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## Book Notes

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# BOOK NOTES

THE CHILD SAVERS: THE INVENTION OF DELINQUENCY. By Anthony M. Platt. Chicago: University of Chicago Press, 1969. Pp. ix, 202. \$8.50.

Anthony M. Platt, assistant professor at the School of Criminology and research associate for the Center for the Study of Law and Society at the University of California, Berkeley, examines in this book the legal and intellectual origins of the child saving movement, the juvenile court system, and the individuals leading the fight for reform. After outlining the various theories of crime and delinquency, the author notes the philosophical and sociological imagery of criminals, especially youthful offenders, prevalent between 1870 and 1900 and the resulting evolution of the penal system for minors. Mr. Platt then studies the motives, background, and activities of the child savers, those social reformers—often women—of the late nineteenth century who were instrumental in establishing the juvenile rehabilitory and judicial system which arose throughout the United States. As examples, he gives detailed portraits of two prominent child savers, Louise de Koven Bowen and Jane Addams.

The author uses the history of the Illinois Juvenile Court Act of 1899 to demonstrate that contrary to popular conceptions, the juvenile court was not revolutionary. Rather, it merely implemented traditional policies and goals which had been evolving for years in Illinois and other states. Mr. Platt describes the development of the juvenile system in the twentieth century and points out two main criticisms of the existing system and the problem facing the public defender representing the juvenile in the juvenile court. The author concludes with a helpful appendix demonstrating that American common law, long before the creation of the juvenile court, treated the juvenile offender more leniently than his adult accomplice.

JUVENILE DELINQUENCY AND URBAN AREAS (rev. ed.). By Clifford R. Shaw & Henry D. McKay. Chicago: University of Chicago Press, 1969. Pp. 394.

This study, which was originally published in 1942, and has now been updated, is a compilation of the ecological studies of delinquency in Chicago and five other American cities. It establishes with

statistical corroboration a basic pattern of the geographic distribution of juvenile delinquency occurring in several cities. This condition prevails regardless of diverse historic, economic, and topographical conditions and tends to support the premise that juvenile delinquency is directly related to the ability of a community to adhere to the behavioral norms and goals of greater society. The book shows that delinquency rates correlate directly with the following characteristics in a community: declining standard of living, sub-standard housing, declining population, a high influx of foreign born or Negroes, and the development of entrenched criminal elements.

The authors' conceive of juvenile delinquency primarily as a manifestation of neighborhood disorganization and imply that the problem relates to the community rather than the individual. Industry and commerce encroach upon the old central city residential neighborhoods giving rise to numerous undesirable social conditions. Meanwhile, newer residential neighborhoods are established further from the center of the city. Concomitantly, delinquency rates decline rapidly with geographic progression from the inner city toward its periphery.

The book suggests that people in low economic areas find themselves disadvantaged in the struggle to achieve the economic and social status idealized by our culture. Consequently, they turn to crime as a means of attaining these goals because the socially prescribed avenues of vertical mobility are closed or narrowed. Since individuals involved in criminal activities do often attain visible success—acquisition of wealth and power—juvenile behavior is adversely affected in these communities. In other words, juveniles in deprived neighborhoods more easily identify with and emulate a visible "Al Capone" than they do an historical Abraham Lincoln who is, after all, only exalted in schools which have become less influential in these communities.

After discussing the implications of their study, the authors suggest several significant programs for lowering delinquency rates. They would organize the neighborhood as a unit of action and use indigenous help to effect a closer coordination of local institutions, groups, families, and agencies. Ultimately, they would expect to reestablish the organizations of social control which had been broken down through community deterioration and rapid change.

THE POSITIVE SCHOOL OF CRIMINOLOGY. Edited by Stanley E. Grupp. Pittsburgh: University of Pittsburgh Press, 1968. Pp. vi, 114. \$5.95.

This book provides a history of the life of Enrico Ferri, Italian criminologist (1856-1929), who dedicated his life to reforming the system of criminal justice. Ferri promoted the positive school of criminology as the means of this reformation. In the three lectures published in this book, Ferri gives a historical review of the classical school of criminology. He states that the "classical school" believes in the free will of man either to do something or not to do something. According to this theory, if an individual commits a certain crime, he will be punished by a standard which has been established by law. Ferri then explains that the positive school of criminology does not believe in the free will of man, but that every act is an interaction between the personality of a man and his environment. These acts are caused by social, psychological, and physical factors. Ferri suggests the rehabilitative punishment and the indeterminate sentence rather than punitive or retributive punishment. He also suggests broad social reforms in order to prevent the causes of criminal activity.

STATE AND LOCAL TAX PROBLEMS. Edited by Harry L. Johnson. Knoxville: University of Tennessee Press, 1969. Pp. xiii, 190. \$7.50.

The pressing need for finding adequate revenue sources to meet the multiplying demand for public services and to relieve the increasing financial crush on state and local governments is the primary concern of twelve specialists whose essays comprise this book. The essayists express concern over increasing reliance on federally controlled conditional grants-in-aid; it is claimed that such reliance could result in the demise of American federalism. Recognizing the need for a viable federalism, and the inadequacy of traditional sources of revenue, the essayists propose a variety of reforms, ranging from reorganization of the present property tax system to tax sharing. Of particular interest is the third section, devoted to special financial problems of state and local governments, which includes analyses and innovative proposals for debit financing, valuation of public utility property, and utilization of local service charges as a source of municipal revenue. The emphasis of this book is upon long-range proposals for sweeping reform, as opposed to patchwork recommendations which have characterized existing state and local revenue systems.

TENSION IN THE CITIES. By James A. Bayton. Philadelphia: Chilton Book Co., 1969. Pp. x, 270. \$5.95.

The author states that all city government functions, including garbage collection and traffic control, contribute to the existence of tension. However, the book is devoted to those programs which are specifically aimed at urban unrest. He describes attempts to relieve tension in Atlanta, the District of Columbia, and New York. He has compiled an impressive array of statistics which help clarify both the scope of the tension problem and programs aimed at relieving it.

Dr. Bayton evaluates these programs according to three standards: relevance, effort, and impact. A program is relevant if it actually is aimed at solving a problem rather than merely limiting unpleasant symptoms. He concludes that federal effort is necessary since cities are not capable of establishing adequately relevant programs. Impact is measured by considering the permanent psychological, sociological, economic, political, and physical effects of a program. Dr. Bayton warns that the effect of a program which does not consider all of these areas may be to increase urban tension.

TRAFFIC AND THE POLICE: VARIATIONS IN LAW ENFORCEMENT POLICY. By John A. Gardiner. Cambridge: Harvard University Press, 1969. Pp. vii, 174. \$6.00.

In this volume the author examines the difference between the theory that the police will arrest all who violate the traffic code and the fact that traffic-law enforcement varies widely from community to community. These differences are due to such factors as public pressure, police-court relations, judicial procedure, police department organization, and local traffic accident experience, all of which are examined in detail through case studies of four Massachusetts cities. The author argues that the level of traffic-law enforcement in a community is largely the product of the interests and attitudes of the local police chief, who, as an appointed official, has broad discretionary powers to set traffic-law enforcement policies. These official preferences are moderately correlated to certain characteristics of the community, most notably to the degree of geographic stability of the population. Citing grossly unequal ticketing records in otherwise similar communities as evidence of discretion, Mr. Gardiner recommends a greater level of public surveillance and clearer legislative guidelines.

TWO STUDIES IN CONSTITUTIONAL INTERPRETATION: SEARCH, SEIZURES, AND SURVEILLANCE, AND FAIR TRIAL AND FREE PRESS. By Telford Taylor. Columbus: Ohio State University Press, 1969. Pp. 214. \$7.00.

The contents of this book are two 1967 lectures which have been extensively footnoted and updated with recent Supreme Court decisions. After tracing the historical development of the search warrant, the author concludes that in drafting the fourth amendment our constitutional fathers were not concerned with warrantless searches incident to arrest, but rather with the British writs of assistance. Like many critics of the Court, the author contends that recent decisions have changed the drafters' intent. The author discusses the difficult problem of applying nebulous Court standards to various situations and ends the first part with an examination of the problem of modern electronic surveillance. He predicts abandonment of the "mere evidence rule" which permits fishing expeditions and advocates adoption of a "testimonial document exception" which would protect purely private or personal documents from search and seizure.

In the second part of the book Professor Telford deals with the problem of maintaining both a free press and a fair trial system. While admitting that there is no adequate proof, the author asserts that there is a strong opinion among many lawyers that pre-trial publicity does have a substantial prejudicial effect on jurors. After pointing out that most press reaction to various sanctions has been hostile, the author discusses proposals by the American Bar Association and other interested groups to remedy the situation.

