

Surprisingly, most all of what Heilbroner has to say in his latest work is familiar to most economists and, I suppose, to a majority of Americans. Ever since the contributions (beginning at the end of the last century) of a great American economist, Wesley Clair Mitchell, it has been generally agreed that capitalism contains an inner compulsion to generate business cycles — bursts of investment, output and employment followed by contractions and decline. Carefully documented in Mitchell's work are the investment-consumption relationships, and the institutionally determined leads and lags in prices and costs that account for booms and depressions. In relating all this, despite frequent accolades to Marx, Heilbroner follows Mitchell closely. Even more familiarly, Heilbroner describes how post-World War II Keynesian policies have modified cyclical swings only to yield the modern dilemma of inflation.

It is this dilemma, especially, that Heilbroner believes will soon induce deliberate national economic planning. That is a view he shares with some other economists, including me. However, Heilbroner is probably alone in perceiving the ultimate fall of planning even before its rise has begun!

The immediate challenge to planning,

as envisaged in *Beyond Boom and Crash*, is to find an effective supplement or substitute for the conventional fiscal and monetary policies associated with the name of John Maynard Keynes. The use of these measures to pump up the economy, to fight unemployment, has (over the last 30 years) served mainly to stimulate inflation. Using the same tools to dampen the nation's spending, to fight inflation, has regularly produced recessions. Meanwhile, both inflation and unemployment have worsened. It is not unreasonable to suppose that a new governmental effort to stabilize the economy will be mounted, and that this will be extensive and coordinated enough to justify the term "national planning."

The second and more fundamental challenge to planners, Heilbroner says, will be to reshape the country's growth to conform to resource and environmental limits. This task, he writes, "will involve allocations of materials, prohibitions against certain kinds of investment or consumption activities, and a general sticking of the public nose into private life, wherever that life, left to itself, threatens the long-term viability of the system. . . . Its essential purpose will not be to remedy the various failures that capitalist growth has brought, but to direct, and at bottom to protect, the very

possibility of such growth, as long as that can be."

Further details on how planning will function and what it might achieve are not provided in *Beyond Boom and Crash*. But it seems clear to Heilbroner that "in our own time we will have to live through periods of wrenching change even if the system survives." What might happen after that, he says here, "is still a closed book." Of course in his other two recent books he's offered some highly unappetizing speculations about that distant future. The basic question involves whether capitalism and democratic institutions are resilient enough to adapt.

An epilogue. W.C. Mitchell, whose name is unmentioned by Heilbroner, not only provided the foundation for modern cyclical analysis but also — back in the 1930s — foresaw the need for national economic planning. He was optimistic for its outcome once adopted, and he aided Franklin Roosevelt in the president's unsuccessful efforts to get enabling legislation through Congress. According to Heilbroner, circumstances will be not merely more propitious for passing planning legislation in the years just ahead, but virtually compelling. That's one of his more defensible prognostications.

Crime and Punishments

By Harvey Silverglate

Criminal Violence, Criminal Justice, by Charles E. Silberman. Random House. 480 pages. \$15.

It is no surprise that the title of Charles Silberman's new book is as expansive and bold as it is. After all, he's known for writing books with such formidable titles as *Crisis in Black and White* and *Crisis in the Classroom*.

Besides that, Silberman's latest effort is the product of the six years' work he did as director of the Study of Law and Justice, a Ford Foundation research project. Subjects as broad as "justice" quite often result in ponderous books, of little substance and much prejudice, that end in utopian and essentially useless "solutions." Silberman has produced a work that manages to escape such pitfalls as he takes on the subject of crime and its "control." The analysis is complex, the empirical data intricate and the conclusions (for which evidence is cited) are, in many cases, daring. It is hard to conceive that Silberman — or anyone — could so

expertly master the subject matter of this book. On subjects about which I have personal and detailed knowledge, Silberman is remarkably accurate and incisive.

Silberman discusses the roles played by various social institutions in creating and combating a crime problem that is widely perceived to threaten the very existence of our society. He has studied, and reports on, the historic incidence of crime in America, the relationship of poverty and crime and, in one very bold chapter, the relationship between crime rates and race.

After laying that groundwork, Silberman ventures a detailed analysis of the police system (strengths and weaknesses), the criminal courts, the system of juvenile justice, and what is called "corrections." All of which, one must say, could have been very boring, but for the fact that Silberman is hard-hitting and eminently readable. He captured facts about our culture that few of us have the slightest acquaintance with but that are, nevertheless, crucial to an understanding of the "crime wave" that has so many citizens frightened.

I am particularly interested in Silber-

man's discussion of the criminal court system. He posits that hardly anyone really understands the criminal courts, and he includes in that judgment most lawyers. The system is beyond understanding because participants in it (other than hapless defendants) take pleasure in making the system mysterious. To do so enhances the power and prestige of those who speak the jargon and profess to understand. Furthermore, there is quite a big difference between appearance and reality, between what seems to be happening in a court case and what is happening in fact. And that is because many of the points in a proceeding have most likely been resolved in nonpublic negotiations between the sides, between prosecutor and defense.

Silberman has managed to get behind the scenes to capture the tawdriness of the system in exquisite detail, from the peeling paint in most big-city courtrooms to the shenanigans of prosecutors and judges and the games defense lawyers play with their own clients. He understands minutely how awful the system is, but he arrives at the startling (and probably correct) conclusion that, overall, the adult criminal courts do a rather good job

of convicting and punishing guilty people. That, of course, is not to say that the system deters or rehabilitates. Silberman establishes (on the basis of statistical studies) that the overwhelming majority of criminals serve a lot of time in jail or prison during their lives of crime.

Silberman's principal criticism of the court system, a criticism that is seldom voiced except by persons who are intimates of the system, is that it tends to denigrate justice (real and apparent) by minimizing the importance of procedures designed to ensure that people who pass through the criminal justice system as defendants or witnesses are treated fairly. The courts, Silberman stresses, have a "powerful educating role," and yet they are to a shocking degree lacking in "simple courtesy" and in great need of extensive procedural reforms, especially in the area of sentencing.

Silberman's chapters on police and the courts offer a rare chance for citizens to understand the achievements and failings of the system; his discussion of the interrelationship of crime, race and racism should be instructive to the naive, i.e., nearly everybody. With the acknowledged aid of persons conversant with black life, including many blacks, Silberman examined, among other things, black folklore (oral as well as written) for data on attitudes. In doing so he takes a subject that often has been treated in an insufferable, academic way and draws important and sensible connections between culture, history and crime. He stipulates what many scholars and writers of whatever race are too timid to say straight out, that crime and violence are more prevalent in black America than in white. He concludes that that will remain true so long as there are two Americas with an unequal stake in preserving peace and tranquility.

At times Silberman seems to delight in puncturing some of the trendy notions people have about crime and crime prevention. He is merciless in his discussion of the supposedly scholarly work of Harvard's influential James Q. Wilson, who is a leader of the school of thought that crime and poverty should be treated as separate, largely unrelated matters. Wilson would deal with crime by cracking down harder on criminals.

Silberman demonstrates beyond substantial doubt that our society already cracks down unmercifully hard on criminals, and has been doing that for quite a while. And the crackdown has not kept crime from becoming more prevalent. Worst of all, it has not inhibited the most



Charles E. Silberman

violent crimes, the ones that threaten citizens physically and the society psychologically.

Silberman believes that the propagators of easy solutions are just fooling themselves and others. Silberman is not easily fooled and he is not above admitting the intractable nature of some

problems. I think his most important observation may be that those who take blind approaches loosely characterized as "law and order" risk not only failure to reduce crime; they are likely to do damage to America's tradition of civil liberties. Silberman urges that we abide by "the ancient and fundamental principle of medical practice: *Primum non nocere* (First, do no harm)." We must solve our racial problems and preserve our free institutions if our society is to survive and be worth living in for persons of any race.

While Silberman devastates those who call for ever harsher solutions, he is nearly as merciless toward "liberals" who dwell on root causes of crime and put no stress on the functions of police, courts and prisons. Indeed there are times when the reader is tempted to accuse him of a sort of trendy middle-of-the-roadism. But in truth the reforms he suggests (he does not represent them as solutions) are more radical and daring than anything suggested by the ultras — liberal or conservative. One cannot read this book without concluding that Silberman knows what he is talking about and that, in the din of strident voices, he is worth listening to. ●

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