

Review of Reviews

Guglielmo Gulotta and Collaborators

Elementi di psicologia giuridica e diritto psicologico civile, penale e minorile
(*Elements of Legal Psychology and of the Psychology of Civil,
Criminal and Minors Law*)

Giuffrè, Milan, 2000/2001

This volume, published in 2000, has already been reprinted with a legal appendix updated in 2001. A reprinting was required due to the volume's market success and enabled the author, in the new edition, to attach an appendix of new regulations – which are numerous – and ratified in the year following its publication.

Both the original edition and the reprint have been subject to the attention of reviewers and several articles have appeared dealing with the volumes. Rather than giving to the reader my personal view of the volumes, I thought it might be appropriate to reproduce relevant extracts from various reviews with their bibliographic references. These reviews highlight the significance of the volume and outline the reasons for its remarkable success.

Fabio Cappello

The work under review forms part of the intriguing and praiseworthy Series of Legal and Criminal Psychology directed by Gulotta and offers a broad overview of the contents as well as the area covered by legal psychology through the analysis of 180 issues (*L'avvocato, dicembre 2000*); This coverage reveals an extensive knowledge of the relations between law, trial and psychology, features which are of groundbreaking significance in the education of the jurist. Legal psychology is as yet a relatively unknown discipline despite the important studies carried out in the area by specialists in the subject over the years. (*La Previdenza Forense, gennaio-marzo 2001*).

A massive volume, but highly readable due to its structure of relatively self-contained chapters which may be consulted independently. The volume also contains a wide range of graphics such as explanatory tables and is enlivened by the abundant use of examples drawn from practical experience. The work never ceases to reveal a kind of twofold spirit: it is a reflection of the personality of the author/coordinator who is at once an attorney and a specialist (theoretical and practical) in the science of the human psyche (*Mario Chiavario, Il Sole 24 Ore, 29 aprile 2001*).

This achievement is a sort of encyclopedia condensed into a single volume and provides the reader with a grasp of the subject's general principles and, at the same time, offers all the data needed for those wishing to pursue further, an in-depth study of the subject. The volume has the great merit of making even scientifically-based issues understandable to the non-specialist. At the end of each chapter there is a detailed bibliography divided into two categories: the texts referred to by the author for the compilation of the chapter "Source" and suggestions for further reading "To know more." (*Daniela Natale, Il Foro Ambrosiano, gennaio-marzo 2001*).

For the purpose of defining points of contact and exchange between the two disciplines, the author proposes the new conceptual category of psychological law, with the relative psychological jurisprudence, a category which examines - from a legal standpoint - those norms whose application require psychological assessment. (*Rassegna Bibliografica, n. 4, 2000*).

The entire range of key issues are covered: legal psychology from the standpoint of epistemology, psychology as applied to the management and study of deviant behaviour and to the criminal trial. Other sections focus on applied psychology in the areas of family law, the law of minors, labor law, legislation, expert opinion and technical consulting, the cinema, traffic, privacy and so forth. Psychologists will certainly appreciate the coverage as a source of highly instructive study for the further development of their professional practice. (*Carmen Sapia, La Professione di Psicologo, febbraio 2001*).

The fourth chapter deals with epistemology. This represents a form of enlightened guidance to grasp the significance of knowledge itself. It is essential for a further understanding of criminal psychology during a criminal trial as well as the assessment of proof and of punishment and their relationship to the regime of imprisonment. It also sheds light on the legal privation of the family. Broadly, it concerns with specific chapters of legal psychology relative to the phenomenology of the theme, both past and present. (*Giorgio Fredas, La Rivista del Consiglio, marzo 2001*).

Those parts of the volume which focus specifically on criminology are convincing and we make special mention the paragraphs entitled “Theories of delinquency” (in collaboration with C.Pansieri) and “Juvenile delinquency” (in collaboration with G.Zara) which are useful and enlightening from the didactic standpoint. The paragraphs on danger and prediction reveal a rigorous technique which gives short shrift to preconceptions; balance is the byword in their treatment of emotionally-fraught issues, even if they are at odds with the outcome of the discussion which often accompanies discourse on such a theme, namely that of infallibility and, conversely, of the ineffectiveness of prognosis. As far as the element of danger is concerned, together with other issues of forensic interest – for instance, the capacity to undergo judgement, lying, susceptibility to damage and so forth – information is provided on the means used for a proper assessment. Broadly, the volume offers precious background information for the practitioner. (*Isabella Merzagora, Rivista Italiana di Medicina Legale, marzo-aprile 2001*).

This *opera*, rising above “professional rivalry” and age-old misunderstandings and fixations, takes concrete and comprehensive account of the various interactions existing between legal and psychological issues, brought together by a common denominator, namely the study and assessment of human behaviour.

The entire array of traditional juridical institutes are examined which implies a close relationship between psychology and sociology with particular reference to the family, to minors, to pathologies affecting the individual and family, to deviancy, sexual violence and drug-addiction as well as to the problem of punishment and security measures. However, what is of a special interest is that these topics – reviewed from an up-to-date and original perspective – are flanked by hitherto less explored (e.g. considerations on civil trial) and innovative material (e. g. tourist victimization). And even by such highly specialized areas such as forensic phonetics.

(*Vincenzo Nicosia, Rivista di Diritto Processuale, n. 2, 2001*).

The so-called “legal operator”, the magistrate and the attorney, can only adequately tackle the trial situation by having an in-depth knowledge of psychology and “behaviorial sciences” and by being able to foresee what might be the impact of their deeds upon their counterparts – as far as the attorney is concerned, these would be members of the Bench. The entire range of this work is addressed to evincing – and I can assure you that the discussions are as cogent as they are effusive – that the best way to come out in the right is exclusively bound up with preparation techniques, a “scientific” framing of the lawsuit that must have an excellent presentation in accordance with a scrupulous methodology which,

by the examination of various theories, allows for the identification of the most effective among them.

Neither mere instinct nor ad-libbing play any part in the brilliant intuition of the attorney. Rather what counts is mastery in psychological so as to successfully accomplish one's objective (*Cataldo Intrieri, Gli Oratori del Giorno, dicembre 2000*).

The book provides psychologists and other scholars in the behavioural sciences with the opportunity of briefing themselves on legal areas and the laws that preside over their field of interest. The volume deals with psychological issues from the legal perspective. (*Fidest, n. 13, 2000*).

The broad scope, the complexity and interdisciplinary aspects of the text allow only for a concise presentation which may induce the reader to consult this *opera* which is brimful of intriguing features, useful tips for further research that are particularly worthwhile for the practicing attorney (*Alarico Mariani Marini, Toga Picena, n. 1, 2001*).

By way of conclusion, it is undeniable that Guglielmo Gulotta, an attorney and psychologist, whose professionalism in the legal sphere must give him the distinction of being considered the rightful heir of Enrico Altavilla. Gulotta has never ceased, within the legal area, to promote the awareness and knowledge of a science which, even if little known, is of immense importance (*Vittorio De Michele, Realtà Forense, n. 1, marzo 2001*).

An excellent volume for mental nourishment and for the library of every jurist seeking material for in-depth study (*Diritto e Rovescio, n. XXXII, 2001*).