

BOOK REVIEW

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A Review of The Uses of Psychiatry in the Law

REFERENCE: Bromberg, W., *The Uses of Psychiatry in the Law*, Quorum Books, Westport, Conn., 1979, 452 pages, no price listed.

In the past ten years, a great number of books dealing in general and special ways with psychiatry and the law has appeared. This latest book is my favorite: the best of the lot. The author, Walter Bromberg, who was born in New York in December, 1900, is the elder statesman of forensic psychiatry. It is curious that the book was copyrighted by the author and that the publisher is not one of the major companies.

One of the things that make this such a comfortable book to read is that the author is low-keyed and relaxed. Unlike some authors of comparable books, he has no ax to grind. He is not impassioned. He does not crusade. He discusses (intelligently and informatively) all the major controversies, and he does it in a neutral, impartial, and dispassionate way. He is so relaxed that he does not mind telling us, in a couple of cases, that the weight of psychiatric opinion is on one side of the question, while he testified on the other side in court.

Most books on psychiatry and the law deal only with the major cases decided by appellate courts. Too often what they tell us has very little to do with what goes in the real world, that is, cases that are decided every day in the local trial courts throughout the country. But Dr. Bromberg has worked in the lower court level and he tells us about it. It is refreshing to read (p. 162), "The case and the follow-up present nothing of legal significance [that is, nothing that would interest an appellate court]. . . . However, study of this sociopath permitted a view of the dynamics of his character structure."

The cases presented in this book are fascinating. Many of them are cases in which Bromberg himself testified, such as the Jack Ruby case, and he gives us well-chosen, verbatim samples of the questions and answers in the trial court. Bromberg has been in the forefront in forensic psychiatry; he has been there for many years; and he tells us about it frankly.

The various chapters thoroughly cover all the fields of forensic psychiatry. Bromberg thinks of more questions than most comparable authors. He thinks of interesting questions to ask, and he knows the legal cases that answered them. So we find far more useful material here than in most comparable books.

The chapter on competency is unusually good. Within it is an excellent discussion of the legal effects of amnesia, presented in unusual detail that I have not seen in any comparable book and backed up by case citations. Another excellent chapter is on psychiatry and family

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law. Still another excellent discussion deals with the right of a defendant to have his lawyer present during psychiatric examination, or to refuse the examination.

One puzzling point is that Bromberg divides sex crimes into those that are "normal" (prostitution, procuring, exhibitionism, and others) and those that are "deviated" (homosexuality, transvestism, obscene phone calls, and others). Bromberg does not make clear why he considers certain ones to be normal and others to be deviated. Among those that he does not mention in either category are incest and pedophilia.

The defects of the book are minor. Bromberg generally speaks of medicines by their trade names, where generic names would be preferable. On page 86 he incorrectly gives Valium® as the trade name of fluphenazine. There are several errors in spelling, punctuation, and capitalization ("negro" for Negro, "benzadrine" for Benzedrine, and "corum" nobis for coram nobis). In one case, clumsy wording says the opposite of what is meant (page 145): a sociopath is "impatient to postpone gratification," evidently meaning impatient at postponing it. The word *malinger* is always given as "malingery" (which does not appear in the Random House unabridged dictionary). These errors should have been caught by an alert proofreader or copy editor.

Altogether, this is an outstanding book. It is of great value to practicing psychiatrists, psychologists, and lawyers, as well as to graduate students and residents in training.