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obviously colors, and often controls, any so-called consumer point of view. Your reviewer laid down the volume with the impression that anti-trust enforcement can be a substantial force for economic and political good but that it lacks much of being the key to the solution of our problems.

JEFFERSON B. FORDHAM*

CASES ON CRIMINAL LAW, by Livingston Hall and Sheldon Glueck. West Publishing Co., St. Paul, 1940. Pp. xxi, 556.

Placed alongside such super-colossal monuments of legal scholarship as Michael and Wechsler's "Criminal Law and Its Administration" this 556 page book assumes pigmy proportions. The two works present equally excellent efforts based upon radically different theories of casebook construction.

Michael and Wechsler present over fourteen hundred pages of materials, covering a wide range of problems, and providing a reservoir from which the law professor may select those cases best adapted to his particular jurisdiction and his individual ideas of course content. Then too it provides a sort of encyclopedia, placing most of the available legal writing at the teacher's finger tips.

Hall and Glueck's casebook charts the course with a nice selection of generally important cases, leaving the individual professor to handle local variations by assigning or citing important decisions in his particular jurisdiction. This book should be welcomed by the inexperienced teacher who may profit by the case selection of the authors. The more experienced teacher may prefer to exert his summer energies in developing local materials and have his pruning done in advance. Then, too, the student is happier with a book which is easily handled, and which may be used without the harassment of skips and deletions. (Of course this robs the professor of one means of awing the students beforehand with his profundity.)

One of the most significant features is the absence of the conventional voluminous (eye-strain type) footnotes. In their place are "problem cases" which follow almost every principal case. These are printed in full sized type, are carefully briefed,

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and are not so numerous as to discourage the average student. They include the court's holdings, rather than merely to pose the problem and cite cases where the answer may be found. All these mechanical features indicate a real understanding of student nature. It was gratifying to the writer that, without the usual prodding, students read the problem cases carefully and came to class fully prepared for their discussion.

The problem cases serve a variety of purposes. Some are in conflict with the principal case. Others are distinguishable. In many instances they are inserted to indicate wide variations in the judicial interpretations of a similar word, phrase or statute. Such materials do much to disabuse the student's mind of the naive, but persistent, objective of eternal certainty in the law. Again, excerpts are inserted illustrating modern statutory efforts to plug up some of the loopholes in old common law offenses. Any law teacher who tries to cover the usual twenty pages per day, and does not pause to consider carefully and discuss the problem materials will miss the real benefit of the book. A proper student work tempo may be maintained by the assignment (for independent study in light of the class discussion) of local decisions and statutes.

Chapter 1, "Criminals and Punishment," provides a rather uninspiring prelude to the course in Criminal Law. In forty-six pages of dry, boring material, the authors present a statistical, sociological study of "Who are Criminals," and then polish it off with a very technical discussion of "Theories of Punishment." Such an introduction does not whet the student's appetite for the material to follow. The same subject matter might have been clearly presented in about ten pages, less replete with statistics and sociological terminology.

Chapter 2, "The Criminal Law," is well worked out, and bears the same scholarly simplicity as the remainder of the book. "The Social Case History of James Glynn" is interesting reading.

The arrangement of the casebook is excellent. The conventional approach of discussing general criminal concepts in a semi-abstract atmosphere, before the students have become familiar with the individual offenses and the elements thereof, has been profitably discarded. The authors first present the specific offenses and then follow with principles of general application.

Title II includes the more important offenses. The material is arranged to fit the increasing legal aptitude of first year stud-

ents. It begins with simple offenses against the person. Then come offenses against property, where the students may wrestle with the intricate and ultra technical distinctions between larceny, embezzlement and obtaining by false pretenses. This prepares them for the even more difficult materials upon mistake, conspiracy and attempt, which are found under the next title.

The cases and problems are well selected, and a refreshing emphasis is placed upon recent decisions. The only serious objection to this title is the inadequate treatment of robbery, which is given merely a lick and a promise in the chapter on theft. Otherwise, the chapter on theft is carefully worked out to indicate the historical development of the included offenses. Even modern procedural rules, worked out to ameliorate the harshness of some of the common law technicalities, are noted. It might have added to the completeness of the picture if the authors had more definitely stressed the possibility of ultimately eliminating the technical distinctions between larceny, embezzlement and obtaining by false pretenses, through a change in the substantive law.

In Title III, "General Principles of Criminal Liability," the materials present a very fair and up-to-date view of the many conflicting views and statutory variations. Also the cases have been selected so as to work in a number of statutory offenses which could not be treated specifically in Title II. This serves to further round out the student's birds-eye view of the field.

The failure of the authors to include a chapter on defense is a serious omission. Possibly, as in the case of proximate cause, the authors felt that the subject matter was adequately covered in the course on torts. However, the average torts teacher soft-pedals this material in order to hurry to the intriguing negligence field and leaves the detailed discussion to the teacher of criminal law. This is as it should be, for in a large proportion of homicide or assault and battery cases, the issue of defense is seriously presented.

The writer has used this casebook during the past term and recommends it as a very teachable book, well adapted to the presentation of criminal law in such a manner as to incite student interest and to provoke constructive thought and criticism.

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