

Book Reviews: Criminology, by Robert H. Gault

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law book writing and in the enactment of legislation affecting these two embryonic but nevertheless important industries.

Aviation's advancement and the equally rapid progress of radio have resulted in the presentation to our courts of many strange, intricate, and confusing legal problems. To the courts will the world look for an early interpretation of the rights, duties, and liabilities of persons and corporations operating in these fields of endeavor. While it is true that much of the haze confronting aviation and radio activity, from a legal standpoint, has been cleared away through the agency of legislative enactment by our congress and the several state legislatures, there still remain questions that must be determined, and can be answered only by court decision. *Cases on Air Law* will aid courts materially in arriving at their conclusions, for it has collected under one cover all of the leading cases on aviation and radio law. They are reported in a pleasant, interesting and concise manner. The author has been successful in giving to the bench, the bar, and the law student, through the medium of his book, a comprehensive and accurate understanding of the principles of law to be applied to aviation and radio.

Cases on Air Law is divided into two parts, one of which is devoted to aviation and the other to radio. In addition, it contains for reference purposes, the Air Commerce Act of 1926, Uniform State Law of Aeronautics, and the Radio Act of 1927. Elaborate footnotes are to be found with each case reported, and the reader is greatly aided in his search for the principles of law by a digest of other cases touching on the same or similar propositions. Approximately half of the volume is dedicated to aviation, the balance being concerned with radio. Some of the subjects covered are, *Statutory Construction, Interstate Commerce, Torts, Contracts, Licenses, and Public Utilities.*

The case of *Swetland v. Curtiss Airports Corporation*, which, in the realm of aeronautical law, defined the rights of an owner of a commercial airport as against those of one living nearby is included in a chapter called *Air Space Rights.*

Without question *Cases on Air Law* will be found exceptionally enlightening and useful by those engaged in a practice of law, bringing them in contact with legal problems affecting aviation and radio. It should also be of unusual benefit and interest to everyone anxious to keep pace, legally speaking, with these two fascinating and rapidly moving industries.

HARRY G. SLATER.*

Criminology. By Robert H. Gault. Published by D. C. Heath & Co., N. Y., (1932). (461 pages.)

Professor Gault is particularly well fitted to write such a work as this. His distinguished work as Editor of *The Journal of Criminal Law and Criminology* has marked him as an authority and the social point of view taken by *The Journal* demonstrates his interest in the delinquent as an individual. As Professor of Psychology at Northwestern, Dr. Gault has been close to the development in Scientific crime detection and some of these methods are treated.

The book introduces the criminal as an individual. This is, of course, the standard view today and has been such with increasing influence ever since

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Healy published *The Individual Delinquent*. In the opening paragraph Gault states the thesis: that every criminal is individual. The author says:

"Criminals are human beings much like the rest of us. They move about from place to place: they play and work more or less, they laugh and mourn and are otherwise emotionally as we are; they form personal attachments to persons, things and places as we do, just as we are, so they are eager for the approval of those with whom they associate and are cast down when they fail to receive it. They are ambitious for "a place in the sun" the "sun" being the circle of those who are, in general, seeking the same type of satisfactions that they desire for themselves, * * *. Moreover in all these respects they differ among themselves much as the members of our club differ among themselves."

As a result of this thesis the case history method is used very extensively. This is regarded as sound technique today but it imposes very obvious limitations on the book. If the case is briefly recorded in the book it serves no purpose other than to entertain the student, since it is only by seeing the case almost as a whole that one can judge and on the other hand if the case is recorded at length it consumes space that is too valuable—such illustrative material could better be obtained by sending the student to the special monographs. All this would seem to imply that Gault has over-used the case history. This is not so; by and large an admirable choice has been made and the cases are excellent illustrations of the points under consideration.

When Bonger wrote on *Crime* he laid practically all blame on economic conditions and now Gault emphasizes the psychological factors. To my mind this is the greatest defect of the book. The specialty of the author has too strongly colored the work to give us a well rounded survey of the science of criminology. In a way this is no really serious criticism for most texts show such coloring. However from the view of the teacher of the subject it makes it exceedingly difficult to have students acquire a balanced picture of the science. As an example, thirteen pages are devoted to a consideration of epilepsy as a factor in crime. Of course, it cannot be denied that epilepsy is important but one is disappointed when one turns to Juvenile clinics and Juvenile courts as preventive agencies and finds that both are treated in a total of three pages.

The volume does not pretend to cover the subject of penology but one could have wished for a more extended treatment of the penological points touched upon. Education of criminals, their need for occupational training and the development of techniques for giving such training in some states would have made the book more valuable.

Occasionally the proofreading is very bad. On page 318 and page 321, the Federal Act of 1929 to divest prison-made goods of their interstate character is cited as the Hayes-Cooper Act when the act is the Hawes-Cooper Act. Furthermore, the author states that this act "prohibits the sale of such goods out of the state in which they were made." The law does not do this. It merely makes prison-made goods made in one state amenable to whatever laws may exist in a state to which they are shipped.

By and large, however, the book is interesting and suffers mainly that its organization is such that it will not be as useful as a text book as for collateral reading.

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