

takes part in the criminality of a given individual, may serve as a basis for classification of criminality."

It is probably quite clear to a psychoanalyst what an "Ego" and a "Super-Ego" are. But it is not at all clear what a "criminal drive" or what "criminality" are. Under the law they may be whatever makes a man a vagrant, or the carelessness that permits a public official to neglect his official obligations, or the idealism of a Debs, flying in the face of a country at war, or the uncontrollable urge of a brutal murderer. To attempt to get such varied types of conduct into the same area can serve no useful purpose in dealing with them. The only common element is that they are all attacked by the criminal law.

It may well be that the legal concept of responsibility needs modification in the light of modern scientific knowledge. But it is extremely doubtful whether the "Summary of Criminal Behavior" which this book presents, constitutes the "purposeful system of criminological diagnosis" which will replace the legal concept. When the change comes it must be made as the result of factual knowledge, not of hypotheses.

However, perhaps the authors are right when they state that "Freud made the investigation of the personality an exact scientific procedure." If this be true, a disciple of such a scientist is entitled to liberties. He may run in the face of the obvious fact that vastly diversified kinds of conduct are included in the vague concept of crime. Opposed to such authority, common-sense must bow its head.

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#### BOOK NOTES

*The Economic Uses of International Rivers.* By Herbert A. Smith. London: P. S. King & Son, Ltd. 1931. pp. ix, 224. 10/6.

IN this monograph, one of a series of "Studies" by writers connected with the London School of Economics and Political Science, the author is concerned more with the settlement of international controversies affecting river systems than with their economic use. At the outset it is pointed out that while it is permissible to suggest a few general principles, such as that every river system is an indivisible physical unit which should be developed so as to render the greatest service to the whole community irrespective of political divisions, there can be no definite legal principles until they have been incorporated into the accepted body of international law with the consent of the states. The numerous problems, however, which have arisen out of the economic use of rivers, and which are here critically reviewed, illustrate the difficulty of finding a solution by reference to purely legal tribunals and legal rules. The real problem therefore seems not to be in the formulation of rules but in the constitution of authorities by which they are to be defined and applied. With convincing logic the answer is found in the establishment of Commissions modeled on the International Joint Commission set up by the Boundary Waters Treaty of 1909, between Great Britain and the United States.

<sup>1</sup> Dr. Alexander, a noted student of psychoanalysis for more than a quarter of a century, is acting this year as visiting professor of psychology at the University of Chicago, where the first chair of psychoanalysis in this country has been established.

*Das armenische Problem im Lichte des Völker—und Menschenrechts.* By André N. Mandelstam. Berlin: 'George Stilke. 1931. pp. 149 RM 7.50.

DR. A. N. MANDELSTAM, a distinguished student of Russian, Turkish, and Eastern questions, formerly in the Russian diplomatic service in the Levant, has here made a contribution to one of the minorities problems, the Armenian, which will probably agitate Europe for many years. Dr. Mandelstam has been a protagonist of the doctrine that the rights of the individual as a human being should receive greater protection from international law, evidence of which he finds in the minorities treaties concluded since 1918. He maintains that the Armenian people must be brought together again in an Armenian Republic, the present Soviet Armenia to be enlarged by the cession of the territory of old Armenia by Turkey. Otherwise, he thinks, the Armenian question will remain a world problem. An Appendix deals with German-Russian relations during the Armenian reform period.

*Académie de Droit International: Recueil des Cours.* Paris: Librairie due Recueil Sirey. 1931. Volume 31 (1930, I). pp. 745.

VOLUME 31 of the *Recueil des Cours*, consisting of lectures delivered in the summer of 1930 at The Hague, contains contributions of merit by distinguished authors. Perhaps the incentive of a formal presentation of original views is as useful a function of these lectures as the educational effort involved, the value of which depends somewhat on the value of the lecture system itself. Especially notable are articles by Professor Niboyet of France on double taxation from the legal point of view; by Baron Descamps of Belgium on the influence of the condemnation of war on the evolution of international law; by Professor Bartin of Paris on the doctrine of qualifications in its relation to the national character of the conflict of laws; and by Professor Trias de Bès of Spain on the concepts of private international law in Spain.

*Annual Survey of English Law 1930.* London: The London School of Economics and Political Science. 1931. pp. xi, 328.

THE London School of Economics again makes a valuable contribution to students of law. The 1930 survey offers critical bibliographical material which covers not only cases and statutes, but also treatises, government documents and periodical material. Nor are the references purely British; the editors have cited Canadian, German and American studies upon the problems under consideration. The general scheme of division—legislation, case law and literature—is sufficiently flexible to lend itself to arrangements showing the particular problems of each chapter. The fields of law covered are jurisprudence, legal history, constitutional law, local government and administrative law, family law and the law of persons, property and conveyancing, contract, the law of torts, mercantile law, industrial law, criminal law, evidence and procedure, conflict of laws and public international law.