

how to use the materials at his disposal. Contemporary records testify to his impact on the Supreme Court's decisions, some of the testimony coming from members of the Court. His life as a lawyer embraces so many landmark cases that simply to say he was there, at the bar of the deciding court, is fame enough. Professor Baxter has provided a very readable account of the Webster period, well documented and footnoted, and he has included a list of all the Supreme Court cases that Webster argued as well as a selected list of general references touching on Webster's association with the Court.

Students of Canadian federalism will find significant parallels between some of the issues Webster contested before the Supreme Court and problems that have been important in federal-provincial relations in Canada. For example, *McCulloch v. Maryland* bears comparison with *Bank of Toronto v. Lambe* (1887); *Ogden v. Saunders* with the *Voluntary Assignments* case (*Attorney-General for Ontario v. Attorney-General for Canada*, 1894), although account must be taken of the American guarantee against impairment of the obligations of contract; and a number of cases on federal supremacy or paramountcy are reflections of similar problems even now current in Canada; the "silence of Congress" argument advanced by Webster in *Gibbons v. Ogden* (that what Congress leaves free is as much an exercise of its authority as what it restrains) may be compared with our Supreme Court's approach to this question in *O'Grady v. Sparling* (1960).

BORA LASKIN *

PSYCHOANALYSIS, PSYCHIATRY AND LAW. By Jay Katz, Joseph Goldstein, Alan M. Dershowitz. New York: The Free Press. 1967. Pp. 822. \$15.00.

The authors completed an ambitious project in *Psychoanalysis, Psychiatry and Law*, but failed to clarify the relationships between these three large, complex disciplines. Only the title of this volume is integrated. The text is essentially three books placed under one cover.

Through the years, "Freudian Fellows" have tried unsuccessfully to relate their theories to almost everything from war to warts. Whether psychoanalysis can be applied meaningfully to law remains to be seen. If one were to delete the descriptive analytic sections, this heavy book (weighs four and one-fourth pounds) would shrink to less than half its size. Such an "operation" could be made without losing much insofar as the mind and the law are concerned. The book is so analytically one-sided that it would most likely have embarrassed Sigmund Freud himself.

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And what the book excluded is even more glaring. To illustrate : Scanty reference is given to major historic events like the *McNaghten* Rules, Irresistible Impulse Test and *Durham* decision. No mention is made of the *Jenkins* case or its meaning in regard to mental disorders and the law.

One commendable aim of the book, however, is to challenge age-old dogmas about commitment procedures to mental hospitals and irresponsibility and insanity; but this noble aim is soon lost, buried beneath a proliferation of words and theories. Why should law ask : "Is psychoanalysis a science?" That is one question the authors presented, and one that has little relevancy to the all important question : "How can men of law and men of mind reassess not only the basic premises of criminal law but also its actual operation?" An answer here is essential if social scientists are to make a maximum contribution to society as a whole. In evaluating certain legal practices, it is important to note that rules on paper are one thing, and when applied to action are often something else.

The great gap between the law in books and the law in action is quite obvious to even first-year students. What can be done to narrow this wide schism between precept and practice? The attorney and judge tend to emphasize the over act; the psychiatrist and psychologist the inner forces that triggered the act. All would arrive at a better understanding and improved intercommunication with an *integrated* awareness of the difficulty. Such a goal is hardly an assignment for psychoanalysis alone. It is a task for a philosophy of behavioral science, a philosophy that is yet to be written.

THOMAS F. GRAHAM *

THE STRATEGY OF WORLD ORDER. Edited by Richard A. Falk and Saul H. Mendlovitz. Vol. I: TOWARD A THEORY OF WAR PREVENTION. Foreword by Harold D. Lasswell. Pp. xx, 394. \$2.50, paperbound. Vol. II: INTERNATIONAL LAW. Foreword by Wolfgang Friedmann. Pp. xiv, 382. \$2.50, paperbound. Vol. III: THE UNITED NATIONS. Foreword by Oscar Schachter. Pp. xv, 848. \$3.50, paperbound. Vol. IV: DISARMAMENT AND ECONOMIC DEVELOPMENT. Foreword by J. David Singer. Pp. xv, 672. \$3.50, paperbound. Complete Set: \$10.00, paperbound. New York: World Law Fund. 1966.

For students of international law this is one of the most significant and valuable works to be published in recent years. Professor Falk of Princeton and Professor Mendlovitz of Rutgers have collected a stimulating and provocative array of material : over one hundred articles and documents produced by ninety-four distinguished persons. By no means all of it is the creation

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