

"Crime and the Man" is a popular summary of a three-volume study of "The American Criminal," the first volume of which has been published. This is a revival, with some refinements, of Lombroso's theory of crime. The general theme of the study is that criminals are physically different from non-criminals, that these differences represent physical inferiority, that physical inferiority is the primary cause of crime, that physical inferiority is inherited, and that a fundamental solution of the problem of crime must be based on elimination of the inferior stock.

This book, with the exception of a few pages, is devoted entirely to the establishment of the fact of physical differences, but the study would have little point except in connection with the brief theoretical statement.

The study is confined to male criminals in ten states, of whom the total number is 13,873, in comparison with a civilian population of 3,203. These samples are studied by racial and national groups. In the first volume he deals with the native white criminals of native parentage; in volumes two and three he will deal with the native white of foreign parentage, the foreign white, the Negroes and Negroids, insane white criminals, and the Massachusetts jail population. In each of these groups he compares the criminals with civilians and with each other on 107 anthropological characteristics.

The remainder of this review is concerned with Volume I, on the native white criminals of native parentage in nine state prisons and reformatories. The author states regarding them that he has overwhelming proof of the physical differentiation of criminals from civilians. The evidence which he presents proves nothing at all on this point, for the following reasons.

First, he draws conclusions regarding criminals from a selected group of criminals who were in prison. He states that it is stupid to object to this. On the contrary, the literature of criminology provides adequate evidence that prisoners are a selected group of criminals, and they probably differ from unimprisoned criminals in physical characteristics as well as in other traits. Offenders who are placed on probation differ from offenders imprisoned for the same offenses in intelligence quotients, education, and economic status. Also, professional criminals who operate
with skill and wits carry on their crimes almost continuously but are seldom imprisoned, and at a particular time are certainly under-represented in prison. Finally, people who are ordinarily regarded as respectable and are engaged in business, the professions, politics, or other white-collar occupations, commit many of the conventional crimes and especially are relatively immune to imprisonment for bribery, fraud, and similar crimes. All of these criminals who keep out of prison are doubtless different from prisoners in physical characteristics as well as in social and economic status. Students of criminology who have an acquaintance with criminal statistics are extremely sceptical regarding generalizations on criminality drawn from prisoners and, as a minimum, insist that the differences be enormous before they justify conclusions. The findings in this study are not enormous. The author rests his case at most points on an accumulation of tiny but concurrent differences, many of which are statistically not significant. These slight differences may very well be due to the selection involved in imprisonment and be characteristics only of that part of the criminal population.

Second, the author compares a prison population of approximately 4,000 persons with 313 civilians. He felt obliged, and properly so, to secure civilians from the same nativity groups and the same economic groups as the prisoners. Obviously 313 is too small a number to be an adequate sample of the native white population of native parentage on the lower economic level in nine states. In addition, this sample consists of 146 firemen in Nashville, Tennessee, of 85 out-patients from Boston hospitals, and 82 members of the militia and patrons of a bathhouse in Boston. Firemen and militia-men are required to take physical examinations and are obviously not an adequate sample of the lower economic group; it is not made adequate by adding the out-patients. The differences between the Nashville civilians and the Boston civilians are more numerous and greater than the differences between the entire civilian sample and the entire criminal sample, with the Boston civilians "physically inferior" on most characteristics. Conclusions based on a control group as small and unrepresentative as this are worthless. No amount of manipulation of the raw materials by statistical techniques will overcome this difficulty.

Third, the author makes corrections for variations in the physical differences in the several states, for variations in the distribution of crimes in the several states, for variations in age (with which some of the physical differences are associated), and for variations in the measurements and rankings due to personal equations of the two field workers. But these do not include all of the important variations. The people in one part of a state differ from those in another part, people in the city differ from those in the country, people in one occupation differ from those in another, people whose diet consists of certain commodities differ from those who have other diets. It is obviously impossible to conduct a study of this size and take all of these variables into account. That is an argument for not undertaking a study of this size rather than for not taking the variables into account. In fact the study would have been much improved by confining it to
criminals and civilians in a small and relatively homogeneous area of one state. Even in the states of Tennessee and Massachusetts it is not possible to make satisfactory comparisons of criminals and civilians because they show such wide variations.

Fourth, the method of translating physical deviations into physical inferiority is not explained. By what procedure does he reach a conclusion that eyes of one color are superior to eyes of another color, or that a certain stature is superior to another stature? He suggests at one point that some of the characteristics are evidences of degeneracy, or primitiveness, or childishness (p. 306), but insists that these are not like Lombroso's stigmata. Unless he has independent evidence of the inferiority of certain kinds of physical characteristics he must draw his conclusion regarding inferiority from the association which he finds between criminality and physical deviations. In that case he uses the criminality to appraise the inferiority, and the inferiority to explain the criminality, and is adopting the logic of some of the psychiatrists who used crime to diagnose psychopathy, and then used the psychopathy to explain the crime. The author does not develop his thought regarding the method by which physical inferiority produces crime, but hints that it is likely to be through its association with mental defect. But mental defect is not as closely associated with criminal behavior as he intimates at many points.

Fifth, he argues that physical inferiority is inherited, but gives little definite evidence on this. While there is no doubt that some physical traits are inherited, there is no doubt that others are modified within a wide range by the foods and other conditions of life. If the traits which are thus modified are subtracted from the total differences which he finds, it still further weakens his case.

Sixth, his general argument is that social characteristics are not causes of crimes unless unassociated with physical characteristics (p. 54). When dealing with behavior like crime there is no logical reason why the proposition cannot be reversed.

In general, on this main point of the investigation the study proves nothing and leaves the controversy just where it was twenty years ago.

More than half of this book, probably, is devoted to the differentiation of offense-groups among prisoners. He states with reference to a portion of this argument, "The average bodily form of the criminal varies with the type of offense he commits." He shows that each offense group differs from the total of all offense groups, not that they differ from each other. The offenses are defined by state laws, which differ from state to state; and the procedures are defined in the state laws, which also differ. Consequently we find great differences among the states in the proportions of different but related offenses. Wisconsin has almost four times as many first degree murderers as second degree murderers in prison, while North Carolina has more than twenty-five times as many second degree murderers as first degree murderers in prison. If physical differences are found between first degree murderers and second degree murderers under such circumstances, it is a problem to be explained rather than a finding which in itself pro-
vides an explanation. Also, the striking differences among the states in regard to the body-build of prisoners are related to many other variables. The high proportion of tall prisoners in southern states is associated with a high homicide rate in southern states, but constitutes proof only because it fits into an a priori system of thought. At this point as at other points a much more important contribution could be made by a study confined to a small and more homogeneous area, in which the laws, traditions regarding homicide, and other social conditions are constant. If under such circumstances it were found that body-build was associated with murder, it would be a much more significant finding than in this study in which so many variables are present. Finally, the differences among the offense-groups are relatively small, even when statistically significant. For instance, in general the murderers and burglar-thieves are at the extremes of physical characteristics. But the following are some of the differences: in weight 66 pounds (related to a difference of 11.3 years in age), in height 1.5 centimeters, in shoulder breadth .12 centimeters, in chest depth .36 centimeters, in chest breadth .54 centimeters, in sitting height .15 centimeters.

The author must be complimented on his careful statistical procedures, after he had made his selection, and on the thoroughness of the analysis. It is a monumental work in size, but unfortunately it makes little contribution to the explanation of criminal behavior.

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BROTHERS IN CRIME. By Clifford R. Shaw, with the assistance of Henry D. McKay and James F. McDonald. Special chapters by Harold B. Hanson, M.D., and Ernest W. Burgess, Ph.D. Chicago: University of Chicago Press, 1938. Pp. xiv+364. $3.00.

This monograph, the third in a series of detailed case studies by the department of research sociology of the Illinois Institute for Juvenile Research, is an elaborate study of the social background and delinquent careers of five brothers born of foreign parents who emigrated to the United States and located in Chicago a generation or so ago. The document is published to show "the relationship between delinquency and the culture conflicts which often confront the immigrant family in the physically deteriorated and socially disorganized communities in large American cities." The careers of the Martin brothers (their race and parental nativity are wisely omitted) furnish a concrete illustration of the manner in which the disorganized area of the city gives rise to delinquency and crime. These unusual case-histories were compiled from the records of social agencies, courts, penal institutions, behavior clinics and from interviews with relatives and other informants, but chiefly from autobiographical documents.

The monograph is effectively organized, the greater part of it being devoted to a factual summary of the data and the life-histories themselves. In Part I, the authors have summarized, from official records, the nature and extent of the specific delinquencies of these five boys. From this summary it appears that each boy's delinquent career began in early childhood and continued for a period of from
twelve to twenty years. Following
the "formal characterization" of
these offenses there follows a so-
ciological description of the modus
operandi of the offenses themselves.
These sociological materials are de-
rived wholly from the autobiogra-
phical documents, the excerpts
from which are organized into
three groups. The first pertains to
the "initial delinquencies," such as
petty stealing, which in all five in-
stances occurred in early child-
hood. Then follows a series of ex-
cerpts wherein are described the
burglaries in which the brothers
were jointly involved in later child-
hood and early adolescence. Fin-
ally, the subsequent careers of the
five brothers are traced to show
their divergence and the independ-
ent nature of their crimes, offenses
which include grand larcenies, bur-
glaries, the theft of automobiles and
even robbery with a gun.

The organization and analysis of
these life-history data fully war-
rant the authors in concluding that

The available evidence suggests
that they (the Martin brothers)
were habitually engaged in vari-
ous forms of stealing before they
were distinctly aware of the fact
that their activities were in viola-
tion of the laws and all stand-
ards of the larger social order.
Apparently they engaged in
stealing because it was one of the
forms of activity which prevailed
in the group to which they be-
longed; from the standpoint of
these groups, stealing was an ac-
cepted and approved practice.

The realization that there
was a larger conventional society
whose standards of conduct were
in opposition to the standards
of their immediate social world was
not distinctly impressed upon the
brothers until they were taken
into court and committed to cor-
rectional institutions (p. 58).

In Part Two about forty pages
are devoted to the social back-
ground of the Martin brothers, an
analysis which proceeds smoothly
in terms of standard sociology. The
thesis upon which the authors pro-
cceed, of course, is that the social
factors are pre-potent as causes in
the delinquencies of the five
brothers. The data submitted
amply warrant the adoption of such
a theory. In addition to a por-
trayal of the boys' family and their
play groups, the authors describe
the physical deterioration and the
low economic status of the com-
munity in which they were reared.
The diversified, conflicting folkways
and patterns of behavior concen-
trated in the community where
these boys grew up was, no doubt,
a criminogenic factor of great im-
portance. What is very striking,
too, is the "delinquency tradition"
of the community in which the boys
lived. Statistical studies are avail-
able to show that this area has con-
sistently produced a disproportio-
nate share of delinquency for a con-
secutive period of forty years. For
example, during the period when
these delinquents were active, from
twelve to fifteen per cent of all boys
ten to seventeen years of age in
the community were dealt with by
the police for alleged delinquency.

In the analysis of the family
background of the Martin brothers
we have a classic example of the
disastrous consequences for chil-
dren when immigrant parents are
transplanted from rural Europe to
urban America. An obvious symp-
tom, probably a cause, of the boys'
delinquencies, was the complete
lack of any effective primary-group
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membership calculated to integrate their personalities around the American mores. Both the family and the church lost their control over these new Americans. The boys were also truant in school, and were indifferent to the passive enticements of the available character-building agencies and recreational facilities.

Almost half of the monograph is devoted to autobiographical material. There is little that is unique in this material, however, except for a possible comparative analysis of self-regard and rationalization. It is significant that all five boys blame someone or something else for their delinquencies. In few, if any, passages is there the slightest evidence of self-blame. This, of course, is typical of most criminals.

In a disappointing chapter of eight pages, Dr. Hanson, an Institute psychiatrist, summarizes the clinical data regarding the constitutional, mental, and personality characteristics of the Martin brothers, from which it appears they were neither feebleminded, psychotic, nor psychoneurotic. "It is probable," says Dr. Hanson, "that their delinquencies were due in large part to the lack of unity and security in the family situation and the influences which were exerted upon them in the delinquent play-groups and gangs with which they very early became associated."

One is surprised at the paucity of this psychiatric analysis; for it fails to discuss the dynamics of personality, an emphasis which we are entitled to expect from a psychiatric institute. Another deficiency is the absence of any exhaustive psychometric analysis. Even more significant is the lack of systematic records of school adjustment and educational achievement. This latter deficiency is a major limitation of the study.

Professor Burgess, in a chapter dealing with the personality traits of the five brothers, argues that the interest and progress of each brother in delinquency appears to be "almost a direct outcome of the residence of a poverty-stricken immigrant family in a neighborhood of boys' gangs and criminal traditions." Dr. Burgess concludes that, in the main, the criminal careers of these five boys were not the result of psychogenic factors (i.e., differential personality traits), but rather "a function of the neighborhood situation."

The authors put their finger on the main problem revealed in this study when they call attention to the futile efforts that were made to treat these boys in individualistic terms. In commenting on the stupid treatments applied to these boys, Mr. Shaw rightly castigates the efforts of probation and parole officers who naively attempted to rehabilitate these lads in the very neighborhood which produced their delinquencies. Moreover, the various institutional efforts at punishment or reformation—Detention home, Chicago and Cook County School for Boys, State School for Boys at St. Charles, Chicago House of Correction, and the Illinois State Reformatory—seem to have made matters worse rather than better.

This painstaking study gives rise to many profitable reflections regarding the cause and cure of crime. The monograph adds a substantial body of case-data to the literature of sociological causation. Its greatest value, however, lies in the implicit indictment which it levels at a great community's feeble efforts to cope with delinquency and crime. It is significant
that in the case of the oldest boy, John, Dr. William Healy predicted, twenty-five years ago, that "if the boy continues to live in the same neighborhood he will probably continue the same way." Of what use is it to diagnose scientifically a case of delinquency if a community is unwilling or unprepared to carry out the recommendations? Chicago lacks nothing in its range and variety of penal and reformative institutions; but in its efforts to cope with crime it has merely multiplied agencies rather than synthesized therapeutic resources and intensified treatment. The monograph is a telling brief for modern social work, since it argues the need for early, intensive and long-continued efforts at the rehabilitation of young offenders.

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The second volume by Mr. Whipple on the Hauptmann case, the first being his "The Lindbergh Crime," consists first of comments concerning the witnesses in the trial of the case, which covers the first eighty-six pages of the book. Following that, the remainder of the book, pages 95 to 565, covers in part the testimony of the various witnesses. As Mr. Whipple says, with the mass of testimony that was given, only parts could be taken of the testimony of each witness, and this picking out of important or interesting parts is certainly a difficult undertaking, but, as far as this reviewer can say, it has been done exceptionally well.

Naturally one can speak only on sure ground concerning his own testimony, and Mr. Whipple certainly picked out the important parts of the testimony of the undersigned. Of course, handwriting testimony to be effective needs to be illustrated, which is not possible in the book as it was at the trial. However, Mr. Whipple picked out from my testimony the fact that when Hauptmann was asked to write a paragraph which I had made up for the purpose some two years previous, he undoubtedly and studiously attempted a disguise, which is hardly the act of an honest person. Further, that portion of his writing which was disguised showed clearly the same habits that were shown in the ransom notes, for of course he could not remember, after two and a half years, just how he had disguised his writing when writing the ransom note left in the house and the various later notes to Colonel Lindbergh and Dr. Condon.

The portions of the testimony of the witnesses quoted is interesting and certainly makes easy reading in its present form, and it must have been a long process to wade through the great mass of testimony, with its countless inane and uninteresting questions and answers, and pick out these rare bits of interest.

In the first part of the book Mr. Whipple's comments on the evidence are enlightening. He, like practically all of the newspaper men and others who were in attendance at the trial for any length of time, was undoubtedly convinced of the guilt of the defendant, and his ridiculing of Hauptmann's statements and much of the
evidence of the defense, is very well put.

He also treats some of the side issues, as might be said, of the case, such as the entrance into it of Governor Hoffman. The governor made a night visit to Hauptmann, extended a reprieve, and declared his faith in the prisoner. When four days later the United States Supreme Court refused to disturb the decisions of the Jersey Courts, this incident attracted a great deal of attention. This is all brought out by Whipple, who then makes the interesting comment that Governor Hoffman refused to extradite the Parkers to Brooklyn for trial as he feared that the Parkers "could not get justice in a politics ridden community such as Brooklyn, where politicians were attempting to make capital out of a criminal case!"

The book contains interesting illustrations, two in particular, first, the damaging evidence of the $13,775 in ransom money found under the floor of the garage after Hauptmann had declared that he had no more than the bill passed at the gasoline station and the one found on his person when he was arrested; the second, the beam from the garage containing eight hundred odd dollars of the ransom money which was found following Hauptmann's declaration that he had no more of the money after the $13,750 had been uncovered.

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This volume attempts to evaluate the crime-control functions of the federal government in terms of our federal system of government, and to develop a philosophy of federal law enforcement. "In the United States," says Mr. Millspaugh, "criminal-law enforcement is divided between the federal government and the states; and, in the states, it is infinitely subdivided. It is not a function that can be completely and effectively exercised by the states acting independently. Consequently, the federal government, aiming not only to co-ordinate but also to supplement state and local effort, tends to expand its jurisdiction at the price of overlapping and at the risk of duplication and conflict. For this trend toward nationalization of criminal law enforcement much can be said; but the sound planning of a nation-wide law-enforcement policy should direct attention to the disadvantages as well as the advantages of centralization. The problem of law-enforcement reorganization, therefore, divides itself into three parts: (1) reorganization within the state; (2) reorganization within the federal government; and (3) reorganization of federal-state relations."

Within the state, the author suggests the creation of state police departments and allocating to those departments the criminal-law enforcement functions of the counties and municipalities, except perhaps a few of the more populous ones. Within the federal government, because "federal law enforcement activities which are not reconciled with state and local preventive effort may be simply sowing the seeds of ultimate disorganization," Mr. Millspaugh advocates "a sound national law enforcement policy which should rest on a practical and efficient division of re-
sponsibilities between the federal government and the states. Such a policy . . . would attempt to differentiate five classes of law-enforcement activities: (1) those that pertain to the internal administration of federal departments and establishments; (2) those strictly auxiliary to other federal administrative functions; (3) those directed at general crimes or other evils of an interstate nature; (4) those concerned with intra-state crimes or intra-state conditions affecting health and morals; and (5) those necessary for the co-ordination of the states and the promotion of better state administration.

The most valuable short-run service which Mr. Millspaugh has performed is to set down the history and functions of the nine law enforcement agencies of the federal government. These nine agencies are situated in four departments—the Bureau of Investigation (Justice); the Secret Service, Intelligence Unit of the Bureau of Internal Revenue, Coast Guard, Bureau of Narcotics, Enforcement Unit of the Alcoholic Tax Unit, and the Customs Agency Service of the Bureau of Customs (Treasury); the Immigration Border Patrol of the Immigration and Naturalization Service (Labor); and the Post Office Inspectors (Post Office). Here, set down in seven compact chapters, is pertinent information for the police official or the student of police administration concerning the responsibilities, strength, and administration policies of the federal crime-control agencies.

In the longer run, the author, who has previously published a study of state and local law enforcement entitled Local Democracy and Crime Control, believes that "if we are really to plan our campaign against crime, we must ask the question whether an increase or decrease in crime should be attributed to enforcement, protection, deterrence, or prevention. Crime is due to a variety of causative factors and can be reduced only through a mobilization of the total resources of society. Enforcement is only one resource. It is possible that efficient law enforcement may substantially reduce or even eliminate certain types of crime, just as the enforcement of health regulations has almost, if not completely, eliminated certain diseases. In the case of other types of crime, however, probably the best that efficient law enforcement can ever do is to reduce certain offenses to a minimal rate. That there is somewhere a fixed minimum, or at least a point of diminishing returns, is suggested by the fact, just mentioned, that, in certain areas and with respect to certain offenses, violations are known to decrease when the enforcement personnel is increased. The taxable resources of the community, however, set a limit to increases of governmental personnel. The minimal rate, if it ever can be statistically fixed, should provide a standard by which law enforcement agencies may measure their ultimate efficiency."

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In this book, the Authors give a good narrative account of the beginnings of The Adolescent Court,
in Brooklyn in 1934, and well considered reasons for its founding. It is conceded that this specialized intermediate Court was preceded by the organization of the Chicago Boys' Court twenty years earlier.

The movement for such a Court was in response to the growing recognition of the need of specialized treatment of offenders between the Juvenile Court age and full adulthood in the Criminal Courts.

Emphasis is given to the special stress and conflict in youth during the period of Adolescence. The pull between the dependence of childhood and the growing desire for independent action is most pronounced at this period. The desire for greater freedom prompted by both physical and psychological changes characterizes the age. The spirit of adventure is also rampant then. The adolescents changing attitude toward his environment is most marked. It is the critical point when he is leaving school and facing the larger relationships of life, including industry and social groups, either good or bad. Ample case histories are given to indicate this.

It is pointed out by the Authors that neither the home, the school nor the Community have supplied youth of this age with the growing and valid desire for security, for recognition and for legitimate adventure. For this reason, together with prevailing poverty in the homes of most delinquents, the offender himself should not bear all the blame for his behavior. Criminal behavior doesn't just happen by spontaneous combustion. Its causes lie deep in social patterns, and Community conditions.

Therefore, the home for deficient training; the school for its stereotyped curricula unfitted for special needs, and the Community for its failure to provide ample and wholesome recreation; all are in large measure responsible for delinquency.

The Courts, in dealing with the problem, have been strangely blind to all the implications of these factors in relation to delinquent youth. Stress is strikingly laid to the fact that while in the Civil Courts, the immaturity of judgment under 21 is recognized by withholding citizenship and the right to own property, the Criminal Courts assume that all youth over the Juvenile Court age should be held to full adult responsibility.

Hence the need for the Adolescent Court to deal with immature offenders, not on the basis of the offense, a few paltry dollars, but with due consideration for the offender, with all his human limitations and possibilities. In other words, such a Court is intended to be a clinic for diagnosis and treatment, rather than a tribunal for legal adjudication and punishment.

The writers admit that, unfortunately, neither the Adolescent Court in Brooklyn nor the Chicago Boys' Court afford adequate facilities for pre-investigation and study of the social background of offenders brought before them. Both were organized without special State legislation as branches of a larger Court, but the Court rules are such that the status of each case must be decided by the Judge before such desirable investigations are made. To be sure, extralegal procedure is sometimes resorted to in this respect, and also by arbitrarily reducing a criminal charge to a misdemeanor in order to bring it within the jurisdiction of this Court.

A comparison of the two Courts
shows that while the Chicago Boys' Court was the first to furnish social case workers for Court service, it has always been lacking in qualified probation officers to deal with these highly important human problems. The Brooklyn Court has, in addition to social workers, a staff of six civil service Probation Officers, headed by a liaison officer to assign each case for supervision to voluntary Agencies, according to race and religious preference. In short, it has sought to develop a socialized Court for the purpose of integrating character with reality and life in an orderly form.

In dealing with these early forms of criminality, the Authors feel that ordinary court procedure is inadequate. They say: "criminal law and criminal court procedure may, in their present form, be doing more harm than good." Legal age, in other words, is no test of development, or protection against immature judgment.

The Adolescent Court is frankly an experiment, and its present findings are based on only three years of intensive experience. As the writers say: "It is dangerous at this time to acclaim the success of the Adolescent Court, in view of the present limitation of the research that has been carried on there. Prophecy is dangerous; but certain facts indicate that the Adolescent Court plan constitutes a feasible philosophy, in spite of some very definite handicaps and limitations."

The method is demonstrated in some measure by results. For example, in 1935, of 660 boys referred to the Court, only 50 were returned for subsequent offenses. In 1936, 42 additional boys were arrested. Of a total of 943 cases dealt with in the three years, 120 arrests, or a salvage of 87.3 per cent. The ages of boys dealt with is 16 to 19 inclusive.

Of the Authors, it should be said that Jeanette G. Brill is City Magistrate of this Court, and Dr. E. George Payne is Professor of Education in New York University. The book is highly revealing as to human problems and social situations, and well worth reading.

F. Emory Lyon.

Chicago, Illinois.

**Drug Addicts Are Human Beings.**

By Henry Smith Williams, M.D.


This book by Dr. Williams was evidently written for the popular market. Those readers whose blood pressure is mercurial and hence responsive to highly polemic, and even inflammatory, writers on social problems will be stirred to a crusading zeal by this book. Those who like a little objectivity even in a plea for reform may find it a tax on their patience.

Despite the title of the work, Dr. Williams is more set on showing how a billion dollar narcotic racket has grown in the United States, and how 25,000 physicians have been persecuted and even imprisoned as a result of the contempt of narcotic agents and some courts for the rulings of the Supreme Court. The whole story goes back to the Harrison Act of 1914, a purely revenue law, deliberately misinterpreted by Federal agents and some of the courts for twenty years. This, despite the several ruling of the Supreme Court, as in the Linder case in 1925, and the A.A.A.
Decision of 1936. In short, the Supreme Court intended all these years that addicts be regarded as diseased persons who were, therefore, proper subjects for medical treatment. The Supreme Court decisions were based upon the thesis that the Federal Government cannot regulate a profession. Since the Harrison Act, hundreds of thousands of addicts, finding it impossible to buy legitimately for a few cents the drugs they needed, were driven to lying, begging, cheating or thievery. The whole story of the development of this stupendous drug racket constitutes, Dr. Williams rightly contends, a horrible blot on our history.

If one can overlook the lurid streamers called chapter headings, and the still more lurid cartoons—drawn by the author himself—and wade through a mass of repetitions to the point of tedium, he can still admit that the incinerating attack by Dr. Williams on those authorities who helped create this racket, is quite warranted. His account of the closing of clinics by Federal agents such as those in Los Angeles, where addicts were given their necessary daily drugs at a few cents per grain compared to nearly a dollar a grain through underworld channels, cannot fail to stir the reader's sympathy.

Unfortunately, Dr. Williams does not give the reader much idea of the nature of narcotic addiction or the personality of addicts. It is a deprivation disease like diabetes, and he holds that "few men or women become confirmed addicts unless they have a psychopathic twist to begin with." Just what the nature of their psychopathy is, he makes no attempt to clarify. As a diabetic needs insulin shots at intervals to make him comfortable, and even to survive, so a drug addict needs his opiates. It appears that Dr. Williams' real concern is portraying the addict as a human being is to blot out the yellow journal "dope fiend" stereotype of him.

On the criminal side of the addict's make-up, Dr. Williams holds that "the addict becomes a criminal only when the drug is withheld." Students of crime would agree with this. But when he claims that "Our courts are jammed with narcotic cases. Narcotic prisoners are packed like sardines in our jails and prisons," Dr. Williams is letting his imagination run riot. In a recent study made at the Detroit House of Correction, the writer found that men addicts did not reach 5 per cent of a total of 48,132 commitments for the years 1930-1935 inclusive.

The way to end this billion dollar racket is by taking away from the peddlers in the underworld the supplying of drugs, and handling the matter through government supervised clinics. Here the addict could get all he needed at small cost and thus maintain comfort and self-respect. This would take the props from under a racket, enable addicts to earn their livelihood in other than criminal ways, and relieve for much-needed duty elsewhere a whole department of Federal agents. It would also relieve the strain on our courts. Moreover, though Dr. Williams neglects the point, it would mean saving or preventing large losses by the merchants and consumers through thefts by addict larcenists. Since we know of no cure for addiction, a realistic handling of the problem through some form of clinic control ought to be established in the future.
The reader may become impatient with the yellow journalistic style of Dr. Williams. There is too much of the "dear reader" note in it; too much of it is like a catechism with its questions loaded in advance, followed by ex cathedra dogmatisms in the form of answers or comments. Dr. Williams is not always consistent in his use of statistics or other data. Too often he is content with "nine times out of ten," or "ninety-nine out of a hundred," guesses when he doesn't really have facts. Sometimes his extravagant innuendoes of collusion on the part of Federal agents and courts, without offering supporting proof, are amazing. For the general reader, however, Dr. Williams' book is useful in showing the drug addict as a human being; how a large scale racket can come into being and be consciously or unconsciously supported through misguided zeal and prejudice of enforcement agencies; how illegal persecution of a profession can result; and how honest attempts, as through clinics, to cut the ground from under a racket can be thwarted by the same blind enforcement agencies who usurp authority and force they were never intended to have.

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The entire history and practice of Greek law prior to Alexander the Great is to be covered in this work. The first volume, published in 1930, dealt with the history of the Attic judiciary; the second deals with selected aspects of practice in Attic law; and a third, to follow eventually, will deal with other Greek legal systems. The treatment is highly critical, with full discussion of difficulties and uncertainties and with full documentation. The second volume is intended to supplement the standard German work, Das attische Recht und Rechtsverfahren (1905-1915) by J. H. Lipsius. It attempts to assemble, evaluate and summarize the material that has accumulated in articles and monographs criticizing or amplifying Lipsius. The inexperienced layman, therefore, seeking to be oriented in Greek law will not find this work very helpful; but as a contribution to advanced study it will be invaluable and its importance will last a long time. Both of the authors are well known for their work in this field and their knowledge of it is complete.

The second volume includes a large amount of somewhat disconnected and untractable material on such subjects as prosecution, defense, advocates, witnesses, oaths, demurrers, appeals, pardons. The contents are made more available by a general index, including technical terms, and an index of source passages. The latter is especially welcome as it enables one to draw upon this work for exegesis of ancient texts. But there is no bibliography. The work deals largely with recent contributions, and these are cited passim in the footnotes usually without dates and with a lavish use of the cumbersome op. cit. It seems that reference would have been facilitated and the extent of literature under survey...
would have been better represented by a bibliography at the end.

The last chapter is most interesting because it gives some criticisms and estimates of Athenian justice by well-known scholars, some of them lawyers themselves. The most striking feature of Attic law was the size of the juries, with 500, 1000, or even 1500 for a single case. This modified the procedure considerably, restricting its length and intricacy. Problems of influence and corruption also assumed an entirely different aspect. Another peculiarity was in prosecution. The state did not prosecute crimes itself, but relied on voluntary private accusers. Certain features of the penal code are also strange, such as the leniency toward murder and the severity toward felony. Various opinions may be held of Athenian justice, but one is certain. The Romans were not first in this field. As the ancient quotation on the title-page of this volume asserts, "the Athenians first invented suing and being sued."

AUBREY DILLER.
Indiana University.


This is a monographic study of gambling in Germany from the point of view of criminal-sociology as developed by Sauer. It contains an analysis of gambling as it appears in the criminal statistics of Germany from 1888 to 1933, a description of the types of gambling, the types of gamblers, the types of gambling places, an analysis of the relation between gambling and other crimes, the penalties for gambling and the laws regarding gambling. Some of the rather interesting statistical findings are these: prosecutions for gambling have increased in general from 1900 to 1933, with a high point during the inflation period in the early twenties; as age increases females become an increasing proportion of the persons convicted of gambling; prosecutions for gambling in general increase with the size of the community. The typological analysis of gambling and gamblers is formal and not especially enlightening, but is a development which has important possibilities.

EDWIN H. SUTHERLAND.
Indiana University.


Professor Walton's book is a coordination or synthesis of a large part of the literature concerning marihuana. With an extensive bibliography at the end, he has organized the information in a topical manner. Although essentially it is not a record of laboratory experiments or observations, there are included some reports of experiments by others. If the study did include more laboratory or actual observational material, it would have deeper significance.

Entitled "Marihuana, America's
BOOK REVIEWS

New Drug Problem," the study fails to establish a clear impression of the nature of the problem. Its actual extent and manifestations are not definitely described. In some cases, authority for statements comes from daily newspapers. Generalistic use of the phrase, "drug-crazed killer," has become notorious. That there is a definite relation between the use of marihuana and crime is not established, but because of the allegations, should be studied.

The author's treatment of the pharmaceutical and chemical phases of the marihuana problem makes a contribution. He does bring together a great deal of experimental information. Similarly, his treatment of the historical aspects and the use of marihuana and hashish in other cultures past and present contributes to some extent to an appreciation of its role in this country.

HANS RIEMER.
Indiana State Department of Public Welfare.


This, the seventh edition of a long-familiar text-book, has been rewritten and enlarged. Rosanoff's Manual has now become a compendious volume, dealing not only with the symptomatology and treatment of mental disorders, but with the mental hygiene of childhood, eugenics (including sterilization laws and practices), commitment laws, criminal responsibility, intelligence testing and various cognate topics. It is, in other words, of value not only to the clinician but to the social worker, the teacher, and the lawyer. Each chapter has a rather extended bibliography, which provides the reader with a guide to further study in case (as is somewhat unlikely) he fails to find his topic treated with sufficient fullness in the text. It can be recommended to those who find questions of a psychiatric nature arising in the course of their work and whose intellectual curiosity prompts them to seek an authoritative reply.

WINFRED OVERHOLSER, M.D.
Saint Elizabeths Hospital, Washington, D. C.


Perhaps the most interesting aspect of this English translation of the Proceedings of the XIeth Penal and Penitentiary Congress in Berlin is the expression given therein to what the Nazis regard as their new and advanced penological theories. It appears that a rather intense conflict of ideologies took place. As a rule, this conflict was expressed in the most polite language and by means of elaborate circumlocutions. Sometimes, however, it flared into the open.

The following report of a statement by one of the German representatives is interesting:

"M. Waldmann (Germany) explains that he takes part in the Congress in the capacity of a
representative of the Association of the German national-socialist jurists which forms the largest organization of jurists in the whole world and which comprises all the German judges and lawyers. He declares that each of its members claims for himself the right to be considered as honorable and rejects the insinuation to be a bearer of the idea of revenge. The German criminal law does not know the idea of revenge. The concentration camps created in Germany are institutions of education and nobody has the right to contest this since honest men declare so" (p. 212).

The totalitarian delegates outnumbered the others. Thus, for example, a roll-call vote on one of the questions before the congress was forty-seven "yes" to one hundred thirty-seven "no." However, one hundred twenty-one German delegates voted "no"!


This latest volume put out by the American Prison Association is, like the preceding ones, a valuable source of information in the criminological field. Containing articles by many prominent men in this field in the country, it is a useful digest of present thought on various aspects of penology and criminology. Anyone interested in institutional development along medical, educational, and recreational lines will find this work of value. There are also articles upon such subjects as crime prevention, parole, probation, classification, prison labor, and criminal statistics.