

that, in the particular context he is considering, the question of sexual morality conforms to Mill's thesis. Where no harm to the community can be shown, individual behaviour can only be morally judged by sanctions which 'do not restrict human freedom and inflict the misery of punishment on human beings, things which seem to belong to the pre-history of morality and to be quite hostile to its general spirit.' It would be unfair to Professor Hart's argument to say that it encourages any laxity in upholding moral standards. Rather does it maintain that immense inconsistencies—and many injustices—must arise if an exact equation is made between legal culpability and moral nonconformity. In an ideal state it might be otherwise, but Professor Hart is not at all convinced that the preservation of society requires the enforcement of its morality 'as such'. His lectures provide some valuable material for the consideration of moralists, who can sometimes too easily evade the agony of their occupation by passing the responsibility of analysing the true nature of moral choice and handing it over to the necessarily more arbitrary treatment of the law.

ILLTUD EVANS, O.P.

THE ROOTS OF EVIL, by Christopher Hibbert; Weidenfeld and Nicolson; 36s.

The gap between professional studies in criminology, with their statistics and prediction tables, and the popular newspaper cult of criminals, if not of crime, is a serious one. It means that a subject that is of the greatest concern to the community at large is too little considered at the middle level of informed but easily intelligible documentation. Mr Hibbert calls his book 'a social history of crime and punishment' and he disavows any expert knowledge of the wide range of subjects he covers. But he has in effect provided a serious and admirably organized survey of the experts' researches. His bibliography, and the quotations that occur on almost every one of his five hundred pages, bear evidence to immense industry, and—what is much rarer—to a capacity to single out what is significant in a study that is always humane in intention.

He begins with a historical study of law and its enforcement, and follows it with an account of the beginnings of reform, both of the law and of punishment, which characterized the eighteenth century 'enlightenment'. The nineteenth century reformers, who began the process of changing the unspeakable conditions of English prisons, can seem today to have had very limited objectives, with the Benthamite theory of the virtues of solitary confinement and the universal assumption that criminals should spend their captivity in conditions that emphasized the purely retributive character of their sentences. But at least something was accomplished to bring to an end the corruption and sheer brutality that marked a system that was in effect no system at all.

The serious consideration of the criminal himself—the attempts to establish some rational account of the incidence, if not the causality, of crime—was a later

process and owed much to the work of Lombroso, with his somewhat crude theories of a physical criminal type which could be discerned by a process of measurement and classification. (It is interesting that the reaction against his theories was perhaps too complete. Kretschner's *Physique and Character*, a more sophisticated version of the connection between physical types and characterological differences, won the support, for instance of the late Dr Eric Strauss, as readers of this journal will recall). Mr Hibbert summarizes the various psychological theories about the origins of crime, and his judgment, here as always, is careful and far from credulous.

The book, however, suffers half-way through a descent into accounts of gangs and syndicates, cops and G-men, which, readable and highly informative as they are, somewhat reduce the consistency of his argument. In his concern to give actuality to his book Mr Hibbert cannot resist *détours* into sensational criminal cases which are already familiar—we have quite enough information about Hume, Heath and, for that matter, Capone as well—and in any case he is unable to deal with them at the critical length which would alone justify re-telling such twice-told tales.

But the last section on present problems is excellent. Chapters on capital punishment, corporal punishment, prisons, the police, the young offender and the sexual offender, are based on good authorities, and the plea for a constructive and truly remedial concept of punishment is always accompanied by the sort of concrete evidence that wins attention. A final chapter, prefaced by a remark of Beccaria's (and he was a notable pioneer, as long ago as 1746, in the understanding of the true problem)—'It is better to prevent crimes than to punish them'—rightly concludes that 'It is as true as it was when Beccaria wrote his great book that the solution lies not in making punishments more severe, but in making them more certain and in relating them to each individual criminal, so that if he is reformable he may be reformed'.

ILLTUD EVANS, O.P.

THE RUSSIAN RELIGIOUS RENAISSANCE OF THE TWENTIETH CENTURY,
by Nicholas Zernov; Darton, Longman & Todd; 35s.

In *The Russian Religious Renaissance* Dr Zernov sets out to record the personal histories of some of the leading Russian intellectual emigrés in western Europe against the background of Russian Church and state relations, and the rise and fall of the *intelligentsia* in the late nineteenth and early twentieth centuries. His four main characters, Nikolay Berdyaev, Sergey Bulgakov, S. L. Frank and P. B. Struve, became active members of the Orthodox Church after a period of atheism which culminated some time before the Russian revolution. Most of the other and less well-known figures he mentions were practising Orthodox from the start.

The title is misleading. Even on Dr Zernov's analysis the 'renaissance', in any