Introduction

In 1961, President John F. Kennedy created the President’s Committee on Juvenile Delinquency and Youth Crime. His action symbolized the initial effort on the part of a major federal government to eliminate, or at least reduce, juvenile delinquency. The subsequent creation of the entire "War on Poverty" approach, with the enactment of the Economic Opportunity Act of 1964 during the administration of Lyndon B. Johnson, sustained the trend. All over the country, the emergence of numerous programs and projects testified to a massive, although to a large extent inadequate, attempt to bring disadvantaged and deviant youth into the mainstream of American Life.

In many ways, the activity of the period from 1961 to 1966, a very narrow span of time in recorded history, but an incredibly broad and vital period in the course of social and economic life, forcibly brought many American citizens and officials to the point where they could no longer ignore the underside of American life. If this were not enough, the recent urban riots have underscored the crisis of America’s cities. Watts has become a name stamped into the consciousness of millions of Americans, and Detroit and Newark have become an enigma to thousands of well-meaning professionals.

In much of the recent development, the increasing accumulation of social science findings has played a significant part. However, even the most erudite of sociologists have only infrequently pointed to the fact that youthful criminals have been a factor in our country for well over a century. Richard Cloward’s comments on an NBC "White Paper" on juvenile delinquency, April 6, 1965, were a noticeable exception to this. In his attempt to illuminate present phenomena, Cloward utilized considerable historical data. As he described the old "Five Points District" in antebellum New York, Cloward concluded that juvenile delinquency and violence is possibly less widespread and better policed today. Also, Negley K. Teeters, a sociologist formerly of Temple Uni-
versity and now of Hartwick College in New York, has for years sus-
tained a sense of history relative to the evolution of juvenile delin-
quency and crime. These scholars appear to be exceptions to what
seems to have been a “conspiracy of silence” in force concerning the
history of the past as it related to social deviation and the attempts of
society to rid the United States of the problem. Perhaps a fear has ex-
isted that the public and the federal government might conclude that
current efforts will accomplish nothing and, consequently, that the sup-
port for social science would be reduced. To paraphrase a Biblical ad-
monition, “Juvenile delinquency, you shall always have with you”; therefore, why do anything about it? Another, more unflattering, inter-
pretation of the paucity of historical research is that psychologists and
sociologists, the specialists in juvenile delinquency, possess no knowl-
dge of past history. Such an assumption, although possibly true in
some cases, is not particularly useful. Instead, the minuscule amount of
historical analysis conducted on juvenile delinquency is probably re-
lated to neither a desire to “keep quiet, lest we spoil our game,” nor
simple ignorance of history. Most likely, sociologists simply have con-
sidered history to be irrelevant to the needs of the present. For many,
history may represent an interesting, but not very vital, rooting around
in the rubbish of past generations. In this day of increasingly action-
oriented sociology, the historian may well be viewed as a motheaten
antiquarian who timidly retreats to the dust of ancient manuscripts in-
stead of facing the grinding nature of current events. Arthur M. Schles-
inger, Jr., represents something of an anomaly to the social scientists
outside of history. Even Schlesinger, however, has occasionally been
dismissed as either a liberal apologist, or a latter-day Henry Adams—
one who lives vicariously by being near centers of power.

Sociologists are not entirely to blame for this view. Some historians,
by virtue of their own lack of commitment to dealing with the social
problems of the past as well as those of the present, have often con-
tributed to a sociological stereotype. Addressing his fellow historians,
Crane Brinton remarked that “We still resist, not merely the pessimistic
view of man born to trouble, but the tragic view of man forever torn
between whatever symbols he may use for good and evil.”

Recently, however, a new brand of historians has forsaken the
comfortable cloak of antiquarianism. Such men can well destroy the
stereotype of irrelevant pedantry. John Higham, for example, argues that historians have often absorbed the consensus of their own age and have imposed that consensus upon the period which they study. Higham laments this tendency. Instead, he argues that the historian must acknowledge his role as "moral critic" and immerse himself in the critical examination of the assumptions which men make about their conduct of life. "In confronting all that is unstable and precarious in human values," Higham contends that the historian "can discover the profoundest struggles and conflicts that the drama of history affords." 2 Hopefully, the following pages will prove relevant to the problems of today's world. Also, the tradition which Higham seems to be fostering hopefully will be enhanced by the analysis presented here.

In writing about the history of juvenile corrections, one encounters a number of problems. Initially, it must be determined whether terminology or time is the more critical variable in the isolation of a social problem, or whether the two are so closely interrelated that they cannot be separated. In the foreword to a recent work on youth and society, Albert Cohen pointed out that in previous generations, the "teen-ager" did not exist as a social category. 3 The "teen-ager," Cohen contended, "has sneaked up on us in our own lifetime, and yet it seems to us he has always been with us." Upon reflection, however, one realizes that Joan of Arc was never referred to as a teen-ager. To think of Cotton Mather, when he graduated from Harvard University with a Master's degree at the age of eighteen, as a teen-ager is almost inconceivable. The word teen-ager has been "invented" Cohen says, "because we have created—all unknowingly—the thing." In the same fashion, the "adolescent" is a creation of the last two-hundred years. The adolescent is neither child nor adult; his creation has also called into existence a set of institutions which have been fashioned to accommodate him, as well as mould him. New terms are devised and utilized to describe phenomena or certain systems of behavior which have meaning for current times. Earlier words do not supply either the connotative or denotative qualities to help in describing a way of life which is somehow different from experience in former times and places. In this respect, teen-ager differs from juvenile delinquent, a term which appeared in England and seems to have been imported to the United States during the period which is under examination in this
book. The late nineteenth-century term "street-Arab" is even more bound in time and space. Unlike the term "street-Arab" and others which disappeared with their times, the term "juvenile delinquent" has stood the test of time. It has done so, in large part, because it continually takes on new functions and new meanings.

In the twilight zone between time and terminology, time itself is obviously reckoned as a critical, if exceedingly puzzling, variable. How to isolate the impact of the times vis-à-vis the impact of men's ideas has been a continuing problem to historians. Because of the complex interaction between men and time, it has amounted to far more than the ancient question of the chicken and the egg. In the field known as Sociology of Knowledge, the most attention is devoted to the problem of the origins of ideas and actions. The development of the notion of the Refuge, for example, came as the end product of the combined thought and action of many similarly oriented minds over a limited period. In time, the term took on meaning for others who saw the deed. As Mannheim wrote, "It is not men in general who think, or even isolated individuals who do the thinking, but men in certain groups who have developed a particular style of thought in an endless series of responses to certain typical situations." 4 Some terms are elastic; they grow with the times. The concept of the Refuge was one which grew with time but was eventually replaced by the reformatory concept.

The study of attempts to treat social deviance poses extremely critical questions for any society in any age. Efforts to bring youngsters into line with prevailing norms of behavior often reveal far more about the fears, uncertainties, and values of those who control society than they do about the actual sources of juvenile misconduct. Such misconduct, in fact, has no meaning unless it is placed against the backdrop of what is considered by members of the upper echelons of the "status hierarchy" to be appropriate, socially approved, or model behavior. As Robert Merton and Robert Nisbet suggest:

The same social structure and culture that in the main make for conforming and organized behavior also generate tendencies toward distinctive kinds of deviant behavior and potentials of social disorganization. In this sense, problems current in a society register the social costs of a particular organization of social life.5

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Thus, social problems often spring from social structure and are "unanticipated consequences [to use Merton's phrase] of institutionalized patterns of behavior," instead of results caused by mysterious evil forces in society. Disorganization and organization are inseparable.

To cite Merton and Nisbet again, a different position in the social strata is likely to yield a difference in one's assumptions, perceptions, and values. In the case of the creation of cages for young human beings who cannot conform, it is not a simple question of how "society," i.e., some abstract "we-ness," is to punish those who do not do what is "right." Instead, the issue is related to how one stratum, or several strata, of society impose judgment and restriction upon another. The fact that those whose behavior is curtailed and inhibited are often less articulate, or at least do not have access to approved means of communication, further blurs their side of the story. Nevertheless, the accounts of those who control social deviants seem instructive; they tend to shape, either in action, or reaction, in anticipated and unanticipated ways, the direction of social life. Kai T. Erikson, in his excellent work, Wayward Puritans: A Study in the Sociology of Deviance, suggests that those who shape the notions of deviance in a given time and place and police the boundaries of society tend to reveal the true nature of that society for the rest of the people; those who conform to "appropriate" norms and values are always happy to have someone else find out how far the boundary lines can be stretched. Thus, materials such as the case studies of juvenile delinquents have been utilized at various times to serve both the purpose of describing the person engaged in the activity, i.e., the delinquent, and the attitude and activities of the recorder or observer of the activity, such as the superintendent or the Refuge manager. In large part, however, the Refuge story becomes a chronicle of the activities of those who controlled the institution, the Board of Managers of the Society for the Reformation of Juvenile Delinquents.

Given the situation of the Western world in 1825, the creation of the House of Refuge could have been predicted. Forces, at work on both sides of the Atlantic, simply converged upon one another.

In Europe, numerous social theorists, in an attempt to carry out the edicts of Enlightenment philosophy, had turned their attention to the various problems of man on earth. Somewhat earlier, writers such as
the English philosopher John Locke, had spearheaded the drive to elevate social and political institutions to the level previously enjoyed only by ecclesiastical organizations. In the eyes of such writers, all men could aspire to and attain—here on earth—that perfect state hitherto reserved for a Christian heaven.

As the bulwark for their theories, the writers relied upon the idea of inevitable progress. Ever since the early eighteenth century, when the Abbé de Saint-Pierre had written *His Observations on the Continual Progress of Universal Reason*, Western philosophers had been building upon this doctrine. Certain men—the Romanticist Jean Jacques Rousseau and the English political economist Thomas Malthus for example—dissented; but the majority of the theorists supported and added to the idea of progress. It permeated nearly all of late eighteenth- and early nineteenth-century thought. The Marquis de Condorcet, writing in secret at the height of the Reign of Terror in France, had the temerity to view all history as the march of the principle of progress.

Following in the footsteps of the social and political philosophers, lesser men sought to assist men in their climb toward perfectability. Swiss educator Johann Pestalozzi and a number of other reformers focused their energies on the education of children. These men, most of whom subscribed to what they thought was Locke's central concept on psychology, saw the child's mind as the logical place in which to build the perfect society. Unlike the adult, the child possessed a clean slate on which to begin. Pestalozzi, in particular, with his school full of undisciplined waifs, pioneered in the study of children.

American reformers, busily constructing new institutions in a new nation, looked to the East and saw the work of the Europeans. The Americans, like their European counterparts, felt the need to improve the lot of their own youth. People on the eastern coast of the United States could look upon the cities of Boston, New York, and Philadelphia and view the breaking down of long-established colonial controls and the emergence of disruptive forces. Something had gone wrong. Young ruffians ran in gangs through the streets, and watchmen found hungry urchins asleep under doorsteps. Beggars and cutpurses jostled the wealthy on busy thoroughfares. It had been less than fifty years since the supposedly perfect nation had been devised, but the noble plans of the forefathers already seemed in jeopardy. Even while the
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blood of life still coursed through the veins of Thomas Jefferson and John Adams, the perfect experiment seemed on its way to destruction.

Ralph Waldo Emerson, the philosopher of American reform, issued the call to arms.

What is a man born for but to be a Reformer, a Remaker of what man has made; a renouncer of lies; a restorer of truth and good, imitating that great Nature which embosoms us all, and which sleeps no moment on an old past, but every hour repairs herself, yielding us every morning a new day, and with every pulsation of new life?  

If the doctrine of inevitable progress were to be borne out, someone must speak for it. “Let our affection flow out to our fellows,” declared Emerson. “The State must consider the poor man, and all voices must speak for him. Every child that is born must have a just chance for bread.”

In keeping with the American tradition of voluntary association, New Yorkers met the challenge of wretchedness and depravity by creating an organization. Once constituted, these men, known first as the Society for the Prevention of Pauperism and later as the Society for the Reformation of Juvenile Delinquents, devised an institution to counteract the existing economic and social evils. They chose the House of Refuge as the device by which they would elevate their unfortunate brothers. Thus, these men, using their considerable influence in public circles, helped to bring the reformatory into being as a permanent part of the American scene.
House of Refuge

Origins of Juvenile Reform
in New York State, 1815–1857