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REQUISITION IN FRANCE AND ITALY, by  
Maurice K. Wise, Columbia University Press, 'New  
York, 1944. Pp. vii, 207. \$2.75.

Miriam E. Oatman

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## Book Reviews

REQUISITION IN FRANCE AND ITALY, by Maurice K. Wise, Columbia University Press, New York, 1944. Pp. vii, 207. \$2.75.

This study deals with the law and the practice of requisitioning goods and services, in France and Italy, down to the end of 1940. That the subject is timely needs no argument. The value of the comparative approach is also self-evident. The really surprising thing about the book is its intensely interesting treatment of its materials. It is a sound, carefully documented report, with plenty of cases to illustrate the operations and effects of the laws in question. Eight or nine pages at the end of the book are devoted entirely to the legislation cited. Unfortunately there is no table of cases; but there is a brief, carefully selected bibliography, as well as a fairly detailed index.

All this material might be handled in a dry-as-dust fashion. In fact, to some minds no other kind of presentation would appear possible. But Dr. Wise sees law and administration in the light of history; hence he presents his data against their historical backgrounds, and proves that they represent vital aspects of historical movements. Thus, he says, in two very different connections:

"The objects of requisition are, in the last analysis, reducible to individual rights. From the earliest times these could be either of person or of property. . . . Liberalism gave to both a higher valuation and a greater degree of legal protection than they had enjoyed for many centuries. Placing individual freedom at the very core of the legal order as it did, liberalism naturally opposed restrictions on personal liberty more vehemently than restrictions on property. It could not, however, entirely dispense with either."<sup>1</sup>

"In view of the manner in which the requisition of personal services was regulated [in France at the time of the first World War], it could be easily anticipated that such requisitions would keep pace with requisitions of the property in connection with which the services were rendered. Thus the requisitions of railways, internal waterways, and merchant marine comported the almost total requisition of their per-

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1. P. 23.

sonnel. With respect to mining and industry requisitions of both property and personal services were much rarer. One is led to wonder whether in all cases the requisition of personnel was not more a protective device than an economic necessity."<sup>2</sup>

The author has a remarkable power to display to the reader the essential features of a complex situation. Thus, in a dozen pages devoted to jurisdiction in Italy over cases related to requisitioning, not only is mention made of the various tribunals which might hear such cases, but an illuminating discussion is given of the "special jurisdictions"—committees or boards which assess damages and otherwise handle cases in particular fields—and a deeply interesting paragraph is devoted to the distinction in Italian law between the legitimate interest and the right of the individual, when the state requisitions his property.

A brief introduction stresses the emergency aspect of requisition, as distinguished from expropriation, and points out the fact that in all countries there is a close similarity in the public needs to be satisfied and the possible ways of satisfying them. The conclusion emphasizes the fact that the eve of the present war compelled France and Italy to take very similar steps. "Despite large differences in theories of government, the requisitory law of the two countries was once more forced into parallel channels. Total war has, indeed, come to require total mobilization and total power in the government to effect it." The reader who has followed the historical and legal exposition of Dr. Wise will probably be thankful, as the reviewer is, that our democracy can still ask its government to give an accounting for the use of the power entrusted to it, even in the midst of total war; but he will probably find himself in agreement with the author's view as to the inevitability of a very broad exercise of requisitory power by every government during a major war.

MIRIAM E. OATMAN\*

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THE PSYCHOPATHOLOGY OF CRIME, by Ben Karpman. Vol. II. Lord Baltimore Press, Baltimore, 1944. Pp. 738. \$16.00.

The author, well known to the reviewer, has devoted a great many years of earnest effort to uncovering the psychological or, one might say more accurately, the emotional mechanisms under-

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\* Foreign Economic Administration, Washington, D.C.  
2. P. 37.