

1-1-1987

# Book Review [Bad Karma]

Santa Clara Law Review

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### Recommended Citation

Santa Clara Law Review, Book Review, *Book Review [Bad Karma]*, 27 SANTA CLARA L. REV. 461 (1987).

Available at: <http://digitalcommons.law.scu.edu/lawreview/vol27/iss2/9>

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## BOOK REVIEW

BAD KARMA, by Deborah Blum. New York: Atheneum. 1986. Pp. viii + 311. Hard Cover.

*Reviewed by* Gerald F. Uelmen\*

The tragic story of Prosenjit Poddar and Tanya Tarasoff is familiar to every first year law student. The slaying of Tarasoff by Poddar culminated in two landmark opinions for the California Supreme Court. In *Tarasoff v. Regents of the University of California*,<sup>1</sup> the court recognized a duty on the part of psychotherapists to warn potential victims of dangerous threats by their patients. In *People v. Poddar*,<sup>2</sup> the court reversed the second degree murder conviction of Poddar because the jury instructions did not adequately relate the defense of diminished capacity to implied malice. While both opinions include a statement of facts relevant to their holdings, there are many undisclosed dimensions to the story. Fortunately, these dimensions have been captured and preserved in an engrossing account by Deborah Blum. Three dimensions were of particular interest to this reviewer: the intercultural aspects of the tormented relationship between Poddar and Tarasoff; the historical setting of the events in the Berkeley of the late 60's; and the human conflicts behind psychiatric opinions.

Poddar's rage in stabbing Tanya to death on the front lawn of her home was attributed to "paranoid schizophrenia" by the psychiatrists who testified at his trial. A much more sympathetic portrait of Poddar emerges from Blum's detailed account. Poddar came to Berkeley directly from India, where he had risen from the "untouchable" caste to unprecedented academic success. He was a very gifted and extremely intelligent young man. But he was also a very naive young man when it came to women, especially Western women. He

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\* Dean, Santa Clara University Law School; B.A., 1962, Loyola Marymount University; J.D., 1965, LL.M., 1966, Georgetown University (E. Barrett Prettyman Fellow, 1965-66).

1. 17 Cal. 3d 425, 551 P.2d 334, 131 Cal. Rptr. 14 (1976).

2. 10 Cal. 3d 750, 518 P.2d 342, 111 Cal. Rptr. 910 (1974).

met Tanya Tarasoff at a dance at the International House on the Berkeley campus of the University of California. Tanya, the daughter of Russian immigrants, was caught up in the excitement of the Berkeley campus, even though she was still a high school student. Her teasing and taunting would hardly be taken seriously by the typical Berkeley freshman. But for a young man who grew up as an Indian "untouchable," her every word was analyzed for a deeper significance. Blum traces their on-again, off-again relationship from both perspectives: the confusion and torment of an insecure and lonely young man, as well as the gaiety and adventurousness of a very normal teenage girl. The tragedy, of course, is that neither really appreciated the cultural background through which the other's life experiences were filtered. Tanya, for example, did not realize that her acceptance of an expensive sari from Prosenjit signified a formal engagement in Indian culture. Prosenjit, on the other hand, did not realize that a peck on the cheek or a squeeze of the hand was not a profession of passionate love for a California girl.

Blum captures the historical setting of Berkeley in the sixties as though she was there. That's undoubtedly because she was. Her fascination with the case began because she was herself a student at Berkeley when the murder occurred. She provides a perspective that connects the events she describes with the turbulence of their setting. For Poddar, moving from a world of carefully defined relationships to an American university would be unsettling at any time. At Berkeley in 1968, it was unmitigated disaster. Everything was up for grabs. For Tanya Tarasoff, the excitement of student demonstrations was an attraction that made admission to Berkeley an obsession. She received notice of her admission weeks before her death.

The most interesting dimension of the case for those familiar with the subsequent legal history involves the role of psychiatrists who treated Poddar at the campus psychiatric clinic. Months before the murder, a friend brought Poddar to the clinic to get help. He was treated by Dr. Lawrence Moore, the psychologist who later notified campus police of Poddar's threats to kill Tanya. Blum carefully documents the conflicts within the clinic regarding Moore's action. Moore was reprimanded by the controversial clinic director, Dr. Harvey Powelson, after the campus police decided Poddar seemed rational and released him. Dr. Moore's action emerges as a courageous decision made at great personal cost.

Unfortunately, Blum's narrative ends with the murder of Tanya. The drama of the legal proceedings is omitted. At Poddar's criminal trial, both Dr. Moore and a clinic psychiatrist, Dr. Stuart

Gold, appeared as expert witnesses for the defense, testifying to their diagnosis that Poddar was a paranoid schizophrenic who was incapable of "malice aforethought." In the civil suit brought by Tanya's parents, Doctors Moore, Gold and Powelson were all named as defendants.

In a brief epilogue, we are informed that Moore felt vindicated by the outcome of the case, and went into private practice in Oakland, while Dr. Powelson resigned under fire. This reviewer would have liked to see a more detailed exposition of these events. The most amazing revelation in the epilogue was what ultimately became of Prosenjit Poddar. After the reversal of his conviction, he was released without retrial on the condition he return to India. He married and accepted a scholarship to study in Germany.

