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Criminal Psychology, edited by Richard W. Nice

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ESSAYS AND BOOK REVIEWS

CRIMINAL PSYCHOLOGY. Edited by Richard W. Nice. New York: Philosophical Library. 1962. Pp. 284. \$6.00.

If the reader expects from the title to learn about the psychology of criminals, he will probably be disappointed. There are, however, two chapters on the treatment of the criminal, so that topic is not entirely neglected.

Mr. Nice, the editor, has collected a number of chapters, several of them previously published elsewhere, on various aspects of psychiatry and psychology as they are related to criminal law problems. The chapters are written by acknowledged experts, and are well worth careful perusal by the student of the law who is interested in the relationship of psychiatry and psychology to the criminal law. That more and more students (undergraduate *and* practicing) are so interested in these areas is one of the encouraging features of legal education.

The editor, in his introduction, points out the interaction of mind and body and of individual and environment. He then discusses some of the factors in criminal behavior, with liberal quotations from psychoanalytic writings.

Dr. Henry Davidson, a prolific writer on forensic psychiatry, discusses the role of the psychiatrist in the administration of criminal justice. He concludes that although the psychiatrist can try to tell "how the defendant got that way," crime must be dealt with by social instruments.

The editor, Mr. Nice, presents the topic of insanity as a criminal defense, commenting on the various "tests" and their corollaries.

Professor Louisell considers the psychologist in today's legal world. How far can a nonmedical psychologist be permitted to testify as to a defendant's mental state and the existence or absence of mental disorder? The question is far from settled as Professor Louisell readily admits. (As a matter of fact, it is at this moment [March 1962] before the full bench of the United States Court of Appeals for the District of Columbia.)

Dr. Manfred Guttmacher, one of our most distinguished forensic psychiatrists, comments on "The Psychiatric Approach to Crime and Correction." He classifies criminals as: normal; accidental; organically or constitutionally predisposed; sociopathic (psychopathic); psychotic. Among the latter category (psychotic) he would classify only 1½ to 2 per cent. He advocates intensive psychological and psychiatric study of

prisoners after their incarceration for the purpose of meeting their specific needs.

Dr. Joost Meerloo, a psychiatrist with a strong philosophical bent, writes on justice as a psychological problem. He accepts three aspects of justice: the magic, the subjective and the objective. He summarizes the demand of the people for safeguards against human infallibility *and* against coercions and encroachments upon their neighbors, hoping that eventually the Golden Rule may be achieved.

Professor Weihofen discusses the definition of mental illness, pointing out that the definition ought to come from medical men and not from legislators or judges. He points out the weaknesses of the *M'Naghten Rule* and the American Law Institute's proposed definition. He concludes, "if the psychiatric assumptions that the law rests upon are unsound there is the more need for psychiatrists to continue trying to set us straight, and not abandon us to our ignorance."

Dr. Eaton discusses the treatment of the criminal. He says, "We must retain perspective and avoid feeling that psychotherapeutic techniques in themselves offer a complete answer to this complex problem. The classical question of forensic psychiatry was, 'Is he responsible?' The relevant question of today is, 'Is he curable?'"

Mr. Stephens, a social worker in a penal setting, presents some thoughts on the family influence in the treatment of offenders.

Finally, Dr. Haines of the Cook County Court's Behavior Clinic, in a chapter entitled, "The Future of Court Psychiatry," presents a picture of the situation in Cook County, with a few suggestions for local improvement.

On the whole, the book is one which could well be made a part of the required reading in a course in criminal law, as presenting a conspectus of the relation of psychiatry to the criminal law.

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HEART DISEASE AND THE LAW: THE LEGAL BASIS FOR AWARDS IN CARDIAC CASES. By Harold F. McNiece. Englewood Cliffs, New Jersey: Prentice-Hall, Inc. 1961. Pp. xxiii, 631. \$25.00.

One of the most serious problems of health in industry is heart disease. A common form of this disease is estimated to affect over half of the working population between age 51 and 55. Thereafter it rises to

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