



1959

Book Review

E. F. Samore

Follow this and additional works at: <https://engagedscholarship.csuohio.edu/clevstrev>

 Part of the [Juvenile Law Commons](#)

How does access to this work benefit you? Let us know!

Recommended Citation

E. F. Samore, Book Review, 8 Clev.-Marshall L. Rev. 584 (1959)

This Book Review is brought to you for free and open access by the Law Journals at EngagedScholarship@CSU. It has been accepted for inclusion in Cleveland State Law Review by an authorized editor of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.

Reviewed by E. F. Samore*

CRIME AND JUVENILE DELINQUENCY, by Sol Rubin. Published by Oceana, New York; 1958.

Some of our newspapers have whipped up fear, if not active hostility toward youth in general, with lurid accounts of youthful crime—we follow a policy that amounts to revenge against the very youth who can be a part of the strengthening not the weakening of America.

Nearly 400 years ago Francis Bacon wrote, "Revenge is a kind of wild justice which the more man's nature runs to, the more law ought to weed out."

This is just one example of the thought provoking statements found in *Crime and Juvenile Delinquency*. The author is singularly qualified to write on the subject. Drawing from his legal and social science training as well as on his exposure to social work, philosophy, and practice, Mr. Rubin sets forth stimulating challenges to the present state of courts and correctional agencies where juvenile offenders are concerned. He raises many provocative questions, for example: Should parents be held responsible for juvenile misdemeanors? Should pre-sentence reports be shared with the defendant? How should neglected and dependent children be treated in family disputes? Should they be placed in training schools along with delinquent children?

The book reveals intensive and extensive research into the public welfare provisions of many states, their youth authority provisions, juvenile courts, probation commissions and correction departments. There is an excellent discussion of sentencing procedures. He correctly urges that the whole process must be examined and improved. Throughout the book, he builds within the reader a gradual realization that changes are vital and necessary.

Mr. Rubin suggests it is time we realized that we have probably the most ferocious penal policy in the world. The quality and character of a culture are deeply affected by its major social institutions, including its penology. Attacks have been made upon our punishments as "too easy." Yet, the author contends that our punishment is too severe. The author makes excellent use of statistics to substantiate his positions. It is entirely possible, however, that statistics may be subjected to different interpretations. Many law enforcement officials,

* County Prosecuting Attorney, Woodbury County (Sioux City), Iowa.

prosecutors and members of the public would take issue with this conclusion. While there is some merit in Mr. Rubin's criticism, the merit applies only to the statutory language. The implementation of punishment may not be as severe as the author contends.

Mr. Rubin's discussion of the problem of whether parents should be punished for the child's delinquency is worthwhile. Parental delinquency is definitely a problem. Juvenile delinquency begins in the home and will end there.¹ The author's theory is to place more responsibility on the community. But this may have dangerous results. The more the community assumes responsibility, the more parents are apt to give up responsibility which is theirs.

In the final analysis, no one is necessarily expected to agree with all of Mr. Rubin's views. But judges, prosecutors, lawyers, social workers, students, teachers, parents, and laymen (who may have difficulty comprehending some passages) would be intellectually stimulated by the problems he propounds. In the light of today's concern with juvenile delinquency, all would find a study of this book worthwhile and beneficial. The reader will conclude that the author is direct, precise, original, and wholly sincere.

¹ See Samore, *Parental Delinquency*, this issue of the *Cleve.-Mar. L. Rev.*

* * *

*Reviewed by Rathuel L. McCollum**

SCIENCE AND THE DETECTION OF CRIME, by C. R. M. Cuthbert. Published by Philosophical Library, Inc., New York; 244 pp.; 1958.

The author has written an account of work undertaken in the Forensic Science Laboratory at New Scotland Yard. He maintains that science can never take the place of hard work and the intelligence of investigative officers. Rather he observes that science can only render assistance to those who seek the solution to a crime.

* B.S., Morehouse College; Graduate studies at New York University and University of Michigan; Physicist on the research staff at Lewis Research Center, National Aeronautics and Space Administration, Cleveland, Ohio; member of the Cleveland Physics Society and Beta Kappa Chi Honorary Scientific Society; and a third-year student at Cleveland-Marshall Law School.