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The Practice of Punishment in Western Society



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DELINQUENT CHILDREN

The Juvenile Reform School

Steven Schlossman

Of the many and valuable institutions sustained in whole, or in part, from the public treasury, we may safely say, that none is of more importance, or holds a more intimate connection with the future prosperity and moral integrity of the community, than one which promises to take neglected, wayward, wandering, idle and vicious boys, with perverse minds and corrupted hearts, and cleanse and purify and reform them, and thus send them forth in the earnestness of manhood and in the beauty of virtue, educated and prepared to be industrious, useful and virtuous citizens.

—Massachusetts Governor George Biggs, address at opening of the Lyman Industrial School for Boys, Massachusetts, 1848

The child must be placed where he will gradually be restored to the true position of childhood. . . . he must in short be placed in a family. Love must lead the way; faith and obedience will follow. . . . This is the fundamental principle of all true reformatory action with the young.

—English child advocate Mary Carpenter, *Admission*, March 19, 1853

What is a "reform school"? What is a "juvenile delinquent"? What is "rehabilitation"? These terms, familiar though they may be, occasion as much puzzlement as any in the lexicon of criminal justice. Definitions have changed since the early 1800s, when the reform school was first envisioned as a field of dreams on which to plan grand schemes for salvaging errant youth. Today, with the brutality rather than the innocence of youth trumpeted in the media and the rehabilitative ideal all but abandoned as a goal of corrections policy, the very notion of a juvenile reform school seems like an oxymoron. Few other criminal justice legacies of the nineteenth century—not even the prison—have so thoroughly lost their credibility as an instrument of sound public policy.

The path by which the reform school evolved from a popular child-serving venture in the early nineteenth century to an unwanted orphan of the corrections and educational systems

¹A young inmate in his cell at Gardner House, a juvenile detention center in Austin, Texas, in 1972.



in the late twentieth century has never been fully explored. The classic texts in criminology deal with the reform school in passing, if at all. Perhaps this is because its history has been rather quiet: no Panopticon, no Auburn, no Elmira, no Africa to inspire high hopes or dread doubts. The reform school produced few highlights of the kind likely to secure its place in correctional lore.

Yet the reform school was a full-fledged partner in the burst of institution building that saw the invention of such new approaches to transforming human behavior as prisons, mental hospitals, and public schools in the nineteenth-century Western world. Like these other institutions, the reform schools of the United States attracted many famous foreign visitors (such as Charles Dickens, Alexis de Tocqueville, and Gustave de Beaumont), who portrayed them as models for worldwide emulation. This chapter will pay particular attention to the American experience in tracing the history of the reform school. At the same time, it will situate the reform school in a context of international experimentation that marked it as an invention shared by the Western world rather than one of American origin alone.

JUVENILE DELINQUENCY AND THE INVENTION OF REFORM SCHOOLS IN THE NINETEENTH CENTURY

Although it is possible to identify a few institutional precedents to the reform school in sixteenth-, seventeenth-, and eighteenth-century Europe, it is clear that until the early 1800s, families, not institutions, were the principal instrument through which communities disciplined children. The laws regulating children's behavior and upholding parental prerogatives were quite rigid and comprehensive, and the penalties that were authorized as appropriate for juvenile offenders were often severe (most notably, the Massachusetts law of 1646, which specified the death penalty for children over age sixteen who cursed or refused to obey their parents). Yet, in reality, the more stringent laws were rarely enforced. Magistrates were more likely to order parents and guardians to administer punishment within the household to incorrigible and law-breaking children than to confine the children in adult penal institutions or to have them publicly subjected to the corporal punishments (especially whipping) that would be commonly dispensed to adult offenders.

At the same time, judges and juries retained considerable discretion in enforcing the statutes that authorized harsh punishments for juvenile offenders. In the eighteenth century, it was relatively common for magistrates to sentence preteen as well as teenage children to local and state jails and prisons for relatively minor offenses. This practice continued and may well have expanded in the early nineteenth century. Yet it is also clear that judges and juries often determined that neither the interests of justice nor a child's well-being would be served by committing him or her to an adult penal facility and that it would be better to exonerate and release than to incarcerate the child. This practice of absolving children from punishment, however clear-cut their crime and criminal intent, stimulated great social concern and fed the early-nineteenth-century interest in establishing separate penal facilities for juveniles.

The term "juvenile delinquency" underwent an important transformation in the early nineteenth century. Vague public concern about tendencies toward misbehavior among the

young in general (such as being disorderly in church or attaching lit candles to paper kites) gave way to a newly heightened and focused concern about misbehavior among urban lower-class children. "Juvenile delinquency" was increasingly used to single out the suspicious activities of groups of lower-class (often immigrant) children who occupied a neighborhood in the bowels of the nation's growing cities and who were perceived to be either living entirely free of adult supervision or serving as pawns of depraved parents. Well before Dickens set the archetype to fiction, dire portraits of youthful urban predators were quite common among social commentators who popularized the new image of dangerous street urchins and campaigned for special institutions to house and rehabilitate them.

Houses of Refuge

Although the New York House of Refuge (which opened on January 1, 1825) is generally acknowledged to be the first of the early reform schools, several institutions of somewhat similar character already existed in England and Europe. Indeed, these predecessors significantly shaped the ideas of the founders of the New York facility. The Quaker teacher and philanthropist John Griscom, a longtime member of the New York Society for the Prevention of Pauperism, brought their experience to the attention of American reformers. Griscom was especially influenced by the work of the London Philanthropic Society, which had been founded in 1788 "for the Prevention of Crimes, and for a Reform Among the Poor, by training up to Virtue and Industry the Children of Vagrants and Criminals, and such who are in the Paths of Vice and Idleness." By the time Griscom visited the society in 1818, its institution had begun to accept juvenile offenders as well as impoverished and abandoned children, ignoring the distinction between vagrants and criminals. Particularly impressed by the society's educational and industrial program, he concluded: "It was cheering to find that so many wretched children were snatched as fire brands from criminality and ruin, and restored to the prospects of respectable and honourable life." The reform school was thus not exclusively an American invention. Rather, it represented a transatlantic cross-fertilization of philanthropic ideas and designs, especially among Quakers.

The founders of reform schools assumed that their clientele would not be exclusively serious offenders but a motley group of lower-class children—some who had already been convicted of criminal acts, others whose incorrigible behavior predicted future confrontations with the law, and still others whose life chances were so circumscribed by poverty and bad example that it would be an act of charity (in the founders' view) to incarcerate them and prevent a lifetime of poverty and crime. The term "delinquency" was used rather elastically to legitimate the incarceration of any youngster who, in the judgment of a court or of a reform school's managing directors, might benefit from a highly structured regime of discipline and instruction. True, formal legislation enabling a reform school to house criminal with non-criminal children was sometimes politically controversial and often did not appear until the institution was already long in operation. Moreover, outside of the United States, particularly in England, diligent efforts were made to distinguish institutions for young criminals from those housing merely incorrigible or neglected children. Nonetheless, most early reform schools brought all these groups together. The founders emphasized the commonalities rather than the differences among them.

Legal Foundations of the Reform School

The principal legal justification for reform schools in the United States in the 1820s (as for juvenile courts three-quarters of a century later) was the doctrine of *parens patriae*. A medieval English doctrine of nebulous origin and meaning, *parens patriae* originally sanctioned the right of the Crown to intervene in natural family relations whenever a child's welfare was threatened. As part of its legal inheritance from England, every American state in the nineteenth century affirmed its right to stand as guardian, or superparent, of all minors.

The seminal legal decision incorporating *parens patriae* into American juvenile law was *Ex parte Crouse*, delivered by the Pennsylvania Supreme Court in 1838. The case involved a young girl who, on the complaint of her mother, had been committed to the Philadelphia House of Refuge. Under an expansive commitment law, the Pennsylvania juvenile institution was permitted to do officially what it had always been doing in practice, namely, incarcerating incorrigible as well as criminal children, sometimes on complaints from parents and with little concern for formal criminal procedure. Mr. Crouse did not approve of his wife's actions and filed a *habeas corpus* petition to obtain his daughter's release. When his petition was denied, he hired a lawyer to press suit on Sixth Amendment grounds, charging that his daughter's incarceration without a jury trial was unconstitutional. The Supreme Court denied Mr. Crouse's allegations and in so doing established the reform school's practice on a solid legal foundation.

The court's argument was in two parts. First, it affirmed the binding nature of the English common law tradition in general and of the *parens patriae* doctrine in particular. Asserting the government's power to incarcerate noncriminal as well as criminal children on the grounds that their families were incapable of raising them properly, the court asked rhetorically:

May not the natural parents, when unequal to the task of education, or unworthy of it, be superseded by the *parens patriae*, or common guardian of the community? It is to be remembered that the public has a paramount interest in the virtue and knowledge of its members, and that, of strict right, the business of education belongs to it. That parents are ordinarily entrusted with it, is because it can seldom be put into better hands; but where they are incompetent and corrupt, what is there to prevent the public from withdrawing their faculties, held as they obviously are, at its sufferance?

Mr. Crouse's daughter, the court concluded, "had been snatched from a course which must have ended in confirmed depravity; and not only is the restraint of her person lawful, but it would have been an act of extreme cruelty to release her from it." Thus, the court clearly established the legal right of a reform school to try to reform an inmate, whether or not the child had officially been convicted (or accused, for that matter) of a crime.

In its second argument, the court was equally vigorous in affirming that a reform school was indeed a school, the Philadelphia House of Refuge, for legal purposes, was best understood as an expansion of the city's fledgling system of public schools, not of its prisons. "As to the abridgment of indefeasible rights by confinement of the person," the court insisted, "it is no more than what is borne, to a greater or less extent, in every school, and we know of no natural right to exemption from restraints which conduce to an infant's welfare." In sum, a reform school was a residential public school for confirmed and incipient delinquents. The government had every right, if not a moral duty, to create reform schools without serious

concern for whether children *qua* children held indefeasible rights other than to be brought up properly. Except for one maverick appellate court decision in Illinois in 1870 (People v. Turner), the legal standing of reform schools underwent no significant challenge for many years. (Turner itself was overruled several years later.) Not until the U.S. Supreme Court issued its famous *In re Gault* decision in 1967 would the logic of the *Ex parte Crouse* decision be seriously challenged.

Reform Schools Triumphant

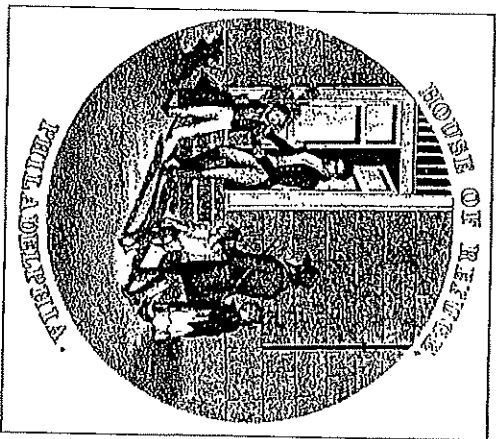
It is all too easy to view the spread of reform schools in the nineteenth century as inevitable, as conforming to a self-evident growth pattern whereby the example set by the pioneer urban institutions in the 1820s stimulated a flurry of imitative activity throughout the United States and the Western world. Yet the urgency of establishing reform schools was not generally evident until mid-century. Outside of a few major industrial cities, such as Boston, Philadelphia, Bristol, Hamburg, and Paris, the reform school did not initially carry wide appeal in the United States or in Europe (where the sponsorship of reform schools was overwhelmingly private rather than public). Additionally, in the United States the issue of reform schools lacked the degree of consensus that had helped build widespread support for prisons, mental asylums, and public schools in the 1830s and 1840s. From the start, the reform schools were rent by internal discord over proper architectural design, disciplinary methods, and religious and educational strategies for rehabilitating juvenile delinquents.

A true reform school movement did emerge, however, after mid-century in both the United States and Western Europe. In Europe, reform schools generally emerged under private auspices and private management but often with more or less public funding. The pioneer efforts of Johann Wichern and the Rauhe Haus in Germany in the 1830s and of Frédéric Demetz and the Colonie Agricole in France in the 1840s, both of whom looked to normal schools to produce trained cadres of reform school personnel, spawned dozens of imitators in their respective countries as well as in Switzerland, Belgium, Holland, and Denmark. Many Carpenter's perspective work with delinquents at the Kingswood and Red Lodge reform schools in the 1850s not only helped popularize the Wichern and Demetz models in England but also facilitated the passage of England's first comprehensive juvenile justice legislation, the Youthful Offenders Act of 1854, and the Industrial Schools Act of 1866.

Reform schools were also popular after mid-century in the United States, where they were generally created under public rather than private authority. However, joint public and private financing was not uncommon, and the schools' internal affairs were often supervised by local private boards. The number of reform schools in America grew from only three in the mid-1840s to twenty in 1860, ten of them sponsored by states (the first was at Wabashborough in Massachusetts in 1847), seven by municipalities, and three by private sponsors but with substantial public funding. The number of reform schools grew to over fifty in the mid-1870s. By the end of the nineteenth century, reform schools were ubiquitous in every region except the South, which generally lagged behind the other regions in all phases of institutional development.

The most provocative interpretation of reform schools in the United States is by David Rothman, who contends in *The Discovery of the Asylum* (1971) that the reform schools, like

With its official emblem, the Philadelphia House of Refuge heralded its confidence in its power to transform young delinquents into respectable children.



the prisons, mental hospitals, poorhouses, and orphan asylums founded around the same time, served important symbolic as well as functional purposes for nineteenth-century American society. This entire class of custodial institutions, he argues, was invented in response to widespread fears—real and imagined—of social and family disintegration. The new institutions would isolate “deviants” from law-abiding citizens to prevent “contamination,” teach inmates the necessity of highly disciplined behavior in a rapidly evolving social order, and—Rochman’s most far-reaching hypothesis—create exemplars of order for the citizenry at large. For parents, the well-ordered reform school would model the virtues of demanding unquestioned obedience from children in order to prepare them to cope with the uncertainties fostered by accelerated and unregulated social change.

Deference to authority was the organizing principle of most reform schools. Adherence to elaborate prescribed rules of conduct was both an end in itself and the means by which inmates and their keepers would learn to live harmoniously. Absolute obedience was demanded, and officials were quite ready to quell insubordination with physical thrashings. Corporal punishment was the norm; inmates were whipped or placed in solitary confinement for failing to conform to the daily regimen.

There were many ways of instilling deference and self-discipline, but the one prized most highly by reform school officials was the imposition of elaborate fixed routines. By scheduling every minute of every inmate’s day, the officials hoped not only to maintain order and keep children from mischief but also to imbue them with the ethic of orderly and purposeful living. The degree of regimentation was starting. Consider the following typical day reported by the New York House of Refuge in 1835:

At sunrise, the children are warned, by the ringing of a bell, to rise from their beds. Each child makes his own bed, and steps forth, on a signal, into the Hall. They then proceed, in perfect order, to the Wash Room. Thence they are marched to parade in the yard, and undergo an examination as to their dress and cleanliness, after which, they attend morning prayer. The morning school then commences, where they are occupied in summer, until 7 o’clock. A short intermission is allowed, when the bell rings for breakfast, after which, they proceed to their respective workshops, where they labor until 12 o’clock, when they are called from work, and one hour allowed them for washing and eating their dinner. At one, they again commence work, and continue at it until five in the afternoon, when the labor of the day terminates. Half an hour is allowed for washing and eating their supper, and at half-past five, they are conducted to the school room where they continue their studies until 8 o’clock. Evening Prayer is performed by the Superintendent, after which, the children are conducted to their dormitories, which they enter, and are locked up for the night, when perfect silence reigns throughout the establishment. The foregoing is the history of a single day, and will answer for every day in the year, except Sundays, with slight variation during stormy weather, and the short days in winter.

Although the work and school routines of reform schools varied somewhat, the basic patterns were everywhere evident. Schooling received more attention than in adult prisons, but it was subordinated to work. Even when inmates received several hours of instruction, it was scheduled so as not to conflict with work schedules. As the century progressed, formal schooling was accorded more time, sometimes up to half a day. The instruction, however, rarely went beyond the elementary level, and the teachers usually lacked qualifications for the task.

The work required of reform school inmates was generally less demanding than that prescribed for adult prisoners; similarly, there was somewhat less pressure on reform schools than on prisons to defray costs by selling the products of inmates’ labor. At institutions with farms, many inmates spent the summer months tending crops, usually for internal consumption but sometimes to meet the needs of other philanthropic institutions and occasionally for sale. Even the few institutions with thriving farms had to employ the inmates in other pursuits during the nonsummer months, however, so that farming never became as central to the routine as many reform school officials would have preferred.

The employments for delinquents were chosen as much for alleged character-building quality as for potential market value or any productive skills that inmates might learn. The stated goal was not to prepare inmates for particular employment but to instill industrial habits that would prepare them to become apprentices—not, ideally, in their old city haunts but in farm families. By the latter part of the century, the ability of reform schools to secure apprenticeships for their inmates declined precipitously, and delinquent children were simply released outright to shift for themselves and live where they might (usually their original residences). Although the practice of unsupervised release was certainly of concern, it was in fact not inconsistent with the policy orientation of reform schools. Institution officials rarely investigated the homes to which they apprenticed inmates, nor did they pay much attention to the difficulties delinquents faced in readjusting to conventional society.

Making nails and cheap shoes and tanning wicker chairs were probably the most common employments at reform schools. As in adult prisons, contract labor was sometimes relied on to provide machines and materials, but the financial incentives for contractors to

employ children were understandably less than for adults, as was the degree to which the contractors might exploit inmates or punish those who did not meet production quotas. Contract labor in reform schools did become more exploitative in the post-Civil War decades. The reform schools had greater budgetary needs because inflation and competition with newer types of charitable institutions reduced their public subsidies. To run the institutions with less money, superintendents were ready to delegate more authority to contractors in order to attract better contractors, increase inmate production, and thereby meet operating costs.

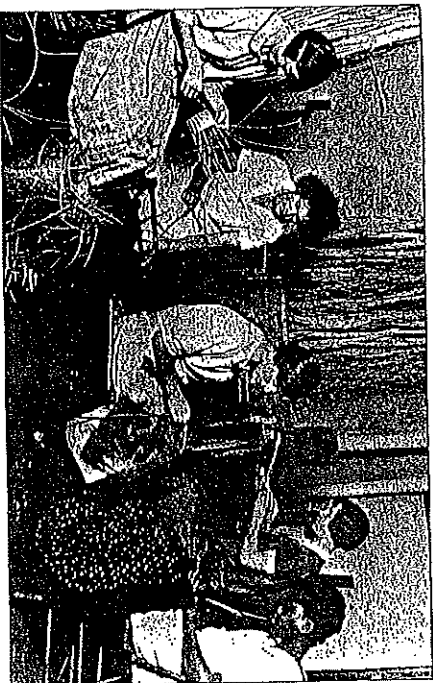
One of the more heated debates in juvenile corrections during the second half of the nineteenth century occurred between the advocates of the "congregate" and "cottage" systems. The congregate system used large, heterogeneous group living and work arrangements, whereas the cottages gathered (ideally) one to three dozen inmates to live and work in small "homes" under the supervision of full-time surrogate parents. At issue were not only broad questions of penal philosophy and design but also the appropriation, by both sides in the debate, of the same domestic language to describe their goals and practices: "family," "home," "love," "nurture." Could any institution that incarcerated young children against their will for several years' duration—whether it be the New York House of Refuge or Mary Carpenter's Kingswood in Bristol—truly be considered a substitute family or home?

The most curious aspect of the debate was that neither side was willing to concede the inherent limitations of custodial facilities to serve as family surrogates. Advocates of the cottage system confidently claimed that reform schools based on congregate organization could never aspire to be more than junior prisons but that cottage reform schools could rehabilitate their charges provided the surrogate parents were chosen with great care. The defenders of congregate institutions rejected this contention. As insistently as the advocates of the cottage system, they invoked family metaphors to describe their intent and their actual programs. An affectional mode of discipline was possible regardless of whether inmates slept and worked in cottages of thirty or in dormitories and workshops of several hundred. Sentiment, not architectural design, held the key.

That neither cottage nor congregate reform schools provided substitute "homes" is readily demonstrable and not surprising. Domestic metaphors provided both Europeans and Americans with a new rhetoric for describing reform schools in terms consonant with the sentimental patterns of social thought common in the Victorian era, but the metaphors obscured the harsh realities of daily regimens and the impossibility of bending children's wills entirely to the wishes of their keepers, however benign.

Female Delinquency and Gender-Segregated Reform Schools

The first group of delinquent children delivered in 1825 to the New York House of Refuge consisted of six girls and three boys. Although girls thereafter never formed more than a small fraction of the refuge's inmates, the founders always intended to include girls, albeit in entirely separate residential quarters and under the supervision of a matron. Because of their isolation, the girls could not participate in most of the activities planned for boys, but they were still expected to contribute, through their cooking, sewing, and washing, to the institution's domestic maintenance. As with boys, the hope was that the industrial habits



The workroom of the Lancaster Industrial School for Girls, circa 1926. Although the institution offered inmates some formal schooling, the girls daily regimens focused on preparing them for entrance as house servants after their release.

acquired in the institution, quite as much as any particular skills learned, would enable the girls to acquire apprentice positions as domestic servants in rural families far removed from their original, corrupting homes and communities.

From the first, the difficulties of keeping boy and girl delinquents entirely separated were recognized, occasionally through the embarrassing discovery that a girl had become pregnant while incarcerated. With little more to occupy their time than endless housekeeping and Bible chats, the female inmates often became obstreperous and offended Victorian sensibilities to a degree that their overseers could not tolerate. Although several American reform schools founded after mid-century excluded girls, the common practice was to house each sex in separate departments (if possible, in separate buildings) at the same institution. By 1880 there were only eleven separate girls' reform schools in the United States. Not until after the turn of the century did a true reform school movement for girls emerge.

Of the two female reform schools to achieve international reputations in the nineteenth century—Mary Carpenter's Red Lodge in England and the Lancaster Industrial School for Girls in Massachusetts—the Lancaster facility is of more abiding historical interest because of its innovations in cottage design. The founders would have preferred family-like cottages for ten or fewer girls rather than the residences that were actually built, boarding-school type homes with space for thirty or forty, but the difference did not dull their enthusiasm for being the first to embark on a new reform school tradition in America. "It is to be a home. Each house is to be a family, under the sole direction and control of the matron, who is to be the mother of the family. The government and discipline are strictly parental. . . . It is to educate, to teach them industry, self-reliance, morality and religion, and prepare them to go forth qualified to become useful and respectable members of society. All this is to be done without stone walls, bars or bolts, but by the more sure and effective restraining power—the cords of love." The nineteenth-century reform schools for girls had their own regimen, which was not

as relentlessly grinding, production-oriented, or harsh as in male reform schools. Formal schooling and religious observances were more central to the routines of the girls' schools as well. Housekeeping, though, was the principal means of filling the girls' time and preparing them for indeterminate release.

The rather idyllic early years of the courage reform school for girls in Lancaster were not long sustained. Reflecting broader shifts in Massachusetts child welfare policy, younger girls were gradually eliminated from the institution and placed directly in farm families; they were replaced by girls with more confirmed patterns of sexual misconduct (including prostitution) and petty criminal behavior. Furthermore, the growing appeal in the late nineteenth century of harditarian explanations of female delinquency (which culminated in the belief that sexual experimentation by girls indicated "feebler-mindedness") helped to undermine faith that "the cords of love" could rehabilitate female delinquents.

This experience was not, of course, unique to the girls' institutions. It occurred also in the courage reform schools for boys in such states as Ohio and Wisconsin. The reputed ability to classify inmates according to different degrees of "hardness" became the principal advantage that the new courage design gave to superintendents. Rather than a means toward intense, affection-driven personal interaction between staff and inmates, the courage system became mainly a tool by which management isolated younger delinquents from older, smaller ones from larger, and malcontents from everyone else.

Assessing the Nineteenth-Century Heritage

By the end of the nineteenth century, in both Europe and the United States, the reform school could count on only a handful of strong proponents, in penological or educational circles, to articulate its ideals for salvaging errant youth. One such proponent was the Columbia University educationist David Sneed, who believed that reform schools were pedagogical pioneers in developing new methods to educate lower-class youth, especially in vocational training. Equally positive assessments of steady progress and of better times ahead came from corrections professionals, particularly after the establishment of a new interest group in the United States, the National Conference on the Education of Truant, Backward, Dependent, and Delinquent Children.

A much more negative judgment was rendered by Homer Folks, a well-known social worker and secretary of the Children's Aid Society of Pennsylvania. His review of the history of reform schools led him to discount both their claims of success and their future utility. These institutions, he argued, offered temptations to parents to shirk their child-rearing responsibilities, subjected younger, relatively innocent inmates to the educational influences and sexual advances of older, more confirmed delinquents, impaired an irrefragable stigma that hampered inmates' postrelease adjustment, treated individuals on a mass rather than individually, and by their very nature, were incapable of preparing children for life outside an institution. By the 1880s similar criticisms began to be heard in Europe, even with reference to such one-time institutional exemplars as the *Colonie Agricole*. Folks's viewpoint was becoming the prevailing wisdom of child welfare reformers throughout the Western world.

In retrospect, the nineteenth-century reform school was an altogether unadventurous institution. Having separated juvenile from adult offenders and thereby sparing the former (or so it was claimed) from the dangers of sexual exploitation and education in crime, the overwhelming majority of reform school administrators were unable to turn the institution into something more than a mini-prison for children—despite the fact that liberal commitment laws sent a relatively young and criminally inexperienced cohort to the schools. To the extent that doubts about design and purpose emerged, they centered more on form than substance, particularly on the alleged benefits of a courage plan that encouraged a rhetoric of domesticity that bordered on the silly. The courage ideal became a substitute for, rather than a spur to, original thinking about rehabilitating juvenile delinquents.

REFORM SCHOOLS IN THE FIRST HALF OF THE TWENTIETH CENTURY

At the turn of the twentieth century, the number of reform schools in the United States was still less than one hundred. They were located mainly in the North Atlantic and North Central states. Although boys' institutions were generally much larger than girls', they varied greatly in size, with some housing as many as one thousand delinquents. The American reform schools tended to be substantially larger than their European counterparts, in part because the American institutions were built anew whereas the European reform schools were often located in preexisting buildings.

Boys composed around 80 percent of the American reform school population. At commitment they were on average fourteen years old, the girls were somewhat older, and some institutions accepted children as young as age ten. The average length of stay was a little under two years. Most inmates had immigrant parents (in some states the overwhelming majority did). African-American youth composed around 15 percent of the inmates.

Generally speaking, girls were less likely to be charged with a specific criminal offense than boys. However, few boys in reform schools were serious criminals either. The majority belonged to the wayward, incorrigible, or vagrant class, and the special offense alleged in commitment was usually "put an incident in a more or less extended career of anti-social activity." Whereas the girls' offenses were mainly linked to early sexual exploration or to victimization (the distinction between the two was not often observed—vice was vice), the boys' offenses, if they involved a property crime at all, were limited to petty larceny and only rarely involved a personal injury offense.

The number of American reform schools grew slowly but steadily in the first half of the twentieth century, the bulk of the increase came in the South and in the creation of separate facilities for girls. Although the great majority of inmates were white, progressively fewer among them had immigrant parents (a product of the reduced immigration from Europe), and progressively more were African-American (following the large-scale migration of southern blacks to northern cities). By the 1930s, nearly 25 percent of reform school inmates were African-American.

At the same time, the average length of stay declined nearly in half—from almost two years to one—and the median age at commitment increased from fourteen to sixteen. The

former trend probably reflected an untested policy of paroling inmates early to compensate for the failure of states to build reform schools at a pace commensurate with population growth. The latter trend probably reflected the impact of juvenile court-sponsored probation in siphoning off status offenders and minor property offenders from reform schools.

Variations on a Nineteenth-Century Theme

The story of the nineteenth-century reform school is largely the perpetuation of scaled-down prisons for juveniles. Innovations were modest in design and even more modest in implementation, no more than a variation on adult prison routines. Several features, however, distinguished twentieth-century reform schools from their antecedents: they were much less prone to epidemic illness; they relied somewhat less on severe corporal punishments; they placed greater emphasis on academic education; they used rudimentary behavioral science methods to diagnose and classify inmates; and—to a limited degree—they paid more attention to monitoring the post-release experiences of inmates. These changes notwithstanding, to enter most reform schools in America and Europe in the mid-twentieth century was to return to a remnant of the Dickensian era.

Most reform schools were virtually impervious to change. Even when serious efforts to transform correctional philosophy, design, and practice were contemplated and planned, the implementation was usually so faulty as to abort the experiment. These failures were generally as evident in the courage as in the congenial institutions.

Consider, for example, the typically disappointing experience of the Ohio Boys' Industrial School (BIS)—originally known as the Ohio Farm School—which in the late nineteenth century was the best-known American initiator (for males) of the Colonial Agricolle. According to its founder, the Ohio Farm School had two main advantages over its "house of refuge" predecessors. First, it relied mainly on agricultural labor to teach inmates self-reliance and usable vocational skills. Second, its cottage design facilitated close personal contact and communication between the staff and inmates.

The fame of the Ohio Farm School spread in the post-Civil War era, but the institution soon experienced difficulties in maintaining its agricultural work. Periodic crop failures and other mishaps undermined the institution's boast of maintaining self-sufficiency. Superintendent George Howe began to introduce various industries to service the institution and defray costs. As government expenses to maintain the institution mounted, much of its early legislative support eroded. Howe was fired, and he was replaced by a superintendent who was far less committed to the school's original philosophy. Then, in 1894, the name of the institution was changed to the Ohio Boys' Industrial School to incorporate a growing orientation to factory-like work. Apart from its rural location, the BIS was becoming increasingly indistinguishable from such traditional reform schools as the New York House of Refuge.

During the last decades of the century, administrative turmoil and harsh discipline characterized the institution. Even its cottage design was no longer a distinguishing feature as the inmate population soared to over eight hundred without a commensurate expansion in rest-overcrowding, the superintendents resorted to early release (parole) to regulate population size.



A vocational training class in an Indiana juvenile reformatory, circa 1910.

In the early 1900s, the BIS introduced three major innovations to try to bring its program in line with the "individual treatment" methods that were becoming popular among penologists and educators. Influenced by such authors as William Healy, Edward Thorndike, and Lewis Terman, this orientation emphasized inmate classification, vocational education, and upgraded academic instruction. Potential benefits from a more sophisticated classification of inmates received the greatest attention, especially after the Ohio Bureau of Juvenile Research, founded in 1913, began to screen inmates with psychological and psychiatric tests. Yet aside from administering a battery of examinations to identify "feebleminded" boys for exclusion, the superintendents did not have much use for the psychological information. The available educational and vocational programs were simply not advanced or diverse enough to allow much refinement in selection procedures. In practice, the assignment of boys to institutional programs or living quarters proceeded according to traditional criteria such as age, race, religion, and offense.

As with classification, the introduction of new forms of vocational training changed work routines very little. The state legislature's professed enthusiasm for vocational programs was mainly rhetorical; the limited funding available usually purchased equipment that was obsolete from the start and prone to regular breakdown. Other problems emerged in the poor match between required work skills and inmate abilities. The typing instructor, for example, was perfectly satisfied with his equipment but soon found that few inmates possessed the level of reading skill necessary to train them for possible future employment as "type-writers."

These difficulties in implementing vocational programs paid before two more basic realities. First was the limited number of vocational offerings available to the huge inmate population. The vast majority of inmates did not have access to even a modicum of vocational training. For African-American inmates the prospects of gaining entry into a vocational program were even poorer, since they were slotted into specific service jobs, such as tending

the kitchen and dining facilities, where their postrelease job prospects were alleged to be brighter. Second was the undeniable need, in light of inadequate legislative appropriations, to use the great bulk of inmate labor to maintain the institution. Maintenance needs at an institution as large as the BIS were literally endless. So-called force work, such as tending the garden, mending and sewing, and painting walls, occupied most inmates during the bulk of their stay at the BIS. This was especially the case if the boys were older or lacked skills developed in prior employments.

On the surface, more impressive changes occurred in academic programs than in either vocational training or inmate classification. Schooling occupied an increasing segment—often half—of most inmates' days. Serious efforts were made to upgrade the level and variety of instruction available to inmates and to improve the teaching staff. Though innovation was clearly attempted, the BIS educators tended to exaggerate their achievements. Such a basic reform as grading, for example, was often undermined by the inmates' major reading deficiencies. Moreover, reforms could rarely be sustained. Attaching or holding onto good teachers was a never-ending problem, for obvious reasons. In reality, pedagogical flexibility never displaced the highly didactic instructional style that was common in the nineteenth-century houses of refuge. Furthermore, despite the strong theoretical emphasis placed on formal schooling, there was never a doubt that institutional work requirements took precedence. Hence, it remained common for inmates to be removed from school for several weeks at a time to harvest crops or to be removed from day classes entirely if they were needed to meet production quotas and attend to pressing maintenance needs.

Far more easily integrated into institutional routines than "individual treatment" was the military regimen—in fact, military routines were already common in many nineteenth-century European institutions. Like most reform schools, the BIS had relied primarily on one or another version of a merit-dement system and its attendant series of punishments—loss of privileges, assignment to the "correctional cottage" for corporal punishment, and solitary confinement—to regulate inmate behavior and schedule release times. Although the superintendents were forever engaged in refining the merit system, the principal addition to the institution's disciplinary apparatus after 1900—coinciding with the declining legitimacy of corporal punishments—was a heavy reliance on military drill. This was supplemented by extensive use of inmate monitors (not unlike prison trustees) to provide surveillance and to secure obedience.

Under this routine, inmates were placed in regiments and divided into ranks ranging from officers to cadets; inspections were held every Sunday, followed by a dress parade. The inmates drilled for forty-five minutes daily and were even taken away from work assignments to drill more. Superintendents at the BIS believed that military training offered multiple physical and disciplinary benefits to the inmates of a reform school. The military program also served an important public relations function. Through weekly parades, annual field days, and occasional excursions off the grounds, the inmates demonstrated to the public at large the institution's capacity to mold delinquents' behavior.

By the 1930s, the highly structured and formalized relationships characteristic of a military outpost had penetrated every aspect of staff-inmate relations. The boys marched to and from every activity in total silence. The general impression . . . was that the whole spirit at

this school was rather that of an old-fashioned institution running on institutional precedents established during the long years of existence, with only such staff teamwork as comes from a somewhat militaristic organization."

Central to the military organization was the monitor system, which promoted some boys to supervisory positions over their fellow inmates. In the shops, fields, and cottages, the monitors kept inmates under constant surveillance. They could pull inmates out of line and inform staff of any misbehavior; when staff were absent for any reason, the monitors were left in charge. The BIS administrators were aware that this system tended to undermine their ability to build trust among the boys. Nonetheless, they argued that, given the facility's financial constraints and its perpetual overcrowding, they had no other option to maintain order. "We've got to handle them on a mass basis," acknowledged one superintendent in the 1940s. The monitor system was, of course, subject to serious abuse. "Manned by the toughest bullies in the school," some monitors were "authorized to beat up or otherwise discipline their fellow inmates—to make funbles of the weaker boys, to extort bribes, to inflict sadistic punishments, and even force homosexual relationships."

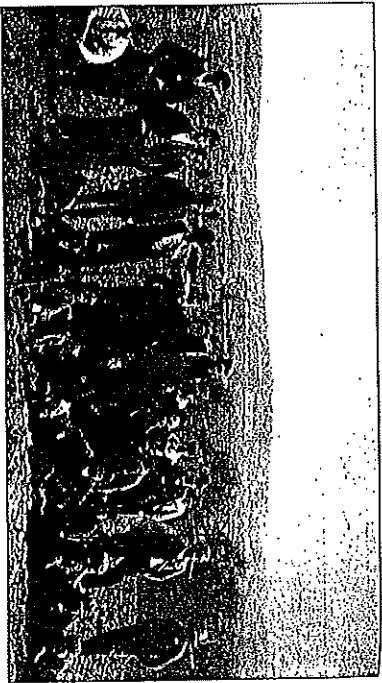
Between the 1920s and the 1940s, the BIS administrators still boasted of the institution's cottage organization. However, severe overcrowding precluded the possibility of any real family atmosphere. "One superintendent unhesitatingly admitted, "The school is operated along semi-military lines." Consistent with this view was another superintendent's description of the inmates' living arrangements: "We have nine drill families. The family company is made up of forty boys." The superintendent's mixed metaphors nicely synthesized both the institution's origins as a cottage reform school and its transformation into a military outpost.

Experimental Reform Schools: The George Junior Republic and the Whittier State Reform School

The evolutionary path traced by the BIS reflected broader patterns of reform school development in the first half of the twentieth century in both Europe and America. In the early 1900s, however, a number of fascinating experiments in juvenile corrections were launched in the United States and soon acquired an international reputation. These experiments, under both public and private auspices, were few in number and without extensive influence. Nonetheless, they helped sustain the quasi-utopian tradition that such institutions as the Kaake Haus and the Colonic Agricola had brought to juvenile corrections in the nineteenth century. Two examples were the George Junior Republic and the Whittier State Reform School.

Probably the best-known innovator in juvenile corrections in the early twentieth century was William "Daddy" George. George's unique blend of modern educational ideas and conservative economic principles in his Junior Republic in Freerille, New York, won him a large following among child welfare workers in the United States and, eventually, throughout the Western world. The organizational centerpiece of the Junior Republic was inmate self-government. "The inmates' day-to-day life was regulated mainly by their peers, who were elected to the institution's offices of president, senator, representative, and so forth. In addition to resolving the basic political structure of the United States, the Junior Republic established such community institutions as banks, stores, police, and a judiciary to resolve conflicts, all of which were run by the inmates. In addition, the Junior Republic issued its own money and

William "Daddy" George (center) poses with some of his charges at the George Junior Republic in Freeville, New York, circa 1896. An attempt to re-create the reform school as a community, the Republic was policed and governed by inmates.



expected every inmate to earn his keep, including the costs of food and lodging. Though George established the ground rules and occasionally intervened in the process, the inmates of the Junior Republic controlled their fate to a remarkable degree.

George was clearly trying to re-create in a reform school the aura of a normal embryonic community (including girls as well as boys) of the kind envisioned by the most famous progressive educator, John Dewey. This functioning community, George believed, prepared inmates for effective citizenship far better than the pious lectures and ineffective civics lessons that were standard in most reform schools (or American public schools, for that matter). Undergirding the legal framework of the Junior Republic was the moral principle of "nothing without labor." George had fewer qualms than many child welfare workers about the virtues of laissez-faire capitalism. He offered inmates regular opportunities to earn a sufficient income not only to pay for basic food and lodging but to accumulate savings and even to live in a degree of luxury (at the "Hotel Waldorf" rather than at the "Bentley"). As long as social distinctions arose from effort and achievement, George had no desire to enforce the same life-style on inmates simply because they all resided at the same institution.

Just as George offered material incentives for extraordinary effort and achievement, he did not hesitate to punish sloth and improvidence. The "nothing without labor" principle did not lead to starvation or exposure for uncooperative, lazy, or economically impudent inmates. It did mean, however, that they would be sentenced to the Junior Republic's jail, followed by a symbolic "repayment" for upkeep by being forced to crush stones.

Although the Junior Republic was known mainly for its reliance on inmate self-government and the "nothing without labor" principle, the rhythm of daily life centered on diverse vocational and academic tasks, just as at many less innovative reform schools. The differences were mainly two: first, George implemented the vocational programs more comprehensively and the academic programs more creatively than did directors of other correctional institutions; and second, George embedded his instructional programs within a much broader rehabilitative credo.

Most children at the Junior Republic divided their days equally between vocational and academic pursuits. The institution early gained a reputation as a model vocational school. The "nothing without labor" principle was not expended on the kinds of make-work or institutional maintenance chores that occupied inmates at most reform schools but rather on rational maintenance projects that combined theory and practice. Moreover—in a radical departure from other reform schools' policies—George kept in close contact with local businessmen and thereby facilitated the employment of nearly all of his charges after their release. (At least this was true of the boys; it is less certain what became of the girls after release.)

At the beginning, George was skeptical that academic instruction had a place in his work-centered, earn-your-own-way institution. But he soon devised a means to integrate academics into the Junior Republic so that it was congenial with and reinforced his correctional philosophy. Rather than offer conventional instruction to children who, in the main, had failed at prior schooling, George opened instead a "Publishing House." Like their work assignments, the inmates' academic assignments were completed through a contract with the former-teachers who ran the "Publishing House"; inmates were remunerated for their academic efforts at a rate comparable to that paid for other tasks at the institution.

Bis and pieces of William George's correctional ideas penetrated into many public and private reform schools in the United States and Europe in the first half of the twentieth century, especially the self-government scheme. Nonetheless the penetration was almost always superficial, isolated not only from George's comprehensive educational philosophy but also, invariably, from the unique context in which the institution had evolved in upstate New York.

The second example of a unique experiment in juvenile reform was the Whitier State Reform School. As noted earlier, most twentieth-century reform schools in the United States did little more to integrate individual treatment into their operations than subject their inmates to a battery of mental tests. Those reform schools that did attempt to make use of their diagnoses found it difficult to translate new knowledge into new modes of treatment, either because their grounding in psychology was superficial or because the urgency of maintaining secure custody overrode individual treatment considerations. But a few correctional institutions did try more diligently and comprehensively than others to implement the individual treatment ideal, probably none more so than Whitier. California's principal public correctional institution for delinquent boys.

In 1912, the reform-minded governor of California, Hiram Johnson, appointed a Los Angeles businessman, Fred Nelles, as superintendent at Whitier. Built earlier on the congrate design, Whitier was reputed to be nothing more than a scaled-down prison for juveniles. Determined to push California to the vanguard of correctional practice, Nelles cultivated substantial personal support from legislators during the next fifteen years and fundamentally overhauled the structure and operations of the institution. The extent of his efforts demonstrated what it took to make individual treatment more than empty rhetoric.

To realize his goals, Nelles felt that it was essential to control his immediate environment. This meant, first, restructuring the facility according to the cottage rather than the congregate design. It took over ten years for Nelles to rebuild the institution so that the great majority of inmates lived in cottages, but when the process was complete he had no doubt of

the superiority of this approach. Nelles's plan of individual treatment also presumed, as at private reform schools in both the United States and Europe, considerable control over admissions and a select, fairly young population on whom to translate theory into practice. He quickly gained the authority to exclude boys over the age of sixteen and to transfer refractory inmates, and by the early 1920s, he was able to rid the institution of inmates who scored exceptionally low on intelligence tests.

Unlike William George, Nelles made clinical diagnosis of inmates' behavior problems a centerpiece of his treatment plans. With the active participation of the psychology departments at UCLA and Stanford University, Nelles developed his own research department (later called the California Bureau of Juvenile Research) to provide extensive psychological testing and, to a lesser extent, psychiatric counseling of inmates. The bureau's prime objects were to formulate individual treatment plans that took into account inmates' special needs and to pursue scientific research into the causes and cures for delinquency. The bureau also recommended specific placements in cottage, school, work assignment, and recreation. The behavioral sciences, in Nelles's view, held the key to individualizing treatment.

Although the cottage system, a selective admissions process, and clinical evaluation and assignment provided a framework for innovation, Nelles still had to specify rehabilitative goals and establish specific programs to fulfill them. It was more in the execution than in the articulation of goals or programs that Whittier differed from most public reform schools.

Though he often spoke the language of the behavioral sciences, Nelles was quite traditional in portraying character development as the primary goal of a reform school. Accordingly, there were minimal restraints on inmates' movements within the institution. They rarely marched in formation, and there were no fences or guards to prevent escapes. Whittier did not insist on uniforms, so the boys wore their own clothing. They even had individual lockers for personal possessions. Corporal punishment was prohibited. The most severe punishment—and one rarely used—was assignment to one of four quarantine rooms in the last-privilege cottage. However, even when isolated, inmates received normal food provisions and were regularly interviewed to determine whether they were ready to resume regular activities. Nelles's scheme of punishment was less harsh than the one in place at the George Junior Republic.

Academic schooling, vocational training, and experience in teamwork via athletic and other recreational activities were the main vehicles through which Nelles sought to transform inmates' character. During the early part of his administration, Nelles gave primary attention to building up formal vocational training at Whittier. By the 1920s, though not denigrating vocational preparation, he placed increasing emphasis on academics, particularly now that the "feble-minded" boys and those over the age of sixteen had been reduced. All boys under fourteen, and those over fourteen who had not completed fourth grade, attended academic school for approximately five and one-half hours every day. Nelles, like George, introduced an individualized contract-learning plan to structure academic instruction above the sixth grade level. The flexibility of this plan was particularly well suited to a reform school, Nelles believed, because the arrival and departure of inmates throughout the year was irregular and because the contracts of boys who were falling could be altered without embarrassing them (as was often the case in public schools).



The Whittier State Reform School basketball team in 1914. Teaching boys to use their free time constructively and wholesomely was integral to Whittier's correctional program.

Whereas Nelles's pedagogical innovations were most apparent in the academic arena, he placed great faith in his elaborate vocational training programs. He claimed that many former inmates continued working on the outside at the same occupations for which Whittier had trained them. Though Whittier taught (with fairly up-to-date equipment) some dozen trades, the line separating training from institutional maintenance was hard to draw. This was not a major concern to Nelles, who saw vocational training principally as a form of character development and a spur to emotional maturation.

No less vital to Nelles's correctional program were the formally organized athletic and recreational activities. In addition to daily gym class for everyone, the sports program emphasized cottage-based, competitive intramural contests. Participation was carefully limited to boys who were performing well in school and who exhibited acceptable behavior. The prime aim of the program was not victory but, as in vocational training, character development.

Recreation was not considered as therapeutic as athletics, but it was no less organized and central to Nelles's plans. Responding to the widely shared view that children were generally delinquent during their leisure hours, Nelles considered it essential to teach boys the wholesome use of free time. For example, he equipped each cottage with a loudspeaker on which he played radio programs designed to improve inmates' musical tastes and on which he often read stories and books aloud at night. In addition—and very important to Nelles because it substituted for the military trappings that marked most European and many American institutions in the 1920s—the Whittier State Reform School sponsored a thriving Boy Scout program. Scout executives in the city of Whittier were heavily involved in the program's administration, and when inmates were paroled, special efforts were made to enroll them in a local Scout unit.

In sum, the Whitner State Reform School embodied several features that differentiated it in both design and implementation from most public reform schools: small cottages staffed by surrogate parents; no walls; selective admissions; no corporal punishment and a mild disciplinary apparatus; clinical diagnosis as a routine service; on-site experimentation and evaluation monitored by a research unit with strong academic links; a balance between academic and vocational instruction, with strong programs in both; highly developed athletic and recreational programs; regular exposure of inmates to outsiders through athletes and recreational events; and private-sector subsidy of institutional activities. All these elements placed Whitner in the vanguard of juvenile corrections in the first half of the twentieth century.

Girls' Reform Schools: Domesticating Sexual Misconduct

In the decades preceding and following World War I, female delinquency began attracting increasing attention as a separate and pressing social problem in the United States. Whereas between 1850 and 1920 an average of fewer than five new reform schools for females were opened per decade, twenty-three such facilities began operation between 1910 and 1920. Equally important, a number of states took over girls' reform schools that had been founded under private auspices.

Many American reform schools for girls resembled traditional prisons and regularly employed logging, solitary confinement, cold-water baths, nausea-inducing drugs, severely restricted diets, and head-shaving as disciplinary measures. But a number of institutions—such as Sleighton Farms in Pennsylvania, El Retiro in Los Angeles, Seak Center in Minnesota, the State School for Girls in Connecticut, and Clinton Farms in New Jersey—earned reputations for educational innovation that equaled or surpassed those attached by the Junior Reformatory and the Whitner State Reform School. The best-known publishers for new approaches to female juvenile corrections were Martha Falconer, the superintendent of Sleighton Farms, and Miriam Van Waters, the superintendent of El Retiro. As described by them, the modern reform school for girls shared the characteristics of a psychological clinic, a sanatorium, a summer camp, a country day school, a working farm, a home economics department, a pre-total college campus, and a George Junior Republic.

Unfortunately, empirical investigation of twentieth-century American reform schools for girls lags behind even that of reform schools for boys (the scholarship on European institutions is more meager still). It is not yet possible to describe their characteristics in detail or to be certain whether new ideas were fully translated into daily programs. Nonetheless, one characteristic of the experimental girls' institutions is clear: like their nineteenth-century predecessors, they defined female delinquency in gender-specific terms. This attitude was no less characteristic of El Retiro and Sleighton Farms than of dozens of other institutions that functioned solely as holding tanks until the girls reached their eighteenth birthdays.

Unlike boys, girls continued to be branded delinquent and incarcerated primarily for out-of-wedlock sexual activity. Illicit sex by female youth was presented as both a medical and a biological threat to society. On the one hand, the "sex delinquent" was alleged to be a key carrier of venereal disease. On the other, the "sex delinquent," by giving birth to children alleged to be mentally or biologically inferior, was identified as a major threat to the genetic purity of the population. Indeed, female "sex delinquents" were a prime object of the eugen-

ists' most prominent policy instrument, sterilization. Girls' reform schools played a key role in identifying inmates for the sexual surgery, usually by discharging them from the reform school and having them placed at special state hospitals for "febleminded" and/or recalcitrant "sex delinquents."

Conclusion

For all the enthusiasm that innovative programs created, neither in the United States nor in Europe did the models provided by the George Junior Republic, the Whitner State Reform School, El Retiro, and Sleighton Farms transform the institutional treatment of juvenile delinquents. The quiet deterioration of the nineteenth-century status quo, rather than new departures, characterized the history of reform schools during the first half of the twentieth century. Indeed, the most notable change during this period may have been the decline of and, finally, the abolition of the *Colonia Agricola* in 1937. With its demise, there was no international model to serve as a counterforce to the predominant view of the reform school as a mini-prison for children.

Some child welfare reformers on both sides of the Atlantic did achieve a modicum of success in challenging prevailing opinion and practice. In England, for example, the passage of the Children's and Young Person's Act of 1933 created a new generation of "approved schools" for juvenile delinquents and stirred more serious discussion about reform schools than at any other time since Mary Carpenter's campaigns in the 1850s and 1860s. Yet the "approved schools" constituted only a modest alteration of the status quo. In collapsing the nineteenth-century industrial school and reformatory to form a single new type of "approved school," England mainly followed the well-established American example in consolidating institutions whose clientele had never been clearly differentiated in the first place. (It should be noted that Britain's most famous contribution to penology in the first half of the twentieth century, the Borsari, was aimed at young men between the ages of sixteen and twenty-one rather than the customary reform school cohort of fifteen and under.)

In some ways, the publicity received by the quasi-utopian American reform schools may have created or perpetuated an illusion of more genuine interest in change than actually existed among corrections practitioners or the larger public. Nonetheless, the experimental American reform schools introduced a breath of fresh air into an institution that for nearly three-quarters of a century had undergone only cosmetic change. One need not claim strong external influence for these experiments to acknowledge how inventive they were and to wonder how other delinquent youth might have fared if these examples had been more widely imitated.

THE LAST HURRAH AND BEYOND: THE REFORM SCHOOL AND DEINSTITUTIONALIZATION

Several major changes in the characteristics of American reform schools and their inmates emerged after World War II. First, the total number of juveniles in reform schools increased substantially. Between 1950 and 1970, the population under confinement jumped by over 75 percent, from 35,000 to 62,000 inmates. The rate of juvenile incarceration increased as

well, from 127 to 156 per 100,000 juveniles. Second, the number of publicly operated reform schools grew to nearly two hundred—and this figure excluded several hundred more camps, group homes, and private institutions that might fairly be regarded as mini-reform schools. Third, the share of reform school inmates who were female declined from its mid-century high of approximately 33 percent to approximately 20 percent (the same as in the late nineteenth century). Fourth, while the share of immigrant youth in reform schools declined dramatically, the share of African-American youth grew rapidly, reaching 40 percent by 1970. Finally, although the average age at commitment remained steady at sixteen, the average length of stay continued its century-long decline, so that by 1970 it was under one year.

The early 1970s were an especially discordant period in the history of American juvenile corrections. As a result, two of the trends just outlined were reversed: both the number of youth incarcerated and the rate of juvenile incarceration declined during this decade. However, there is good reason for skepticism about the real import of this change. It may be that many juveniles who once would have been incarcerated in reform schools were sent to smaller group homes and private custodial institutions. In any event, the rate of juvenile incarceration was soon on the rise again and by the mid-1980s reached an all-time high of over 200 per 100,000 juveniles. By the early 1980s, the total reform school population was also expanding, fueled by the growing share of African-American youth, who now composed more than 50 percent of the inmates.

The early-twentieth-century search for new strategies in juvenile corrections came to a resounding end in the third quarter of the twentieth century. Most professionals in child welfare and law enforcement had already lost faith in the reform school as a desirable placement for delinquent youth. But the new commitment to the deinstitutionalization and community treatment movements of the 1960s and 1970s was built on different presumptions. These movements represented, first, a transformation of earlier discouragement and skepticism into total despair and, second, an utter denial of the traditional claims that—even on a theoretical level—reform schools could function more like schools than prisons. The rehabilitative ideal was virtually denied, for children as well as adults, as a legitimate or feasible purpose of corrections.

The Last Hurrah: The Youth Correction Authority

Curtiously, the deinstitutionalization and community treatment movements emerged in the aftermath of one final attempt, in the 1940s and 1950s, to revive confidence in reform schools as potentially effective environments in which to deliver individual treatment to delinquent youth. This renewed confidence centered as much on new ideas about the administration of reform schools as on any original therapeutic approaches to correcting delinquent behavior.

Starting in the 1930s, several prominent American advocates in the fields of corrections and law advanced the view that the next great step forward in the treatment of delinquent youth would be for each state to create a "Youth Authority" or "Youth Correction Authority." These new agencies, it was believed, would remove the commitment decision from a scattered, unregulated judiciary and centralize it in a single body whose placement decisions would derive impartially, indeed scientifically, from elaborate psychiatric, psychological,

medical, and social casework assessments conducted by experts. By centralizing control over placement and assigning behavioral evaluations to experts, each state would maximize its chances of rehabilitating delinquent youth and would provide an effective match between individual need and rehabilitative program.

Of course, like many institutional classification schemes that had been proposed over the years, the Youth Correction Authority idea assumed the existence of both a scientific ability to diagnose problem behaviors in youth and the ready availability of specialized programs to offer treatment. The tendency among advocates was to assume that prior difficulties in rehabilitating delinquent youth would virtually disappear once placements were rationalized under expert control. Characteristic were the comments of the well-known penitentiologist Harry Elmer Barnes and Nelsley Teeters: "There is little doubt that this Youth Authority inventor is the most important advance in correctional thought since the 1870's."

This emerging concept took concrete form in a model "Youth Correction Authority Act" formulated in 1940. Five states (California, Minnesota, Wisconsin, Massachusetts, and Texas) created one or another version of a Youth Correction Authority during the next decade. The California Youth Authority (CYA) was created in 1941 and was given administrative responsibility for the state's reform schools in 1942. Essentially updating and expanding the 1920s individual treatment philosophy of the Whittier State Reform School, the CYA particularly emphasized the role to be played by "diagnostic centers," to which all delinquent youth would be sent before placement in a particular institution. The diagnostic center would identify the distinctive problems and needs of each youth with the expectation that an appropriate treatment already existed or could be devised to solve his or her individual problems.

Throughout the 1950s, the CYA used its considerable political clout to gain legislative support for a monumental building program to expand and diversify the state's reform schools. The confidence of many corrections leaders in the state grew as increasingly sophisticated diagnostic technologies were developed under CYA auspices. These culminated in the invention of the "Interpersonal Maturity Level," or "I-Level," screening device to define inmate personality types for purposes of classification and assignment to specific treatment programs.

In addition to building several large reform schools, often organized internally by cages, the CYA popularized a new model of what might be termed a mini-reform school, in the form of correctional "camps." Originated in the 1930s by the juvenile probation staff in Los Angeles County, the camps were initially created to serve as vehicles for providing delinquent-era transient youth with a means of earning train fare to return home. As sponsored by the CYA, the camps usually housed between fifty and seventy boys who had been carefully screened for admission. They usually kept the boys incarcerated for not more than six months, after which (as in the state's other reform schools) the boys were returned to the community on parole. In addition to intensive individual counseling, other programs centered on park development, road construction, conservation, and farming. The California model of a mini-reform school became fairly popular in the 1950s in such states as Michigan, Wisconsin, Ohio, Minnesota, Illinois, and Washington.

The renewed confidence in reform schools as potential diagnostic and treatment centers in mid-century America exerted considerable influence in several European juvenile correctional systems. The publications of the CYA, as Gordon Hawkins and Franklin Zimring have

observed, were widely read in Europe, and American theories provided a conceptual basis for a new approach to corrections.

The Reform School Scorned: Deinstitutionalization and Community Treatment

Although it orchestrated a boom in reform-school building, the CYA intended from the start to explore new community-based approaches to delinquency prevention and treatment. The idea that delinquents would be best served by noninstitutional treatment had its origins in the mid-nineteenth century. In the 1950s, the more immediate stimulus for the growing interest in community-based programs was a number of well-known social experiments, notably the Chicago Area Project, the Cambridge-Somerville project, and the Highfield project. In 1961 the CYA—building upon these models as well as upon its own creative work in assisting delinquents in their neighborhoods—launched the Community Treatment Project (CTP) in several sections of Sacramento and Stockton. As much as any single event, the creation of the CTP inaugurated the commitment to deinstitutionalization and to community treatment movements in American juvenile corrections.

The CTP was a carefully planned social experiment that, at least in its ideal form, grouped delinquents scientifically by I-Level, assigned them randomly to reform schools or community treatment (often times to their own homes), and compared the effectiveness of institutional versus community programs. A select group of CYA parole agents was trained in I-Level diagnosis and treatment strategies to provide intensive supervision and counseling to youth in the experimental group. Caseloads were unusually small, around eight youth per agent, and additional resources (such as money to purchase foster care, tutors, expert consultants, and transportation) were provided to enlarge the agents' range of community-based treatment options.

The preliminary results from the CTP were very positive and received wide publicity. They were alleged to demonstrate clearly the superiority of community-based treatment over reform school placement as a means of treating juvenile delinquents, superiority not just in rehabilitative effectiveness but in financial savings as well. Evidence from the CTP was widely used to challenge the jurisdiction of reform schools over all but the most hardened juvenile offenders. The initial findings from the CTP were rapidly integrated into the deliberations of two national policy-making bodies in the United States, the President's Commission on Law Enforcement and the Administration of Justice (1967) and the National Commission on the Causes and Prevention of Violence (1969). Both reports concluded that incarceration had failed either to deter crime or to cure criminals.

Despite evidence suggesting that the social scientific foundations for the initial glowing evaluations of the CTP were shallow and misleading (as presented in Paul Lerman's devastating 1975 critique of the CTP, *Community Treatment and Social Control*), momentum in favor of community-based treatment grew dramatically in the late 1960s and early 1970s. Reflecting in various ways the impact of the children's rights movement, the civil rights movement, and the growing distrust of law enforcement as an agent of coercive paternalism, the credibility of all components of the juvenile justice system—but especially of reform schools—came under withering review by the courts, legislators, and a growing army of academicians. Within

a remarkably short period of time, new policies were inaugurated in most states to protect juveniles from placement in reform schools unless they had committed persistently serious criminal offenses and to house less serious offenders in small community-based facilities, if not to divert them altogether from formal contact with any part of the juvenile justice system.

The CTP, in short, heralded an anti-institutional shift in American juvenile correctional philosophy as radical as that which had led to the initial creation of reform schools in the early nineteenth century. For many vocal critics in the 1970s, the state had a moral obligation not to subject the innocence of youth to the cruelty of the reform school. No doubt the most dramatic exemplification of this viewpoint was the 1972 decision by Jerome Miller, the commissioner of the Massachusetts Department of Youth Services, to close its several reform schools and to substitute a network of small, generally nonsecure group homes. Though Miller was generally viewed as unique for his political daring and skill, his closing of traditional custodial institutions for juveniles reflected the consensus, emerging during the 1970s and early 1980s, that the reform school could not redeem errant youth—a consensus reflected in the rapid expansion of a dizzying array of government-subsidized, privately sponsored, community-based treatment alternatives.

In both rhetoric and law, Miller's sentiments came to a rather remarkable culmination in 1974 with the passage of the Juvenile Justice and Delinquency Prevention Act, which gave the imprimatur of Congress to deinstitutionalization as a correctional ideal. After 1974, it was unlikely that the American reform school would ever again be portrayed as a field of dreams on which to plan grand schemes for rehabilitating juvenile delinquents. That the reform school would continue to exist, most corrections leaders on both sides of the Atlantic grudgingly accepted. But no longer would there be even a pretense that it had a heroic child-saving mission to fulfill.

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