

Crime and Justice. By Sheldon Glueck. Boston: Little, Brown and Co., 1936. Pp. 349. \$3.00.

It is disquieting to an American to think that in any civilization crime may be used as a measuring rod to test that civilization's worth. Dr. Glueck in *Crime and Justice* has drawn a picture of America's pre-eminence in crime, and of our feeble efforts to deal with criminals, that should make us shudder. As might be expected from so careful an observer, he marshals his facts in a way that leaves no place for contradiction or doubt. We are the most lawless of nations and we deal with our lawlessness ineffectively, unscientifically, often capriciously.

The chapters of his book that portray our graft-ridden police courts, our reeking jails, our fortress-prisons jammed with idle men, our mechanized and shackled judicial procedure, our haphazard sentencing practices, our habitual starving of such preventive agencies as probation departments, and the socially illiterate personnel we have put in charge of the whole machine—these do not make pleasant reading. They are written so objectively, are documented so carefully, that they attain a cataclysmic force by virtue of their very restraint.

But Dr. Glueck is no mere muck-raker. He goes behind the symptoms to consider the causes of our social sickness and to suggest far-reaching remedies. The last two chapters of his book, entitled *The Prospect of Justice* and *The Horizon of Justice*, are very different from the half-baked analyses and superficial cures for crime blandly offered in much contemporary writing. Dr. Glueck has both the wit and the courage to think things through; and, while he proposes the creation of an "expertly staffed Ministry of Justice"<sup>1</sup> to organize existing forces and to bring order out of chaos, he does not delude himself with the belief that such a mechanism can of itself accomplish a great deal. On the contrary, he sees America's disgraceful crime record as an integral part of America's ideology and ethics; he candidly faces the fact that we must change our civilization fundamentally if we are to save ourselves from endless attacks by the criminal class bred of that civilization. This is not to say that Dr. Glueck writes as an economic or political revolutionary. He is a hopeful liberal, who believes that America can rebuild herself within the lines of constitutional democracy. John Dewey is his prophet, not Karl Marx.

One may be permitted to wonder if he is right. We in America have come to believe that long criminal dockets, crowded penitentiaries, and a growing class of young professional criminals are the inevitable by-products of modern industrial civilization. Yet the chief judge of Moscow reports that in the past fourteen years all classes of crime have decreased in that city by over forty per cent. His statement must be taken, at present, for what it is worth because accurate statistics of crime in Moscow are not available. In fact the assistant director of Bolshevo, a truly amazing colony for the rehabilitation of convicts, asserts that crime in Russia has decreased by ninety per cent, and that Bolshevo no longer grows very fast because in recent years there have been so few discharged prisoners to add to its population. Obviously, the figures in both these statements cannot be correct. Perhaps both percentages are wrong. But at least it gives food for thought to find a country in which men deeply concerned with the problem of crime seem to believe that they are accomplishing something. It would be valuable to get the true figures and then to appraise the causes that have produced them.

<sup>1</sup> P. 249.

Again, the largest maximum security prison in Sweden is something to ponder upon. Except that there is a wall, the prison bears every aspect of a modern American reformatory for juvenile offenders; yet it houses the most desperate criminals, the murderers and the robbers, all the long-time and life prisoners of a nation of 6,000,000 persons. And in that whole nation there are only 2000 men and women prisoners—a ratio that we exceed by more than four-fold.

Why these differences? Why is crime what it is in these United States of ours? Why is our homicide rate eighteen times that of England and Wales? Why does one step across an imaginary line into Canada and find conditions so much better than in the United States? Perhaps we do not yet know the real facts about Russia; perhaps the Russian price would be more than we should want to pay for even a ninety per cent reduction of crime. But Sweden, England, Wales, Canada—these are countries that have achieved no small measure of democratic freedom of a pattern not unlike our own. If we are ever to make real inroads upon crime in America, we must be less parochial in our outlook, we must seek knowledge and wisdom wherever they may be found. And we must be willing to apply the surgeon's knife to the roots of our disease, not merely to its surface indications.

Dr. Glueck has brought to bear upon the subject precisely this much-needed world outlook. His footnotes show that he has drawn upon the literature of all Europe for information; his text indicates a willingness to accept ideas from any source provided only that the ideas are good ones. His suggestion for a Ministry of Justice is drawn from a personal study made by him in Belgium of the Belgian Ministry. *Crime and Justice* is a book to be read by every American interested in the amelioration of the conditions causing our frightful crime problem. One wishes Dr. Glueck might spend a number of years making a first-hand study of the same problem in other countries. His power to observe and to analyze would enable him to present a companion volume of even greater value than the present one. But no doubt its message would be scorned by the chauvinists we select to be our rulers.

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*Invention and the Law.* By Harry Aubrey Toulmin, Jr. New York: Prentice-Hall, Inc., 1936. Pp. xx, 316. \$5.00.

In a nation whose citizens for more than a century have been considered the leading inventors of the world, the relationship of invention to the law is of vital importance. The issuance by the United States Patent Office of more than 2,000,000 patents is merely one indication of the fact that inventions and the products of inventors have been of widespread and increasing occurrence. A volume such as Mr. Toulmin's, which serves to simplify the problem of answering a concrete question as to the patentability of a specific invention, will be welcomed.

The relationship of invention to the law and the determination by the courts of what is and is not invention, suggest a question for which no single answer has been made. It might appear at first that the question "What is invention?" could long ago have been answered decisively and forever. The constant recurrence of this question and the constant re-definition of invention by the courts offer evidence to the con-