
BOOK REVIEWS

CRIME AND JUSTICE — *Sheldon Glueck. Little, Brown and Co., Boston*

Every society has its crime but probably at present in the United States it is more difficult to cope with it than ever before. This is caused not only by the fact that our ideas as to the aims of the State in dealing with crime are more complex but also by changes brought about by our dynamic industrialized civilization, changes in human attitudes and mores and impairment of traditional sources of authority.

Professor Glueck is one of those exceptional individuals who not only can criticize present conditions but have a constructive program to offer to better them. His thorough analysis of the problem of crime in our civilization and the ability of our present criminal law, its personnel and institutions, to cope with it clearly shows that mere reforms of procedure and improvement of personnel, though important, are not sufficient.

Aside from a poorly qualified administrative personnel, justice is retarded by certain protections of the liberties of the people, a complicated and awkward procedure, and an antiquated criminal law that is self-contradicting.

Nothing daunted by the herculean task he has set for himself the author recommends basic changes to rectify matters. He deems it necessary to cultivate the attitudes that "Conscious effort can reduce lag," that the postulates and legislative justification of the criminal law should be drawn from science, that trained workers of unimpeachable integrity are necessary and finally that there must be economic, social and political improvements beyond any thus far brought about.

Assuming that it is possible to cultivate these attitudes it is further necessary to draw up a new criminal code, more scientific in that it will adopt the contributions of the various social sciences, and more realistic in that it will take into consideration the cultural and physical environment of different regions and make provision accordingly. Its provisions should be based not so much upon the gravity of the act for which the offender is on trial as upon his social dangerousness. Underlying basic principles should be examined. Should the vengeance theory be retained? What are the limits of effective legal action? A more scientific individualization is required involving in method and to a large extent in personnel, a differentiation of the sentence-imposing feature of the criminal process from the guilt-finding phase.

The author advocates procedural reforms such as the abolition of the grand jury and reduction in number of jury trials. Perhaps criminal defense should become a state function. He recommends an expertly staffed Ministry of Justice headed by a changing executive but permanently staffed by Civil Servants. The foregoing reforms must be supplemented by improvements in society itself. The author believes that some signs indicate that voluntary self-discipline will serve to transform society and still retain the capitalistic system.

Many of the reforms suggested by the author have great merit. However, in several cases he advocates such far-reaching changes that one may question their practicability at any time in the near future. The attempt to raise the economic level might be said to be as old as society itself and the progress made has been very slight. Humans are often too biased and irrational creatures to support a reform adverse to their pecuniary interests. An improvement in quality of the administrative personnel would go far toward bettering conditions for a good administrator can smooth out many of the rough places in the law.

CARL R. BULLOCK

JUSTICE OLIVER WENDELL HOLMES — *His Book Notices and Uncollected Letters and Papers*. Harry C. Shriver, Central Book Co., New York, N. Y.

The present volume completes the Miscellanea of the writings of the late Justice Holmes. It is a collection of his early book notices, extant papers not heretofore collected, and some recently published letters.

The author has done a highly estimable bit of work in gathering together these stray, uncollected writings of Holmes. They complete, as it were, the tale of the intellectual life of a great jurist and the story of a great man that had been previously revealed through his own published writings and by those who wrote about him and his studies. The book notices, written in the seventies of the last century, reveal a versatility and resiliency of mind that foretell the unfolding genius of the latter-day Holmes. No matter what the subject-matter of the book or article under review, Justice Holmes showed himself familiarly at home with it. He knew the by-paths as well as the well-trodden highways of the law. He was quick to pick out the dilettante and the dissembler. The author whose work came to his hand for criticism was frankly, but always objectively, exposed to the withering and searing analysis of a master. On the other hand, appreciation for works of worth was not withheld by Justice Holmes in his notices. These early notices show