

author's primary objective – to make the case for malpractice actions in relation to the actual manner in which the verbal psychotherapy is conducted – was almost a superhuman one. God knows he struggles valiantly with the legal elements involved in malpractice actions. The task is beyond him. He fails.

Basic malpractice actions (please note there are exceptions) require a fundamental deviation from the accepted standard of medical care. So in preparing such an action the attorney should have as clear a concept as is attainable of what that standard of care should be. It is immediately obvious that no such standard can be honestly set, in most instances, of verbal psychotherapy today. Not only do accepted schools of therapy range over a vast sea of possible principles but also the manner, the chronology, the priorities, the judgments, etc., that go into any individual case are literally endless and quite often purely personal. Often these may be predicted upon the therapist's personal experience or feelings and still be quite proper although they may appear a bit odd to outsiders, or even other therapists.

After correctly allowing for the fact that our law puts no duty on a citizen "to speak skillfully, carefully, or even accurately," he places the doctor-patient relationship in a fiduciary capacity, which it does maintain, and tells us doctors can be held for what they say to patients. Correct. But when it boils down to specifics we get no enlightenment.

Another element of malpractice actions is proximate cause. Simply stated this means the improper act, or deviation from the medical standard involved in the particular case, must be proved to have caused the patient's injury. The law holds that an improper or negligent act standing alone, without proof of having done damage, accrues no action in the plaintiff. So add the burden of proving the connection between specific therapeutic acts to resulting patient damage and you find yourself back in the Herculean stables. Another tough area the author tackles deals with damage dollar evaluation. Courts have some experience here but, as indicated, it is a sticky wicket and I believe judges would be happier men without the problem.

In fairness to the author, Attorney Dawidoff, it should be stated that the implication this book would warn or teach psychiatrists of their vulnerability in the ever-mounting pyre of medical malpractice suits was not put forth by him but by his *Forward* writer, Mr. Ralph Slovenko. Mr. Dawidoff maintains throughout a full and open mind beladen with accurate legal citations and other material as well as his own personal observations. He discusses some interesting cases of physical patient beating by the therapist and sexual contact, or should I say sexual beating, by the therapist. While these outer perimeters of practice are intriguing, they are naturally of limited value to the run of the mill practitioner.

So summing up I would say this is an excellent book for beginners in the area of psychiatry and the law. The writing style is clean and readily understandable. The manner of presentation is logical and uncluttered. It advances little or no new theories or concepts of law that have not been heard before.

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Hustling: Prostitution in our Wide-Open Society. By GAIL SHEEHY. New York, Delacorte Press, 1973. Pp. 273. Price \$7.95.

Among the dozen or so recent books dealing with prostitution, Ms. Sheehy's will probably be the most popular of that subset which stands in the borderland between scholarly endeavor and commercial narrative. Based on two years of circulation in the bloodstream of prostitution, *Hustling* is a compilation of journalistic vignettes which, collectively, portray the anatomy and physiology of that industry. The industry, according to Sheehy, is of considerable magnitude: an estimated 250,000 prostitutes in the United States, at six contacts a day, each netting \$20 or more, produce a gross income in the range of nine billion dollars annually.

Much of the book is in the form of descriptive case histories or short stories, told sometimes in the first person, sometimes from the vantage point of an invisible observer. The material thus presented is replete with metaphor, novelistic imagery, and quotations, but is sparse on

generalizations of theoretical import, systematic data, and forthright interpretations. As a study, *Hustling* suffers from an almost exclusive reliance on anecdotal evidence. For those whose clinical experience with prostitutes has been meager, however, such anecdotes provide access to relevant street jargon ("John" = client, "wood" = heroin, "petrified wood" = very old junkie hooker), and convey an understanding of the great variety of forms which prostitution manifests.

One such form is highlighted by Sheehy as a recent development: "the violent new breed." She claims that in the past few years New York City streetwalkers have become increasingly violent, and have transformed their business from the dispensation of pleasure into the swindling, mugging, robbing, and knifing of patrons. She gives no indication, however, of the relative prevalence of violent crimes against clients, and it is difficult (if not impossible) to compare or extend her observation to whatever changes may be occurring in other cities.

Sheehy's primary contribution to the literature on deviance is the perspective that prostitution is not a victimless crime, but rather that the prostitute herself is the first of a chain of victims and victimizers. The exploiters and profiteers include Johns, pimps, muggers, "knobbers" (men dressed as female hookers who offer only stand-up service, pleading monthly indisposition), "Murphy men" (who sell keys to men who believe a girl will be waiting in an empty apartment), pornographers, operators of prostitution hotels, and the landlords who own properties housing peep shows, massage parlors, and pornographic bookstores and cinemas. Especially noteworthy is Sheehy's contention that lawyers who make their living by defending prostitutes are really defending "not the public's right to experience imaginative forms of sexual expression, but the rights of property owners and mob-connected operators to extract maximum profits from the weaknesses of ordinary mortals." Such is the stuff of which polemics are made. In discussing the role of organized crime, Sheehy tends towards yellow journalism, an understandable outcome of two years of frustrating encounters with front-men for higher-level profiteers and with complacent, effete New York City bureaucrats.

Although Sheehy does not develop the concept, her cases suggest to this reviewer that prostitution is most rewarding for those participants whose apparent gains are least. The motivation of an independent call-girl who nets \$50,000 a year is readily understandable, despite the concomitant problems of guilt and loss of self-esteem. Less obvious is the motivation of the ordinary streetwalker, who turns over \$200 a night to her pimp, shares his attention with the other girls in his "stable," and may be beaten by him if she fails to meet her quota or heed his orders. Surely she does not remain "in the life" for the sake of financial gain. But what alternatives are open to her? She might return home to Minneapolis or Montreal (from whence many New York City prostitutes are recruited), but it was frequently an intolerable home situation which she originally fled. She might get a legitimate job, but by now she has a police record limiting access to legal occupations. Add to this a history of failures in attempts at conventional pair-bonding (junkie boyfriends, unwanted pregnancies, etc.) and the alternatives are uninviting when compared to the perceived security provided by a pimp "who really cares." For the street hooker, the pimp's glorified life-style is a course of pride, based as it is on her earning power. As one beginner put it: "He doesn't do *nothing*. But the way he does nothing is *beautiful*."

Some further "trade secrets" which are noteworthy are: (1) Birth control pills prescribed for intermittent administration may be taken every day of the month to obliterate menstrual flow and its interference with business, (2) Pimps sometimes use cotton-covered hangers to beat their girls so as to avoid unattractive contusions. (3) White hookers have stopped wearing wigs: Johns learned to look there if they wanted their money back.

Although Sheehy mentions that she studied on a fellowship under Margaret Mead at Columbia, research methodology is not her forte; she is primarily a journalist. Those interested in case histories, however, will find the book enjoyable and worth reading (and might also see Kate Millett, *The Prostitution Papers: A candid dialogue*, New York: Avon Books, 1973, \$1.25 paper). For a psychiatric or sociological analysis, however, one must look elsewhere.

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