

1969

Book Reviews

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judge make a determination as to the voluntariness of a confession at a preliminary hearing out of the presence of the jury. In the defendant's case there was no such hearing, but the jury itself was permitted to decide the entire issue of voluntariness. The jurors were merely instructed to disregard the confession if they found it to be involuntary or to give it weight as evidence if they thought it voluntary, returning in either case a general verdict.

The Maine court reversed the conviction, holding that the due process clause of the Fourteenth Amendment required that *Jackson* should be applied retroactively. It concluded that it was the intention of the Supreme Court that the

decision be so applied. It noted the Court's language in *Johnson v. New Jersey*, 384 U.S. 719 (1966):

We gave retroactive effect to *Jackson v. Denno*, supra, because confessions are likely to be highly persuasive with a jury, and if coerced they may well be untrustworthy by their very nature.

The right to a hearing, stressed the Maine court, is protected by the federal constitution, and the supremacy clause requires obedience to the rule.

Furthermore, the court emphasized that this rule should be applied retroactively because the lack of such a hearing affects the very integrity of the fact finding process.

BOOK REVIEWS

Edited by

C. R. Jefferey

CONCERNING DISSENT AND CIVIL DISOBEDIENCE.

By *Abe Fortas*. New American Library. 64 pp. Paperback, 50¢.

It is a sometimes dispiriting time in which we live. Summer is a season to fear; the assassination of national leaders is no longer surprising; students wreck institutions of higher learning to demonstrate their entitlement to a greater share in the conduct of them; arrogance and ignorance, that most dangerous of combinations, seem often to move hand in hand. Somewhere along the way the notion has again taken root, in mid-Twentieth Century America of all places, that violence and related lawlessness are legitimate instruments of what for the moment is called progress.

An occasional historian, Arthur Schlesinger, Jr., responds that Americans have an "historical propensity for violence." I had thought that with the possible exception of some scattered tribes, all mankind shared this unhappy disposition, along with other animals, but that mankind's peculiar ability to reason—and therefore to recognize the wisdom of constructing a rule of law—could now and again save it from self-inflicted chaos and death. But whatever the point and breadth of its source, the resurgent idea that savage means are

justified by laudable ends has so far been met either by stunned silence or apologetic acquiescence. Until recently no representative of reason or the rule of law has come publicly to their defense; the killers and the burners, the trespassers, the thieves and the extorters have been opposed by handwringers. Now a superlative advocate of law and reason, Associate Justice Abe Fortas of the United States Supreme Court, has said some words on behalf of these two civilizing forces.

Fortas' long essay, *Concerning Dissent and Civil Disobedience*, is written in measured tones. Nothing gets in the way of what he wants to say, neither emotion nor even fancy prose. His book is a calm manifesto, straight-out and, where there can be no room for compromise, uncompromising. With great clarity he defines the proper scope of dissent in a democratic society. He does so in the context of the two most discernible present-day protest movements: the Negro's revolt against second-class citizenship and youth's rebellion against whatever it can think of and remember. Both of these movements, often spurred by the most praiseworthy of motives, have sometimes secured the most commendable of results—occasionally by the most sickening of means.

Justice Fortas favors laudable ends but he does not believe in unbridled means of obtaining them. His recurring theme is that individual conscience and good motives do not carry with them a license to disregard the rights of others. Whatever may be his underlying motives, "[C]ourts will [not] protect the dissident if the method of dissent involves aggression—something more than speech or symbolic speech for the communication of ideas to persuade others." Fortas points out the fine inconsistency displayed by those who would violate valid laws to dramatize what they take to be law violations by others and by the government itself: "It is not merely government that must live under law. . . . A citizen cannot demand of his government or of other people obedience to the law, and at the same time claim a right in himself to break it by lawless conduct, free of punishment or penalty."

Recognizing that "there is a need for the most patient tolerance" of youthful excesses (some of our universities, including my own, have had the sense to exercise it), and wryly noting that youth today seems "immersed in the warm fluid of me-ness," the Justice nevertheless hews to a hard line. "The state may and should act if the protest . . . involves physical assault upon, or substantial interference with the rights of others, or trespass upon private property which is not open to the public." "It is," he says, "the state's duty to arrest and punish those who violate laws designed to protect private safety and public order. . . . Rioters should be arrested, tried, and convicted." Are looting, arson and other forms of promiscuous violence, or the occupying of academic offices, protected exercises of First Amendment freedoms? Fortas minces no words: "That is nonsense." And in his book he meticulously explains why it is.

But Abe Fortas does not oppose civil disobedience of a sort—the right and courageous sort. To disobey a law with which one has no quarrel is irresponsible; to challenge a law thought to be unjust and unenforceable is commendable, so long as one is prepared to pay the penalty if, after the due processes of law have run their course, the test case thus mounted results in affirmation of the challenged statute. So Fortas admires a Martin Luther King who could defy a law he thought invalid and go unwhining to jail when that law was upheld by the nation's highest and most receptive court; he commiserates not at all with those who break laws and then shout for amnesty.

Fortas, whose credentials as one unstintingly sympathetic toward the genuinely abused are unimpeachable, is not being stubbornly repressive. He simply has reason to know that "Violence is never defensible—and it has never succeeded in securing massive reform in an open society where there are alternative methods of winning the minds of others to one's cause and securing changes." He perceives the madness involved in ripping ourselves asunder in the name of reform. And so, caring about the American experiment, he is not reluctant to say that "We can . . . insist that the methods which dissidents adopt be within the limits which an organized, democratic society can endure."

Those methods, as sharply identified by Fortas now as they were by Jefferson early and Holmes later, are at hand. The rights to speak, to publish, to protest, to assemble peaceably—"These are our alternatives to violence."

It would appear that Abe Fortas concurs with Orwell, who said: "Freedom is the freedom to say that two plus two make four. If that is granted, all else follows."

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CAPITAL PUNISHMENT. *Thorsten Sellin*, editor.
(New York: Harper and Row, 1967. 290 pp.
\$3.50).

Although only one prisoner was executed in the United States in 1966 and only two during 1967, some 441 men are presently confined under sentence of death in the prisons of this country (ranging down from 63 in California, 51 in Florida, 37 in Louisiana, 25 in Georgia, 24 in Texas, 22 in Maryland (including a sixteen year-old), to one each in Nebraska and Wyoming. Of death penalty jurisdictions, only the District of Columbia, Idaho, Montana, New Mexico, and South Dakota have no death house residents. It is abundantly clear therefore that while the National Prisoner Statistics show a steadily declining use of capital punishment from the high totals of the 1930's (140 to 199 per annum) the fight to abolish the death penalty is still far from won.

1968 may well be a highly significant year in the history of the abolition movement. Cases from California and Florida, sponsored by the American Civil Liberties Union and the NAACP Legal Defense Fund, are enroute to the Supreme Court seeking a determination that capital punishment

violates the cruel and unusual provision of the Constitution; another appeal is attacking the exclusion from trial juries of those who oppose the death penalty; and Senator Philip Hart and thirteen of his colleagues have introduced a bill (S.1760) eliminating the death penalty from the Federal criminal code. Canada has just adopted a five-year moratorium on executions and commuted all 19 prisoners under sentence of death; Massachusetts has scheduled a referendum on the death penalty for the November elections; Maryland has by statute banned the interrogation of prospective jurors as to their views on capital punishment; and on the negative side, New York legislators Bloom and Cincotta have initiated an attempt to restore the death penalty in the Empire State.

In this context it is good to have on hand a new volume edited by Thorsten Sellin, internationally famed penologist and long time student of the death penalty . . . and especially welcome to note that unlike many editors of compiled volumes Sellin has himself contributed six of the eighteen chapters. Nor will his co-contributors, with the possible posthumous exception of Cesare Beccaria, cavil with my judgement that these are the strongest essays in the volume. Particularly noteworthy is the summation: "The Inevitable End of Capital Punishment"—a masterful abolition brief first published in *The Criminal Law Quarterly* (8: 36-51, 1965). Here Sellin concludes: ". . . capital punishment performs none of the utilitarian functions claimed by its supporters, nor can it ever be made to serve such functions. It is an archaic custom of primitive origin that has disappeared in most civilized countries and is withering away in the rest."

The volume is divided into four major parts. It is introduced with an historical section in which Marc Ancel, Conseiller a la Cour de Cassation in Paris and author of a number of United Nations surveys and a Council of Europe report on the death penalty, reviews the history of the death penalty both as to the opinions of such disparate if equally redoubtable commentators as Enrico Ferri, Adolphe Prins, Samuel Romilly, Bentham, Lombroso, Thomas Aquinas, Rousseau and Camus; Robert Finkel, a Philadelphia prosecutor, tells us that not only murder but such interesting offenses as castrating another while fighting (Georgia), forced marriage (Arkansas), assault on a foreign ambassador (Connecticut), dueling (13 states), rape (in 18 jurisdictions), and assault with intent to commit sodomy (Nevada) are

punishable by death; Sellin concludes this section with a short summary of executions carried out in the United States since 1930.

Part II, "Movements of Abolition" presents fascinating and provocative materials: an essay by Beccaria dating from 1764 with an appended fragment from his minority report on the 1790 revision of the penal code of Lombardy; a debate between Caesar and Cato recounted by Dr. William Green of the University of California which indicates that the arguments, pro and con, have changed little in the intervening centuries; an interesting comparison of the death penalty debates in the French Constituent Assembly (1791) and the British House of Commons (1956); selections from the Canadian House of Commons debate (1966); an article on the abolition movements in the United States which quite disappointingly carries the story only up to the early 1940's; a note by Sellin on states which experimented with a period of abolition and then restored the death penalty; and a somewhat longer note on abolition and restoration in Missouri.

"The Problem of Deterrence" (part III) will prove of greatest value to the student of penology. Herein are found comparisons between retentionist and abolition states as to their homicide rates; a similar comparison as to the incidence of police homicides; Sellin's extended note on homicides committed in prison (interestingly enough Arkansas failed to provide any data for this section although recent disclosures indicate significant experience); a report on homicides and assaults in Canadian prisons; and an updated 1951 study of paroled capital offenders. Part IV, "The Death Penalty and Judicial Administration," begins with a fine article by Herbert Ehrmann illustrating the distortions in the administration of justice traceable to the death penalty; Otto Pollak's very convincing documentation of miscarriages of justice from the 1952 ANNALS (in which by the way he attributes to Lafayette a comment on the death penalty often credited to Jefferson); Cornell law professor Walter Oberer's strong attack on death qualifying jurors; and Judge S. M. Ringold's discussion of executive clemency.

The 'Notes' contain some interesting case citations and references to penal codes, foreign studies, and other not too readily available materials; and the 'Selected Bibliography', while short, lists most of the important titles. Perhaps the major shortcoming of the volume from the point of view of the academic profession is that no strong presentation

of the retentionist view (other than Cato's defense of an irregular execution when the security of the state demanded such action and the views expressed by opponents of abolition in the three parliamentary debates) is included. Should the volume be reprinted, I would suggest including Jacques Barzun's "In Favor of Capital Punishment" (*The American Scholar*, 31: 181-191, Spring 1962) and/or Sidney Hook's "The Death Sentence" (*The New Leader*, 44: 18-20, April 3, 1961) to balance the abolitionist orientation. In fairness to the editor, I must however point out that both of these articles are noted in the bibliography.

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COMPARATIVE CRIMINOLOGY. By *Hermann Mannheim*. Houghton Mifflin Co., Boston: 1965, 793 pgs., \$12.50.

Comparative Criminology represents the work of one of Europe's most distinguished criminologists. In this volume Professor Mannheim devotes himself to the field of criminology since, as he argues, there is a great need for a book that does not attempt to combine under one cover both criminology and penology. The author draws upon both European and American sources, and he combines legal, psychiatric, and sociological materials in his discussion of crime and criminals. This text thus represents a most successful attempt to review the literature of both European and American criminology.

Mannheim discusses the nature of criminology, of crime, of criminals, of criminal law, and of science, and it looks at the interrelationship of these topics. Included are four sections: (1) research methods; (2) physical; (3) psychological and psychiatric; and (4) sociological aspects of crime. They treat, respectively: (1) statistical, case study, experimental, and action research; (2) anthropological, biological, and neo-Lombrosian theories of behavior; (3) neuroses, psychoses, alcoholism, drug addiction, normal offenders, and psychoanalysis; and (4) the family, education, age, sex, social class, ecology, race, and delinquent gangs.

The book contains a thorough review of the literature. The American reader may miss the theoretical structure characteristic of many American texts, since this is an eclectic book wherein psychiatric theories stand next to sociological theories without major attention being

paid to the truth or falsity of what men say about crime and criminals. It may be desirable to leave to the reader the task of evaluating the many studies quoted in this book, although the reviewer would have preferred to see more critical comments by Professor Mannheim.

This is an excellent book which should receive wide use in American universities wherein too little attention has been paid to the contribution of Europeans to the field of criminology.

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LE TRAITEMENT DES DELINQUANTS JEUNES ET ADULTES. Travaux du VIème Congrès Français de Criminologie, Toulouse, 7-9 octobre 1965, Paris, Dalloz, 1966, 460 pages.

Six French conferences on criminology, one after the other, indicate the unquestionable interest taken in such meetings in France. The theme of the 6th Congress dealt with treatment of juvenile delinquents and adult offenders, a subject which has always concerned us, when we remember that it had already been brought up at the 4th National Congress, and was the topic of discussion two months earlier at the 5th International Conference on Criminology held in Montreal. Here the problem of the treatment of delinquents was viewed, for the first time, in its totality and in its international scope.

By using a method of restricted subjects for discussion, studied by small groups, the work of the five sections of the Congress arrived at the following resolutions:

1—*Prophylaxis and Treatment:*

a) Even if punishment still retains a certain preventive value which we do not wish to reject entirely without deeper investigation, it can no longer be considered the only means of prevention; other measures stemming from various disciplines could effectively take its place.

b) The intervention of public authority on behalf of predelinquents, while seeming consistent with the social interest, is conceived only in the preventive form, and should extend to the protection of individual rights. The existence of a state of pre-delinquency is to be ascertained by specialists and the accompanying required measures will imply, in general, a compliance on the part of the person concerned.

2—*Methods of Treatment:*

a) With regard to the principles concerned, it

must be stressed that the efficacy of the treatment is not necessarily in proportion to its duration and that it cannot be founded upon a causal remedy; that the integration of the various specialists in the group should operate in a dynamic atmosphere; that prisons are playing an ever decreasing role in the treatment of offenders, whereas treatment in a milieu of liberty seems to be developing considerably.

b) Concerning the methods of application, there is rejection of psycho-surgical methods and, an assertion of the importance of chemical therapy, which, combined with psycho-therapy, constitutes the basic method of treatment. An urgent call is finally made for the establishment of organizations, premises and qualified personnel in this regard.

3—*Methods for Evaluating the Results of Treatment:*

Accounts of criminological work should systematically carry a fairly complete description of the techniques used. Research workers should, in the framework of national institutions on criminology, envisage new research projects with a view to widening the scope of ascertaining the effectiveness of treatment without limiting it to the study of recidivism. They should also have easier access to administrative, judicial, penal and social information.

4—*The Scientific Options of the Police in Prophylaxis and Treatment:*

Youth Corps, Recreation and Holiday Centres and other specialized services operate in a preventive capacity. Official warnings, investigation of the individual and new duties entrusted to the police in the application of punishment are what constitutes the methods of treatment at the police level.

5—*Application of the Decisions Arrived at by the Congress of Tours:*

The present clinical equipment, in penal institutions, teaching, and research in criminology were the main themes treated upon at Tours. The resolutions adopted as an outcome of this meeting were re-affirmed by the 6th Congress.

From the conclusions arrived at by the French participants at Toulouse, one can pin-point two tendencies. First of all, there is a comparison which can be drawn chapter for chapter between the findings of the Montreal Congress and that of Toulouse. There is also in the work of this Congress a dynamic quality which constitutes a real surge forward such as the proposition of police specialists that they join together with the team

of criminologists to effect investigations of the individual and to work with the same chosen therapeutic methods as the entire team.

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Quatrième Congrès Français de Criminologie (Strasbourg, 10-12 octobre 1963), LE TRAITEMENT DES DÉLINQUANTS, Paris, Presses Universitaires de France, 1966, 307 pages, 20 F.

France has been organizing National Congresses in Criminology since 1960, under the patronage of the International Society for Criminology. The present work is a collection of the reports and communications given during the IVth Congress, held in Strasbourg from October 10 to October 12th, 1963.

One of the reasons why the organizers chose the subject—treatment of delinquents—was in preparation for the 5th International Congress in Criminology to be held in Montreal two years later and which was to deal with the same theme. Therefore, the aim of the Fourth French Congress was to clarify the French realizations in this domain, as well as to evaluate their results.

In the book's preface, short but rich in ideas, Prof. Leauté, president of the Congress, warns us against an excessive optimism in the "treatment" area, which is the ultimate aim of contemporary criminology. His argument is based on the ambiguity of the interpretation of "cause of delinquency" as well as on the limited number of malefactors upon whom the treatments are applied.

The Reverend Father Vernet, the national delegate on the International Society for Criminology, then presents the criminological orientation of the Congress; he examines the meaning and the significance of the word "treatment" which, according to him, should be interpreted in a very broad sense and the importance of which is unquestionable, due to the unceasing increase of delinquents and the disquieting proportion of disturbed criminals. Despite the method, treatment must follow certain principals: a perfect knowledge of the delinquent's personality; an absolute respect for the man; an adjustment to the prisoner whereby his hostility may be eliminated and his anxiety allayed. The final aim of all this being the rehabilitation of the condemned.

The first part of the work is devoted to medical

and psychiatric treatment of delinquents. Dr. Jean Dublineau, doctor at the Hôpitaux psychiatriques de la Seine and at the Specialized Penitentiary Centre of Château-Thierry, emphasizes the necessity for considering the psychiatric aspect of delinquency in a criminological perspective; that is, collaboration among the different sciences that deal with the criminal phenomena. He offers some original solutions recommending psychiatric treatment which includes daily medical treatment in the penitentiary as well as certain forms of treatment outside the prison environment.

Dr. Yves Rounajon (Paris), in his report entitled "Individual psychological treatment of the delinquent", points out the ambiguity in the interpretation of treatment; the indispensability of personality files which should be the basis for any decision on treatment; the necessity for a scientific concept of this treatment—(its essential aim being to attain a real technical training in relationship with others); the necessity for a technical training of qualified personnel so that the practical application of De Greefe's concepts in their phenomenological and psychoanalytical aspects might function therapeutically; an increase, much to be desired, in free or partially free cures and the necessity for transforming penitentiary establishments into modern units of treatment.

Treatment, considered in a social and sociological aspect, is discussed by Mr. Dubuyst, head of studies at the University of Louvain (Belgium). Since the aim of all treatment is the reintegration of the delinquent in world society, it must try to fill the gap that exists between the attitude of the subject and his real possibilities, on the one hand, and of the society's demands on the other. This is a difficult task if one takes into account the fact that correction still carries with it an aspect of punishment which without directly opposing its therapeutic value could just as well not be in harmony with it.

As far as treatment in its concrete form is concerned, Mr. Dubuyst examines consecutively the measures of deprivation of liberty (and particularly imprisonment) and those that allow the subject to continue living in his usual surroundings. It seems that the social and sociological treatment has little positive result while in prison, and aims mainly at thwarting the inconveniences of the prison surroundings; whereas the social technique can have very satisfactory results when dealing with measures that do not deprive the

subject of his liberty, whether the treatment is psycho-social, depending on an interpersonal relationship (probation), or social, depending on the intervention of the community as such.

Various communications, based on the subjects treated, accompany each report and precede the conclusion of this book, written by Prof. Leauté. His conclusion is slightly pessimistic—penal treatment, according to him, can apply only to a certain category of delinquents and often acts more on the secondary effects of imprisonment than on the real causes for delinquency.

Despite this pessimism, the present work, in limiting itself to the study of the treatment of criminals, without trying to find out the causes of crime, certainly contributes a valuable sample of plans and future projects offered by France on this subject, and represents a model for countries interested in a progressive "crime policy".

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Racine A, Somerhausen C, De Buyst Chs, al (1966):

Les Blousons Noirs. Bruxelles: Cuyas (ed.) 236 p.

Etude criminologique d'un phénomène socio-culturel: Les Blousons noirs. A la demande de la Cour, le Centre d'Etude de la Délinquance Juvenile de Bruxelles fut chargé de l'étude socio-médico-psychologique des membres d'une bande de délinquants belges.

A few years ago, a new phenomenon called "les blousons noirs" (black leather jackets) appeared almost simultaneously in various countries and even if this phenomenon was termed differently in each country, the same occurrences were noted. A certain tumultuous youth, non-conformist and eccentric came into being in the most industrialized countries; for these youths a fit of madness and a need of strong sensations were essential to them, thus allowing delinquency to develop (accidentally or willingly) and leading even to crime.

The first movements of this riotous youth occurred in the United States in 1953-54 and started to worry the public. Then later, in 1955-56-57, Germany began to notice with alarm, a serious change of behaviour in their youths who (a proportion only) were always ready to create all sorts of disturbances. In 1957, Stockholm and all Sweden were confronted with the same situation.

At the time of the trial (Dec. 59-Jan. 60) of 20 Belgian "blousons noirs" from 18 to 31 years of age, the city of Midbourg (fictitious name), was affected and the public opinion was alerted by the publicity given to the trial. Le Centre d'Etude de la Délinquance Juvénile de Bruxelles (C.E.D.J.) was then appointed to inquire about each member of the gang.

Following many observations, the C.E.D.J. came to a definite explanation of the term "le blouson noir" (black leather jacket) which is now accepted as a work theory. Three important factors prevail:

1) a certain physical aspect, (hair cut, clothes, bearing, way of smoking) determines that the "blousons noirs" live really in their own world where fun and adventure are most indispensable and where each one wants to play a role and be an important person.

2) a social scope which in other words is a typical group phenomenon: le "blouson noir" never remains isolated, he always has to be with others for his leisure hours as well as for his eccentricities and eventual offences.

3) a certain degree of non-conformity and of opposition are expressed by various aggressive comportments, always embarrassing to the entourage, very often against the established order and sometimes frankly malicious, going to the simple provocation against passers-by to sexual aggressions committed by the gang and leading even to murders.

The inquest carried through by the C.E.D.J. studied principally the three following aspects:

- 1—family conditions,
- 2—background of the individual,
- 3—characteristics of the personality.

Few others gangs have also been under study, in a less elaborate form of course, by the "Centre d'Etude de la Délinquance Juvénile" to verify if the Wild Devils and Red Devils characteristics have been observed elsewhere.

Evidently the final determinations of this study are limited and it would be dangerous to generalize the conclusions. Nevertheless this analysis provides new elements for the comprehension of this phenomenon called "les blousons noirs" (black leather jackets).

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PSYCHOPATHIC DISORDERS. *Michael Craft, M.D., R.F.C.P., D.P.M., Editor.* Pergamon Press, New York, London, 1966; Pp. X, 234, \$4.50, soft cover.

Published in 1966 the book is a collection of twelve essays or chapters by ten authors. Dr. Michael Craft is the Editor and contributes four of the chapters.

In 1959 following a prolonged study by a Royal Commission the Mental Health Act for England and Wales was passed. It defines the concept of psychopathy in legal terms and makes provisions for the care and treatment of those so diagnosed. Psychopathic Disorder is defined as, "a persistent disorder or disability of mind (whether or not including subnormality of intelligence) which results in abnormally aggressive or seriously irresponsible conduct on the part of the patient, and requires or is susceptible to medical treatment". By legal definition the person in question is designated a "patient" and treatment facilities made available to him. Since a period of six years passed from the time of passage of The Act and publication of the book the authors, experts in the fields of Psychiatry, Law, and Criminology, afford the reader an opportunity for learning and comparative study.

The provisions of The Act are unique as far as the Psychopath is concerned. In the U.S. there are no legal or social provisions of similar magnitude. We have scattered through several States legislative provisions for a few manifesting behavior disorders. In many instances these laws focus primarily on disturbance in sexual behavior. The British provisions are broader and therefore more meaningful from a clinical, social, and legal point of view.

The chapter on the legal aspects was written by a Member of Parliament and points up the practical problems presented by such legislation. The author states, "It seems reasonable to assume that a number of psychopathic offenders coming before the courts are still being sent to prison rather than made the subject of hospital orders". Incidents are cited to document an "attitude of mind not uncommon among the judiciary." N. Walker, a criminologist, wrote the chapter on "Liberty, Liability, Culpability". He covers the subject most adequately and the reader is enriched in his knowledge of the English Penal System. Concerning the basic problem under discussion Walker states "the psychopath does not merely baffle

parliamentary draftsmen, worry medical witnesses and irritate criminal courts. He illustrates more vividly than does any other type of offender the shortcomings of our sentencing system."

Four of the chapters are dealing with "Methods of Care".

1. The Henderson Therapeutic Community was started by Dr. Maxwell Jones in 1947 as part of a Social Rehabilitation program. The name derives from the hospital where the work was begun. Since 1960 court referrals have increased significantly. The dynamic group therapy approach is basic in this method of care.

2. The Balderton Psychopathic Unit—is experimental in nature. It uses the Maxwell Jones approach in one of two contrasting methods at a hospital for youthful defectives. Results from this unit are compared with those from the more traditional methods at the same institution.

3. The English Special Hospital System—was established under provisions of The Act of 1959. The Special Hospitals are under Ministry of Health management and are "for the treatment of compulsorily detained patients."

4. Prison Service Establishments and Psychopathy—describes a number of approaches, some experimental, within the several and different parts of the Prison Service.

There is a chapter on "Law and Practice in the USA." The author begins with a discussion of the problems stemming from the complexities of different State Laws. He found evidence of reluctance to enforce some of the laws, and opines that the "Sex Psychopath" laws tend to obscure the broader question of "Psychopathic Disorder". In many jurisdictions the failure to enforce specific provisions of the law is explained on the basis of high costs.

In his discussion of Treatment Facilities, Dr. T. C. N. Gibbens from London states that "any discussion of facilities for the treatment of psychopaths must start from the fact that treatment must include everything that happens to an offender as a result of conviction." The reader is reminded in this way that the psychopath rarely if ever presents himself as a voluntary patient. Both treatment and punishment provide some elements of the total facilities needed for the treatment of psychopath, "and although opinions will vary as to priorities, neither provides all that is needed." Dr. Gibbens emphasizes that in addition to increased need for facilities, greater co-

ordination of the existing ones is even more important. This philosophy of a therapeutic approach is not often enough emphasized, and is most applicable to medico-legal problems.

The book ends as it begins with a chapter by its editor. Dr. Craft titles his chapter "Conclusions", which is essentially a summary of the preceding chapters. His comments on diagnosis, prognosis, treatment, and even a look into the future will enrich the insight of all interested in Social and Forensic Psychiatry. A book highly recommended.

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THE WORLD'S STRANGEST CRIMES. By C. E. Maine.

New York: Hart Publishing Company, 1967,
Pp. 240. \$4.95

The dust jacket of this book does not make clear whether the author's name is a pseudonym, since apparently he has employed pseudonyms with previous publications which are described on the dust jacket as crime novels, radio and television plays, science-fiction and science thrillers. However, the present unpretentious book is notable for two reasons: It tells of the motivations of committed crimes, and it tells in anecdotal form of present and past police science work.

The 23 chapters, each describing a criminal incident, begin with the present: the theft of the Coronation Stone from Westminster Abbey. This is followed with the severing of composer Haydn's head shortly after the composer was buried in 1809, and the "snatching" of it for the alleged purpose of finding out "if Haydn possessed a 'bump of music.'"

The book reads like an anthology of Perry Mason stories, except that all cases are authenticated. The idea perhaps is that, although Police Science has long been established, it was formerly practiced under various guises, the purposes of the law enforcement officials always being to "catch the criminals" and "to protect society," even though there was not (and is not) always unanimity how to define society and how to define "criminals." Throughout the stories runs a thread of either successful "cops" and frustrated robbers or, vice versa, of successful robbers and frustrated cops. That probably should bring us to the present time, when so much is being said in public about "police brutality" and the unabridgeable rights of the individual citizen.

The author is not choosy about the types of crimes or their locations. Whether the scene is his native England, or Germany, Austria, or Italy, he seems equally at home in all of them, and discusses lucidly and briefly the crimes in the same way as an enlightened and well informed newspaper would

present the story of a crime to its readers. Delightful reading!

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Book Notes

THE SOCIAL CONTEXT OF PREMARITAL SEXUAL PERMISSIVENESS. By *Ira L. Reiss*. New York: Holt, Rinehart and Winston Inc., 1967. pp IV 180. Appendices 50. Hardcover cloth \$7.95.

A questionnaire study of the attitudes of high school students, college students, and adults concerning sexual permissiveness. The author draws theoretical propositions from the study concerning sex attitudes and social variables.

STUDIES IN HOMICIDE. By *Marvin Wolfgang*, editor. Harper and Row publisher, New York, Evanston, and London. pp. II 307. Paperback (not priced).

Introduction by Marvin E. Wolfgang. Articles on sociology of homicide, criminal homicide in United States and England, laws of sex and homicide, victim's contribution and justifiable homicide by police officers, are included. There are articles on psychological and psychiatric aspect of homicides including etiological factors in first-degree murder. The book concludes with some theoretical propositions concerning homicide and violence.

THE SOCIAL ORGANIZATION OF JUVENILE JUSTICE. By *Aaron V. Cicourel*. New York: John Wiley and Sons, 1968. pp. xi 337. Hardcover price \$8.95.

This book deals with the practices of the police, probation officers, the courts and other agencies in their dealings with juvenile delinquents. This book deals with the actual every day activities of the agencies and court in the treatment of juvenile problems—and tries to 'debunk' the abstract theories of many so called research sociologists, by contrasting their theories with actual events, and particularly the background experiences that color the decisional processing of the 'making' and unmaking of delinquents. Particular attention is paid to the police work as they are the ones who start the ball rolling. He brings out the difference of police treatment of middle and upper class

delinquency with lower class delinquency. He shows that improper labeling by police creates delinquents that otherwise would not have existed.

NARCOTICS AND THE LAW. By *William Butler Eldridge*. Chicago: University of Chicago Press, 1962. pp. ix 243. Hardcover price \$7.50. Second edition 1967.

The book concerns itself with a critical evaluation of the American experiments in narcotic drug control. Chapter one deals with the development of the problem; Chapter two with the social attitudes as a factor in control policies; Chapter three with the legal aspects of the problem. The rest of the book deals with the evaluation of the American system and recommendations for narcotic controls. The Uniform Narcotic Drug Act is in the Appendix.

THE PENAL PRESS. By *Russel N. Baird*. Illinois: Northwestern University Press, 1967. pp. xii 202. Hardcover \$6.95.

This book is the story of the penal press—its history, its goals, its problems, and examples of its creative successes. Many examples of the prisoner's creation are published. More than half the correctional institutions in the United States have inmate publications.

THE DANGEROUS CLASSES OF NEW YORK. By *Charles Loring Brace*. A reprinted edition of the 1880 book. Reprinted by Patterson Smith, New Jersey, 1967. pp. iii 455. Hardcover \$14.

This book dedicated in 1872, is a resume of twenty years of work among the poor, outcasts, criminal elements, and juvenile delinquents of New York City from 1852 to 1872. This book treats of these unfortunate's conditions, problems and suggestions to alleviate the situation. Some of the causes of crime the author points out circa 1870 exist even today—as broken homes, overcrowding, intemperance, homeless juvenile, prosti-

tution, vice, ethnic cultural clashes among the new immigrants, the street gangs, the illegitimates and the abject poverty and desperation of the lower class. He concludes with suggestions on how to fight crime.

THE SUBCULTURE OF VIOLENCE. By *Marvin E. Wolfgang* and *Franco Ferracuti*. Tavistock Publications, London, England, 1967. Paperback priced 30 Shillings, in Great Britain only. pp. xvi 316.

This book, with a foreward by Hermann Mannheim, is an interdisciplinary study of homicide both as to a psychology and sociology teaming up to make an integrated study. The early part of the book discusses the meaning of criminology as an 'integrating discipline—the meaning of criminology and the major research trends in criminology. The next part deals with the subculture of violence as an integrated conceptualization. The third part of the book expands the biological, psychiatric, and psychological studies of the subculture of homicide. The last part concerns itself with the sociological investigations to the subculture of violence. The detailed suggestions on control, prevention and treatment are elaborated in this section.

LAW ENFORCEMENT AND THE YOUTHFUL OFFENDER: JUVENILE PROCEDURES. By *Edward Eldefonso*. New York: John Wiley and Sons, 1967. pp. ii 341. Hardcover

This book covers all aspects of police work in handling of juvenile delinquents. The author covers the national and international trends of juvenile delinquency, the theoretical approaches to causation, police services for delinquents and special problems confronting law enforcement. It treats of juvenile gangs, teen-age drinking, adolescent drug addiction, school drop-outs and delinquency and sexual misbehavior among adolescents.

DELINQUENCY RESEARCH. By *Travis Hirschi* and *Hanan C. Selvin*. Riverside, New Jersey: Macmillan Co., 1967. pp. v 271. Hardcover.

This book is a review of several research studies

in juvenile delinquency, conducted between 1950 and the present date. It is an analysis of the methodology used, and the problems uncovered. Part one is devoted to the nature of methodological criticism. Part two is concerned with causal analysis. Parts three and four with multivariate analysis and conceptualization and inferences to be deduced from these researches.

DEVIANT CHILDREN GROWN UP. By *Lee N. Robins*. With an introduction by Leon Eisenberg. Publisher: Williams & Wilkins Co., 1966. pp. x 309. Hardcover price \$11.50.

This book is a unique study of about 500 children who were treated for deviant behavior in a hospital some thirty years ago. The research group re-studied these 500 cases as adults thirty years later. The findings are both interesting and informative. The results showed that a large percentage developed a full bloomed deviancy at adulthood. The methodology is fully disclosed and statisticated in the book.

CRIMES AND CRIMINALS. By *Walter A. Lunden*. Iowa: Iowa State University Press, 1967. pp. ii 326. Price \$6.50. Hardcover.

The book treats in a statistical way the study of crime, and the characteristics of criminals. It goes into the judicial procedures, and to the incarceration problems with the criminals. The author shows statistically the extent of crime using certain variables, the characteristics of criminals, the processing of the felon and the criminal in prison.

CRIMINAL HOMICIDES IN BALTIMORE 1960-1964. By the *Criminal Justice Commission, Inc.* Maryland: the Criminal Justice Commission, Inc., 1967. pp. 121. Mimeograph price \$2.

Research over a five year period of 578 homicide cases in Maryland. Analysis was made as to race, sex and age differences between offender and his victim, as well as motives, weapons used, interpersonal relationships, and locations within and outside of home. The role of alcohol and insanity in relation to crime. Thirty-eight statistical tables of 678 homicide victims and 626 offenders.