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Book Reviews: Attica—My Story

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BOOK REVIEWS

ATTICA—MY STORY. By Russell G. Oswald. New York: Doubleday & Co., Inc. 1972. Pp. 418. \$7.95. Mr. Oswald is the Commissioner, Department of Correctional Services, State of New York. Reviewed by H. Mebane Turner.*

Penal systems throughout the country are generally out-moded, overcrowded, understaffed and underfunded. The public to date seems relatively disinterested or undecided as to what should be done to alleviate the situation. On the one hand they are exposed to much rhetoric that we are too "soft" on criminals: they should be locked up and the keys thrown away. From the very same media the public may also conclude that rehabilitation is the answer, or that prevention of crime by adding more footmen to the local police force, for example, is the only way to proceed. And there is yet another voice that is crying in the background—it is the much-abused prison official who warns of the extreme conditions of overcrowding in the institutions within our penal system.

The riot that occurred at the State Prison in Attica, New York, from September 9th through 13th, 1971, is now history; however, the memory and lesson of that tragedy is still very much with us. *Attica-My Story* is a chronicling of those events by the man in charge, Russell G. Oswald, the Commissioner of the Department of Correctional Services of the State of New York. On September 9, 1971, when inmates of Attica, in a well-planned attack, seized control of a large portion of the prison facility and took as hostages 49 correctional officers and civilian employees, Commissioner Oswald was in Albany, New York. He immediately proceeded to the scene of the disruption. The Commissioner was joined there by hordes of newsmen, state police, national guardsmen, government officials, families of the hostages, local townspeople, and as time went on, an array of voluntary "mediators." Some of this latter group was soon to be formed into the "Citizens Observer Committee" that subsequently tried to reason with the inmates prior to the decision to retake the prison.

Mr. Oswald's side of the story is well worth reading. He records those emotion-packed days and events with every seeming effort to be fair. He is naturally concerned that his side of the story be known. His writing style is plain and straightforward, and he moves clearly and logically through the complicated series of events.

Included within the story is a lengthy autobiographical section in which the Commissioner recalls his youth, education, early job training and progress up the correctional ladder until the assumption of his duties at the time of Attica. Though the reader is sometimes anxious to return to the main theme, this autobiographical section does lend to the

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overall educational value of the book since many points of debate about correctional reform are discussed through Mr. Oswald's review of his career. The author tries to make the case that he was as qualified to handle the Attica situation as anyone, and, though he is at times a little over-anxious to do so, he is not overbearing in his manner and is generally successful in his purpose.

Society must find the best ways to deal with one of its most pressing problems: criminal justice, a complex situation that goes far beyond the overcrowded prisons, a major focus of this book. We cannot understand the field of corrections, however, without knowing as much as possible about its various components. Russell G. Oswald's personal experiences provide a valuable means to gain useful insight into the overall situation of criminal justice as it related to penology. It is well worth reading.

TRUSTS AND TRUSTEES, CASES AND MATERIALS. By R. H. Maudsley and E. H. Burn. London: Butterworth and Company. 1972. Pp. 660. \$11.00. Professor Maudsley is Professor of Law at Kings College, University of London. His specialties are Equity, Trusts and Estates, Land Law, Estate Planning and related subjects. Mr. Burn is a lecturer in the Law of Land in the Inns of Court. Reviewed by Harold D. Cunningham, Jr.*

Ever since Langdell developed his celebrated "case method" at Harvard over one hundred years ago, the principal teaching tool in use in American law schools has been the "casebook." Langdell would hardly recognize contemporary American casebooks, but they still retain their original character as tools for the Socratic technique of probing inquiry. These case holdings are not set forth in black-letter fashion: the student is expected to dig out the legal principles on his own. In contrast to the American "casebook," casebooks in Britain have traditionally not been designed to be the student's primary study tool. Casebooks have been used there for some time, but not as widely as in the United States, and their thrust and structure have been different from their American counterparts. The fact that lectures, rather than "classes" or seminars, have provided the dominant law teaching milieu at British Universities, plus the fact that British law students, be they reading English or Scots law, generally have only one jurisdiction to worry about, has tended to make the approach of British casebook authors more didactic. Their authors have been less tempted to pose a problem and leave it for the student to figure out. Instead they have "laid it out" in a manner unfamiliar to (but perhaps

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