

## Book Reviews

LAW AND ETHICS: A GUIDE FOR THE HEALTH PROFESSIONAL. Edited by N.T. Sidley. New York: Human Sciences Press, 1985. 481 pp. \$44.95.

Reviewed by Ralph Slovenko,  
LLB, PhD

If David Reuben can in a book tell you everything you wanted to know about sex, then Nathan Sidley, dedicated teacher and past president of the American Academy of Psychiatry and the Law, can do the same on law and ethics. This book is prepared in the form of a self-study guide, nearly all of it in outline form, with questions and answers following each chapter. The book provides a wide survey of the law for the health professional.

In this enterprise, Sidley is joined with eight contributors. John M. Reed opens the book with a chapter on the origin and functions of American law. This chapter is more discursive than the others, so it is set in narrative rather than outline form. Sidley follows with a chapter on ethics, Colleen Kollar-Kotelly on constitutional law, Ann O'Regan Keary on criminal law and procedure, Michael J. English on civil procedure and evidence, Michael L. Perlin on torts, Thomas E. Shea and Sidley on malpractice, Sidley and Reed on contracts, Ronald A. Pressman on family law and wills, John P. Petrila on special

legal problems in mental health, Sidley and Petrila on being involved personally in a lawsuit (as a plaintiff, expert witness, or defendant), Sidley on medical and professional ethics, and Shea on legal research and citation. The book closes with a compilation by Sidley of legal maxims and quotations and a glossary by Gertrude M. Allen of legal terms, with pronunciation.

A couple of the chapters in the book contain brief summaries of leading cases in law and mental health. They let us down in their summary of *Tarasoff v. Regents of the University of California*, the much-publicized case on the duty of a therapist when confronted with a patient who poses a danger to third persons. They repeat a common misperception of the holding of the case. A number of studies have pointed out that the majority of mental health professionals have heard about the decision but at the same time most have misunderstood its mandate. It's not surprising, given the reporting on the case. As this book would also lead one to believe, the therapist under the ruling must warn a potential victim. In actual fact, warning a victim is one of several alternatives available to the therapist. The court in *Tarasoff* expressly said that the therapist may take one or more of various steps, depending on the nature of the case. "Thus," the court said, "it may call for him to warn the intended victim or others likely to apprise the victim of the danger, to notify the police, or to take whatever other steps are reasonably necessary under the circumstances." In the

*Tarasoff*-like situation, it seems, good clinical practice would have served better than a little learning of the law.

Who can be right about the law? One of the maxims quoted in the book is, "Everybody is presumed to know the law except His Majesty's judges, who have a Court of Appeal set over them to put them right." This book was prepared for mental health professionals but, *Tarasoff* aside, trial judges might consult it too.

THE DIFFICULT DIVORCE:  
THERAPY FOR CHILDREN AND  
FAMILIES. By MB Isaacs, B Montalvo,  
and D Abelsohn. New York: Basic  
Books, 1986.

Reviewed by Melvin G. Goldzband,  
MD

This is a good and valuable book, useful on several levels. As a method of intervention and research devised by the authors who comprise the Families of Divorce Project at the Philadelphia Child Guidance Clinic, it provides insights allowing even experienced divorce and custody workers to organize more clearly what they have already learned from their work in that tough arena. By creatively dividing the stages of conflict between warring parents, as well as the stages of intervention by the therapists, the authors have highlighted many trou-

blesome aspects of the relationships between the spouses and their children that become even more pointed targets for intervention.

Constant child advocates, the authors demonstrate clearly their attempts to create inroads with the warring parents who need to recognize their own roles in creating such horrendous problems for their fought-over kids. Excellent examples of effective interventions are provided that present appropriate methods to ease the defensiveness and the out-and-out rage that are so often seen in these "ugliest litigations." Several chapters, in fact, are devoted to dealing with the spectrum of demonstrated rage. They are headed, "Sporadic and Scared Fighters," "Frequent and Direct Fighters," and, "Moments of Violence."

The book goes farther than evaluation; the title is no lie. There is an excellent chapter on the work that must be done by the children, with an obvious bow to Wallerstein and Kelly. Another is entitled "Assisting with Blending," i.e., the newly reconstituted family groups. The last chapter describes the project's research findings, which do not seem to me to represent a considerable advance over those elaborated by others. In many cases, the findings seem to add credence to ideas most of us have already formed. However, for clinicians the book is a gem. It is well written and praiseworthy jargon-free—to the extent that the authors describe what they call the *yenta* approach. Such *chutzpah* in a professional text is laudable.

## Book Reviews

**SEXUAL ABUSE OF YOUNG CHILDREN: EVALUATION AND TREATMENT.** By K MacFarlane, J Waterman, S Cornerly, L Damon, M Durfee, and S Long. New York: The Guilford Press, 1986. xxiv + 355 pp. \$27.95.

Reviewed by Estela S. Miranda, MD

This is a unique and comprehensive book written by authors from a multidisciplinary group. The authors have skillfully integrated the medical, psychologic, legal, and social factors in the identification, assessment, and treatment of child abuse.

Of special note is the emphasis on the evaluation of abuse in young children, their special needs, implications for assessment, and treatment based on their developmental level.

The book is consistently informative and written with such clarity that it is a valuable text for the beginner. At the same time, it is comprehensive enough to be useful for the experienced clinician. This excellent book will be very useful to clinicians and mental health practitioners concerned with the care of not only sexually abused children, but their families as well.

**FREUD AS AN EXPERT WITNESS.** By KR Eissler. Madison, CT: International Universities Press, 1986. xii + 422 pp. \$40.00.

Reviewed by Charles E. Simmons, MD

This book has much more to offer than the title would lead one to believe. The first section provides a brief but graphic description of the socioeconomic-political situations leading up to, through, and after World War I. It describes "witch-hunts" to place responsibility for "military dereliction of duty" resulting in the loss of the war. S. Freud was asked to serve on a commission to investigate Wagner-Jauregg's part. There is a superbly documented section elaborating the split between conventional psychiatric biologic views and Freud's new psychoanalytic theory.

The midsection is a critique of what happened during the investigation, with much documented data not available to the commission. The last section is theoretical and concerns traumatic neurosis, malingering, therapeutic rationale, and results. Most important, it provides thoughtful interpretations of the development of psychiatric understanding applicable today in our struggles to understand posttraumatic stress syndromes, both civilian and military.

**EVALUATING COMPETENCIES: FORENSIC ASSESSMENTS AND INSTRUMENTS.** By T Grisso. New York: Plenum Press, 1986. x + 404 pp. \$42.50.

Reviewed by C. C. Barnhart, MD

The author has done an excellent job of providing a thorough overview of all areas of competency usually encoun-

tered by both the clinician and the forensic psychologist. The book is logically divided into chapters specifically dealing with each significant area of mental health that interfaces with law. A uniform format is used throughout the volume, providing a cogent and flowing method of understanding each particular area, its history, and its current practice, as well as a review of forensic assessment instruments presently available.

The author does an outstanding job of differentiating the criteria necessary to determine competency for such areas as the ability to stand trial, the ability to be found not guilty by reason of insanity, the competency for child custody, the factors necessary to obtain guardianship and conservatorship, and the area of competency to provide consent for treatment. The chapters are all well documented. Relevant examples are provided.

This book will be a useful addition to the library of any forensic clinician. For the less experienced professional, this provides a superior learning text; for the forensic specialist, this is a current update on the law and psychiatry, often providing legal changes and interpretations that are very recent and potentially critical in making appropriate evaluations and reports.

**THE LAW AS A BEHAVIORAL INSTRUMENT.** Edited by GB Melton. Lincoln, NE: University of Nebraska Press, 1986. xxvii + 291 pp. No price indicated.

Reviewed by Ann Hoefler, MD

This volume presents the proceedings of the 33rd annual Nebraska Symposium on Motivation (1985). It contains articles on gender and changes in the law, psychology and responsibility, deterrence theory, and efficacy of laws designed to alter risk-taking behavior, the expert's role in class action suits, and law as an instrument of social change. The papers are of a high quality; not only do most of the authors present complex issues clearly, but they do so in prose markedly superior to the "academese" once described by a Modern Language Association style sheet as "a horror to be eschewed."

Although several of the articles, such as Jack P. Gibbs' "Deterrence Theory and Research," would be most useful to those engaged in similar studies, two articles would be of particular interest to practicing forensic psychiatrists. In "Empirical Assessments and Civil Action," Stanley Brodsky discusses the expert's role in class action suits against prisons and mental hospitals. The content should be applied to the planning states of a consultation in such a suit.

In "Psychology, Determinism and Legal Responsibility," Stephen Morse argues against equating caused behavior with "excused" behavior. He limits acceptable bases for moral and legal exculpation to irrationality and compulsion. His discussion of compelled behavior in terms of hard choices is particularly succinct and thought provoking. Not every forensic psychiatrist would agree with Morse's position that expert testimony should, with rare exceptions, be limited

## Book Reviews

to "clinical observations of thought, feelings, and actions," but, however the role is defined, this paper would help the evaluator to clarify the relationship between an individual's psychology and his or her capacity to form intent.

**A KILLING CURE.** By E Walker and PD Young. New York: Henry Holt & Co., 1986. 360 pp. \$17.95.

Reviewed by Joseph T. Smith, MD, JD

One of the authors of this book about sexual abuse by clinicians is herself a victim. Evelyn Walker told the story and Mr. Young wrote it down. Mr. Young can be credited with dramatizing the event of this sordid saga, but he avoids sensationalism; his work is highly responsible and professional. He presents historical data regarding Ms. Walker's early life, her need for psychiatric treatment, her psychological and sexual seduction, and her suicide attempts, divorce, mental hospitalization, and civil trial.

A search of the legal literature and at least one hundred court cases demonstrates the awful fact that Evelyn Walker's exploitation by her therapist is not an isolated event. Nor is this the only book. Julie Roy's account of Dr. Renatus Hartog's sexual misconduct is found in her book and movie, "Betrayal." Only recently Ellen Plasil published another book, *Therapist*, describing her similar experience with Dr. Lonnie Franklin Leonard.

This book should be read by every psychotherapist, every pastoral counselor, every social worker, and anyone setting out to help people by psychologic means, if for no other reason than to avoid Dr. Zane Parzen's pitfall. He who picks up one end of a stick also picks up the other end. This book is a valuable object lesson. The lesson for Dr. Parzen began with the ethics committee of the Institute for Psychoanalysis, continued with his ouster from the American Psychiatric Society and the revocation of his medical license by the California Bureau of Quality Assurance, and ended with a divorce by his wife, loss of his property and a jury award of \$4.6 million in compensatory damages.

**VENUSES PENUSES: SEXOLOGY, SEXOSOPHY AND EXIGENCY THEORY.** By J Money. Buffalo, NY: Prometheus Books, 1986. 659 pp. \$29.95.

Reviewed by William H. Reid, MD

This is a collection of Professor Money's papers, recent and old. It contains a tremendous variety of topics, from "Beliefs about Truth" to highly technical subjects such as "Antiandrogenization of the XY Genotype." The book is obviously intended for nonprofessional as well as professional audiences, because the press release from the publisher says that the original publisher refused to print it because it was too explicit.

Explicitness aside, this is an important

collection of John Money's seminal work (no pun intended) in a critical field. It focuses a little too much, perhaps, on Money himself. I wish it had an index; however, the table of contents is so detailed (14 pages) that it is easy to find what one is looking for.

BEYOND BLAME. By S Greenleaf. New York: Villard, 1986. 291 pp. \$15.95.

Reviewed by Ann Hoefler, MD

Stephen Greenleaf is an attorney who writes detective fiction in the tradition of Raymond Chandler and Ross McDonald. His novels feature a solo private eye, operating in a California setting, and the plots are psychologically informed. They typically include a "family secret." Greenleaf's earlier novels, including *Grave Error* and *State's Evidence*, are welcome additions to the

subgenre. They are well written and tightly plotted, with plausible psychology underpinnings. Perhaps the general reader will be equally pleased by Greenleaf's most recent effort, *Beyond Blame*, but those with experience in forensic work may find it disappointing.

Two central characters are a law professor, specializing in insanity defenses, and a forensic psychiatrist. Their negative characterization should not interfere with enjoying *Beyond Blame*, but Greenleaf's questionable application of the *Tarasoff* decision and distorted presentation of the likely outcome of a successful insanity defense undercut the conclusion's plausibility. Although it is interesting to see a stereotype of forensic psychiatry reflected in popular fiction, it is a little disappointing to find that an author with legal training would perpetuate some of the commonly held misconceptions.

Detective story devotees and those interested in the profession as depicted in the popular culture should find *Beyond Blame* an evening's amusement.