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Crimes against Children: Sexual Violence and Legal Culture
in New York City, 1880-1960 (review)

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Waring the commissioner of the Department of Street Cleaning (DSC) between 1895 and 1898. Burnstein breaks chronology with a chapter on Waring's innovations following his look at the strike. The discussion of how Waring's methods related to the miasma theory of disease transmission is not new. However, Burnstein's treatment of how Waring's political acumen produced an effective DSC, despite resistance from elements of the Tammany Hall machine, is instructive. From the start, Waring deliberately exceeded his department's budget to clean the streets because he calculated that citizens would notice the improvement and demand better services. Although machine politicians attacked Waring in the local newspapers, some within Tammany felt that his municipal housekeeping was both important and popular. Waring received his budget, allowing him to modernize street cleaning in New York City. His accomplishment serves as a reminder that, as with Raymond Tucker implementing meaningful smoke control in St. Louis in the 1930s, successful reformers combined progressive ideas with political calculation.²

A strength of the book is its discussion of the relationship between ethnicity and Progressive ideas, which goes beyond simply stating that Progressives and immigrants either cooperated or clashed. Burnstein maintains that first-generation immigrants adopted modern sanitary practices in an attempt to be perceived as clean by native-born Americans, consequently making hygiene an aspect of American identity. Yet although many immigrants accepted new sanitary practices, Burnstein also reports conflicts between Progressives and New York's thriving immigrant pushcart trade, citing concerns about the cleanliness of food from peddlers and ethnocentric caricatures of Jews as filthy in newspapers. Tensions between middle-class reformers and working-class (and impoverished immigrants) led to restrictions on peddlers. Burnstein's observations reflect similar clashes in Chicago involving immigrants and Progressive reformers.³

Burnstein concludes by examining Waring's employment of children in the juvenile streetcleaning league under the rationale that municipal housekeeping saved children from the chaos of the polluted city. Though Waring's tenure as DSC commissioner was short, Burnstein ably shows that this politically savvy Progressive's reforms lasted long after his death. *Next to Godliness* will appeal to historians interested in the complicated history of immigrants, reformers, and public health, as well as to those seeking inspiring examples of effective reform.

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2 Joel A. Tarr and Zimring, "The Struggle for Smoke Control in St. Louis: Achievement and Emulation," in Andrew Hurley (ed.), *Common Fields: An Environmental History of St. Louis* (St. Louis, 1997), 199–220.

3 Jane Addams and the Chicago Juvenile Protective Association criticized immigrant junk peddlers for posing moral and physical threats to Chicago's children. See Zimring, *Cash for Your Trash: Scrap Recycling in America* (New Brunswick, 2005), 59–80.

Crimes against Children: Sexual Violence and Legal Culture in New York City, 1880–1960. By Stephen Robertson (Chapel Hill, University of North Carolina Press, 2005) 337 pp. \$59.95 cloth \$22.50 paper

In the haunting film *The Woodsman* (2004), Kevin Bacon plays Walter, a parolee who is guarded about his past. When pressed repeatedly by his new “girlfriend” (Kyra Sedgwick) to reveal what he had done, he finally tells her, “I molested little girls.” She laughs until he says, “Twelve years in prison is no joke.” After a long and painful silence, she asks, “How young?” Stephen Robertson’s remarkable book helps to explain why this question sounds so natural, and why Walter’s age-specific answer (“between ten to twelve”) is so deeply unsettling. Moreover, Robertson’s analysis also suggests why Walter’s violent assault on a man who molests young boys serves as a symbolic act of rehabilitation and a pathway to social acceptance.

To research the subject of sexual violence in New York City, Robertson draws on a large sample of case files from the Court of General Sessions in 1886 and 1891, and from the District Attorney’s Office from 1886 to 1955. He uses his findings to ground his claim that twentieth-century Americans increasingly viewed sexuality through the prism of age, which involved seeing pedophiles as developmentally immature. In the process, Robertson builds on the important work of such scholars as Chudacoff, who argue that “age” is a significant category that should guide “the analysis of American history” (234).¹

In addition to demonstrating the fluidity and contested nature of age, Robertson also contends that scholars should take a local (as well as a long) view of legal-cultural constructs like sexual violence. From this perspective, he reconstructs a history of sexual violence that highlights the interactions among working-class communities, middle-class reformers, and the legal system. Thus he reveals why the efforts of child savers—for example, the New York Society for the Prevention of Cruelty to Children—to define and monitor childhood met resistance, and how assistant district attorneys learned which cases of sexual violence to prosecute and how to present child witnesses to skeptical jurors.

Robertson faces a major challenge in moving from the individual case files to a broader cultural history of sexual violence. By paying close attention to language, he makes this move gracefully. He highlights how Americans invented and used the terms *boyfriend*, *girlfriend*, *jail bait*, *child molester*, and *sexual psychopath* to make sense of appropriate sexual actors and to classify criminal ones.

Although Robertson does a splendid job of crossing humanities-based disciplinary boundaries, ranging from critical legal history to cultural studies, his nuanced approach raises an important question about the limits of historical approaches to age. For instance, historians who

1 Howard Chudacoff, *How Old Are You? Age Consciousness in American Culture* (Princeton, 1989).

privilege the social construction of human nature often have a difficult time conversing with scientists who start from essentialist assumptions about human development. Despite such collaborative efforts as *Children in Time and Place: Development and Historical Insights*, a fundamental divide remains.² If historians follow Robertson's call to make age a category of historical analysis, they will need to do more to bridge this divide.

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Standard of Living: The Measure of the Middle Class in Modern America. By Marina Moskowitz (Baltimore, Johns Hopkins University Press, 2004) 300 pp. \$45.00

Moskowitz mixes material-culture studies and traditional historical methods to explore the origins and meanings of the phrase “standard of living.” Observing that “standard” refers both to standardization and to various measures of “the good life,” Moskowitz argues that this was a fluid new concept in the early twentieth century. Distinct from such economic measures as wages or the cost of living, the standard of living was a qualitative rather than quantitative gauge. “It is at once personal, applied to an individual or household, and collective, shared by groupings as large as a class or a nation” (3). Progressive-era discussion of an American standard of living occupied social scientists, artists, producers and providers of goods and services, politicians, urban planners and boosters, and middle-class consumers presumably anxious to demonstrate their status by using the correct fork or living in the right kind of house.

Four chapters present case studies in which consumerism, the market-driven need for standardized products, middle-class cultural competencies, and national changes in living patterns intersected between 1900 and 1932. The case studies involve silverplate flatware, bathroom fixtures, mail-order homes, and zoning plans. A conclusion—more like a fifth chapter—brings together period texts such as Robert Staughton Lynd's *Middletown* (New York, 1930) and Sinclair Lewis' *Babbitt* (New York, 1922) to suggest the ways in which social scientists and artists, for different audiences, reflected and carried forward the work of delineating, critiquing, and exposing American middle-class mores.

Some of this ground has been explored before. Bushman's work on early nineteenth-century manners comes to mind. Mail order and other forms of prefabricated homes have fascinated historians of vernacular

2 Glen H. Elder, Jr., John Modell, and Ross D. Parke (eds.), *Children in Time and Place: Developmental and Historical Insights* (New York, 1993).