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## Book Review

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*Reviewed by Arthur F. Lustig\**

"EPILEPSY AND THE LAW," a proposal for legal reform in the light of medical progress. Dean Roscoe L. Barrow and Howard D. Fabing, M.D. Hoeber-Harper, New York, 1956.

The general subject is one particularly suited to the backgrounds of the co-authors. Roscoe L. Barrow is the Dean of the University of Cincinnati College of Law, and legal advisor to the Special Committee on Legislation of the American League against Epilepsy. Dr. Fabing is a Past President of the American Academy of Neurology, and is Chairman of the Legislation Committee of the American League against Epilepsy. Both already were established authorities on their subject before writing this book.

Naturally, then, an erudite study was to be expected. And the subject, complex and important as it is, long has needed a solid analysis. Now, it has such an analysis. But the problem is a most difficult one, and the authors offer no panacea. Perhaps the most valuable single feature of this joint endeavor is the compilation of a Legislative Index, wherein the authors have assembled and related the laws of the forty-eight states as well as those of the District of Columbia which refer to the epileptic. This, alone, is a most worthwhile contribution, even if there were nothing more.

But first, let us point out the few items in the work that may bear criticism.

A few minor inconsistencies in the factual material presented and also in the style of the writing may be criticized. Yet these are minor matters. For example, there seems to be some contest between erudition and emotion. Thus, one finds references to circumstances which would result in a tendency for epileptics "to go underground." The authors also decry the fact that many of the laws applicable to epileptics contain no definition of an epileptic. But neither does their book. The reader is told on page 1 that, "Today, through treatment of epilepsy with anti-convulsants, over 50% of epileptics may achieve complete control of seizures. . . ." Yet on pages 35, 66, 97 and 102 we are told that the figure is not *over* 50%, but *just* 50%. A small point, but disconcerting. In the discussion of education of epileptic children, we are told, on page 95, that "Frequently pressure is

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exerted to remove epileptic children from regular schools when such removal is not justified.”<sup>260</sup> But footnote 260 refers us to footnote 21, which refers to a study, sponsored by the American Epilepsy League, Inc., of policies on admission of epileptics to institutions of higher education. A bit confusing!

Lest this be taken as carping, we hasten to add that the book is most useful, nonetheless.

The text frequently employs the word “rehabilitation,” with regard to the epileptic. This seems an unfortunate choice of a term. “To rehabilitate,” primarily means “to restore to a former position.” Strictly speaking, then, “to rehabilitate” an epileptic would be to do no more than to place him in the state in which he was before he became an epileptic. Undoubtedly the authors meant “reorientation” or reconstruction.”

With this criticism, we substantially exhaust our list of defects. In other respects the book is most valuable. In general, it deals with marriage license laws, sterilization laws, driver’s license laws, and Workmen’s Compensation Laws which affect the epileptic. There is also a short section dealing with immigration laws, criminal responsibility, education of epileptic children, and commitment of epileptics to institutions. Following this are lists of findings and recommendations. One major recommendation suggested is for the striking of the word “epileptics” from the Eugenic Marriage Laws. But the main value of the work is its pioneering organization of a most difficult and confused area of medical-legal problems.

Those engaged in medical-legal work will find great use for this book. In the field of the law of epilepsy, of course, it is bound to be a landmark.