

## **Book Reviews**

Alan R. Rosenberg, Editor

**PSYCHOLOGICAL FOUNDATIONS OF CRIMINAL JUSTICE.**  
Edited by Robert W. Rieber, Ph.D., and Harold J. Vetter, Ph.D. John  
Jay Press, New York. 1978, Vol. 1. Pp. 305. 1979, Vol. 2. \$15.00

This excellent two-volume work is a very useful compendium of relevant history, reference data and outstanding contemporary experts dealing with current issues. It is very clearly and economically written with readable tables, where appropriate, and a useful index.

The first volume, in four parts, deals with a comprehensive review of the insanity defense, and the evaluation of tests for criminal responsibility and the conditions under which diminished responsibility may be established. Seymour Halleck presents an excellent terse history of milestones in American forensic psychiatry beginning with Benjamin Rush in 1812. This is followed by an historical survey of the "Right and Wrong" test, written by Anthony Platt and Bernard L. Diamond, concluding with a useful table on important cases of criminal responsibility of children from 1806-1882, and important cases of the insane from 1816-1841. Jacques Quen follows with an erudite historical study of the M'Naghten trial.

William Guy and Henry Maudesley then address us from the 19th century in language that may seem quaint to our ears but is nonetheless timely.

In Part III, the psychology of criminal behavior, Nigel Walker and Sarah McCuble trace the evolution of the term "psychopathy"; Pritchard discourses on moral insanity; Francis Galton, in spite of his phrenology framework, writes insightfully and compassionately on mentally ill criminals, and Marmaduke Sampson describes the phrenologic "truths" of a bygone era.

Part IV contains two classic papers on hypnotism and the law by Moll (1891) and Munsterberg (1909), reminding us that the current debate between H. Spiegel and E. Hilgard has deep roots. This volume concludes with two scholarly papers on the history of psychodiagnosis and rehabilitation in the prison system, illuminating the current efforts to provide more adequate treatment and facilities for mental illness among incarcerated offenders.

The second volume is addressed to contemporary issues. Saleem Shah, Chief of the Crime and Delinquency Section of N.I.M.H., writes a clear,

pungent chapter calling attention to the unfortunate instances of mental health professionals who intrude beyond their ken into the law, behave in an ill-informed and judgmental way in the legal system, are careless in their thinking and presentation of ideas, hasty in action, unreflective and even mildly sadistic at times. Silber follows with a discussion of patients' rights in relation to court appearances: right to counsel, right to know specific charges, right to time for preparing defense, right to jury option, right to freedom from pressure during proceedings, right to confront witnesses of adversary, and right to be judged on issue of innocence or guilt. Roberts reviews the case against coerced treatment in the prison system, and reviews the methods that seem to have been most successful — encounter-like marathon groups, partial-release programs, and after-release programs. Lipsit presents an excellent chapter on testimony, detailing requirements for competency, capacity, dangerousness and recidivism appraisals. He also describes what is required of the expert witness in divorce, custody, and testamentary cases.

Rosenhan describes his famous pseudo-patient project, which is respectfully and thoroughly criticized by Spitzer.

Schulman points out that competency examinations far exceed N.G.R.I. pleas and have serious consequences in many states. They have been overutilized by judges. He shows that the diminished responsibility finding has been very popular in England since the Homicide Act of 1957. Lipsit pleads a case for establishing better functional tests for competency.

Ennis and Litwack, citing *Baxstrom* and a California study showing .31% of true positives in predicting dangerousness, call for an elimination of such prediction by psychiatrists or other mental health professionals.

Guze *et al.* assert that only antisocial personality disorders, drug abuse, and alcoholism correlate significantly with crime plus hysteria in first degree relatives.

Nassi entitles his paper on treatment "Therapy of the Absurd." Seymour Halleck concludes this volume (as he began the first volume) with an erudite reassessment — in this case, of the rehabilitation of criminal offenders. The outstanding volumes end with summaries of the landmark cases listed for the forensic examinations of the American Board of Forensic Psychiatry. I heartily recommend this wide-ranging yet concise two-volume work.

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**REVIEW OF HEALTH RECORDS AND CONFIDENTIALITY, AN ANNOTATED BIBLIOGRAPHY**, second edition. Government Publication, National Clearing House Series.

The National Commission on Confidentiality of Health Records is an