

Youth and the Law (Book Review)

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Lawyer Looks at the Civil Law helps bring that knowledge to the American reader. In the words of Professor Yntema "[i]t is a signal merit of these lectures to introduce the American law student to the palladium of private rights on the Continent of Europe—the civil law."³²

EDWARD D. RE.*



YOUTH AND THE LAW. A Youth Counsel Bureau Project. By Frederick J. Ludwig. Brooklyn: Foundation Press, 1955. Pp. xxii, 386. \$5.50.

This book reads almost as easily as a novel, though it is a serious and authoritative treatise on a most important subject. It would be a mistake, however, to read it superficially or too rapidly. It is imbued with a deep insight into life and law. As the title makes clear, its material concerns itself with the controversial subject of the treatment of youth by our laws, both state and federal. The subject is discussed from its origin, causes, development, understanding and lack of understanding of the problem through the past, up to the present day, and from the point of view of the alleged modern approach to a solution.

In the true tradition of an authority writing what I believe is a most valuable text and top grade reference work, the author has carefully refrained from imposing his own theories upon the reader and has allowed the facts to speak for themselves, as it were. The reader will acquire a clear understanding of the problem of juvenile and adolescent delinquency, an understanding of the degree of responsibility to which parents are and should be held. From such understanding, the minds of the readers may produce ways and means to reduce, or at least alleviate, the condition.

The book fills a very definite need and should be, and possibly will be, adopted as a text book in schools of social work and for use by social workers, welfare agencies, probation officers and all persons dealing with youth.

It is divided into five parts. The first deals with the responsibility which the law has imposed on young offenders from the time of the Romans to the present day. The second part shows the fragmentation of the problem, handled as it is in five different courts in New York City, and illustrates the work being done in the federal

³² P. xvii.

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courts. It also discusses the suggestion of a unified court for older juvenile offenders. The third part is concerned with the treatment of juvenile offenders, the operation of the probation system, and the sentencing and commitment of minors to institutions. The fourth part treats of the protection the law affords to young persons in civil proceedings, in industry, in adoption and guardianship proceedings, of protection from sex criminals and prevention of narcotics addiction; in addition, it discusses the subject of parental responsibility, setting forth the pertinent laws of each of our states on that subject. The fifth and last part is called "A Preface to Reform"; in it the author very ably sums up the facts and presents observations on, and criticism of, some of the existing laws and methods of handling youthful offenders.

For a fuller appreciation of this book it is important to mention how it came to be written. The title page indicates that it was written as a Youth Counsel Bureau Project. Judge Adrian P. Burke, of the New York State Court of Appeals, in a most interesting introduction traces the history of the Youth Counsel Bureau from its inception, when Thomas E. Dewey was District Attorney of New York County, through its reorganization under his successor, Frank S. Hogan, and its activities until the present time under the direction of Philip Heimlich. During its development the late Fiorello H. La Guardia agreed to give New York City's assistance to the Bureau on condition that it operate in the office of the District Attorney of each of the five counties comprising the city.

To do its work effectively, it was necessary for the Bureau to be aware of the many problems confronting the youths and the various laws affecting them, such as compulsory schooling, employment, workmen's compensation laws, and the like. District Attorney Hogan suggested that a study be made of the entire subject. The Bureau accepted the suggestion and this tremendous task was entrusted to Professor Frederick J. Ludwig. The Bureau could not have made a better selection. I have had the good fortune of knowing the author since I was an Assistant District Attorney. From our earliest conversations it was plain that he was completely absorbed in an endeavor to use the invaluable knowledge that he had acquired as a police officer, educator and lawyer who came into first hand contact with the problems of youth from almost every angle.

Readers like myself often skip the foreword of a book. In this instance, because of my great interest in this subject, both as an individual and as a Justice of the Domestic Relations Court of the City of New York, I read the introduction and the foreword and, to my delight, I found both to be highly rewarding. A magnificent contribution is made by Lieutenant-Governor George B. DeLuca in the foreword. As almost everyone knows, Lieutenant-Governor DeLuca was a District Attorney, a Magistrate, a Justice of the Court of Special Sessions, and later Chief Justice of that court, prior to occupying

his present office. He is a member of the Commission on Youth and Delinquency of the State of New York and has a wealth of experience with many of the problems treated in this book. In the foreword he not only highlights the valuable components of the book, but he points up with clarity and vision those matters which might call for earnest discussion, if not difference of opinion with the author and some of the authorities who support other views. Among these are the desirability of a Youth Authority or a unified court for older youthful delinquents, to include all youths between the ages of 16 and 21. Such proposals are thought-provoking and require a great deal of study and discussion by our legislators and our public spirited citizens.

We must not lose sight, however, of the basic truth so ably expressed by the author. "The criminal law with all its centuries of experience has not yet been able to build character, or develop desirable habits, attitudes, interests and ideals. In this respect, a criminal code must always offer feeble competition to moral influences of home and community and familiar ethical effects of church and school."¹

How then is character to be built, desirable habits developed, and attitudes, interests and ideals fostered? Only by parental discipline and training, and early religious instruction, will there develop the quality of respect towards God and man. Where there is this quality of respect inculcated in a child, it will follow through, in most cases, from the home to the church and school, and into the community. Because of the failure of many parents to adhere to these principles, and also because of the great number of broken homes, there still is the need for the laws, the courts, and a book such as this, to aid in dealing with the great problem of delinquency.

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¹ P. 306.

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