychiatrists and psychoanalysts), commanding equal attention from all of them. I would guess that few of the readers will fail to understand his message, and this at a time when the problem of communication of language has become increasingly more complex.

As the head of two large outpatient clinics in Southern California, the author has drawn heavily on his extensive and varied clinical experience and on his work as a court-appointed expert witness over many years. Extensive statistics, intensive case reports (of two murder cases), tying up their intimate clinical and psychological motivation with the intricacies of trial and law enforcement procedures, surveys of penology, suggestions about penal reform and about new and more effective treatment approaches (e.g., group therapy, which the author says is being increasingly practiced in California state prisons and in the California Parole Outpatient Clinics) are found in this volume. Perhaps a novelty to many readers in criminology, psychology and sociology are discussions of probability of character formation linking the individual with society, references to systems and economic theories, attempts at a fundamental natural history of mythology and a new approach to the phenomena of "elective irrationality." Professor Hacker's new scientific approach is called multi-dimensional perspectivism; it tends to combine and yet to transcend the various conventional approaches by exploring their limits and combining them in a new synthesis.

The book has nine chapters, averaging 45 pages per chapter. Each chapter has its own bibliography appended at the end of the book (unfortunately,

there is no index of subjects or authors). Whether the author deals with various theories of law, symbolism, criminology or therapy, the universality of his range always leads him into a comparative study, without, to my taste, ever becoming boring. It is amazing not just to see the author quote a thousand expert opinions (which is being done every day by experts in *specialized* fields), but quote a thousand opinions from a dozen different disciplines—psychoanalysis (Hacker's own specialty) just being one of them. The author admits that he has chosen a "complex method" of procedure which looks at criminology in a dynamic manner regarding his particular pursuit lying on the front line of a universal cultural revolution which undermined the security of all external institutions, and questioned the inner agencies of modern man. The gaps between society and character, and those between character and overt behavior, appear in a novel and original manner as part of an overall personality formation theory centering on problems of structure and character formation in its normal and pathological forms. Some sociological theses, for instance, and their types and methods of law enforcement, enter significantly into the manifestations of crime they are supposed to combat, and are just not stated but proven by innumerable examples and by the type of theoretical reasoning that cuts through all artificial separations of philosophical, psychological, sociological, anthropological, legal or criminological approaches.

Dr. Hacker's sophisticated methodology, his multi-dimensional perspectivism, in its practical implications of everyday trial and law-enforcement work, are connected with the most abstract legal and psychological theories, and with the sociological and anthropological concepts of man, as they underlie, and are manifested by, the various criminological methods and theories. Insights are gained into the hidden psychological needs of society, *any* society, by a natural history of mythology; and conversely, the sociological determinants, the cultural dimensions of individual psychological functioning, appear in a new light.

In a book on problems of modern criminal psychology, one does not necessarily expect chapters on such esoteric sounding subjects as the natural history of mythology, the theory of symbolism, psychodynamic theories of personality formation with special emphasis on character and structure, elaborate discussions of a modern system and economic theory. Yet, the author never can con-

ceal this essentially humanistic and therapeutic emphasis. The complicated theoretical considerations, be they psychoanalytic, psychiatric, legal or philosophical, merely are the diagnostic preparation for a treatment-centered planning to change and improve the general social and, particularly, individual constellations that produce and perpetuate deviant criminal behavior. Chapters are devoted to the motivation techniques for offenders reluctant to enter therapy, perhaps the only ones in the literature of any language of which I know. Those readers, and I am one of them, whose daily practice deals with "reluctant offenders" will embrace every sage word the author has written on this subject (applying to both individual and group psychotherapy). In other chapters, various approaches to motivate *societies* to look at and possibly review their irrational anxieties resulting in unreasoning, brutal and ineffective law-enforcement methods are suggested (including those societies and communities to which both the author and this reviewer belong). Current treatment approaches are surveyed, though the structure of the book does not permit more than a cursory glance even at such important advances as group psychotherapy (used at an increasing rate within the Department of Corrections of the State of California).

The bibliography reads like a Who's Who in the social and natural sciences, both German and English. Although, as already mentioned, Professor Hacker is a psychoanalyst, he is not a specialist who leans on his own discipline. Physicists and philosophers, sociologists and social workers, as well as psychiatrists of *any* school of thought (often on the other side of Dr. Hacker) are quoted. Nor does Dr. Hacker refer just to current literature. Legal thinking in Germany is traced back to the famous jurist, Franz von Liszt (1883), and one of the newest schools of philosophy, existentialism, as well as one of the founders of the science of medical history, Henry Sigerist.

In his Preface, Hacker states that today's major task in criminology is to combine "critical awareness with courage to act" and not to freeze "the urge to action" (*Aktionsfreude*) in a blind busyness and a blind routine. He believes that we have "to find the way between the resignation to a pragmatic acceptance of reality and a quixotic bent to unrealistic meliorism" (*wirklichkeitsfremden Verbesserertums*).

This book ought to be translated into English as soon as possible. Aside from highlighting new

facets of old problems, it should stimulate a great deal of new thought and critical discussion, because it represents a novel scientific approach to a field in which the unanalysed traditions of psychology, sociology and philosophy have fought with each other without any hope of agreement or even understanding. That such an understanding is possible and compatible with hopeful and rational planning is the basic message of this work.

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SOURCEBOOK ON PROBATION, PAROLE AND PARDONS (2nd Ed.). Compiled by *Charles L. Newman*. Springfield, Illinois: Charles C. Thomas, 1964. Pp. 345. \$7.50

This is literally a sourcebook; it comprises 9 excerpts from authoritative reports and surveys and 32 separate short articles by various writers. The authors of these articles include college professors, administrators, men who might well be called experts in penology, and a liberal number of practitioners. This, it seems to me, is what gives this collection of writings its particular value—that those persons who are actually confronted by the problems in the administration of probation and parole contribute not only their ideas as to how these systems should be operated but contribute from their actual experience.

The symposium form of obtaining contributions from a number of different angles and by men of slightly varying viewpoints is quite popular nowadays and it seems to lend itself particularly to the subject of criminology and penology. While the general underlying principles in modern penology are becoming more standard and accepted by the public, there are still variations within the field and Professor Newman did well to collect many of these writings in one volume.

It so happens that recently a number of volumes organized in this particular manner have come to my attention. Many years ago the Gluecks wrote a valuable book made up in much the same manner entitled *Preventing Delinquency*. Professor Paul Toppen, one of the contributors to this volume, and whose lamented death quite recently removed from the field an able contributor, himself com-

plied a volume entitled *Contemporary Correction*. Professors Zedder and Kay compiled recently a collection of essays under the title *Penology*. A unique volume came my way recently merely entitled *Prison*, but it included some rather unusual sources, namely the experience of the writers themselves who have been in prison. Likewise in the international field, the International Penal and Penitentiary Foundation has just issued a volume entitled *Studies in Penology* including contributions from many nations and dedicated to the memory of the former English Prison Commissioner, Sir Lionel Fox, of Great Britain. Of course, the annual reports of the American Correctional Association and the Social Welfare Forum gather together many significant contributions from authoritative sources and knowledgeable people, but it has remained for Professor Newman to put together in one convenient volume much that will be of value not only to the student but to a citizen eager to learn more about this difficult subject.

Professor Newman's long acquaintance with the field of criminology has made it possible for him to gather together many unique contributions to the subject. His quotations from authoritative publications of the United Nations and the Council of State Governments, the National Council of Crime and Delinquency, and the monumental Attorney General's Survey of Release Procedures have been well chosen and have been properly placed in this volume along with some of the first-hand impressions of people who work not in the ivory towers of our universities but in the humdrum activities of the jobs which they are trying to perform. All in all, this book will be a valuable addition to one's library not only because it is more than a mere haphazard collection of ideas expressed by a considerable number of people, but because with the skill of Professor Newman, these short articles have been woven around two of the most important aspects of our whole penology, namely probation and parole. The rapidly growing number of young people being attracted to the field of correction should be grateful to Professor Newman for putting together this collection.

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