

## **Books Reviewed**

logical approach to juvenile rights is reflected in the right of self-determination regarding treatment. This right is posed in this volume as referring to "individuals of any age in health care decision making respects the autonomy, individuality and privacy." The authors do not seem to consider the effects of autonomy in children who require less autonomy in their lives.

This volume provides much in the way of thought and perhaps argumentative provoking consideration of a "tender" area of the rights of the juvenile. □

**CHILD ADVOCACY. PSYCHOLOGICAL ISSUES AND INTERVENTIONS.**  
By Gary B. Melton. New York: Plenum Press, 1983.

Reviewed by Helen L. Morrison, MD

This volume, accompanying the preceding one, presents the issues related to the topic of child advocacy in a manner that will provide the reader with relevant and clear information appropriate for the legal health care of children.

The author begins this volume with a lucid exposition of the foundations of child advocacy. The impact of advocacy is presented from the child's conceptualization of rights, including a study of school age children that focuses on the competence of the child to understand. The provision of clinical services to enhance development of the child is the hoped-for common goal of intervention. Assumptions underlying advocacy programs are reflected in the diversity of forms in these programs.

Whether advocacy takes the form of manipulating a system for the welfare of one child or involves efforts on behalf of a group of children with similar needs is a point well worth considering in program development.

Administrative, legislative, legal, and psychological advocacy intertwine in this volume. The author should not be cited for failure to speak more directly to the psychology of the child in this model for advocacy program; this area is well presented in other topics in this volume. □

**VERY MUCH A LADY: THE UNTOLD STORY OF JEAN HARRIS AND DOCTOR HERMAN TARNOWER.** By Shana Alexander. Boston: Little, Brown, 1983, 316 Pp., \$17.50.

Reviewed by Ralph Slovenko, LLB

On February 25, 1981, Jean Harris, the headmistress of an exclusive all-girls boarding school, was found guilty of murder in the second degree in the shooting death of her former lover, Dr. Herman Tarnower, a renowned cardiologist and

author of the leading best seller, *The Complete Scarsdale Medical Diet*. Mrs. Harris is now serving the minimum sentence of fifteen years in the Bedford Hills Correctional Facility in Upstate New York. In *Very Much a Lady*, columnist and feminist Shana Alexander paints a sympathetic portrait of this unlikely criminal defendant. The author, admittedly identifying with Harris, presents a very much more sympathetic picture of Harris than did Diana Trilling's earlier report, *Mrs. Harris: The Death of the Scarsdale Diet Doctor*.

The prosecution won its case by portraying the situation as a classic lovers' triangle. Concluding that faulty defense tactics caused, or at least substantially contributed to, Harris's conviction, Alexander asserts that the defense of insanity or extreme emotional disturbance (EED) would have been more appropriate than the defense of accidental shooting that was urged.

The primary explanation, given by Joel Martin Aurnou (defense counsel), was its all or nothing character. The jury was to be faced with the choice between total acquittal of the defendant or finding an aging "schoolmarm" guilty of intentional homicide. The defense was based on the argument that the defendant did not have the capacity to form an intent to kill at the time of the crime. Both the prosecutor and the judge were willing to downgrade the charge to voluntary manslaughter but the defense was unwilling to budge. Similarly, the insanity plea was unacceptable to defense counsel, since, if successful, it would lead to a term of commitment to a mental institution.

The author finds it incomprehensible in a trial where intent or state of mind is the very thing in issue that no psychiatric testimony was submitted in order to make Harris's behavior comprehensible to the jury. Aurnou, inexperienced in the criminal law, consulted a law firm that provided him with a brief that psychiatric testimony on intent is admissible even though insanity plea is not pleaded. Of course, the prosecution then is able to compel an examination of the defendant by its own battery of psychiatrists and there is no telling what may arise once the medical privilege is waived. Following the shooting Harris was admitted to the psychiatric ward of United Hospital in Port Chester and placed under the care of its chief psychiatrist, Dr. Abraham Halpern.

Whatever the intent issue, a good defense of "extreme emotional disturbance" could have been made. Aurnou did not consider it since he believed that "if you feel your physical evidence is strong enough, shrinks can only detract from your strength." On the contrary, however, the physical evidence was against the defendant. The defense might have offered the findings of insurance company physicians who diagnosed her as suffering from a "major affective disorder (DSM-I 296.0) with subjective symptoms of severe depression, insomnia, and agitation." Dr. Halpern was ready and willing to testify on her behalf, having examined her only days after the shooting and, for months after, served as her therapist. The clinical psychologist, Dr. Eileen Bloomingdale and a psychoanalyst, Dr. John Baer Train, who had also examined Harris, were waiting to testify. Dr. Train, had he been called to testify, would have stated that, in his opinion, Harris was psychotic at the time of the shooting.

According to the New York Court of Appeals in *People v. Patterson*, the

## Books Reviewed

landmark "extreme emotional disturbance" case, an EED defense is valid if "a significant mental trauma has affected a defendant's mind for a substantial period of time, simmering in the unknowing unconscious, and then explicitly coming to the fore." The appellate attorney who represented Patterson says that "Jean Harris is the person that defense was written for."

Perhaps there was another reason that an EED defense was not used, however. As a beneficiary standing to receive some \$220,000 under the terms of Dr. Tarnower's will, Harris would lose her claim to the money and also rights to the proceeds from subsequent book rights (under New York's newly enacted "Son of Sam" law, which provides that any such proceeds are to be given to the victim's estate) if she was convicted of intentional homicide.

On November 16, 1982, a unanimous New York Court of Appeals dismissed Harris's second claim for a new trial. The Court commented: "It has long been recognized that, although all trials must be fair, few can be described as perfect. . . .(W)e are convinced that, although Jean Harris did not receive a perfect trial, she received an eminently fair one. Nothing more is required." □

LITHIUM ENCYCLOPEDIA FOR CLINICAL PRACTICE. By J.W. Jefferson, J.H. Greist, and D.L. Ackerman. Washington, DC: American Psychiatric Press, 1983, xviii + 319 Pp.

Reviewed by William H. Reid, MD

As John M. Davis states in the foreword to this inch-thick, spiral-bound text, the amount of scientific information available to the clinician "has grown at an exponential rate" for the past couple of decades. *Lithium Encyclopedia* has used computer programs to search the literature and prepare a surprisingly readable, very useful volume. The text is divided into very short (as little as one page) sections that address about one hundred topics related to lithium. They are alphabetical, with a range of "acidification and renal tubular acidosis" to "weight gain."

Many of the briefer sections provide little information of any clinical use. For example, the twelve-line section on benzodiazepines and lithium briefly mentions five studies: three are animal studies, one a case report, and one a review article. The controversial topic of lithium and the kidney is treated in at least four separate sections, rather than as one topic. While this may fit the computerized bibliography pattern, it is an example of the patchwork nature of references such as this.

In general, this is an important book for the clinician. The forensic psychiatrist who becomes involved in cases involving lithium will want to have it available as a personal reference or for legal colleagues. □