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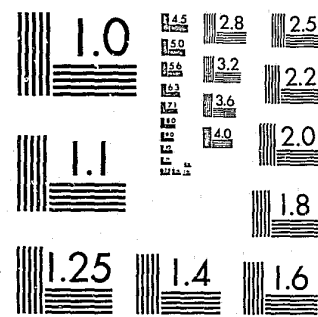
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Delinquency and Juvenile Justice: Linkages Among Systems

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**The Michael J. Hindelang
Criminal Justice Research Center**

WORKING PAPER

DELINQUENCY AND JUVENILE JUSTICE:
LINKAGES AMONG SYSTEMS

A Collection of Original Essays

by

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THE NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY
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PREFACE

The U.S. Office of Juvenile Justice and Delinquency Prevention
established an Assessment Centers Program in 1976 to partially
fulfill the mandate of the Juvenile Justice and Delinquency
Prevention Act of 1974, as amended, to collect and synthesize know-
ledge and information from available literature on all aspects of
juvenile delinquency.

The three major contributions in this monograph were derived from
presentations made at a colloquium on systems interrelationships
held in Washington, D.C. on February 18, 1981. The colloquium was
conceived and organized under one of the Assessment Centers grants.

The colloquium was grounded in the idea that juvenile delinquency
and juvenile justice do not exist in behavioral and organizational
vacuums; they cannot be understood properly without an examination
of how they interrelate with other systems and institutions in
American society. The materials in this monograph are meant to
increase awareness about these vital interrelationships and to
provide examples of how interrelationships operate. As such, this
monograph represents an important stimulus to a broadening of our
perspectives on juvenile delinquency and society's response to it.

James C. Howell, Acting Director
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Prevention

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INTRODUCTION

As James Howell points out in his preface; "juvenile delinquency and
juvenile justice do not exist in behavioral and organizational
vacuums." The three papers comprising this monograph turn our atten-
tion toward some of the interrelationships implied in Howell's
observation.

Herman and Julia Schwendinger analyze the structure of delinquent be-
havior as a reflection of the market economy of United States society.
From this analysis they derive a number of observations about the
oft-disputed association between economic conditions and delinquency,
and they explore the feasibility of a variety of job oriented pro-
grams geared for adolescents.

Paul Lerman looks at the interrelationships among three systems --
social welfare, mental health, and juvenile justice -- that deal with
"youth in trouble." His painstaking examination of available data
about the clients of the three systems over the past 50 years leads
to insights about the effects of factors such as funding guidelines
and diagnostic categories on the changing allocations of youth among
the systems. Lerman's conclusions raise questions about whether the
differentiation of systems for youth in trouble really increases
society's ability to treat the problems of youth or whether it simply
supplies a wider range of labels under which control can be exercised.

In the final selection, Jack Hruska focuses on the centrality of the
school experience to young people in the United States. Unlike the
Schwendingers and Lerman, Hruska has not been involved previously in
the direct study of juvenile delinquency or juvenile justice. From
the vantage point of the educator, he is able to see the juvenile
justice system as a back-up for the failures of the educational system.
However, both systems are doomed to continue producing failures be-
cause of the inherent contradiction between (a) the process of iso-
lating youth from the community in order to control them and prepare
them for adult roles, and (b) the needs of youth to develop indepen-
dence and a sense of mastery over their environments. Hruska offers
some suggestions about how to meet these needs in community oriented
settings.

The three papers do not pretend to cover every aspect of the linkages
that juvenile delinquency/juvenile justice has with the economic,
social welfare, mental health, and educational systems. Neither does
this monograph claim that linkages to other systems and institutions
are unimportant; delinquency and juvenile justice are interrelated
with the family system, religion, and the commercial entertainment
industry, to name just a few examples. Nevertheless, the linkages

discussed in the three papers are critically important for a broader, deeper understanding of how delinquent behavior arises and how it is dealt with in our society. The papers should stimulate additional investigations of the complex web of systems and institutions in which deviance and control operate.

The colloquium in which the original versions of the three papers were presented was organized by Research Center East of the National Council on Crime and Delinquency (NCCD), acting as one of the Assessment Centers funded by the National Institute for Juvenile Justice and Delinquency Prevention (NIJJDP). At that time, I directed the Assessment Center project for NCCD. Because of financial constraints, neither NIJJDP nor NCCD was able to proceed with publication of the papers. When I became director of the Michael J. Hindelang Criminal Justice Research Center, I suggested to the Center's board of directors that the Center assume the task of publication. With the co-operation and support of the Center's board of directors, the papers are, at long last, being disseminated.

Finally, special mention is due to some of the people whose work is now seeing fruition in this publication. In addition to the authors of the papers themselves, these people are: James Howell and John Veen of NIJJDP, who were the driving forces behind the Assessment Centers program during most of my involvement with it; Jacquelyn Stanley, Mary Ann Zimmerman-McKinney, and Audrey Benda, who worked on every phase of the colloquium while they were at NCCD; and Ann Pastore, who shepherded the materials through the publication process at the Michael J. Hindelang Criminal Justice Research Center.

James Garofalo, Director
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DELINQUENCY AND THE LABOR MARKET

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Chapter 1

CRIME, DELINQUENCY, AND UNEMPLOYMENT

American youth are confronted today with economic crises and labor market restrictions that never seem to disappear. Since the 1950's, the official youth unemployment rate, a conservative figure, has been approximately 2.5 to 4.7 times the adult rate. Figure 1 compares unemployment rates for 16 and 17 year olds with unemployment rates for all persons 16 years of age and older. It demonstrates that the trajectory of youth unemployment, like a roller coaster, surges up and down but never completely descends from its very high elevation.

Everyone knows that economic crises and unemployment are seriously affecting youth and everyone agrees that they are chief among the factors that adversely affect the poor today. But there are those who question whether these conditions actually contribute to crime and delinquency.

A leading textbook in criminology by Edwin Sutherland and Donald Cressey (1978:235-237), for instance, admits that poverty is correlated with common crimes, but it claims that this correlation is biased because official criminal statistics exaggerate the extent to which crimes are concentrated in the lower class. Research studies, it is said, indicate that chronological changes in unemployment and business cycles have no significant effect on crime; moreover, juvenile delinquency tends to increase in periods of prosperity and decrease in times of depression.

Although some officials like former Sheriff Richard Hongisto (1978: 298) believe that chronic unemployment increases crime, other officials have a different opinion. Former chief Edward Davis, of the Los Angeles Police Department, testified before a congressional subcommittee hearing on unemployment and crime. He stated that the changes in violent crime are erratic and "really can't be intelligently related to probably any kind of social phenomenon that you can measure" (Davis, 1978:438). He further noted that crime in white middle-class Los Angeles suburban neighborhoods has nothing to do with unemployment and poverty (Davis, 1978:439). Delinquency declined

Figure 1 Unemployment Rate: 1947–1980

— 16 and 17 years

— Total – 16 years and over
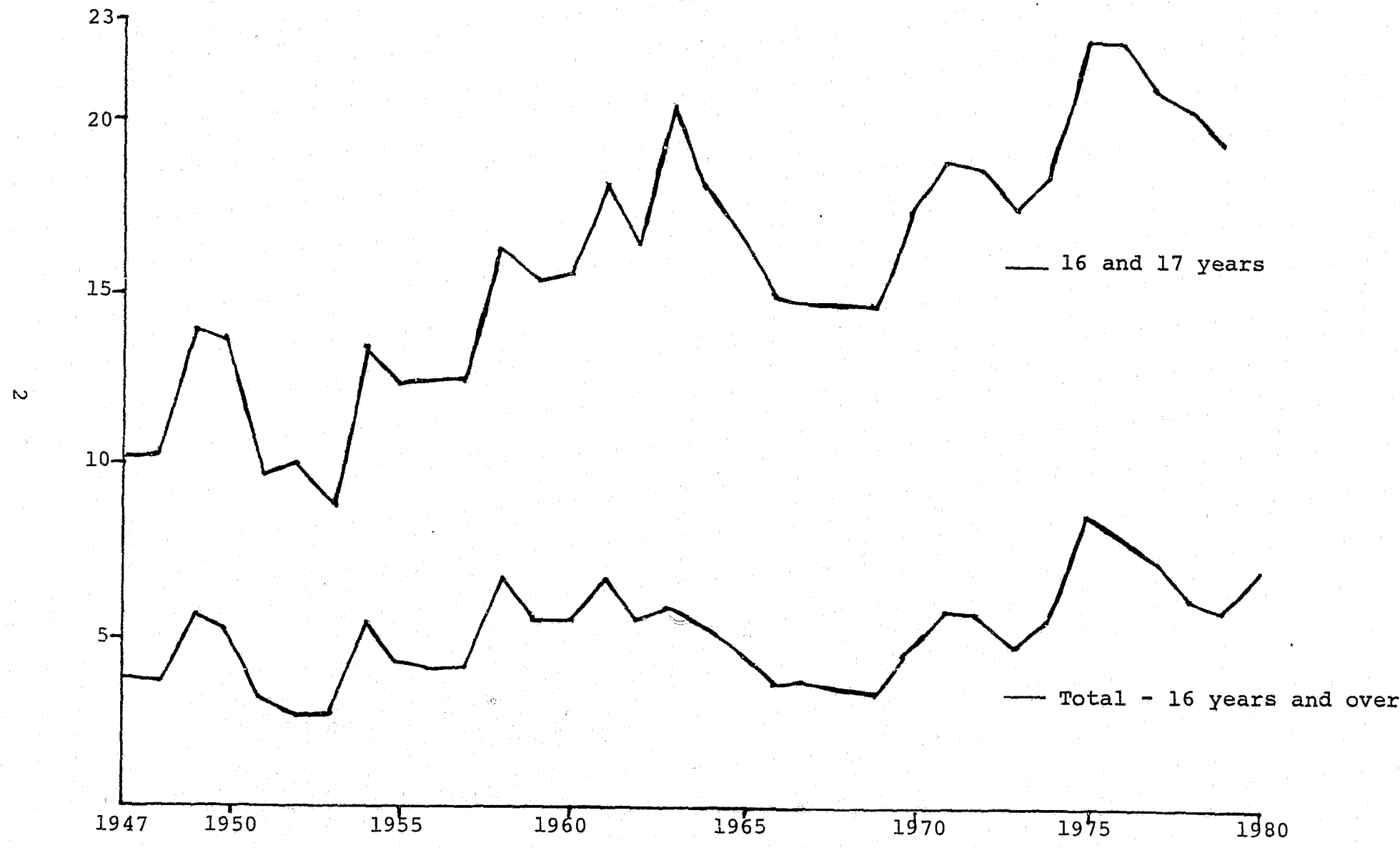
(Schwendinger & Schwendinger, 1981)

during the depression years and it rose with the increased affluence in the post Second World War period. The idea that unemployment or poverty causes crime, he said, is a "liberal myth" (Davis, 1978:453).

Further doubts are raised by Blair Ewing, Deputy Director of the National Institute of Law Enforcement and Criminal Justice, the research arm of the Law Enforcement Assistance Administration (LEAA), who testified before the same congressional subcommittee hearings. Ewing stated: "At the present time we do not know whether unemployment and crime are causatively related or merely correlates of economic, social and psychological processes that impact on both. In either case, we know very little about the manner in which unemployment and crime interact" (Ewing, 1978:221).

Although there may be causal connections between delinquency, criminal careers and unemployment, Ewing (1978:222) said, "We don't know... enough about criminal careers -- how they start, how they are developed, and why it is that some people start out with criminal activity, give it up at a certain age, and go on to productive employment."

Such opinions raise serious questions about targeting jobs for unemployed youth as a way to affect crime or delinquency. If unemployment or any of its correlates is not significantly related to crime, then there is little point in controlling it to prevent crime. For this reason, before employment policies are considered, it is vitally important to determine whether research studies have found that unemployment increases crime and delinquency. Unless this relationship is confirmed, all the arguments promising to prevent crime and delinquency by decreasing unemployment have questionable merit.

What follows, then, will be a discussion of research studies that bear on the relationship between adverse economic conditions, crime and delinquency. This review will not be exhaustive but will emphasize changes in rates over time and it will focus on methodological refinements that support the credibility of certain studies rather than others.

Also, wherever the word "crime" is used in this review it usually refers to common felony crimes or "street crimes" such as murder, robbery, rape, homicide, larceny, burglary and robbery, which are indexed by the Federal Bureau of Investigation (FBI). We are acutely aware that crime exists on all class levels; but, we are only concerned here with the types of crimes correlated with the adverse conditions affecting the poorer members of society.

While our use of the word "crime" is familiar, the same cannot be said about "unemployment" when it serves as a causal variable. Especially if it is used in research based on aggregate data -- on rates of unemployment for metropolitan areas or larger political units -- unemployment never affects crime trends in isolation from other class relationships. Unemployment rates are linked to the marginalization processes that affect such members of the labor force as the subemployed in secondary labor markets as well as the unemployed. Furthermore, it should be recalled that common crimes

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are concentrated in communities composed of economically marginal families. Since the relations between delinquency and marginalization processes have been discussed elsewhere (Schwendinger and Schwendinger, 1976), we shall not discuss them here.

Finally, in highly industrialized societies, unemployment signifies fluctuations (in the size of the relative surplus labor force) that influence many people. Growing unemployment depresses prevailing wage standards, increases productivity norms, and creates enormous pressure on gainfully employed workers and their families. The marginal members of the labor force are especially affected by unemployment trends. Consequently, if unemployment is correlated with crime, this correlation cannot reflect the behavior of unemployed persons alone, because the effects of unemployment are ramified throughout the working class.

Turning now to the empirical studies, we find that, despite criminology texts and official doubts, there are many findings that validate the relationship between unemployment and crime. Reviewing more than 30 studies, Robert W. Gillespie (1978:602), an economist at the University of Illinois, concludes, "Statistical results of studies relating unemployment to crime show general, if not uniform, support for a positive correlation between these two variables."

Significantly, this relationship is confirmed consistently by the more theoretically and methodologically sophisticated studies. Some of the studies do not show a simple positive relationship between unemployment and crime, but this lack of uniformity was attributed by Gillespie to several factors. First, the kind of economic variable used to predict crime has to be differentiated carefully.

Second, certain crimes are more dependent upon economic fluctuations than others. Compared with other crimes, violent and nonviolent crimes that are motivated by economic gain are understandably more sensitive to unemployment rates. Consequently, to find significant correlations with unemployment or other economic factors, the dependent variable, crime, has to be differentiated theoretically.

The use of additional refinements in research methods, for instance, age-specific populations rather than the population as whole and cutting-points for socioeconomic variables, give further support to the view that unemployment affects crime and in some cases delinquency. However, we will discuss these refinements later when we report research on older adolescents and young adults.

The studies by M. Harvey Brenner are another important source of information about unemployment and its correlates. At the congressional hearings on unemployment and crime, Brenner (1978:29) stated that there is at least 15 years worth of research efforts that "point to the very intimate relationship between unemployment and crime situations." "Indeed," he added, "the trend of unemployment appears to be the most intensely studied factor in relation to crime." Brenner concludes that crime is significantly related to unemployment.

Presenting data regarding the impact of unemployment on larceny, narcotics, burglary, robbery and even white collar crimes such as embezzlement, Brenner showed that for every increase in unemployment rates there is a proportional increase in certain types of crime. In this study, arrest data were used as his index of crime.

Based on 1970 arrest data, as reported by the FBI, Brenner found that a one percent increase in unemployment is associated with an increase of 40,056 narcotics arrests, 23,151 larceny arrests, 8,646 burglary arrests, and close to 7,000 robbery arrests.

Homicide was also found to be impacted by unemployment and during 1970 there were 648 homicides associated with each one percent increase in unemployment.

He compared similar relationships in Canada, England, Wales and Scotland, over the years 1920 to 1940 and 1947 to 1973, in which he found that the correlations substantiated the same positive relationship between unemployment and criminal activity that was exhibited by California, Massachusetts and New York.

Importantly, Brenner also examined the combined effects of unemployment, gross national product and consumer price index, which reflect cost of living. He flatly stated that, in relation to many categories of crime, the combined effects can account for "more than 90 percent of the variation in trends in criminal statistics.... This is often true for the entire period from the early 1900's through the late 1960's, but it is especially noteworthy since the Second World War" (Brenner, 1978:28).

Brenner applied his analysis to court convictions and prison populations and found even stronger associations between unemployment and criminality.

Brenner finally noted that changes in unemployment are correlated with divorce, separation rates, alcohol consumption, drug addiction, heart disease and illegal births. Under adverse economic conditions these phenomena (which create family instability as well as other family conditions that correlate with delinquency) "back up against one another."

Max Yeager (1978:443-444) also presented data at the unemployment hearings showing relationships between unemployment and crime from 1967 to 1976 in the Los Angeles and Long Beach areas. This information contradicted ex-chief Davis' testimony about Los Angeles trends.

Research by William Nagel (1978) and Jack Nagel (1978) can also be added to the long list of researchers who have found positive correlations between unemployment and crime.

The aforementioned findings by no means exhaust the findings that link economic crises, unemployment and crime. There is a distinct humanistic and critical tradition in social thought that has always emphasized crime and economic causation. Although radical

criminologists are its chief contemporary representatives, works written at the onset of capitalism, such as Thomas More's Utopia, are precursors of this tradition. Utopia was written in 1516 when More was a London sheriff and it indicts the unemployment and proletarianization created by the commercialization of agrarian life. More contended that this commercialization and its cash nexus intensified avarice among all classes. He observed that private property relationships were expanding and creating the economic changes that generated greater crime on all class levels. Small farmers, especially, were being affected by these relationships. They were being displaced from the land and, because of unemployment, they were turning to crime.

Attempts to quantify the variations in 16th century crime rates support More's writings. For instance, Joel Samaha, author of Law and Order in Historical Perspective, a study of crime in Elizabethan Essex, noted that commercial crises and unemployment were followed by the rise of property crimes among agricultural laborers. Increasing crime was also found to be related to high grain prices and to the economic marginality of proletarianized populations. Samaha (1974: 39) says, "...the level of theft measured by felony statistics virtually skyrocketed over the 45 years of Elizabeth's reign, and... from these statistics a fairly clear picture emerges of rising nonviolent felony spawned by a mixture of rising prices, lower wages, and the proletarianization of labor in the countryside..."

Studies of 19th century life also fit this critical tradition. Frederick Engels' observations of English working-class life centered on economic conditions as the causes of common crime, alcoholism and family disintegration. After describing the living conditions among the poorer members of the proletariat, he noted that these people were completely devoid of security and were being buffeted about by "a thousand chances." He asked: "...What incentives has such a class to providence, to 'respectability', to sacrifice the pleasure of the moment for a remoter enjoyment, most uncertain precisely by reason of the perpetually varying, shifting conditions under which the proletariat lives?" According to Engels, criminal characteristics developed among working-class segments that were demoralized by precarious conditions of life including chronic unemployment.

William Bonger (1916) is another notable representative of this tradition. His 1905 dissertation, entitled "Criminality and Economic Conditions," maintained that common crime was affected by the variation in unemployment, business cycles and living standards. He felt that in times of crises, property crimes increase while, in times of prosperity, violence rises. Bonger (1936:91-92) said, "Whoever has read through a good many criminal records must have the conviction that unemployment is an extraordinarily important factor" for understanding crime.

Also, many decades before the subcommittee hearings mentioned above, Bonger emphasized the relationship between crime and living costs as well as unemployment. Referring to 19th century central European data on grain prices and crime, Bonger observed, "Every penny increase in the price of grain during the period from 1835 to 1861 means an increase in the number of thefts of one per 100,000 inhabitants."

It is important to note Bonger's feeling that as the care of the unemployed was improving (through welfare and other policies), unemployment was being accompanied by a smaller increase in theft than would have been the case in former times. He also believed crime should not be attributed to economic factors alone since private property relations cultivate psychological and ideological conditions such as "egoism," "covetousness," "lack of culture," and "demoralization." Since such attitudes were part of the causal equation, he felt that people were likely to become criminal because of acute feelings of relative deprivation. They did not actually have to be faced with starvation.

Examples of the critical tradition today include studies by Michel Foucault (1977), Michael Ignatiev (1978), Dario Mellosi (1976, 1981), Tony Platt (1974), Barbara Yaley and Tony Platt (forthcoming), Ivan Jankovic (1977, 1978), Paul Takagi (1975), Georg Rusche and Otto Kirschheimer (1939), and others. (For a representative collection of such writings see Tony Platt and Paul Takagi, 1980.) These studies deal with the development of penal practices as well as crime and they emphasize the impact on crime and imprisonment of unemployment, business cycles, and other characteristics of capitalist modes of production. Moreover, testing important theoretical ideas by Rusche, Ivan Jankovic (1977) found strong correlations between unemployment rates and imprisonment in the United States.

Finally, further representatives of this trend such as Drew Humphries and Don Wallace (1980), Richard Quinney (1977), Julia Schwendinger and Herman Schwendinger (1976, 1979), also place crime and delinquency rates in the context of changes in modes of production, class developments and the capitalist accumulation process. Writings by Humphries and Wallace, for instance, trace the impact of capital accumulation on variations in U.S. crime rates following the Second World War. Their analysis focuses on the transition from industrial to corporate capitalism, core-periphery aspects of domestic investment shifts, and the effects of these trends on police and victim estimates of crime. Their findings show that selected personal and property crime rates vary with accumulation trends. In this theoretical framework, unemployment rates affect crime because they depend upon accumulation trends.

Thus far, we have mentioned studies that deal with crime and adults; however, there is also forty years of empirical research on economic factors that focuses on young adults and delinquents. Most of this research is concerned with the socioeconomic status of families or the economic status of a community as a whole. Today, among sophisticated scholars, each of these statuses is considered a correlate of social class relationships or conditions. It has been generally found that delinquency increases in communities characterized by adverse class conditions and by families with lower socioeconomic status. Examples of this relationship can be found in Clifford Shaw and Henry McKay's (1942) work. In addition, Belton Fleisher (1966a) conducted a study of 74 communities in Chicago and found father's income to be negatively correlated with delinquency.

But some studies do not support the view that there is a relationship between delinquency and social class variables. An important ecological study by Bernard Lander (1954) indicated that the anomie models of delinquency that emphasized community or family integration predicted delinquency more effectively than social class models. However, Lander's challenge to economic models was not supported by methodologically more sophisticated research.

Robert Gordon (1967), for instance, observes that many so-called "social integration" variables are actually correlates of socioeconomic status (e.g., the non-white families in a community or the number of single parent families). Conducting a detailed examination of Lander's factor analysis and multiple regression techniques, Gordon demonstrates that they exhibit very serious errors. After factoring the data used in Lander's study properly and then employing new cutting-points for the regression analysis that are more sensitive to variations in delinquency, Gordon found that the relationship between low socioeconomic status and delinquency was strongly supported. He discovered that this relationship applied especially to extremely low status youth and concluded that if social policies intend to cope with delinquency they must target the bottom stratum in every census tract.

Additional studies of law-violating behavior among young adults and delinquents continue to emphasize economic factors. These studies show that the significance of both the rate of unemployment and the rate of law-violating behavior frequently depend upon the age of the cohort being studied. The inattentiveness to age variations leads to spurious results while careful specification of age-specific cutting-points produces clear support for the predicted relationship.

Age-specific rates using different cutting-points and taken over time were employed by four studies confirming economic models of crime; however, in regard to delinquency, these studies provide inconsistent support. In an early nationwide study, for instance, Glaser and Rice (1959) looked at age-specific crime rates in three large cities for the time spanning 1930 to the 1950's. While they found a generally positive and significant relationship between property crime and unemployment, the findings were inconsistent for the under 21 year olds (Glaser and Rice, 1959:683). (A similar but weaker association was found for crimes against the person and misdemeanors.) The importance of separating property crimes from others was further emphasized by this study.

On the other hand, using the same data as Glaser and Rice but employing multiple regression techniques and controlling for the numbers of employable youth during the war, Fleisher, in 1963, found a significant positive association between unemployment and property crime rates for the under 21 year olds as well as the 21-24 year olds.

Using age-specific data, another study examined the variation in unemployment and crime rates over shorter intervals of time. In Toronto, Canada, Marvin Ross (1973) utilized monthly data to look at the rates for 16-20 years old and those over 20. The findings showed a statistically significant correlation between current property crime rates and unemployment rates for each month for the 16 to 20 year old age span.

Another study, by Llad Phillips and Harold Votey (1972) found a significant positive relationship between the proportion of 18 and 19 year old youths "not working" and the crime rate for this age group. By using an alternative method for measuring unemployment, that is by combining those unemployed with those not in the labor force and designating the combination as "not working," Phillips and Votey avoided another research practice that lends itself to spurious findings. Official unemployment rates scandalously undercount numbers of unemployed. Consequently, for examining unemployment and crime, the current rate of unemployment is not a completely effective measure because it does not reflect the impact of the prolonged unemployment among people who are not counted because they have given up trying to find work.

English studies also provide information about the relationships between unemployment and delinquency. For instance, Malcolm Brown, Wallace McCulloch and Julie Hiscox's (1972) study of electoral wards in a city in England discovered unemployment rates to be significantly and positively associated with law violations. Importantly, however, the findings only applied to the 17-20 year olds and the over 20's but not to the 10-13's or 14-16's. (We shall mention this variation again when we discuss delinquency studies based on unofficial measures of delinquency.)

All of the studies above using chronological data provide added support for the existence of a true correlation between unemployment and property crimes. But they suggest that the correlations between unemployment and delinquency are further dependent upon the age-graded distinctions between younger and older delinquents.

Also, the studies above were based on official rates but, over the last two decades, self-report questionnaires or interviews have obtained delinquency data directly from adolescents themselves. The analysis of this unofficial data has ignited a fierce controversy over the relationships between economic correlates of socioeconomic status and delinquency.

The self-report data has generally found very low or zero correlations between socioeconomic status and the kinds of delinquency measured by the questionnaires or interviews. Since socioeconomic status implicates a variety of economic resources and conditions, the low correlations raise questions about the causal role of any adverse economic condition including unemployment.

Because of these low correlations, criminologists over the last two decades have stated plainly that findings based on official delinquency statistics are spurious and reflect official biases. Some go so far as to call the inverse correlation between class and delinquency a myth. Delinquency, they say, is not caused by class conditions because it is found among youth in all classes (e.g., Tittle and Villemez, 1977).

There is no question but that research shows crime is correlated with unemployment trends. However, the same unambiguous conclusion cannot be made about delinquency because of the inconsistent findings in studies of official data and the absence of inverse correlations in the studies of unofficial data. If such studies are taken at face value, then the possibilities of fighting delinquency through employment policies or any other economic policies that ameliorate adverse class conditions are in doubt.

Chapter 2

THE DELINQUENT MODALITIES

The rejection of the inverse correlation between class and delinquency has not gone unchallenged. Criticism of this rejection, as Donald Clelland and Timothy Carter (1980) point out, focuses on several deficiencies including the paucity of evidence, the vague specification of theoretical relationships, the faulty specification and measures of class, the poor operational definitions of crime and delinquency, the faulty procedures used to analyze the evidence, and the unwillingness to examine all the evidence.

Thus, some critics say that self-report studies have not found an inverse correlation because they indiscriminately lump together delinquent acts, some of which involve mere pecadillos that are not determined economically. Others contend that certain cutting-points used for analyzing socioeconomic status gloss over the differences in behavior between the lowest socioeconomic strata and those above it. Still others argue that the intervals of the questionnaire items in self-report studies are too small and they lump the most frequent violators with less frequent. In this regard, the cutting-points used in the analysis of delinquent acts are insensitive to the greater frequencies attributable to lower-status adolescents. Clearly, some of these criticisms strikingly parallel those dealing with early studies of the relationship between unemployment and crime.

Yet, the problems with the inverse correlation are not all due to inadequate methodological procedures; they involve faulty theoretical conceptions of delinquent relationships, too. Some criminologists who have used self-report studies have no guiding principle for ordering delinquent acts and this is why they treat them as one merely undifferentiated mass. Others are not sufficiently sensitive to the theoretically grounded distinctions required by economic theories and they simply rely on broad superordinate categories like "crimes against property" versus "crimes against the person." (Such distinctions are inadequate because some homicides and other violent acts are committed for economic gain.) Still others, who prefer a normative division, isolate the "more serious" crimes from the "less serious." Only the concept of "delinquent subcultures" which refers explicitly to constellations of "criminal," "warrior," and "retreatist" offenses, reflects theoretical expectations; but, unfortunately, these subcultures do not really exist. In 1959 and 1960 we searched for the subcultures described by Albert Cohen (1955), Richard Cloward and Lloyd Ohlin (1960), but never found them.

Armed with such conceptions, most criminologists have assumed that delinquency is likely to be greater among lower status adolescents due to the lack of "opportunity structures" or "social controls" in disorganized poor communities. Since there is virtually nothing in their theories to inform them about the sizeable amount of delinquency in middle-class communities, researchers, whose expectations are structured by anomie or social control theories, reasonably expect to find inverse correlations between class and delinquency. The attack on the concept of class is accelerated when these expectations are not fulfilled.

But it is not the concept of class, in principle, that is at fault: it is the theories that have dominated the field and the ways in which criminologists generally conceive of delinquent relationships. These theories and conceptions have failed the test because they have never really granted theoretical significance to the delinquency committed by bourgeois youth. They have also failed because they are insensitive to the actual changes in delinquent relations that emerge at different periods in the life cycle of various kinds of adolescent formations.

The "instrumental theory of delinquency" provides an alternative perspective toward these changing relationships and the apparent inconsistencies found between social class, unemployment and delinquency. The theory was tentatively developed on the basis of an unusually long period -- four years -- of participant observation of delinquent groups (Schwendinger, 1963). It evolved further through the activities of a large research project over an additional four year period while further data was gathered on adolescent social types, linguistic behavior, network relations and delinquent conduct. Still more years were spent developing the theory as we gained a greater understanding of the macroscopic political and economic processes that determine delinquency.

The complex historical processes (based on changes in the capitalist mode of production and its class relationships) that produce the "collective varieties of youth" (whose existence in turn underlies delinquent relationships on various class levels) were described by us in 1976. There is no space to review these historical processes here but we shall briefly mention some of the relationships that can unravel the apparent inconsistencies found between delinquency, social class and unemployment.

Generally, the instrumental theory proposes that certain "stratified domains of adolescent groups," called "stradom formations," mediate the relationships between (1) macroscopic economic and political processes that affect families and schools in communities and (2) modal patterns of delinquency among youth. Delinquent relationships among most adolescents are not produced directly by socioeconomic conditions. Instead, they are products of the changes in the life cycles of these stradom formations.

To grasp the concept of "stradom formation," it should be noted that the largest peer formations exhibiting high rates of unofficial

delinquency in predominantly middle-class communities are anchored in adolescent social types called "Socialites," "Elites," "Colleges," "Sedities." We have heard other social-type names used for these formations in diverse communities (e.g., Herbert Blumer et al., 1967; Stanley D. Friedman, 1969; Anthony G. Poveda, 1970; William Riggle, 1965; Gary Schwartz and Don Merten, 1967; Joseph G. Weis, 1973; and Ralph Larkin, 1979). These formations emerge toward the end of elementary school but they establish large extended networks especially in high school; and the nodal points of these networks are composed of both informal and formal groups. The informal groups usually consist of clique and crowd formations while the formal groups are made up of clubs that include fraternities and sororities.

Other formations with high rates of delinquency also appear in these communities. Some of these formations in southern California communities, for instance, are anchored in "Surfers" and "Gremmies" while others are largely composed of youths who are called "Greasers," "Hodads," and "Ese Vatos," to mention but a few of their names. If a middle-class community has few working-class families, then the "Greaser" formations will be relatively small compared to the "Socialite." Also the Greaser formations are likely to be composed of youth from the working-class families but they will also include middle-class "Greasers." Together with the "Socialites," these other formations constitute "stratified domains of groups" or "stradom formations," because they are characterized, among other things, by markedly invidious status gradients.

Nonstradom formations also exist in every community and they are based on the large numbers of youth in associational networks immediately controlled by adults. They are partly organized around ideological relations that are different from and that restrict the kinds of status differentials that strongly affect stradom formations. Such youth, therefore, include members of eagle scout troops, religious clubs, school athletic teams, and political movements. They are also composed of the enormous variety of special-interest buffs who spend endless hours with their stamp collections, electronic projects, etc. Finally, academic high achievers and intellectual youth are even more likely to be excluded from the stradom formations.

Both stradom and a few nonstradom formations are included in "the collective varieties of youth," that is, the types of youth with distinctive cultural and consumption patterns or "styles of life." Since, among other things, these "social regularities in personal behavior" are not institutionalized formally by adults (although they can be encouraged by certain family values), adolescents use those "natural categories," called social-type metaphors in sociological literature, to classify them. Those youths who are aware of the collective variations employ metaphors, such as "Greaser," "Socialite," "Surfer," "Hot-Rod," "Intellectual," and so on, for this purpose.

Although we also use these natural categories, it is preferable in some cases to refer to the "Greasers" as "marginal youth" and

to their formations as "marginal stradom formations." The word marginal in the instrumental theory symbolizes the processes of marginalization that take place in the school as well as the economy (Schwendinger and Schwendinger, 1976). These processes create the conditions for the emergence of these particular youth and their formations.

In poorer communities, the largest peer formations that exhibit high rates of unofficial and official delinquency are the Greaser, or marginal formations. These formations eventually establish extended networks of informal and formal groups. The informal groups usually consist of clique and crowd formations while the formal groups are "street corner" clubs. The word "gang" may have its uses but it is misleading when used universally to classify these groups. Moreover, unless a community is extremely depressed economically, relatively smaller "Socialite" formations may also emerge in communities that have higher proportions of working-class families (especially families of skilled and white-collar workers). Both the Greaser and Socialite formations in these communities may stratify internally along racial or ethnic lines.

In communities having a heterogeneous socioeconomic composition, a fairly complex system of stradom formations comes into being. Their incipient characteristics, which include distinct styles of dress, grooming and linguistic behavior, can already be observed in the later elementary school years. During the junior high school years, this system becomes stabilized. The socioeconomic and delinquency gradients that run through the formations in the system are already quite apparent in junior high school. The socioeconomic gradients are based on aggregated relationships and are ranked in the following order: they generally run downward when the average member of the Socialite formations is ranked with the average member of the intermediary formations and the Greaser formations.

To map the delinquency gradients, however, one must control for delinquent modalities. This concept of modalities refers to the distinctive constellations of delinquent acts characterizing the different formations at given points in time or at different periods in the life cycle of their members. These modalities, however, do not represent "delinquent subcultures." Adolescents rarely organize their social formations primarily around illegal goals, no matter how delinquent they may be.

At least three modalities are more or less prevalent at different stages of stradom development and we call these "the generalized delinquency modality," the "ethnocentric modality" and "the irregular market modality." These modalities can exist simultaneously and interpenetrate each other.

For instance, fighting between individual youths persists throughout the adolescent period and, although invidious status relations generally support the existence of fighting, the motivated character of individual fighting on a given occasion varies greatly.

However, intergroup properties are generated (usually by the end of junior high school or the beginning of high school) by the emergence of distinctive clubs and crowds. At that time, the struggle between adolescent status groups establishes a grammar of motives that "displaces" or "sublates" the normal expression of violence and subordinates it to emergent status mechanisms such as the honorific codes of individual groups. Simultaneously, the preexisting standards for individual violence continue side by side with the newer ones.

As indicated, each of the modalities tends to emerge at different times in the life cycle of the stradom formations. These life cycles are vitally important for understanding the modalities because the modalities are grounded in various kinds of social conditions or processes that exist among the stradom formations at specific periods of time and then pass away. The modalities, in this view, are produced by the properties of stradom formations; moreover, as these properties change, the delinquent modalities change. Consequently, the social forces that create the stratified domains of groups do not determine delinquency directly. The evolution of the formations themselves intervenes between these forces and delinquency.

The generalized modality is highly dependent upon stradom consumption patterns and an indifference to other people's welfare. This indifference restricts the range of moral obligations towards others and in time, the scope of this indifference is enlarged. It becomes tinged with cynicism and, eventually, it merges with numerous instrumental definitions of people. In this process, the free play of status forces that affects the lives of stradom members erodes and topples the collective subscription to the moral barriers that generally restrict predatory activity.

The generalized modality is established fairly early in adolescence and it persists throughout the entire adolescent period. It consists of a constellation of delinquent activities that occurs in stradom formations on all class levels. That constellation includes petty thievery, vandalism, truancy, individual fighting and other garden varieties of delinquent acts often referred to normatively as being "less serious" than others. This modality also includes a variety of acts that deviate from conventional rules of moral conduct such as being verbally abusive to peers and adults; however, some of these latter acts may be considered irregular and not delinquent.

The ethnocentric modality is activated by the development of competitive intergroup status structures usually around the end of junior high school. This modality includes among other things fighting between individuals and groups, vandalism motivated by group rivalries, harmful pledging and hazing practices, and placing graffiti everywhere -- on walls, stones and bridges -- proclaiming the superiority and power of a collective identity. This modality erupts on all social class levels but its particular form and intensity varies greatly between stradom formations.

The irregular economic modality usually emerges alongside the others during the middle adolescent period; and it includes the illegal markets which begin to take shape as thievery or personal services are offered for "sale" rather than "personal use." This modality is structured around but is not wholly confined to simple commodity exchange relationships and hence essentially involves economically oriented delinquent conduct including robbery, larceny, gambling and prostitution. Furthermore, irregular forms of victimization based on callousness and deceit are also supported by this modality.

Generally, the irregular economic modality becomes concentrated in illegal market activities that engage older youth who become the suppliers and entrepreneurs during the middle adolescent years. However, markets can be activated much earlier in the adolescent life cycle within communities characterized by acute economic deprivation. The forms and intensity of participation in irregular market relations also vary greatly between types of stradom formations.

During middle adolescence, thievery among the Socialites is still spontaneous in character, and even preplanned thefts are primarily for such personal use as car theft for joy riding, or theft of auto accessories for oneself and friends. There may be no intention of making an illegal sale. Among Greaser formations, especially in poorer communities, however, different thieving patterns emerge side by side with the preexisting delinquent modalities. Thievery among the marginals becomes increasingly transformed into serious financial enterprise; and the thievery that is consummated in an illegal exchange for money regulates a broad variety of deviant activities. Other kinds of delinquency such as loan sharking and gambling also become subordinated to market relationships; and the general exchange of illegal goods and services for money, especially, begins to effect the final stages of marginal stradom developments.

Integrally related to these changes is the formation of irregular, price-making markets which are, at first, organized primarily by adolescent supply and demand crowds. Consequently, the markets emerge within preexisting interactional frameworks composed of loosely or highly organized networks of cliques, crowds, and clubs. If these frameworks are highly organized, then their higher status members frequently become the hubs of intergroup chains of communication and exchange in the emerging market. These high status people are likely to become the enterprising "middlemen" because of their pre-existing social connections.

Labeling theory reportedly explains the development of delinquent and criminal "careers" on the basis of social reactions to deviance. But the careers that develop within the adolescent irregular markets -- at least from our observations -- do not involve those reactions at all. These particular careers are immanent products of the unfolding market, that is, of its structural properties which include, for instance, its division of labor. The transition processes that lead to economic criminal careers are, among other things, due to changes in the relationships between preexisting marginal devlopments and market structures. Adult criminality has independent causes but

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Chart 1 -- Network of the Flow of Illegal Goods
Among Four Adolescent Groups
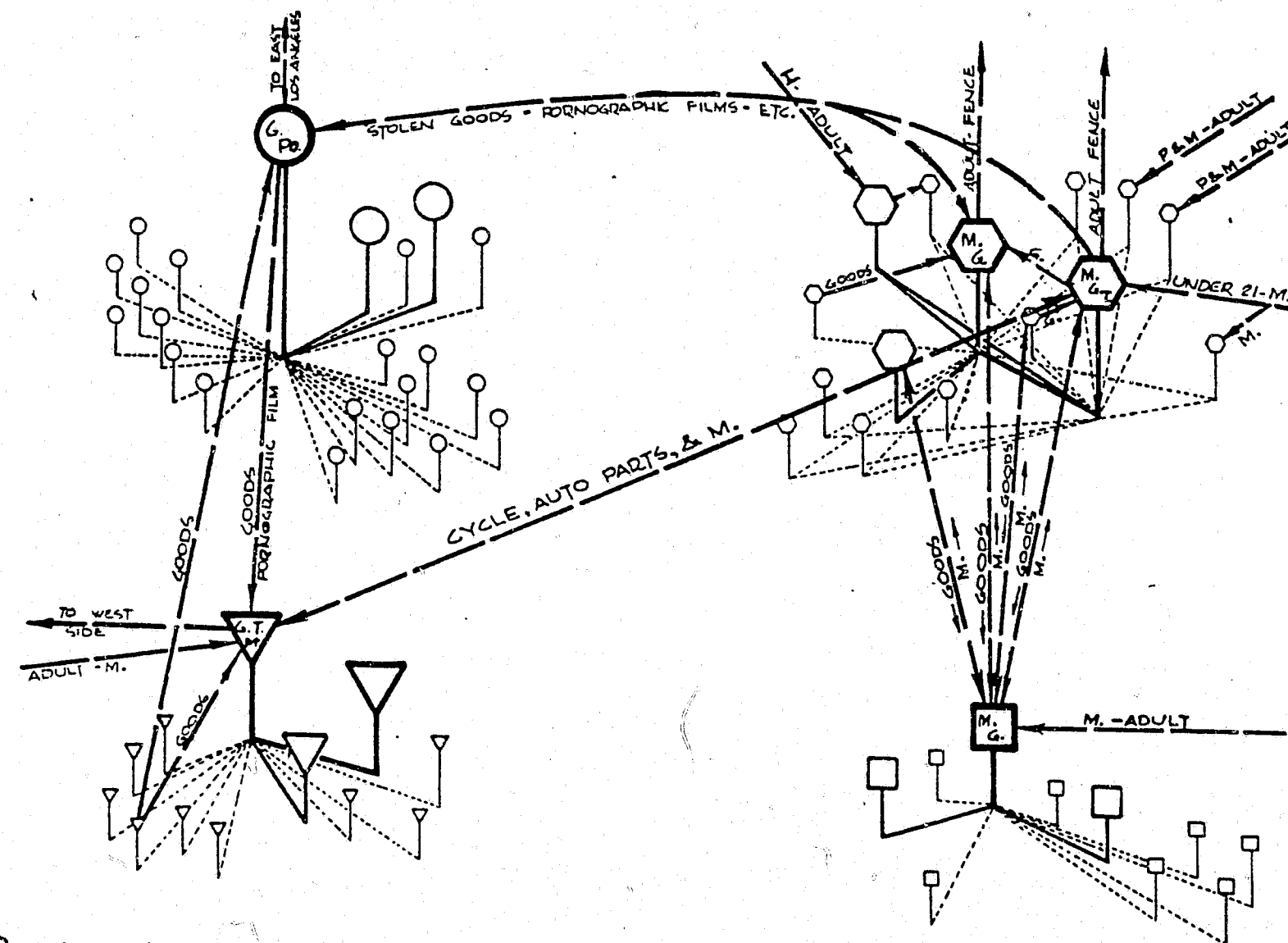
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it is possible that illegal market relations are among the most important factors shaping the transition from delinquent to criminal careers.

Chart 1 represents an illegal market flow diagram based on exchanges between four long-standing marginal youth clubs and it illustrates these relationships between preexisting marginal developments and market structures.

The intergroup complex represented in Chart 1 consists of approximately 160 boys and girls. Only the four major groups are indicated in the chart. The ages of the youth involved were, primarily, between 16 and 19 years.

Each group is identified by a specific set of shapes: circle, hexagon, square or triangle. Variation in an individual member's peer status is indicated by the size of his symbol: the largest size signifies a major leader, the intermediate size indicates secondary leadership and the smallest size represents the remaining group membership. This rough trichotomy of individual statuses was constructed from sociometric choices and field observations.

Symbols inside the circles, hexagons, squares or triangles indicate types of commodities that have been handled by adolescent "connections" over a two-year period. Connections with T symbols engage in systematic thievery as well as dealing in hot goods and services. The symbol M is used for marijuana; H for heroin; Po for pornographic literature, films, etc.; P for narcotic pills; G or Goods for stolen goods; Under 21 for an older adolescent marijuana dealer; Cycle for motorcycle parts (stolen); and Adult for adult pusher or fence.

Of the seven "connections" or social links integrating the intergroup flow of the type of goods indicated in this market, six were leaders of major groups in the complex.

In the group designated with circles, the major leader functioned as the connection. While he had sold marijuana for a short time just prior to the period represented in the chart, his chief illegal activities at the time we observed him were selling stolen goods and pornographic literature and films. (The symbol Po in his circle designates pornographic materials.) On occasion, he also offered his services as a procurer for individual prostitutes or a group of prostitutes (for a stag party, "hay ride", etc.). On the other hand, although he had previously engaged in the sale of narcotics, he refused to handle drugs at the time the chart was made because he regarded this kind of entrepreneural activity to be very dangerous.

The instrumental theory posits certain general tendencies with regard to delinquent behavior. First, the sharpest gradient involving delinquency and peer relations, after gender, is due to the differential between stradom and nonstradom formations. Members of the informal networks involved in the stradom formations are the most delinquent in a local community of adolescents. The least delinquent are youth in nonstradom formations. The latter formations, from this perspective, include the most law-abiding members of peer groups in our society.

Second, important delinquency gradients are based on quantitative variations in delinquent modalities from stradom to stradom. When the modalities are compared across the stradom formations within a community, the marginal formations tend to be more delinquent and the Socialite less delinquent. However, the stradoms vary among themselves qualitatively with respect to particular delinquent modalities. Delinquent behavior represented by the ethnocentric modality is much more likely to be expressed by violent intergroup conflicts among marginal formations. But fights involving crowds of Socialites after highly competitive games and the hazing practices of fraternities sometimes involve violence, vandalism and other harmful acts.

Finally, both types of formations sustain the irregular markets, but when compared with the Greasers, a greater proportion of Socialites populate the "demand crowds." Conversely, a greater proportion of Greasers make up the "supply crowds." (Such differences are among the key reasons why criminologists have observed that, although socioeconomic gradients are not correlated with self-report responses on less serious items, they are inversely correlated with "serious" acts such as burglary and larceny when the test items discriminate between levels of seriousness.)

The sizes of the networks developed by stradom formations affect the intensity and variety of delinquent modalities. These effects are among the reasons why attention is paid to the variation in stradom formations caused by the socioeconomic composition of families in different kinds of communities. Any factor, such as labor market segmentation, that restricts family economic conditions will indirectly affect the size of the stradom formations. In the United States, racism generally restricts the socioeconomic composition of Afro-American and Latin-American families so that more breadwinners who are marginal members of the labor force are generated. This large number of marginalized families, when concentrated ecologically, becomes a precondition for the disproportionate representation of their youth (1) in the marginal stradom formations and (2) in the delinquent modalities (e.g., severe intergroup violence and activities on the supply side of irregular markets) that characterize these formations. The disproportionate representation of these formations and modalities among children of racially oppressed families, therefore, is partly produced by the indirect effects of labor market discrimination on adolescent stradom formations.

We can now understand why the analysis of socioeconomic status and delinquency usually produces zero correlations when based on self-reported delinquency data. The organization and contents of self-reported questionnaires is usually biased toward the generalized delinquency modality which is composed of less serious acts and which cuts across class levels. Consequently, unless controls for types of adolescent stradom formations are applied, one can expect, at best, very low negative correlations between ascribed socioeconomic status and delinquency. This occurs because the stradom formations mediate

the relationships between socioeconomic factors and delinquent modalities.

It must be kept in mind that the generalized modality can occur within middle class stradom formations composed of Socialites and Greasers as well as within various types of working class formations. In communities with a large proportion of middle class families, the size of the Greaser formations will be small; consequently, the members of the large, predominantly middle class Socialite formations will make a greater contribution to the correlation between socioeconomic status and delinquency. Even if some of the Greasers more frequently engage in acts that epitomize the generalized modality, they will hardly affect the statistical outcome. Under these conditions, delinquency will have a very low inverse correlation with socioeconomic status -- if it is correlated at all. Also, while the highest proportion of youth in the supply crowds continue to be marginals from poorer communities, the activities of certain middle class marginals (as well as members of other stradom formations) slightly diminish the correlations between unemployment and property offenses among older adolescents. These middle class youth sometimes become integrated into the supply crowds because drug abuse has greatly undermined their ability to cope with school or jobs and it has escalated their need for money.

Finally, attention to delinquent modalities helps unravel the apparent inconsistencies found between delinquency and youth unemployment rates. The correlations found between unemployment and delinquency are either negative or extremely low (even if property offenses are the dependent variables) for younger adolescents, but positive correlations are found for 16 to 17 years of age and older. Such correlation differences arise from the greater sensitivity of illegal market behavior to unemployment trends.

Young adults also operate in the adolescent market; consequently, the legal distinctions which differentiate youth offenders from adults at 16 or 18 years of age confounds the study of market activities. Adolescent market activities are not much different from the elementary forms of illegal economic activities that engage adults. For this reason, all the relationships between unemployment, cost of living, and so forth, which have been observed by such scholars as Bonger and Brenner, apply with equal force to adolescents engaged in illegal market activities even though they are classified as delinquents and not criminals. Unemployment may not account directly for their initial entrance into the irregular economic modality, but it does effect their continued engagement in this modality.

On the other hand, it is important to recall that neither the generalized nor ethnocentric modality is affected by youth unemployment although they may be indirectly affected by adverse conditions that impact family relationships. Furthermore, while illegal market activities may be maintained by youth unemployment, the origins of the activities are not due to frustrated desires for occupational mobility. Conventional sociological wisdom often depicts a world in which every human being is either intensely interested in achieving

occupational success, or is extremely frustrated by the lack of achievement. The plain fact is, however, that no matter how hard they try -- adults cannot inculcate occupational motivation in many youths, especially marginals, because they do so badly in school.

Furthermore -- and more to the point -- most marginal youth in their early adolescent years regard success in occupational, educational and other conventional institutions as largely irrelevant to their most important immediate goals. Serious career concerns, if they ever occur in adolescence, develop in later high school years when some of the marginals have become school dropouts and when occupational life becomes a harsh reality. Consequently, such concerns emerge as serious matters after the formative years of the stradom formations (the formative period ends at 15 or 16 years of age at the latest) and by then delinquent relationships are already firmly established. The formative years of these youth developments are not completed with a diploma in career frustration because career achievement was never a really significant goal in the first place.

On the other hand, the increasing demand for discretionary purchasing power in later adolescence introduces new conditions that make occupational opportunities important. And, although we have observed numerous marginals who have continued to engage in illegal market activities while they were employed in legitimate jobs, studies indicate that "delinquency declines when delinquent students drop out, marry, get jobs or both" (Glazer, 1978:134). Consequently, at this time, the effect of the stradom formations and the delinquent modalities begins to fade away.

Chapter 3

EMPLOYMENT PROGRAMS AND SYSTEMIC PROBLEMS

The juvenile justice system has a vital stake in unemployment policies. Since the Great Depression, however, such policies have been instituted only sporadically. After temporarily offsetting unemployment in the 1930's by a massive expansion of public sector jobs, the government abandoned these policies prior to the Second World War. Unemployment policies then remained fairly dormant until the 1960's. Since that time, beginning with the Manpower Development and Training Act of 1962 and the Economic Opportunity Act of 1964, limited employment policies have been activated and followed up by each succeeding administration.

In addition to evaluating such employment programs, research has provided valuable knowledge about the attitudes of adolescents affecting their job choices and job stability. A limited grasp of the effectiveness of certain kinds of programs has also been acquired. Consequently, there is a body of knowledge to review when considering policies directly concerning the juvenile justice system today.

For instance, numerous studies show that as long as youth remain in school, their occupational aspirations are impacted by their family background, ethnic origin, educational climate and other factors. Further research (such as the National Longitudinal Surveys [NLS] which are impressive because they studied youth cohorts from 1966 to 1972) yields insight into the transition from schoolroom to job. NLS data indicate that even though social class restrictions and racial discrimination often limit aspirations, students generally set their sights fairly high. Furthermore, students place greater emphasis on the work they would like to do than on wages and they are interested in satisfactory interpersonal relationships on the job as well as favorable working conditions (Andrisani, 1978:98).

On the other hand, when student aspirations are compared with job experiences, it is found that high school graduates have highly unrealistic expectations. (Black youth may be the exception to the rule here because they perceive fewer chances of achieving their ambitions.) Also, the vast majority of youth have extremely limited, if not inaccurate, information about job markets and they acquire their first jobs in a haphazard manner. After a follow-up study of high school graduates, L.D. Singell (1966:23) finds, "Most youths had not 'chosen' a job in any real sense, but had either drifted into one or had taken it because they could find no other.... Furthermore, the youths exhibited extremely vague knowledge about wages, working conditions, steadiness of employment, and chances of advancement when they accepted their first job." How were these young workers affected by their initial work experience?

Early work experiences have an important impact on a youth's outlook. While on the job, unfavorable occupational experiences engender unfavorable work attitudes. Highly unsatisfactory work experiences early in a young worker's career are correlated with discouragement and a much higher frequency of job instability by comparison with older workers. Satisfactory work experiences, on the other hand, have the opposite effect by reinforcing ambition and occupational commitments. Garth Magnum (1968) contends that, unfortunately, over a million youths who enter the labor force annually have difficulty adjusting to occupational life and blacks are overrepresented in this group.

For example, income greatly influences satisfaction on the job. For the 1966 to 1969 period, among black youth, aspirations increased for those who were originally in higher income jobs or those whose earnings increased the most. Youth in the lowest status jobs whose earnings decreased, reduced their aspirations the most. Since these reactions to job market conditions did not differ by race, similar relationships were found for white youth (Andrisani, 1978:106).

Thus, employment policies should target adolescent attitudes toward work. Realistic job choices and accurate knowledge of labor market conditions can make a difference in job selection and adjustment. Moreover, occupational counseling and labor market information are advisable early in adolescence especially when protracted crisis conditions and diminished labor market activity are anticipated. For some individuals, occupational guidance may help offset negative job experience (Andrisani, 1978:110).

The NLS research shed light on the characteristics of youth that affect their job satisfaction. However, regardless of these characteristics, neither job counseling nor job adjustment programs can hope to offset the general deterioration of attitudes toward work accompanying a significant upsurge in unemployment. Furthermore, these services are also unable to solve the problem of youth unemployment because this problem is not created by young people's attitudes. According to Paul Andrisani (1978:87) "The NLS data provide little empirical justification to consider youth's attitudes toward work as...the cause of the unique labor market problems of youth."

The analysis of the labor market itself calls for distinguishing between job options likely to provide satisfactory or unsatisfactory experiences. Dual labor market theorists make such distinctions when they refer to primary and secondary labor markets (Reich et al., 1973; Victorisz and Harrison, 1973). Primary markets contain jobs that have higher wages, opportunities for advancement and relative stability. Secondary markets include unstable, dead-end jobs with low wages. The structural model provided by the dual labor market theorist would indicate that regardless of previous work attitudes, secondary labor markets provide less satisfying experiences.

Clearly, then, a comprehensive policy directed at unemployment must also deal with the job market itself -- with providing jobs that

will lead to stable employment patterns, that will cultivate positive job attitudes, and that will offset crime and delinquency. Without structural changes in labor market conditions, concentrating unemployment policies on manpower development may prove futile, especially for the types of youth who are processed by the justice system. The character structures of these youth are not likely to favor a sense of industrial time, discipline and regimentation.

Consequently, there are at least three distinct options to consider when formulating comprehensive policies aimed at the prevention of crime and delinquency through employment. The first option includes the manpower development programs which consist of skills training, labor market information and the services that place people in jobs and support their transition into the world of work. The second refers to the structural policies that provide jobs, especially for youth and minorities, and that make a significant difference in unemployment rates. Finally, there are the programs or operating procedures that enhance the integration between the manpower development programs and the structural solutions to unemployment. This last part is obviously contingent upon the existence of the others.

With very few exceptions, virtually all the programs directed at youth (or adult) employment, including those linked to work-release for prisoners, income maintenance for exoffenders seeking work, job planning and job referral agencies, are manpower development programs operating in the absence of any structural solution to unemployment. This critical limitation and the political and economic realities that lie behind it are largely taken for granted and rarely addressed in the technical surveys that evaluate the effectiveness of these programs.

Peter Marris and Martin Rein's work, The Dilemmas of Social Reform, is an exception, however, because it examines some of the political problems characterizing the early community action programs promoted chiefly in the early 1960's by the Ford Foundation and the Juvenile Delinquency and Youth Offenses Control Act. The experimental programs established at that time were incorporated into subsequent antipoverty policies and diffused nationally.

Marris and Rein note that occupational training and placement programs were among the earliest efforts and wherever they were established under government auspices, they were faced, from the beginning, with an incredible amount of red tape. The operational contents of the training programs including, for example, the selection of training courses, had to be certified by one government agency after another and each had its own interests to protect. This certification process was also imposed to ensure that training was directed at marketable skills. In other words, job preferences among youth running counter to immediate market demands were denied.

A serious problem arose within the community action programs regarding the geniune development of skills training. In the face of red tape and budget limitations there was a regression back to "work adjustment" counseling, which, in most cases, was no better than job placement or on-the-job training programs for securing jobs for youth. Furthermore,

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job placements were generally made within fairly small, rather than large, companies because program staffs could rapidly establish cooperative relationships with small entrepreneurs who made decisions on their own. Larger firms had more formally instituted procedures for employing workers and the amount of effort spent placing youth with delinquent backgrounds meant an extraordinary expenditure of agency time and effort.

Another important feature of these programs was that they were never interfaced with any socially planned effort to control and expand the labor market. On the other hand, despite the lack of planning, some programs found they were able to place youth in public sector jobs. Job contacts were made with private corporations but, during crisis periods, these contacts dropped drastically because of the contraction of the labor market. In these periods, the private sector could readily obtain older workers with experience, stability and greater productivity.

There were a few exemplary on-the-job training programs adopted by private corporations such as the Elgin Corporation and the Lockheed Company in Georgia and California. These programs, however, served very small numbers of youth and there is no evidence that they made any significant difference (Magnum and Walsh, 1978:116-117).

Another occupational training approach involved federal subsidies to employers to hire youth but this was also ineffective. Studies found that most employers participating in such training programs provided only low wage, high turnover jobs with few fringe benefits. Furthermore, even these jobs were being filled primarily with youth who were not the primary targets of the federal policies. They were not disadvantaged youth (Magnum and Walsh, 1978:116). This tendency of job programs to serve relatively advantaged youth persisted all through the 1960's and 1970's.

Following the initial period of policy development, it became quite clear that the programs were being seriously hampered by the lack of job placement opportunities. In place of structural solutions to this problem, Department of Labor officials encouraged the creation of the National Alliance of Businessmen which was formed at the height of President Johnson's "war on poverty." The Alliance was formed, however, at a time when the overall unemployment rate was falling anyhow because of Vietnamese War expenditures. The economic expansion created by these expenditures spurred the hope that the Alliance could fill the gap between manpower programs and jobs by stimulating greater voluntary commitment on the part of businessmen.

It is doubtful that the private sector really did anything significant about the persistence of high youth unemployment especially among disadvantaged youth. Garth Magnum and John Walsh (1978:117) indicate that, although the Alliance tackled the lack of private sector interest, no one knows how effective it was in achieving its goals. Most of the data on the programs established over the entire period from 1961 to 1980 are unreliable because the programs rarely agreed to rigorous evaluations nor did they submit adequate data for evaluation. Perry et al., (1975) surveyed the contract and noncontract

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training programs sponsored by the National Alliance and their evaluation is fairly negative. They also note that the 1970 economic decline had a strong and immediate negative impact on the jobs program.

Education and training programs are another path to stable employment. However, training delinquent youth is not such a simple matter. We have seen that the predominant agency attitude toward vocational adjustment is focused on the marketability of youth; it thereby favors a strict subordination of the educational training to the employer's standards and purposes. This means that the needs of youth themselves are frequently ignored unless they happen to be congruent with immediate labor market priorities.

Magnum and Walsh (1978:18) state, "No short term skill training program or work experience can overcome in a few months a youth characterized by cultural disadvantages and dysfunctional life styles." Therefore, such youth might do better in longer term programs such as apprenticeship programs, polytechnical schools (i.e., "vocational" schools), and "cooperative education" programs where they divide their time between school and a supervised job. Marginal youth are certainly the least prepared for employment. These youth have been failures in school and though they could do better perhaps in vocational school, there is no mention of really comprehensive programs oriented around these youth in the evaluation surveys of manpower programs. Polytechnical education should be provided for these youth in schools having adequate staff, facilities and equipment to provide skills training for an industrial technology. For this purpose, ancillary school courses limited to such facilities as a woodshop or auto shop are quite inadequate.

There are instances where in-school youth have been provided with training programs that combine on-the-job experiences with education. In 1968, the Vocational Education Act supported projects directed at work-education programs for in-school youth. Evaluators, in 1973 and 1975, found that these programs had positive results. Students were motivated, enthusiastic and had developed some competence in vocational skills. Although it was reported that administrators could have placed youth in jobs more aggressively, there was no shortage of job openings and employers were willing to pay full wages even though they were not being subsidized by the government.

On the other hand, dropout rates were higher where young workers found their school work not specifically associated with their immediate vocational interests. Furthermore, with regard to disadvantaged youth, including the handicapped as well as the economically disadvantaged, work experiences were primarily in low skill, low pay and high turnover occupations. Sex stereotyping was also prevalent and one study indicated that the long term effects of this kind of program were negligible. In relation to wage rates, employment status, job stability and job satisfaction, little difference was found between youth who had been in the programs and those who had not.

A significant amount of on-the-job training occurs under the auspices of labor organizations. While this training includes apprenticeship programs, we have found no general evaluations of them and it is

doubtful that any methodologically sophisticated studies exist. In principle, apprenticeship programs avoid most of the secondary labor market pitfalls that confront youth in other types of programs. However, apprenticeship programs are highly competitive and they are still closely guarded by unions that not only give sole priority to children of union members but also maintain racial and sexual restrictions.

Programs aimed at breaking these discriminatory barriers have been funded by the Department of Labor. For example, the Apprenticeship Outreach Program, funded by the Department in 1967, was designed to recruit, counsel, tutor and otherwise prepare young people, primarily minorities, to qualify and gain entry into industry operated apprenticeship programs. In addition to labor organizations, the National Urban League and others sponsor the outreach program on the local level. Most trainees in the program find jobs in skilled building and construction trades, although some placements are made in manufacturing industries. A total of 54,477 placements were made between 1967 and the first half of 1976 (Labor Organization Participation, 1977:10). Although there seems to be no readily available information that would enable us to evaluate the utility of these programs for juvenile justice, their potential could be high for certain kinds of delinquent youth.

These programs, of course, also have their own particular limitations. The building and construction trades are highly susceptible to economic crises and they have been hard hit by the recent recession. Consequently, the opportunities that apprenticeship programs generally afford depend partly on the relationship between the types of apprenticeships and the particular labor market conditions. Also, Magnum and Walsh (1978:122) indicate that the average acceptable age for apprenticeship programs appears to be increasing and apprenticeships are generally being placed beyond the reach of young workers under 20. These writers find it "doubtful that apprenticeship will become a viable transition program for youth, at least when labor markets are slack." Nevertheless, we think that there are possibilities for using apprenticeship programs in conjunction with affirmative action and full employment policies that should be explored.

Another program aimed at employment for the most severely disadvantaged youth is the Job Corps. Originally funded by the Office of Economic Opportunities and later coming under the Department of Labor, it is one of the oldest and largest efforts targeting these youth. (It also follows a long standing occupation-educational tradition that emphasizes occupational learning in residential facilities away from home [Schwendinger, 1956].) Today, it is part of CETA as Title IV of the 1973 Act. While it is federally funded and administered, the programs are carried out partly under private auspices. There are privately run "contract centers" as well as civilian conservation centers run by the Department of Agriculture and the Department of the Interior.

The Job Corps has a comprehensive approach. In an excellent summary of such programs, James W. Thompson et al. (1980:174) say, "The Job Corps combines, in a comprehensive service model, a mix of education,

vocational skills training, health care, residential living, counseling and other ancillary services." While the group served are 16 to 21 year olds, half are less than 18. Characteristically, the participants are overwhelmingly minority males and high school dropouts. A third have never worked more than a month. According to one study of the Corps, "Almost all Corpsmembers have experienced poverty, welfare dependence or both" (Mallar et al., 1978:11).

More than one positive evaluation has been made on the Job Corps. Sara Levithan and Benjamin Johnson, in 1975, found it to be "a social experiment that works." The longer a participant stayed in the program the greater the positive employment impact. In a summary statement, Levitan and Johnson (1975:110) said, "Almost all studies have found that Corpsmen are better off after the program than they were on entrance, whether their standard of measurement is employment, earnings, educational level, motivation or work habits." But it is important to note that the Job Corps' dropout rate is very high.

In 1978, a careful longitudinal evaluation confirmed Levitan and Johnson's earlier reports. This study by Charles Mallar and associates (1980) at Mathematica Policy Research (MPR) went further than Levitan and Johnson who did not comment on the Corps' impact on criminal activity even though many of the target population had serious criminal records. The MPR group compared Job Corps persons with a control group composed of 70 percent of young school dropouts and 30 percent of State Employment Service applicants who were somewhat older than the dropouts. The study found that male members completing the program were earning $23.24 more, seven months later, than the control group. These members also had less need for welfare and participated less in criminal and drug related activities. Furthermore, everyone in the program, even those who dropped out, had less arrests. The authors (Mallar et al., 1978:34) stated that they had found "reductions in arrests for males, which amount to over eight fewer arrests for every 100 Corpsmembers."

The long term anticrime impact is ambiguous. There is some evidence that the Job Corps members maintained a lower crime rate one year after training, but it is difficult to evaluate the significance of this decrease because of methodological problems having to do with expected decline in crime with increasing maturity among all youth (Thompson et al, 1980:174-76).

There is also a variety of work related programs including pretrial intervention, occupational rehabilitation, supportive work, work-release, job placement services and post-release programs sponsored by the criminal justice system. Robert Taggart (1972) has evaluated a wide range of programs of this kind and finds that with a few exceptions, outcomes are disappointing. (There is recent evidence that supported work programs are successful.) He emphasizes the failure of rehabilitation and counseling programs and notes the serious problems associated with the lack of jobs in the private sector. Consequently, he recommends the expansion of public sector employment.

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The justice system has targeted different populations with different programs. The Court Employment Project (CEP) is one such scheme targeting felony offenders in two experimental cities. Initially funded in 1968, it was a model and forerunner of the many pretrial diversion programs of the 1970's. The participants in 1977, when the program was evaluated, were mostly single, young minority males who were fairly uneducated and unemployed. These street-wise defendants, half of whom came from welfare families, had spent their time on the streets hustling (Thompson et al., 1980:171).

The program became more than just an employment service, growing over time into a comprehensive vocational services agency. According to Thompson et al., it made referrals to other social services, offered situational and vocational counseling, did some in-house job training, job development and placement for participants considered "job ready."

Nevertheless, careful evaluation found no program impact on participants' employment. Their improvements in salaries and job tenure exactly matched the accomplishments for the members of the control group. Furthermore, Thompson and associates (1980:172) note: "The CEP evaluation showed no difference in within-program recidivism rates for experimentals and controls either in the number or severity of rearrests." The lack of recidivism difference between groups also appeared in the 12th month and 23rd month follow-ups.

The evaluation staff, sponsored by the VERA Institute, noted that these youths were exceptionally difficult to place in jobs. They found that participants were: "unmotivated, articulated poorly, dressed inappropriately, had negative attitudes toward employment, and often didn't show up for appointments." Baker and Sadd (1979:92), the authors of the evaluation, also concluded that there are enormous obstacles to changing the employment outlook of inner city minority youth.

Prison industries are among the oldest work related programs sponsored by the criminal justice system. However, there are notorious problems associated with these industries. Recent litigation against the Texas prison system, for instance, indicates the imposition of highly exploitative work conditions, an outrageous abuse of prisoners and quite serious violations of health and safety codes.

The majority of prisoners have very poor employment records and few skil . Yet prison industries offer little or no vocational training programs. Job experiences in these industries are generally unsatisfactory and pay rates are outrageously low.

We have the impression that some prison programs are providing skills training that can be used in primary labor markets (e.g., training prisoners to make optical lenses at the Wallkill facility in New York State) but the establishment of such programs in juvenile institutions requires capital investments in staff, equipment and facilities that may be beyond present budgetary possibilities.

The limitations that are applied to men's prisons are especially applicable to women's jails. Men's work programs have received

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greater priority even though women prisoners have equal need for satisfying work and vocational training. Inmates in women's jails are incarcerated up to a year in depressing environments with virtually nothing to do. Julia Schwendinger's (1978) study of the San Francisco Women's Jails shows that while changes due to court sentences and diversion projects over a two year period have decreased the number of women in jail, they have increased the proportion of women who are both minority members and extremely poor. This population is primarily composed of young women having an even greater need for occupationally related programs.

An exoffender's difficulties in getting a job, of course, are not confined to the lack of vocational training. Thirty-five states bar public employment to exoffenders and all provide an inadequate amount of "gate money" to underwrite the exoffender's transition to the world of work. Juveniles do not get gate money at all. And yet, as Glazer (1978:130-131) points out, "probation and parole studies testify to the inverse relation between employment and recidivism." Exoffenders with the most stable employment records have the least involvement in crime.

Helping ex-prisoners back to the world of work has its advocates and its programs. Among the more important recent transition money developments are Living Insurance for Ex-Prisoners (LIFE) and Transitional Aid Research Project (TARP), which utilize income maintenance schemes similar to workmen's compensation to bridge the period of unemployment while the exoffender is searching for work. With regard to these programs, evaluators have noted that income maintenance produces a longer period of unemployment among exoffenders ostensibly because they are able to wait longer for a better job. The important point, however, is that these people have a lower rate of recidivism than the control group which does not receive the income maintenance. The evaluations of these programs also indicate that employment lowers recidivism (Rossi et al., 1980).

Juvenile institutions have a number of work related programs but it appears that most of them have not been evaluated rigorously. These include work-release for a few individuals incarcerated in medium or minimum security institutions, special treatment of persons with severe learning disabilities and occupational training programs. Work-release programs help youths to achieve a good employment record but they usually depend on low skilled jobs. For instance, a limited number of work-release programs exist where a small number of youth may be allowed out of an institution for part of the day to work in a fast-food restaurant. Unfortunately, many juvenile institutions are located in low density areas having very few job opportunities even in secondary labor markets.

Occupational training programs in juvenile institutions are useful but our impression is that they are primarily limited to routine onsite work opportunities or work in nearby towns. Such programs teach juveniles construction work while building rooms within the institution; or they teach the rudiments of food handling and preparation while working in the kitchen, dining room and storehouse. Sometimes repair work for groups of boys is obtained in nearby towns but this sort of opportunity is not always available.

Our impression is that these programs are very severely undercapitalized even by comparison with adult correctional programs. Juvenile institutions do not possess the machine shops or factories that are associated with adult prisons although they may have arts and crafts programs, a woodshop and autobody repair shop. They rarely possess the type of equipment necessary for skills training oriented toward decent jobs in primary labor markets.

We have repeatedly emphasized the importance of decent jobs. Some economists who have studied occupational behavior for many years, such as Eli Ginzberg (1978:141-142), insist that, simply providing jobs for people is not enough: a job must also bring respect and it should not sustain severe income inequality or discriminatory standards. (In the congressional hearings on unemployment and crime, Ginzberg noted that the largest job expansion in the United States has been in poor jobs. He also testified: "As far as good jobs are concerned, government, interestingly enough, almost created as many good jobs as did the private sector"(Ginzberg, 1978:141). Andrisani (1978:109-110) further emphasizes the importance of good jobs for countering antiwork attitudes among youth and for ensuring stable and successful careers.

On the other hand, Magnum and Walsh depreciate the importance of primary labor market jobs. They recognize that dual labor market theory has led to the condemnation of employment and training programs that place trainees in the secondary labor market -- in low paying dead-end jobs which most enrollees could obtain without program enrollment (Doeringer and Piore, 1971). But Walsh (1978:16) insists that manpower programs should help their clients use rather than avoid dead-end jobs. In consort with Magnum, Walsh (1978:18) flatly states that "youth should take their place in line at the bottom and in dirty work or in dead-end jobs." They add that the manpower specialists who feel that good jobs are vitally necessary are "imposing" their values on clients (Walsh, 1978:15).

But Magnum and Walsh do not seem to take into account the differential impact of good jobs on job satisfaction and performance. Nor do they fully recognize the impact of bad jobs on the choices that youth make for themselves in our society. The more enterprising delinquent youth do not have to stand in line for legitimate jobs because the options available to them include thievery and participation in the irregular economy. Numerous youth burglarize, rob or turn to prostitution to make a living. Others set themselves up "in business" and engage in the illegal sale of goods and services including pornographic films, narcotics, stolen watches, hi-fi sets, clothing, appliances and jewelry (Schwendinger, 1963:327-367). Since crime frequently provides the discretionary income they want and it can be conducted at congenial hours, dead-end jobs run a poor second when competing for their time and energy.

Furthermore, youth who do "stand in line" for secondary jobs are often discontent or unable to survive on their low wages. They can augment their low pay by "moonlighting" illegally or by stealing

while on the job. We knew one young man who had belonged to a delinquent club, married young and had children immediately. While employed at a low-waged job he would get up early to steal milk, eggs and other dairy products which were left at the entrance to houses at 6:00 a.m. in the morning by the milkman. While on the job, he cleaned and maintained private pools in the Los Angeles area and, during his daily rounds, he "cased" the community for new, illegal opportunities.

Further examples of on-the-job theft can be cited. One adolescent used his job as service station attendant on the evening shift to sell the owner's gasoline, tires and other commodities to augment his own income. Another youth filched from cash registers, stocks, of goods, and so on while on the job. Granted, employment for some youth is simply an added opportunity to continue their delinquent careers, however, the theft while on the job for many is contingent upon economic pressures. Even when they are moving out of their highly delinquent period, youth will steal when faced with bills they cannot pay because of low wages and high prices.

There are a number of suggestions that might flow from our discussion of programs dealing with unemployment, crime and delinquency. First, there should be renewed emphasis by the juvenile justice system targeting programs designed to increase a juvenile offender's chances for sustained employment. Special attention should be made to the qualitative differences in job experiences, peer relationships, and neighborhood conditions that affect the continuation of youthful lawviolating behavior and long term career development.

Second, the existing occupationally related programs now sponsored by the adult justice institutions should be scrutinized rigorously to isolate programs that are working well. These should be examined immediately for use in alleviating unemployment among delinquent youth. Some Comprehensive Employment and Training Act (CETA) related programs might be adopted by these institutions. Programs such as TARP, LIFE, or work-study programs which lead to the accumulation of income to sustain the transition to employment might be considered. In addition, other programs, which have greater chances for success in skills training such as Job Corps and Apprentice Outreach, should also be examined for possible interfacing with juvenile justice agencies.

Occupationally related programs might be added to existing institutions such as the Individual Learning Center, Division for Youth facility in Highland, New York, that treat delinquent youth with serious learning disabilities. Here, existing programs might be extended to include subsidized "work study" experiences as well as other occupationally relevant experiences.

Minimum standards in staff, facilities and equipment might be developed for juvenile correctional institutions that already have occupational training programs. If such standards cannot be maintained in typical maximum or medium security facilities, then the programs might be located in community correctional settings where they can

be interfaced with existing polytechnical, job training or work-release programs in the community.

Special attention should be paid to the adjustment of delinquents in polytechnical schools and in cooperative education programs. Programs and methods for diverting delinquents to polytechnical schools or cooperative education programs might be explored. Such programs may undercut the present, massive dumping of delinquents into so-called "continuation schools."

The role of juvenile justice officers in facilitating diversion of youth to occupational training programs or polytechnical schools might be explored, too. Juvenile officers can initiate diversion of youth who have been repeatedly reported or apprehended but who were never actually referred to court. Some status offenders may also benefit greatly from this kind of diversion.

Special attention might be paid to developing intervention methods that will neutralize the influence of delinquent peer groups upon the youth who are attending occupational programs. Peer pressures may be an important negative factor during this transition period and information about this pressure may be helpful to teachers and counselors in job training programs.

Other possibilities undoubtedly exist; however, there still remain the structural problems that restrict labor markets. To deal with these problems, juvenile justice planners must expand their own horizons and recognize that the requisite solution to wide scale unemployment and delinquency is impossible without state intervention in economic development.

Chapter 4

PUBLIC SECTOR JOBS AS FIRST RESORT

Not often do we find ourselves in agreement with David Rockefeller but we can agree when his coalition group, the New York Partnership, established in June 1980, links unemployment and crime. Hoping to improve the quality of life and work in New York City, their goal is to make the streets and subways safe. The first step, they announce, is to find jobs for young people.

However, their solution proceeds along very different paths from ours. While we advocate job creation especially within the public sector, the New York Partnership hopes to find private industry jobs for youth. As one might expect from a coalition made up of representatives from the New York Chamber of Commerce and Industry, the Economic Development Council, the National Alliance of Businessmen and the Business Marketing Corporation, their focus is on the needs of industry and business. The coalition plans to ask the school system and the business community to train students for jobs that are available; it will also urge industry to accept a certain number of trainees.

But, what measure of success can be expected from similar past experiences? We cannot expect this effort to significantly affect youth unemployment, especially during a severe economic recession. The National Alliance of Businessmen, which was formed at the height of the "war on poverty," spent $20,000,000 in government funds to stimulate private sector cooperation. Some youth unemployment was temporarily alleviated because youth were given wages while engaged in on-the-job training. But the primary effects of the National Alliance and other manpower programs were due to public funding for employment and training programs. Charles Killingsworth and Mark Killingsworth (1978) calculate that in the absence of the employment and training programs sponsored by the federal government, the aggregate unemployment rate in 1976 would have been 8 percentage points higher than the actual figure, and the teenage unemployment rate would have been 3.9 percentage points higher than the actual figure.

Nevertheless, these increases in employment due to federal job support were mostly temporary and they hardly affected long term unemployment trends especially among minority youth. Young black workers were among the most frequent people targeted by the "war-on-poverty" manpower programs. Yet, after evaluating the surveys of these programs, Bennett Harrison (1975:159-160) sadly observes, "Without a direct transformation and augmentation of the demand for their labor, significant improvement in the economic situation of ghetto dwellers is unlikely. Attempts to change the worker himself -- whether to

remedy his personal 'defects' or to move him to a 'better' environment -- have not worked until now, and the [several sources of data reported] in this study provide little if any evidence to support the belief that such attempts will be sufficient in the future."

Since Harrison's conclusion was made, the situation has worsened and youth unemployment has reached crisis proportions. Paul Andrisani (1978:110) reports, "Youth today are facing the worst set of labor market constraints ever to have faced preceding generations of youth." In 1960, official data indicated that 48 percent of the youth from 16 to 19 years old were looking for work; this figure rose to 51 percent in 1971 and 58 percent in 1979. In 1960, official jobs data on black youth showed that unemployment was almost five times that for the general population. During the first quarter of 1979, black youth unemployment averaged 33.2 percent, the rate for Hispanic youth was cited as 17.8 percent, while white teenage unemployment was 13.6 percent.

The above calculations, however, underestimate the critical nature of youth unemployment since the figures are based on official statistics -- a woefully inadequate source. A 1979 conference report entitled Youth Unemployment -- The Link to the Future, reminds us of this shortcoming. It states: "Unemployment rates for black central city teenagers...are difficult to calculate accurately. Strict Department of Labor calculations place these rates consistently above 40 percent. But this figure fails to take into account the thousands of teenagers who have given up in despair and opted out of the labor market altogether. If these youth were included in the calculations, many believe that the real rate of unemployment for central-city black youth would be closer to 60 or 70 percent" (National Collaboration for Youth, 1979:6). Such beliefs have been confirmed by the Urban League which conducted its own survey of black youth unemployment in 1972 and found that the unemployment rate was as high as 64 percent. For some time now a proportion of black youth have been acutely aware that there is no likelihood that they will ever obtain gainful employment in a legitimate job for their entire young adulthood. Clearly, an employment program of considerable scale is called for. But more on this point in a moment.

The segments of youth targeted by the juvenile justice system have been especially hard hit by these developments. Poor nonwhite youth are enormously overrepresented among the chronic offenders having few skills and few opportunities for job advancement; and these minorities are more likely to become trapped in secondary labor market jobs and illegal market activity.

In addition, the problem facing the juvenile justice system may become greater if legislation is passed lowering the minimum wage. It is true that employers may then become willing to hire more youth if there is a savings in wages. However, the dual wage system expanded by this change will not just create greater strains on family life by taking jobs away from adult providers, it will provide working youth with less income to cope with rising inflation. For delinquents with no previous labor force experience, no savings

to cushion rising prices, and few skills to back up any claims to employment at higher wages, there will be little to lose and everything to gain by extending their years of involvement in illegal activities. The correlations repeatedly found between low income, crime and delinquency persuasively suggest that lowering the minimum wage will boomerang and stimulate both violent and property crimes.

By now it seems clear that subsidizing the private sector through employer incentives, tax credits, lower minimum wage policies and so on will hardly make a dent on youth unemployment or delinquency. Large new growth industries are needed rather than small piecemeal solutions. However, the increasing severity of both unemployment and delinquency are due to the inability of the American economy to grow faster than its working population. This slow rate of growth is caused by a general decline in the rate of capital expansion and the convulsions in labor market activity created by regular and frequent cyclical crises.

Furthermore, these adverse economic conditions are going to be with us for some time. Reviewing the projections for 1981 by noted business forecasters, Leonard Silk (1981:20) says, "With real gross national product growing by no more than one percent in 1981, the unemployment rate, which averaged 7.3 percent in 1980, is likely to rise above 8 percent and stay there through most of 1981."

The inherent limitations of manpower programs and the continuation of the current crisis are powerful arguments for some redirection in criminal justice planning. Ordinarily criminal justice planners scrupulously avoid dealing with the broader aspects of the economy; but no planning strategy that confines itself to criminal justice policies, whether they change police, court or penal practices can be adequate. Social science calls for a broader planning perspective.

At least four knotty problems must be considered when such planning is undertaken. First, our target population, unemployed delinquent youth, requires conditions that will encourage them to exchange their illegal activities for jobs that will stimulate their moral development. Therefore, it would be preferable to provide them with jobs that are clearly relevant to other people's welfare as well as their own. This point then leads us to another goal: Growth industries that are socially relevant to our times and to these youth must be researched and several will be suggested shortly.

Second, uneven development in capital investments has to be controlled. Economists Barry Bluestone and Bennet Harrison (1978:411) note some of the economic characteristics of uneven development. They say, "Some industries/regions/groups get plenty of capital from both private and public capital markets, thereby enjoying high incomes and full employment. Other industries/regions/groups suffer a serious capital 'shortage,' which retards their development and creates poverty, unemployment and underemployment. The wealth of the oil industry relative to the poverty in much of the textiles,

apparel, and other non-durable manufacturing industries is testimony to how some sectors of the economy continue to grow wealthy, while others stagnate."

The government contributes directly to uneven development in numerous important ways. Besides spending taxpayer money on defense plants in the sun belt, the government, through the Interstate Commerce Commission (ICC), sponsors lower freight transport rates for goods going to and from the south than for hauls to and from markets in New England. Also, the way the government collects taxes favors uneven development regionally. The New England states send more tax money to the federal government than they receive in grants, transfers and government contracts. The imbalance for New York, in the late 1960's, amounted to over 7 billion dollars more paid out than "taken in." On the other hand, $2 billion more were received by California than it paid out in collected federal taxes.

Inner city youth are an example of a group suffering from underinvestment. Inner city public school children have higher student/ teacher ratios, older buildings and poorer library facilities than their counterparts in the suburbs or in privately endowed schools. This underinvestment, combined with their bleak future employment outlook, is expressed in their higher illiteracy rate and lower employability.

Inflation is the third problem about which we need to be concerned. Traditionally, both conservative and liberal economists have unquestioningly accepted the "Phillips Curve" -- a statistical relationship showing an inverse correlation between inflation and unemployment. Moreover, following this theory, government priorities have sacrificed employment in order to reduce inflation. The result of this policy has been disastrous. It has triggered stagflation -- a combination of economic stagnation and inflation -- and worsened unemployment.

Clearly, in order to create full employment -- full employment for youth now and as a realizeable goal when they are older -- our social planning must be structured within a different framework. As in the 1930's, we must turn our attention to the public sector for answers to unemployment but we must also be aware that it would be a mistake to simply create public jobs as ends in themselves. Temporary programs like CETA should certainly be continued as long as jobs are in short supply; however, our social policies should be focused on permanent reductions in unemployment. Consequently, these policies must, of necessity, base themselves on the forms of economic growth that can sustain themselves through capital accumulation without continuous infusion of tax revenues. The industrial areas suggested by Bluestone and Harrison are currently underdeveloped by the private sector and their development will cause expansion in related private sector businesses. Importantly, each industry will also provide employment at numerous levels of skill so that employees will not be locked into dead-end jobs.

Finally, a workable program of full employment for youth cannot be separated from adult full employment. The following new public sector growth industries have also been recommended for expanding adult employment by Bluestone and Harrison, and they are based on criteria similar to ours. These areas include housing, health, energy, mass transit and freight transportation. Let us briefly discuss each industry and sketch out sources of necessary investment capital to implement them.

Overcrowded housing has long been accused of contributing to crime and delinquency. Furthermore, according to the Joint Center for Urban Studies of MIT-Harvard, more than 13 million families lived in inadequate, overcrowded or unaffordable housing in 1970. If the buildings were not dilapidated, they were overcrowded or cost more than a balanced budget would safely allow. Because of high cost housing, many families were thus deprived of other necessities for healthful living. For a few years this housing shortage was improving but since 1974, production targets for new housing and housing rehabilitation have been failing at an increasing rate.

Public support of housing construction could therefore be expected to lessen juvenile delinquency while simultaneously creating employment in the hard hit construction industry and those industries supplying it. Housing construction and support industries entail jobs on many levels, from traineeships to highly skilled work, many of which can offer opportunities for youth employment. On the other hand, public investment in housing has often contributed to increased overcrowding of the poor by a process now being called "gentrification." Older buildings, previously housing the poor, are torn down and new ones are built for middle and upper income tenants; or these buildings are remodeled and sold as expensive cooperatives while housing for the poor further deteriorates. Of course, such developments would heighten crime and delinquency rather than diminish them.

Because current high interest rates have hamstrung the construction industry, we shall need a creative approach to solving the problem of capital for jobs in this area. In addition, high prices have limited the amount of land available for development, especially in the cities. Going beyond the precedent of the Veteran's Administration mortgage, which insured low interest mortgage loans, the government could create a National Mortgage Bank that would actually supply mortgage money at a very reasonable rate of interest. This bank would directly compete with private banks and therefore would be counterinflationary. If we increased the amount of federally subsidized mortgages only to the level of other capitalist countries, most mortgage activity would still be controlled by private banks. Tax money and the sale of Federal bonds could be the seed money for this operation which would then repay itself by mortgage and interest payments. By applying federal nondiscriminatory standards -- lending mortgage money to prospective customers regardless of sex, race, ethnicity or neighborhood -- it would also end "red-lining" and be more democratic.

Precedents have also been set in other countries for creating "land banks" to deal with rising land costs and shortages. Every country in western Europe as well as some local jurisdictions have already established such banking facilities. In principle, public money is made available to a local jurisdiction to purchase land at a reasonable, agreed upon price in much the same way as land is acquired for building public highways. With a land bank, a community can acquire private or abandoned land for later use, purchase property before prices become unreasonable and therefore prohibitive to developers, prevent abandoned property from becoming a blighted area, and capture for the public treasury any appreciation of land values.

A second growth industry that meets our criteria is the health care system. Along with the high cost of fuel and heating oil, the cost of medical and hospital services have contributed most heavily to inflation. Furthermore, studies have shown that there are millions of people who are without private medical insurance and are ineligible for public medical aid programs. They either incur long standing debts or go untreated, thus suffering the effects of illness for prolonged periods.

The effects of illness are extensive as well as expensive. Social work professor Elizabeth A. Ferguson (1975:277) summarizes it nicely when she writes: "Illness interferes with carrying out family responsibilities, with employment, with social life and with one's perception of himself and the world around him. Ill health is a major cause of dependency, and continued ill health makes it impossible for many in poverty, of all ages, to entertain realistic hopes of ever getting out of poverty. The poor are sick oftener, recover more slowly, have less access to preventive and rehabilitative services, and live under less healthy conditions."

The special effects of ill health on the family and on students are too numerous to itemize except very selectively. Children born to undernourished, poorly nourished or sick mothers begin life with oftentimes insurmountable handicaps. One concomitant of poor health in the family is a non-stimulating environment during the formative years. Prematurely tired, ill parents do not read to children, play with them, talk to them, or take them to stimulating places. Poor health and poor nutrition result in sluggish minds and bodies, negative effects on study and learning, and a high incidence of absenteeism from schools and jobs. Furthermore, illness effects the ability of parents to muster the energy to control their children's antisocial behavior. The effects of poor health and nutrition on juvenile delinquency need to be carefully researched.

The market model of medical care could not be less conducive to improving the health of youth in the lowest quartile of the population. This model, operating on a fee-for-service basis, rewards treatment of illness rather than its prevention. By thoroughly restructuring the health care system, providing both national health insurance and drastic changes in the health care delivery system, we can not only prevent much illness but contribute to the prevention of juvenile delinquency and the control of runaway inflation.

Other models, such as community health care and health maintenance organizations, emphasize prevention as well as treatment of illness as it occurs. Community health care has the further advantage of being labor intensive and thereby providing relevant job opportunities to youth in our now more health and environment conscious society. Jobs would also be created in the construction of new facilities and the remodeling of older facilities for community health care institutions. Legislation, with the goal of restructuring the current health care system and providing a community directed system, has been proposed by Representative Ronald Dellums of California. His bill, the National Health Rights and Community Services Act, would be funded by Federal income tax revenues. There would probably be a net reduction in government costs with Dellums' bill or a similar one. Current federal programs such as Medicare, which it would replace, have contributed to the inflation in the medibusiness complex by guaranteeing payment of doctors' fees by a large captive segment of the population. The Health Rights and Community Services Act would reduce costs by eliminating expensive file claiming procedures and by using trained paramedics where this would be practical.

A third area for public development could be mass transit. The large cities, which also account for most of the delinquency, provide enough potential customers to make public scheduled transit economically feasible. On the other hand, the demand for public transit has not been great. Several outstanding forces have contributed to the major emphasis on private auto transit for travelling to work, shopping, school and recreation in this country. Aside from greater convenience and comfort, one reason why we have become an "automobile civilization," is, once again, uneven development. While the federal government gives funds which must be matched locally by 20 percent for mass transit, the match for highway funds is only 10 percent. This helps to subsidize the trucking industry and discourages mass transit as more expensive.

Also, when mass transit is subsidized, there is further uneven development favoring the wealthier commuter. In a study released in June 1980, Professor John Pucher of the Department of Urban Planning at Rutgers University (forthcoming) pointed this out. He said: "Those types of transit most frequently used by the poor are the least subsidized, and those most used by the affluent are the most heavily subsidized." About 12 percent of those earning $25,000 or more used buses, streetcars and subways which were subsidized at $.41 per ride, yet 38 percent of this group used commuter railways which were subsidized at $1.53 per ride. One result of low subsidies has been serious deterioration in bus and subway transit followed by declining use rates and moving away from the older cities by many businesses.

But even more crucial to the love affair between private cars and the American public was the role played by several large trusts in the 1930's. In order to create a demand for buses and cars, General Motors, in concert with Firestone Tire Company and Standard Oil of California, purchased and then destroyed thousands of miles of rail in cities throughout the country. Without adequate federal aid,

local communities have been unable to rebuild these lines. Trucking interest groups have insured that federal support would not come to the rescue.

Mass transit would not only improve the quality of life for most people, but it would lessen some forms of delinquency by protecting certain especially vulnerable parts of the population from easy victimization. To lessen the opportunities for such victimization, we need to expand public investment in smaller, more flexible forms of public transit such as jitneys, trolleys, taxis and small buses in addition to urban mass transit. These would provide short hop, street level transportation for older people who are often mugged by young people in their own communities and for young women who frequently hitchhike to school and other destinations because they have neither cars nor low cost public transportation that they can depend on. The needs of the community to travel to school, work, stores, medical services, etc., should be considered in planning the routes of these added facilities.

Because public transit is a basic service, federal support would be justified in order to create lower fares. This would make transportation available to the working poor, the unemployed (some of whom would find it more feasible to find jobs) and those on fixed incomes. Furthermore, jobs would be created for mature youth as well as adults, as drivers, conductors and maintenance men. Bluestone and Harrison (1978:43) claim: "...it seems possible to plan for labor to build, maintain and operate the additional mass transit facilities. This would entail more jobs than would result from an allocation of resources that continued to emphasize the production of automobiles and highways to carry them."

The last two foci might offer fewer direct employment opportunities but they still refer to economic dimensions that join crime and juvenile delinquency. The areas are energy and freight transportation. The current energy question affects the entire jobs market in our country today because our industrial production and consumption are still based upon the outdated assumption of cheap and abundant fuel. A number of thriving American companies which had employed many workers have had to close plants because they were no longer economically viable. On the other hand, European countries have successfully converted to less energy intensive technologies. The United States, unfortunately, has been slow to follow their lead. For example, Bluestone and Harrison (1978:422) comment: "Western Europe already generates an additional dollar of Gross National Product with one-half the energy input required in this country -- and Europe is finding many ways to improve still further."

After industry, which uses 41 percent of our energy, 25 percent is used by the second largest user -- transportation. We have already urged mass transportation as one growth area. Highway buses are more fuel efficient than railroad and almost 4.0 times more efficient than private cars. Railroad transportation, on the other hand, is 2.5 times more efficient than automobile transportation. But since industry must also transport freight, a still greater saving would

come by an industrial conversion from truck to railroad freight transportation. Barry Commoner (1972:171) suggests that the fuel efficiency ratio of railroad to truck transportation is close to 5.5 to 1. Obviously industrial users would gain efficiency and profit and could therefore show more growth if their energy base was changed.

Furthermore, energy costs can be reduced by municipal ownership of utilities. Not only are nonprofit municipal companies more efficient but their products are cheaper. Because they do not have to pay dividends and large executive salaries, for example, electricity produced by municipally owned electric companies costs about 18 percent less to use than the product of their privately owned counterparts. This saving would be a direct benefit to private consumers. For instance, it would help families divert more of their resources to their children's educational and cultural development.

Finally, new sources of energy and the expansion of older sources such as coal can be developed with federal intervention. Alternative sources to be researched can include solar energy, safer approaches to nuclear energy, exploration of geothermal energy sources and the use of refuse pyrolysis. A Federal Fuels Corporation could be developed to produce energy which would then be sold on the market in competition with private industry. At the same time, federal charters could be given to private energy corporations as national, state and local public utilities. This would allow the federal government to demand more public accountability than the states now require from these companies. They could also be made more publicly oriented by requiring their Boards of Directors to include representatives from government, labor and organized consumer groups (Bluestone and Harrison, 1978:425).

However, in reality, trucking is continuing to expand and railroads are continuing to shrink in their services. Uneven development, once again, suggests the reason for this anomaly. While truckers need only spend 6 percent of their budgets for road taxes, the equivalent cost for maintenance of rails is 21 percent of the budget for railroads. Regional favoritism by the ICC for hauling rates was previously mentioned. Many European countries have nationalized their railroads and anyone who has travelled on one can appreciate the dramatic difference in service, maintenance and number of users. Conrail was developed as an approach to this problem but unfortunately, private ownership was retained along with public management of the system. The freight fees plus outright government subsidies guarantee a profit to the private stockholders while the managers continue to be selected from the staffs of the same private companies. It seems clear that outright national ownership and operation of the railroads could more easily place the national interest above the interests of the private corporations. This would save the jobs of those now employed by the railroads and improve the efficiency of companies that must depend on economical freight shipment to stay in business.

These recommendations for state intervention include only a few possible changes necessary for balanced growth and an expanded job market. On the other hand, we are not so naive as to believe that the current administration will seriously entertain even these recommendations for ameliorating unemployment, crime and delinquency. Nevertheless, the problems will certainly outlast the administration and, sooner or later, people will realize that no realistic solution is possible without a struggle for planned economic growth.

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THREE SYSTEMS FOR YOUTH IN TROUBLE:
AN ANALYSIS OF INTERRELATIONSHIPS BETWEEN
CHILD WELFARE, MENTAL HEALTH AND JUVENILE JUSTICE

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INTRODUCTION

The purpose of this colloquium is to analyze the juvenile justice
system's relationship to other social systems and institutions. Four
other systems have been specifically targeted for discussion: mental
health, social welfare, education, and the labor market. This paper
will focus mainly on the relationship between juvenile justice and
the first two systems -- particularly, specialty mental health pro-
grams subsidized by public funds, and child welfare and income main-
tenance activities covered under the Social Security Act (as amended
from 1935 onwards). There are three major reasons for focusing on
the relationship between these particular systems: 1) historically,
each system's interest in youth was guided by an interest in pre-
venting or reducing a portion of the "delinquency" problem; 2) since
the early 1960's the institutional and outpatient populations of the
mental health and child welfare systems have increasingly displayed
deviant behaviors that meet the jurisdictional criteria of the juve-
nile court system; and 3) by treating all three systems as function-
ally related to the problem of "youth in trouble" (i.e. youth who
are, or could be, dealt with in a juvenile court), it is possible to
understand long-term trends in juvenile care, control, and treatment
activities from a broader, intersystem perspective. The remainder of
this paper will attempt to document these assertions, as well as pro-
vide a provisional assessment of the current functions, activities,
and utilization patterns of the three related youth-in-trouble
systems.

ORIGINS AND FUNCTIONS OF THE JUVENILE
CORRECTIONS AND CHILD WELFARE SYSTEMS: 1825-1900

About 75 years before the nation's first Juvenile Court Act became
law, the New York City Society for the Reformation of Delinquents
created a House of Refuge to receive youth charged as vagrants, petty
criminals, or "houseless" (Pickett, 1969:55). Youth could either be
"taken up or committed" by criminal court judges, police magistrates,
or commissioners of the almshouse and workhouse. In practice, as

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well as design, the 1825 House of Refuge fulfilled the societal functions associated with local adult institutions. But besides providing a minimal amount of "indoor" economic relief and care, and custodial control -- the primary functions of the almshouse, work-house, and jail -- the House of Refuge was also charged with the mission of providing protection from urban evils and a reformation program that relied upon vocational, educational, and moral training and discipline. The Refuge was to provide "asylum" and "a course of treatment" while functioning as a juvenile version of a jail and almshouse. These five multiple functions, two new and three old, could only be carried out within one "indoor" program if youth were separated from corrupting adults, boys segregated from girls, the buildings made escape-proof, and an indeterminate sentence substituted for a fixed sentence.

In implementing these social functions, the Society for the Reformation of Delinquents appealed to city and state politicians to provide public funds for capital improvement and operating expenses. They argued that their program could prevent future "pauperism," "depravity," and crime amongst both boys and girls. The self-perpetuating private Board of Managers were keenly aware that their multiple function and multi-problem approach was intimately related to policies associated with the poor law, criminal law, and indenture/apprentice statutes (Pickett, 1969).

After about 25 years of Refuge operation, a new generation of reformers created a second type of formal youth institution -- the Juvenile Asylum. This asylum was designed primarily for "vagrant," "houseless," "neglected," and orphan youth, a distinct subpopulation of the original Refuge target group. By creating a new type of "asylum," New York and the cities that followed were initiating a special system for "dependent and neglected youth." Historical analysis of the juvenile asylum's social purpose, programs, and activities supports the inference that this departure in child welfare policy was associated with social functions comparable to the refuge: a minimal amount of relief and care, custody/control, remediation or treatment, and protection from urban evils (Rothman, 1971; Bremner et al., 1971, Vol II; Leiby, 1978). In general, however, the newest anti-pauper and anti-criminal program was designed for younger children.

By the time the juvenile court was founded, at the turn of the twentieth century, both types of institutional approaches had evolved into separate systems. While the New York Refuge continued as a privately administered (but publicly funded) organization, other refuges were placed directly under the supervision of state or local public officials, and merged into the newer specialized reformatory and training schools. Dependent and neglect facilities remained privately operated by secular or religious organizations (but often partially subsidized by public funds). Public reformatory and training schools became the long-term institutions of the juvenile correctional system, while non-profit dependent and neglect facilities became their child welfare counterparts. A 1910 U.S. Census reporter

described the manner in which the new courts might use established "benevolent" children's facilities, and how they were related to reformatories as follows:

> The children received are primarily those who are destitute and dependent upon the public for support. Of late years, however, the state has come to recognize its responsibility not only for the <u>material welfare</u> of its children, but also for their <u>protection from evil</u> influences, and in many states under the head of "dependent or neglected children" are included not merely orphans and children deserted by their parents or guardians, and those without visible means of support, but also those who live in unfit or disreputable surroundings, who are growing up in the habit of begging or receiving alms, who frequent vicious places, or who in <u>any way give indication of developing into undesirable citizens.</u> Such children...may be committed to reformatories, or if the offense is slight, to some orphanage or other institutions of this class. If there is no infraction of the law, the juvenile court may still take cognizance of the case and commit the child to some benevolent institution... (U.S. Bureau of Census, 1913:26, emphasis added).

THE THREE SYSTEMS FOR YOUTH IN TROUBLE: 1900-1933

While both systems of juvenile care and control tended to handle youth according to specialized delinquent or dependent categorizations, there was a degree of overlap that continued into the first part of the twentieth century. The juvenile correctional system had a more diverse mixture of youth in trouble than the child welfare system. In 1923, out of about 140,300 youth enumerated as resident on a census data in a dependent/neglected institution only 1,670 were formally classified as "delinquents separately reported" -- less than 2 percent (U.S. Bureau of Census, 1927:14). By contrast, in the same year about 7 percent of the youth classified as residents of "special institutions for delinquents" were also categorized as "dependents separately reported" (U.S. Bureau of Census, 1927:14).

But the largest amount of diverse mixing occurred in local, publicly operated "detention homes." In the 1923 census the proportion of youth classified as dependent residents in 90 "homes" reached about 55 percent (U.S. Bureau of Census, 1927:345). About 30 percent of all admissions during 3 months of 1923 were categorized as dependent youth (U.S. Bureau of Census, 1927:345).

Besides institutional responses to youth in trouble, both emerging systems had begun implementing less coercive forms of relief, care and supervision -- free and paid boarding out homes (i.e. foster homes) and probation at home. In 1899, almost 75 years after the founding of the first youth institution in New York City, the dominant social welfare leadership of the era, meeting at the National

Conference of Charities and Corrections, officially endorsed, for the first time, a "home care" policy: when a dependent child requires substitute care, consideration should first be given to a foster family arrangement (Kadushin, 1974:401). A decade later, at the first White House Conference on Dependent Children, the Conference participants reiterated this position by stating that "the carefully selected foster home is for the normal child the best substitute for the natural home" (Bremner et al., 1971, Vol.II: 365). Actually, both of these statements symbolized belated recognition of activities that had been occurring since 1854, when Charles Loring Brace "placed out" New York City children, without charge, in farm communities in the Middle West (Bremner et al., 1971, Vol. II: 291; Brace, 1872; Warner, 1908:263-96).

The "free foster home" activities begun by Brace were picked up by other children's aid organizations; the idea was further extended to using homes near cities, as well as placing out in the West. By 1868, the Massachusetts Board of State Charities began experimenting with "boarding out" payments to foster families (borrowed from Great Britain) to pay for substitute care and supervision of "state pauper children" in lieu of institutional residence (Bremner et al., 1971, Vol II:322, 330). By 1882, legislation in Massachusetts provided that "indigent and neglected" children could be directly "boarded out" with a "suitable person," without passing through a state-operated "Primary School" (for dependent children). By the time of the 1909 White House Conference, the "boarding out" of children in foster homes, as alternatives to institutionalization, was widely used in Massachusetts, Pennsylvania, the District of Columbia, New Jersey, and California, and to "a lesser degree in the other states of the union" (Bremner et al., 1971, Vol. II:329).

Despite acceptance of "home care" or "foster care" by elite leaders of Charities and Corrections, national statistics for dependent/ neglected institutions remained fairly stable prior to the 1933 census. While Massachusetts deliberately used public funding of foster care as a means of reducing the population of its child welfare institutions, other states -- notably New York -- merely "added on" the new child welfare resource to the existing institutional system (U.S. Bureau of Census, 1927:18,20; Bremner et al., 1971, Vol. II:329). In 1923 residents of dependent/neglected institutions still outnumbered youth placed in "free" or "paid" boarding homes -- 140,350 to 102,600 (U.S. Bureau of Census, 1927:18). Prior to the 1930's both child welfare and juvenile corrections, despite ideological rhetoric, were more likely to provide public funds for relief, care, custody, treatment, and protection of youth in an institutional context.

During this period the beginning of a mental health definition and response to youth in trouble was also initiated (Bremner et al., 1971, Vol. II:555-704; Leiby, 1978:184; Rothman, 1980). Bremner and his associates summarized the emergence of this new system as follows:

Child guidance clinics were first organized in liaison with juvenile courts. During the 1920's, however, they were founded in connection with hospitals, schools, or community agencies where they could better serve children whose behavior problems required attention but not institutionalization. By 1931, 232 child guidance clinics and habit clinics (for children under age three) had been established (Bremner et al., 1971, Vol. II:1050, emphasis added).

A major impetus to the development of child guidance was provided by a private philanthropy, the Commonwealth Fund. In 1921 the Fund launched a demonstration "Program for the Prevention of Juvenile Delinquency"; this program was designed to prevent delinquency "by helping children with emotional and behavioral problems" (Bremner et al., Vol. II:1056). In 1931, the twelfth annual report of the Commonwealth Fund summarized their stimulative efforts as part of a larger mental hygiene movement, devoted to mobilizing resources "for the adjustment of children to the mounting difficulties of civilized life" Bremner et al., Vol. II:1056).

Despite the emergence and rapid expansion of the newly discovered mental hygiene approach to "adjustment problems" of youth in trouble, institutionalization for psychiatric reasons was a rare event. A major reason that so few of the residents of hospitals for "mental disease" were youth was due to the traditional belief about the "age of insanity." As the reporter of the 1923 census of mental hospitals wrote about the age of patients:

Mental disease occurs principally in adult life. Psychopathic disorders appear in children, but as a rule these are not serious enough to require commitment to a hospital for mental disease...It will be noted that only 0.2 percent of the total patients were under 15 years of age and only 1.5 percent were under 20 years (U.S. Bureau of Census, 1926:26).

By the 1960's this view about the use of the mental health system changed quite dramatically, but it is useful to recall that before this recent period the problems of youth deemed serious enough to warrant removal from the home were allocated to the two older systems.

DEINSTITUTIONALIZATION AND THE
EMERGENCE OF A FEDERAL WELFARE POLICY

The accelerated removal of children from dependent/neglected institutions finally occurred after the nation accepted and funded, in 1935, a federal share in the provision of "outdoor relief" to "needy" children and their families. Aid to Families with Dependent Children (AFDC) legislation did not define economic "need," nor did it set forth a minimum standard of family payments. These key issues were left to the states. However, the legislation (Title 4 of the Social Security Act) specifically authorized the payment of a federal

percentage of AFDC costs (up to a specified level of allowance) only if "needy children" were living in a home with parents or relatives. Unintentionally, AFDC functioned as a funding source for deinstitutionalization (DE).

AFDC was clearly not designed as a DE program; rather it was set forth as a program to help states deal with the massive problems associated with economic deprivation. By 1940 about 372,000 families were recipients of federal/state AFDC funds -- compared to a 1931 estimate of 94,000 families who received mother's aid (U.S. Social Security Administration, 1980:40; Bremner et al., Vol.II:393); and by 1950 the number reached 651,000 families.

State and county administrators were, of course, quite aware that public subsidies to dependent institutions and foster homes were not eligible for federal reimbursement -- but released children, living at home or with relatives, could qualify as AFDC eligibles. From 1935 to 1961 the state and county administration of public child welfare functioned under a clear and unambiguous federally led "home care" policy. During this period DE occurred without the federal government subsidizing alternative forms of institutional care and supervision. Subsequent amendments, in 1962 and 1967, permitting -- for the first time -- payments to private foster care homes or institutions did not check the long-term decline of the traditional institutions; however, after this time subsidized alternative institutionalization began to offset some of the decline (see later sections).

The long-term trends of the number of youth resident in dependent/neglected institutions are as follows:

1933	1950	1960	1970	1973
140,350	96,300	73,300	47,600	37,800

(Adapted from U.S. Bureau of Census, 1935, 1953, 1963, 1973; National Center of Health Statistics, 1976, Series 14, No. 16.)

This substantial long-term decline occurred while the nation increased its youth population by a significant amount. Therefore, the institutional decline, as measured by rates per 100,000 populations under age 18, is even sharper than revealed by reading only the raw numbers. The resident rates are as follows:

1933	1950	1960	1970	1973
340	200	114	68	55

Source: U.S. Bureau of Census, 1935, 1953, 1963, 1973; National Center of Health Statistics, 1976, Series 14, No. 16; U.S. Dept. of Health, Education and Welfare, 1966 (for 1933 and 1950 rates); U.S. Social Security Adminis., 1980:52 (for 1960, 1970 and 1973 population figures).

The nearing demise of this institutional type is not only linked to the belated acceptance of a federal responsibility to subsidize home care for dependent children, it is also associated with the belief that "normal children" do not require the expensive care and supervision associated with traditional institutional programs. As a corollary, there is a belief that normal, traditional, institutions for dependent/neglected are no longer necessary. By the year 2000 it is quite likely that traditional dependent/neglected institutions will become like the almshouses -- historical relics of outdated public relief policies.

THE CHANGING POPULATION AND
USES OF CHILD WELFARE INSTITUTIONS

In 1933, about 25 percent of youth residing in dependent/neglected institutions were 14 years and above; in 1950 the proportion was similar. But in the 1960 census that figure changed to 32 percent, and by 1970 it had risen to 46 percent according to U.S. Bureau of Census reports. If current child welfare placements in foster homes are compared to past institutional placements, then the differences in age distribution can be quite striking. An analysis of over 29,000 New York City foster children in placements, in 1974, yields new images of age distributions for various types of foster homes, temporary group quarters, and traditional and nontraditional institutions (Bernstein, Snider and Meezan, 1975).

New York data reveal that unlike 1933, when 12.5 percent of the residents of dependent/neglected institutions were under 6 years, few of the group care/institution facilities contain this age group. Child welfare institutional facilities, still under a variety of private secular and church auspices, are apparently now reserved for older children. Of particular interest is the "general institution" -- since this is the traditional institution without a specialized function (according to the authors of the report). The authors define this type of facility, housing nearly a majority of group care/institutional youth, 3,951 out of 8,560 (46 percent), as follows:

A congregate care facility for more than 25; children cared for in such facilities may be from all categories, i.e., abused, neglected, dependent, in need of supervision, and emotionally disturbed (Bernstein, Snider and Meezan, 1975:253).

The description appears to fit the traditional dependent/neglected category. This is the type of institution that contributed to the 140,000 institutional youth figure of 1933. Later, referring to the "general institution," the authors state that these "institutions for dependent and neglected children are not an appropriate resource since too much is provided for a normal child and too little is provided for the youngster needing intensive on-site professional treatment" (Bernstein, Snider and Meezan, 1975:107, emphasis added). New York City no longer needs a "general institution" for normal children.

Table 1 -- Percent Distribution of New York City Children in Placement, by Type and Age (in percent, by type)

Placement Types	Under 3	3-6	6-12	12+	Totals
F. Homes					
Temp. Foster Home	42.2	20.0	26.7	11.1	(1,071)
F. Home/Pros. Adoption	9.3	22.3	51.3	17.1	(4,593)
F. Home/Bdng. Home	8.8	17.3	35.5	38.4	(13,470)
Home, Susp. Payment	6.7	10.0	38.3	45.0	(1,428)
Grp. Care/Inst. Facilities					
Temp. Grp. Care	0	0	31.2	68.8	(381)
Group Home	0	0	16.7	83.3	(1,571)
Group Residence	0	0	4.8	95.2	(500)
Gen. Institution	0	2.4	27.7	69.9	(3,951)
Res. Trtmnt Center Type A	0	2.7	35.1	62.2	(881)
Res. Trtmnt Center Type B	0	0	45.4	54.6	(262)
Inst. for Retarded	0	0	9.2	90.8	(262)
Secure Detention/ Other	0	0	0	100.0	(452)
Awaiting Placement	5.3	10.5	31.6	52.6	(904)

Source: Lerman, forthcoming. (Adapted from Bernstein, Snider and Meezan, 1975:203).

According to the study, these youngsters should be redistributed to other "placement resources" on the list (including a possible return to home). Some "general institutions" have begun to add more treatment services and this should be encouraged. The study recommends that facilities that have begun to provide special services should "transform their facilities to residential treatment centers for the moderately or seriously disturbed children" (Bernstein, Snider and Meezan, 1975:38).

The facility type needed the most is the child welfare version of the "residential treatment center" (RTC). This type of facility, according to the authors, is in greatest need:

> ...We need many more residential treatment centers. We need them now and we are going to need them five and ten years from now. We need them to serve a group of disturbed, vulnerable children, often truants or delinquents, who, if they do not obtain the necessary residential treatment service, are likely to turn into miserable, unhappy adults prone to crime and other continuing serious emotional and behavioral problems (Bernstein, Snider and Meezan, 1975:38, emphasis added).

Experienced New York social work professionals, not unlike the child welfare workers in other states, perceive the majority of youngsters needing group care/institutional residence as those youth having differential degrees of "emotional and behavioral problems." Not unexpectedly, youth appear to exhibit these problems as they get older -- the same age when youthful deviance and delinquency also increase. According to other data, it is clear that New York City youth that are deemed eligible for residential type of placement are those youth that presented a child problem -- rather than a parent problem -- at time of placement. In addition, these older youth also present more current behavioral problems than younger foster home type children. Table 2 presents the data.

The New York City child welfare institutions appear to be serving a population quite different than those residing in foster homes. The most temporary categories -- temporary foster home and temporary group -- are awaiting specific "placement decisions." The projected foster home arrivals are perceived to be candidates for a substitute family home because of their parental problems (87 percent); they also have a minority with 2+ problems -- despite these parental problems. By contrast the temporary group care population has only half as many (47 percent) with parental problems as a reason for placement. Regardless of reason, 75 percent are classified as having 2+ behavioral problems.

In 1974, in New York City, unless youngsters are older and exhibit demonstrable behavioral problems, it is unlikely that they will be residents of a group care/residential type placement. In general, the old and new institutions are reserved for troublesome youth in need of social control -- or in child welfare terms, varying degrees

Table 2 -- New York City Children in Foster Care by Type of Residence, Primary Reason for Current Placement and Number of Current/Recent Problems (in percent, for each type)

Family Type	A. Primary Reason for Placement			B. Current Behavioral Problems
	Parent Problem	Child Problem	AO	2 + Problems
Temp. Foster Home	(1,071) 87%	02%	11%	22%
Foster Home	(13,470) 90	03	07	34
F. Home-Pros.Adopt.	(4,593) 93	02	05	29
Home,Susp. Payment[a]	(1,428) 62	23	15	33
Residential				
Residential Type				
Temp. Grp. Care	(381) 44	56	0	75
Group Living	(2,071) 71	18	10	51
General Inst.	(3,951) 66	23	11	56
Res. Trtmnt. Type A	(881) 19	78	13	90
Res. Trtmnt. Type B	(262) 09	91	0	90
Inst. for Retarded[b]	(262) 18	82	0	91
Secure Det./Other	(452) 32	68	0	79
Residence Unclear				
Awaiting Placement	(904) 50	50	0	63
Total	(29,726) 79	14	07	42

Source: Lerman, forthcoming.

a) Children sent home from placement because they are "awol" or because "they were difficult or unmanageable" (Bernstein, Snider and Meezan, 1975:23).
b) Children with IQs "from 30 to 80 whose retardation is generally accompanied by some degree of emotional disturbance" (Bernstein, Snider and Meezan, 1975:26).

of a "structured style of living" (Bernstein et al., 1975:106). These youth, besides being "in trouble," are also defined by child welfare leaders as "emotionally disturbed."

CURRENT CORRECTIONAL OVERLAP
WITH CHILD WELFARE SYSTEM

The Law Enforcement Assistance Administration (LEAA) and the U.S. Bureau of Census have defined private facilities as "correctional" if at least 10 percent of the residents are adjudicated as delinquent or status offenders voluntarily committed, or are awaiting a court disposition (LEAA, 1977:7). For purposes of maintaining unduplicated counts of youth, I have accepted this convention -- and only defined dependent/neglected and emotionally disturbed facilities as part of the child welfare system. But many state and/or county child welfare agencies have no need to worry about keeping child welfare and correctional statistics separate. In practice, therefore, they define many of the 1,337 "juvenile correctional" facilities as constituting "child welfare" placement resources; about 84 percent of the facilities reported receiving "welfare department" referral (LEAA, 1977:62).

Massachusetts offers an excellent example of the correctional overlap with the child welfare system. Considered one of the leading "deinstitutionalized states" -- because of the diminished reliance on public facilities -- Massachusetts recently legislated that all children in need of supervision (CHINS) were to become the formal responsibility of the State Department of Public Welfare (DPW), instead of the State Correctional Agency, the Department of Youth Service (DYS). An outside study of actual placement practices in 1975-76 revealed that almost all of the new CHINS referrals were perceived as "emotionally disturbed" and that these referrals, together with other "emotionally disturbed" youth, were often placed in the same private facilities as those chosen by the state correctional agency. The report called the system "The Children's Puzzle":

Each agency places children differently. They apply different selection criteria. Yet the children wind up in the same facilities...

DPW purchases group care for approximately 1,800 youngsters and defines them in three major categories: 1) mentally retarded (320); CHINS (129); and emotionally disturbed (1,091)...

In 1975-76, there were 948 referrals to the group care unit. Of that number, 557 were emotionally disturbed and 348 were CHINS (341 of them were also labeled emotionally disturbed)...

(there is) harm caused by placing status offenders in the same facilities as juvenile offenders. In 1975-76, DYS

spent $7 million dollars and DPW spent $10 million dollars
purchasing services from the same providers of care
(Institute for Governmental Services, 1977:20-22, 28, empha-
sis added).

This overlap, whereby the two systems use the same facilities, is
also occurring in other states. A site visit to Minneapolis,
Minnesota in 1977 disclosed that one private agency used its
shelter facility to house juvenile court, child welfare, private
agency and family referrals. Its long-term facility housed a
similar mix. The agency director perceived his agency as a family
and child welfare organization, not a correctional agency, even
though many youngsters were legally classified as juvenile delin-
quent. He perceived the agency's major service to be "residential
treatment," applicable to all youth fulfilling the agency's intake
criteria. Residential care, treatment, and supervision services
were purchased from this private agency by both the county pro-
bation and welfare departments.

Another example of overlap is contained in a recent U.S. General
Accounting Office (GAO) report, Children in Foster Care Institutions
(1977). The GAO complained to Congress that in 18 facilities
visited in 4 states -- California, New York, Georgia, and New
Jersey -- "Many juvenile delinquents are placed at foster care in-
stitutions rather than juvenile detention facilities, and their
care is partially financed by the AFDC program" (U.S. GAO, 1977:
4). According to Title 4 of the Social Security Act, as amended in
1962, only private nonprofit organizations could qualify for federal
reimbursement as foster "child care institutions" (Sec. 408). The
GAO accountants found out that the institutionalization of delin-
quents in child welfare institutions was technically compatible
with the new AFDC - Foster Care program. They might have been sur-
prised to learn that nonwelfare agencies of the government (LEAA
and the Bureau of the Census) were probably classifying some of the
18 institutions as "private juvenile correctional facilities."

The last example of the overlap between the correctional and child
welfare systems is perhaps the most interesting -- the setting of
child care residence financial rates by a probation officers' organ-
ization. By law every California county welfare agency is supposed
to pay the same board rate when it places a child in an institution.
However, county probation departments and private child-placing
agencies are not included in this requirement; they can negotiate
higher and lower rates than those paid by welfare agencies -- for
the same facilities. In the San Francisco Bay Area 17 counties
have formed a Bay Area Placement Committee (BAPC) to reduce compe-
tition over rates and placement resources. The BAPC negotiates
jointly with all institutions used by the two systems. Technically,
the BAPC is "an arm of the Association of Child Probation
Officers" -- an unusual organization to be setting rates for child
welfare facilities (Pers, 1974:504).

MENTAL HEALTH SYSTEM AND YOUTH IN TROUBLE

Since the end of World War II there has been a growing utilization
of inpatient psychiatric facilities by youth. Between 1950 and
1970 the resident state/county psychiatric institutional rates of
youth under 20 more than doubled -- from about 22 per 100,000 youth
population in 1950 to 28 in 1960 and 46 in 1970 (Kramer, 1977:63).
This is a remarkable achievement, since all other age groups exhibit
resident rate decreases during this time (see Lerman, forthcoming).

Besides data on resident rates, there is also information about
first admissions from 1946 to 1975 for the traditional institu-
tions -- state and county mental hospitals. Table 3 reports on the
trends of first admissions, as controlled for the number of persons
categorized by specific age groups. The age breaks of the data
reflect traditional groupings, dating back to the 1920's, and there-
fore cannot provide a precise image of the juvenile population.
However, by focusing on the two youngest age groups, it is possible
to gain insights into the trends of the past 30 years. The bottom
row, for all ages, indicates that admissions continued to gain until
1969, then decreased in 1972 and are now below the 1946 rate (57 to
69). In contrast, the youngest group is the only age group that
has steadily increased at every time period; the rate has more than
quintupled from 03 to 16). The 15-24 and 25-34 age groups are the
only other groups to display any gain between 1946 and 1975. These
gains, however, appear to have leveled off, at a rate lower than
the peak year of 1969.

TYPES OF DIAGNOSES ASSOCIATED WITH CURRENT ADMISSIONS

Perhaps the most intriguing available data are the reasons provided
for admissions to the inpatient units of the state/county hospitals
and general hospitals. Table 4 presents data regarding "primary
diagnosis" for all admissions (first and readmissions), classified
according to age, for two major mental health facilities.

The data in Table 4 are presented using the diagnostic types pro-
vided by the National Institute of Mental Health (NIMH). These
types are grouped under two major headings (not used by NIMH):
"classical symptoms" and "general/behavioral disorders." The for-
mer contain the diagnoses traditionally associated with psychiatric
hospitalization. Even when the aged were a major population group
in the state hospital, disorders of "senility" would have been cate-
gorized within one of the classical symptom types. The "general/
behavioral disorder" category is much less specific, even vague,
containing behaviors that are clearly not psychotic or neurotic.
It is within these types that one is able to find a variety of
"acting out" or deviant behaviors (or symptoms) that are not classi-
cal signs of psychiatric disturbance.

Table 3 -- First Admissions to State/County Mental Hospitals, By
Age Specific Rates Per 100,000 Persons: 1946 to 1975

Age Group	1946	1955	1962	1969	1972	1975
Under 15	03	04	06	11	14	16
15-24	48	62	77	114	95	92
25-34	69	92	105	111	104	92
35-44	86	96	96	134	107	75
45-54	84	94	91	107	83	55
55-64	100	95	82	100	63	53
65+	240	236	164	101	69	37
Total Rates	69	75	71	82	68	57

(Rounded to nearest whole number)

Sources: Lerman, forthcoming. (Based on Kramer, 1977:81, for
years 1946 and 1955; NIMH, 1978, No. 145:9 for all other
years).

Table 4 -- Comparison of Primary Diagnosis of Admissions or
Discharges to Psychiatric Inpatient Units of State/County
Hospitals and Non-Federal General Hospitals, by Age: 1975

Primary Diagnosis	General Hospital Psychiatric Units[a]		State/County Mental Hospitals[b]	
	Under 18	All Ages	Under 18	All Ages
A. Classical Symptoms	42.0%	74.0%	27.0%	53.1%
1. Organic brain	too small	3.7	2.8	5.3
2. Depressive	17.7	37.8	2.7	11.7
3. Schizophrenia	16.4	24.1	17.7	33.7
4. Other Psychoses	0.9	2.2	too small	0.9
5. Neuroses	7.0	6.2	3.8	1.5
B. General/Behavioral	57.2%	26.0%	71.8%	46.9%
1. Personality disorder	8.0	5.8	10.4	6.8
2. Childhood disorder	10.8	0.9	54.0	4.9
3. Trans.Sit.Disorders	26.7	5.1	No data	No data
4. Other[c]	6.0	3.7	6.2	3.8
5. Alcohol Disorders	too small	7.0	too small	27.7
6. Drug Disorders	5.7	3.5	1.2	3.7
N =	(42,690)	(515,537)	(25,252)	(385,237)

Sources: Lerman, forthcoming. Adapted from:

a) NIMH, 1977, No. 137:19.
b) NIMH, 1977, No. 138:11.
c) For general hospital is undifferentiated; for state/
county hospital "other" is for under 18 mental retar-
dation (5.0%) and undifferentiated (1.2); for state/
city all ages "other" is mental retardation (1.9%)
and undifferentiated (1.9).

The classification is useful in distinguishing the major reasons why juveniles are hospitalized in a psychiatric facility in 1975. Almost three-fourths (74 percent) of all ages are admitted to specialized general hospital units for classical symptoms -- but only 42 percent of the juveniles. Instead, the general/behavioral disorder classification reveals that juveniles are hospitalized for imprecise disturbances like: personality, childhood, transient situational, or "other" disorders. Drug disorders are more specific, but this, too, is hardly a classical psychiatric illness.

The disparity between the two age groups exists at the state hospital level, as well. However, at this longer-term facility there are fewer classical patients at both ages. At the juvenile age only a little more than a quarter (27 percent) conform to a "sickness" image. At the state level, apparently there are far fewer "affective and depressive" cases (which include many suicidal persons) than at the general hospital level, for both age groups. Table 4 also reveals that more juveniles with "transient and situational" and "childhood" disorders can be found at the state level; and more adults with drinking problems are admitted to state hospitals.

It appears that the rise in juvenile usage of the mental health subsystem has been accompanied by a distinct utilization pattern. The state hospitals, in particular, are probably admitting many youth that may be engaging in deviant behaviors -- but are not mentally ill in a classical sense. This type of usage indicates that the mental health system has probably broadened its definitional boundaries to include a heterogenous array of behaviors that evoke official and adult concerns. This type of usage was noted over 10 years ago in a very unlikely state -- Nebraska. There a psychiatrist and a social worker teamed up in order to assess the clinical evidence about the post World War II trend of "psychologizing problems of living in our society, to assign psychological causes to many of the ills of our culture" (Miller and Kenney, 1966: 38).

Miller and Kenney performed a 3-year study of admissions of adolescent patients to inpatient service of a state mental hospital. They concluded that for a clear majority of the adolescents admitted (175 out of 247), "the primary symptom of mental illness -- and the major concern of the community -- was socially deviant behavior" (Miller and Kenney, 1966:38). Examples of deviant behavior included: "truancy, vandalism, robbery, sexual offenses, and other violations of law and social moral codes" (Miller and Kenney, 1966, emphasis added). The authors concluded their 1966 study as follows:

> Is there a difference between social-moral and medical-psychiatric problems? No statistics anywhere answer this question. In practice, there appears to be no distinction, and perhaps there should be none. Perhaps the psychiatric hospital is becoming more sociological than medical in its

therapeutic approach. Nevertheless, the treatment of behavior disorders, particulary those of adolescents remains an elusive problem. After all, how does a hospital treat delinquency and other deviations from social norms? (Miller and Kenney, 1966:52-53, emphasis added).

Evidently Miller and Kenney would not be surprised at the data reported in Table 4. They found in 1966 that 71 percent of youth referrals were sent to a state hospital for "socially deviant behavior" whereas Table 4 reports a national figure of 71.8 percent for nonclassical youth sent to state hospitals in 1975. Their 1966 findings, and their queries, appear to be unusually prophetic.

THE UTILIZATION OF PSYCHIATRIC FACILITIES: A FIFTY YEAR PERSPECTIVE

In order to gain further understanding about the utilization of psychiatric facilities by juveniles, a more detailed historical perspective is necessary. Table 5 compares information on residence, admissions, ratios of admission per residence, and total inpatient care episodes, by types of psychiatric facilities, for two time periods, 1922-23 and 1971. Inpatient care episodes refers to a combination of a one-day resident count and all annual admissions (as devised by NIMH).

Except for the community mental health centers (CMHC's), the types of facilities compared for the two time periods are quite similar. CMHC inpatient facilities are usually associated with a general hospital (about 87 percent), but the NIMH has chosen to report all CMHC statistics separately. Omitted from Table 5 are data on residential treatment centers, classified by NIMH as psychiatric facilities. The reason for the exclusion is because other statistics, used in an analysis of "emotionally disturbed" facilities, include child welfare and NIMH residential treatment center information. The overlap of the mental health and child welfare systems will be discussed in the next section.

In 1922-23 very few juveniles utilized a psychiatric facility. Actually, the custom of collecting information by under 15 and 15 to 19 precluded obtaining data on under 18 year olds. Therefore, the rates are generous estimates of psychiatric utilization by youth in the early 1920's. Compared to 1971, the most significant differences center on the increase in total inpatient care episodes and the relatively higher use of beds in psychiatric facilities. The inpatient care episodes have increased about 8 times (i.e., 23 to 160) and the ratio of admission to residence has increased from 1.39 to 4.80. Meanwhile, resident rates increased at a lower pace, from 10 to 23.

Table 5 -- Comparison of Resident and Admissions Data of All
　　　Inpatient Psychiatric Facilities Used For Youth:
　　　　　　　　　1922-23 and 1971

	1922-23 (under 20 only)			Total Inpatient Care Episodes
	Resi-dents[1]	Admis-sions[2]	Ratios Adm. Res.	
State/County				
	4,144	4,303	1.04	8,447
Private Institutions				
General Hospital-Psychiatric Wards[3]	102	1,605	15.74	1,707
N =	4,246	5,908	1.39	10,154
Rate/100,000 Youth Under 20 yrs.[4]	10	13	-	23

	1971 (under 18 only)			Total Inpatient Care Episodes[5]
	Resi-dents[5]	Admis-sions[5]	Ratios Adm. Res.	
State/County	12,844	26,352	2.05	39,196
Private Hospital	1,248	6,420	5.14	7,668
General Hospital-Psychiatric Wards	1,935	44,135	22.81	46,065
CMHC[6]	DNA	DNA	DNA	18,092
N =	16,027	76,907	4.80	111,021
Rate/100,000 Youth Under 18 yrs.[7]	23	111	-	160

Table 5 -- continued.

Sources: Lerman, forthcoming.

1) U.S. Bureau of Census, 1926: Tables 2,15, 120.
2) U.S. Bureau of Census, 1926: Tables 16, 63 for 1923 resident data for under 20 year olds, 120 for 1922 admissions data based on adding actual first admissions and estimated readmissions. Estimated readmissions are based on using same percent of under 20 year olds for first admissions (4.8 percent).
3) U.S. Bureau of Census, 1926. 1922-23 General Hospital-Psychiatric Ward data was not broken down by age, and therefore all figures are estimates based on resident and admissions proportions found for other facilities; used 1.5 percent for resident and 4.8 percent from admissions.
4) U.S. Bureau of Census, 1960, Series A22-23. Actual figures for under 14 years old were added to estimated 14-20 year olds comprising 14-20 age breakdown used by Census in 1922.
5) NIMH, 1973, Series B, No. 5: Tables 14, 20. Actual figures were used for 1971 admissions and inpatient care episodes; resident figures were obtained by subtracting admission from inpatient care episodes for facility type.
6) NIMH, 1973, Series B, No. 5: Table 20. CMHC data for under 20 years only. Separate admissions data not available (DNA).
7) U.S. Social Security Administration, 1980:65 for 1971 population data for under 18 year olds.

THE OVERLAP OF THE MENTAL HEALTH AND CHILD WELFARE SYSTEMS

In 1966, a University of Chicago survey team conducted a detailed census of Children's Residential Institutions in the United States, sponsored by the U.S. Children's Bureau (Pappenfort, Kilpatrick and Dinwoodie, 1970). They found that 307 out of the 2,318 institutions designated their facilities' "current primary function" as a facility for "emotionally disturbed children" (Pappenfort, Kilpatrick and Dinwoodie, 1970, Vol. 1:41). Significantly, about 64 percent of these self-designated institutions for emotionally disturbed were started many years earlier, when their "original function" had been as an institution for dependent/neglected youth; 6 percent began as a "pre-delinquent" institution; 4 percent as another children's facility; and only 26 percent began as a facility for emotionally disturbed children (Pappenfort, Kilpatrick and Dinwoodie, 1970, Vol. 1:41). In 1972 two child welfare scholars, reviewing the literature on residential treatment for emotionally disturbed children, concluded that: "A majority of today's residential treatment facilities emerged from sectarian institutions, whose original goals were shelter, care, and training" (Maluccio and Marlow, 1972:23).

Between 1958 and 1971 three different agencies claimed they were counting non-medical treatment facilities for emotionally disturbed youth: the U.S. Children's Bureau included them in their total count of "children under care" in a child welfare institution; the NIMH reported youth living in "residential treatment centers" as of 1966; and the National Center for Health Statistics (NCHS) began counting non-hospital "emotionally disturbed" facilities in 1971 (U.S. Department of Health, Education, and Welfare, 1966; NIMH, 1968, NCHS, 1971, Series 14, No. 3).

Of the three attempts to count emotionally disturbed (ED) facilities, the most complete are quite clearly the NCHS surveys. Since these surveys are, in fact, conducted for NCHS by the U.S. Bureau of Census, it is probable that ED statistics are not only more accurate, but are probably mutually exclusive from other census surveys (like the LEAA survey of juvenile correctional facilities). (For further discussion of these statistics, see Lerman, forthcoming).

Historically, the child welfare field believes that their system pioneered in developing these nontraditional institutions -- not the mental health system. A 1974 statement by Reid, the past executive director of the Child Welfare League (the private sector's major national organization) expressed his system's perception about ED facilities as follows:

> The history of the field of child welfare, the first to deinstitutionalize -- gives clear evidence of the necessity to plan alternatives clearly before burning down existing structures...

Although some of this history is marked by an anti-institutional climate, in the main there was careful planning of alternatives. The development of foster homes, group homes, the substitution of decentralized community-based small group settings over huge centralized institutions marked the change. And most importantly, the development of the small residential treatment centers for emotionally disturbed children, appropriately cared for in group settings, came out of the closing of the harmful custodial institutions... (Child Welfare League, 1974:1,8,emphasis added).

While Reid may be over-optimistic in his belief that DE has been completed in the child welfare system, it is clear that this spokesman believed that the development of ED facilities was "most important" for child welfare. In 1973, Reid would have been displeased to learn that an NIMH count for that year would have missed about one-half of the under 18 residents of nonmedical ED facilities counted by NCHS (NIMH, 1974, Series A, No. 4; NIMH, 1977, No. 135; NCHS, 1972-80, Series 14, Nos. 3,4,16). A statistical, as well as a substantive overlap, exists between the system -- although the precise counting of residents, admissions, and inpatient rates may be confusing to unwary readers.

CONDUCT DISORDERS AND THE UTILIZATION OF OUTPATIENT PSYCHIATRIC FACILITIES

The evidence from an analysis of inpatient data provides strong support for the inference that behavioral problems, rather than classic psychiatric symptoms of "mental illness," constitute the major reason for entry into psychiatric facilities. A similar finding occurs if the analysis shifts to outpatient utilization patterns. Between 1959 and 1966, the number of children under 18 years of age receiving some form of outpatient psychiatric service increased from 208,000 to 399,000 (NIMH, 1966, Series B, No,1:41). Federally subsidized Community Mental Health Centers (CMHC's) had only recently begun (in 1963) and were, therefore, not included in the totals. By 1978, an expert Task Panel of the President's Commission on Mental Health was able to report the following use of non-institutional facilities by under 18 year olds: outpatient psychiatric services, 358,061; and CMHC's, 213,607 (President's Commission on Mental Health, 1978, Vol. II:101). These admissions accounted for about 87 percent of the total admissions of youth to all types of psychiatric facilities.

This panel of experts labeled "conduct disorders" as the "most common serious childhood disorder" (President's Commission on Mental Health, 1978, Vol. II:38). Their discussion of this type of mental health problem, in contrast to other psychiatric disorders, reveals the extent to which the mental health system's involvement with youth, particularly adolescents, is concerned about behaviors that could justifiably be labeled as delinquency.

> Three groups of problems particularly contribute to the overall prevalence rates of defined mental disorders in

children: _emotional disorders_, _conduct disorders_, and impairments or _delays in the development of normal functions_. Emotional disorders (e.g., fears, anxiety, depression, obsessions, hypochondriasm) occur with the same frequency in boys and girls, while conduct disorders (in which poor peer relationships, aggressiveness, theft, and destructiveness constitute the main features) are significantly more common in boys. A large proportion of juvenile delinquents have conduct disorders...
(Presidents's Commission on Mental Health, 1978, Vol. II: 39, italics in original).

This 1975 conclusion by a national panel of mental health experts is comparable to the inferences made by a 1966 study of youth psychiatric utilization patterns, conducted by NIMH staff for the Joint Commission on Mental Health of Children. The NIMH epidemiologists summarized their findings on "sex differences" as follows:

Of the almost half-million children under care during 1966, about 300,000, or about 65 percent were boys. A sex ratio of approximately two boys to one girl was prevalent in clinics and public mental hospitals, the facilities providing service to 90 percent of the children. Further, boys remained in hospitals longer. These findings raise a number of questions on factors associated with these differential patterns of care which suggest areas for further research. Is there a true difference in incidence of emotional disorder by sex, or do the "acting out" behavior patterns of boys cause their parents and community agencies to seek help more frequently? Is the predominance of certain disorders for each sex in each facility (psychoneurosis among girls and personality disorders among boys) due to true incidence, a reflection of diagnostic bias, or other factors? Why does the sex ratio change after childhood and adolescence in outpatient clinics where rates are higher for young women 20-34 years than for young men? (NIMH, 1968-78, Series B, No. 1:47).

These semi-rhetorical questions imply that higher rates of "acting out," delinquent-type, behaviors amongst boys can account for the sex ratio discrepancies. The President's Commission on Mental Health experts answer these types of questions a bit more directly: a large proportion of juvenile delinquents have "conduct disorders." By logical extension, a large proportion of disorders that are not clearly "emotional" or "developmental" delay -- but rather conduct disorders -- are also indicators of delinquency. Whether one cares to redefine delinquency as "acting out," a major "conduct disorder," or define "conduct disorder" as an example of the "myth of mental illness" is a matter of linguistic and value preference. In order to be neutral, I have deliberately chosen the phrase, "youth in trouble"; it is clear, however, that the latter term includes "conduct disorders," "acting out behavior," and "delinquency."

Regardless of which term is used, the significant population overlap (for 12 to 17 year olds) between the three systems should be clearly recognized, so inter-system analysis can occur. The following section offers one example of the type of analysis that can prove useful in interpreting institutional utilization patterns by youth in trouble, over a fifty year period.

OVERVIEW OF TOTAL YOUTH-IN-TROUBLE SYSTEM:
A FIFTY YEAR PERSPECTIVE ON INSTITUTIONAL TRENDS

A useful way of summarizing long-term trends, for all three systems dealing with youth in trouble, is to display all of the data together in a summary fashion. Table 6 provides this comparative summary by adapting the data provided in earlier tables (and Lerman forthcoming). This summary of course, can only approximate 50 year trends, for all of the reservations cited in the footnotes of the tables. (The meaning of "custody/care/treatment episodes" (CCT) is comparable to the NIMH definition of inpatient care episodes).

Except for the child welfare system, the data are displayed in the first three parts by whether the facilities are short-term and long-term. It is clear that the child welfare system is the only system exhibiting a sustained institutional reduction, even though a new long-term facility, emotionally disturbed, has offset about one-fourth of the reduction. The other two systems have far more institutional usage (i.e., CCT episodes in the 1970's than the 1920's). The increase is particularly marked in the short-term facilities.

Part D of Table 6 provides insight into the relative dominance of the three systems of the two time periods. In the 1920's the child welfare system was clearly dominant and the mental health system only of minimal importance. In the 1970's the juvenile correctional system is clearly dominant, particularly because of the increased use of detention, while child welfare is only slightly ahead of the mental health system (228 vs. 196). However, because of the close ideological and professional links of the emotionally disturbed facilities to the mental health system, it is reasonable to infer that the traditional child welfare system actually ranks third in use.

In part E, system boundaries are set aside, so that the relative dominance of short-term and long-term facilities can be assessed. There is little doubt that short-term facilities are the primary sources of the total gain in CCT episodes. There is only a slight difference for long-term facilities (593 vs. 622) but a substantial difference for short-term facilities (92 vs. 826). In addition, the relative proportion of CCT episodes accounted for by short-term facilities changed from 13 percent of the total episodes in the 1920's to 59 percent of the 1,518 episodes of the 1970's.

Table 6 -- Summary Comparison of Long-Term Trends of Custody/
Care/Treatment Episodes for Three Youth-in-Trouble Systems:
1920's and 1970's

		1920's		1970's	
		Total No. of CCT Episodes	Rates/ 100,000	Total No. of CCT Episodes	Rates/ 100,000
A.	**Child Welfare**				
	Dep/Neglect	186,668	441	75,965	112
	Emotionally Disturbed	-	-	79,243	116
	Totals =	186,668	441	155,208	228
B.	**Juvenile Corrections Only**				
	Short-Term[a]	34,545	88	522,385	777
	Long-Term[b]	52,357	133	213,279	317
	Totals =	86,902	221	735,664	1,094
C.	**Mental Health**				
	Short-Term[c]	1,707	04	78,880[e]	119
	Long-Term[d]	8,447	19	51,020[e]	77
	Totals =	10,154	23	129,900[e]	196
D.	**Combined Systems**				
	Child Welfare	186,668	441	155,208	228
	Juv. Corrections	86,902	221	735,664	1,094
	Mental Health	10,154	23	129,900	196
	Totals =	283,724	685	1,020,772	1,518
E.	**Combined Systems - By Length of Stay**				
	Short-Term	36,252	92	601,265	896
	Long-Term	247,472	593	419,507	622
	Totals =	283,724	685	1,020,772	1,518

Sources: Lerman, forthcoming.
a) Short-term corrections refers to detention, shelter, and diagnostic.

Table 6 -- Sources continued.

b) Long-term 1923 corrections refers to private and special institutions for delinquents and institutions for women/girls; long-term 1974 corrections, refers to training schools, ranches/camps/schools, and group homes/halfway houses.
c) Short-term refers to general hospital-psychiatric and CMHC.
d) Long-term refers to state/county and private institutions.
e) These figures are estimates for 1975 for all facilities, except CMHC; used 1971 admissions/residence ratios to approximate 1975 figure; 1975 CMHC data is based on 1971 youth proportion of all CMHC inpatient care episodes (or 13.9 percent). Sources: NIMH, 1977, No. 137-39; NIMH, 1978, No. 146; NIMH, 1977, Series A, No. 18; President's Commission on Mental Health, 1978, Vol. II:101; U.S. Social Security Administration, 1980 (March):65 for population data for 1975.

OVERVIEW OF NEW AND OLD FUNCTIONS

As discussed earlier, both the child welfare and mental health systems have been interested participants in societal efforts to prevent or remediate juvenile delinquency for a long time. This interest in delinquency prevention and problem reduction is also reflected in federal legislation pertaining to each system. From 1935 to 1962, the Social Security Act defined "public welfare services" for children as including activities on behalf of "children in danger of becoming delinquent" (Bremner et al. 1971, Vol. III:614-15). In 1962, "child welfare" was defined as: "preventing or remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children" (U.S. House of Representatives, 1962, sec. 528); this definition remains in the current, amended, Social Security Act (U.S. Senate, 1978, sec. 425). The Mental Health Act of 1980 (PL96-398) set up a specific grant program for "severely mentally disturbed children and adolescents"; this program specifically authorizes funding for "the establishment of cooperative arrangements with juvenile justice authorities, educational authorities, and other authorities and agencies" (Sec. 208(a)(4)). Section 201 of the 1980 Act reaffirmed the inclusion of "assistance to the courts and other public agencies in screening residents...who are being considered for referral to the State mental health facility for inpatient treatment..." as one of the mandated services of all community mental health centers.

Each system, as discussed earlier, has developed institutional and outpatient programs and activities to carry out the broad societal mandate to prevent and remedy delinquent-type behaviors. The child welfare system summarizes its response by referring to "child care services"; the mental health system refers to "treatment services." Closer examination of both systems reveals that each system attempts to implement more than one functional response to youth in trouble. This is particularly true of institutional activities, since both systems carry out multiple functions that developed in the nineteenth century Refuge and Asylum Programs. The broad social functions and related activities associated with group homes, treatment centers, and hospitals include three or more of the following:

1. relief or maintenance - food, clothing, shelter, and basic amenities;
2. care - medical, socialization, and personal;
3. custody or social control - physical, pharmacological, social, and personal;
4. treatment - vocational, educational, moral, psychiatric, psychoactive drugs;
5. protection - segregation or quarantine from environment injurious to welfare, morals, and development.

Besides these five functions, each system has also developed a diagnostic or classificatory function; this function is associated with the influence of the child guidance clinics attached to

juvenile courts and the related mental hygiene movement. The six major functions can be carried out differently by each system, but there are likely to be intra-system differences as well. These differences refer to the existence or absence of specific activities implementing a broad social function. In addition, these differences can refer to the relative weight, or importance, allocated to program activities. The emphasis on social control is one area where important differences can emerge.

A useful means for determining whether economic relief, care, diagnostic, and treatment functions are accompanied by social control is to determine precisely the actual residential "whereabouts" of youth; presumably, the degrees of restrictive living usually increase as youth move from their own homes to foster homes, group homes, residential centers, and psychiatric hospitals. The receipt of "outpatient" services carries a higher probability that services are implemented in a less coercive context. Another means for determining the relative emphasis of coercive functions requires evidence that youth perceive their participation in care, diagnostic and treatment activities to be voluntary. Clarifying whether youth services include social control elements is a useful perspective however, only if there is an interest in precisely defining and independently measuring each of the six major functions. The dominant orientation in each field is not associated with this perspective. Rather, the dominant ideology in each field tends to confound the important distinctions between care and treatment, care and social control, and treatment and social control.

THE MULTIPLE MEANINGS OF CARE AND TREATMENT

Since about 1960 child welfare leaders have defined their core care function as follows:

Child welfare services are those social services that supplement, or substitute for, parental care and supervision for the purpose of: protecting and promoting the welfare of children and youth; preventing neglect, abuse, and exploitation; helping overcome problems that result in dependency, neglect, or delinquency; and, when needed, providing adequate care for children and youth away from their own homes, such care to be given in foster family homes, adoptive homes, child-caring institutions or other facilities (Bremner, et al., 1971, Vol. III:626, emphasis added).

By defining "care" broadly, the leaders of child welfare were striving to initiate a federal role in subsidizing "out of home care." The Report complained that the 1935 Social Security Act "discriminated" against children receiving services away from home; this "huge group of children" was proving to be an expensive burden for some states, and because of "mounting costs of maintaining these youngsters away from home, they deserve top consideration by the Congress" (Bremner et al., 1971, Vol. III:628). This broadened

conception of "care" was accepted and incorporated virtually verbatim into the Social Security Act, in 1962, on a permissive basis; by 1969, all states were mandated to include this conception of "care" in their State plans. While this requirement was modified by the passage of Title 20, the current definition of child welfare services includes this broad conception of care activities (Sec. 425). Under this definition activities can include: court investigation; guardianship proceedings; foster care funding, investigation, placement, and regulation; homemaker services; adoption services; day care; employment regulation; investigation and acting upon reports of neglect and abuse; and provision of aid to families and dependent children (see Costin, 1979). According to this orientation, any services that are intended to supplement or substitute for parental care are reimbursable as child care services. Residential placements are to be forms of care, rather than forms of care and social control; the two functions are confounded in practice.

In contrast to this emphasis on supporting and substituting for parental care in a variety of settings, mental health leaders originally emphasized diagnostic and treatment services as major functions. However, the idealized definition of psychiatric services has expanded since the end of World War II. One of the task panel reports of the President's Commission on Mental Health categorizes types of mental health services as follows: 1) client assessments -- mental status, physical and neurological, laboratory and x-ray, psychological, social living, and vocational; 2) therapies -- pharmacological, electroconvulsive, and psychological (ranging from psychoanalysis to behavioral therapy to transactional analysis); 3) education and rehabilitation services -- special education, testing, vocational counseling, occupational therapy, group work, and sheltered employment; 4) social and support services -- casework, referral, advocacy, socialization, domiciliary, pastoral, and physical care; 5) indirect community services -- consultation, educational, and planning (President's Commission on Mental Health, 1978, Vol II: 429-430). It is clear that this broad conception of mental health services includes many activities associated with the support and substitution care services found in the child welfare system (or the adult social service system).

According to a task panel report on mental health services for children and adolescents, these types of treatment services can occur anywhere "along a spectrum, so that a given child can move in any direction as the treatment needs of the child change" (President's Commission on Mental Health, 1978, Vol. III:616). This elite group of mental health professionals deliberately included residential programs as a type of "intensive treatment" service; it is clear in their recommendation to the President's Commission that the social control functions of these treatment residences were not considered:

> In regard to residential programs, children and adolescents differ from adults and need separate and distinct residential services. In contrast to the trend toward deinstitutionalization

of adults, there remains a scarcity of residential resources for children and adolescents. Good residential facilities, specializing in the treatment of autistic, psychotic, retarded, multi-handicapped, suicidal, impulse-ridden, and other youngsters are desperately needed. Children and adolescents require quality services over longer periods of time than adults. Total deinstitutionalization is not the answer to the poor provision of services in our institutions. Rather, young people need better residential settings and active treatment programs fostering their development in all areas of functioning. Programs need to be varied according to the needs of youngsters of different ages and different types of disorders. Children and adolescents require services ranging from intensive treatment in hospital settings, to long-term residential treatment, to followup outpatient services. Services should be provided in settings (units) especially designed for children and not in adult hospitals or adult residential service programs (President's Commission on Mental Health, 1978, Vol. III:628, italics in original).

The 1978 recommendation for expansion of "intensive treatment" services in hospitals and other residential facilities is not new; a similar proposal was made by the Joint Commission on Mental Health for Children (1970). Similarly, both groups of mental health experts appeared unable (or unwilling) to analytically distinguish care, treatment, and social control functions. Dominant leaders in mental health and child welfare share this type of ideological orientation; the leaders of both systems are strongly associated with the position that institutions are to be perceived as "settings" for care and treatment (See earlier discussion of New York City child welfare research).

There are, of course, persons and groups that oppose the continued expansion of social control via increased reliance on residential and hospital resources for children defined as: "impulse-ridden", "acting-out", "conduct disorders", or "potential delinquents." The existence of oppositional views associated with legal rights groups (like the American Civil Liberties Union) or child advocacy groups (like the Children Defense Fund) indicates that terms like "care," "treatment," or "protection" are not neutral concepts -- rather the existence and uses of various societal responses to youth, or any problem group, are closely related to ideological values, occupational interests and norms, and the relative influence of elite and interest groups. Dominant ideas about social functions are also related to the emergence of new "treatment technologies" and the relative fiscal cost and availability of alternative funding resources. The widespread availability of psychoactive drugs and belief in short-term treatment can influence the increased reliance on chemical agents as new forms of control -- on an outpatient or inpatient basis. Residential treatment may be highly valued amongst mental health and child care professionals, but it is quite expensive and can only qualify for federal Medicaid --

rather than child welfare -- reimbursement under conditions that increase the per diem rate.

Because of these direct and indirect influences on the availability and mix of societal responses to youth in trouble, mental health and child care professional leaders have not been able to fully implement their ideological position. As a result, the gain in long-term utilization patterns of institutions has not been as marked as might have been expected (See Table 6). However, the continued belief in institutions as primarily expressions of care and treatment has diminished the impact of the depopulation of dependent/neglected and public training schools. The ideology associated with the expansion of any form of child care and mental health treatment must be accorded a significant share of responsibility in understanding the institution trends of the past 30 years.

EFFECTIVENESS AS A CRITERION FOR
FUTURE POLICY AND PLANNING PROPOSALS

Any recommendations for future policy and planning proposals would usually attempt to promote those efforts that have proved to be technically effective. While fiscal and unintended social costs would also be considered, program and/or system effectiveness would presumably contribute the primary "benefits" that could offset any related financial and social "costs." Unfortunately, alternative bases of choice will have to be sought. The best assessments of the efforts to deal with "conduct disorders" or "acting out problems" reveals that the child welfare and mental health systems have not yet been able to empirically demonstrate effectiveness of treatment results. Even though referring or diverting youth to these alternative systems may have been promoted because of a desire to be more effective in reducing delinquent-type behaviors, neither of the alternative systems can demonstrate that intentions have been transformed into operational results. We have begun to become accustomed to the ineffectiveness of the correctional system and hoped it would be different elsewhere (Lerman forthcoming; Lerman, 1975; Lipton, Martinson, and Wilks, 1975; National Academy of Science, 1979). Unfortunately, the results are similar for comparable types of youth.

The best longitudinal study of youth exhibiting "anti social" behaviors who were referred to psychiatric clinics, conducted by Robins, concluded as follows:

In this population, clinic treatment may have been at least somewhat effective with moderately antisocial children. The exhortatory methods used did not appear substantially to aid severely antisocial children, the group most likely both to come to juvenile court and to be sociopathic. That case work methods neither effectively prevent delinquency nor have a "delayed effect" on

adult antisocial behavior has been attested to by the Washington project (Tait and Hodges, 1962) and the original Cambridge-Sommerville project (Powers and Witmer, 1950) and its follow-up (McCord and McCord, 1959). Since neither "soft" individual case work methods nor the "stern" alternatives of expulsion or institutionalization seem to prevent the persistence of antisocial patterns in highly antisocial children, we apparently need to develop new techniques (Robins, 1966:213, emphasis added).

The failure that Robins summarizes spans a period of experimentation with child guidance clinic methods from the 1920's to the early 1960's. In 1978 a national group of mental health experts including Robins, reached a comparable conclusion about youth with conduct disorders.

The determination that there is a given level of disorder among children does not necessarily imply that exclusively psychiatric manpower to treat all these cases is required. Followup studies of children have shown that some improve spontaneously without treatment, and for those who do not, appropriate treatment may be delivered through nonpsychiatric sources such as remedial education programs, school counseling, and family agencies. Further, there is little evidence that the most common serious childhood disorder, conduct disorder, responds well to the treatments currently available (President's Commission on Mental Health, 1978, Vol. II:38, emphasis added).

In the late 1960's Lerman found that an esteemed residential treatment center had failure rates as high as a state training school (Lerman, 1968). Two recent literature reviews of the residential treatment center, the treatment response associated with the child welfare field, also reveal a lack of technical achievement. In 1972, Maluccio and Marlow, writing for the Social Service Review concluded as follows:

...There has been little research on the process and outcome of treatment. Researchers, as well as clinicians have repeatedly claimed that it is difficult to measure an elusive concept such as "success," yet there is considerable validity to the criticism that 'few residential programs evaluate the outcome of their work in rigorously designed, well-controlled, scientifically objective studies.' Available studies represent isolated and fragmented efforts of individual centers and reflect the lack of cumulative research in the field of child welfare...

Despite expanded and more sophisticated research during the past decade, there is no conclusive evidence on the effectiveness of residential treatment. All of the available studies

are descriptive, short-term, and follow-up. None has the scope of a comprehensive or definitive work; each is concerned with a small number of children known to a particular center. There has been no longitudinal research, and there has not been any investigation encompassing a wide range of treatment centers or comparing a variety of programs (Maluccio and Marlow, 1972:240-419, emphasis added).

In 1978, Whitaker acknowledged that the appraisal by Maluccio and Marlow still provided an "excellent review of the state of residential care" (Whitaker, 1978:35). He called for more systematic evaluation efforts, since "knowledge of what constitutes effective programs for an individual child, or group of children, is still at a primitive phase" (Whitaker, 1978:30-31).

Mental health or child welfare approaches that yield "little evidence," or "no conclusive evidence," or are admitted to be in a "primitive phase," can hardly provide an empirical basis for formulating and implementing new policies and programs. Other "benefit" criteria will have to be sought on which to guide (or justify) the future relationships of the three systems dealing with youth in trouble. For example, some newer programs (residential and non-residential) using behavior modification methods have demonstrated a promising capability to upgrade academic skills and reduce school drop out rates; however, they have generally been unable to demonstrate a long term impact on reducing delinquent-type behaviors, when rigorous research designs and procedures were employed. Davidson and Seidman in a careful review of 34 behavior modification studies dealing with delinquent-type youth, conducted between 1960 and 1973, commented as follows:

> A final methodological problem, follow-up measure, is based on the proposition that therapeutic changes should continue once experimental manipulations have been discontinued. However, if the desired performances are functionally related to the therapeutic interventions, then they should be expected to reverse once the intervention is terminated. Although this concern is not as vital for strictly research efforts, if the changes induced are desirable or presented under the guise of required or court-ordered treatment, the responsibility to insure and assess carry-over seems paramount. In addition, if correctional systems are to employ new strategies, the long-term effectiveness of intervention must be of primary importance. The fact that only 18% of the studies report follow-up data or present any description of their attempt at enhancing treatment generalization is less than desirable.

An overriding concern must be with the generalizability of the results reported. Seldom are the selection procedures

for subjects outlined. The representativeness of the behaviors studied is another question requiring examination... (Davidson and Seidman, 1974:1009 emphasis added).

A 1974 assessment of the most widely cited and imitated behavior modification residential program model in the country, Achievement Place, after employing a more rigorous design, concluded that educational and personal living behaviors (e.g., grooming, table manners, care of clothes, etc.) were capable of being influenced and "generalized" beyond a program training period, but that success in modifying delinquent-type behaviors could not be demonstrated (Wolf, Phillips, and Fixsen, 1974, Vol. I). This model is currently undergoing further tests to ascertain whether post-treatment generalization can occur.

Providing youngsters with greater academic skills, reversing school failure, lowering drop out rates, and improving prosocial living behaviors are certainly worthwhile outcomes and merit public support. While carefully designed and executed behavior modification programs -- like Achievement Place -- have been able to demonstrate a more effective treatment technology with youth in trouble than the efforts associated with psychiatry, social case work, and millieu therapy, this "success" should not be interpreted as a stable reduction in delinquent-type behaviors. In addition, not all programs using behavior modification techniques have been able to demonstrate "success" or "improvement" even in the academic and personal living areas. One important reason is that program technology embodied in an Achievement Place Program is not readily transferrable without proper training in procedures and interpersonal skills (Wolf, Phillips, and Fixsen, 1974, Vol. II).

FISCAL COSTS AS A CRITERION FOR POLICY AND PLANNING PROPOSALS

Since existing programs associated with the three systems have yet to demonstrate reliable effectiveness in reducing delinquent-type behaviors, it is inappropriate to assess alternatives by comparing relative cost effectiveness figures or calculating cost-benefit ratios. However, it is important to be aware of costs, so that the relative cost of "ineffectiveness" in reducing delinquent-type behaviors can be compared. How do institutional placements for example, compare with group homes (like Achievement Place), foster homes, or other programs?

In 1977 the U.S. General Accounting Office (GAO) found that child welfare institutional placements in California could cost about $1,250 per month; in New Jersey about $1,595; in New York about $1,100; and in Georgia about $310 (U.S. GAO, 1977:14). As of December, 1979, the AFDC "foster care" program's average maintenance payment for a youth living in an institution amounted to $1,135 per month (about $37 per day); for a child living in a

traditional foster family home the average monthly rate amounted to only $234 (less than $8 per day) computed from statistics in Social Security Bulletin, (August, 1980:45). By way of contrast, the average national AFDC payment to children living with their own families was about $93 per recipient (about $3 per day) (U.S. Social Security Administration, August, 1980:43).

While, in practice, residential treatment centers (RTC's) technically included in mental health statistical accounting may be indistinguishable from facilities that have not been approved by state mental health administrations; they, too, lack evidence regarding their empirical efficacy. However, mental health approved RTC's cost as much, or more, than other residential treatment facilities. In 1975, NIMH reported that RTC's cost an average of $47 per patient day and $23,814 per discontinuation. A stay in a psychiatric hospital for children was even costlier: $120 per patient day and $32,344 per discontinuation (NIMH, 1977, No. 135: 10).

In contrast to average residential payments in 1979 of $37 per day for AFDC supported institutions (child welfare), $47 per day in 1975 for mental health approved residential treatment centers and $120 per day in 1975 for a children's psychiatric hospital, how do operating costs for private correctional facilities compare? These private facilities house youth in training schools, ranches, forestry camps and farms, group homes, and half-way houses. The annual operating cost in 1975 for all types of private facilities amounted to $9,516 per capita -- or about $26 per day (LEAA, 1979). In 1977, the last date for which data is available, per capita operating costs increased to $12,269, or about $33 per day. This 1977 cost is less than the 1975 RTC and psychiatric hospital costs, and quite close to the 1979 AFDC costs (about 20 percent higher over a two year period). In general, it appears that mental health related facilities are the most expensive, and child welfare and private correctional institutions are probably comparable in cost.

Within the latter two systems, group homes and halfway houses, have operating costs that are much less than $33-37 per day. An LEAA study of "halfway houses" found that the modal 1974-75 costs were under $15 per day (Thalheimer, 1975:33). A major reason for this lower cost is due to the lack of specialized, professional, staff persons, providing an array of "treatment" services (Thalheimer, 1975:77-93). Group homes for youth (like Achievement Place) usually rely on existing local educational, recreational, medical, mental health, transportation, and other services, and therefore avoid these external program costs. By avoiding a duplication of these "external" services, group homes can be less costly than the more intensive treatment models found in the child welfare and mental health systems.

ALTERNATIVE APPROACHES FOR FUTURE POLICIES

The belief that delinquent-type behaviors are symptomatic of "maladjustment" or "behavior disorders" has been an integral part of the "progressive" juvenile court's ideology since the 1920's (Rothman, 1980). In the post-World War II era beliefs about "acting out" and "emotional disturbance" of youthful misbehaviors became part of the child welfare system. By the late 1970's an esteemed group of mental health experts reported to the President's Commission on Mental Health that virtually all delinquents had "conduct disorders" and, therefore, exhibited one of the three major types of mental illness. At about the same time a national survey of active child welfare clients reported that assigned case workers cited "emotional disturbance" as the primary reason for residential placement of youth (Shyne, 1980:28).

Despite this lengthy reliance on psychiatric diagnoses, none of the youth in trouble systems has been able to demonstrate empirically that programs guided by mental health theories and treatment procedures are associated with positive results. The treatment programs may include more intensive and costlier components each year, but they still are unable to provide evidence concerning effectiveness. Surely, it is time to question publicly a treatment paradigm that has dominated the policy arena for so many years, but has yet to demonstrate any sizeable payoffs in dealing with the delinquency problem. We not only need new treatment "techniques," to paraphrase Robins, but we also require a new set of beliefs to replace a costly and ineffective paradigm. The problem of "what works" for youth extends far beyond corrections, and includes the ineffective outcomes reported in child welfare and mental health.

Rather than continually provide indirect or direct ideological support and resources to ineffective programs, it would be prudent to engage in a systematic, but ethical, strategy of search. A strategy of search would be based on the realistic assumption that the null hypothesis is currently true in all three systems, if the major dependent variable is renewed delinquent-type behaviors. In addition, a strategy of search would not be able to justify preventive, diagnostic, or therapeutic detention or other forms of social control on treatment grounds (since "nothing works"). Therefore, the strategy of search would have to be ethically constrained by guidelines outside of the treatment paradigm; only fair and just dispositions dealing with actual (not "pre-delinquent") harms could justify the imposition of an involuntary attempt to change antisocial behaviors. This means that the strategy would have to pay attention to proportionality of response to degree of harm and comparability of response for similar harms (Lerman, 1975).

Within this strategy of search, there could still be cooperation with the child welfare and mental health systems, but not on the basis of believing "they" have a better "cure" for delinquency than

the correctional system. Instead, the child welfare system could be relied upon to handle cases where alternative care arrangements are deemed to be appropriate. Many of these cases would occur around status offenses, since alternative living arrangements might constitute a reasonable and acceptable solution to intractable family conflicts. But there would be no illusion that this system contained organizational knowledge or resources that could effectively "treat" delinquents. They might in the future, but that remains to be empirically tested.

A more narrow use of the mental health system would also be compatible with this proposed strategy of search. Instead of asking for diagnoses and treatment of "conduct disorders," for which effective treatment is clearly lacking, the court would use the mental health system for dealing with suspected conventional types of "affective disorders" or behaviors clearly dangerous to self (e.g., suicide, overdose of drugs and alcohol). While the court need not formally excuse any associated illegal behaviors, there might be reasonable grounds for imposing short-term hospitalization or a proportionate disposition under psychiatric supervision.

A stragegy of search would also place much higher demands on the research capabilities or resources of the court. An effective search strategy must possess or purchase the services of social scientists interested in systematic evaluation studies. Instead of one-shot demonstrations, a search strategy requires a long-term commitment to creating, operationalizing, and testing new approches for old problems. The resources for this endeavor could be obtained out of a portion of the budgets currently allocated to programs that are presumed to be ineffective (until proven otherwise).

It is highly unlikely that this proposed strategy of search will be accepted in many juvenile courts. By training and socialization, the elite leaders of the system are sensitized to the nuances of a specific case, rather than the actual consequences of an aggregate group of decisions. In addition, of course, there are always excuses that "true believers" can provide reasons for why the outside reports of past ineffectiveness do not apply in a specific jurisdiction now. For these reasons, as well as the knowledge that all involuntary treatment-oriented decisions also include social control functions, it would be illusory to believe that a strategy of search will soon become the dominant policy thrust of the juvenile justice system.

Rather than counsel despair or outright cynicism, two additional strategies can be proposed: the least restrictive doctrine and fiscal conservatism. The least restrictive doctrine has arisen in the fields of mental health and mental retardation and has been proposed as a viable strategy for juvenile status offenders (Lerman, 1980). According to this view, the state has an obligation to seek out the least drastic means for carrying out legitimate government purposes.

This doctrine may prove useful for juvenile offenders, since so many spontaneously outgrow their youthful misbehaviors. Using this doctrine, it would be possible to challenge the 50 year upward trend in institutionalization rates of youth in trouble. Included in this challenge would be the pre-adjudication uses of juvenile shelters, detention facilities, and local inpatient mental health facilities. On a presumptive basis, the least restrictive doctrine could assume that all forms of institutionalization could be lowered to the levels achieved by the least restrictive urban juvenile court jurisdiction in the nation. As a corollary, the utilization of child welfare and mental health systems could be guided by a similar presumption, since all forms of services can now be performed in a noninstitutional context.

If the least restrictive doctrine appears too legalistic as a sole criterion for policy and planning purposes, then it is possible also to pay attention to available fiscal resources and the relative costs of alternative options. Using fiscal data, it is clear the least restrictive custody/care/treatment option tends to be associated with the least costly outlays. This relationship only holds within a system, however, since even mental health day-treatment programs can be more costly than child welfare or correctional group home options (Thalheimer, 1975:106). It is also useful to specify from whose interests costs are being computed, since localities, counties, states, and federal agencies each perceive their budgetary outlays from parochial perspectives. Only academicians, not interested parties, appear to care what the total societal costs amount to, rather than the possibility of obtaining a 50 percent federal, 25 percent state, and 25 percent split of a "foster care institution" placement, or processing a third party insurance payment for a mental hospital stay. Since juvenile courts tend to be organized at a county level, their fiscal outlook is likely to be shaped by a local perspective regarding costs. Utilizing fiscal incentives and rewards, at the level of interest, on behalf of a least restrictive doctrine or strategy of search, can provide planners at higher levels with potential leverage points. Utilizing these fiscal leverage points requires, however, that interested planners acquire a working knowledge of the matching requirements of social welfare, mental health, educational, and correctional systems.

AREAS FOR FUTURE RESEARCH

Most of the inferences about the current overlap between the three systems relies on aggregate data, using indicators idiosyncratic to each system. In order to obtain a more precise understanding of demographic characteristic, types of deviant behaviors, presenting psychiatric symptoms, and levels of functioning in school, with peers and at home, there is a need for inter-system comparisons. These inter-system comparisons would utilize samples of youth (outpatient and inpatient) residing in a comparable geographical area,

from each system. Each sample would be examined with a comparable research instrument to insure that all demographic, behavioral, symptoms, and life functioning variables were measured in a similar fashion.

Using this kind of approach, we would then be in a much better position to describe accurately similarities and differences between systems. It would also be possible to learn about the referral sources and conditions that influence the utilization of different systems for common problems within a shared area of resources. At present, it is difficult to think of any reported study that can accurately account for the racial discrepancies found in various residential alternatives. For example, a national survey of child welfare cases reported that "few black children were in group homes or residential treatment centers, but in other institutions the various ethnic groups were fairly evenly distributed" (Shyne, 1980: 30). Without controlling for geographic areas, presenting behaviors, psychiatric symptoms, and life functioning, it is difficult to ascertain whether non-discriminatory reasons can account for the differential utilization patterns within and between youth-in-trouble systems.

All three systems could benefit from well-designed followup studies. We could also use ongoing longitudinal studies, occurring for well-planned cohorts, to continually monitor and learn about "natural" youth development and maturational reform away from delinquent-type behaviors. We could include relatively conforming and non-conforming youth, segregated by years of birth, age, sex, ethnicity/race, and geographic location -- independent of whether youth are, or will be, in contact with formal care, treatment, and control agencies. We have a vast array of leading economic indicators, gathered and analyzed on at least a monthly basis, but, no federal agencies that are committed to an ongoing program of longitudinal research. We need to learn more about "natural" influences that shift youth away from deviancy into conforming roles and activities, so we can design policies and programs that can support and supplement "natural" variables.

Finally, we need better statistics on utilization patterns by youth of diverse programs associated with each system. At a national level, it would seem appropriate, almost 70 years after the founding of the U.S. Children's Bureau, to have one central place where reports of diverse systems could be centrally received and reported. In time, with the assistance of the U.S. Census Bureau, these reports could be fashioned to reflect as much comparable information as possible, based on comparable survey instruments. Hopefully, in 50 years we can trace trend data in a more refined manner than the 1920-1970's trend data reported in Table 6 of this paper.

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RUNNING AGAINST THE WIND:
THE EDUCATIONAL SYSTEM AND THE JUVENILE JUSTICE SYSTEM

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INTRODUCTION

This paper addresses the relationship between the juvenile justice system and education. The position taken is that although the two systems are distinctly different as to funding, staffing, and administration, they are inseparably intertwined when looked at from a larger social perspective. That is, their historical roots, their missions, their activities, and even their sources of frustration are nearly identical in kind, if not in degree.

Furthermore, the reason the two systems are under persistent attack from theoreticians and practitioners, and from clients and professional staff, is that both systems share a set of inherent contradictions that render even the most noble of efforts ineffective.

In exploring this social perspective, first the historical origins of youth care in the United States will be addressed, especially focusing on the cultural shifts that fueled both the school system and the juvenile justice system. Included in the first section will be a description of secondary schools today and an argument that the juvenile justice system can be better understood if viewed as a way to reinforce the school system and, as such, is an extension of that system. Part I also includes a distinction between overt and covert purposes of the two systems.

Part II deals with the nature of youth. What, in fact, do young people need to grow into healthy functioning adults?

Part III highlights the basic contradictions between the structure and guiding assumptions of the two systems and the actual needs of young people.

Part IV poses some questions that we need to ask and answer if our efforts are to have a ghost of a chance achieving integrity and success.

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This paper is intended to focus attention on the interrelationships between the two systems from a social or cultural perspective. To that extent it is more concerned with broad, conceptual interrelationships and less attentive to the particular procedures or circumstances in which local schools may or may not interact with the local juvenile justice agencies.

Part 1

HISTORICAL ROOTS

THE EVOLUTION OF EXTENSIVE SCHOOLING

In 1968, Charles Silberman underscored his findings of an intensive three-year Carnegie Foundation study of our schools by claiming:

> What grim joyless places most American schools are, how
> oppressive and petty are the rules by which they are
> governed, how intellectually sterile and aesthetically
> barren the atmosphere, what an appalling lack of civility
> obtains on the part of the teachers and principals, what
> contempt they unconsciously display for children as chil-
> dren (Silverman, 1971:83).

Does anyone need say more? Do we really need to drag out, one more time, the statistics on drinking and drug use in schools, on the pervasiveness of racism and sexism, on the assaults on school property and teachers, on the decline of reading and writing and arithmetic proficiency, on truancy and drop-outs, on teacher burn-out, on the bulging layer of school staff assigned to control functions, be they vice-principals, building coordinators, or uniformed police officers? Do we really have to rewrite the disheartening descriptive books of the sixties (e.g., Our Children are Dying, Death at an Early Age, How Children Fail, Compulsory Mis-Education, 36 Children, et al.) to get the picture? Do we need to reread the reports of the four National Commissions which focused on adolescents and schools (i.e., American Youth in the Mid-Seventies, Youth; Transition to Adulthood, The Reform of Secondary Education, National Panel on High School and Adolescent Education) to understand that secondary schools are teetering on the verge of collapse? Does anyone, anywhere doubt that for many young people, perhaps most, secondary education is characterized by top-down authority, by procedures, by rules and repetition, by failure, disillusionment, depression and frustration, by sexism and racism, by arbitrariness and excrutiating boredom? The shortcomings of the schools have been extensively explored and well documented. Perhaps it is more instructive to determine how we got where we are today. How did it happen? How did schooling move from a non-system of small, unconnected scattering of one-room buildings serving a small portion of youths in the 1800's to the large bureaucratic, all-inclusive system we see today?

It is no accident of history that the school movement flowered in the midst of the industrial revolution. This is not the place to document how the industrial revolution swept across our culture like a tidal wave and altered the very fabric of preindustrial society, how it wrenched loose the underpinnings of an agrarian society and restructured families, work life, communities, and culture. For our purposes, the important fact is that it dramatically changed the life-style of our young. The interrelated shifts from extended families to nuclear families, from small entrepreneurs to corporations, from a rural, labor-intensive community to a suburban, capital-intensive society have systematically circumscribed the place of the young in our society. The shock waves of massive industrialization culminated in young people losing their roles as caretakers of siblings, tenders of livestock, menders of fences, harvesters of the field, and cutters of the wood lot. The absence of active and meaningful social roles "created" adolescence. And as the number of years given over to adolescence lengthened relentlessly, the result was a "prolonged adolescence." The industrial revolution produced the nuclear family and the institutions and specialized services which took over the functions formerly done by the extended family. The sick were placed in hospitals, the elderly in rest homes. Food was harvested by machines, processed and prepared in factories, and marketed in stores. The building trades constructed and maintained homes. Those deemed psychologically or emotionally unfit were sent to mental institutions. And the young were sent to schools. This process of sending the young to school was slow and encountered much resistance, but the move toward a standardized life for all youngsters between the ages of five and seventeen was steady and irreversible. The diverse roles young people played in the family and the community in the 1800's were gone. They were given but one primary responsibility: preparation for being an adult via daily attendance at the local school.

In seeking to locate the driving forces behind the incubation and birth of the schools in the 1800's, one will encounter numerous choices. Clearly the Jeffersonian notion that a democracy required

an enlightened citizenry spurred the movement. Others argued that schools would be the primary melting pot for immigrant children, including providing them with appropriate moral training. Still others looked to the schools for upward career mobility for their children. Reformers turned to the school concept as a way to get youngsters out of the mills and mines, off the streets, and away from the pool halls. Labor unions were advocates for more schooling to take youth out of the job market to provide jobs for adults. In short, there are multiple reasons why the late 1800's and early 1900's witnessed a dramatic rise in the number of children for whom school became a way of life. The motives behind the persistent push to the development of larger, centralized, standardized, and bureaucratic schools is a heated argument in academic circles. But whether the driving force behind the movement was a nurturing concern for the development of our young people or was meeting the needs of an industrialized system for workers who would be punctual, obedient and attentive to the boring and repetitive tasks, the results are painfully indisputable.

THE JUVENILE JUSTICE SYSTEM AS
AN EXTENSION OF THE SCHOOL SYSTEM

Children in the United States are school children. Virtually all young children attend school, and approximately 90% of all 16 and 17 year olds are enrolled in school. To be anything but a school child is to be illegitimate in the United States. The expectations for children are that they will spend much of their time preparing to be adults and that they will not deviate significantly from cultural norms. Thus, schooling comes to take up much of their wakeful hours, and as the nonschool roles of children diminished, the expected and legally required amount of time in school increased.

The ability of schools to control the behavior of youth is limited, of course. It is not that they haven't systematically tried. The school has evolved from one-room buildings and a school teacher to multi-purpose institutions with counselors, nurses, vice-principals, workstudy coordinators, subject matter specialists, study hall teachers, and on and one. But young people still circumvent the control of the schools. And many of those circumventions are beyond the ability of the school to alter. All these offenses run counter to the school's authority. If that were not true, there would be no juvenile justice system. That is, if the schools were a totally effective institution, there would be no need for social controls beyond the classroom, or at least beyond the school detention hall. It is the inability of the schools to carry out uniformly their

charge that has necessitated the establishment of parallel agencies that have more clout. The personnel and agencies of the juvenile justice system bolster the authority of the school. From this systemic perspective the probation officers are extensions of the vice-principals; the various "treatment" centers and agencies are extensions of alternative schools; the various counselors, therapists, street workers, big sisters and big brothers, and camp directors are extensions of the school teachers and guidance counselors and school psychologists. Clearly, the two systems are politically distinct and separate. They are financed, administered, and operated as separate institutions, but collectively they encapsulate the culturally abandoned young people of this nation. They are responsible for shepherding the young through the virtually roleless years of adolescence. They have jointly become a total child-care system. In short, it does not stretch reality much to suggest that should a creature from outer space visit our shores to learn how we raise our adolescents, it could readily conclude that the schools, with their classroom and extra curricular activities and alternative programs, and the juvenile justice system, with its courts, foster homes and forest camps, are all part and parcel of the same institution. In fact, I surmise that if we informed our visitor that what it saw were two distinct systems it would be perplexed and terribly mystified.

PURPOSE OF THE SYSTEMS --
OVERT AND COVERT

To attempt to identify the purposes of our schools in such a way as to obtain agreement among any two people selected at random is a task pursued only by the foolish. Since the days when schools were little more than gatherings of neighborhood children into the one-room schoolhouse, this nation has vigorously, acrimoniously, and righteously argued about goals and aims and purposes of education. Nonetheless, we will not miss the mark by much if we cast a large net and cite three purposes of education that are generally in the forefront when enlightened people talk philosophically about the ideal expectations of education. They are: 1) cultural transmission (passing on the society's accumulated wisdom, values, ideals, and procedures; 2) individual development (intellectual, spiritual, moral, physical, aesthetic, social); 3) equality of opportunity (i.e. equal access to jobs in the labor force).

Those constitute, generally speaking, the professed goals of schooling. They are what might be called the philosophical goals or manifest goals or overt goals. They are the goals that are cited by

committees and commissions and professional educators. However, there are two other goals of schools that, while not openly sanctioned as institutional goals, are so well recognized by those who think seriously about schools that articulating them is no longer considered possessing cynical or radical perspective. One of these goals is simply providing a safe place for young people to be so that the society can attend to its adult chores without being encumbered by youth underfoot. That is known as the "babysitting" function, and in that vein secondary schools are known as "holding pens" or "aging vats." Educators have come to more or less formally refer to that as the "custodial function."

The second of these covert purposes is the preparation for the adult roles which society has created. Socialization, training in appropriate behavior norms, of the young has been one of the primary tasks for all civilizations. Modern industrialized nations have relied on the school systems to perform this function. From this perspective it is clear that schooling is a systematic processing mechanism which instills in students the appropriate aspirations, values, expectations, and habits to prepare them to keep homes, raise families, consume products, and work at the available jobs. The latter role has gained the attention of the revisionists and is graphically depicted in the title of Joel Spring's The Sorting Machine. Preparing young people to take their place in the work force is a result of the process of schooling rather than a result of subject matter instruction. This psychological preparation for the type of existing jobs is best known as the "hidden curriculum." In The Third Wave, Toffler refers to this purpose as the "covert curriculum": "It consisted -- and still does in most industrial nations -- of three courses: one in punctuality, one in obedience, and one in rote, repetitive work." Even if we set aside the assertion that the covert curriculum is in fact an intended outcome of the powers that control schooling, it is hard to escape the conclusion that the social relations of schools closely parallel the social relations needed in the work force and the argument that this is a basic function of schools is certainly compatible with the massive Career Education movement of the 1970's which had as its primary purpose the preparation of all students for the world of work.

Whether intended or not, the schools clearly do attempt to provide a long training period in punctuality, obedience, and repetition of boring tasks. The furor over the schools in the 1960's and early 1970's was less about the curriculum of schools than about its obsession with conformity and rules and about the arbitrary and degrading treatment of young people. And whether intended or not, it

is the case that the environment of secondary schools and the environments of places of work are characterized by striking similarties -- repetition, routine, top-down authority, and the lack of opportunities for creativity and self-assertion. Clearly if one can "get along" in school one should have no difficulty getting along in the world of work.

Those who do not get along in school or on the job are much more likely than those who do to be involved with the juvenile justice system. The purposes of the juvenile justice system are basically "treatment" and "rehabilitation." Yet, two fundamental criteria used to assess whether treatment and/or rehabilitation have taken place are getting along in school and/or holding a job. In that sense, the juvenile justice system has no distinct purposes of its own, rather, it reinforces the expectations of the school. For our purposes here we can call these covert purposes of the school and the juvenile justice system -- the custodial role plus the preparation of a disciplined work force -- the social control function.

The popular outcry about the "break-down" of the schools and the juvenile justice system is chiefly focused on their increasing failure at social control. While falling test scores concern many, it is the realities and images of juvenile violence, kids on the streets, turnstile justice, teenage pregnancies, drug use, alcohol use, etc. that capture the headlines. The young are out of control is the collective fear, and the various law-and-order campaigns reflect a widespread urgency to get them under control.

Part 2

ON GROWING UP

The schools as well as the juvenile justice system had no chance, not a prayer, for success. If, in fact, the two systems had managed to provide, routinely and peacefully, an adequate environment for the development of our children, we would have had to overhaul drastically our concept of human nature, of what it means to be a healthy girl or boy, and of what a fully functioning adult looks like. It takes no complicated theories of human development to conclude that the needs of young people cannot be met by institutions that systematically remove them from the mainstream of life and then

expend most of their resources on containment policies and practices.

What are the needs of the young? Dare we say? To probe into what it means to be fully human is a task fraught with hazards. It takes us into the farthest reaches of psychology, philosophy, and religion. Yet to avoid the task is to be bewildered by what frequently seems to be bizarre and self-destructive behavior so common among our young people. It is not the purpose of this paper to explore and define the essence of human nature. Though Kant has stated that the question, "What is man?" is unanswerable, throughout the ages writers, philosophers, psychologists, and social and political theorists have attempted to explain human nature. Indeed, each and every individual who works with young people, be they teacher, high school principal, counselor, probation officer, judge, half-way house director, social worker, police officer, or parent, has, either consciously or unconsciously, some image of what a person should be, some conception of what it is to be a human being. When we use the term delinquent we are referring to a person who has violated the norms and rules established by our society. We can take some comfort in the fact that we have legal definitions of what a delinquent is. But are we satisfied in describing a nondelinquent as one who does not break the rules? Is there anyone among us who is comfortable in saying that the essence of being human is obeying the current dictates of society? We expect more from human beings than mere compliance. We are aware that humans have tremendous, and by and large untapped, creative and intellectual potential, that human beings have an unbounded zest for life, and that people have a desire for intimate social relations with one another. Is there anyone who can deny that young people need an environment which provides them with love, self-direction, and commitment? Those concepts, although known by a variety of other words -- intimacy, autonomy, involvement, connectedness, self-esteem, self-actualization, affection, attachment -- seem to run through any and all theories of human development.

It is precisely the lack of sufficient doses of those essential ingredients that make growing up so difficult today. Urie Bronfenbrenner (1980) insists that, "In order to develop normally a child needs the enduring, irrational involvement of one or more adults in care and joint activity with the child. In short somebody has to be crazy about the kid." Yet, the past century has seen a steady dropping away of the potential for that kind of steadfast love and devotion. The cultural developments of the past century have relentlessly lessened the number of adults with whom children interact in a close, loving relationship. Not only are

there fewer grandmothers, grandfathers, aunts, uncles, cousins, and siblings around, but the time and functions available are less likely to provide opportunity for intimate and productive involvement. Family life is fragmented: parents work away from the home, both parents work, and there are more single parent families. In the home, technology and mass production have reduced the time and labor needed to clean, mend, repair, make, haul, create, fix, share, chop, milk, shear, gather, plan, feed and build, significantly reducing the need for adolescent energies in the home. And in the process, the functional interactions among family members are decreased. And what time is available for interaction is frequently given over to television, which vastly circumscribes the interactions.

As the family slowly began to loosen its functional bonds with young adults, so did the local community. It is easy to romanticize the small towns of years ago. Evidence abounds that the "community spirit" that we have presumably lost today, but frequently attribute to former communities was accompanied by ignorance, boredom, meanness, corruption, and insensitivity. For whatever their virtues and vices, those smaller rural communities were more accessible to the adolescents than are our more urbanized, specialized, compartmentalized and physically segregated communities of today. In earlier times adolescent labor was needed on the farm, in the stable, in the home, in the stores. Young people moved more readily from totally dependent children to significant roles in the community. At ages fourteen and fifteen young boys were interacting with men, emulating their ways, learning the harsh discipline of the struggle for survival. Young girls were learning the ways of the home, the farm, and especially the kitchen. They stood side by side with the older women of the household. Everyone was expected to contribute to the productivity of the family. In short, the adolescent had both feet planted firmly in the activities of the community. When the community experiences were bad, the adolescents, like the rest, suffered the consequences. And when the community life was good, they shared the bounty. In either case, their identities were inextricably tied to the daily life of the community.

Not so today. Communities are no longer characterized by small farms, by small businesses, and people who know each other and who suffer together, fight together, hate together, and love together. Rather, they are places of systematic segregation: the young in kindergartens and nurseries, the old in nursing homes, the factory workers in plants, the families in the residential area, the doctors and dentists in the medical centers, the shopkeepers in the mall, the poor in the depressed area, and the children in the schools.

Each place is geographically set apart and generally inaccessible to anyone other than the employees and clients. Added to this separation we have a mobility rate that features families moving once every five years, further weakening the glue that makes a community a familiar and available place.

It is more than coincidence that during this century compulsory school laws emerged during times of labor surplus. While it is hard to fault the legislation that freed children from the mines and mills, compulsory schooling, coupled with other changes in the work environment, has systematically excluded children from close involvement in work. And work, to the degree that it is productive and meaningful, has been the basic source of identity and social interaction throughout recorded history.

In addition to physically removing them from the lathe, the butter churn, the sewing machine, and the plow, we have also segregated young people from most of the work settings. Specialization, big business, suburbs, large schools set apart from the community, commuting, industrial parks, shopping malls, and similar forms of segmentation have virtually removed children from work environments. Therefore, they not only lost whatever identity and self-esteem that productive work provides, but they also lost the opportunity for close association with the farmer, the craftsperson, the seamstress, the factory worker, and the doctor or midwife.

This case must not be over-stated. Statistics will show that many high school youth, perhaps as many as half, hold part-time jobs. But, while these jobs provide spending money and some use of energy, we cannot expect the part-time work available to school-attending youngsters to provide the growth-producing experiences they desperately need. That is, as the Special Task Force Report to the Secretary of HEW, Work in America and other resources indicate, the quality of jobs in the United States is causing widespread concern, particularly among those involved in mental health. Even jobs held by adults have become characterized by routine, top-down authority, repetition, and loss of opportunities for creativity and self-assertion. It seems likely that the part-time jobs available to the young -- fast food workers, sales clerks, stock people, delivery people, typists -- are even more devoid of potential human fulfillment than are jobs for the adult society at large. To the extent that work has been the source of identity, self-esteem, and a feeling of connection with the larger community, our society is rapidly eliminating that potential for adolescents.

A steady consequence of the evolution of each of these institutions -- family, work setting, community -- is the erosion of the

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adolescent role. In each instance the opportunities for purposeful social and economic work, for intense interaction with adults, and with the acquisition and use of competencies have been reduced. Systematically, our culture has delayed the time at which these opportunities become available to young people. There are few clear cut lines between boyhood and manhood, girlhood and womanhood. In our diffuse, unceremonial, individualized, do-it-yourself, urban-industrial society, young people have few expectations spelled out for them.

As if the holding back of adolescent energy and the interfering with the struggle for self-clarity were not serious enough, the developmental process is further affected by the earlier maturation of adolescents. Progress in the medical and nutrition fields has produced adolescents who are healthier and bigger and who reach sexual maturity earlier. The liberalization of sexuality coupled with massive bombardments of sexual stimulation by the media also add fuel to an already passionate, paradoxical, fearful, curious, energetic, and everchanging personality. The urge for sexual outlet comes earlier, is stimulated more, and still is severely restricted and not channeled elsewhere. The consequence of the cultural shifts already cited, coupled with the earlier maturation, is the creation of a period of life that is hopelessly explosive. Young people in this country are emerging from puberty having been fed, vaccinated, vitamined, clothed, titillated, stimulated, aroused, and energized more than the young elsewhere, and at the same time we have drastically reduced the roles and human interactions that might give meaning to all that preparation. Instead, we, the American public, sent them to secondary schools, and therein steadily increased the expectations of the schools and now suffer the consequences. In short, the schools are becoming total care institutions. Over the past 80 years the schools have moved from an institution that served part of the kids, part of the time, for part of their needs, to an institution that strives to serve all children for all their needs for virtually all of their youthful years. The juvenile justice system is simply a back up to that function.

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PART 3

THE INHERENT CONTRADICTIONS

Due to the multiplicity and all-inclusiveness of purposes and the isolation from the family, both the schools and the juvenile justice system house incompatible missions. It is this interrelationship, this shared catch-22, perhaps more than any other relationship which unites the two systems and renders them indistinguishable.

SELF-DIRECTION VS. SOCIAL CONTROL

Much of the anguish and acting out of young people comes from beings who feel boxed in, pushed and pulled, manipulated, and circumscribed. They are expected responses from people who are inherently self-directing, seeking control over their own destiny. We could well call it self-assertion, or a desire for autonomy. But whatever label we use to identify that universal striving for control over one's life, its manifestation runs counter to the social control function of both schools and the juvenile justice system.

That is not to say that self-direction is supreme and that youth do not need guidance, controls, and restrictions. Rather, it is to point out and underscore that the self-direction needs of young people vastly outstrip our society's ability or willingness to provide appropriate opportunities for their expression. Or, to put it another way, the social control demands of our society run against and over the need for young people to test, experiment with, and develop their own self-direction.

I could draw upon endless examples, but I'll settle for one. Clearly a properly functioning sense of self-direction calls for a positive self-concept so that inner urges for self-direction can be trusted. The development of a positive self-concept is generally included in the philosophical posture of all educators and juvenile justice workers alike. And, further, doing well in school is considered to be a primary source of gaining a positive self-concept, given that society offers few other settings where adolescents can legitimately succeed. Yet, secondary education is highly competitive by design. The A, B, C grading system, class rankings, and college board scores are all designed to help identify the better students. And those comparative processes effectively identify the poorer students also. Which, of course, they must. Lesser able students must be identified in order to have a comparison for success. In short, the structural design of schools limits the number of young people who can be successful.

This self-defeating feature of school is not a new idea; it has been a source of contention for as long as we have had schools. But no one has yet figured out a way to require extensive schooling without the heavy handed use of competitive grading and ranking. As long as educators and juvenile justice workers look to the schools as the primary means of positive self-concept, they are fighting a losing battle. School rewards are a zero sum game -- when someone wins, someone else must lose.

It is the process of schooling that makes self-direction so difficult. The school must take the young out of the surrounding neighborhood, lump them together, and keep them in the school yard for six to eight hours a day. In order to do that efficiently, the process has become standardized, routinized and formalized. Self-direction efforts, in a society that finds self-direction inconvenient at best, perhaps even intolerable, have in the main, run asunder.

We would like our children to grow and become able to make decisions, to think for themselves, to be individuals. However, we put children in a box. We give them little help, support or opportunity to develop these skills, or the self-confidence which underlies their effective use. Furthermore, if students show their independence too soon, or in an individualistic fashion, they are typically punished. Youthful behavior which would be considered normal in any other setting is frequently labelled a "discipline problem" if it takes place in school. We want children (adolescents) to know their place, submit to external authority, defer to the "wisdom" of adults until such time as the adults deem through some mysterious process that children have magically come to the time when they can and must show their independence.

COMMITMENT VS. SEGMENTATION, ISOLATION AND PREPARATION

William James wrote in his essay, "What Makes a Life Significant":

> The solid meaning of life is always the same ideal
> thing -- the marriage, namely, of some unhabitual ideal,
> however special, with some fidelity, courage, endurance;
> with some man's or woman's pains. And, whatever or when-
> ever life may be, there will always be the chance for the
> marriage to take place (James, 1954:286).

I think James wrong. There is little chance today for young people
to make the commitment of which he speaks. The "relentless pursuit
of an ideal" for adolescents must await until adulthood. (And of
course this promise goes unfulfilled for many adults, and adoles-
cents, perceiving this, may even give up on the promise.) A com-
mitment requires opportunities for meaningful, purposeful, useful
tasks that lend themselves to significant amounts of time and energy
expenditures. A lifestyle given over to going to school in order
to prepare to enter society at adulthood does not encourage and
support commitments.

The idea that those formative years should or could be given over
to preparation for later life is fraught with psychological rami-
fications. A cursory examination of adolescents would make a dis-
interested observer skeptical that such a passionate and volatile
period of growth could be contained by years of preparation for some
future tasks. John Dewey wrote:

> ...Now "preparation" is a treacherous idea. In a certain
> sense every experience should do something to prepare a
> person for later experiences of a deeper and more expan-
> sive quality. That is the very meaning of growth, contin-
> uity, reconstruction of experience. But it is a mistake
> to suppose that the mere acquisition of a certain amount
> of arithmetic, geography, history, etc., which is taught
> and studied because it may be useful at some time in the
> future, has this effect, and it is a mistake to suppose
> that acquisition of skills in reading and figuring will
> automatically constitute preparation for their right and
> effective use under conditions very unlike those in which
> they were acquired (Dewey, 1967:47).

The treacherousness of the idea of "preparation" and the lack of
attention to their present needs, is now being made manifest in the
statistics of adolescent behavior; namely apathy, suicide, alcohol-
ism, drug use, crime, violence, and similar responses that indicate
a sense of loss, of alienation, of self-hate.

Looking back, we should see that it was predictable. Schools were
most successful when they did not have to succeed, when there were
educational alternatives -- the farm, the factory, the apprentice-
ship -- and when there were other avenues to social and economic
advancement and when a nonschooling lifestyle was viable for an
adolescent. If the "preparation" curriculum of 1900 or 1940 became
too stultifying or psychologically unbearable for a youngster, he
or she merely left the school and joined the community in another

role. Today, in the almost total absence of alternative community
roles, the young people who would have left school in any former
era are still there. They remain in school under protest, lacking
meaningful options, and they expend much of their energies maintain-
ing a youth culture that is aimed at meeting some of the psycholog-
ical needs so totally unavailable to them in the adult culture.
This youth culture, mostly unassisted by enlightened and compassion-
ate adults and thoroughly exploited by the mass media, has become
a most powerful influence on adolescents.

In short, adolescent behavior is a product of their being system-
atically isolated from the community; from being subjected to a
"preparation" schooling that provides both limited and contradictory
psychological rewards; and from the formation of a youth subculture
that, at best, is superficial. We did not design that; it just
happened. Our attention fixed on more pressing issues, we evolved
an economic and social system that has no meaningful roles for them.
We have rendered them obsolete. We have disinherited them. How
dare we still wonder why young people are disposed to a loss of ego
strength, cynicism, skepticism, irresponsibility, apathy, and vio-
lence to themselves and to others. Their behavior patterns reflect
the behavior patterns of disinherited people in all places at all
times.

A notable characteristic of youth is its paradoxes: the idealism
and the cynicism, the rejection of authority and the emulation of
idols, the striving for individualism and the rigid loyalty to peers,
the abundance of energy in some situations and the lethargy and
apathy in others. Exuberant gaiety, laughter and euphoria make place
for depressive gloom and melancholy. It is this writer's view that
much of that behavior can be attributed to the loss of identity that
has accompanied the erosion of meaningful adolescent roles and the
opportunity for commitments. Not knowing who they are and who they
aren't or who they are becoming, they exhibit seemingly incongruous
behavior in their search for clarity and meaning. They also lash
out, frequently randomly, in frustration and anger, at the society
which has disowned them. Surely they are not living up to our expec-
tations, and in that sense, they are disappointing us. But, if one
posits a reasonable benevolence, or at least a neutral one, to human
nature, we can find fault in the society and not in the adolescents.
That is, if we assume that young people would rather, given equal
opportunity, be a part of the dominant culture, be economically and
socially productive, be accepted and respected by their neighbors,
be creative rather than destructive, and be desirous of sound mental
and physical health, then we have to assume that somehow we have

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blocked their opportunities to choose these behaviors. Erik Erikson raises that specter when he states:

> For the longest time we have failed to see that the delinquent adolescent, too, if looking for a chance to conform to some subculture, to be loyal to some leader, and to display and develop some kind of fidelity. We cannot treat them as the police and courts often do, as "naturally" inferior people with exclusively negative values. There are very few really bad people in the world, and I think they can be found among those who misuse youth. Those who become delinquent have simply been sidetracked because we failed them, and if we fail to recognize this fact, we lose them (Evans, 1969:39-40).

And we have failed them. Unable to find meaningful positive identities, many choose negative ones that, for whatever their inconveniences, have the virtue of clarity and certainty.

Perhaps the first scholar grounded in psychology to blatantly challenge the circumscribed lifestyle we afford adolescence was Paul Goodman. His blistering survey of the relationship between society and youth, Growing Up Absurd, printed in 1956, cited the lack of basic community adolescent roles as the fundamental need.

> This brings me to another proposition about growing up and perhaps the main theme of this book. Growth, like any ongoing function, requires adequate objects in the environment to meet the needs and capacities of the growing child, ... It is not a "psychological" question of poor influences and bad attitudes, but an objective question of real worthwhile experience. It makes no difference whether the growth is normal or distorted, only real objects will finish the experience. (Even in the psychotherapy of adults one finds that many a stubborn symptom vanishes if there is a real change in the vocational and sexual opportunities so that the symptom is no longer needed). It is here that the theory of belonging and socializing breaks down miserably. For it can be shown -- I intend to show -- that with all the harmonious belonging and all the tidying up of background conditions that you please, our abundant society is at present simply deficient in any of the most elementary objective opportunities and worth-while goals that could make growing up possible. It is lacking in

> enough...work... It is lacking in the opportunity to be useful. It thwarts aptitude and creates stupidity (Goodman, 1960:12).

Unable to find meaningful and productive activities in which to test their competencies, many of our young people exhibit bizarre behavior. They crave mastery, excitement, challenge, passion, intimacy, involvement, and a sense of belonging. The legitimate routes to satisfy these needs are narrow -- namely becoming a good student in a family and a society that values extended education. Those who are unable or unwilling to walk that path must thwart their enormous appetites and "cool out" their disruptive vitality, or they find other, usually socially unacceptable, outlets.

The obsolescence of adolescence perspective presented above suggests that the "problem" of youth is generally not a problem that resides in the educational system. Admittedly, the schools are the target of ever-increasing amounts of crime and vandalism, but that has to do with the fact that the young spend inordinate amounts of time there and that the inability of that institution to meet their needs generates in the young bitter feelings of anger and resentment. As desperately as these schools are in the need of democratization, it is silly to think that any internal reforms will solve the fundamental cultural problem of our disinherited young. Inschool reforms merely serve to temper the frustrations brought about by the cultural changes that culminated in a "preparation" role for young people. The youthful needs for intense and significant commitments runs counter to our attempts to segregate, isolate, and subject them to over a dozen years of passive school preparation.

LOVE VS. AGENCY CARE AND
PROFESSIONAL YEARNINGS

In the final analysis, in spite of imaginative institutional innovations and experimental designs and in spite of heart wrenching efforts by human service workers and educators, it may simply not be possible to buy the kind of love young people need to flourish. I know of no more consistent research finding about youngsters who persistently harm others than that they do not like themselves, and love seems to be an irreplaceable antidote to self-disapproval. And here I speak not of the naive "love" so typical of the beginning teacher or youth worker, who believes that simply dousing disaffected youth with "love" is a magical cure. I mean the stronger stuff, the kind Bronfenbrenner implies with his "someone has to be crazy about the kid." I mean the soul touching intimacy and caring that

is a by-product of shared commitments, perceptive respect, inter-twined ideals and successes and failures, the love that is welded by mutual dedication to serious long-term activities. It just may be, the burden of human beings that nothing else will do. Self-respect precedes the extension of respect and concern for others. And love seems to be indispensible to self-respect.

Can an agency offer love? Bureaucratic love?? The evidence for such is meager. Which is not to say that teachers, coaches, street workers, counselors, forestry camp workers, and probation officers can't have significant impact on the youth who fall under their jurisdiction. But it is to suggest that to the extent that youth in trouble need love, institutions are ill-equipped to provide much assistance.

The yearnings of educators and juvenile justice workers for profes-sional status is counter productive to the love and attachment needs of youth in trouble. Historically, professionalism has worked the other way. Attachment and love are characterized by mutual respect, person-to-person interaction, self-disclosure, shared knowledge, and intimacy. The very nature of professionalism implies privileged status, esoteric knowledge, and formal relationships (the "bedside manner" is intended to be a formal relationship with a veneer of warmth and caring). A professional relationship is one devoid of attachment and love (to become emotionally involved is, in fact, to slip out of a professional relationship). Professionals have "cases" and "clients." Professionals diagnose "needs" and prescribe "treatments." Hardly the makings of love and emotional attachment.

PART 4

ON TAKING OUR YOUNG SERIOUSLY

In a sense the schools and the juvenile justice system are doing okay. Within the limits of the contradictions in which they are embedded, they are about as effective as institutions can be expect-ed to be. Of course, we can putter here and tinker there, cut costs here, allocate more money there. We can put a few kids in forestry camps, in canoes, on mountain tops, and in igloos, and that will be about as effective in curbing undesirable behavior as those things can be expected to be. We can tuck more kids into store front al-ternative schools, re-intensify our efforts on phonetics, require

at least one ten page essay a week to try to curb eroding writing skills, change the name of vice-principal to associate head-master, and all that will work and not work. We can get tougher in court, reopen secure detention facilities, throw the book at juvenile of-fenders, and establish family courts. Each of these renovations may work -- either reduce harmful behavior and/or actually work to develop healthier young people. But we have no reason to get all fired up about the chances of any of those cutting deeply into the problems of youth. If there were isolated patches of young people acting out in harmful ways, we might have reason to hope that tin-kering would fix it. However, when significant amounts of a nation's age group give out persistent signs of serious distress, it is time to refocus our attention. The kind of signals we are getting from our young -- the apathetic and suicidal as well as those breaking and entering -- flag something fundamentally wrong. We need to re-frame the questions we ask.

1. What steps need to be taken to integrate the young back into our society?

A devilish question for at least two reasons. First, the answer presumably lies outside the purview of any single political body. That is, gathering up the young from the farms and mills and streets and placing them in segregated institutions was an evolutionary process that took over a century to complete. That a stroke of a pen could make any inroads on that is unlikely. However, it is time to recognize that the concept of systematic formal schooling through age seventeen is no longer useful, and it hasn't been feas-ible for at least the last twenty years. Attempts to continue the present set-up are going to require significant repressive measures.

The second reason why the notion of reintegrating the young into the mainstream of our culture is a troubling one is that it is not a particularly healthy culture at the moment. Those of us who are chagrined by the standardized, routinized, and desensitizing pro-cedures of schools have little reason to take heart over what we see in the corporate world. Nonetheless, it seems jarringly evident that massive schooling as we now know it doesn't work (that is *if* our goal is to provide an enriched, humane environment for young people. A colleague of mine reminds me that if the role of school is to prepare young people to live in a bureacratic and alienated world, then the schools are quite successful.)

That is not to suggest that we suddenly deschool society but that we have overdone it and now need to back off. This idea has been

around for a long time (Paul Goodman told us that in Growing Up Absurd in 1956). But it is not enough to simply drop back on formal schooling, because there are so few meaningful options for young people in our society as it is now constituted. As we cut back on the hours or days or years of schooling as we now know it, we need to also create new roles for the young.

2. What are the implications for deinstitutionalization in a society without viable communities?

During the past two months I have visited several small residential treatment centers in Massachusetts. These small private agencies have sprung up as a result of the deinstitutionalization process started in the early 1970's by Jerome Miller, then Director of the Division of Youth Services. (Some people consider the term "deinstitutionalization" a reactive term, they prefer "communitiza- tion" as a more proactive concept.) While the small, more intimate nature of these facilities are clearly more inspiring than the for- mer large, repressive reform schools, they still seem out-of-place. It was hard for me to put my finger on it at first. There are pleasant and bright walls, attractive posters, a coffee ⸳⸳, the quiet clicking of a ping-pong game. Yet is seems spooky to me. Then it hits -- the isolation and loneliness. Even while located in the center of town or on the edge of a crowded suburb, there is no integration with the community -- because there is no community. There is a shopping mall, and a business district, and a residen- tial section, but they do not add up to anything to which a small group of troubled youngsters can attach themselves. And isn't attachment what communitization is about? This lack of attachment opportunity does seem to put serious limitations on the potential impact of any program theoretically designed to be integrated into an on-going community.

3. Can the organizational structure of the juvenile justice system be rearranged more appropriately to reflect and en- courage a coordinated effort?

The juvenile justice system seems to be more of a non-system than a system. Its pieces -- probation, courts, camps, detention centers, lock-up facilities, private agencies -- do not seem to interrelate in either a philosophic or practical way. It is hard to distinguish between treatment, rehabilitation, alternatives to school, punish- ment, and scare tactics. And these are clearly radically different notions.

The ramifications of juvenile justice not being a coherent system as now practiced confuses everyone -- kids get mixed messages, play one agency against the other, get lost in the system, and laugh, jeer and cry at the catch-22 goings-on; juvenile justice personnel work at cross-purposes, get hopelessly tangled between professional yearning and the attachment needs of kids, experience frustration, cynicism, and burn-out; the media and the public at large are dis- traught and critical.

I lean toward making the court system a separate legal entity. It seems to me that the need of society to protect itself from the hurtful behavior of the young, and the need of the young to be seized and restrained from committing hurtful acts, is different in kind from the rehabilitation, treatment, educational, and cus- todial functions of the juvenile justice system. In fact, these latter purposes are philosophically inseparable from the enlarged purposes now assumed by the schools. It does not seem like a par- ticularly wild idea to suggest that the juvenile justice system (setting aside the court system) and the educational system could merge and operate as one agency. Recent legislation ("Chapter 766 Regulations" in Massachusetts and "Public Law 94-142") has consid- erably broadened the legal responsibility of school districts to provide "appropriate" educational programs for individual students. Even now, before these laws have been significantly implemented, an outsider would have grave difficulty distinguishing between the schools and school-like programs of the juvenile justice system and the various alternative schools and programs operated by the public schools themselves. In short, the evolutionary trends that have fueled both the juvenile justice system and the public schools have also served to guide them into similar and identical programs and activities. Therefore, I recommend that the court (whether or not there is a separate juvenile court) only retains jurisdiction over juvenile behaviors that would be crimes if committed by adults; that status offenses be eliminated from the court's jurisdiction.

A PROPOSAL: EXPANDED ADOLESCENT ROLES

We now need to recognize that schooling is not a satisfactory means of development for all adolescents nor of the total development of any single adolescent. Nor is there any reason to believe that the labor market, the traditional next step for those who leave formal schooling, will somehow manage to absorb the young who reject school or are rejected by it. In fact, we have reason to believe it will

become worse. The Committee for the Study of National Service in their 1979 report <u>Youth and the Needs of the Nation</u> wrote:

> Former Secretary of Labor Willard Wirtz believes that the employment prospects for youth will continue to deteriorate in the 1980's. Already discernible forces, he predicts, will work increasingly to squeeze young people out of the work force and isolate them from making a satisfactory transition from schooling to work. Among these forces: increased participation rates in labor force by adult women; increased participation rates by non-white adults; a trend toward later retirements from the work force; the growth of international industrial competition; and increasing mechanization of labor, particularly at the semi-skilled levels. In addition, both legal and illegal immigration may work against improving or even sustaining the prospects of semi-skilled young people during the years of initial entry into the work force. Wirtz suggests that answers to this problem will not be found in the traditional forms of employment and that a new national youth policy will be required (Committee for the Study of National Service, 1979:61).

In short, our society has evolved to the point where neither formal schooling nor the private labor market sector offer appropriate answers to the growing passivity and disaffection of our young. Rather the challenge to our society, and not just to our schools, is to create new roles for adolescents, to restructure our societal institutions so that adolescents have meaningful tasks, meaningful relationships with adults, and meaningful opportunities for being creative, productive, useful.

The following twelve activities are not intended as precise models ready for implementation. Rather, they are samples of the kinds of activities that I believe are appropriate for both the development of our youth and the revitalization of our communities. Just how they would be organized and administered would be a function of local conditions.

These activities are not designed as preparation for more schooling nor are they designed for learning career or job skills (of course, meaningful experiences will help prepare students for each, since whatever broadens and deepens a person will be integrated in all experiences that follow, including schooling and career development). The primary purpose, however, is to design activities that will

enable the young to become more trusting of themselves, more insightful into the inequities of our system, more open to experience and to each other; to help them formulate problems that are of current importance in their own lives; to guide them in an attack of those problems; to help them reach conclusions on a more stable basis than before; and in so doing helping them to discover and create who they are.

1. <u>Ecological Projects</u>. Every city, town, and crossroads has felt the impact of commercialism run amuck. Need we spend much time listing the rivers, parks, fields, woods, ponds, and mountains that are in need of cleansing?

2. <u>Aesthetic Projects</u>. Similarly we have badly neglected the opportunity to beautify our nation as we harvested, all too often wantonly, its resources. We now have the funds and the youth power to step back a moment from our productive pursuits to pay due attention to beautification concerns. Virtually every community in America could lift the spirits of its citizens if our young people could apply paints, peonies, and picket fences to the premises.

3. <u>Cultural Events</u>. One model would be for fifty students to take six months off to produce two or three plays. They could make the props, play the parts, and perhaps even write the scripts. The same idea could be applied to music, dance, flower shows, art, etc. The use of radio and TV are equally adaptable as the local stage facilities for purposes of generating a public audience.

4. <u>News Reporting</u>. What town wouldn't gain by having a TV, radio, or newspaper operated by a group of adolescents. The intent would not be, of course, to compete with the commercial producers, but to augment them by offering another perspective.

5. <u>Inventing Projects</u>. We could set up laboratories for the purpose of enabling inquisitive young scientists to experiment with ideas that interest them.

6. <u>Human Services</u>. There is much evidence that in this most communication-blitzed nation we are suffering from acute cases of loneliness. Through the systematic segmentation of the young and the ill and the old, we have placed artificial barriers in between people who are much in need of one another. Elderly people need the young, and the very young need the adolescents, and the ill and depressed need the healthy and spirited. Compassionate and thoughtful people could readily devise schemes for bringing these now separated groups together for extended periods of time.

7. Arts and Crafts. We need but provide space, materials and legitimacy to get adolescents to spend endless hours working (in the best sense of the word) with wood, metals, leather, plastics, glass, rock, and all the rest of the earth's products that have enticed the creative spirits in people throughout recorded history.

8. Construction. There is much need for building projects that the profit economy does not deliver. The young need playgrounds, the elderly need rooms remodeled and everyone needs a tool shed. What better mixture of people and materials can there be than when a crew of three girls and three boys (between twelve and nineteen years old, or such) help an elderly couple turn an attic into a greenhouse?

9. Skill Development. Adolescents crave mastery. What better way to spend the time period from, say fifteen and a half to sixteen and a half than learning electronics, or stereo repair, or carpentry, or small engine repair, or cookery, or cattle raising, or bike repair, or photography? Such skill oriented programs would have as their aim the growth and development of the young people involved -- attending to the social, spiritual, and aesthetic needs, as well as the technical.

10. Academic Sabbatical. One of the sheer joys of the academic profession is the sabbatical, an adult moratorium designed to enable and even encourage people to lose themselves in some self-selected project. We can readily extend that concept to young scholars who might want to spend six months studying black history, feminism, sail boating, astronomy, or whatever.

11. Travel. The potential for enabling young people to spend several months in other towns, states, and countries is virtually unlimited. Why should a "year abroad" be restricted to the independently wealthy?

12. Operate a Business. There are already models all over the country where young people organize, set up, and operate a business. It seems, intuitively, to offer the kind of experiences needed by so many of our young who currently spend incalculable amounts of intelligence and energy in ripping off someone else's business.

These twelve ideas are almost randomly selected. Any benevolent adult could quadruple the list in a matter of minutes. Once we extend our thinking beyond formal schooling and part-time jobs as the appropriate alternatives for young adults, we literally burst forth

into a galaxy of creative opportunities. Which ones are the best for a given group of young people at a given time is dependent on local conditions.

Clearly one of the joys of initiating these projects is that in most cases they involve an interaction with an institution badly in need of the involvement. This mutual advantage is, of course, what makes the projects so attractive. That is, while adolescents need to be models for the younger children, the younger children need adolescent models. While the adolescents need the wisdom and understanding of the aged, the aged need to give wisdom and understanding. While adolescents need to clean rivers and mountains, rivers and mountains need cleansing. While adolescents need to build, refurbish, and paint, there is much that needs to be built, refurbished, and painted.

Guidelines

Clearly the implementation of such a program depends on the commitment and creativity of those involved. Therefore, the specifics of any program need to come from the participants. These guides may be helpful.

In an effort to terminate the limited use of adolescents and to reintegrate them into growth producing experiences in our community, we need to develop activities that will enable adolescents:

1. to manage effectively their own affairs (e.g., time utilization, finances, learning environments). Through a combination of increased family affluence, full-time schooling, and isolation from the community we have tended to reduce adolescent self-discipline and to protect young people from the consequences of their decisions. We need to provide experiences where those characteristics can be developed in settings where failing is not seriously harmful.

2. to interact with people of differing ages. A sixteen year old has a lot to teach a seven year old, and a lot to learn from a seventy year old, and interestingly, of course, the reverse is also true.

3. to have others dependent on one's actions. We maintain our young in a state of dependency long after they feel the need to establish joint and sole responsibility for their actions.

4. to have interdependent activities directed toward collective goals. The strong need to belong, to share, to be a part of,

and to identify with go unmet in a society grounded in individualism and competitiveness.

5. to be creative in ways that culminate in finished products. Peoples in all times in all cultures have drawn, carved, sculptured, sewn, painted, built, and used their hands and imaginations in an inexhaustible number of self-expressive ways. Our culture encourages standardization, consumerism, and passivity, and we must actively pursue the means to creativity, for "those who cannot create, must destroy."

6. to gain competencies -- without necessarily rooting them in a career preparation. No scholar of adolescent behavior wants to reduce identity simply to what one can do, but neither do any ignore the necessity of being good at things -- whether that be mathematics, gardening, sewing, cooking, plumbing, radio repair, dancing, or whatever. For far too long we have squandered our youth by validating only those competencies that lead to a job or further success in school.

7. to interact actively with other cultures, other races, other lifestyles. Few who have travelled, lived abroad, or shared communally with people different from themselves can deny the broadening effect of those experiences. Perhaps the process of finding out who one is, is intertwined with finding out who one isn't.

8. to give unselfishly of one's time, love, energies. One of the delightful paradoxes of adolescents is their apparent preoccupation with self and their predisposition to make heroic sacrifices for others. The latter tendency can easily be frustrated in a society where competitive schooling and profit seeking are predominant. We need to identify the already existing situations where the young can openly and trustfully give of themselves.

Implementation

My long-range view is that the role of the public schools be reduced to the formal kind of education it can best provide. And concurrently the amount of time that young people attend there also be reduced. The experiences that I am recommending that will make up the expanded roles of young people will probably best be done by institutions designed solely for that purpose. However, in the short run these activities may have to be initiated and administered by the public schools. With that long-range view and short-range reality in mind I have recommended two ways to proceed. The first is for the federal government to promote, initiate, and support experimental programs within the public school system. The second, a more encompassing and radical notion, is eventually to set up a young adult institutional arrangement separate from the public schools.

As an Extension of Schooling -- These transition experiences aren't intended to replace formal schooling. Rather they are to complement it, broaden it, enrich it, give it heart and soul. Nor is it to suggest that we separate out students who don't do well in regular school and place them in a separate environment. It is to suggest that we alter the time of all students rather than reclassifying some students and selecting them for new programs.

These expanded role concepts can be, and have been, called any number of things. Internships, social action, projects, experiential learning experience, cooperative education all come to mind. For our purposes here, let's call the idea an "Immersion Semester" to signify an in-depth experience that is part of the formal school experience. Secondary schools could simply include the Immersion Semester in its school program, and perhaps even as part of graduation requirement, just as so many units of English, Physical Education, or Home Economics is required. The idea is hardly new. Medical schools require internships, schools of education require practice teaching, and Antioch requires a year long field experience. The concept of a required application of formal schooling is as old as school itself. To the extent that our secondary schools aim at creating both a self awareness and a social awareness, an intensive application experience is both historically consistent and solidly grounded in learning theory.

Two Models -- The structural possibilities for an Immersion Semester are numerous. A cursory glance at the possibilities reveals at least the following: a) A sophomore going to a near-by elementary school two afternoons a week to tutor 3 fifth graders; b) a junior going to a nursing home every Thursday between 1-5:30 to write letters for or read to the elderly; c) five seniors giving 6 Saturdays to construct a tool shed for a neighborhood grandmother; d) 25 seniors taking one semester off from regular school and producing a weekly newspaper to be distributed at a nominal charge in the local community. Examples are endless, however they seem to break into two categories that are consistent with the secondary school operations. Some of the Immersion Semester opportunities can fit into the regular school schedule, while others require a temporary suspension of regular school attendance.

<u>Immersion Semester as Part of Regular School</u> -- In this category would be all those experiences that can be done in 1-4 hours each day, or on one or more days a week and which do not disrupt regular school attendance. In these cases, the Immersion Experience could almost be considered a class taken for credits. Ideally this class would be integrated into one of the departments of the school, so that coordination and supervision of the program would be done by teachers who have a commitment to that sort of activity. Assigning such supervision to a school-wide coordinator is to lose much of the spirit and continuity available in these experiences.

<u>Immersion Semester as a Sabbatical Experience</u> -- The more promising (i.e., richer, deeper, and more intense) category of Immersion Experience is that in which students would leave the regular school program for a one or two semester in-depth experience. This structure multiplies the opportunities for expanded roles.

This model also has the powerful advantage of enabling teachers to share in this concept. Teachers could equally well be re-assigned for one or two semesters to place, supervise, and coordinate the Immersion Experience. For example, if 20 students were to leave school for the fall semester to organize and operate a wooden toy business, two business teachers could be assigned to them. They would be relieved of classes that semester and only held responsible for the activities of the 20 students. In these days of increasing teacher depression and burn-out, this program could be as valuable for potential teacher renewal as for student involvement.

BEYOND SCHOOLS AND JOBS --
<u>ONE FINAL RECOMMENDATION</u>

For the past ten years it has been popular to talk about "transition": How to help young adults make the transition from school to work. The federally initiated and funded career education movement, launched in 1971 by then Commissioner of Education Sidney Marland, gained substantial support as a much-sought-after transition program. Yet this program has been least successful in the secondary schools, precisely where a transition program ought to have its greatest impact. The reason for its failure is, I believe, clear. The "Transition" argument is based on assumptions that no longer hold. It assumes that the life of young adults is to be some combination of formal schooling and jobs in the private sector. When many young people are unemployed and out-of-school it is assumed that better transitions are needed. Yet ten years of Career Education seems to have made no significant impact (and the problems and ineffectiveness of

CETA and Job Corps are legion). Perhaps it is time to recognize that formal schooling and private sector jobs are inadequate as developmental institutions for the young. Inadequate in three ways: first, formal schooling has severe limitations as a total care institution; second, the private sector simply does not have ample jobs for all young adults; and thirdly, there is no reason to believe that private sector employment is anywhere near compatible with the developmental needs of young adults, even if jobs were plentiful.

Therefore, I recommend we begin to think of youth programs that are neither formal schooling nor private sector employment. The idea is not new; as mentioned earlier, in 1910 William James called for an Industrial Army in his eloquent essay "The Moral Equivalent of War." The Civilian Conservation Corps of the New Deal era was probably the first implementation of such an idea in this country. The Peace Corps, Vista, and scores of local programs offer variations on the theme. I believe the Report of the Committee for the Study of National Service, <u>Youth and the Needs of the Nation</u>, is an excellent presentation of the argument for the emergence of new social roles for young adults.

While it seems inappropriate to try to be very specific as to the structural details of such a radical shift in how we raise our young in this country, I do have three strong suggestions.

1. <u>Locally Controlled</u>. I am recommending nothing short of a new addition to our concept of education. Call it what you will -- Youth Service, Community Involvement, Civilian Conservation Corps -- it is to be a normal part of growing up in the United States. Therefore, like the traditional school system it is to be an integrated institution of every community. Its specific form and shape will come from the needs and aspirations of the local community.

2. <u>Separate From the School System</u>. At first glance it seems inordinately sensible that such a youth program simply be plugged into or attached unto the local school systems. Yet, those of us close to schools have reason to suggest otherwise. In short, the schools are already overwhelmed with expectations; school teachers, by self-selection and training tend to be subject matter focused; and the youth programs recommended here are to be integrated into local affairs and action oriented. (As mentioned earlier, contemporary communities are fragmented and relatively inaccessible to the young, and therefore a primary function of this program is to integrate the young into the community.) It is not to be expected that school teachers have such inclinations or skills.

This point cannot be overstated. Schools tend to be future oriented. Curriculum developers, be they school teachers, foundations, or textbook publishers, develop materials on the perceived needs of the society at some future time. This program is to be intensely participatory, designed to meet the present needs of young adults.

Urie Bronfenbrenner has recommended a similar program. He calls it a "Curriculum for Caring." In addressing the structural design for his idea he writes:

> To carry out this curriculum for caring requires experienced adult personnel, thorough training, and close supervision to insure high standards of care and service, since the well-being of vulnerable individuals is often at stake. Who will function in this supervisory role? One fact is clear; it cannot be the teachers in our schools. Not only do many of them lack the necessary experience and skill, but the great majority of them are immensely overburdened. Along with their instructional responsibilities, they are often required to be policemen, bookkeepers, youth recreation leaders, and, in an increasing number of instances, substitute parents. To find qualified implementers for curriculum for caring, we shall, therefore, have to look outside the school to those members of the larger society who are experienced in this regard -- parents whose children have grown, senior citizens, and the many single persons for whom caring has been a life long hobby (Bronfenbrenner, 1979:60).

3. Federal Models. While the nation does not lack for isolated models of effective community-involvement programs for young adults, these models do need to be highlighted and promulgated. The primary reason for this need is that the traditional idea of formal school giving way only to a job is so much a part of our conventional wisdom. Breaking that model will be difficult, and the federal government has more forums from which to encourage the concept and assist in the implementation.

4. Funding. Ultimately this program should be funded as are the public schools -- local funds augmented with state and federal monies. However, given the nature of local funding sources and the traditional way of conceptualizing education it seems unlikely that the initial thrust can come from local funding sources. Therefore, I recommend that the federal government provide seed funds for model programs with the long-term view of having these programs integrated into local community youth care programs and funding processes.

CONCLUSION

The director of a small alternative school for teenage boys in trouble told me recently, "We are in the dark ages working with these kids." Yes, there is truth in that. There is much we don't know about the ecology of human development, especially when we are limited to more or less passive school-like settings. But I believe the director's statement is essentially misleading -- there is much that we do know about creating environments that maximize the opportunities for human development. Much of it is relatively simple -- it has to do with attachment, support, meaningful joint activities, tolerance, patience, affection, and joyful settings. We lack not the knowledge, but the will. Many of the present "treatment" and "rehabilitation" activities that fail to show positive results under sophisticated research evaluations, are solidly grounded in both theory and intuition. But the process by which many of them are implemented is hopeless. Serious efforts to provide enriched environments for youth, especially those emotionally scarred, have to do with long-term integrated arrangements, consistency, and continuity amid a network of supportive relationships. All too often treatments are short-term, disjointed, inconsistent, and carried out in relative isolation. It is our processes that remain in the dark ages, not our knowledge base of human development. We structure interventions on false assumptions. We see the unacceptable behavior of our young as signs that they need to be fixed ("treated") and returned to their normal environment. Yet many of our short-term "treatment" ideas, rather than being abandoned as ineffective, need to be built into our culture. That is what it means to take our young seriously.

Bronfenbrenner writes:

> Learning and development are facilitated by the participation of the developing person in progressively and more complex patterns of reciprocal activity with someone with whom that person has developed a strong and enduring emotional attachment and when the balance of power gradually shifts in favor of the developing person (Bronfenbrenner, 1979:10).

How many of our educational or treatment or rehabilitation efforts can even begin to meet those conditions? It is not that alternative schools and forestry camps and street workers are incompatible with Bronfenbrenner's criteria. It is that our implementation is based on a model of short term treatment, whereas the need of young people for healthy environments is a long term proposition.

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On Schools:

I chose not to list references for my thoughts on the philosophies,
practices and problems of secondary schools. From 1960-1968 I
taught at Bellevue High School in Bellevue, Washington. From 1970-
1981 I have been training secondary school teachers at the Univer-
sity of Massachusetts, and have been intensely involved in in-service

work in secondary schools throughout New England. It has become
virtually impossible for me to identify the sources of my ideas
about secondary schooling. I do know, however, that I am partic-
ularly indebted to the writing of Paul Goodman and Edgar Z.
Friedenberg. They have persistently stretched my thinking and
have helped me to make sense out of my experiences.

Interviews:

During December 1980, and January and early February 1981 I inter-
viewed two dozen people who work within the juvenile justice system.
While they are not responsible for the viewpoints expressed in this
paper, they did help to shape my thinking.

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