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Book Reviews

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Mr. Campion concludes:

"In summary, therefore, of this section of the study, we conclude that the data available to us after a survey of half the state police forces of the United States do not lend empirical support to the claim that the existence of the death penalty in the statutes of a state provides a greater protection of the police than exists in states where that penalty has been abolished." (Page 735)

Mr. Campion also made a study as to police opinion on this subject and found that it varied widely:

"From our survey of opinions it would seem that the record of killings of police in a particular police force does not of itself determine police opinion for or against the death penalty as a protection. Though most support for the death penalty came from rather populous, urbanized states, having the death penalty on their statutes, and all reporting some killings of officers in their state police forces, we find dissenting opinions held by police officials from states possessed of these same characteristics. Whether grouped with respect to geographical proximity, similarity of crime rates, population distribution, or compared on the basis of numbers of police officers killed, the different states manifested no fixed pattern of opinion among police officials on the value of the death penalty as a protection to the police." (Page 738)

In referring to the fears of police officers as to the effects of abolishing capital punishment expressed before the Royal Commission On Capital Punishment in England 1949–1953, the Commission in its Report said:

"Moreover we received no evidence that the abolition of capital punishment in other countries had in fact lead to the consequences apprehended by our witnesses in this country."

The Governor of Maine in March of this year stated:

"We do not find that capital crime is more prevalent as a result of the abolition of capital punishment, nor do we find the state police or prison guards in any great danger."

The Chief of Police of Providence, Rhode Island, an abolition state, in March of this year said: "I do not recommend capital punishment...

The opinion of police authorities varies widely on the supposed deterrent effect of capital punishment. All the evidence is with those who say that abolition of capital punishment does not create any greater hazard to the police, and in fact may afford more protection.—Herbert Cobin, Prisoners' Aid Society of Delaware.

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BOOK REVIEWS


Once every so often a person appears whose calm reasoning faculty and superior ability of organization can create a new perspective and sense of integration. Mr. Gresham M. Sykes is such an individual, and his book, "The Society of Captives," is unique in that it reveals a microscopic familiarity with the details of prison living while at the same time it supplies the reader with a telescopic grasp of these details in easily digestible groups.

Most of us, even those of us who are intimately involved with prison affairs daily, would find it almost impossible to describe intelligently the total picture of a maximum security prison, incorporating the custodial staff's qualifications and goals, the inmates' personalities and needs, society's expectations, the physical buildings, and the results of the interactions of all of these factors. Possibly part of our frustration in attempting such a description would lie in the fact that many of us would recognize within ourselves emotional kinship not only to society's expectations and to the prison staff's goals, but also to the needs of the prisoners and to their reactions; we might become involved in defensive statements and arguments entirely separate from the objective description of the prison society.

In "The Society of Captives" Mr. Sykes creates an atmosphere of a travel-log, and with unemotional perception he records the facts about life in a maximum security institution. Sometimes his descriptions are so clear and reasonable that
for a reader who has been inside such a prison it is
difficult to realize so much orderly thinking could
possibly emerge from the intricate maze of activities
and feelings there.

The obvious beginning for the description of its
any culture, or sub-culture, is a description of its
physical setting, and this is where Mr. Sykes
begins in his book. The effects of the stone walls
on the prisoners, on the prison staff, and on society
are analyzed. The author makes some philosophical
assumptions not based entirely on observation;
“If the inmate population is shut in, the free
community is shut out, and the vision of men
held in custody is, in part, prevented from arising
to prick the conscience of those who abide by the
social rules.” The demands of society upon the
custodial staff are contrasted by the realistic ac-
accomplishments possible and by the methods open
to the staff of securing the cooperation of the
inmate body. The qualifications and broad per-
sonality types of those men who make up the
custodial staff are described. The prisoners’ social
mores are discussed, including their language,
their self-concepts, different personality roles
played by them, and the interaction of all of these
factors with the authoritative regime. A very
plausible explanation of the real causes underlying
prisoner uprisings and riots is set forth.

While Mr. Sykes has not uncovered any new
data regarding men in prison, or their captors, he
has achieved a remarkably concise way of viewing
the multiple aspects of prison life. “The Society
of Captives” constitutes worthwhile reading for
anyone dealing with those members of our society
who run afoul of the law—lawyer, judge, chaplain,
social worker, doctor, or prison administrator.
As a sociological study, the book is a brilliant
piece of work.

JOHNSON LEVERING

John Howard Association
Chicago

CRIME AND INSANITY. Edited by Richard W. Nice.
Philoсephical Library, New York, 1958, 280
pages. $6.00.

In this 280 page book Richard Nice has as-
sembled 11 papers written by lawyers, sociologists,
psychologists, and psychiatrists. The purpose is
to provide the student and layman with informa-
tion about those problems in management of
offending persons which confront physicians and
lawyers in this country. The editor introduces the
subject by deсlearing that the usual approach to
abnormal and anti-social behavior is punishment.
He states that persons who are put in jail or mental
hospitals are in effect rejected by society. Ralph
B. Winn, Chairman of the Department of Philoso-
phy and Psychology, Monmouth College, N. J.,
reviews the principles of punishment in relation
to different historical epochs. He emphasizes that
traditionally the rules for punishment of offenders
are difficult to apply when he is immature or
diseased, and when the act is the result of an
accident or a mass crisis like panic or poverty. Dr.
Henry Davidson discusses "Irresistible Impulse
and Criminal Responsibility." He describes im-
pulsive behavior in normal, neurotic, and psychotic
people. His thesis is that impulsive behavior
occurs at all levels so that the legalized punish-
ment of criminals may be seen as an expression of
the "irresistible impulse" to punish people at large.

Donald R. Cressey, Assistant Professor of Sociology
at the University of California at Los Angeles
examines some of the psychological and sociological
theories which underlie the assumptions motivating
psychiatrists and lawyers in their work with
offenders. He states that “casting of blame upon
others is evidence of our own inability to correct a
difficult situation, and a projection of our sense of
inadequacy.” Dr. William B. Haines and John
Zidler of Chicago, in a chapter titled “Not Guilty
By Reason of Insanity” summarize the differences
between the legal processes that determine manage-
ment of criminals in each state. They conclude
“the word insane is a legal term and has no med-
cal meaning” and strongly urge a uniform definition
of insanity and a uniform criminal code and com-
mittance law. William Burke, Jr. writes about some
of the conflicts between law and psychiatry in
judicial aspects of practice. Simon Sobeloff in
“From McNaughten to Durham and Beyond” en-
courages continuing research to enlarge our under-
standing of behavior and provide the knowledge on
which changes in law and procedure may be based.

Henry Weihofen, Professor of Law at the Uni-
versity of New Mexico, writes about the Durham
Decision, concluding that this is the only legal
ruling so far which bridges the gap between legal
and psychiatric thinking. Two chapters are con-
cerned with the functions of psychiatrists and
psychologists with regard to criminal cases. It is
said that the psychiatrist should emphasize treat-
ment of the criminal while the psychologist should
train himself to be an expert witness. Herbert
Wechsler, Professor at Columbia Law School re-
ports on the “American Law Institute: Some Ob-
The author rejects the usual procedure of contrasting delinquents as adolescents in training schools with a control group of nondelinquents as adolescents outside of training schools. Instead, he draws both his delinquents and nondelinquents from adolescents outside of training schools and compares the most delinquent group with the least delinquent group. In this manner he avoids a bias which criminologists have long recognized but have usually failed to counteract in their research.

Another unusual aspect of this study is Dr. Nye's approach to delinquency. Delinquency is usually considered as a product, or as an illegal act caused by such a factor as differential association (Sutherland), or emotional disturbances (Healy), or a combination of factors. Nye approaches delinquency from another point of view, as an act which is not prevented because of insufficient social control. Both approaches have merit.

The results of the study are disappointing. Such a detailed statistical study on the relation of delinquency to eleven selected areas of family structure and relationships is necessarily incomplete and inconclusive. It is not new to maintain that delinquency is complex, and Nye admits this. But his difficulty is more than this. By compressing family relationships and delinquency into statistical form only, he places himself in the Formal School of Sociology and advocates its belief that sociology is a science only in so far as it is measurable. The reviewer cannot accept this point of view. Case studies, psychological tests, and even psychiatric interviews could have accompanied the scales of delinquency, family structure and relationships and might have added more depth and understanding to this study. Establishing such an attitude as acceptance-rejection between the adolescent and parents, for example, could be much better evaluated as a factor in delinquency if both qualitative and quantitative measures were used.

The most definitive and challenging conclusion of this study is the lack of relationship between delinquency and the social-economic level of the family which Nye found. This is in opposition to the results of many other similar studies and can be partially attributed to Nye's definition of delinquency. More research is needed. If this conclusion is sustained, delinquency research will have to be reoriented in focus to social relationships and personality of the delinquent.


This research monograph is a statistical study of 780 High School boys and girls in three Western towns to discover the association between their delinquent behavior and their family structure and relationships. Its pioneering approach and method are more provocative than its results.
The New Chemotherapy in Mental Illness.

A volume of reprints—and here the present review might well end. The editor has not been gracious enough to indicate by one single word what the purpose of his book is, what connection there is between articles, or why these particular articles have been chosen. The three and a half page introduction is given entirely to remarks concerning tranquilizers and makes statements flatly in all encompassing fashion which can be mitigated as to their veracity in no fashion which the present reviewer can stipulate: viz., “In sexual patholocy it [Rauwolfia serpentina] reduces craving and frigidity”; and goes on from here to run the gamut of physical and psychical ailments, claiming improvement or cure for everything but leprosy.

Moving on to the articles themselves—there is a four-fold division: General Surveys, Clinical Experience, in Psychiatry Disease [sic], in “Related Conditions”, and Side Effects. The reason for the selection of the particular papers presented again must be noted as being absent. Why these papers of all those available were chosen is never mentioned, nor does the editor ever again utter one word of his own throughout the book. Why, for example, under “General Surveys”, the Philadelphia Symposium of 1955 is not given can only be a matter of amazement to anyone familiar with the field of tranquilizers. The same general comment, with specific instances, can be given for each of the other sections.

“Why” must be asked all the way through the book. These simply appear to be random selections from journals. “Why” they were taken from journal status and presented in book form is mysterious. They are all available elsewhere, and certainly no one could find them readily in the present book in view of the awkwardness of the table of contents.

The present reviewer does not like to write “bad” reviews, but this book belies the adage that hindsight is always 20/20. There is no excuse for this book.

A. Stanley Webster
Knoxville, Tenn.


Despite its flamboyant title, Kobre’s book is nothing more than a plodding rewrite job of standard criminology textbooks and treatises, interspersed with a number of news stories concerning crime. The information contained in the book is accurate enough, and the writer’s bias in favor of enlightened treatment of criminals is sincere and heartwarming. But goodwill alone is hardly an adequate reason for a book—a conclusion presumably shared by publishers, since the material is issued in erratically mimeographed form under the imprint of Florida State University.

It is probably ungracious to be critical and inhospitable to a modern and progressive view of criminology, especially when that view emerges from so vital, and often unenlightened, an area as journalism. But the book can hardly be dignified as more than a pedestrian, catch-as-catch-can overview of a smattering of basic data in criminology. Its purpose apparently is to explain to neophyte newspapermen taking college work that crime contains roots and ramifications which rarely are reported in the American daily press. The idea is a noble one, but the author makes no attempt to explain why the educational job he undertakes could and should not rather be done for the collegiate journalists in standard criminology courses.

This reviewer is strongly opposed to watered-down social science courses being taught in professional schools under the cloak of being genuinely and genially tailored to the particular professional needs of the students. The schools of education provide enough ghastly examples of this trend to put us on guard against aberrations such as “Criminology for Journalists,” “English for Engineers,” and “Abnormal Psychology for Dieticians,” (i.e., The Deviant Eating Habits of Psychotics) courses taught, in turn, by crime reporters, reasonably literate engineers, and dieticians who have worked in mental hospitals.

Kobre alludes early in his book, but only fleetingly, to the problem that I had hoped he would probe more deeply: that of the institutional antipathy between the American newspaper ethos and a mature public understanding of subtle trends and causal relationships. Newspapers, as he notes, are event-oriented. Crime news is almost invariably “a short story which fades out quickly.” The papers see and report only the symptomatic, superficial aspects of criminal behavior, ignoring underlying, slow-moving, and complicated matters. There is admittedly a trend to more interpretative reporting in the United States, but it has hardly progressed beyond political matters, and there it is often merely anecdotal. Interpretative reporting is duller than event reporting, and dullness is the sin,
next to factual inaccuracy with names, least tolerated in most American newspapers.

That some keen difficulties between the press and progressive criminology do exist cannot be doubted. Roscoe Pound, for instance, recently commented that "the whole question of the relation of the administration of justice and the press is becoming increasingly important... and is involving new difficulties with the advances made in photography, television, tape recording, and matters of that sort." Unfortunately, this is a problem Mr. Kobre, is his survey course for budding journalists, chose to avoid.

If, because he has read Kobre's book, one newspaperman emerges with a more sophisticated understanding of crime and criminals, prisons and prisoners, then I guess there is much for which to be thankful. It is perhaps unfair to ask for more from a book, but it would have been very pleasant to have had more.

Gilbert Geis

Los Angeles State College


This rather extensive book on the offense commonly known as "AWOL" is designed, according to the author, to furnish guidance, instruction, and authority for the use of the law student, the practicing attorney, the military service school presenting a law course, the military attorney, and the ROTC student. The author intends that the book will be "most useful to the non-lawyer, the officer administering non-judicial punishment or the summary court officer, the officer and enlisted man, who has not used, or knows not how to use, the facilities of a large law library to look up points of law." The valuable and extensive research, together with the author's keen comments, criticism, and careful analysis, have produced an authoritative, useful and interesting work in this field.

To present the cases and authorities collected and to state the "Law of AWOL," the material is organized in three main parts: The first part reviews the history and shows the importance of the offense in the armed forces. Closely related offenses such as desertion and disobedience of orders are briefly considered. The second part is devoted to a consideration of the elements and many facets of the prosecution's case. The discussion under the first chapters of this part contains an analytical examination of the rules of law and cases on inception, duration, and termination of the unauthorized absence. Other chapters deal with the effect of leave, problems of communication, absence from or failure to go to a specific place of duty, the concept of fault, attempted AWOL and matters in aggravation. The third and final part presents the case for the defense. Here the reader may find a logical and detailed classification of the many possible defenses of AWOL. These chapters discuss the defenses of impossibility, through both natural forces and acts of others, mistake of fact, by the accused or military authority, illegality, ambiguity of duty, de minimis, condonation, and mitigation. On the subject of de minimis, specific references to decided cases show that certain trifling derelictions are too insignificant to merit punishment, and seeking to punish trifling offenses, even in the military system, is "a costly, time consuming process, so the dereliction ought to be worth the effort."

Mr. Arvins' thesis is that "the law of AWOL and its related offenses form a harmonious and consistent pattern well adapted to the ends for which they were designed and formulated through centuries of military experience and through a process of gradual common law development."
The author has ably developed this thesis and it is one with which this reviewer wholeheartedly agrees.

The reader must remember that in a book such as this dealing with rules of law which are subject to continuous and frequent interpretation and adaptation to individual factual situations by the courts, the obvious limitation is that rules should not be accepted as the law unless more recent court decisions show no modification or change. It is to be expected that there will be differences of view both as to manner of presentation and substantive conclusions. It would indeed be unusual if there was universal agreement with all the conclusions and comments of the author with regard to the hundreds of specific cases discussed since many of the points commented on have been argued and fought over for decades.

The style of presentation employed throughout the book is somewhat unusual. The author has not