

1967

## Book Reviews

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

---

### Recommended Citation

Book Reviews, 58 J. Crim. L. Criminology & Police Sci. 246 (1967)

This Book Review is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

---

## BOOK REVIEWS

---

*Edited by*  
C. R. Jeffery

THE GENERAL PART OF THE CRIMINAL LAW OF NORWAY. By *Johannes Andenaes*. Translated by *Thomas P. Ogle*. New Jersey: Fred B. Rothman & Co. London: Sweet & Maxwell, 1965. Pp. xxiii, 346. \$13.50

This is the third volume sponsored by the New York University Comparative Criminal Law Project, under the editorship of Professor Gerhard Mueller, apart from the series of translations of foreign penal codes. It differs from the latter in that it presents for the first time in English an example of contemporary European teaching of general principles of criminal law, including an outline of current criminological theory.

What Professors Vouin and Leauté have done for France, Professor Andenaes has tried to do for Norway, and it is good to have it published in the English language. Professor Mueller in his Preface says that it was appropriate to start with a text on Norwegian criminal law, for "here was a legal system . . . which was thoroughly continental yet . . . had stayed somewhat aloof of the Roman law influences which had reshaped the law of the continent proper". As such, it might have more appeal to those steeped in the common law traditions.

No better choice could have been made. Professor Andenaes is well-known for his strong views on the subject of the theory of punishment, and the notion of general deterrence, and is himself no stranger to the Anglo-American scene. His role in promoting co-operation between Scandinavian criminologists and lawyers has been outstanding, and he is currently the general editor of the important series on Scandinavian Studies in Criminology. He is also Dean of the Faculty of Law at the University of Oslo.

This volume shows how the study of criminal law may be combined with the study of criminology. Professor Mueller is right to suggest that the book will bring fresh thinking into the dimensions of Anglo-American criminal law studies. It is true that Jerome Hall in the United States and Glanville Williams in Britain have produced outstanding studies limited to a consider-

ation of the general principles of the criminal law. However, the notion that these can profitably be studied apart from the specific crimes is still too novel to be generally accepted in Anglo-American legal thinking.

What is still more revolutionary is the idea that one should include in a criminal law text an outline of criminological theory as well as a discussion of the principles of punishment. Professor Andenaes explains that the reason he has done this is because otherwise law students would never become familiar with these matters in the course of their studies, because no course in criminology is required as part of their legal education. Professor Andenaes is convinced that it is not enough for the student to learn the rules of law in isolation from learning about the society in which they operate and the individuals to whom they are to be applied.

Many teachers of the criminal law today would agree wholeheartedly with these observations, and some are already including in their regular criminal law teaching some outline of criminological theory and the discussion of penal policy. It is a matter of debate how best this may be achieved.

Inevitably an attempt to provide a potted criminology course within the confines of a law course places severe limitations on the matters which can be dealt with, which may be unfair to criminology. Some would argue for a separate course, but in an already overcrowded curriculum there is little room for this. How then does Professor Andenaes cope with the difficult problem?

The author begins with some general observations about the nature of the criminal law, the concept of crime, and the relationship between criminal law theory and criminology and penal reform. Then he reviews the statistics of crime in Norway, commenting on such matters as the disparity between rural and urban crime, the distribution of crime between first and persistent offenders, and the rise in juvenile delinquency figures during recent years. There follows some account of the theories concerning the aetiology of crime, reviewing briefly the tenets of the school of criminal

biology, and discussing the relation of mental disorder and crime. The important part which alcohol plays in criminality in Scandinavia is stressed, but it is observed that this is rarely the sole or even the dominant factor in the case. "It often seems as if criminality and the misuse of alcohol are related and parallel products of the same constitutional deficiencies and the same unfortunate environment". (p. 49.)

There is little discussion of environmental factors, and hardly any account of sociological explanations of criminality. The author passes on to a discussion of the purpose and methods of punishment, which may well be the most interesting part of the book to many readers. The discussion of the Scandinavian position on punishment and treatment and the relation between the more extreme treatment and social defense philosophies and the more traditional philosophy of the criminal law is quite fascinating, and reveals our author as an adherent of the middle road, with perhaps some leaning toward the more conservative philosophy. Unfortunately, however, there is not sufficient space to review current Scandinavian penal practice. The serious study of the criminal law must be accorded its proper share of attention, which means that pages 94 to 341 of the book are devoted to it.

There is no need in this review to examine in detail the discussion of the general principles of criminal responsibility in the Norwegian law. On such subjects as causation, criminal omissions, attempts, subjective guilt, negligence and *mens rea*, insanity and diminished responsibility, and the general defences to crime there is much that is of great interest to Anglo-American scholars.

One is left with the question of how successful is this attempt to introduce law students and lawyers to criminological theories. This question cannot be answered solely by reference to the contents of the book. One would wish to know how the students respond. Would something more along the lines of Donnelly, Goldstein, and Schwarz not provide a better introduction? How does Andenaes compare with Glanville Williams's *General Part*? The latter contains some criminological information, especially on the medical and psychiatric side. I think the answer must be that we still have not arrived at the ideal formula for mixing law teaching and criminological study, but Professor Andenaes is to be warmly congratulated for his

pioneer work in this direction, and also New York University for making this translation available.

J. E. HALL WILLIAMS

London School of Economics  
& Political Science

---

POLICE GUIDE TO SEARCH AND SEIZURE, INTERROGATION AND CONFESSION. By *Arlen Specter* and *Marvin Katz*. Philadelphia: Chilton Books, 1967. Pp. 64. \$1.95 (hardcover); \$.95 (paperback).

This handy, pocket-size "guide" to the law of arrest, search and seizure, and interrogation, while designed primarily for the police, will be of interest to attorneys on both sides of the criminal practice as well. The often confusing differences between the "testimonial" products of police investigations (which bring into play the fifth and sixth amendments) and "non-testimonial", physical evidence, (which may be demanded of the accused) are explained in clear and simple language. Police officers should know, thereafter, why they have greater latitude in obtaining blood or breath specimens from an accused than they have in seeking incriminating admissions from a suspect.

Although the authors are Pennsylvania lawyers, (Arlen Specter is the District Attorney of Philadelphia), their book is "national" in scope, so that it will be of as much value to a policeman in Puget Sound as to one in Pennsylvania.

J. R. T.

---

A SIGN FOR CAIN: AN EXPLORATION OF HUMAN VIOLENCE. By *Fredric Wertham*, M.D. New York: The Macmillan Co, 1966. Pp. 391. \$6.95

The first thing that must be said of this book is that it is terribly confusing and difficult to read. Though Wertham has the expressed hope of creating a science of "violentology", there is little in this book that will recommend such a science. It is a very frustrating book. Just when the author begins to persuade the reader that he is going to follow an idea to some sort of logical conclusion supported by the "facts" which he sets forth, there follows a morally indignant comment which has no connection with the subject being presented. This is too bad, when one so wishes to ally with the author's moral concerns. Wertham's conclusions are reached so illogically that they jolt one into distrust and grave doubts about his views. Considering the socially crucial nature of the subject, it is a serious criticism to level at the book. Just for these reasons, in the past I have

never been able to bring myself to finish a Wertham book. This book would have had the same fate, had I not agreed to review it.

At the very beginning of the book the author states, "There is not one scientific or scientifically oriented book in any language on the general subject of physical violence as such and its prevention." This is not correct. (There are many other incorrect statements in this book.) While Wertham cites a great many authors (or at least attributes ideas to them—he has the habit of making it virtually impossible to trace any idea back to its source without spending an inordinate amount of time to do it), he misses two of the very best sources (in this reviewer's opinion) for the ideas he wishes to promulgate. For example, Konrad Lorenz published *Das Sogenannte Böse, Zur Naturgeschichte der Aggression* in 1963. The English translation appeared in 1966 under the title of *On Aggression*. While one might easily miss either of these versions, the material they embrace is widely known and these ethological works have been the subject of much contemporary comment and analysis in the psychiatric literature.

These studies, in stark contrast to Wertham's views (which perhaps explains their absence), take the absolute position that aggression (by whichever of Wertham's designations) is a bed-rock, biological fact, and much of the reflex behavior and primitive social patterning of "lower" animals are dedicated to its control. Indeed, Lorenz and others have said that the only hope for mankind to control this fierce but biologically necessary drive, is to *never* forget its presence (man having traded off reflex controls for cultural controls during the course of his evolution).

At various places in his treatise, Wertham says this. However, just when you think you may be able to agree with him, he unleashes a diatribe to the effect that those who believe that aggression (or violence as he calls it) is a fundamental drive are only rationalizing the expression of it. Also, he insists that it is not "a scientific fact" anyway. This is the sort of statement that puts one off.

The second theorist one would believe should appeal to Wertham is Erik Erikson, with his background of interest in cultural anthropology as well as psychoanalysis. The latter is another area of theory which Wertham uses variously. At one point he makes scathingly snide remarks about it,

and then turns around to use it for attacking some other body of data.

Erikson has evolved theories to do the very thing which Wertham rightly suggests is needed. He accounts for cultural and social forces at the same time that he deals with the internal, psychological aspects of behavior including the aggressive ("violent"). He provides what Wertham calls "depth and breadth." Why these brilliant contemporary theories are not utilized is difficult to understand. They would have provided Wertham with the one ingredient so conspicuously missing from his "study." Erikson's concepts would allow Wertham to assemble his potpourri of interesting anecdotes in a way that might let us *understand*, at least partially, when and why and where and who and how one falls back on the omnipresent, atavistic, impulse to do violence. Lorenz would offer a basis for understanding the biological nature of this ever-existing impulse. Wertham has nothing to contribute to the answers for any of these questions.

Though he inveighs against the "pseudo-scientific" approach of others, Wertham gives no demonstration of a scientific approach to data himself. He makes the typical clinician's challenge that "the questionnaire approach to people," is too superficial to be "valid." He states that the only valid approach is by "clinical study" of violence in all of its ramifications. The manner in which he presents his clinical data would not likely satisfy even the most sophomoric demands for validity (or does Dr. Wertham also use the word *validity* in some unique way?). Nor does the presentation reflect scientific observation technique or data reporting, which is the minimum requirement. (Data do *not* have to be validated facts to be "scientific." Science relates to method, not results.)

When all is said and done, it is sad that so much interesting material and such passionate concern over social violence should produce so unconvincing a plea for the scientific approach to a serious social problem.

ANDREW S. WATSON, M.D.

Professor of Law and Psychiatry,  
University of Michigan

---

CRIME AND PUNISHMENT IN EARLY MASSACHUSETTS. By Edwin Powers. Boston: Beacon Press, 1966. Pp. xiii, 647. \$12.50.

The Puritans, settling in New England without

a formal charter, were compelled to develop some form of government, establish institutions for the administration of justice, and decide what acts should be legally punishable. The signing of the Mayflower Compact by forty-one persons was the first of a series of social contracts defining the relations of men to one another and to God.

*Crime and Punishment in Early Massachusetts* is an excellent social history which discusses the religious and legal antecedents of these contracts, the organizations created for their enforcement, the socioeconomic characteristics of persons who violated them, and the relationship of these early social contracts to later criminal law and policy in Massachusetts.

The most general and dominant theme of this book is the success of the Puritans in using law to establish a "religious commonwealth" and to defend against the doctrinal challenges offered by Anabaptists, Methodists, Universalists, Quakers, and Jesuits. Threatened with fines, banishment, disfranchisement, confiscation of goods, public humiliation, or corporeal punishment, citizens were prohibited from denying the truth of any of the books of the Old and New Testaments, charging the preacher with error, renouncing the church, failing to pay the church dues, being absent from church service without just cause, profaning the sabbath, or uttering heretical doctrines. The death penalty was decreed for idolatry, witchcraft, blasphemy, sodomy, murder, adultery, cursing parents, and other serious acts, many of which were derived from the Ten Commandments or the books of Exodus, Leviticus, Numbers, or Deuteronomy.

Sources of data for this study by Powers, who is a Deputy Commissioner of Correction for Massachusetts, include a large number of letters, essays, sermons, publications of the Massachusetts Historical Society and the Colonial Society of Massachusetts, documents of the Massachusetts Archives, and the diaries of Bradford, Winthrop, and Sewall. In presenting these materials, Powers retains the original orthography of all quoted passages and thereby allows his readers to clearly perceive of the sentiments and social logic of the speakers. Official Court records of Massachusetts Bay Colony, of Plymouth Colony, and of Suffolk and Essex Counties are other sources of information and they are used to calculate frequencies of various crimes and punishments. Unfortunately, the frequencies are not accompanied by informa-

tion on the size and composition of Massachusetts population at different dates.

Although this book focuses primarily on the period 1620-1692, or from the founding of Plymouth Colony until its merger with Massachusetts Bay Colony to form a royal Province, it also contains chapter summaries of legal developments from 1692 to the present. One may observe, too, the host of constitutional, demographic, economic, and religious factors which gradually loosened Puritan control over the lives of men. But, after 300 years, Puritan influences may still be seen in Massachusetts laws regarding blasphemy, keeping the sabbath holy, lewdness, idle and disorderly persons, stubborn children, and vagabonds.

Edwin Powers is to be commended for providing social scientists and humanists with this carefully documented and very readable contribution to criminology. It greatly adds to our fund of knowledge and it corrects many impressions concerning the historical position of Massachusetts in compiling and codifying laws, mitigating punishments, and in creating prisons as places for punishment.

EDWIN D. DRIVER

University of Massachusetts

---

GIRLS AT VOCATIONAL HIGH: AN EXPERIMENT IN SOCIAL WORK INTERVENTION. By *Henry J. Meyer, Edgar F. Borgatta, and Wyatt C. Jones*. New York: Russell Sage Foundation, 1965. Pp. 225. \$5.00.

COTTAGE SIX: THE SOCIAL SYSTEM OF DELINQUENT BOYS IN RESIDENTIAL TREATMENT. By *Howard W. Polsky*. New York: John Wiley & Sons, 1965. Pp. 185. \$1.45.

Only those who have themselves expended great efforts planning and executing designs for experiments in social research can appreciate the amount of painstaking labor that Meyer, Borgatta, and Jones must have spent in bringing to reality the precise experimental design of *Girls at Vocational High*. The authors themselves suggest that its prime value may well be that of a demonstration study, proving that it is possible to gain from a school and a social agency the great commitment necessary for an experimental-control group study with repeated testing of several groups.

Social work agencies have often noted that by the time clients are referred to them for some gross social symptom, the problem has taken such deep root that treatment is extremely diffi-

cult, and the prognosis is poor. Therefore Meyer, Borgatta, and Jones used school records to select a pool of girls with a probability of future problems. Through random assignment, half of these girls were given therapeutic casework, while the remaining half form a control group receiving no casework help. The study thus was well designed to test the effectiveness of preventive casework in helping clients before their problems become so acute that treatment is more difficult. The authors deliberately selected a school for the study which was neither exceptionally high nor exceptionally low in problem cases. After studying the school records, they placed about 20% of the school population in the "potential problem" category, and randomly assigned these girls to experimental and control groups. The remaining 80% of the girls in the school formed a residual pool of "normalcy" that was tested for comparison with the potential problem groups.

Great care was taken to ensure that all the experimental subjects actually experienced a reasonable amount of exposure to therapy. When it became apparent in the first year that these clients were not being reached well by casework, the agency and researchers shifted their primary technique to group therapy.

The results of this carefully executed study were no doubt disappointing to the agency involved. Although the researchers searched for positive evidence of improvement by the experimental group in a very wide variety of ways, there were almost no significant or consistent differences between control and experimental groups in school performance, on psychological tests, or on personal evaluations by the girls themselves.

This book demonstrates the importance of publishing negative results. It is certainly vital to know if a technique is *not* effective. However, this study also indicates the need for a good many more like it, to determine how far its results can be generalized. Are the results peculiar to this age group? To this sex only? To this locale (New York City)? To girls caught in this stage of a problem? What variations in the casework technique might make it more widely effective? What other techniques might be combined with casework or substituted for it to maximize therapeutic results? Reading this study, we become painfully aware that we know very little about what actually works in the vital business of helping specific people with specific problems.

Polsky's study, *Cottage Six*, is an intimate picture of the toughest cottage in "Hollymeade," a progressive Jewish institution for the treatment of delinquent boys. It gives one a boys-eye view of life in the cottage which is painful but very valuable. As Hollymeade's enlightened administrators recognized, even the most progressive institutional personnel seldom can find out how the cottages function in this intimate, detailed, and significant way. It is true that Polsky's study applies in toto only to one very tough cottage in one specific institution, and the qualifications he himself makes in his final chapter are important to consider.

Nevertheless many of the experiences of institutional life which Polsky describes do have wide applicability, and the book should be of interest and help to all persons working in institutions for delinquent or disturbed youngsters. Administrators and therapists should find it particularly stimulating and useful.

One key problem of most institutions of this type is that the lower level personnel who have most contact with the boys, and potentially the greatest influence on both the group and individuals, have the least training and ability, poorest pay and poorest working conditions. The houseparents in "Cottage Six" are competent and dedicated compared to many, but the basic problem remains: the people in the best position to help lack the tools necessary in order to have any significant positive influence. Indeed, as classic "middle men" they often aggravate the situation by mouthing therapeutic euphemisms to therapy-oriented administrators while they play along with an authoritarian and repressive peer system in order to manage the boys.

Polsky vividly depicts the brutal authoritarian structure of the peer group culture in Cottage Six. As Polsky himself notes, even a healthy person has difficulty living in such an atmosphere for long without being scarred. One is reminded of Goffman's picture of the mental hospital as a place where the patient must struggle against the indignities of institutional life to keep what sanity he has. Yet Polsky's book is not an indictment of the institution, but a plea for a truer and deeper application of the concept of milieu therapy in the institution.

He expresses the basic dilemma of the institution in one eloquent sentence, "In the short walk from the clinic office to the cottage, the boy passes

from one society to another." (p. 166.) But the boy spends one hour of each week in the clinic office, being exposed to that society. Can this one hour free him from the limits of the society he grew up in and the one in which he is immersed every other hour of the week?

Polsky is concerned therefore with the need to integrate therapy into the whole life of the adolescent boy. If there is any omission which one might chide him for, it is a relative lack of attention to the question of what kind of world the boys will be returning to. Perhaps, grim as it sounds, the authoritarian structure of Cottage Six is the best preparation they can have for return to their kind of community life-experience. One would hardly argue from this that we should keep Cottage Six life as it is, but we must be aware that milieu therapy should include attention to the life to which institutionalized boys will return; a truly successful program must enter the community itself in its intervention efforts.

Certain gross similarities make the comparison of these two books interesting and provocative. Although Polsky uses participant observation in his very personalized study and Meyer *et al.* use an experimental design with control group, both studies are sophisticated in their use of social science techniques. Basically both are evaluating the sincere therapeutic efforts of a casework oriented organization which attempts to help problem adolescents. In different ways, both studies suggest the greater usefulness of group therapy with adolescents; moreover, their findings and conclusions imply the need for a still broader milieu approach to dealing with the problems of adolescents.

The differences between the two books are so obvious that they might be overlooked, but each difference is extremely significant. For instance, the difference in methods used obviously has a profound influence on the kinds of findings that emerge. The strengths of each method point out the omissions of the other. For instance, we learn almost nothing about the internal dynamics of the girls at vocational high; we do not know how the individuals and groups interact or function, but have a relatively accurate assessment of many of the results of this patterned interaction. On the other hand, Polsky's study provides no precise assessment of the effectiveness of a particular treatment technique beyond an intuitive appraisal; we

learn more about the process, and less about the end result. It would be intriguing to speculate on what the findings would have been had the methods chosen been reversed for the two studies. Still more exciting is the thought of how much we could learn by a combination of the two techniques: participant-observation to gain depth understanding of the structure and processes of the group studied, and an experimental design to assess effects of treatment as accurately and adequately as possible.

The fact that Polsky was studying a boys' group in *Cottage Six* while Meyer, *et al.* were studying girls at Vocational High is a very obvious difference, but its meaning could easily be missed. The significance of the different sex roles for boys and girls is pervasive, and may affect not only their basic life goals and values, but their forms of social organization, and therefore the ways they can be influenced. Hence it would be rash to assume that a method which works for one sex would necessarily work for the other; or that a method which fails for one sex would necessarily fail for the other.

A final significant difference is that the boys in Cottage Six were institutionalized, while the girls at Vocational High were merely those whose school records suggested the probability of future problems of some kind. Thus Polsky's boys had already manifested much more severe problems, and in addition were suffering the critical problem-situation of institutionalization.

Nevertheless, both studies raise the vital question of how effective any treatment can be which contacts only one person from a total situation-environment, and which moreover works with this one person for only about one hour of each week. Each person is part of a network of social systems, built around certain expectations of him which do not change because of this one hour a week. It requires a tremendous upheaval of the soul for one person to alter successfully the entire social equilibrium of his world. Perhaps those of us concerned with therapy should consider ways of exerting a little broader leverage on deviant social systems.

RUTH R. MORRIS

Sociology Department  
American University  
Washington, D.C.

## CRIMINAL RESPONSIBILITY AND MENTAL DISEASE.

By C. R. Jeffery. Charles C Thomas, Publisher. Springfield, Ill., 1967. Pp. ix, 324. \$11.00

[By reason of the fact that the author is the criminology Book Review Editor of this *Journal*, it is deemed inappropriate to review it in characteristic *Journal* fashion—that is, an evaluation along with a description of the book's contents. The following, therefore, is merely a factual statement about the author and a description of the book's contents, as stated in the Preface.]

The author is Director of Delinquency of the Washington School of Psychiatry and a Visiting Lecturer in Criminology at New York University Law School.

In the preface to his book, Dr. Jeffery states that although issues discussed in it relate to only one jurisdiction, the District of Columbia, "the issues themselves are general and are to be found embodied in the criminal law both in this country and abroad."

"Also basic to the insanity defense is the issue of free will versus determinism. The defense of insanity rests upon the assumption that insanity negates free will, and the law does not punish people who lack the capacity for free choice; whereas a person who of his own free will commits a crime is legally responsible and should be punished.

"The law is based on social policy and ethics. The law, however, also admits expert testimony as to why the defendant committed a criminal act. Such testimony is based not on a philosophical position of free will, but on a scientific position of determinism. The issue is thus shifted from 'Did the defendant's act result from free will?' to 'Did the defendant have a mental disease and did the mental disease cause the criminal act?' Scientific explanations of behavior often conflict with philosophical notions concerning human nature, and in the insanity defense, we see this conflict as it has been institutionalized in our legal structures.

"To add to the difficulty, the expert testimony given in court concerning human behavior is itself subject to careful analysis, since in many ways such testimony is not based upon scientific evidence. Psychiatric and psychological testimony is often contradictory and subject to question by both scientists and lawyers. The insanity defense portrays crime as a *medical* problem, whereas evidence can be introduced which indicates it is

more fruitful perhaps to regard crime as a *social* problem. The experts on crime in our courtrooms are experts on medicine, and not experts on social problems and social behavior.

"Sociologists, criminologists, and experimental psychologists do not testify in court as to the reasons people become criminals, though it is generally agreed that criminal behavior is learned behavior involving group processes.

"These several issues will be discussed and developed in terms of the new definition of criminal responsibility contained in the *Durham* rule."

F. E. I.

---

TYPOLOGIES OF DELINQUENCY: A CRITICAL ANALYSIS. By *Theodore N. Ferdinand*. New York: Random House, 1966. Pp. X, 246. \$2.25 (paper-bound).

Ferdinand begins with a scholarly discourse on the pros and cons of the Purists' and Empiricists' approaches to the causes of delinquency. Purists insist that delinquency in both substance and cause is basically social and therefore, not amenable to psychological or physiological explanation. They operate from a tight sociological frame of reference guided by formal theory. Purists chastise the Empiricists for lack of uniform theory and a penchant for mingling several kinds of causative factors at several levels of analysis. Empiricists maintain that delinquency is an empirical problem and that several factors, e.g., social, psychological, and physiological, may be utilized in its explanation. Empiricists often proceed without well-defined theory and attempt to uncover new relationships between a myriad of factors and juvenile delinquency.

Ferdinand agrees with the Empiricists that delinquency is a many-faceted phenomenon, and with the Purists that precise theory is essential to its explanation. He proposes that the chasm between the two be bridged by utilizing social action theory as postulated by Talcott Parsons. Social action theory accepts causative factors from several force-systems, and it draws a distinction between the phenomenon of action and the theoretical structures that are used in the analysis and explanation of action.

Kurt Lewin's field theory is advocated as a method for analyzing human behavior. "Field theory is essential to the explanation of action because it provides a systematic method of interrelating the force-systems at several different

levels of analysis to explain the actions of both persons and groups." Ferdinand supports the view that typologies offer the only manageable way of articulating different force-systems.

The author suggests that we begin with empirical typologies which permit the identification of those uniformities in the delinquent universe, i.e., identify the phenotypes that exist. Next, hypothetical constructs are needed to explain the nature of the categories defined. These constructs are organized into theories (depending upon force-systems and conceptual tools utilized). When the ideal typologies that are relevant to delinquency have been developed, they are articulated by means of field theory to give a synthetic typology. Field theory allows the theorist to co-ordinate the implications of two or more basically distinct force-systems without assuming that they can be reduced to a single system. A synthetic typology represents a blending of ideal typologies.

Ferdinand formulates two ideal typologies though he is aware that other theoretical positions would have permitted the construction of other ideal types: (1) an ideal social typology, and (2) an ideal psychological typology. He identifies the social-force fields deemed relevant to delinquency, and he describes how these fields give rise to situations conducive to delinquency. Those forces that inhibit as well as promote delinquent behavior are considered. Though discussing others, he is primarily concerned with the manner in which two forces, the cultural themes of social classes and the structural characteristics of cliques and gangs influence the delinquency that appears in a community. Using Warners' social class schema and various materials from the literature on social class and gang and clique behavior, Ferdinand (1) examines the way that class position structures the delinquent pattern of adolescents, and (2) examines the several ways in which membership in a delinquent group affects a teenagers' behavior. Interrelating these forces, he identifies six patterns of delinquent behavior: an upper upper-class pattern of mischievous indulgence; a lower upper-class and upper middle-class pattern of aggressive exploitation; three upper lower-class patterns: criminally oriented, conflict oriented, and theft pattern; and a pattern of disorganized acting out delinquency in the lower lower-class.

Operating on the premise that the main task of a psychological typology of delinquents is to chart the motivational, emotional, and attitudinal fac-

tors behind deviant behavior, Ferdinand develops a psychological typology abstracted from the psychoanalytic literature. He postulates three direct ways that psychological processes contribute directly to delinquent behavior each corresponding to a class of delinquency. The impulsive delinquent's personality is directly oriented to anti-social behavior; the neurotic delinquent's normal expression of personality is thwarted by a disorganized anxiety; and the symptomatic delinquent is compelled to violate norms and laws by pressures of the unconscious. These three types are subdivided into additional categories. Conceptually these psychological processes and types are mutually exclusive; empirically some of them can concur.

Finally, the author articulates his ideal social and psychological typologies by means of the Lewinian field theory. He extends field theory by introducing social forces as causal factors and by focusing upon the social action of groups as well as individuals. He employs the concepts of life-space and the situation as representing a stage upon which dynamic, social, psychological dramas are enacted. The action of groups is analogous to that of individuals and requires for analysis a field theoretical framework. He attempts to construct a synthetic typology of group as well as one of individual action: the individual's action is described in terms of his life-space; and the group's reaction to its situation is charted with attention to the types of individuals that are likely to compose a group.

The typology comprises the examination of seven personality types in the context of each delinquent situation and suggests the nature of the probable reaction.

The unsocialized aggressive child's native inclinations are opposed to the values and norms of most delinquent patterns. He can follow two paths depending upon the nature of his situation. He could adjust marginally to the upper lower-class neighborhood that supports conflict patterns of delinquency. In the lower lower-class, he could act as he pleased. In other neighborhoods, in other social classes, he would be a loner or his delinquency would be enacted in the company of casual acquaintances. His adjustment would conform to the withdrawn mode.

The self-centered indulgent delinquent has leadership qualities and charm. He is most likely found in the aggressive-exploitative pattern of the lower

upper and upper middle-classes where there is latitude for him to express his combative urges against rival cliques and individuals, and where he is encouraged to win the favors of feminine classmates. He would also adapt to the upper lower-class conflict pattern. He would find it difficult to fully participate in a criminal pattern because of inability to adjust to the authority of older males. He would feel comfortable in the disorganized acting-out pattern in the lower lower-class. He would less likely adjust in the mischievous indulgent pattern of the upper upper-class.

The psychopathic delinquent would fail to adjust in any structured delinquent pattern. He might get by in the disorganized acting-out pattern of the lower lower-class, but even here he would not form friendship ties. Ego-centric needs would be pursued in social isolation.

The sexual pervert or homosexual would only find acceptance or tolerance in the lower lower-class.

The inadequate delinquent because of his disorganized, diffuse manner, would only find tolerance or acceptance in the lower lower-class.

The symptomatic delinquent: (a) the kleptomaniac might find a degree of acceptance in a mischievous, indulgent clique and in the theft pattern of the upper lower-class. It is unlikely that he would adjust in other delinquent patterns because of his bizarre behavior; (b) the pyromaniac would be an isolate in every class with the possible exception of the upper lower-class where he might be acceptable to the conflict pattern; (c) the sexual delinquent's (obsessed with fetishism, exhibitionism, or voyeurism) acceptance in the several classes will vary, but at best, his adjustment in any pattern in any class would be marginal.

The crystallized delinquent unlike many delinquent types, is strongly committed to delinquent behavior, and he would therefore avoid those patterns that were not defiantly anti-social. He would gravitate to the criminal and conflict patterns of the upper lower-class. His commitment, organizing ability, and self-control equip him for a career in organized crime. In the lower lower-class, he would find little to structure his anti-social disposition.

Moving on to a synthetic typology of delinquent groups, the author considers the adjustments that each typical class situation makes to the types of delinquents it tends to attract. He states that since his preliminary synthetic typology is preliminary, no attempt is made to codify its several types, i.e.,

in the same manner that he codified his ideal social and psychological types. Ferdinand claims with justification that his synthetic typology describes the qualities of individuals more completely than any of the ideal typologies from which it was derived. There are qualitative differences between types though some types resemble each other in certain significant details. Ferdinand's typology assumes multiple causation but it provides a framework within which several different levels of analysis (in this case two) can be interrelated.

The reviewer trusts that Ferdinand and others will immediately concern themselves with developing extended, ideal typologies beyond the social- and psychological types, e.g., physiological, constitutional, and legal typologies. With this wider base, a more comprehensive and meaningful synthetic typology could be developed and articulated with the aid of social action theory and field theory.

Ferdinand is definitely on the right track. A viable synthetic typology permits the necessary operation of an interdisciplinary approach to the study of delinquency and crime and at the same time obviates the ancient problem of reductionism.

One might quibble with some of Ferdinand's sub-categories, e.g., the unsocialized aggressive child and the psychopath are quite similar; the fine distinction made between two similar types, the inadequate and the crystallized delinquent, etc. Other ideal social types could be developed without the intensive emphasis the author places on social class. Moreover, a variety of ideal psychological types could be formulated without the psycho-analytical frame of reference, e.g., bipolar typologies, value typologies, imagery typologies, temperament typologies, and typologies based on the constructs of stimulus response psychologists (H. J. Eysenck, et. al.).

Ferdinand's brilliant contributions lie in his theoretical discussion of typologies, his recognition and demonstration of the fact that typologies offer the only manageable way of articulating different force-systems, and in his methodology with reference to the development of synthetic typologies. His work to date marks one of the most significant contributions to the literature of delinquent typologies. A definitive delinquent typology is yet to come, but Professor Ferdinand has pointed the way in this remarkably scholarly work. The sociological purists should take heed! The criminologists' taste for the same old, sluggish wine even though it appears in a variety of new, shiny bottles

has long since been abated. Ferdinand offers a more refreshing vintage for the palate. Hopefully, many scholars will partake.

JULIAN B. ROEBUCK

University of Texas  
El Paso, Texas

STRAFFPROZESS: EIN LEHRBUCH. By *Karl Peters*. Second ed., revised and enlarged. Karlsruhe, Pp. xiv, 646. C. F. Müller, 1966.

This is the second edition of a basic treatise on German criminal procedure, the first edition of which was published in 1952 and widely acclaimed. The author is Professor of Criminal Law in the University of Tübingen. The new edition has been considerably enlarged. It has been

brought up to date with regard to legislation, case law, and research; it also offers a generous number of new cases and draws widely on experiences from the fields of sociology, criminology, and psychology.

The author notes especially the utilization of the results from the research of more than one thousand appeal cases by the Tübingen Research Office of Criminal Procedure and Execution (Tübinger Forschungsstelle für Strafprozess und Strafvollzug). It is a comprehensive and well-documented work. Although primarily intended for the use of law students, it should be of substantial value to all practitioners and researchers in the field of criminal law.

K. S.

### BOOKS RECEIVED

*During December, 1966:*

ARCHBOLD CRIMINAL PLEADING, EVIDENCE AND PRACTICE. By *T. R. Fitzwalter Butler* and *Marston Garsia*. Sweet & Maxwell, London, 1966. Pp. cxcv, 1668. \$25.20.

LOISIRS ET DELINQUANCE JUVENILE. By *M. J. Constant*. Centre d'Etude de la Delinquance Juvenile, Brussels. 1966. Pp. 165.

LES BLOUSONS NOIRS. By *A. Racine*, *C. Somerhausen*, *Chr. Debuyss*, *G. DeBock* and *L. de Bray*. Cujas, Paris. 1966. Pp. 236.

CRIME AND SOCIAL DEVIATION. By *Shlomo Shoham*. Henry Regnery Company, Chicago. 1966. Pp. lx, 267. \$12.50.

TROUBLE MAKERS. By *T. R. Fyvel*. Schocken Books, Inc., New York. Pp. 347. \$1.95.

SOCIAL DEFENCE, A MODERN APPROACH TO CRIMINAL PROBLEMS. By *Marc Ancel*. Schocken Books, Inc., New York. Pp. x, 232. \$6.95.

CIPES-FEDERAL CRIMINAL RULES. Matthew Bender, New York 10017. \$35.00.

JUSTICE WITHOUT TRIAL: LAW ENFORCEMENT IN DEMOCRATIC SOCIETY. By *Jerome H. Skolnick*. John Wiley & Sons, Inc., New York. 1966. Pp. xi, 279. \$7.95.

IL COMPARTAMENTO VIOLENTO. By *Franco Ferracuti* and *Marvin E. Wolfgang*. Dott. A. Guiffre, Milan. 1966. Pp. xiv, 409. 3000 lire.

*During January, 1967:*

JEFFREYS—A NEW PORTRAIT OF ENGLAND'S "HANGING JUDGE". By *P. J. Helm*. Thomas Y.

Crowell Company, New York. 1966. Pp. 208. \$5.95.

TREASURY OF LAW. Edited by *Richard W. Nice*. Philosophical Library, Inc., New York. 1966. Pp. xii, 553. \$10.00.

DEFENSE OF DRUNK DRIVING CASES—SECOND EDITION. By *Richard E. Erwin* and *Matthew Bender*, New York. 1966. Pp. xxiii, 700.

DROIT PENAL GENERAL ET PROCEDURE PENALE. By *G. Stefani* and *G. Levasseur*. Dalloz, Paris. 1966. Pp. 475. 20 francs.

PSYCHOANALYSIS, PSYCHIATRY AND LAW. By *Jay Katz*, *Joseph Goldstein* and *Alan M. Dershowitz*. The Free Press (A Div. of Macmillan Company), New York. 1966. Pp. xxxiii, 822. \$15.00.

LE TRAITEMENT DES DELINQUANTS JEUNES ET ADULTES. *Travaux du VI<sup>e</sup> Congres Francais De Criminologie*. Librairie Dalloz, Paris. 1966. Pp. 460. 45 francs.

LES BANDES D'ADOLESCENTS. By *Philippe Robert*. Les Editions Ouvrieres, Paris. 1966. Pp. 383. 25 francs + T. L.

IMAGINATIVE PROGRAMMING IN PROBATION & PAROLE. By *Paul W. Keve*. University of Minnesota Press, Minneapolis. 1967. Pp. 292. \$6.75.

PROBATION RESEARCH—A PRELIMINARY REPORT—A HOME OFFICE RESEARCH UNIT REPORT. By *Steven Folkard*, *Kate Lyon*, *Margaret M. Carver* and *Erica O'Leary*. Her Majesty's Stationery Office, London. 1966. Pp. vi, 57. 4s. 6d.

THE AMERICAN JURY. By *Harry Kalven, Jr.* and

- Hans Zeisel*. Little, Brown and Company, Boston. 1966. Pp. x, 559. \$15.00.
- CONVICTION: THE DETERMINATION OF GUILT OR INNOCENCE WITHOUT TRIAL. By *Donald J. Newman*. Little, Brown and Company, Boston. 1966. Pp. xxvii, 259. \$8.50.
- CRIMINAL TYPOLOGY: THE LEGALISTIC, PHYSICAL-CONSTITUTIONAL-HEREDITARY, PSYCHOLOGICAL-PSYCHIATRIC AND SOCIOLOGIC APPROACHES. By *Julian B. Roebuck*. Charles C Thomas, Springfield. 1966. Pp. xiv, 320. \$13.50.
- EINFÜHRUNG IN DIE PRAKTISCHE KRIMINALPSYCHOLOGIE. By *Dr. Albert Reps*. Ferdinand Enke Verlag, Stuttgart. 1967. Pp. viii, 198. DM 22.—.
- CENTER OF THE STORM—MEMOIRS OF JOHN T. SCOPES. By *John T. Scopes* and *James Presley*. Holt, Rinehart and Winston, Inc., New York, 1967. Pp. vi, 277. \$5.95.
- LE TRAITEMENT DES DELINQUANTS—QUATRIEME CONGRES FRANCAIS DE CRIMINOLOGIE. Preface By *Jacques Leaute*. Presses Universitaires de France, Paris. 1966. Pp. xi, 307. 20 francs.
- THE CONTROL OF POLICE DISCRETION—THE DANISH EXPERIENCE. By *Thomas J. Aaron*. Charles C Thomas, Springfield. 1966. Pp. xii, 107. \$5.75.
- DRUGS AND POISONS, Consulting Editor *William W. Turner*. Aqueduct Books, Rochester 14603. 1965. Pp. vii, 295.
- CASE INVESTIGATION—PART I. By *William W. Turner*, Consulting Editor. Aqueduct Books, Rochester 14603. 1965. Pp. ix, 283.
- CASE INVESTIGATION—PART II. *William W. Turner*, Consulting Editor. Aqueduct Books, Rochester 14603. 1965. Pp. vii, 407.
- EXPANDING LIBERTIES. By *Milton R. Knovitz*. Viking Press, New York. 1966. Pp. xvii, 429. \$8.95.
- CRIMINOLOGY—SECOND EDITION. By *Robert G. Caldwell*. The Ronald Press Company, New York 10010. 1966. Pp. viii, 774. \$8.00.
- JUSTICE AND THE PRESS. By *John Lofton*. Beacon Press, Boston. 1966. Pp. x, 462. \$5.95.
- THE POLICE OF THE 20TH CENTURY. By *V. A. Leonard*. Foundation Press, Brooklyn, 1964. Pp. xvi, 200.
- THE AUSTRIAN PENAL ACT. Introduction by *Dr. Roland Grassberger* and *Dr. Helga Nowotny*, translated by Norbert D. West and Samuel I. Shuman. Fred B. Rothman & Co., South Hackensack. 1966. Pp. xii, 170. \$9.00.
- THE GERMAN DRAFT PENAL CODE—E 1962. Introduction by *Dr. Eduard Dreher*, translated by Neville Rosse. Fred B. Rothman & Co., South Hackensack. 1966. Pp. xiii, 253. \$10.95.
- SYSTEM OF EAR IDENTIFICATION. By *Alfred Victor Iannarelli*. The Foundation Press, Inc., Brooklyn. 1964. Pp. xix, 168.
- RECIDIVISM A DEFICIENCY DISEASE. By *Alastair W. MacLeod*. University of Pennsylvania Press, Philadelphia 19104. 1966. Pp. 131. \$4.50.
- During February, 1967:*
- NEUE BEITRÄGE ZUR PSYCHOLOGIE IM DIENSTE DER POLIZEI. By *Fritz Stiebitz*. Carl Heymanns Verlag Kg. 1965. Pp. 92. DM. 9.80.
- ZAGADNIENIE PROGNOZY KRYMINOLOGICZNEJ. By *Pawel Zakrzewski*. Wydawnictwo Prawnicze, Warsaw. 1964. Pp. 224. Zt. 20.
- THE SUSPECT AND SOCIETY—CRIMINAL PROCEDURE & CONVERGING CONSTITUTIONAL DOCTRINES. The Julius Rosenthal Lectures at Northwestern University School of Law in 1966. By *Walter V. Schaefer*. Northwestern University Press, Evanston. 1967. Pp. vii, 99. \$3.50.
- THE POLICE STATE OF LOUIS NAPOLEON BONAPARTE, 1851–1860. By *Howard C. Payne*. University of Washington Press, Seattle. 1966. Pp. ix, 340. \$6.50.
- THE CRIMINAL MIND. By *Philip Q. Roche*. John Wiley & Sons, New York. 1967. Pp. xi, 299. \$1.65.
- THE SILENT SYNDICATE. By *Hank Messick*. The Macmillan Company, New York. 1967. Pp. xvi, 303. \$6.95.
- THE LAW OF CRIMINAL CORRECTION. By *Sol Rubin*. West Publishing Co., St. Paul. 1963. Pp. xxv, 728. \$12.50.
- ORGANIZED CRIME IN AMERICA. By *Gus Tyler*. The University of Michigan Press, Ann Arbor. Pp. xvi, 421. \$7.50.