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Book Review

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Mr. Rubin asserts that the "Youth Authority" programs now operating in several states have demonstrated that public participation is an important adjunct of these plans and that by drawing in lay leaders and ex officio representatives of related agencies, we concentrate public concern on the problems of delinquency and crime. State of Ohio officials in charge of delinquency facilities should take note of this.

Mr. Rubin has an acute awareness of the socio-economic factors which are causative of and conducive to crime and delinquency. His concern about the effect of imprisonment upon a person's employability is expressed in the advocacy of legislation forbidding discrimination in employment because of a prison record.

As to adult offenders, the author presents many challenging and provocative ideas. He would make pre-sentence reports available to the defendant. He believes the penalties for sex crimes are unduly harsh and fail to take biological factors into consideration. He opposes contributing laws and protests against punishing parents. He believes that generally, sentences are too long and that probation is used too sparingly. He is convinced that it is the certainty of punishment rather than its severity that provides the deterrent.

Throughout the book, the reader is impressed with Mr. Rubin's deep concern over the need to reinforce legal and social actions against crime and delinquency with logical and humanitarian efforts.

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*Reviewed by William Samore**

CONTEMPORARY ETHICAL THEORIES, by Luther J. Binkley. Published by Philosophical Library, Inc., New York, N. Y., 203 pp., 1961.

If the ordinary man were to ask By what code should I live? or What is the good life?, Professor Binkley, of Franklin and Marshall College, would reply: What precisely do you mean? He has a remarkable telepathic skill for reading the reader's mind. He does this by supposing the reader's objections and then proceeding to answer them; the objections are not

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strawmen—they are real. The only trouble is that the reader's greatest puzzlement is postponed to the last few pages of the book: is the answer to the Professor's question a useful inquiry?

The book is about contemporary ethical theories which do not give moral guidance; rather they prepare one for the study of, for example, cynicism, stoicism, hedonism, utilitarianism, the doctrine of the mean, Christian ethics, and Kantian ethics. Professor Binkley is fairminded, objective, and thorough in his exposition. He divides 20th Century philosophers of ethics, mostly British, into three groups. The first group, Moore, Ross, Ewing, were concerned with whether ethical terms could be defined. The second group, Stevenson and Ayer, wondered whether ethical statements differ from statements of logic and empirical science. Finally, we have Toulmin, Urmson, and Hare, discoursing in metaethics, or the usage of ethical words, examining how ethical terms are used in actually making moral judgments.

The last Chapter is by far the best, partly because the author presents some of his own views, and partly because the important issue—whether these studies are useful—is finally faced. Are contemporary ethical theories a second-order study of interest only to professional philosophers? Does its very technicality frighten the ordinary man away? Will the study be in vain because parents, pastors, and teachers have reached the ordinary man first?

Two answers by some contemporary ethical theorists, Professor Binkley recognizes, are weak. Classical philosophers, for example, Aristotle, were also analytical. And contemporary philosophers do not consider it part of their job to give moral advice. This has its counterpart in the philosophy of legal positivists. Both answers clearly skirt the issue.

The author's own justification is that this kind of study adds to our knowledge. In other words, the test should be not usefulness, but additional knowledge. This preference itself may be a value judgment.

Still desiring to meet the pragmatist on his own ground, Professor Binkley adds secondary reasons. This kind of study prevents confusion of (1) the is with the ought; (2) emotive ejaculations (propaganda) with reasons. The study will also convince one that moral judgments are not inferior to scientific ones simply because they cannot be verified in the same way.

Three minor points, perhaps deserving of only "footnote im-

portance" should be mentioned. Writers on ethics, if they are writing for the ordinary man, could be more effective by using more illustrations. Footnotes appear at the end of each chapter. Presumably, this is a publisher's gimmick to attract the ordinary reader. A book with footnotes will probably be read by a scholar or a well-informed layman, and they want the footnotes where they belong—on the same page. Finally, the index is the weakest feature of the book; it consists entirely of proper names.

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*Reviewed by Irwin N. Perr**

CRIMINAL PSYCHOLOGY, edited by Richard W. Nice. Published by Philosophical Library, New York, N. Y., 284 pp., 1962.

This book arouses many of my prejudices—not only against some of the opinions expressed but also against the very structure of the book. Firstly, the book is entitled "Criminal Psychology." Rather than being a discussion of the psychology of criminals, it deals more specifically with the interrelationships of psychiatry and the law and some of the problems of penology. Certainly the semantic swamp is likely to entrap some readers. The book muddies the distinction between psychiatry and other professions, an effort not unique to this book. Psychiatry is that branch of medicine dealing with mental disorders and encompasses medical, neurologic, biochemical, psychologic, sociologic, hereditary and other factors. Psychiatry has also been called medical psychology and, indeed, in the past the American Psychiatric Association was known as the American Medico-Psychological Association. Today the corresponding English group of psychiatrists publishes its journal of "medical psychology." Medical psychology or psychological medicine thus is a part of medicine, not a part of the vastly different professional entity called psychology. Literally, for centuries, psychiatrists have been entrusted with the treatment of patients, with accompanying responsibility under the various medical practice acts, and have acted as experts when medical issues involving mental status have arisen. The

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