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BOOK REVIEWS

REVIEW ARTICLE

PRISON REFORM: GREAT MEN AND GREAT FAILURES*

GRAEME NEWMAN**

This book is a pastiche of historical anecdotes and other materials about prisons and penal treatment throughout the world and throughout history. As such it is a gold mine of historical data little known in the United States. It is a survey of great men, great penal programs and great failures. Although Eriksson sees the history of the treatment of criminals as the "story of man's inhumanity to man", he has concentrated in this book on the examples of compassion that have studded the history of penology.

The examples chosen by Eriksson are perhaps misplaced. His examples of compassion turn out to be the construction of monstrous prisons such as Panopticon, Millbank, Auburn, The Octagon at Ghent, Sing Sing, San Quentin, and many others. Other examples include rehabilitative programs which emphasize hard labor, discipline, silence, isolation, inmate self-government, juvenile courts and institutions, and much more. How can compassion produce such a variety of edifices, none of which today are easily seen as humanitarian? Even therapeutic treatment and juvenile justice, once thought to be the greatest humanitarian breakthroughs, are now severely criticized and adjudged as doing more damage than good. This is the puzzle that faces all historians of penology. How can good intentions so consistently produce bad results?

The answer that we find in *THE REFORMERS* is one that appears all too simple, but on reflection probably goes to the heart of the matter. In chapter after chapter, Eriksson tells of the great programs that were introduced by great men. For example,

* A review article of *THE REFORMERS: AN HISTORICAL SURVEY OF PIONEER EXPERIMENTS IN THE TREATMENT OF CRIMINALS*. By *Torsten Eriksson* (Translated by *Catherine Djurklou*). New York: Elsevier, 1976. Pp. 310. \$17.50.

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Maconochie's scheme in Norfolk Island, which spurned cruelty and brutality and used an incentive point system, came to a bitter end. Although there was clear evidence that his system was far more effective than others, the whole of Australian society disagreed with its use. Everything came to a head with the incredible news that Maconochie had allowed prisoners to celebrate Queen Victoria's birthday by drinking watered-down rum and lemon juice. The innovator was replaced.

One may also consider the example of another great personality, Thomas Mott Osborne, who introduced inmate self government systems into Auburn and Sing Sing. The commentaries that Eriksson quotes speak nothing but praise for Osborne and his system. But he too came to a bitter end. Osborne was accused of homosexuality and was forced to resign. The self government systems could never be made to work without Osborne; instead, they degenerated to a point where they were abused by the inmates, and despised by the prison authorities.

This book recounts a series of unhappy episodes like these. Each time a great reformer got his way, he was beaten back by "society". The conclusion that we must draw from this is that society does not want prisons or prisoners to be "reformed" in the sense of "getting an easy go of it." Eriksson casts the reformers as the shining knights and society as the vicious dragon. Yet, this attitude is not totally straightforward.

The fact is that one may reinterpret the failures of many of these programs from the point of view of the criminals who failed to take proper advantage of these benevolent systems. It was the criminals who perpetrated escapes from experimental open prisons, and the criminals abused inmate self government. A system that is based upon the charismatic personality of one reformer cannot be expected to last when he is gone without at least some effort from those who were helped. It is as

though prisoners have not had the consciousness to act for their own good. This point opens up an obvious gap in this otherwise broad survey of penal methods and failures. There is very little mention of prisoners' movements and related prisoners' aid societies. Prison strikes, which occasionally issue from a certain kind of collective consciousness, are mentioned only incidentally. Yet there is a long history of prison strikes in most prisons throughout the world.

In any event, the lesson to be learned from all this is that there may be two interrelated reasons why prison reforms come to such an unhappy ending. First, the psychological and moral state of society cannot permit the obvious flaunting of "going easy" on evil people. If one must reform, then it is best done in secret. Keeping criminals secret can, of course, be done in a number of ways. Some delinquents who are put on probation, or who are placed in foster homes that are quietly nestled in the suburbs, can be "lost" in the crowd. One does not have to put them in prison to keep them secret.

The second reason is that if the popular liberal ideology is to be believed, and criminals are the direct product of the society in which they live, it follows logically that if society is not ready for reform, neither are the criminals. They have not learned to accept the secrecy of their existence in society. They must make themselves conspicuous by riots, strikes, legal cases, writing books, and even through the media. It is consistent that they should do everything they can to abort reforms. Certainly we know from the material presented by Eriksson that they cannot be relied upon to carry through benevolent and useful reform.

There is a paradox underlying the secrecy of penal treatment which becomes obvious when one reads Eriksson's catalog of prison designs. This is where Eriksson's international experience comes to the fore. He shows us that from a few basic prison designs (*e.g.*, the St. Michel cellular system and Bentham's Panopticon) an incredible number of countries have reproduced, sometimes down to the last detail, these colossal structures. They are all, without exception, conspicuous, ugly fortresses. The paradox of penal secrecy is that it is made *conspicuous* by prison design and so ever more mysterious. These prisons are the icons of society's unconscious.

The cloning of prisons also points to another unfortunate fact about penology, treatment programs have also been copied throughout the world. The separate system, the silent system, the Highfields project, Borstal, Detention centers, Mark sys-

tems, and the therapeutic community have been reproduced everywhere, even though none of the programs have been shown to be any more effective than any other method. The constant replication of these programs suggests that there is an incredible lack of ingenuity and resourcefulness in penological theory, treatment, and research. There is no thought to it. We are swept along by: Is it fashion? Is it a deep cultural force? Is it an unconscious force?

On our worst days of cynicism we are forced to confront that most horrible of questions that liberal ideologists manage to side-step so often: Do reforms make things better or worse? Maybe, if it were not for great men like Maconochie, Osborne, or even Eriksson, men who have devoted large parts of their lives and risked their reputations to improve the penal system, prisons would have died their own death? Have these reformers merely extended the life of a chronically ill penal philosophy?

I do not think so. The early history of penal treatment, only very briefly covered by Eriksson, shows that things have been much, much worse. It also shows that we suffer considerable relapses. One step in the improvement of conditions of prisons may be followed by two steps backward. Torture is still a central part of the penal administrations of many countries of the world. The United Nations only two years ago congratulated itself on achieving a resolution to condemn torture. In fact, Eriksson points out that the United Nations passed its resolution, even when every member nation insisted that there was no torture in its penal administration. Once again we see the operation of "conspicuous secrecy." We all know that it goes on, but we pretend that it does not.

If one takes this as evidence of the operation of unconscious forces in society, then one is immediately worried by the assertion that we have made considerable "progress" in the humane treatment of prisoners. It is incontrovertibly true that on the surface, (*i.e.*, as measured by number of mutilations, tortures, floggings, and death penalties) we have made great strides. But because of the relapses, the failures, the transmutation of reforms into greater evils, we must be aware that progress is brittle and shallow. Beneath this veneer of progress there lies a capability to destroy these criminals with great gusto. This is why reformers are so important, and why even when they appear to "fail" they are actually succeeding. Without this constant effort to "do something better" with criminals, the secrecy with which we would keep prisoners would devolve into an inconspicuous secrecy of an insidious system of terror. Reformers make

the secrecy of penal treatment conspicuous. It is enough to remind us of our capability to inflict pain. The psychoanalyst helps his patient dip into his unconscious, interpret it, and rationally to deal with it. Freud saw this process as probably a losing battle, or at least a battle that had to be continuously fought. This is exactly the service that penal reformers perform for society. They help us face up to the horrible monstrosities of society's unconscious. They try to interpret their mystery and secrecy. Without them there would be no guarantees of progress, and every possibility of regress. The reformers are also probably fighting a losing battle, but at least we understand that it must be continuously fought. Many reformers today campaign for the abolition of prisons. But they must know that this is also a losing battle. We cannot deal with this possibility until an alternative to the conspicuous secrecy of prison is found. We must bide our time until society can do without its unconscious, and that is an unlikely occurrence.

Perhaps this is not so unlikely an occurrence. In his last chapter, Eriksson deals with an optimistic note. He tells us that everything is quite fine in Sweden. The inmate is paid almost the same wages as a worker in the civilian market, he has his own room which he can lock or open at his will, and there is a generous furlough system. But Eriksson was unable to demonstrate that these most salubrious prison conditions reduced recidivism any more than other sterner methods, and in fact noted that Sweden has one of the highest rates of prison escapes in the world. In reply to an American who criticized this system on the grounds that it squandered the taxpayer's money "on meaningless reforms aimed at making life in prison more agreeable to offenders," Eriksson noted that he had been confronted by this question all over the world. His answer was to quote the Swedish Minister for Justice, Herman Kling: "We must practice humanity without expecting anything in return."

This is a fine and righteous reply. Yet, neither of these men seem to have considered the possibility that it may be *inhumane* if one fails to punish acts to the extent that they deserve punishment. There are many reasons for this. The criminal is denied the means of appreciating the difference between right and wrong, and indirectly this may carry over to the rest of society. These issues have been discussed by many legal and moral philosophers. To fail to punish an evil person as he deserves, is, in a truly underhanded way, to punish the ordinary citizen for being law-abiding.

The most significant conclusion that one draws is that this liberal ideology, when wedded to the

extreme model of the welfare state which is Sweden, has managed already to obfuscate the distinction between good and evil, responsibility and irresponsibility. Perhaps the reason why inmates in Sweden can be paid wages as great as civilian workers is that there is no longer much difference between working in the civilian sphere and working as a prisoner because the State has encroached so far upon the lives of individuals. The clear danger is that a society that lacks a coherent distinction between good and evil transcending the idea of the State stands in great danger of either dissolving into a mindless tyranny, or the opposite, a pathological failure to act in the face of evil. Sweden remained neutral during World War II. Perhaps the seeds of her progressive prison system were sewn at that time. Eriksson's final comment lays bare this insipid ideology, and its failure to hold criminals responsible for their evil deeds. It is easily recognizable as a statement that is made more and more often in the decaying western world:

What united (these reformers) was an indomitable will to help their erring brothers, he who had yielded to temptation, who was driven to crime by poverty or personality defects that were beyond his control. These pioneers were beacons in the history of mankind, the part that deals with the compassion of one's fellow men.

It seems there was no compassion left for the victims of these criminals. It is no wonder that society has, wherever possible, destroyed the bleeding hearts of reformers.

Perhaps it is unfair to expect a book which purports to deal only with penal reformers to have given any attention over to reforms that took victims into account. Yet, to fail to do so, expresses a clearly one-sided view of criminality. Crime *does* involve victims. It *does* involve evil acts and evil consequences. It is Eriksson's narrow focus on penal treatment as such that leads him to recount historical "facts" in a bland, uninterpretive manner. Connections between historical events are taken as given. For example, his historical "explanation" for the origin of Elmira is accomplished in one sentence: "The crime rate, as well as the population, was growing in the State of New York, and more prisons had to be built." The incredible assumptions contained in that sentence could be, and are, the topics of major dissertations. Eriksson's failure to analyze the socio-historical conditions surrounding various reforms makes the book not so much a history, but a curiosity.

Thus it is that this book itself becomes a tantalizing example of the secrecy of penal treatment.

In chapter after chapter, Eriksson takes us on a museum tour, which allows only a small peep through a window at each historical curiosity. I can recommend the book as an interesting tour, but it is not a profound experience.

COPS AND BOBBIES: POLICE AUTHORITY IN NEW YORK AND LONDON, 1830-1870. By *Wilbur R. Miller*. Chicago: University of Chicago Press, 1977. Pp. xii, 233. \$16.00.

In his traditional image, the London bobby is polite, dignified and restrained. In contrast, his American counterpart, the New York cop, is a more violent and corrupt enforcer of the law, often abusing the broad discretion which the law allows him to exercise. In this stimulating comparative study, Wilbur R. Miller traces back these enduring public perceptions to the formative years of the two police forces. Their differences, he argues, grew out of conscious strategies of the founders to legitimize the new agencies in two societies which shared a common culture, but whose ideologies, political institutions and class relationships diverged.

The London Metropolitan Police took to the streets in 1829, in the midst of England's constitutional crisis. Created by the politically dominant landed aristocracy, they were charged with upholding the rule of a small elite against the challenge of an angry majority. In a strategy designed to gain public acceptance for the new agency, the first commissioners tried, sometimes without success, to remove the force from partisan politics, and to encourage a restrained, impartial and conciliatory enforcement of the law.

In 1845 New York officials fashioned their police force after the British model. In America, however, wide public support for democratic government made the impersonal law enforcement of London less necessary and even less desirable. New Yorkers expected their municipal institutions to be close to the people, and the early founders of the police molded their force accordingly. The New York cop they produced was less restrained and less professional than his British contemporary. He was often brutal, and clearly an active participant in the political spoils system. Nevertheless, he quickly gained the support of the majority of the citizens, who saw him as their best protection against New York's rising crime problem.

This book is an important contribution to the field of history and to social science in general. Historians on both sides of the Atlantic have stud-

ied the early years of these two police forces before. Few if any, however, have attempted to synthesize the existing material to discover why two societies, so much alike, produced two models of police authority, so strikingly different. Miller has done this job lucidly and with great skill, marshalling historical facts together with the great body of sociological police literature to produce an important interdisciplinary work.

The findings of this study are both interesting and suggestive. The nature of the New York cop's authority, Miller argues, has deep roots in our political and social history. If police discretion is one of the prices we pay to live in a democracy, are efforts to limit it realistic or even desirable? On a more academic level, Miller's skillful analysis of New York's police force reminds us of the dearth of comparable historical literature on other agencies of our law enforcement system. The social history—comparative or otherwise—of an urban prosecutor's office or judiciary is a tale still to be told, potentially as fascinating and as significant as this important book.

Eric Fishman
Columbia University

PRISON EDUCATION: PROJECT NEWGATE AND OTHER COLLEGE PROGRAMS. By *Marjorie J. Seashore and Steven Haberfeld with John Irwin and Keith Baker*. New York: Preager, 1976. Pp. xiii, 329. \$21.50.

If you are compulsive about tidy evaluation designs and orderly data analysis, you would do better to skip this volume. If you are intrigued by the problems and possibilities of complex program evaluation you can profitably spend time with this evaluation of college programs in prison.

In 1967 OEO funded a prison college program in Oregon. In the next two years additional sites were selected and the program became known as Project NewGate. Apart from its common funding source, the distinctive features of NewGate programs included a comprehensive self-contained program structure within the walls and a post-release component which would provide support to the student-prisoner after his release.

The complexity of this evaluation effort is evident in the design which encompasses three to five year old programs at eight sites. This volume thus includes an analysis of five NewGate participant samples, five comparison samples, two control and three participant samples from non-NewGate

prison programs. The result is a large sprawling study, frequently suggestive, but rarely compelling in its assertions concerning the superiority of NewGate programs. Commendably, the authors set high standards in their selection of a wide range of process and outcome variables and exhibit considerable ingenuity in fashioning relevant indicators. (For example, the authors set out summary success measures in which the component scores are differentially weighted according to the length of time since release.) Not all of their improvisations work and their techniques of data analysis are occasionally misleading. Greater detail on the field interviewing procedures would also have been helpful both as a guide for future evaluations and as a tool for assessing response validity. Nevertheless, on balance it is an excellent case study of how a dogged evaluation effort strives to cope with a reality which can not be neatly encompassed in a pre-packaged evaluation design.

The concluding comments on how prison college programs should be structured is well written and should be valuable to program developers. The long Appendix contain case studies of the eight program sites and is of less general value. All in all, the volume is a good lesson, although at \$21.50 it is an expensive lesson, on how evaluation can be done.

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 Pennsylvania Prison Society

THE DILEMMAS OF CORRECTIONS. By *Rick J. Carlson* Lexington, Mass.: Lexington Books, 1976. Pp. xi, 174. \$15.00.

In a field that has elicited almost as many inept descriptions as critical analyses, Rick Carlson's delineation of "the dilemmas of corrections" joins the ranks of those worthy of serious scrutiny. A dilemma is "a problem seemingly incapable of a satisfactory solution", and Mr. Carlson's use of the term accurately depicts the situation facing the field of corrections.

Carlson, a lawyer by training, has brought together information from both the legal profession and the social sciences to produce an informative and provocative book. Unfortunately, he is less than incisive in defending the fundamental alternatives facing practitioners in this field.

The purpose of this volume is to raise questions rather than to answer them. Acknowledging that we have insufficient data to link crime to correction, Carlson sets out to establish the types of research needed to bridge the gap. From the begin-

ning, Carlson notes the dissatisfaction concerning our current prison system and comments on the various pressures for change.

In a very brief section on the past and present state of corrections, Carlson attempts to bring the "novice" up-to-date. His description will strike the specialist as superficial, but it is easy to follow and very readable. While this section is neither inclusive nor analytic, it does provide a reasonable foundation for later discussions.

The basic orientation of *The Dilemmas of Corrections* is found in Part III, which sets out what we do and do not know. Yet the beginning pages of this section lack critical analysis and clarity. They simply review the traditional phenomena that have been linked to crime causation. Unfortunately, Carlson has not succeeded in explaining very well the interrelations between theory and research.

Carlson seems to be a practical liberal. He notes that "the real barrier to getting rid of the prison is that we don't know what to substitute" (p. 98). In practice, he says, prisons are unstable because their organizational goals are confusing and often contradictory.

The final section, "A Suggested Research Agenda," lists policy and research issues that must be faced by prison administrators as well as by politicians. Unfortunately, nothing is said about the closed nature of the prison with respect to research. In many cases prison research has been nipped in the bud by uncooperative administrators claiming that discipline and security problems outweigh the potential benefits of research.

The main objective of the book is to raise questions, and toward that end Carlson has done an admirable job. He suggests various questions and answers that need clarification, but concludes that even with this knowledge we are fighting a political battle. The author concludes that, "as long as we refuse to recognize how integral crime is to our way of life, we will persist in pressing futile reforms" (p. 168).

Geoffrey P. Alpert
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INVOLVING PARAPROFESSIONALS IN THE HELPING PROCESS: THE CASE OF FEDERAL PROBATION. By *Margaret T. Gordon*. Cambridge, Mass.: Ballinger Publishing Co., 1976. Pp. vii, 151. \$15.00.

This book describes and analyzes the four year process of selecting, orienting, training, work assigning, researching, and evaluating a category of paraprofessionals called Probation Officer Assist-

ants (POA) in selected districts of the U.S. Federal Probation Office. Dr. Gordon proposes five models for employing paraprofessionals and raises meaningful issues with regard to defining probation work as a profession.

The findings reinforce knowledge about paraprofessionals that we have identified from the community action program of the sixties. Most urban probation departments that have a mixture of staff with differing racial, ethnic, and economic backgrounds and allow the substitution of work experience for advanced degrees have undergone the same intra-staff problems discussed in this book. Traditionally, the staffing pattern of Federal Probation Offices has resulted in predominantly white middle class males. Therefore, it is difficult to determine whether the findings here reflect the concept of introducing the "paraprofessional" to the federal probation system or they reflect introduction of a staff with different backgrounds. This information could have been given more consideration in the analysis.

The seven research designs, reflecting a total of 19 subjects with a range of one to four subjects in each design, does not lend itself to firm and definitive conclusions. A concentration of PO's in fewer district offices would have given more data to further validate the conclusions and recommendations.

The research method used within the given restraints was excellent. However, the method of collecting journals on a weekly basis from POA's and their supervisors for thirty weeks may have resulted in estimates regarding such questions as community resources used, percentage of work time on various tasks, etc. Since it would be difficult to recall forty hour work activities accurately, another design could be to have POA's and supervisors fill out daily journal forms two weeks at a time each quarter.

The author has presented her material in a clear, concise, and logical manner, and she describes five excellent models for involving paraprofessionals in probation programs. This book serves as a good general guide for managers at all levels who are interested in researching and implementing a paraprofessional program. The author challenges the criminal justice system to define probation as a profession so that it can more readily accept paraprofessionals, volunteers, and other community resources.

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THE INSOLUBLE PROBLEMS OF CRIME. By *Robert P. Rhodes*. New York: John Wiley and Sons, 1977. Pp. ix, 269. \$7.95.

When the "war on crime" was declared in the 1960's, many went about the business of reform. The federal government poured millions of dollars into police armament and equipment, some jurisdictions attempted to update outmoded court procedures to insure speedier trials and eliminate plea bargaining, and prisons began to receive a new look, both from inside and outside the walls. Robert Rhodes now wishes to declare a truce, call the efforts essentially lost causes, and utilize a more realistic approach to crime control. Rhodes notes that what can now be done is, at best, piecemeal and unsystematic.

We are told that we may have been led to expect too much from our efforts, and that we should scale down our aspirations according to certain realities of crime control policy. One such reality includes differing public perceptions of how best to go about the business of crime control, while another concerns organizational and political impediments to radical change in police and court effectiveness. Rhodes desires a reduction in crime, but is pessimistic about ever getting to the point where an effective, feasible policy is a reality. So, in the meantime, we will have to be content experimenting with potential policies for crime control and learn to develop a commitment to those techniques which prove most useful.

Rhodes nicely documents the inherent limitations of the political process and the criminal justice system which make significant crime reduction a utopian dream rather than a realistic goal. This thesis is argued convincingly with respect to the legislative process, the key institutional agencies of the criminal justice system, and with selected areas of crime control policy (deterrence, gun control, bail bond reform, plea bargaining, sentencing, professionalization of the police, drug control, decriminalization, and court delay). The contradictory demands placed on the criminal justice system—that the system be all things in matters pertaining to crime—are inevitable, unresolvable and the result of the conflict of the goal of crime control and of democratic procedures.

Much of the relevant literature on these topics is competently explored and Rhodes' arguments are reasonably supported by the data he presents. Some flavor of the book is reflected in Rhodes' view on the police. He notes, "My conclusion is . . . that training, education, and restructuring police departments—in short, reform—will have limited effects on organizational behavior as long as

that behavior reflects problematic dilemmas for police rooted in differing expectations from community to community and vague, frequently unenforceable criminal statutes" (pp. 88-89). In reviewing the criminal process Rhodes concludes "But for all the scholarly attention and criticism of the courts, attorneys, judges, and legal processes, suggested new reforms in the structure of the legal profession and in the judicial selection processes do not hold promise for any dramatic impact on the problems of crime" (pp. 131-32).

While convincing, I did wonder whether further documentation of these theories was really necessary. These themes are implicit, if not explicit, in many of the writings of criminologists and program evaluators who explore public policy. They form the basis of the recent "conservative" critiques of crime control policy by Wilson and Van den Haag. It is convenient that Rhodes has compiled them here, with some additional material of his own, but they no longer seem novel. This is not to say that this book is without worth, on the contrary, I found this book to be enormously useful and informative.

Rhodes does something important by telling us that "dramatic" reductions in crime are unattainable. But what does it mean that "fundamental" or "basic" reductions in crime are unlikely? Radical criminologists take this as the premise on which much of their work is based. Their solution lies in political and social rearrangement. Liberal criminologists would also probably agree with Rhodes. Their solution would reside in a more orderly and systematic approach to change within current political arrangements, and, perhaps, they would give longer trials to some of the piecemeal reforms Rhodes describes. We may not expect a "dramatic" reduction in crime, but wouldn't even a little reduction be better than nothing? Few people now are searching for a magic formula that will insure a far reaching change, and no one, to my knowledge, is suggesting that we can reach this "dramatic" level of change.

For these reasons, this book is not likely to offend anyone. It is not precisely that Rhodes merely states the obvious, but that he does little to further the analysis. The book is interesting, well-done and well worth reading. Although the scope of the book is a little too grand, Rhodes does an excellent job weeding out irrelevancies and diverting sidetracks which would lead away from his main theme. The theme itself is important enough to deserve our full attention.

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SURVEYING CRIME. By *The National Research Council.* Washington, D.C.: National Academy of Sciences, 1976. Pp. xiii, 250. \$11.00.

Surveying Crime is the report of a special panel of the Committee on National Statistics of the National Academy of Sciences evaluating the federal government's victimization surveys. By early 1974 the Law Enforcement Assistance Administration had spent more than fifty million dollars developing and fielding those surveys. Criticisms of their efforts were being heard on many fronts. Analysts were attacking the data, practitioners were dubious of their usefulness, and cost-cutters within the Agency were sharpening their knives. By evoking the august Academy, managers of the survey program were able to put them all on "hold." Under contract with LEAA, a special panel was convened to evaluate the surveys. The hope was that the panel would respond to all three critical constituencies: social scientists, who wanted some response to continuing deficiencies in the data for research purposes; planners and evaluators, who could not make much use of the findings that were being published; and Justice Department officialdom, who needed to be convinced that something was in it for them. In this report the panel does an excellent job for the first group, but they make only limited responses to the needs of the second, and probably have only reconfirmed higher-up's fears that what they have is a problem on their hands.

For researchers, the report is an invaluable addition to official documentation of the victimization surveys. It reviews deficiencies in the conceptual scheme guiding the program, including decisions affecting the measurement of multiple victimization. The report carefully summarizes the methodological research which preceded data gathering. The panel reviewed the complex, rotating panel design utilized in the surveys, and pronounces it (with some caveats) the "state of the art." This is less charitable than their review of the procedures employed by the Census Bureau to collect, process, and analyze the data. They criticize the organization and style of official reports which have been issued based upon the data, and the utility of numerous specific features of the survey. All of these topics raise extraordinarily complex conceptual and technical issues, and many of their recommendations have considerable cost implications for the survey program.

Practitioners interested in employing survey data in their work will find their needs less well served here. The panel goes into some detail about the collection of data on exposure to risk and other

predictors of victimization. They argue that the "independent variables" currently gathered in the survey only describe the distribution of crime in the population, but cannot explain it. There is also some discussion of the use of the surveys to evaluate the effectiveness of various crime-prevention strategies, and suggestions for more emphasis on gathering data on citizen activities related to criminal justice, including reporting victimizations to the police. The panel does recommend that LEAA lend technical support to local victimization survey efforts.

The upshot of all of these criticisms and recommendations is that the data are promising but have problems, and that expensive measures will have to be taken if they are to be dealt with. Officials responsible for reacting to the Academy's report will have to balance this against what they can get from them, which is a social indicator independent of the UCR. However, recent research indicates that social indicators are not used extensively in decision-making, and this one in particular probably has even more limited utility because we do not know how to make it go down. It does not fluctuate much in response to federal macro-policy, which doubtless relegates it to the "interesting statistic" category. For those who want a high quality series, this is not a hopeful analysis.

What the report does not emphasize enough is that we can be so critical of the surveys because we know so much about them. Unlike most surveys, we have some rather precise information on the validity of the measures it generates, and a great deal of wisdom has been brought to bear on the program through the panel.

Wesley G. Skogan
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PROCEDURAL JUSTICE: A PSYCHOLOGICAL ANALYSIS. By *John Thibaut and Laurens Walker*. Hillsdale, New Jersey. Lawrence Erlbaum Associates, 1975. Pp. 150. \$9.95.

In this book Thibaut and Walker report a series of simulated laboratory studies comparing the inquisitorial to the adversarial legal process. The experiments were designed to find which process was most fair, most preferred and most just. The inquisitorial model allocates control and power for dispute resolution to a third party, and it is the system used in a number of European countries. On the other hand, the Anglo-American system of justice depends primarily on adversarial legal processes, in which maximum control over the dispute resolution is retained by the parties themselves. The fundamental finding across several studies was the superiority of the adversarial procedure. When dispute participants and neutral observers assess the procedures, both groups trusted and preferred the adversarial system to produce accurate and unbiased judgments. The adversarial process was found to significantly counteract bias on the part of the decision makers. Striking recency effects were present. In simulating pre-trial conferences, with high conflicts of interest between the disputants, third party mediation was not successful. Rather, such mediation worked primarily in those cooperative situations in which there was little conflict of interest. Overall, this collection of studies represents a systematic, thoughtful and carefully developed approach to understanding adversarial and third party roles in settling disagreements and disputes. The methods are replicable and the experiments represent a meaningful contribution of the social psychology of legal procedures.

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