Journal of Criminal Law and Criminology

Volume 61 | Issue 1 Article 8

1970

Book Reviews

at the present time not fully understood.[16] However, the systematic study of decisions made during the implementation of programs, as well as an ongoing documentation of participant responses to various aspects of the program, should do much toward our understanding of some of the consequences. The Inmate Development Project represents a contribution in this direction.

[16] A recent study documenting the consequences of bringing about change in prison is Studt, Messinger, and Wilson, C-UNIT: SEARCH FOR COMMUNITY IN PRISON (1968).

BOOK REVIEWS

Edited by
Bernard Cohen

Upon this occasion the *Journal* wishes to express its deep appreciation to the former Editor of this book review section, Dr. C. Ray Jeffery, Professor of Public Administration of New York University. Professor Jeffery served with distinction as our Criminology Book Review Editor from June, 1963 through June, 1969. He resigned when he became Editor of *Criminologica*, a publication of the American Society of Criminology.

We extend our best wishes to Professor Jeffery as Editor of *Criminologica*, and also in his new teaching position as Professor of Criminology at Florida State University.

As a successor to Professor Jeffery we were fortunate to secure the services of Professor Bernard Cohen, Queens College, City University of New York.

F. E. I.

LAW AND TACTICS IN EXCLUSIONARY HEARINGS. By *Thomas P. Abbott, John C. Cratsley, Steven L. Engelberg, Daniel G. Grove, Peter D. Manahan, Bruce P. Saypol.* Washington D. C.: Coiner Publications, Ltd., 1969. Pp. 349. $20.

Preparation for trial is, as any lawyer who has tried a case will attest, quite a demanding task. There is the detailed factual investigation, analysis and review. The trial lawyer must be prepared to consider each move from a strategic point of view. Physical and mental acuity is essential for performance. To all of these rigors of pre-trial preparation—which the more literary might liken to a boxer's pre-fight training—is added the requirement of knowledge of the law: Not just a passing acquaintance with nebulous concepts, but often recollection of case names, chapter and verse.

Those who either cannot remember all the cases, chapter and verse, or who, without some sort of crutch, would not remember, seek works like *Law and Tactics in Exclusionary Hearings*.[1] This breed of trial lawyer is often easily discernible—a large document case, a brief case bulging or an arm load of dog-eared books are his hallmark. *Law and Tactics* is written for him. This review will seek to tell him whether or not that work should be added to his collection.

I do not suggest that the only use to which *Law and Tactics* might be put is the trial lawyer's traveling or stationary library. As a starting point for basic research on many federal constitutional questions, its coverage is pointed, succinct and surprisingly complete, even if the analysis is short and therefore sometimes lacking in depth. For any lawyer faced, either for the first time or after a long hiatus, with a criminal case, *Law and Tactics* will serve as basic text, quick refresher and summary advance sheet.[2] And, as its predecessor, *Law and Tactics in Federal Criminal Cases*,[3] the new *Law and Tactics* contains ample practical aids, even including suggested questioning for direct and cross

[1] Sometimes hereinafter the book will be referred to simply as *Law and Tactics*.

[2] If the supplement to the text is done well, *Law and Tactics* will continue to provide current basic analysis. If, however, the supplement is late in preparation, delayed in publication and is a sometime thing, the value of this work will diminish significantly. There are many pages of valuable trial practice materials in the text, including examples of direct and cross examination which will long be useful for trial initiates and veterans. But without current substantive coverage, the unique worth of the work would lessen.

[3] Shadoan, *Law and Tactics in Federal Criminal Cases* (1964) from the same Program which produced *Law and Tactics in Exclusionary Hearings*, the E. Barrett Prettyman Legal Intern Program. The Program is described in the Preface to the new work.

examination on a number of points. As Judge Prettyman notes with obvious agreement in his Foreword, the authors say they have written a "cookbook" on the subject of exclusion. Thus anyone who steps into the "kitchen," or who is contemplating the state of this particular legal "culinary" art, has potential use for this book.

Law and Tactics undertakes to tell the reader about the law which excludes from use at trial in criminal cases evidence obtained illegally. After stating "why" such rules exist, examining the rationale and origin of "exclusionary rules", the authors tell "when" to try to invoke the rules, "who" can do so and, of course, "how" to do it. The how-to-do-it portion of the book covers the writings, if any, necessary to pursue the matter, and the oral and evidentiary presentation of the matter in court. Then specific kinds of exclusionary problems are discussed and analyzed with examples of testimony given.

Law and Tactics in Exclusionary Hearings is written by lawyers practicing in the courts of the District of Columbia. Although the material is of far more general application, the point of view is clearly one colored by practice in the District.[4] Fundamental limitations by reason of the nature of the subject matter, and which are obvious, are: only criminal or criminally related cases would involve exclusionary rule questions and most of the cases and rules are federally based. In fact the authors tend to cite mostly D. C. Circuit cases.

Not too long after obtaining a copy of *Law and Tactics in Exclusionary Hearings*, I had need to prepare a motion to suppress in a federal criminal case. One of the possibilities for inclusion in the motion was the asserted invalidity of the search involved because of violation of 18 U.S.C. § 3109, which requires that officers announce their authority and purpose when entering premises to conduct a search. Although I had not yet reached that point in *Law and Tactics*, I quickly found the place using the index.

My case had two elements which, I vaguely remembered, were possible "hookers." First, the search was made after the officers had executed an *arrest* warrant. Section 3109, by its terms, only applies to the manner of executing *search* warrants. Second, initial access to the premises arguably was had by a "ruse." The question was, assuming the potential applicability of the statute to the case, whether gaining entry by a ruse constitutes a breaking within the meaning of Section 3109.

A quick glance at the first paragraphs of the section of *Law and Tactics* dealing with this subject[5] made it clear that Section 3109 had been applied even where no search warrant was involved. Although there was no extensive analysis of this fundamental point, the quotations and footnotes gave adequate information to permit assessment of the state of the law and to draft the motion.[6]

The question of entry by ruse was dealt with at the very end of the section, where consent was considered in relation to the "breaking" necessary to violate Section 3109.[7] Citing two D.C. Circuit cases, the distinction was drawn between "overt police fraud," which would render "consent" invalid,[8] and "silent cooperation in a stratagem to gain entry," which would not invalidate the "consent".[9] Again, while not exhaustive, this coverage was sufficient to acquaint or refresh the reader with the basic principles involved in the issue and provide adequate citation, chapter and verse.[10]

[4] In the District of Columbia courts a preliminary hearing is commonplace. It is freely given, rarely waived, and, by judicial determination, may be had even after indictment if wrongly denied. See Dancy v. United States, 124 App. D.C. 58 361 F.2d 75 (1966), Blue v. United States, 119 U.S. App. D.C. at 315, 342 F.2d 894 (1964) *cert. denied*, 380 U.S. 944 (1965). The United States Court of Appeals for the District of Columbia Circuit has overtly acknowledged that the discovery value of a preliminary hearing may be enough to warrant such a result. Blue v. United States, 119 U.S. App. D.C. at 322, 342 F.2d at 901. This is not the case in most other federal districts or in most state courts where preliminary hearings remain the exception rather than the rule.

It should be noted that the recently enacted Federal Magistrates Act will require a preliminary hearing in most cases in federal district court. Federal Magistrates Act, Section 303, U.S. Code Cong. Admin. News, 90th Cong., 2d Sess., 5264,5275 (1968).

[5] *Law and Tactics*, 207–219.

[6] *Id.* at 207, nn. 201–203. Miller v. United States, 357 U.S. 301 (1958), the leading case on this point, is quoted at length in the text. Also cited and quoted are Sabbath v. United States, 391 U.S. 585 (1968), the most recent Supreme Court pronouncement on this point, and Keiningham v. United States, 109 U.S. App. D.C. 272, 287 F.2d 126 (1960).

[7] *Id.* at 219.

[8] *Id.* at 219, n. 225, citing Gatewood v. United States, 93 U.S. App. D.C. 226, 209 F.2d 789 (1953).

[9] *Id.* at 219, n. 226, citing Cecil Jones v. United States, 113 U.S. App. D.C. 14, 304 F.2d 381, *cert. denied*, 371 U.S. 852 (1962).

[10] Actually, subsequent research revealed that in *Sabbath* the Supreme Court alluded to the "ruse" question, stating: "We do not deal here with entries obtained by ruse, which have been viewed as involving no 'breaking'." Sabbath v. U.S., 391 U.S. 585, 590, n.6 (1968).

It is of course difficult to conjecture what way the Court would go if faced with the question. However, this reference and the other cases dealing with the question are not referred to in *Law and Tactics*. This is one of the few omissions, such as this one is, which was noted.

Other instances of usefulness of this work would be easy to write about, and will be experienced by those who have access to *Law and Tactics*. The sample testimony, the hints for preparation (very much like hints in a cookbook on how to season the dish) and the many check-lists which one may lift from the pages combine to make this one of the better reference books and tools available in the criminal trial field.

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CONSTITUTIONAL LIMITATIONS ON EVIDENCE IN CRIMINAL CASES: By *B. James George, Jr.* New York: Practising Law Institute, 1969. Pp. 413. $15.00

Professor George has written a text on the constitutional rules affecting the admissibility of evidence,[1] and a good text on that subject has long been needed. The field is practically empty of decent, comprehensive treatments. Whether this book adequately fills the void is the subject of this review.

There are many favorable comments that can be made about the work. It is well written, succinct and lucid in its statement of the relevant doctrines. It is reasonably comprehensive in its coverage, touching, at least, upon practically all of the significant constitutional rules and their offspring. Professor George rarely misstates a case or inaccurately sets forth a statement of law. The book thus is a good source of barebones statements of the relevant judicial decisions a starting point for research, analysis and thinking about the subtle problems involved in this area of the law. Perhaps that is the task Professor George has set out to accomplish. If so, he has succeeded. My criticisms of the book, in the main, highlight omissions, things he might have included but did not. Perhaps it is unfair to chastise an author for not doing something that he probably did not set out to do. But the fact is that the need for a work on this subject that does more than this book remains unfulfilled.

At the outset, a critical comment should be made for which Professor George can hardly be held responsible. He has attempted to describe an area of the law where change has been occurring so rapidly that it is difficult to keep up with the flood of cases. He rightly calls this book a 1969 edition, and a serious effort has clearly been made to include the most recent cases up to the date of publication. Since that date, however, the Supreme Court has handed down decisions in *Alderman*,[2] *Spinelli*,[3] and *Chimel*,[4] to name just a few significant recent cases that have developed and changed the rules described. Also state and lower Federal courts have issued a torrent of cases in this field. Thus, for example, *Chimel* works a major change in the law of search and seizure. Professor George had the foresight to predict some change of this sort, though his reading of the portents was not entirely accurate. What is the author of a work of this sort to do, however? A book of this sort will inevitably be slightly or even greatly outdated by the time of publication. The solution, partial as it may be, is to regularly and frequently update the book. I assume that this is what Professor George has in mind when he calls this the 1969 edition and that we can look forward to annual or biennial editions.

A problem related to the difficulty of keeping up with the flood of cases is that Professor George has omitted a fair amount of case authority that was in fact decided in time to be included in the book. Admittedly, in a work of this brevity, he could not include everything. Having recently reviewed the California authorities on this subject,[5] I am sensitive to the difficulties of trying to cover every case but am also acutely aware of the fact that he has omitted some very important California decisions. An author of a work of this sort does have an obligation to select carefully those cases he does cite and discuss. It is hard to understand, for example, why he devotes most of a paragraph to an obscure Federal district court case of "dubious" authority[6] on the issue of the prosecutor demanding handwriting exemplars and yet fails to discuss or even cite cases, such as *People v. Hines*,[7] *People v. Varnum*[8] and *People v. Spencer*.[9]

More importantly, his handling of significant and subtle, though subsidiary, doctrinal issues tends to be offhand and full of gaps. The reader

[1] The book is slightly misnamed since it does include material on the admissibility of evidence in non-criminal cases. Pp. 110–114.

[2] Alderman v. United States, 37 U.S. Law Week 4189 (1969).

[3] Spinelli v. United States, U.S. (1969).

[4] Chimel v. California, U.S. (1969).

[5] Abrams and Baldwin, Significant Recent California Criminal Law Developments (U. of Calif. Extension, 1969).

[6] P. 204, United States v. Green, 282 F. Supp. 373 (S.D. Ind. 1968).

[7] 66 Adv. Cal. 343 (1967).

[8] 66 Cal. 2d 808 (1967).

[9] 66 Cal. 2d 158 (1967).

who looks to this book for an adequate handling of the standing problem, for example, will be woefully disappointed. He does not deal at all with the dilemma argument set forth in *Jones v. United States*[10] or relate the decision in *Simmons v. United States*[11] to that argument. He fails to discuss any of the complex implications of *Wong Sun*[12] for the standing area (including, for example, the notion that there must be illegality as to the claimant). And he even mis-cites *Wong Sun* on the problem of a co-defendant's standing.[13] Most inexcusably, he fails to recognize that the standing issue may vary markedly depending on whether the constitutional violation involves a search and seizure, a confession, an overheard statement, or a lineup. This is perhaps not surprising in view of the fact that he does not discuss or even cite the seminal case of *People v. Varnum*.[14]

His treatment of the retroactivity issue, though at least recognizing that different rules apply to different constitutional doctrines, is, however, also inadequate. A reader not previously familiar with the decision in *Linkletter v. Walker*[15] would not know that the decision "that *Mapp* was not to be applied retroactively"[16] meant that *Mapp* did have a limited retroactive dimension insofar as it applied to all cases pending on direct appeal at the time of the *Mapp* decision.[17] He does not mention that some of the states have applied different retroactivity rules[18] than those announced by the U.S. Supreme Court. In many instances, he fails to note the crucial date involved. For example, he tells us the dates of *Escobedo* and *Miranda*[19] but not the exact date of *Mapp*. Finally, though generally critical of any retroactive application of new doctrine,[20] he gives us no critical analysis of the various retroactivity rules that have been articulated.

Professor George's discussion of poisonous taint and harmless error suffers from similar weaknesses. I fear that in making the inevitable choice between the scope of coverage of issues, on the one hand, and the depth of his treatment of particular subsidiary doctrines, on the other, Professor George has tended to opt for superficiality. The balance between coverage and depth is always a difficult one, but I would have expected a somewhat more sophisticated analysis of such issues, for this is where the legal "action" has really been during the last decade.

In general, that discussion of substantive issues that he does engage in is reasonably detached and objective. There are, of course, some matters about which reasonable law professors can disagree. For example, I have grave doubts about the continuing vitality of consensual eavesdropping cases such as *On Lee*[21] and *Lopez*[22] in light of how the Supreme Court has treated the *Osborn* decision in its subsequent opinions in *Berger*[23] and *Katz*.[24] Although there was a consensual eavesdropping in *Osborn*, the Court in subsequent opinions has relied on the fact that there was the equivalent of a search warrant present in that case. It would therefore not be at all surprising to find the Court in the near future requiring a warrant or its equivalent in consensual eavesdropping cases. Professor George has not hesitated to make similar predictions himself regarding other issues. His handling of the consensual eavesdropping cases, however, leads me to believe that he disagrees with my reading of them.[25] Predictions such as this, are, in any event, always unsafe, particularly at a time when the personnel of the Supreme Court is changing.

In one or two areas, Professor George, in my judgment, jumps the track. First, he makes some rather extreme statements about the effect of *Miranda*. For example: "[F]or if there were a derivative evidence rule . . . [applied to confessions] the use of the confession as an investigating tool would disappear for practical purposes."[26]

Surely this is a statement not justified by any available empirical evidence. Indeed, Professor George fails even to cite any of the recent field studies on the impact of *Miranda*.[27] Second, he also devotes a large amount of space[28] to an issue that I should have thought was now well-settled[29]—the

[10] 362 U.S. 257 (1960).
[11] 390 U.S. 377 (1968).
[12] 371 U.S. 471 (1963).
[13] P. 130.
[14] Supra, note 8.
[15] 381 U.S. 618 (1965).
[16] P. 98.
[17] Mapp v. Ohio, 367 U.S. 643 (1961).
[18] See People v. Rollins 65 Cal. 2d 681 (1967).
[19] P. 295.
[20] See, for example, p. 217.
[21] On Lee v. United States, 343 U.S. 477 (1952).
[22] Osborn v. United States, 385 U.S. 323 (1966).
[23] Berger v. New York, 388 U.S. 41 (1967).
[24] Katz v. United States, 389 U.S. 347 (1967).
[25] See pp. 148–149.
[26] P. 295.
[27] For example, Note, Interrogation in New Haven—The Impact of Miranda, 76 Yale L.J. 1519 (1967); Miranda in Pittsburgh—A Statistical Study, 29 U. of Pitts. L. Rev. 1 (1967).
[28] Consult Kamisar, On the Tactics of Police-Prosecutor Oriented Critics of the Courts, 49 Cornell L.Q. 443 (1964).
[29] Pp. 333–339.

viability of the exclusionary rule. His analysis of the assumptions underlying the rule amount to a criticism that it is not really effective in some contexts. It is quite a jump, however, from that undoubtedly sound conclusion to his implied statement that the rule ought to be junked. He makes the point—and it is well taken—that judicial statements of the substantive constitutional rules are too often obscure and complex. This is surely a matter about which the courts and all lawyers should be concerned. But he follows this with a statement so extreme that I can only hope that he did not mean to say it: . . . even if the judicial statement were clear, there is still no effective means by which the import of this language can be meaningfully communicated to police officers who are to bring their conduct into accord with it." [30]

To despair of our ability to communicate to the police the constitutional rules they are supposed to follow is to abandon entirely whatever protections the Fourth and Fifth Amendments were designed to provide. Surely Professor George could not have intended such a conclusion. His treatment of the subject would have been more complete had he pointed out that an important by-product of the exclusionary rule has been the development, in recent years, of instructional courses and the preparation of manuals in many of our larger police departments for teaching these constitutional doctrines. Certainly, better, more sophisticated efforts in this direction must be made. A discussion of practical ways in which this might be accomplished would have made a much more positive contribution than Professor George's essentially negative attack.

Despite such criticisms, the book remains a good, comprehensive, though not deep, treatment of the relevant constitutional doctrines. It points the way toward the type of text that still remains to be written—perhaps in the next edition.

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CRIME AND INSANITY IN ENGLAND: THE HISTORICAL PERSPECTIVE (Vol. 1). By *Nigel Walker*. Edinburgh: Edinburgh University Press, 1968. Pp. xiv, 302. $8.95.

Madness—western man's cruelty, ineptitude and stupidity in dealing with it—is the subject matter of this the first of two volumes devoted to the problems and issues presented by the mentally ill person from pre-Norman England to the present decade. The insanity defense as articulated through the writings of Hale, Bracton, Glanville, and the vast literature which was developed by English jurists, legal scholars and forensic physicians, is meticulously explored. In the main this study is a rambling, discursive examination of the grotesque meandering and vacillation exhibited by English juridical institutions in assessing the culpability, labeling, treatment and disposition of the flawed human beings who are caught up in the criminal process. Out of the vast tangle of historical data, documents, and courts records spanning some seven hundred years, Walker brilliantly constructs a record of human sang-froid which is reminiscent of Raul Hilberg's masterful *Destruction of the European Jews* in its depiction of the oppression that is inevitable whenever men degrade and dishonor their fellow men.

It would be absurd to attempt to bring together in a brief review the major features of two millenia of experience in the treatment of the mentally ill, however, certain aspects of the issues raised in this volume remain a vexing source of failure, and suggest that our performance continues to be somewhat less than noble. Despite centuries of legalistic debate and decades of research, the designation of those subject to the insanity defense remains an intellectual and social quagmire loaded with the gibberish of the "right-wrong", "irresistible impulse", "product of mental disease or defect" tests. Otherwise, how can one explain the folly of an event such as the recent Sirhan trial, and the public spectacle which the psychiatric testimony provided? Indeed, much of the psychiatric testimony in that bizarre case sounded remarkably similar to the direct and cross examinations conducted in many of the more notorious eighteenth and nineteenth century trials which are set forth in some detail in the Walker study.

The Hebrews, Greeks, and Romans recognized the diminished responsibility of those individuals not oriented in the major spheres of time, place, or identity. In pre-Norman England the insane person's kin would simply pay damages for any injuries he might have done, and it was his relatives who were to care for him and to control him. It was not until 1800 that any formal arrangements were made to care for "lunatics." Prior to this, it was his property rather than his person which was of greater interest to the state. In the fourteenth

[30] P. 337.

century it was the custom that "... the mayor must see that his goods and chattels are taken and given to his nearest friends to look after until he recovers his sound mind. And his friends must place a sufficient guard on the persons of such madmen as will ensure that they come to no harm or loss and that they do no harm to others." By the mid-eighteen century private madhouses had become a profitable industry. Indeed, one of the earliest "psychiatric" practioners, one William Battie (sic) established his leadership in the field through the purchase of a seat on the board of governors of Bethlem, the public asylum, for fifty pounds in 1742. The same Battie, in addition to acquiring his own private asylum wrote the definitive *Treatise on Madness*, which included the prescription for a number of crude therapies still in use in some of the backwaters of medicine. The degree to which occupational inheritance perpetuated the asylum orientation is shown by the fact that a dynasty of four generations of the Monro family superintended Bethlem for over a century. The use of water as a "cure" and as torture, both for witchcraft and mental illness is at once macabre and incredible. Ducking in streams and ponds because of faith in the curative properties of water was common. Whipping, purges, emetics, cold baths, electric shocks often hastened a patient's death. But these barbarities die hard—some are still in use as we all know, including the camisole rather than chains. At one point, in a brief reference to similarities in treatment of "witches" and the mentally ill (pp. 47–48), Walker fails to follow up an important lead as to the manner in which mental illness and its treatment developed into an "industry" in a somewhat similar way that witchcraft developed in continental Europe. Both became a complex business which sustained the livelihoods of a substantial number of people. Vested interests in deviance of all kinds tend to develop over a period of time (mental illness, drug addiction, or witchcraft), creating systems of deviance management and control which foster the growth of an industry and an attendant bureaucratic apparatus for its nurture, and dependent upon it for economic, political, psychic, religious, or other forms of income.

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WHITE-COLLAR CRIMINAL: THE OFFENDER IN BUSINESS AND THE PROFESSIONS. Edited, with introductions and notes, by *Gilbert Geis*. New York: Atherton Press, 1968. Pp. xii, 448. $8.50

When, some thirty years ago, Edwin H. Sutherland in his presidential address to the American Sociological Association proposed the idea of "white collar crime", he gave a popular and expressive name to a long known crime or criminal type. White collar crimes, whatever they may mean, have been committed in societies at all times ever since wealthy and respectable members of the upper socioeconomic class began engaging in occupational activities. However, it was Edwin H. Sutherland who stimulated contemporary attention in this class of crimes, and who launched the beginnings of a conceptual affair which, even after the variety of studies of the last three decades, is still not too far from its embryonic state. White collar crime is perhaps one of the most chewed-over concepts in the modern literature of criminology, yet it is still not well understood. It has been referred to mean a wide range of criminal phenomena, from unethical business practices to serious criminal offenses committed with the help of the offender's socioeconomic power. Still, what white collar crime—or the white collar criminal—really means, remains vague and diffuse, but perhaps the fascination of the concept lies in the very complexities of its character.

Even Sutherland himself, one may speculate, was not too sure in how to define the concept he proposed; probably, his main concern was only to excite the students of criminology about an area of criminal conduct, the study of which had been rather neglected before. In the years after World War II, the present reviewer from a distance of some 6,000 miles, in the form of a long, pleasant, and instructive correspondence (with the unavoidable partial assistance of translators) sought from Sutherland the clarification of his idea at least on two points; unfortunately no clear elucidation was forthcoming up to the time when the exchange of letters had to be terminated. Later communication with Sutherland was prevented by his untimely death to the immeasurable loss of this reviewer, and the available literature on white collar crime is not seen to be extended to the two discussed issues which can be posed still without guiding answer.

First, is the white-collar-concept a reference to a specific type of crime, or to a specific class of criminals, or jointly to both, or, as was suggested to Sutherland by this reviewer, is it a specific *method* of crime where the criminal's socioeconomic power

is used as one of the instruments whereby the ordinary course of criminal justice is hoped to be avoided. Second, is the criminal's socioeconomic power an absolute condition referring exclusively to the upper strata of society, or, as it was suggested to Sutherland, can it be interpreted in its *relative* sense, thus to be applied to any social group where the criminal, regardless of his wealth and respectability in the whole society, has a given social or economic power over the other members of the group. These are but two unanswered questions of many which challenge the theoretical literature and research for the better understanding of Sutherland's provocative idea. The great merit of Gilbert Geis's book is that it is a major response to this call.

Geis's book is a firework display of essays on white collar crime, and is unique in offering a sophisticated presentation of the most important material published in the past regarding this aspect of crime. It brings to the reader thirty-two studies, organized into six parts. The first part deals with "What Is 'White-Collar Crime'?", and the discussion of the essays here, making efforts to clarify the concept, has a continuation in the concluding sixth part of the book which treats the "Controversy Regarding the Concept of White-Collar Crime". These two ends of the contents leave the factual or more specific studies, gathered in four parts, between the two theoretical parts of the book, probably to build up the controversial impressions for the last group of essays. Given the complexity of the concept, the book necessarily covers much familiar ground, but one of the editor's virtues is that he brings out clearly the three decades-long struggle for a clearer understanding of what white collar crime means or should mean. From Geis's own words in the book one has to assume that the important role that the controversial question of definition plays throughout the many articles in this volume by various authors, has been deliberately designed by the editor; in so doing, Geis performed a commendable service to knowledge.

If some authors tried to identify white collar crime with "economic crimes" or with "occupational crimes", this is not Sutherland's blame, whose hesitant conceptualization did not go so far, nor can these attempts be attributed to Geis, who obviously disagrees with this extension of the concept. But it is Geis's merit that he called attention even to those who seem to have taken Sutherland's idea perhaps somewhat too lightly, and who tried to squeeze in themes which seem to belong to other spheres of criminal law and would make the original thought totally diffuse and slippery.

The four parts of the book between the two theoretical ends follow disciplined guidelines, and the selection of the essays is expertly and carefully handled. In fact, the material has been welded together in such a way that it creates a new book out of the separate elements. The second part treats the "Corporate and Business White-Collar Crime", and the third the "Commercial and Professional White-Collar Crime". The fourth part views white collar criminality from the other end of the spectrum: it presents essays on "White-Collar Exploitation and Its Victims"; and, finally, the fifth part turns to "White-Collar Offenses and the Legal Process". Throughout these four parts the papers not only represent an excellently organized anthology, but also appear as a colorful snapshot of a crisis in the problem of American crime that does not cease to trouble our social and economic life.

No review of this book would be complete without bringing the fact into prominence that Gilbert Geis not only presented other authors' material with scholarship and intelligence, but also introduced the collection with his own significant essay where he devotes the opening pages of the book to a reasoned and forceful exposition of Sutherland's concept. His apparent emphasis on the analytical impasse, and the presentation of the major faults and fascinations of the concept of white collar crime have in themselves made this book justified.

It is easy to enjoy this book; and yet, it is unsatisfying. But this is not Geis's fault; the awful truth behind white collar crimes has to be blamed for that. This book is a timely reminder of a repulsively dark side of crime that highlights one of the depressing paradoxes of society, regardless of its social and economic structure. This is not to mean that the use of socioeconomic power for criminal purposes is to be accepted as if it were a natural part of social life; it only suggests that white collar criminality is not an exclusively American phenomenon, and it also disturbs other social and economic structures.

Although three decades have gone by since the late Professor Sutherland called attention to the contemporary American expressions of this crime type, the actuality of the theoretical and practical problem is not yet stilled. Perhaps the problem is even further from resolution than before. The very fact that Gilbert Geis, with this book, aroused again attention to this demanding issue, and done

so with an excellent volume, is to his scholarly merit.

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TRAVAUX DU XVI[e] COURS INTERNATIONAL DE CRIMINOLOGIE (Proceedings of the XVIth International Course in Criminology), International Society of Criminology. Paris, France: Pichon, 1968. Pp. 802. $12.00.

This book reproduces papers delivered in Abidjan, Cote d'Ivoire, Africa, 12–24 September, 1966, at the Sixteenth International Course in Criminology. This course is sponsored annually by the International Society of Criminology (in a different country each time).

The book is divided into five groups of papers: law and criminology, psychiatry, psychology and criminology, sociology and criminology, and penology.

The broader division is the one between papers given by criminologists living outside Africa and those living in Africa. The former group of papers are not very interesting because they simply restate theoretical concepts and facts which pertain to Occidental criminology and which are current nowadays. The contribution made by the authors of these papers are thus very limited, even more so when you consider that half of these papers had already been published elsewhere before.

The "African papers" are the most pertinent because they bring to light materials that are very scarce since almost no criminological study have been done in underdeveloped countries. These papers are original and constitute 20 of the 46 papers included in the proceedings.

Statistical studies are given about the state of delinquency and criminality in general in Africa as well as in particular countries of the Continent. The political, social and economic aspects of crime are fully discussed with regard to underdeveloped countries.

Prevention, the police system, forensic sciences, and the penitentiary system are given particular attention.

Finally, the teaching of criminology and the state of criminological research in Africa are discussed and the usual conclusion is heard: "we do not have enough people specialized in the field who could organize an integrated system of criminal justice."

This conclusion may not apply exclusively to underdeveloped countries . . . because which Occidental country can really boast of such an integrated system?

May we conclude by saying that the present book with its 800 pages could have been reduced to the 300 pages of the "African papers" and would then have been an excellent contribution. The printing savings thus made could have been devoted to help criminological research in Africa. . . .

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