

**The Rise of the Child-Saving Movement: A Study in Social Policy and
Correctional Reform**



Anthony Platt

Annals of the American Academy of Political and Social Science, Vol. 381, The Future of
Corrections (Jan., 1969), 21-38.

Stable URL:

<http://links.jstor.org/sici?sici=0002-7162%28196901%29381%3C21%3ATROT%3E2.0.CO%3B2-U>

Annals of the American Academy of Political and Social Science is currently published by Sage Publications, Inc..

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at <http://www.jstor.org/about/terms.html>. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Please contact the publisher regarding any further use of this work. Publisher contact information may be obtained at <http://www.jstor.org/journals/sage.html>.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

JSTOR is an independent not-for-profit organization dedicated to creating and preserving a digital archive of scholarly journals. For more information regarding JSTOR, please contact support@jstor.org.

The Rise of the Child-Saving Movement: A Study in Social Policy and Correctional Reform*

By ANTHONY PLATT

ABSTRACT: Contemporary programs of delinquency-control can be traced to the enterprising reforms of the child-savers who, at the end of the nineteenth century, helped to create special judicial and correctional institutions for the labeling, processing, and management of "troublesome" youth. Child-saving was a conservative and romantic movement, designed to impose sanctions on conduct unbecoming youth and to disqualify youth from enjoying adult privileges. The child-savers were prohibitionists, in a general sense, who believed in close supervision of adolescents' recreation and leisure. The movement brought attention to, and thus "invented," new categories of youthful misbehavior which had been previously unappreciated or had been dealt with on an informal basis. Child-saving was heavily influenced by middle-class women who extended their housewifely roles into public service and emphasized the dependence of the social order on the proper socialization of children. This analysis of the child-savers offers an opportunity to examine more general issues in correctional research: What are the dynamics of the popular and legislative drive to bring "undesirable" behavior within the ambit of the criminal law? What problems are caused by "agency-determined" research? What are the practical and policy implications of research on politically sensitive institutions?

Anthony Platt, Ph.D., Berkeley, California, is Assistant Professor of Criminology, University of California, Berkeley, where he is completing research on the work and careers of criminal defense lawyers. From 1966 to 1968, he was Research Fellow, Center for Studies in Criminal Justice, University of Chicago, where this paper was written.

* This paper is adapted from part of the author's book, *The Child-Savers: The Invention of Delinquency*, which will be published by the University of Chicago Press in Spring 1969. I am grateful to Howard Becker, Gordon Hawkins, and Sheldon Messinger for their advice on many aspects of this paper.

STUDIES of crime and delinquency have, for the most part, focused on their psychological and environmental origins. Correctional research has traditionally encompassed the relationship between prisoners and prison-management, the operation of penal programs, the implementation of the "rehabilitative ideal" and, in recent years, the effectiveness of community-based corrections. On the other hand, we know very little about the social processes by which certain types of behavior come to be defined as "criminal" or about the origins of penal reforms.¹ If we intend rationally to assess the nature and purposes of correctional policies, it is of considerable importance to understand how laws and legislation are passed, how changes in penal practices are implemented, and what interests are served by such reforms.

This paper analyzes the nature and origins of the reform movement in juvenile justice and juvenile corrections at the end of the nineteenth century. Delinquency raises fundamental questions about the objects of social control, and it was through the child-saving movement that the modern system of delinquency-control emerged in the United States. The child-savers were responsible for creating a new legal institution for penalizing children (juvenile court) and a new correctional institution to accommodate the needs of youth (reformatory). The origins of "delinquency" are to be found in the programs and ideas of these reformers, who recognized the existence and carriers of delinquent norms.

IMAGES OF DELINQUENCY

The child-saving movement, like most moral crusades, was characterized by a

"rhetoric of legitimization,"² built on traditional values and imagery. From the medical profession, the child-savers borrowed the imagery of pathology, infection, and treatment; from the tenets of Social Darwinism, they derived their pessimistic views about the intractability of human nature and the innate moral defects of the working class; finally, their ideas about the biological and environmental origins of crime may be attributed to the positivist tradition in European criminology and to anti-urban sentiments associated with the rural, Protestant ethic.

American criminology in the last century was essentially a practical affair. Theoretical concepts of crime were imported from Europe, and an indiscriminating eclecticism dominated the literature. Lombrosian positivism and Social Darwinism were the major sources of intellectual justification for crime workers. The pessimism of Darwinism, however, was counterbalanced by notions of charity, religious optimism, and the dignity of suffering which were implicit components of the Protestant ethic.

Before 1870, there were only a few American textbooks on crime, and the various penal organizations lacked specialized journals. Departments of law and sociology in the universities were rarely concerned with more than the description and classification of crimes. The first American writers on crime were physicians, like Benjamin Rush and Isaac Ray, who were trained according to European methods. The social sciences were similarly imported from Europe, and American criminologists fitted their data to the theoretical framework of criminal anthropology. Herbert Spencer's writings had an enormous impact on American intellectuals, and

¹ This perspective is influenced by Howard S. Becker, *Outsiders: Studies in the Sociology of Deviance* (New York: Free Press, 1966).

² This term is used by Donald W. Ball, "An Abortion Clinic Ethnography," *14 Social Problems*, 1967, pp. 293-301.

Cesare Lombroso, perhaps the most significant figure in nineteenth-century criminology, looked for recognition in the United States when he felt that his experiments had been neglected in Europe.³

Although Lombroso's theoretical and experimental studies were not translated into English until 1911, his findings were known by American academics in the early 1890's, and their popularity, like that of Spencer's works, was based on the fact that they confirmed popular assumptions about the character and existence of a "criminal class." Lombroso's original theory suggested the existence of a criminal type distinguishable from noncriminals by observable physical anomalies of a degenerative or atavistic nature. He proposed that the criminal was a morally inferior human species, characterized by physical traits reminiscent of apes, lower primates, and savage tribes. The criminal was thought to be morally retarded and, like a small child, instinctively aggressive and precocious unless restrained.⁴ It is not difficult to see the connection between biological determinism in criminological literature and the principles of "natural selection"; both of these theoretical positions automatically justified the "eradication of elements that constituted a permanent and serious danger."⁵

Nature versus nurture

Before 1900, American writers were familiar with Lombroso's general propositions but had only the briefest

³ See Lombroso's Introduction to Arthur MacDonald, *Criminology* (New York: Funk and Wagnalls, 1893).

⁴ Marvin E. Wolfgang, "Cesare Lombroso," in Hermann Mannheim (ed.), *Pioneers in Criminology* (London: Stevens and Sons, 1960), pp. 168-227.

⁵ Leon Radzinowicz, *Ideology and Crime* (London: Heinemann Educational Books, 1966), p. 55.

knowledge of his research techniques.⁶ Although the emerging doctrines of preventive criminology implied human malleability, most American penologists were preoccupied with the intractability of the "criminal classes." Hamilton Wey, an influential physician at Elmira Reformatory, argued before the National Prison Association in 1881 that criminals were "a distinct type of human species," characterized by flat-footedness, asymmetrical bodies, and "degenerative physiognomy."⁷

Literature on "social degradation" was extremely popular during the 1870's and 1880's, though most such "studies" were little more than crude polemics, padded with moralistic epithets and preconceived value judgments. Richard Dugdale's series of papers on the Jukes family, which became a model for the case-study approach to social problems, was distorted almost beyond recognition by anti-intellectual supporters of hereditary theories of crime.⁸ Confronted by the evidence of Darwin, Galton, Dugdale, Caldwell, and many other disciples of the biological image of man, correctional professionals were compelled to admit that "a large proportion of the unfortunate children that go to make up the great army of criminals are not born right."⁹ Reformers adopted the rhetoric

⁶ See, for example, Arthur MacDonald, *Abnormal Man* (Washington, D.C.: U.S. Government Printing Office, 1893); and Robert Fletcher, *The New School of Criminal Anthropology* (Washington, D.C.: Judd and Detwiler, 1891).

⁷ Hamilton D. Wey, "A Plea for Physical Training of Youthful Criminals," in National Prison Association, *Proceedings of the Annual Congress* (Boston, 1888), pp. 181-193.

⁸ Richard L. Dugdale, "Hereditary Pauperism, as Illustrated in the 'Jukes' Family," in Annual Conference of Charities, *Proceedings* (Saratoga, 1877), pp. 81-99; *The Jukes: A Study in Crime, Pauperism, Disease, and Heredity* (New York: G. P. Putnam's Sons, 1877).

⁹ Sarah B. Cooper, "The Kindergarten as Child-Saving Work," in National Conference

ric of Darwinism in order to emphasize the urgent need for confronting the "crime problem" before it got completely out of hand. A popular proposal was the "methodized registration and training" of potential criminals, "or these failing, their early and entire withdrawal from the community."¹⁰

The organization of correctional workers through national representatives and their identification with the professions of law and medicine operated to discredit the tenets of Darwinism and Lombrosian theory. Correctional workers did not think of themselves merely as the custodians of a pariah class. The self-image of penal reformers as doctors rather than guards and the domination of criminological research in the United States by physicians helped to encourage the acceptance of "therapeutic" strategies in prisons and reformatories. As Arthur Fink has observed:

The role of the physician in this ferment is unmistakable. Indeed, he was the dynamic agent. . . . Not only did he preserve and add to existing knowledge—for his field touched all borders of science—but he helped to maintain and extend the methodology of science.¹¹

Perhaps what is more significant is that physicians furnished the official rhetoric of penal reform. Admittedly, the criminal was "pathological" and "diseased," but medical science offered the possibility of miraculous cures. Although there was a popular belief in the existence of a "criminal class" separated from the rest of mankind by a "vague boundary line," there was no good reason why this

class could not be identified, diagnosed, segregated, changed, and controlled.¹²

By the late 1890's, most correctional administrators agreed that hereditary theories of crime were overfatalistic. The superintendent of the Kentucky Industrial School of Reform told delegates to a national conference on corrections that heredity is "unjustifiably made a bugaboo to discourage efforts at rescue. We know that physical heredity tendencies can be neutralized and often nullified by proper counteracting precautions."¹³ E. R. L. Gould, a sociologist at the University of Chicago, similarly criticized biological theories of crime for being unconvincing and sentimental. "Is it not better," he said, "to postulate freedom of choice than to preach the doctrine of the unfettered will, and so elevate criminality into a propitiary sacrifice?"¹⁴

Charles Cooley was one of the first sociologists to observe that criminal behavior depended as much upon social and economic circumstances as it did upon the inheritance of biological traits. "The criminal class," he said, "is largely the result of society's bad workmanship upon fairly good material." In support of this argument, he noted that there was a "large and fairly trustworthy body of evidence" to suggest that many "degenerates" could be converted into "useful citizens by rational treatment."¹⁵

¹² See, for example, Illinois, Board of State Commissioners of Public Charities, *Second Biennial Report* (Springfield: State Journal Steam Print, 1873), pp. 195-196.

¹³ Peter Caldwell, "The Duty of the State to Delinquent Children," National Conference of Charities and Correction, *Proceedings* (New Haven, 1895), pp. 134-143.

¹⁴ E. R. L. Gould, "The Statistical Study of Hereditary Criminality," National Conference of Charities and Correction, *Proceedings* (New Haven, 1895), pp. 134-143.

¹⁵ Charles H. Cooley, "Nature v. Nurture" in the Making of Social Careers," National Conference of Charities and Correction, *Pro-*

of Charities and Correction, *Proceedings* (Madison, 1883), pp. 130-138.

¹⁰ I. N. Kerlin, "The Moral Imbecile," in National Conference of Charities and Correction, *Proceedings* (Baltimore, 1890), pp. 244-250.

¹¹ Arthur E. Fink, *Causes of Crime: Biological Theories in the United States, 1800-1915* (New York: A. S. Barnes, 1962), p. 247.

Urban disenchantment

Another important influence on nineteenth-century criminology was a disenchantment with urban life—an attitude which is still prevalent in much “social problems” research. Immigrants were regarded as “unsocialized,” and the city’s impersonality compounded their isolation and degradation. “By some cruel alchemy,” wrote Julia Lathrop, “we take the sturdiest of European peasantry and at once destroy in a large measure its power to rear to decent livelihood the first generation of offspring upon our soil.”¹⁶ The city symbolically embodied all the worst features of industrial life. A member of the Massachusetts Board of Charities observed:

Children acquire a perverted taste for city life and crowded streets; but if introduced when young to country life, care of animals and plants, and rural pleasures, they are likely . . . to be healthier in mind and body for such associations.¹⁷

Programs which promoted rural and primary group concepts were encouraged because slum life was regarded as unregulated, vicious, and lacking social rules. Its inhabitants were depicted as abnormal and maladjusted, living their lives in chaos and conflict.¹⁸ It was consequently the task of social reformers to make city life more wholesome, honest, and free from depravity. Beverley Warner told the National Prison Association in 1898 that philanthropic organizations all over the country were

ceedings (Grand Rapids, Michigan, 1896), pp. 399–405.

¹⁶ Julia Lathrop, “The Development of the Probation System in a Large City,” 13 *Charities* (January 1905), p. 348.

¹⁷ Clara T. Leonard, “Family Homes for Pauper and Dependent Children,” Annual Conference of Charities, *Proceedings* (Chicago, 1879), p. 174.

¹⁸ William Foote Whyte, “Social Disorganization in the Slums,” 8 *American Sociological Review* (1943), pp. 34–39.

making efforts to get the children out of the slums, even if only once a week, into the radiance of better lives. . . . It is only by leading the child out of sin and debauchery, in which it has lived, into the circle of life that is a repudiation of things that it sees in its daily life, that it can be influenced.¹⁹

Although there was a wide difference of opinion among experts as to the precipitating causes of crime, it was generally agreed that criminals were abnormally conditioned by a multitude of biological and environmental forces, some of which were permanent and irreversible. Biological theories of crime were modified to incorporate a developmental view of human behavior. If, as it was believed, criminals are conditioned by biological heritage and brutish living conditions, then prophylactic measures must be taken early in life. Criminals of the future generations must be reached. “They are born to crime,” wrote the penologist Enoch Wines in 1880, “brought up for it. They must be saved.”²⁰

MATERNAL JUSTICE

The 1880’s and 1890’s represented for many middle-class intellectuals and professionals a period of discovery of the “dim attics and damp cellars in poverty-stricken sections of populous towns” and of “innumerable haunts of misery throughout the land.”²¹ The

¹⁹ Beverley Warner, “Child-Saving,” in National Prison Association, *Proceedings of the Annual Congress* (Indianapolis, 1893), pp. 377–378.

²⁰ Enoch C. Wines, *The State of Prisons and of Child-Saving Institutions in the Civilized World* (Cambridge, Mass.: Harvard University Press, 1880), p. 132.

²¹ William P. Letchworth, “Children of the State,” National Conference of Charities and Correction, *Proceedings* (St. Paul, Minn., 1886), p. 138. The idea that intellectuals discovered poverty as a result of their own alienation from the centers of power has been fully treated by Richard Hofstadter, *The Age*

city was suddenly discovered to be a place of scarcity, disease, neglect, ignorance, and "dangerous influences." Its slums were the "last resorts of the peniless and the criminal"; here humanity reached its lowest level of degradation and despair.²²

The discovery of problems posed by "delinquent" youth was greatly influenced by the role of feminist reformers in the child-saving movement. It was widely agreed that it was a woman's business to be involved in regulating the welfare of children, for women were considered the "natural caretakers" of wayward children. Women's claim to the public care of children had some historical justification during the nineteenth century, and their role in child-rearing was considered paramount. Women were regarded as better teachers than men and were also more influential in child-training at home. The fact that public education also came more under the direction of women teachers in the schools increased the predominance of women in the raising of children.²³

Child-saving was a predominantly feminist movement, and it was regarded even by antifeminists as female domain. The social circumstances behind this appreciation of maternalism were women's emancipation and the accompanying changes in the character of tra-

ditional family life. Educated middle-class women now had more leisure time but a limited choice of careers. Child-saving was a reputable task for women who were allowed to extend their house-keeping functions into the community without denying antifeminist stereotypes of woman's nature and place. "It is an added irony," writes Christopher Lasch in his study of American intellectualism,

that the ideas about woman's nature to which some feminists still clung, in spite of their opposition to the enslavement of woman in the home, were these very clichés which had so long been used to keep her there. The assumption that women were morally purer than men, better capable of altruism and self-sacrifice, was the core of the myth of domesticity against which the feminists were in revolt. . . . [F]eminist and anti-feminist assumptions seemed curiously to coincide.²⁴

Child-saving may be understood as a crusade which served symbolic and status functions for native, middle-class Americans, particularly feminist groups. Middle-class women at the turn of the century experienced a complex and far-reaching status revolution. Their traditional functions were dramatically threatened by the weakening of domestic roles and the specialized rearrangement of family life.²⁵ One of the main forces behind the child-saving movement was a concern for the structure of family life and the proper socialization of young persons, since it was these concerns that had traditionally given purpose to a woman's life. Professional organizations—such as Settlement Houses, Women's Clubs, Bar Associations, and penal organizations—regarded child-saving as a problem of women's rights, whereas their opponents seized upon it as an opportunity to keep women in their proper

of Reform (New York: Vintage Books, 1955); and Christopher Lasch, *The New Radicalism in America, 1889-1963: The Intellectual as a Social Type* (New York: Alfred A. Knopf, 1965).

²² R. W. Hill, "The Children of Shinbone Alley," National Conference of Charities and Correction, *Proceedings* (Omaha, 1887), p. 231.

²³ Robert Sunley, "Early Nineteenth Century American Literature on Child-Rearing," in Margaret Mead and Martha Wolfenstein (eds.), *Childhood in Contemporary Cultures* (Chicago: University of Chicago Press, 1955), p. 152; see also Orville G. Brim, *Education for Child-Rearing* (New York: Free Press, 1965), pp. 321-349.

²⁴ Lasch, *op. cit.*, pp. 53-54.

²⁵ Talcott Parsons and Robert F. Bales, *Family, Socialization and Interaction Process* (Glencoe, Ill.: Free Press, 1955), pp. 3-33.

place. Child-saving organizations had little or nothing to do with militant supporters of the suffragette movement. In fact, the new role of social worker was created by deference to antifeminist stereotypes of a "woman's place."

A woman's place

Feminist involvement in child-saving was endorsed by a variety of penal and professional organizations. Their participation was usually justified as an extension of their housekeeping functions so that they did not view themselves, nor were they regarded by others, as competitors for jobs usually performed by men. Proponents of the "new penology" insisted that reformatories should resemble home life, for institutions without women were likely to do more harm than good to inmates. According to G. E. Howe, the reformatory system provided "the most ample opportunities for woman's transcendent influence."²⁶

Female delegates to philanthropic and correctional conferences also realized that correctional work suggested the possibility of useful careers. Mrs. W. P. Lynde told the National Conference of Charities and Correction in 1879 that children's institutions offered the "truest and noblest scope for the public activities of women in the time which they can spare from their primary domestic duties."²⁷ Women were exhorted by other delegates to make their lives meaningful by participating in welfare programs, volunteering their time and services, and getting acquainted with less privileged groups. They were told to seek jobs in institutions where "the woman-element shall pervade . . .

and soften its social atmosphere with motherly tenderness."²⁸

Although the child-savers were responsible for some minor reforms in jails and reformatories, they were more particularly concerned with extending governmental control over a whole range of youthful activities that had previously been handled on an informal basis. The main aim of the child-savers was to impose sanctions on conduct unbecoming youth and to disqualify youth from enjoying adult privileges. As Bennett Berger has commented, "adolescents are not made by nature but by being excluded from responsible participation in adult affairs, by being rewarded for dependency, and penalized for precocity."²⁹

The child-saving movement was not so much a break with the past as an affirmation of faith in traditional institutions. Parental authority, education at home, and the virtues of rural life were emphasized because they were in decline at this time. The child-saving movement was, in part, a crusade which, through emphasizing the dependence of the social order on the proper socialization of children, implicitly elevated the nuclear family and, more especially, the role of women as stalwarts of the family. The child-savers were prohibitionists, in a general sense, who believed that social progress depended on efficient law enforcement, strict supervision of children's leisure and recreation, and the regulation of illicit pleasures. What seemingly began as a movement to humanize the lives of adolescents soon developed into a program of moral absolutism through which youth was to be

²⁶ G. E. Howe, "The Family System," National Conference of Charities and Correction, *Proceedings* (Cleveland, 1880), pp. 212-213.

²⁷ W. P. Lynde, "Prevention in Some of Its Aspects," Annual Conference of Charities, *Proceedings* (Chicago, 1879), p. 167.

²⁸ Clara T. Leonard, "Family Homes for Pauper and Dependent Children," in Annual Conference of Charities, *Proceedings*, 1879, *loc. cit.*, p. 175.

²⁹ Bennett Berger, Review of Frank Musgrove, *Youth and the Social Order*, 32 *American Sociological Review*, 1927, p. 1021.

saved from movies, pornography, cigarettes, alcohol, and anything else which might possibly rob them of their innocence.

Although child-saving had important symbolic functions for preserving the social prestige of a declining elite, it also had considerable practical significance for legitimizing new career openings for women. The new role of social worker combined elements of an old and partly fictitious role—defenders of family life—and elements of a new role—social servant. Social work was thus both an affirmation of cherished American values and an instrumentality for women's emancipation.

JUVENILE COURT

The essential preoccupation of the child-saving movement was the recognition and control of youthful deviance. It brought attention to, and thus "invented," new categories of youthful misbehavior which had been hitherto unappreciated. The efforts of the child-savers were institutionally expressed in the juvenile court, which, despite recent legislative and constitutional reforms, is generally acknowledged as their most significant contribution to progressive penology.

The juvenile-court system was part of a general movement directed towards removing adolescents from the criminal-law process and creating special programs for delinquent, dependent, and neglected children. Regarded widely as "one of the greatest advances in child welfare that has ever occurred," the juvenile court was considered "an integral part of total welfare planning."³⁰ Charles Chute, an enthusiastic sup-

porter of the child-saving movement, claimed:

No single event has contributed more to the welfare of children and their families. It revolutionized the treatment of delinquent and neglected children and led to the passage of similar laws throughout the world.³¹

The juvenile court was a special tribunal created by statute to determine the legal status of children and adolescents. Underlying the juvenile-court movement was the concept of *parens patriae* by which the courts were authorized to handle with wide discretion the problems of "its least fortunate junior citizens."³² The administration of juvenile justice differed in many important respects from the criminal-court processes. A child was not accused of a crime but offered assistance and guidance; intervention in his life was not supposed to carry the stigma of criminal guilt. Judicial records were not generally available to the press or public, and juvenile-court hearings were conducted in relative privacy. Juvenile-court procedures were typically informal and inquisitorial. Specific criminal safeguards of due process were not applicable because juvenile proceedings were defined by statute as civil in character.³³

The original statutes enabled the courts to investigate a wide variety of youthful needs and misbehavior. As Joel Handler has observed, "the critical philosophical position of the reform movement was that no formal, legal distinctions should be made between the

³¹ Charles L. Chute, "Fifty Years of the Juvenile Court," *1949 National Probation and Parole Association Yearbook* (1949), p. 1.

³² Gustav L. Schramm, "The Juvenile Court Idea," *13 Federal Probation* (September 1949), p. 21.

³³ Monrad G. Paulsen, "Fairness to the Juvenile Offender," *41 Minnesota Law Review*, 1957, pp. 547-567. Note: "Rights and Rehabilitation in the Juvenile Courts," *67 Columbia Law Review*, 1967, pp. 281-341.

³⁰ Charles L. Chute, "The Juvenile Court in Retrospect," *13 Federal Probation* (September 1949), p. 7; Harrison A. Dobbs, "In Defense of Juvenile Courts," *13 Federal Probation* (September 1949), p. 29.

delinquent and the dependent or neglected."³⁴ Statutory definitions of "delinquency" encompassed (1) acts that would be criminal if committed by adults; (2) acts that violated county, town, or municipal ordinances; and (3) violations of vaguely defined catch-alls—such as "vicious or immoral behavior," "incurability," and "truancy"—which "seem to express the notion that the adolescent, if allowed to continue, will engage in more serious conduct."³⁵

The juvenile-court movement went far beyond a concern for special treatment of adolescent offenders. It brought within the ambit of governmental control a set of youthful activities that had been previously ignored or dealt with on an informal basis. It was not by accident that the behavior selected for penalizing by the child-savers—sexual license, drinking, roaming the streets, begging, frequenting dance halls and movies, fighting, and being seen in public late at night—was most directly relevant to the children of lower-class migrant and immigrant families.

The juvenile court was not perceived by its supporters as a revolutionary experiment, but rather as a culmination of traditionally valued practices.³⁶ The child-saving movement was "antilegal," in the sense that it derogated civil rights

³⁴ Joel F. Handler, "The Juvenile Court and The Adversary System: Problems of Function and Form," *1965 Wisconsin Law Review*, 1965, p. 9.

³⁵ Joel F. Handler and Margaret K. Rosenheim, "Privacy and Welfare: Public Assistance and Juvenile Justice," 31 *Law and Contemporary Problems*, 1966, pp. 377-412.

³⁶ A reform movement, according to Herbert Blumer, is differentiated from a revolution by its inherent respectability and acceptance of an existing social order. "The primary function of the reform movement is probably not so much the bringing about of social change, as it is to reaffirm the ideal values in a given society."—Herbert Blumer, "Collective Behavior," in Alfred McClung Lee (ed.), *Principles of Sociology* (New York: Barnes and Noble, 1963), pp. 212-213.

and procedural formalities, while relying heavily on extra-legal techniques. The judges of the new court were empowered to investigate the character and social life of pre-delinquent as well as delinquent children; they examined motivation rather than intent, seeking to identify the moral reputation of problematic children. The requirements of preventive penology and child-saving further justified the court's intervention in cases where no offense had actually been committed, but where, for example, a child was posing problems for some person in authority such as a parent or teacher or social worker.

The personal touch

Judges were expected to show the same professional competence as doctors and therapists. The sociologist Charles Henderson wrote:

A careful study of individuals is an essential element in wise procedure. The study must include the physical, mental and moral peculiarities and defects of the children who come under the notice of the courts. Indeed we are likely to follow the lead of those cities which provide for a careful examination of all school children whose physical or psychological condition is in any way or degree abnormal, in order to prevent disease, correct deformity and vice, and select the proper course of study and discipline demanded by the individual need.³⁷

Juvenile court judges had to be carefully selected for their skills as expert diagnosticians and for their appreciation of the "helping" professions. Miriam Van Waters, for example, regarded the juvenile court as a "laboratory of human behavior" and its judges as "experts with scientific training and specialists in the art of human relations." It was

³⁷ Charles R. Henderson, "Theory and Practice of Juvenile Courts," National Conference of Charities and Correction, *Proceedings* (Portland, 1904), pp. 358-359.

the judge's task to "get the whole truth about a child" in the same way that a "physician searches for every detail that bears on the condition of a patient."³⁸

The child-savers' interest in preventive strategies and treatment programs was based on the premise that delinquents possess innate or acquired characteristics which predispose them to crime and distinguish them from law-abiding youths. Delinquents were regarded as constrained by a variety of biological and environmental forces, so that their proper treatment involved discovery of the "cause of the aberration" and application of "the appropriate corrective or antidote."³⁹ "What the trouble is with the offender," noted William Healy, "making him what he is, socially undesirable, can only be known by getting at his mental life, as it is an affair of reactive mechanisms."⁴⁰

The use of terms like "unsocialized," "maladjusted," and "pathological" to describe the behavior of delinquents implied that "socialized" and "adjusted" children conform to middle-class morality and participate in respectable institutions.⁴¹ The failure empirically to demonstrate psychological differences between delinquents and nondelinquents did not discourage the child-savers from believing that rural and middle-class

values constitute "normality." The unique character of the child-saving movement was its concern for predelinquent offenders—"children who occupy the debatable ground between criminality and innocence"—and its claim that it could transform potential criminals into respectable citizens by training them in "habits of industry, self-control and obedience to law."⁴² This policy justified the diminishing of traditional procedures in juvenile court. If children were to be rescued, it was important that the rescuers be free to provide their services without legal hindrance. Delinquents had to be saved, transformed, and reconstituted. "There is no essential difference," said Frederick Wines, "between a criminal and any other sinner. The means and methods of restoration are the same for both."⁴³

THE REFORMATORY SYSTEM

It was through the reformatory system that the child-savers hoped to demonstrate that delinquents were capable of being converted into law-abiding citizens. The reformatory was initially developed in the United States during the middle of the nineteenth century as a special form of prison discipline for adolescents and young adults. Its underlying principles were formulated in Britain by Matthew Davenport Hill, Alexander Maconochie, Walter Crofton, and Mary Carpenter. If the United States did not have any great penal theorists, it at least had energetic penal administrators who were prepared to experiment with new programs. The most notable advocates of the reformatory plan in the United States were

³⁸ Miriam Van Waters, "The Socialization of Juvenile Court Procedure," 12 *Journal of Criminal Law and Criminology*, 1922, pp. 61, 69.

³⁹ Illinois, Board of State Commissioners of Public Charities, *First Biennial Report* (Springfield: Illinois Journal Printing Office, 1871), p. 180.

⁴⁰ William Healy, "The Psychology of the Situation: A Fundamental for Understanding and Treatment of Delinquency and Crime," in Jane Addams (ed.), *The Child, The Clinic and The Court* (New York: New Republic Inc., 1925), p. 40.

⁴¹ C. Wright Mills, "The Professional Ideology of Social Pathologists," in Bernard Rosenberg, Israel Gerver, and F. William Howton (eds.), *Mass Society in Crisis* (New York: The Macmillan Company, 1964), pp. 92-111.

⁴² Illinois, Board of State Commissioners of Public Charities, *Sixth Biennial Report* (Springfield: H. W. Rokker, 1880), p. 104.

⁴³ Frederick H. Wines, "Reformation as an End in Prison Discipline," National Conference of Charities and Correction, *Proceedings* (Buffalo, 1888), p. 198.

Enoch Wines, Secretary of the New York Prison Association; Theodore Dwight, the first Dean of Columbia Law School; Zebulon Brockway, Superintendent of Elmira Reformatory in New York; and Frank Sanborn, Secretary of the Massachusetts State Board of Charities.

The reformatory was distinguished from the traditional penitentiary by its policy of indeterminate sentencing, the "mark" system, and "organized persuasion" rather than "coercive restraint." Its administrators assumed that abnormal and troublesome individuals could become useful and productive citizens. Wines and Dwight, in a report to the New York legislature in 1867, proposed that the ultimate aim of penal policy was reformation of the criminal, which could only be achieved

by placing the prisoner's fate, as far as possible, in his own hand, by enabling him, through industry and good conduct to raise himself, step by step, to a position of less restraint; while idleness and bad conduct, on the other hand, keep him in a state of coercion and restraint.⁴⁴

But, as Brockway observed at the first meeting of the National Prison Congress in 1870, the "new penology" was tough-minded and devoid of "sickly sentimentalism. . . . Criminals shall either be cured, or kept under such continued restraint as gives guarantee of safety from further depredations."⁴⁵

Reformatories, unlike penitentiaries and jails, theoretically repudiated punishments based on intimidation and repression. They took into account the fact that delinquents were "either physically or mentally below the average."

⁴⁴ Max Grünhut, *Penal Reform* (Oxford, England: Clarendon Press, 1948), p. 90.

⁴⁵ This speech is reprinted in Zebulon Reed Brockway, *Fifty Years of Prison Service* (New York: Charities Publication Committee, 1912), pp. 389-408.

The reformatory system was based on the assumption that proper training can counteract the impositions of poor family life, a corrupt environment, and poverty, while at the same time toughening and preparing delinquents for the struggle ahead. "The principle at the root of the educational method of dealing with juvenile crime," wrote William Douglas Morrison, "is an absolutely sound one. It is a principle which recognizes the fact that the juvenile delinquent is in the main, a product of adverse individual and social conditions."⁴⁶

The reformatory movement spread rapidly through the United States, and European visitors crossed the Atlantic to inspect and admire the achievements of their pragmatic colleagues. Mary Carpenter, who visited the United States in 1873, was generally satisfied with the "generous and lavish expenditures freely incurred to promote the welfare of the inmates, and with the love of religion." Most correctional problems with regard to juvenile delinquents, she advised, could be remedied if reformatories were built like farm schools or "true homes." At the Massachusetts Reform School, in Westborough, she found an "entire want of family spirit," and, in New York, she complained that there was no "natural life" in the reformatory. "All the arrangements are artificial," she said; "instead of the cultivation of the land, which would prepare the youth to seek a sphere far from the dangers of large cities, the boys and young men were being taught trades which will confine them to the great centers of an overcrowded population." She found similar conditions in Philadelphia where "hundreds of youth were there congregated under lock and key," but praised the Connecticut Reform School for its "admirable system of agricultural train-

⁴⁶ William Douglas Morrison, *Juvenile Offenders* (New York: D. Appleton, 1897), pp. 274-275.

ing."⁴⁷ If she had visited the Illinois State Reformatory at Pontiac, she would have found a seriously overcrowded "minor penitentiary" where the inmates were forced to work ten hours a day manufacturing shoes, brushes, and chairs.

To cottage and country

Granted the assumption that "nurture" could usually overcome most of nature's defects, reformatory-administrators set about the task of establishing programs consistent with the aim of retraining delinquents for law-abiding careers. It was noted at the Fifth International Prison Congress, held in Paris in 1895, that reformatories were capable of obliterating hereditary and environmental taints. In a new and special section devoted to delinquency, the Congress proposed that children under twelve years

should always be sent to institutions of preservation and unworthy parents must be deprived of the right to rear children. . . . The preponderant place in rational physical training should be given to manual labor, and particularly to agricultural labor in the open air, for both sexes.⁴⁸

The heritage of biological imagery and Social Darwinism had a lasting influence on American criminology, and penal reformers continued to regard delinquency as a problem of individual adjustment to the demands of industrial and urban life. Delinquents had to be removed from contaminating situations, segregated from their "miserable surroundings," instructed, and "put as far as

possible on a footing of equality with the rest of the population."⁴⁹

The trend from congregate housing in the city to group living in the country represented a significant change in the organization of penal institutions for young offenders. The family or cottage plan differed in several important respects from the congregate style of traditional prisons and jails. According to William Letchworth, in an address delivered before the National Conference of Charities and Correction in 1886:

A fault in some of our reform schools is their great size. In the congregating of large numbers, individuality is lost. . . . These excessive aggregations are overcome to a great extent in the cottage plan. . . . The internal system of the reformatory school should be as nearly as practicable as that of the family, with its refining and elevating influences; while the awakening of the conscience and the inculcation of religious principles should be primary aims.⁵⁰

The new penology emphasized the corruptness and artificiality of the city; from progressive education, it inherited a concern for naturalism, purity, and innocence. It is not surprising, therefore, that the cottage plan also entailed a movement to a rural location. The aim of penal reformers was not merely to use the countryside for teaching agricultural skills. The confrontation between corrupt delinquents and unspoiled nature was intended to have a spiritual and regenerative effect. The romantic attachment to rural values was quite divorced from social and agricultural realities. It was based on a sentimental and nostalgic repudiation of city life. Advocates of the reformatory system

⁴⁷ Mary Carpenter, "Suggestions on Reformatory Schools and Prison Discipline, Founded on Observations Made During a Visit to the United States," National Prison Reform Congress, *Proceedings* (St. Louis, 1874), pp. 157-173.

⁴⁸ Negley K. Teeters, *Deliberations of the International Penal and Penitentiary Congresses, 1872-1935* (Philadelphia: Temple University Book Store, 1949), pp. 97-102.

⁴⁹ Morrison, *op. cit.*, pp. 60, 276.

⁵⁰ William P. Letchworth, "Children of the State," National Conference of Charities and Correction, *Proceedings* (St. Paul, Minnesota, 1886), pp. 151, 156.

generally ignored the economic attractiveness of city work and the redundancy of farming skills. As one economist cautioned reformers in 1902:

Whatever may be said about the advantages of farm life for the youth of our land, and however much it may be regretted that young men and women are leaving the farm and flocking to the cities, there can be no doubt that the movement cityward will continue. . . . There is great danger that many who had left the home [that is, reformatory], unable to find employment in agricultural callings, would drift back to the city and not finding there an opportunity to make use of the technical training secured in the institution, would become discouraged and resume their old criminal associations and occupations.⁵¹

The "new" reformatory suffered, like all its predecessors, from overcrowding, mismanagement, "boodleism," understaffing, and inadequate facilities. Its distinctive features were the indeterminate sentence, the movement to cottage and country, and agricultural training. Although there was a decline in the use of brutal punishments, inmates were subjected to severe personal and physical controls: military exercises, "training of the will," and long hours of tedious labor constituted the main program of reform.

SUMMARY AND CONCLUSIONS

The child-saving movement was responsible for reforms in the ideological and institutional control of "delinquent" youth. The concept of the born delinquent was modified with the rise of a professional class of penal administrators and social servants who promoted a de-

velopmental view of human behavior and regarded most delinquent youth as salvageable. The child-savers helped to create special judicial and correctional institutions for the processing and management of "troublesome" youth.

There has been a shift during the last fifty years or so in official policies concerning delinquency. The emphasis has shifted from one emphasizing the criminal nature of delinquency to the "new humanism" which speaks of disease, illness, contagion, and the like. It is essentially a shift from a legal to a medical emphasis. The emergence of a medical emphasis is of considerable significance, since it is a powerful rationale for organizing social action in the most diverse behavioral aspects of our society. For example, the child-savers were not concerned merely with "humanizing" conditions under which children were treated by the criminal law. It was rather their aim to extend the scope of governmental control over a wide variety of personal misdeeds and to regulate potentially disruptive persons.⁵² The child-savers' reforms were politically aimed at lower-class behavior and were instrumental in intimidating and controlling the poor.

The child-savers made a fact out of the norm of adolescent dependence. "Every child is dependent," wrote the Illinois Board of Charities in 1899, "even the children of the wealthy. To receive his support at the hands of another does not strike him as unnatural, but quite the reverse."⁵³ The juvenile court reached into the private lives of youth and disguised basically punitive policies in the rhetoric of "rehabilita-

⁵² This thesis is supported by a European study of family life, Phillipe Ariès, *Centuries of Childhood* (New York: Vintage Books, 1965).

⁵³ Illinois, Board of State Commissioners of Public Charities, *Fifteenth Biennial Report* (Springfield: Phillips Brothers, 1899), pp. 62-72.

⁵¹ M. B. Hammond's comments at the Illinois Conference of Charities (1901), reported in Illinois, Board of State Commissioners of Public Charities, *Seventeenth Biennial Report* (Springfield: Phillips Brothers, 1902), pp. 232-233.

tion."⁵⁴ The child-savers were prohibitionists, in a general sense, who believed that adolescents needed protection from even their own inclinations.

The basic conservatism of the child-saving movement is apparent in the reformatory system which proved to be as tough-minded as traditional forms of punishment. Reformatory programs were unilateral, coercive, and an invasion of human dignity. What most appealed to correctional workers were the paternalistic assumptions of the "new penology," its belief in social progress through individual reform, and its nostalgic preoccupation with the "naturalness" and intimacy of a preindustrial way of life.

The child-saving movement was heavily influenced by middle-class women who extended their housewifely roles into public service. Their contribution may also be seen as a "symbolic crusade" in defense of the nuclear family and their positions within it. They regarded themselves as moral custodians and supported programs and institutions dedicated to eliminating youthful immorality. Social service was an instrumentality for female emancipation, and it is not too unreasonable to suggest that women advanced their own fortune at the expense of the dependency of youth.

This analysis of the child-saving movement suggests the importance of (1) understanding the relationship between correctional reforms and related changes in the administration of criminal justice, (2) accounting for the motives and purposes of those enterprising groups who generate such reforms, (3) investigating the methods by which communities establish the formal machinery for regulating crime, and (4) distinguishing between idealized goals and

⁵⁴ Francis A. Allen, *The Borderland of Criminal Justice* (Chicago: University of Chicago Press, 1964), *passim*.

enforced conditions in the implementation of correctional reforms.

IMPLICATIONS FOR CORRECTIONS AND RESEARCH

The child-saving movement illustrates a number of important problems with the quality and purposes of correctional research and knowledge. The following discussion will draw largely upon the child-saving movement in order to examine its relevance for contemporary issues.

Positivism and progressivism

It is widely implied in the literature that the juvenile court and parallel reforms in penology represented a progressive effort by concerned reformers to alleviate the miseries of urban life and to solve social problems by rational, enlightened, and scientific methods. With few exceptions, studies of delinquency have been parochial and inadequately descriptive, and they show little appreciation of underlying political and cultural conditions. Historical studies, particularly of the juvenile court, are, for the most part, self-confirming and support an evolutionary view of human progress.⁵⁵

The positivist heritage in the study of social problems has directed attention to (1) the primacy of the criminal actor rather than the criminal law as the major point of departure in the construction of etiological theory, (2) a rigidly deterministic view of human be-

⁵⁵ See, for example, Herbert H. Lou, *Juvenile Courts in the United States* (Chapel Hill: University of North Carolina, 1927); Negley K. Teeters and John Otto Reinemann, *The Challenge of Delinquency* (New York: Prentice-Hall, 1950); Katherine L. Boole, "The Juvenile Court: Its Origin, History, and Procedure" (Unpublished doctoral dissertation, University of California, Berkeley, 1928). One notable exception is Paul W. Tappan, *Delinquent Girls in Court* (New York: Columbia University Press, 1947).

havior, and (3) only the abnormal features of deviant behavior.⁵⁶ The "rehabilitative ideal" has so dominated American criminology that there have been only sporadic efforts to undertake sociolegal research related to governmental invasion of personal liberties. But, as Francis Allen has suggested:

Even if one's interests lie primarily in the problems of treatment of offenders, it should be recognized that the existence of the criminal presupposes a crime and that the problems of treatment are derivative in the sense that they depend upon the determination by law-giving agencies that certain sorts of behavior are crimes.⁵⁷

The conservatism and "diluted liberalism"⁵⁸ of much research on delinquency results from the fact that researchers are generally prepared to accept prevailing definitions of crime, to work within the premises of the criminal law, and to concur at least implicitly with those who make laws as to the nature and distribution of a "criminal" population. Thus, most theories of delinquency are based on studies of convicted or imprisoned delinquents. As John Seeley has observed in another context, professional caution requires us "to *take* our problems rather than *make* our problems, to accept as constitutive of our 'intake' what is held to be 'deviant' in a way that concerns enough people in that society enough to give us primary protection."⁵⁹ Money, encouragement, cooperation from established institutions, and a market for publications are more easily acquired for studies of the socialization or treatment of delinquents than for studies of how laws, law-makers,

⁵⁶ David Matza, *Delinquency and Drift* (New York: John Wiley, 1964).

⁵⁷ Allen, *op. cit.*, p. 125.

⁵⁸ This phrase and its perspective are taken from C. Wright Mills (ed.), *Images of Man* (New York: George Braziller, 1960), p. 5.

⁵⁹ John R. Seeley, "The Making and Taking of Problems: Toward an Ethical Stance," *14 Social Problems*, 1967, pp. 384-385.

and law-enforcers contribute to the "registration" of delinquency.

Law and its implementation have been largely dismissed as irrelevant topics for inquiry into the "causes" of delinquency. According to Herbert Packer, it is typical that the National Crime Commission ignored the fundamental question of: "What is the criminal sanction good for?"⁶⁰ Further research is needed to understand the dynamics of the legislative and popular drive to "criminalize."⁶¹ Delinquency legislation for example, as has been noted earlier, was not aimed merely at reducing crime or liberating youth. The reform movement also served important symbolic and instrumental interests for groups who made hobbies and careers out of saving children.

Policy research

Correctional research in this country has been dominated by persons who are intimately concerned with crime and its control. The scholar-technician tradition in corrections, especially with regard to delinquency, has resulted in the proliferation of "agency-determined" research whereby scholarship is catered to institutional interests.⁶² Much of what passes under the label of "research" takes the form of "methods engineering," produced in the interest of responsible officials and management.⁶³ It is only rarely, as in Erving Goffman's

⁶⁰ Herbert L. Packer, "A Patchy Look at Crime," *New York Review of Books*, Vol. 17, October 12, 1967.

⁶¹ Sanford H. Kadish, "The Crisis of Overcriminalization," *THE ANNALS*, Vol. 374, November 1967), pp. 157-170.

⁶² Herbert Blumer, "Threats from Agency-determined Researching: The Case of Camelot," in Irvin Louis Horowitz (ed.), *The Rise and Fall of Project Camelot* (Cambridge, Mass.: M.I.T. Press, 1967), pp. 153-174.

⁶³ See, for example, Daniel Glaser, *The Effectiveness of a Prison and Parole System* (New York: Bobbs-Merrill, 1964).

study of "total institutions," that sympathetic consideration is given to the perceptions and concerns of subordinates in the correctional hierarchy.⁶⁴

There are many historical and practical reasons why corrections has been such a narrow and specialized field of academic interest. First, corrections has been intellectually influenced by the problematic perspective of scholar-technicians, which limits the scope of "research" to local, policy issues. In the last century especially, penology was the exclusive domain of philanthropists, muckrakers, reformers, and missionaries. Secondly, the rise of the "multiversity" and of federal-grant research has given further respectability to applied research in corrections, to the extent that social science and public policy are inextricably linked.⁶⁵ Nevertheless, such research is minimal when compared, for example, with that done under the auspices of the Defense Department.⁶⁶ It is quite true, as the National Crime Commission reports, that research in corrections has been unsystematic, sporadic, and guided primarily by "intuitive opportunism."⁶⁷ Thirdly, it should be remembered that correctional institutions are politically sensitive communities which resist intrusions from aca-

demically outsiders unless the proposed research is likely to serve their best interests.⁶⁸ Research which undermines policy is generally viewed as insensitive and subversive, aside from the fact that it helps to justify and harden administrators' suspicions of "intellectuals." The lack of critical research is, no doubt, also due to "the reluctance of scholars to address the specific problems faced by those charged with the perplexing task of controlling and rehabilitating offenders."⁶⁹

Politics and corrections

Correctional institutions have been generally regarded as distinct, insulated social organizations. Their relationship to the wider society is viewed in a bureaucratic, civil-service context, and their population is defined in welfare terms. Prisons and their constituency are stripped of political implications, seemingly existing in an apolitical vacuum. Corrections as an academic specialization has focused on the prison community to the neglect of classical interest in the relationship between political decision-making and social policies. As Hans Mattick has observed:

There is very little appreciation . . . that this "contest between good and evil," and the whole "drama of crime," is taking place within the larger arena of our political system and this, in part, helps to determine public opinion about the nature of crime, criminals and how they are dealt with.⁷⁰

⁶⁴ Controversial studies of official institutions run the risk of hampering further academic investigations, as was apparently the case with Jerome Skolnick's study of a California police department, *Justice without Trial* (New York: John Wiley & Sons, 1966).

⁶⁵ *The Challenge of Crime in a Free Society*, *op. cit.*, p. 183.

⁷⁰ Hans W. Mattick (ed.), "The Future of Imprisonment in a Free Society," *2 Key Issues*, 1965, p. 5.

⁶⁴ Erving Goffman, *Asylums* (New York: Anchor Books, 1961).

⁶⁵ Clark Kerr, *The Uses of the University* (New York: Anchor Books, 1961).

⁶⁶ "Approximately 15 per cent of the Defense Department's annual budget is allocated for research, compared with one per cent of the total federal expenditure for crime control."—U.S., President's Commission on Law Enforcement and Administration of Justice (National Crime Commission), *The Challenge of Crime in a Free Society* (the General Report) (Washington, D.C.: U.S. Government Printing Office, 1967), p. 273.

⁶⁷ U.S., President's Commission on Law Enforcement and Administration of Justice (National Crime Commission), *Task Force Report: Corrections* (Washington, D.C.: U.S. Government Printing Office, 1967), p. 13.

As the gap between social deviance and political marginality narrows, it becomes increasingly necessary to examine how penal administrators are recruited, how "new" programs are selected and implemented, and how local and national legislatures determine correctional budgets. The crisis caused by white racism in this country also requires us to appreciate in what sense prisons and jails may be used as instrumentalities of political control in the "pacification" of black Americans. Similarly, it furthers our understanding of "delinquency" if we appreciate the motives and political interests of those reformers and professionals who perceive youth as threatening and troublesome.

Faith in reform

The child-saving movement further illustrates that corrections may be understood historically as a succession of reforms. Academics have demonstrated a remarkably persistent optimism about reform, and operate on the premise that they can have a humanitarian influence on correctional administration. As Irving Louis Horowitz has observed, to the extent that social scientists become involved with policy-making agencies, they are committed to an elitist ideology:

They come to accept as basic the idea that men who really change things are at the top. Thus, the closer to the top one can get direct access, the more likely will intended changes be brought about.⁷¹

There is little evidence to support this faith in the ultimate wisdom of policy-makers in corrections. The reformatory was not so much an improvement on the prison as a means of extending control over a new constituency; probation and parole became instruments of supervision rather than treatment; halfway houses have become a means of extend-

ing prisons into communities rather than democratically administered sanctuaries; group therapy in prisons has justified invasion of privacy and coercive treatment on the dubious grounds that prisoners are psychologically unfit; community-based narcotics programs, such as the naline clinic, disguise medical authoritarianism in the guise of rehabilitation. Nevertheless, the optimism continues, and this is nowhere more apparent than in the National Crime Commission's Task Force Report on Corrections, which reveals that, in Robert Martinson's words, correctional policy consists of "a redoubling of efforts in the face of persistent failure."⁷²

Finally, we have neglected to study and appreciate those who work in corrections. Like the police and, to an increasing extent, teachers and social workers, correctional staffs are constrained by the ethic of bureaucratic responsibility. They are society's "dirty-workers," technicians working on people. As Lee Rainwater has observed:

The dirty-workers are increasingly caught between the silent middle class, which wants them to do the dirty work and keep quiet about it, and the objects of that dirty work, who refuse to continue to take it lying down. . . . These civilian colonial armies find their right to respect from their charges challenged at every turn, and often they must carry out their daily duties with fear for their physical safety.⁷³

Correctional workers are required to accommodate current definitions of criminality and to manage victims of political expediency and popular fashion—drug users, drunks, homosexuals, vagrants, delinquents, and "looters." They

⁷² Robert Martinson, "The Age of Treatment: Some Implications of the Custody-Treatment Dimension," 2 *Issues in Criminology* (Fall 1966), p. 291.

⁷³ Lee Rainwater, "The Revolt of the Dirty-Workers," 5 *Trans-action* (November 1967), p. 2.

⁷¹ Horowitz (ed.), *loc. cit.*, p. 353.

have minimal influence on law-makers and rarely more than ideological rapport with law enforcers. They have no clear mandate as to the purpose of corrections, other than to reduce recidivism and reform criminals. They have to live with the proven failure of this enterprise and to justify their role as pacifiers, guards, warehouse-keepers, and restrainers.⁷⁴

⁷⁴ Henry McKay's "Report on the Criminal Careers of Male Delinquents in Chicago" concludes that "the behavior of significant numbers of boys who become involved in illegal activity is not redirected toward conventional activity by the institutions created for that purpose."—U.S., President's Commission on Law Enforcement and Administration of Justice (National Crime Commission), *Task Force Report: Juvenile Delinquency and Youth*

They are linked to a professional system that relegates them to the lowest status in the political hierarchy but uses them as a pawn in electoral battles. They are doomed to annual investigations, blue-ribbon commissions, ephemeral research studies, and endless volumes of propaganda and muckraking. They live with the inevitability of professional mediocrity, poor salaries, uncomfortable living conditions, ungrateful "clients," and tenuous links with established institutions. It is understandable that they protect their fragile domain from intrusive research which is not supportive of their policies.

Crime (Washington, D.C.: U.S. Government Printing Office, 1967), p. 113.