Maurer School of Law: Indiana University Digital Repository @ Maurer Law

Articles by Maurer Faculty

Faculty Scholarship

1930

Book Review. Seligman, E. et. al. (Eds.). The Encyclopedia of the Social Sciences. Vol. 1

Jerome Hall Indiana University School of Law

Follow this and additional works at: http://www.repository.law.indiana.edu/facpub



Part of the Legal Studies Commons, Political Science Commons, and the Sociology Commons

Recommended Citation

Hall, Jerome, "Book Review. Seligman, E. et. al. (Eds.). The Encyclopedia of the Social Sciences. Vol. 1" (1930). Articles by Maurer Faculty. Paper 1361.

http://www.repository.law.indiana.edu/facpub/1361

This Book Review is brought to you for free and open access by the Faculty Scholarship at Digital Repository @ Maurer Law. It has been accepted for inclusion in Articles by Maurer Faculty by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact wattn@indiana.edu.



separate police forces or communities, these communities are closely linked together and subject to the supervision of the central government which is exercised through the Home Office. He advocates the selection of a civilian as chief constable rather than the promotion of a man from the ranks.

The School of Criminology and Scientific Police of Belgium is treated by Dr. Gustav G. De Rechter; Criminalistic Institutes and Laboratories by Dr. Siegfried Türkel; Criminal Identification by J. Edgar Hoover; The Technique of the American Detective by Duncan Matheson; The Technique of Investigation of the English Detective by F. J. Crawley; The Technique of Criminal Investigation in Germany by Dr. Robert Heindl; Science and Criminal Investigation by Harry Söderman; Medical Science in the Service of the State with Especial Reference to the Investigation of Deaths by George Burgess MacGrath; Psychology in Criminal Investigation by John A. Larson. These articles can well be taken together as they deal with the scientific aspects of the problem. They disclose, on the whole, an American system which relies upon the third degree and the stool pigeon; an English system which relies on the general sense of law and order in the community, which will not tolerate and is willing to report all crime, and a practice of fair play, which gives to the public a confidence in its police officers; and a Continental system which turns to the field of science, and makes efficient use of it not only in the detection of crime, but in its treatment and prevention. In short, the Continent of Europe is scientific; the British Isles rely upon the value of the "square deal"; and America is bungling along.

Northwestern University.

ANDREW A. BRUCE.

The Encyclopedia of the Social Sciences. Vol. I. Edited by Edwin R. A. Seligman and Alvin Johnson et al. New York: The Macmillan Co., 1929. Pp. 646.

The first volume of the encyclopedia has appeared with great Not since the day of the French encyclopedists has as significant a task been undertaken. Ten editors, who, presumably, devote all their time to the work, seventeen advisory American editors and eleven foreign ones, and at least a thousand editorial consultants who prepared most of the papers in collaboration with the editors-all of them competent and known, and among them numerous personages of international reputation such as Dewey, Beard, Pound, Tawney, Keynes and Thomas, to mention only a few of the And to top it all, the cooperation of every one of the American national social science associations has been enlisted. Certainly the enterprise has been launched under most auspicious and circumspect conditions. Little, indeed, has been left undone as regards organization of the work. Fifteen volumes, three to be issued annually, will cover, succinctly, the panorama of the social sciences and the biographies of the eminent dead. In alphabetical order, subject and person of significance to social science are treated, and each contribution bears the signature of the consultant, and a short, excellent bibliography is appended. Two introductions, one dealing with the development of social thought and institutions, and the other with the historical development of the study of social science in various countries, preface the work. The editor's opening words of benediction entitled "What Are the Social Sciences?" wherein he includes philosophy, ethics, education and art in his classification, are obviously inspired by the duties of a host to all those under his roof.

Undoubtedly and unfortunately many of the legal fraternity on noting this work on man and his institutions will be impelled to recall Dean Richards' remarks at the 1928 meeting of the Association of American Law Schools that

"The social sciences must bear a considerable part of the responsibility for the bad odor of research. First of all we have failed to appreciate that not every man is capable of doing research in a productive way. We have apparently assumed that all we need to make a research man is time and money. We give our candidate time and money and say to him, 'Now, research.' He may and he may not; probably not. What he will always do is to collect materials, read and digest what everyone has said on the subject, compile mountains of cases, and card indexes galore. The results will be embalmed in a long dull dissertation, rehashing other men's ideas. His thesis is printed, bound and filed away. He receives a degree perhaps, and is thenceforth known as 'Doctor', but the end is not yet. The next generation of prospective Doctors must read this contribution and combine it in a new rehash, and so on and on—a mounting pile of words and a diminishing stock of ideas."

This book, however, is anything but dull; all of the contributors display considerable literary skill, and indeed one is inclined to suspect that this qualification is of great importance in social science.

The principal legal articles included in this volume are those on administrative law and on agency. Professor Freund has with admirable simplicity outlined the field of administrative law; and Professor Llewellyn has written the excellent comment on agency, although he has refrained from indicating the possible historical or sociological origin of liability of one person for the acts of another. Three pages are devoted to administrative law and two to agency. Out of a total of 300 pages of the encyclopedia proper (346 out of a total of 646 pages are devoted to introductions), ten at most are on legal topics. Perhaps the reason may be inferred from the editor's statement that "it is only in very recent times . . . law has been definitely recognized as one of the social sciences," which may be correct if limited to the United States; but one cannot read the articles written by the European editors without concluding that for a great many years law has been the principal if not the exclusive social discipline, and that it was in the various faculties of law that the other social sciences took root, and were and are being taught. No invidious comparisons are intended for it is admittedly a very difficult problem to separate the non-technical from the technical phases of law which necessarily must be omitted. In addition to the two principal subjects above noted, there are a number of topics of legal significance which assure the reader that law will receive more than a nominal place in the encyclopedia. Among these are topics on abortion, abduction, adoption, advisory opinions, adultery and Ahrens. Among topics which are apparently of general interest but which are not included in this volume are accessory, act, adverse possession and agreement. It would seem particularly desirous to have included a discussion of the act as understood and interpreted in law because a statement of this concept would readily demonstrate a solid link between law and the other social sciences, and might be particularly suggestive to the behaviorists and others.

While dissenting from the safe conservatism of Dean Richards' views, one is permitted some slight skepticism regarding the scientific value of this enormous project. How happy one would be to see, by way of contrast, one thin volume produced some day, not more than 100 or 150 pages in length, which would, perhaps, be entitled "A Primer of Social Science," wherein someone will set down some of the fundamental laws underlying human institutions in plain and unadorned symbols.

Yet no one can read the encyclopedia and fail to conclude that outstanding intelligence and ability characterize the production. Its limitations are the limitations of the subject matter, or rather of all men regarding this sort of subject matter. If naiveté exists regarding the "scientific" nature of remarks, which, until recent years, were commonly called "moral," this is indeed pardonable particularly when it is remembered that the final result of such efforts is uncertain, and the purpose which conceived it most commendable. Those who initiated and are carrying on this work deserve the sincere salutations and good wishes of persons of every opinion. These collaborators are inspired with confidence regarding the lasting value of this production. Who can say what ultimate effect the encyclopedia will have upon the understanding of man and his institutions?

School of Law, University of North Dakota.

JEROME HALL.

How to Conduct a Criminal Case. By William Harmon Black. New York: Prentice-Hall, Inc., 1929. Pp. li, 394.

The author is a justice of the supreme court of New York; the book is a manual of criminal procedure based upon the New York Code of Criminal Procedure and is designed for lawyers of that state who are interested in the prosecution or defense of criminal cases. The author's familiarity with his subject could have come only from such a contact as is made by a trial judge or a practitioner of long experience in this field.

The arrangement of the material of the book is chronological, beginning with "Taking the Complaint to the District Attorney,"