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Criminology, by Edwin H. Sutherland

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BOOK REVIEWS

Criminology. By Edwin H. Sutherland. 1924. J. B. Lippincott Company, Philadelphia. pp. 642.

This book represents an attempt to write a survey of the general field of criminology. It is designed for the use of students in a course dealing with the general problem of crime in its relation to society and is to be judged as a textbook rather than as a treatise. The reviewer believes the book to be a so-called "good piece of work."

Chapter 1 deals with the relation of criminology to law and crime. To the lawyer this chapter may not be sufficiently technical, but to the lay reader it perhaps gives a fairly adequate picture of the relations which are attempted to be explained. Chapter 2 should be read by every person who wishes to express his opinions (and most of us do so quite vigorously) upon the subject of crime. If this chapter on "Statistics of Crime" were made compulsory reading most of the statements now current concerning crime would be relegated to the waste basket where they properly belong. The unreliability of present much quoted criminal statistics and the consequent unreliability of the generalizations based thereon is most distressing to one who has held fixed and emotionally strong opinions on crime in this country. Chapter 3 deals with the victims and the cost of crime to society. It is distinctly an "eye opener."

Chapters four to eight inclusive deal with the causes of crime. Many pet theories now current amongst the lawyers, educators, economists, and religious workers receive the death blows they merit. On page 173, following an examination of several detailed studies on the relation of education to crime the author concludes, "The best that can be said for our educational system is that there is no certain proof that it decreases crime." One might wish more detail in the discussion of the relation of poverty to crime, the relation of insanity to crime, etc., but in each case a clear and succinct summary of the available knowledge of those relations is presented in a very judicious manner. The book is characterized by temperate discussion throughout.

Probably one of the best chapters in the book is that dealing with Probation, chapter 23. Chapters 9 to 16 deal with the detection, detention, trial, and punishment of criminals. Chapters 17 to 21 deal with prisons. The two concluding chapters of the book deal with methods of reformation and prevention of crime.

The book is not the book of a reformer and is not sentimental. It is a careful appraisal of the present situation with respect to crime. Its greatest contribution is that it does much to relieve the reader of his emotions, tends to make him stop to think instead of to talk, and causes him to wonder why so little progress has been made in the last several centuries in the solving of the social problem of crime. In so far as the book tends to encourage the analytical and scientific and statistical approach to the study of crime it is well worth while. The book should be read by every county prosecutor, and by anyone who is interested or who ought to be interested in the general problem of crime. If supplemented by such books as Sullivan, *Insanity and Crime* and others of that general type, it will do much to present the problems which are involved in dealing with crime. When the magnitude of those problems is realized, and people begin slowly, here and there, to dig down a little deeper into the causes, preventions, and social significances of crime, we may eventually hope in the course of a few hundred years to approach a solution of the problem of crime in somewhat the same manner as a chemist approaches a problem in science. At present that person is wise who admits he knows little or nothing beyond his own

emotional reaction and limited observation concerning crime, and he is doubly wise if he realizes that those observations are more than likely to be wrong. But prisoners come before the bar, they must be dealt with somehow, and there are many little changes which can be effected which are obviously needed and which will serve to hasten the day when we can rely with more safety on the data of crime. Changes in court procedure are now sufficiently agitated to warrant the belief that some relief will be afforded along that line in the not too distant future. As yet little attention has been paid to the substantive law of crime. Many obvious changes can be made there also, which would materially aid the situation. Fundamental and sweeping changes in the substantive law must, however, await the progress of medicine, psychology and criminal statistics.

OLIVER P. FIELD.

THE CONSTITUTION AT THE CROSSROADS. *By* EDWARD A. HARRIMAN. George H. Doran Company New York, 1925, pp. xv, 274.

The title of this book requires explanation. The author means that the Constitution of the United States is at the crossroads. "In one direction leads the way of national tradition and absolute independence; in the other, the way of surrender of absolute independence of action to a federation of the world" (Preface). Or, as he puts it elsewhere still more succinctly in the Preface, our "Constitution is now at the crossroads between nationalism and internationalism."

Though it is a painstaking piece of work, its conclusions are vitiated by a bad method and a false premise which renders the whole superstructure upon which it is built unstable.

The bad method consists in the lawyer-like habit of drawing far-reaching conclusions from an analysis of words or documents without reference to the actual working of the institutions described, the characteristics of human nature, or social, economic and political needs. The result is a mere textual or a metaphysical criticism which may have some value, but which, combined with an undue regard for tradition and precedent, has involved us in the network of legalism and constitutionalism from which we suffer in this country.

Then there is a false premise or an assertion (and it is a mere assertion on the part of the author for which he offers no manner of proof) which must result in the collapse of the whole structure that he has so laboriously erected. This is the assumption that the two institutions described—the League of Nations and the International Labor Office—constitute a super-state and involve a surrender of sovereignty on the part of their members. The fundamental characteristic of a super-state or sovereign body is wholly lacking in these organizations, *viz.*, the possession of sovereign or supreme power. They do not operate by their own authority; they have no power of constraint coercion or command. The main sanction for their influence is public opinion and such economic or military sanctions as have been provided must be exercised through the member states. Though by central or international laws they exercise certain limited executive and administrative duties and though they may be said to have a certain initiative in international legislation (which must be exercised through the treaty-making powers of the various states), they have no real final or supreme powers, whether of a legislative or executive character. In fact these organizations are essentially in the nature of confederacies of the type provided for in our earlier Articles of Confederation.

The Appendix includes the texts of the Covenant of the League, the Permanent Organization of Labor, and the Statute of the Permanent Court of International Justice.

AMOS S. HERSHEY