

**Horowitz, Murray, M. *Brooklyn College: The First Half Century.*  
Brooklyn College Studies on Society in Change. New York:  
Brooklyn College Press, 1981. Pp. xv, 271. \$22.50**

**Mark M. Lowenthal**

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the urban setting. His conclusions regarding the development of the role of these courts during the period are not particularly startling but are none the less valuable in confirming our assumptions about this period. The basic function of the courts, that of providing a formal forum for the settlement of disputes involving debt and personal injury or property damage, remained during the period under study as it had been for the previous two centuries. The total number of suits and the relative proportions of certain actions were, however, unprecedented. This was a direct result of the processes of urbanization, industrialization, and commercialization taking place in the city. "The changing litigation pattern stemmed from alterations in the fabric of urban life, imposed by Boston's development from a provincial seaport into one of America's principle manufacturing and distribution centers" (p. 133).

His sample indicates that debt was still the most common subject of litigation, but tort actions (those arising from willful or negligent personal injury or property damage) were increasing substantially. A dramatic rise in suits for the recovery of debt was a result of the commercial environment created by the changes which the city was undergoing. Silverman terms this environment "The Anonymous Marketplace." The increased complexity of commercial relations in the urban setting, particularly the anonymous relations of retail and wholesale merchants and their clients in an increasingly competitive marketplace, resulted in a greater incidence of debt litigation. By comparing the types of businesses of the plaintiffs in the debt actions in the sample, Silverman concludes that merchants engaged in trade which was most competitive, particularly retail clothiers and grocers, were most likely to have to resort to litigation.

The increase in litigation related to housing was due to the social alienation of urban growth. Although attempts were made by municipal and state authorities to reduce the problems of slum housing by establishing statutory minimum standards, the majority of Boston's inhabitants lived above this minimum. The result was an essentially unregulated relationship between landlord and tenant and between builder and purchaser. The disputes which arose from these relationships were resolved in the city's trial courts.

The actions brought by landlords against tenants were chiefly for ejectment and for payment of overdue rent claims. The increased availability of mass transit in the form of the electric streetcar, which allowed city workers to live in the suburbs and commute to work, relieved the pressure on housing close to city employment even while the population increased. The result for the trial courts was an increase in the number of actions for the collection of debt and a decrease in the number of ejectment applications.

The most notable types of suits appearing in the sample were those in tort, primarily negligence cases. The rapid industrialization which took place during the period of study took its toll in property damage and human suffering. Silverman's discussion of the treatment of negligence in the trial courts is straight-forward and well documented, but his analysis is annoyingly abbreviated. He briefly acknowledges the introduction and development of such doctrines as contributory negligence and the fellow-servant rule but does not deal with the importance of the trial court application of these doctrines in the functional relationship between law and economic growth. Although Morton Horwitz is noted in the acknowledgments as having provided assistance to the author on this chapter, it is inexplicable why Horwitz's theory of instrumentalism and formalism is not dealt with in this context.

Regardless of its shortcomings this book will be profitable reading, particularly for the Canadian urban historian. As Silverman notes in his concluding remarks headed "Unanswered Questions," "A combination of people and activities similar to those that produce Boston's lawsuits should have generated roughly the same litigation pattern elsewhere" (p. 148). The Canadian metropolises experienced similar development during the late nineteenth and early twentieth centuries. Individual differences in the local processes of urbanization, industrialization and commercialization would surely invite speculation and research. In this respect the book provides ample evidence of the value of legal history to the scholar in almost any historical field.

Curtis Cole  
Department of History  
University of Western Ontario

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Horowitz, Murray, M. *Brooklyn College: The First Half Century*. Brooklyn College Studies on Society in Change. New York: Brooklyn College Press, 1981. Pp.xv, 271. \$22.50

In 1847 the citizens of New York City approved a "Free Academy of the poor man's children," a concept from which grew the City University of New York and its components. This was an innovative idea, an institution for higher education specifically created for an urban population on a free tuition basis. Murray Horowitz, Professor Emeritus of History at, and alumnus of, Brooklyn College (Class of '38), has written a history of one of the results of this ongoing experiment in urban education, Brooklyn College, on the occasion of its fiftieth anniversary.

As Professor Horowitz notes, such an undertaking is a difficult one, especially when the period is so recent and so many alumni and participants are alive and carrying with them their own perceptions of "the way things were." Per-

haps inadvertently, he has avoided many areas of controversy by producing a straightforward and affectionate but bland narrative which, unfortunately, glosses over major controversies or avoids analytical judgements.

Examples of this approach abound. The history of radicalism at Brooklyn and its long-lasting effects on the school's reputation as a "little red schoolhouse" are understated, owing to the fact that in actual numbers the radicals were few. True, but then why were they seemingly so influential beyond their strength? While dubious about the success and effects of the controversial Open Admissions Policy, Professor Horowitz ends with an "either/or" assessment that fails to make a final judgement. Only in his assessment of the stormy administration of President John Kneller (1969-79) does Horowitz come close to some sort of analytical conclusion, although even here he tries to soften the blow.

Several other important issues remain insufficiently explored: What, if any, were the effects of a wholly "commuter" student population? What were the factors which went into the selection of Harry D. Gideonse as President? Here was a crucial decision, as Gideonse, more than any other individual, moulded Brooklyn College into a first-class school during his long tenure as President (1939-66). The bitter ethnic clashes of the 1970s (Jews versus Blacks and Puerto Ricans) are only briefly noted. Surely these offer interesting insights into competition between ethnic groups which have achieved a certain degree of success and status and those eager to follow in their footsteps in the same urban institutions. Finally, the takeover of CUNY by New York State is noted briefly, belying the long political controversy over a parallel city and state system, and the intense rivalry between the two groups.

One must also note that this book is marred by some typographical errors (including a missing line on p. 138), which have become the bane of all American publishing.

The City University of New York has been a unique urban institution, and Brooklyn College has long been one of its most noted components. Professor Horowitz has not wholly captured the factors which made the college special: to students who fervently desired higher education but could not afford to go elsewhere, and to the larger community which saw an obligation to assist these students and benefit in doing so. Professor Horowitz has produced a pleasant narrative of Brooklyn College, one which will certainly appeal to alumni. Unfortunately, he has shied away from major controversies and incisive analytical judgements.

Mark M. Lowenthal  
(Brooklyn College, '69)  
Congressional Research Service  
Library of Congress

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Schwarzbach, F.S. *Dickens and the City*. London: Athlone Press, 1979. Pp.xii, 258. Illustrations. Bibliography. \$22.50

The London seen by Pope as the "dear, damned, distracting town," and by Dr. Johnson as the constantly stimulating environment of which no reasonable person would ever tire, became in Wordsworth's words, the "monstrous ant-hill on the plain," "a huge fermenting mass of humankind." This view of the rapidly growing and changing metropolis repelled many writers, and caused them to flee either literally or metaphorically and to breathe new life into the myth of an idyllic rural life. The response of Charles Dickens to the nineteenth-century urban environment (for the most part for Dickens the urban world was London) was dramatically different: the city was the prism through which most of his literary vision was refracted. Moved by what, in a favourite phrase, he called "the attraction of repulsion," Dickens throughout his career was drawn to that which was most confusing, disturbing and ugly in the urban milieu. Indeed, with the exception of Mrs. Gaskell, whose work centred on Manchester, Dickens was perhaps the only English writer of stature to deal extensively with the city in the first two-thirds of the nineteenth century.

By working together a chronological literary analysis with solidly grounded reading in urban and social history and psychologically-informed biographical information, Professor Schwarzbach has produced a persuasively argued and most readable study of this central focus of the novelist's life and work. One student of English literature has written that the literary imagination has amongst its tasks that of domesticating our apprehension of the terrifying or the unknown.<sup>1</sup> This, Professor Schwarzbach argues, is what Dickens did for the Victorian city: "his great accomplishment was to have penetrated utterly the inner urban jungle, and make it known to the entire nation." Dickens became part of the ordinary Englishman's cultural heritage; sales of his novels ran into the millions and countless thousands heard his writings read aloud. Dickens, like Engels at about the same time, plumbed the depths of urban alienation and described compellingly the emptiness and isolation that were so widely experienced in the midst of a teeming city. One of the reasons for the persuasiveness of Dickens' vision of the city was that his own experience and reactions, so often transposed directly into his fiction, paralleled those of so many of his fellow citizens. England, which by the 1850s was the first nation to have a majority of its citizens residing in urban areas, arrived at this state by massive rural-urban migration. Dickens' move as a child from Chatham to London, the trauma, fear, and frustration brought about by this profoundly disorienting dislocation, and his subsequent creation of a personal myth of a present urban hell opposed to an ideal pastoral past, must have articulated the incoherent