

REFORM SCHOOL REFORM
THE NATURE OF CHANGE IN A SOCIAL POLICY BIOGRAPHY

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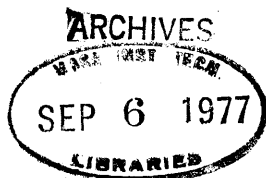
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ABSTRACT

This study considers the role of social reform movements in the long term development of social policy. The objective is to offer a socially-based, developmental frame of reference for analysing changes in social policy. The analysis is drawn from a single case history which covers the development of youth corrections policy in the Commonwealth of Massachusetts over an one hundred and fifty year period beginning in 1826 with the opening of the Boston House of Reformation and concluding in 1972 with the closing of the state training schools. The annual reports of the state institutions and administrative bodies provides the primary data for the study. This evidence is augmented by an assortment of secondary references and personal interviews.

The study is divided into four sections. The first section presents the case history. The development of the Boston House of Reformation, the Massachusetts State Reform School for Boys, the Lyman School for Boys, the Boston Juvenile Court, the Judge Baker Foundation, the Roxbury Special Youth Project and the "deinstitutionalization" of the Department of Youth Services is presented in review form.

The second section of the study provides the first level of analysis. The case history is re-considered as a sequence of seven

ideal programs: The asylum program, the supervised placement program, the vocational education program, the child protection program, the child guidance program, the community prevention program and the community-based services program. Each of the programs are compared in terms of four categories: structural forms, practice traditions, theory traditions and authority forms.

The third section considers the mechanics by which one program has changed into another. The vision of change suggested here reveals policy program changes to be the result of social reform movements that arise to diffuse new program concepts across social service and geographic areas. These social reform movements help to shape the way in which social problems are defined as well as the character of the programs that are advocated as effective responses.

Section four considers the long term dynamics of social policy change. The periodic emergence of specific social reform movements is seen as the result of broader general social movements on-going in the social structure and on-going developmental processes within the specific social policy area.

The study concludes with a summary of the frame of analysis and an assesment of its value.

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PREFACE

This study has been conducted largely for myself and my friends. For me it has been a test; for them, it is offered as a gift of support. In it I have tried to use commonly accepted social science concepts and frames of analysis to consider questions that I felt were important to the community of professionals in Boston who are currently struggling to alter social and economic inequities and injustices.

I have attempted to consider social reform and social policy as the means to those ends. All the while that I have struggled to stay true to the history of youth corrections, I have also attempted to stay close to the issues that have arisen among us during the past three years. The Boston community I have lived in during this period has been a relatively quiet and reflective place. The ideals, rhetoric and action of the 1960's have been abandoned and eroded. New progressive ideas are rare and the sense of common purpose has been fragmented among professional positions. The young people who appear in my classes are sensitive, but dubious and docile. We who are older are confronted by the dilemmas of making a living and remaining true to commitments seemingly anachronistic. We seek in social reform and the manipulation of social policy the principles we once sought on the campuses and in the streets. We remain skeptical that social reform and social policy offer effective avenues for the visions we still hold. I have not resolved that questioning here. Rather, I have tried in this work to remind us of those earlier Massachusetts activists who struggled with these same dilemmas, and to review the effects of their efforts. In this reflection, I have sought

to bridge the gap between the principles of their past and the challenge of our future.

The study grew out of research originally conducted for the Juvenile Justice Standards Project. For this I thank Judith Areen of Georgetown University and the Institute for Judicial Administration. Further funding, office space and research support were made available through a graduate fellowship at the Joint Center for Urban Studies. I am grateful to Peter Leavitt and Anne Aubrey Brown of the Joint Center for their help. I particularly wish to thank Sara Jane Woodward for final typing and editing.

Because so much of this study relied on library research, there are innumerable staff librarians to whom I owe special thanks. In particular I am grateful to the staff at the Massachusetts State Library, the Boston Public Library, the Harvard Law Library, Widener and Houghton Libraries and the Boston College Social Work Library.

In order to piece together the various stories which went into the case history, I interviewed a wide range of people. Those most critical to the quality of the history include Joseph Leavey, Robert Brown, Carmen Pizzuto, Joseph Zabriski, Arnold Schucter and Yitzak Bakal, all of whom were or are members of the Department of Youth Services; Walter Miller and Alden Miller of Harvard's Center for Criminal Justice; Eliot Sands, of the Probation Commission; Anne Steavor of the Judge Baker Guidance Center; Marendra Prentis, previously of the Massachusetts Conference on Social Welfare; and Rachel Deering of Westborough. For both his aid in re-constructing the story and his kindly and extensive encouragement, I owe much to Benedict Alper of Boston College. Both Barbara Brenzel and

John Wirkkala read many drafts and offered valuable criticism and needed encouragement. Jon Pynoos and Carl Sussman also read several drafts. They, like others of my friends, endured my stresses and continually offered support and affection. Several members of the faculty at M.I.T. followed my work, reviewed it and offered me memorable guidance. In particular I thank Martin Rein, Donald Schon, Aaron Fleisher, Lisa Peattie and Gary Marx. Finally, I owe the greatest debt for both endurance and warm companionship to Barbara Beelar.

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INTRODUCTION

1. On a crisp winter morning in January, 1972, the Massachusetts Commissioner of Youth Services, Jerome Miller, closed the Lyman School for Boys, the nation's oldest state reform school. Amid the whirling cameras of the national news media and in defiance of the reform school staff, Miller evacuated the boy inmates and drove off with them in a long cortege of cars toward a future without incarceration. Symbolically the event signalled across the states that Massachusetts had set out in earnest to close its institutions for delinquent youth and rely, instead, on community homes and non-residential services. In so doing, the Commonwealth placed itself squarely at the vanguard of "deinstitutionalization," the latest reform in youth corrections policy.

Deinstitutionalization, or the process of closing down large custodial social service institutions and substituting other modes of service delivery, has in the past ten years become a fashionable objective in social policy. It derives its support from a common sense among practitioners and theorists that institutional treatment has not and can not satisfactorily respond to the needs of deviant and dependent people. There is an irony in this deinstitutionalization. The institutions which it intends closing were once advocated as the preferred response to the problems of behavioral deviance and social dependency. They are now seen as the treatment of last resort.

Today the antiquated structures of the Lyman School stand mostly vacant and deserted upon a pastoral hill near the quiet village of Westborough. The brick cottages and white farmhouses stand like cemetery monuments to an idea--a state policy which once caught the imagination of social reformers, but today no longer seems relevant. Both the establishment of the Lyman School and its closing were the results of vigorous campaigns to reform the ways in which Massachusetts citizens dealt with their wayward and delinquent children. There is a story in those old buildings and it is a tale that has much to tell of the life and death of a social policy.

This is a study of social reform. It considers social reform because, in the eyes of this author, the capacity for reform has been a primary factor in this nation's ability to cope with social and economic change. Social reform has been a key mechanism in the maintenance of economic and technological progress. State reform has stood as a governor over the accumulation of the energy of dissent, several times forestalling the possibility of serious political upheaval. Whether one views this remarkable quality of reform as a virtue or an incumbrance depends on how one views the direction of social reform.

The direction of social reform is revealed in the social policies it generates. Social reform and social policy are intimately linked. Current social policy is an expression of the history of social reform; it always bears the scars of its development. The manner and character of social policy is largely dependent upon the successes and failures of the social reforms which have shaped its biography. This study is an analysis into the nature of social reform as it appears in the history of social policy in Massachusetts youth corrections.

A reasonable understanding of social reform in youth corrections policy or any other program, policy or organization requires an appropriate frame of reference. The directions of social reform are the result of many factors. Social and economic forces, changes in social values, attitudes or knowledge, the development of new technologies or practices, changes in inter-organizational relationships or characteristics of participants, and the emergence of new and influential leaders all play important roles in determining the character of social reform. The difficulty in explaining reform lies in identifying these various factors and in developing a frame of analysis for classifying and relating them. This task is made all the more difficult because, at this time, there is no well-recognized theory of social reform. Nor is there a systematic framework for developing a taxonomy of social reform elements. Few studies address social reform directly as a subject of study and those that do all too frequently cover the subject in a descriptive, episodic and atheoretical fashion.

2. The social sciences offer no one discipline which claims social reform as a category. Instead, the term appears sporadically in the literature of sociology and public administration. Much of this appears in discussions of the more comprehensive terms of social, political or organizational change. These broader considerations of change offer potential approaches to an analysis of social reform. For instance, there are numerous studies, essays and theoretical analyses concerned with organizational change. Much of the empirical work done by organizational analysts has focused upon the social-psychological adaptation of groups in order to achieve organizational effectiveness. Many of these studies focus

heavily upon the microsystems within organizations and do not consider organizations as objects of study in themselves.¹ The broad directions of organizational change are thus outside their scope.

The same can be said of many of the classic sociological studies of organizational change. The works of Barnard, Gouldner, and Blau, while providing excellent insight into the internal structure of organizations undergoing change, offer little explanation for the external conditions of change, the actual procedures of change or the historical direction of change.² Those works which do focus upon change in organizations frequently take a normative "how to" approach rather than a theoretical approach.³ Much of this work has developed out of studies of private firms and its direct relevance to public services can only be inferred. This focus on private organizations has resulted in a lack of concern for organizational purpose. Public administrations are characteristically established for

¹The classic study is F. J. Roethlisberger and W. J. Dickson, Management and the Worker (Cambridge: Harvard University Press, 1939). Robert Guest's study of the effects of changes in leadership upon factory "morale" and production is an excellent example, as is the Mann and Hoffman study of organizational changes rendered by new technology in a public power plant. See Robert Guest, Organizational Change: The Effect of Successful Leadership (Homewood, Ill.: Irwin-Dorsey, 1962), and Floyd C. Mann and L. R. Hoffman, Automation and the Worker: A Study of Social Change in Power Plants (New York: Holt, Rinehart and Winston, 1960).

²See Chester I. Barnard, The Functions of the Executive (Cambridge: Harvard University Press, 1938); Alvin W. Gouldner, Patterns of Industrial Democracy (Chicago: University of Chicago Press, 1954); and Peter M. Blau, The Dynamics of Bureaucracy (Chicago: University of Chicago Press, 1955).

³Chris Argyris builds his insights upon case studies of organizations undergoing change, but he remains primarily pragmatic. See Chris Argyris, Organizations and Innovations (Homestead, Ill.: R. D. Irwin, 1965). Other authors offer primarily textbooks useful for training managers. See Robert T. Golembicwski, Renewing Organizations: A Laboratory Approach to Planned Change (Itasca, Ill.: F. E. Peacock Press, 1972).

purposes defined outside the organizations. Social, rather than private, purposes are often multiple, complex, ambiguous and readily vulnerable to frequent changes.

The study of social change among sociologists originates with the early founders of the discipline. The general direction of history and its meaning were central concerns of nineteenth century theorists. Optimists such as August Comte, the apostle of the Enlightenment, and Herbert Spencer, the evolutionary Evangelist, saw the course of social change and history as a linear ascent to higher orders of human existence. In contrast, the conservative, Oswald Spengler, and the neo-Machiavellian, Vilfredo Pareto, viewed the trends of history as a cyclical revolution of events in which fundamental conditions either did not change or worsened.

Recognizing these tensions within sociology's grand theories, Max Weber attempted to construct an integrated synthesis.⁵ Weber described a cyclical sequence in which old social orders collapse and charismatic leaders arise to establish new orders which become routinized and likewise collapse in time. But this cyclical nature of social development was countered by a secular cultural development in which rationality and its bureaucratic forms were continually evolving.

While the empirical literature of organizational theory is too limited in scope and theory, the grand theories of sociology are too broad

⁴One theorist who has tried to integrate the internal functioning of public organizations with their external environment through the concept of goals has been Philip Selznick. See his T.V.A. and the Grass Roots (Berkeley: University of California Press, 1949). For a concise statement of the theory, see "Foundations of the Theory of Organizations," American Sociological Review, 13:25-30 (1948).

⁵The clearest statements lay in Weber's The Theory of Social and Economic Organization (New York: Oxford University Press, 1947).

and speculative. What is needed is study more associated with the middle range. The finely developed categories of organizational analysis serve as an excellent model, but the temporal perspective must be developed in order to capture the direction of social reform. Reforms in American social policy take place in a highly organized society. An analysis of social reform should take into account the empirically based knowledge of how organizations actually function. Specific organizational referents are needed to ground the analysis in concrete case material.

3. Such grounding is available in the literature of history. Historians often address social reform as a subject of study. Typically, such studies have focused upon the reform of something such as a policy, institution or practice. Among these studies there appear three different approaches to the history of reform.

First there is the reform period perspective. David Rothman's study of the nineteenth century rise of the institution belongs to this class, as do the various studies of the Progressive period by Richard Hofstadter, Clarke Chambers and George Mowry.⁶ Such studies envision the ideal course of history as segmented into periods of active reform interspersed by periods of stagnation. Reform periods are identified by the temporal clustering of many reforms of things. Such periods are often

⁶See David J. Rothman, The Discovery of the Asylum: Social Order and Disorder in the New Republic (Boston: Little, Brown, 1971); Richard Hofstadter, The Age of Reform: From Bryan to F.D.R. (New York: Random House, 1955); Clarke A. Chambers, Seedtime of Reform: Social Service and Social Actions 1918-1933 (Minneapolis: University of Minnesota Press, 1963); and George E. Mowry, The California Progressives (Berkeley: University of California Press, 1952).

explained by reference to underlying economic, demographic or cultural conditions. Yet seldom are these connections specifically developed. No attempt is made to test the assumptions developed to explain one reform period against the conditions underlying the next.

A second orientation towards reform focuses on reformers themselves. Levine's study of different individuals' perspectives on reform in the Progressive period is a good example.⁷ Mann's study of reform leaders in post Civil War Boston is another case.⁸ In this view reform results from the unique interaction of charismatic individuals and social conditions each imprinting its special character on the other. The success of reform and its particular character depend significantly upon the competence and vision of the individuals who assume leadership roles. The theory underlying these works is only implied. No categories are established and causation remains vague. The relationship between men and conditions appears serendipitous and reforms without leadership appear impossible.

Finally, there is the spirit of reform vision. This approach focuses upon reform spirits, tempers or climates. The best example is Arthur Schlesinger's study of the American reform impulse.⁹ An impulse toward reform is considered a part of the collective unconscious of a people. Schlesinger views this spirit as a latent energy reserve in America

⁷Daniel Levine, Varieties of Reform Thought (Madison: State Historical Society of Wisconsin, 1964).

⁸Arthur Mann, Yankee Reformers in an Urban Age (Cambridge: Harvard University Press, 1954).

⁹See Arthur M. Schlesinger, Sr., The American as Reformer (Cambridge: Harvard University Press, 1950).

most commonly tapped during periods of crisis. Yet, lyrical and lovely as such concepts appear, they are developed no further than the metaphor. No attempt is made to locate reform spirits in the norms or values of society or within the psychological recesses of the individual mind. Causal conditions are alluded to, but no testable theory is developed. Reform spirits appear as driving forces of reform as well as their own cause.

Each of these approaches implies a different frame of analysis. None of them clearly states its theory. Drawing theory from them is difficult. Their analytical underpinnings are formulated too loosely, couched in language too diverse and noncomparable and addressed to too many different historical problems. Yet the historical approach does provide the concrete data upon which a framework can be constructed. Any of these studies provides a case study, or rather, a case history which could serve as evidence. Such case histories provide an important resource in developing a way of seeing the social reform of social policy.

4. The first section of this study covers the construction of such a case history. The case centers on the development of youth corrections policy in Massachusetts. The history covers a period of some one hundred and fifty years beginning with the earliest attempts by the citizens of Boston to establish a public policy towards delinquents and culminating in the Commonwealth's recent community-based corrections policy. The case covers developments in private as well as public charities, courts as well as corrections, mental health as well as education, community organizing as well as residential services, and other states as well as Massachusetts.

But these subjects are included only because they explicate the case. The focus remains on the development of Massachusetts youth corrections policy. The case history covers the histories of several youth correcting institutions which have appeared and disappeared over this period. But this history is not bound to these specific institutions. The case centers upon the continuing evolution of a social policy: youth corrections policy. As such it fits among a wide collection of studies focused upon the history of social policy in mental health, physical health, adult and youth corrections, welfare and education.

Until recently much of the history of social policy has assumed an orthodox interpretation viewing the continuous changes in policy as a steady march of progress and humanitarianism in the care of deviant and dependent people. Henry Hurd's monumental study of the rise of institutions in the treatment of the insane equates the institution with the great medical and psychiatric improvements of the nineteenth century.¹⁰ Not surprisingly, the American Psychiatric Association, in its centennial history, also views the development of mental health policy as a continuous road of progress.¹¹ Both Orlando Lewis and Blake McKelvey are critical in their studies of the rise of the prison in adult corrections, yet both regard the development of the prison and penitentiary and their treatment

¹⁰ Henry M. Hurd, The Institutional Care of the Insane in the United States and Canada, 4 vols. (Baltimore: Johns Hopkins Press, 1916).

¹¹ See One Hundred Years of American Psychiatry, ed. J. K. Hall et al. (New York: American Psychiatric Association, 1944). For a somewhat more critical appraisal, see Albert Deutsch, The Mentally Ill in America: A History of their Care and Treatment from Colonial Times (Garden City, N.Y.: Doubleday, Doran, 1937).

plans as humane and progressive ventures.¹² This same sense of progressive improvement is noted in Homer Folks' classic study of the care and treatment of neglected and delinquent youth and the two early histories of the juvenile court.¹³

Such simple interpretations of social history fit American orthodoxy better than historical facts. Most mental asylums, prisons, almshouses and reform schools deteriorated into fairly oppressive and inhumane custodial centers within a few decades of their founding.¹⁴ The various laws and administrative regulations which accumulated over the nineteenth and early twentieth century increasingly came to reduce the civil liberties and self-determination of those identified as deviant or dependent.¹⁵ Over this same period the role of the family and community in social melioration was continually eroded as state and professional bureaucracies increasingly assumed dominance in these areas.

Seldom do these studies explicate the mechanics by which progress produces change in the policies under consideration. Social policy reform is assumed to occur because legislatures pass laws, old administrators

¹² See Orlando F. Lewis, The Development of American Prisons and Prison Customs: 1776-1845 (Albany: New York Prison Association, 1922), and the broader survey in Blake McKelvey, American Prisons: A Study in American Social History Prior to 1915 (Chicago: University of Chicago Press, 1936).

¹³ Homer Folks, The Care of Destitute, Neglected and Delinquent Children (Albany: The Charities Review, 1900). Orthodox histories of the juvenile court can be found in Timothy D. Hurley, The Origins of the Juvenile Court Law (Chicago: Chicago Visitation and Aid Society, 1907), and Herbert H. Lou, Juvenile Courts in the United States (Chapel Hill: University of North Carolina Press, 1927).

¹⁴ See Rothman, chap. 10.

¹⁵ See Nicholas N. Kittrie, The Right to be Different: Deviance and Enforced Therapy (Baltimore: Johns Hopkins Press, 1971).

become more competent, new administrators are appointed or new challenges are posed by social and economic transformations. New ideas appear to spring into policy without historical roots. In general, these studies fail to explain how particular policies are selected as more progressive than their alternatives and fail to specify the historical or current criteria of progress and humanitarianism.

A second approach to social policy history appears in the rewriting of the orthodox interpretations. Such revisionists as David Rothman, Clarke Chambers and Roy Lubove have attempted to retell the reform period story without the assumption of humanitarian progress.¹⁶ Yet with the exception of this major ideological difference, revisionist social policy history shares many of the problems of orthodox history. The studies are long on historical facts and speculative interpretation and short on theory. For example, David Rothman, in considering the establishment of the institutions, refers to the "discovery of the asylum," "the age of the asylum," and a "cult of the asylum," but he never develops these metaphors into a theory. Revisionist historians, like orthodox historians, assume consensus and unity. The agents of action for Rothman are typically "Americans" or "early nineteenth century society." He writes of "movements," "cults" and "reformers," but never differentiates actors by class, race or sex.

The implementation of change is seldom developed in revisionist writing and the causes or forces of change remain sketchy in their

¹⁶See Rothman, 1971; Chambers, 1963; Roy Lubove, The Professional Altruist: The Emergence of Social Work as a Career, 1880-1930 (Cambridge: Harvard University Press, 1965), and The Progressives and the Slums: Tenement House Reform in New York City, 1890-1917 (Pittsburgh: University of Pittsburgh Press, 1962).

functioning. Again Rothman's study serves as example. The forces of change which set the stage for the rise of the asylum are the "social, intellectual and economic changes that differentiated the states of the new republic from the several colonies." These forces prompted "Americans" to "rethink inherited procedures and devise new methods to replace old ones."¹⁷ The motivation for these Americans was their sense of loss and their sense of hope. They observed the loss of the social order and stability of colonial society.¹⁸ They dreamed of constructing new institutions that would re-establish community stability and order.¹⁹

The asylum was to fulfill a dual purpose for its innovators. It would rehabilitate inmates, and then, by virtue of its success, set an example of right action for a larger society. . . . The well ordered asylum would exemplify the proper principles of social organization and thus insure the safety of the republic and promote its glory.²⁰

In its simplest form, Americans, under the stress of socio-historical change, are seen as driven by loss and hope to redesign institutional arrangements in order to care for deviants and dependents and insure social order and tranquility. Yet the social reformers who opened the institutions were not the general public, but a select group of well-educated, wealthy East Coast Protestants. Not all Americans felt the same loss of hope nor feared the same social instability. Nor were the social and economic changes of

¹⁷Rothman, 1971, p. 57.

¹⁸"Under the influence of demographic, economic and intellectual developments they [Americans] perceived that the traditional mechanisms of social control were obsolete." Rothman, 1971, p. 58.

¹⁹"To comprehend and control abnormal behavior promised to be the first step in establishing a new system for stabilizing the community, for binding citizens together." Rothman, 1971, pp. 58-59.

²⁰Rothman, 1971, p. xix.

the time some inevitable original cause. The production of the economic surpluses upon which these private philanthropists depended resulted in the very social instability and ethnic immigration they so feared.

The revisionist interpretation of social policy history takes only a half step away from orthodoxy. In the past two decades, a third historiographic approach has emerged which in most every way confronts and challenges the previous interpretations. Variouslly labeled, this approach focuses upon social control as the motivator of social policy reform. The works of Clifford Griffen, Frances Fox Piven and Richard Cloward, Michael Katz and Anthony Platt all provide examples of this approach.²¹ The common vision underlying this approach sees American society as divided among competing classes and groups. Inequality exists in the distribution of power and economic resources among these groups. Conflict and threat, not consensus and unity, characterize intergroup relations. The values and actions of individuals arise from class and group interests. Meliorative services and humanitarian benevolence are masks covering economic self-interest. Piven and Cloward see the history of poor relief and welfare as functionally linked to the threat of civil disorder among the lower class. Michael Katz sees the rise of the public school as a middle (and upper) class effort to convert a potentially threatening immigrant population into a docile labor force.

²¹ See Clifford Griffen, Their Brothers' Keepers: Moral Stewardship in the United States, 1800-1865 (New Brunswick: Rutgers University Press, 1960); Frances Fox Piven and Richard Cloward, Regulating the Poor: The Functions of Public Welfare (New York: Random House, 1971); Michael Katz, The Irony of Early School Reform (Cambridge: Harvard University Press, 1968); Anthony Platt, The Child Savers: The Invention of Delinquency (Chicago: University of Chicago Press, 1969); and Sanford J. Fox, "Juvenile Justice Reform: An Historical Perspective," Stanford Law Review, 22:1187-1239 (June, 1970).

Anthony Platt's interesting account of the origins of the juvenile court provides an excellent example of the social control approach. Platt sets out to debunk the orthodox interpretation of the court's origins. Through the use of the social reaction theory of sociology he shows how the law makers controlled the definition of deviance and delinquency. In analysing the results of the juvenile court law, he considers the social position of those who created the court and "invented" delinquency. He finds three roots of the invention: a middle class concern to control the children of the dangerous classes, the professional strivings of reform school keepers and custodians, and the efforts of a select group of middle class women to achieve careers and meaningful, yet feminine, identities.

There is a level of cynicism and moralism in this analysis and the other social control interpretations that reveals its own crude orthodoxy. Where the traditional interpretations may be too idealistic, the social control approach reduces all ideals to simple socio-economic conditions. While ideology may cover self-interests, it cannot be assumed that all past social reformers were blind to what is now so evident. Nor can it be assumed that earlier social reformers were openly conspiring in their deception and manipulation of the lower class. Social control historians, like orthodox historians, employ current values in evaluating historical events. They assume that reformers knew or should have known what real reforms were necessary and that they intentionally or unintentionally selected the wrong ones.

The reductionism and simplicity of both the orthodox and social control approaches make both interpretations unconvincing. Where the orthodox vision today appears naive, the social control orientation appears

crass and distasteful. Yet the revisionist perspective offers too flimsy an explanatory principle. Somewhere among these approaches and much deeper, one suspects, lies a satisfactory balance in interpreting social policy history.

More integrated, although not necessarily more intensive, approaches appear in the general histories of social welfare. Harold Wilensky and Charles Lebeaux's study is by now a classic.²² They argued that major structural transformations in America, particularly industrialization, urbanization and the rise of capitalism, created a transitional period of social disorganization and family vulnerability that mandated the emergence of state social welfare services. But the development of social service policy has been constrained by the values and assumptions of capitalism.

America's response to the human problems of industrialism represents a constantly moving compromise between the values of security and humanitarianism . . . , on the one hand, and individual initiative and self-reliance in the competitive order on the other.²³

More recent studies such as those of Samuel Mencher, Walter Trattner and Robert Bremner have also tried to link social policy development to the twin processes of structural and ideational transformation.²⁴ In studying both British and American welfare history, Mencher focuses more

²²Harold L. Wilensky and Charles N. Lebeaux, Industrial Society and Social Welfare (New York: Free Press, 1958).

²³Wilensky and Lebeaux, 1958, p. 42.

²⁴Samuel Mencher, Poor Law to Poverty Program: Economic Security Policy in Britain and the United States (Pittsburgh: University of Pittsburgh Press, 1967); Walter I. Trattner, From Poor Law to Welfare State: A Social History of Social Welfare in America (New York: Free Press, 1974); and Robert H. Bremner, From the Depths: The Discovery of Poverty in the United States (New York: New York University Press, 1967).

specifically on the role of ideology, noting distinctions among the liberal, romantic and laissez-faire belief systems which have emerged during the past three centuries. Bremner focuses less on structural conditions and more on the role of philanthropic and social activist efforts in creating the ideological vision upon which responses to poverty were constructed.

While these histories of social welfare offer much insight into the relation between grand forces in the social structure and specific changes in the social services, they offer little insight into the mechanics of these changes. Reforms of social policy appear as unembodied responses to socio-historical transformations. Little attention is paid to the specifics of policy formation or its actual implementation. It is easily assumed that the welfare policies achieved were the welfare policies intended. Like revisionist histories of social policy, these studies do not assume the linear ascent of progress, and like the revisionists they assume much consensus among "Americans" or "reformers" seldom identifying class, sex or race interests.²⁵

Each of these approaches to social policy history liberally intertwines social policy with social reform. Social policies emerge through the processes of social reform. Current social policy is the result of a history of previous policies and a particular product of the reforms which changed one policy into another. Any particular social policy is shaped by a multitude of forces, only one of which is its

²⁵For an analysis of European social welfare history that does look at policy formation and class interests, see Asa Briggs, "The Welfare State in Historical Perspective," European Journal of Sociology, 2:221-258 (1961).

developmental history. This study focuses centrally upon the contributions of this developmental history to social policy content.

A developmental approach to social policy history suggests that policies are not merely reactions to socio-economic conditions. The particular character of social reforms may be shaped by their socio-economic environment, but the resultant policies are formed within the constraints of their own biographies. No social reform, no matter how radical its resultant policy, can ignore the heavy hand of its own continually unfolding history. Yet development need not mean progress, consensus or unity. Nor does it imply conflict or oppression. All that is suggested under the rubric of development is that sequences of change reveal an underlying logic. Between any given social policy and its predecessors lies one or more several understandable social reforms which construct a natural linkage between them.

The case history of Massachusetts youth corrections policy provides the data upon which such an analysis of social reform can be built. It is through this analysis of social reform that I hope to present a means of seeing how social policy changes.

FRAMEWORK OF STUDY

1. Frame of Reference. This study presents a frame of analysis for considering the process of change in social policy. My objective is to describe a particular way of seeing changes in social policy that is modeled upon the metaphor of development. The developmental paradigm is not new. It has a long tradition as an organizing concept in explaining social change in historical analysis.¹ I believe that it has much to offer in considering processes of change in social policy.

I am not presenting a well developed theory, but, rather, a frame of analysis. My grandest aim is to offer a means of viewing social policy change that is rich and highly explanatory. As a frame of analysis in policy studies, the developmental perspective is somewhat unconventional. While I believe that it is a very simple and natural way of viewing the subject, others have found it difficult to grasp, so I will develop it in the following paragraphs as clearly as I can.

I will begin by defining social policy as the aggregate of social responses to social problems. By a social problem I mean a condition interpreted by a large number of people as stressful because it violates some salient norms.² The social reaction to such social problems

¹For a good review see Robert A. Nisbet, Social Change and History: Aspects of the Western Theory of Development (New York: Oxford University Press, 1966).

²Clearly the condition is not a problem until it is so identified. In a seminal article Richard C. Fuller and Richard R. Myers state: "Every

is defined as a social response. It follows that a social response is a form of social action directed toward reducing the stress of a social problem. But social policy is not simply one response to one problem. I mean social policy to include all of the social responses currently in evidence: popular response and not so popular responses. I mean social policy to look and feel like a climate: an atmosphere composed of social problems and social responses. Social policies are less gadgets we can handle than "worlds" we live inside of.

The concept of change is commonly understood, but difficult to define. Out of the various competing definitions, I have selected Robert Nisbet's simple but elegant statement: "change is defined as a succession of differences over time in a persisting identity."³ In order to make use of this definition I will equate social policy with "a persisting identity." Thus, social policy is seen as a persisting phenomenon across which differences flow. It is in this sense that social policy is seen as a continuous climate. It is a climate through which storms of change flow. The meteorological metaphor is useful here because climates are typically something we are only mildly aware of until they change, until storms pass through them. I have in mind the same image of social policy. We are only

social problem thus consists of an objective condition and a subjective definition . . . The objective condition is necessary but not in itself sufficient to constitute a social problem. . . . Social problems are what people think they are." See their "The Natural History of a Social Problem," American Sociological Review, 6:320-328 (June, 1941), p. 320. This conception is much more relativistic than earlier definitions of social problems which assumed that the conditions themselves were the problems. Such definitions assumed a consensual society. See C. Wright Mills, "The Professional Ideology of Social Pathologists," American Journal of Sociology, 49:165-180 (September, 1943).

³Nisbet, 1966, p. 168.

vaguely aware of the social policy climate in which we live and work, but we are easily disturbed by changes in it.

Like the meteorological atmosphere, every period of the history of a social policy climate has a particular character. These states of the climate may be called social policy programs of response. A program of response is a particular aggregate of social responses which for a time exist as the dominant social policy. Each period during the history of social policy may be characterized by a unique way of seeing social problems and an equally unique way of responding to them. These unique patterns are the programs of response. We often see these with the clarity of historical reflection. The almshouse was a unique program for responding to the problem of economic dependency during much of the nineteenth century. Prohibition was a unique response to the problem of excessive alcohol consumption during this century.

At a given moment in the history of a social policy there may be evidence of several different, often competing programs of response. Old patterns of response may be waning at the same time that new patterns are arising. Except during particular periods of transition, it is normally possible to view one of the several programs as dominant. By program dominance, I mean that a large number of people view the particular program as the most legitimate response to a particular problem. Often program dominance is confirmed by public decision makers who decide that a given program is the official policy of the state, and that decision in itself recognizes dominance.

Dominance among programs of response changes over time. The long history of a social policy will often demonstrate the ascent and descent of

a sequence of programs into policy dominance. For instance, educational historians note how the vocational education programs of the 1880's were replaced by the progressive programs of the 1920's, which were replaced by the post-Sputnik scientific programs of the 1960's as the dominant educational policy of many school districts. Like storms in the atmosphere, programs of response periodically sweep through social policy climates causing much disturbance and leaving behind much that has changed.

Change in social policy, however, does not mean simply that new knowledge and new techniques are added. Almost as often, change means that old knowledge and old techniques must be discarded. The old idea may be disproven or replaced by a new set of ideas that explain more. The old practice may be found ineffective, or harmful, or simply may be superseded by something that works better. Change in social policy implies improvement. New, more relevant programs are adopted, while older, less relevant programs are dismissed.

Social policy, thus, results from a periodic process whereby new programs of response are propelled into dominance and replace past programs. The process by which one program replaces another is called social reform. For purposes here, social reform is defined as a sub-type of change in which social action is directed toward improving social policy by advancing new programs into policy dominance. The social action component of social reform is the social reform movement. Put more simply, new programs of response are propelled to policy dominance by social reform movements. This is not an uncommon notion. We frequently speak of social reform movements effecting policy change. For instance, the temperance movement is said to have achieved prohibition and the civil rights movement is noted for the desegregation of the schools.

While not all changes of social policy can be characterized as resulting from social reform movements, many can, and those that can are characterized by a particular pattern of activity that is necessitated by the mechanisms of organizing social movements. Social reform movements both guide and constrain the development of new programs of response. Movements are necessary to mobilize the participation required to advance new programs. As the movement achieves success and its program achieves dominance, both the movement and the program are transformed. The movement is institutionalized and the program is implemented. This transformation has profound effects on the development of the program.

Social reform movements arise on a periodic basis. Programs of response endure a common life cycle. Born in the enthusiasm associated with innovation and newness, programs soon reveal a wide discrepancy between performance and expectations that eventually leads to diminished support and a general discontent. The stage is set for a new social reform movement. But the origins of social reform in social policy do not arise from endogenous conditions of the programs of response alone. Often programs of response will fall into popular disrepute long before new programs supersede their dominance. Larger social and economic transformations of the general social structure heavily determine both the timing of new social reform movements and the content of new programs of response. General social movements that arise among national and international populations frequently provide the conducive environment for the emergence of particular social reform movements. Thus, the Crusade for Social Justice at the turn of the century was the medium in which the movement to establish the juvenile court and the movement to curtail abusive child labor practices were sprouted.

All of this, I am suggesting, fits within a developmental perspective. The developmental metaphor not only suggests that social policy change exhibits certain continuous and necessary characteristics, it also suggests that there is some long term cumulative pattern by which social policy maintains and perhaps improves its persisting identity. We do learn from the past. Techniques are improved and structures are made more efficient. Yet such progress may not be fundamental. While we are better able to respond to social problems, our understanding of these problems and the relationship between problems and responses requires significantly more development.

2. Scope of the Study. This study derives its foundations from one major case history: the history of youth corrections policy in Massachusetts. No doubt the study could be enriched by the inclusion of other policy histories, in other locations.⁴ Certainly, there is much room for additional study, especially in testing the framework produced here.

The study is constructed upon an analysis of the content of Massachusetts youth corrections policy. It might have been possible to build the analysis from existing case material. Instead, I decided that it was important to know one case intimately in order for the analysis to be grounded as closely as possible in personal experience and personal interpretations. Because of the need to both narrate a case and present an analysis, this decision resulted in a study overly long in its text.

⁴The case history focuses almost entirely on youth corrections for boys. A parallel study of nineteenth century Massachusetts policy toward girls is currently in process. See Barbara M. Brenzel's forthcoming dissertation, Graduate School of Education, Harvard University.

The history of Massachusetts youth corrections policy is unique largely because of the leadership the Commonwealth has demonstrated in social policy innovations. Much concerning this uniqueness will be explored in the analysis. Yet this uniqueness does not appear to be so bold or exotic as to render the case unrepresentative in terms of a study of social reform. The study has been undertaken as a means of analyzing social policy development. Throughout the study the focus is on the single case, but in the shadows rests a more general problem: the problem of how the public creates social policy; how, in particular, are social problems, social responses and social groups linked together in the policy-making process. The findings here are most likely not generalizable to all social policy formation. The term social policy in common use covers a wide range of policy considerations from distributive justice through meliorative support for the disadvantaged. This study considers only one end of the spectrum, the end most commonly spoken of as social service or human service. While the frame of analysis developed here may be applicable to a range of public policy considerations, I only offer the analysis as generalizable to social policy directed toward the care and control of deviant and dependent people.

3. Nature of the Evidence. The history of social policy may be written as a history of intentions or consequences. This difference in approach is significant. In social policy, consequences are frequently much less attractive than the ideals of policy intentions. But, concentrating on consequences alone in order to build critical history and assuming in retrospect that the conditions achieved were the conditions

intended reveals a simply-minded notion of the relation between policy and product. Social policies do express social objectives. The intended and attempted programs of response tell much about the way in which public and private bodies thought about the problems of the day and their position in responding to them. This study will focus on the programs of youth corrections policy in their intended and attempted form.

The primary resources for constructing the case history of Massachusetts youth corrections policy are the annual records of state and local institutions. These records are available for public review at the Massachusetts State Library and various municipal and university libraries.⁵ The records rest on library shelves as discrete collections. Although they are bound in many volumes organized sequentially by year, as a total collection they can be considered as a contemporaneous compendium of data. The subject of the reports varies little over the volumes. Each provides a yearly accounting of the institution's performance under certain policies. This consistency of subject provides a persistent identity which would in some terms make the collection of volumes a "set" of records. The relation among the volumes is clearly developmental over time. No one volume was written or placed on the shelf before its preceding volumes. Each volume does relate to the others within the structure of a historical sequence. But if, for the moment, the historical

⁵The annual reports of the state correctional institutions are available at the state library. The annual reports of the various state boards of oversight and administrative departments are available at the state library and Littauer Library, Harvard University. The annual reports concerning the Boston House of Reformation are included in the Boston Town Records available at the Boston Public Library and Littauer Library. The annual ledgers of the Westborough institution are available at the Schlesinger Library, Radcliffe College.

sequence is ignored and the collection is seen only as a set of records, then it is possible to do a simple comparison of the volumes to study the difference between the records. This comparative analysis forms the initial analysis of the study.

The secondary resources for studying Massachusetts youth correction policy are many and varied. The history of Massachusetts and Boston has long attracted historians. Countless analyses and interpretations are available on the state, its government, its institutions and its people. The recent development of social policy histories frequently focuses on or cites Massachusetts examples. Many of these works are relied upon for direct and background evidence in the analysis. A review of them is provided in the bibliographic appendix.

Finally much of the more recent data has been made available to me through a varied assortment of personal interviews with participants and observers of the events of the past four decades. These oral histories, while never so systematic or analytical as the written histories, were critical in widening the range of perspectives and bringing the chronicle up to date.

4. Units of Analysis. The highly relativistic nature of change causes several problems in attempts to carry out studies. For one, the nature of change, its intensity and, even, its possible causes appears to vary depending upon the categories used in analyzing the events. As noted in the Introduction, various historiographic approaches to the study of social reform have differed in their interpretations in some large part due to the units selected for study. Studying reform periods, reformers

or reform spirits appears to account for serious differences in results. Changes which appear minor in terms of states or nations appear as radical discontinuities when considered in terms of individuals or families concerned. It therefore has been important to be particularly cognizant of the units selected as variables.

The analysis at various points considers three different units of analysis. It opens by considering specific policy states, or programs of response, as the unit of study. In the following sections of the study, both social reform movements and the entire one hundred and fifty years of policy development are considered as analytical units.

Closely related to the units of analysis problem is a levels of analysis problem. Change may be studied simply by exploring temporal differences. Comparing differences over time is adequate for producing evidence of change. Most social policy histories--orthodox, revisionist or social control--are written at this level. Demonstrating change in history provides one level of analysis. Some historians go further. Their interest is also caught by changes in the way change happens. In this form of analysis change is taken as a unit of study itself, and comparative analysis is offered as a means of noting differences in the means or processes of change. A third order of analysis goes beyond changes of change to consider how changes or changes of change affect (or change) history. It was this level of analysis which inspired the grand theorists of nineteenth century sociology. Efforts to find patterns in history or to make the course of historical phenomena meaningful in some comprehensive fashion motivated those early theorists in much the same way as contemporary futurist theorists seek models for prediction and control.⁶

⁶These levels of analysis follow the analytical classification first posed

5. Organization of the Study. The study is designed to consider each of these three levels of analysis. The analysis of the study is separated into three internally dependent sections. Each section assumes a different level of analysis and focuses upon different units of analysis. The first section of the analysis, Section II: The Content of Social Reform, assumes the finest scale. It focuses on the effects that social reform has on social policy. Specifically, what phenomena of Massachusetts youth corrections policy are changed by efforts at social reform? Section III: The Process of Social Reform focuses on social reform as the mechanism that brings about the observed changes in youth corrections policy. The unit of analysis is the social reform process and both the mechanics of policy formation and policy implementation are drawn out in the analysis. In Section IV: The Dynamics of Social Reform, the focus is again shifted to consider the full case history of Massachusetts youth corrections development as the unit of analysis. This section addresses the conditions and changes in the process of social reform over the full one hundred and fifty years of the study.

Before turning to these three analytical sections, the basic data of the study needs to be separately considered. In the section that immediately follows, Section I, the case history of Massachusetts youth corrections policy is presented in chronicle form. The chronicle of events, the biographies of participants, the background of social and

by A. R. Radcliffe-Brown in A Natural Science of Society (Glencoe: Free Press, 1957). See especially pp. 71-89. Radcliffe-Brown separated the analysis of historical phenomena without regard for time, what he called "synchronic" analysis, from analyses of how historical phenomena change, or what he called "diachronic" analysis.

economic conditions all serve to create the story which forms the main body of evidence for the more abstract explorations of the analysis. This story, then, provides the foundation of the study.

SECTION I

A HISTORY OF MASSACHUSETTS YOUTH CORRECTIONS POLICY

1. The Boston House of Reformation. In March of 1826 the Boston Common Council authorized the establishment of the "Boston House of Reformation for the Employment and Reformation of Juvenile Delinquents." This institution was the first public structure in Massachusetts specifically intended to respond to wayward and delinquent youth. With its opening a whole new era of social policy commenced life in Massachusetts. For the next one hundred and fifty years, the Commonwealth would struggle toward and against the reformatory institution as the dominant mode of coping with and caring for juvenile delinquents.

Prior to the opening of the House of Reformation there was no clear or consistent public policy toward delinquency. The colonial villagers and the townspeople of the new Republic responded to their wayward youth much as they did to older deviants. Some were punished and some were provided new homes, but distinctions were vague and the responses were determined more by individual situations and the availability of community resources than by commonly acknowledged policy.

The House of Reformation represented a new approach. Josiah Quincy, the reform-oriented mayor of Boston, and Louis Dwight, the secretary of the Boston Discipline Society, advocated a new institution that would remove children from adult facilities and provide for their

moral reformation.¹ The new institution opened in a wing of the new House of Correction in South Boston. It accepted all of the wayward, stubborn, criminal and neglected youth of Boston referred there by the local magistrates.²

The early success of the House of Reformation is greatly in debt to its first superintendent, Reverend E. M. P. Wells.³ Believing that children were by nature virtuous, Reverend Wells sought through rigorous supervision, kind treatment, friendly advice and strict discipline to encourage each youth to grow in moral virtue. Reverend Wells proved an exceptional superintendent and during his tenure the

¹At the time, adult criminals were incarcerated in either county houses of correction or the Massachusetts State Prison which had been opened at Charlestown in 1805. It was not uncommon for youths under age 14 to be committed to such adult facilities including the State Prison. See Lewis, 1922, p. 74.

²Census data on the House of Reformation is hard to find as the institution did not keep annual records during its early period. Some data can be found in the annual reports of the Boston Prison Discipline Society. For instance, during the year of 1829, the institution had an average annual population of 100 inmates. The average age of this group was 11.8, and 10 per cent of them were female. Between 1826 and 1829 the House of Reformation received 192 youths. Of these, 49 were received as "stubborn and disobedient"; 47, for "larceny and stealing"; 29, as "vagrants and vagabonds"; 11, for "living an idle life"; and 4, for "living a wanton and lascivious life." See Boston Prison Discipline Society, 4th A.R., 1829, pp. 15-17.

³Reverend E. M. P. Wells served as superintendent at the House of Reformation during its first five years from 1827 to 1832. He was an ordained Episcopal minister who, in his youth, had been expelled from Brown College for refusing to testify against a fellow student. Mary Carpenter quoted him as telling her, "However bad a boy may be, he can always be reformed while he is under fifteen years of age, and very often after that age; and he who has been reckoned and treated as incapable of anything like honesty and honor, may be worth the most entire confidence." See Mary Carpenter, Juvenile Delinquents: Their Condition and Treatment (London: W. F. G. Cash, 1853), p. 212.

institution achieved international acclaim.⁴ But Wells was not without local critics. The Boston Common Council grew seriously hostile and twice commenced committee investigations of the institution, claiming that Wells overemphasized academic instruction to the detriment of mechanical and trade skills, and that his entire operation was overly costly and overly showy.⁵ By 1832 Reverend Wells had as much as he desired and, after a final defense, he resigned. The resignation of Wells marked the beginning of deterioration for the House of Reformation. In the years that followed, the institution grew overcrowded and was frequently moved from site to site. Discipline problems became more serious and by 1837 more guards were appointed as escapes were frequent.

Dissatisfied with the provisions of the House of Reformation, Reverend Joseph Tuckerman, Boston's Episcopal Minister to the Poor, and an "association of gentlemen of great respectability" set out in 1832 to establish a private farm school for the "reformation of boys exposed to extraordinary temptations and who were in danger of becoming vicious and dangerous."⁶ Financial problems soon forced the Boston Farm School

⁴ Beaumont and Tocqueville called the House of Reformation "the most original and daring plan of reform" they had yet seen. See Gustave de Beaumont and Alexis de Tocqueville, On the Penitentiary System in the United States and Its Application in France, trans. Francis Lieber (Philadelphia: Carey, Lea and Blanchard, 1833), p. 115. A visit by Charles Dickens in 1842 is reported by Dickens in American Notes (Gloucester, Mass.: Peter Smith, 1968), p. 66.

⁵ Orlando Lewis, in his analysis, observes, "In short, the committee obviously felt that the boys were not earning enough, working enough and were not docile and inconspicuous enough to conform to the standards of training of those days." See Lewis, 1922, p. 307.

⁶ See Lewis, 1922, p. 317. Reverend E. M. P. Wells was among these early planners of the Farm School. For a more personal history see

to merge with the older Boston Asylum for Indigent Boys and, in 1835, the Boston Asylum and Farm School opened in a new structure on Thompson's Island in the Boston Harbor. This private institution was more selective in its admissions and, for many years, served the Boston magistrates as a more desirable place of commitment than the public House of Reformation.

By 1841 it was clear that the House of Reformation was approaching a crisis. Noting that the population of the institution had dropped to 62, that disorder prevailed inside the institution and that the courts and community regarded the institution as little more than a junior prison, the City Council decided to merge the House of Reformation and the Boylston School--the city institution for neglected and orphaned children. Although the Directors of the House of Reformation protested strongly, the City Council stood firm and voted overwhelmingly to merge the two institutions.⁷

The immediate impact of the merger was not as major as predicted. Captain Daniel Chandler was recruited from the Boston Asylum and Farm School as the new superintendent and William R. Lincoln was appointed school teacher. The new mix of delinquent and dependent children softened the institution's jail-like image and, slowly, court commitments once again began to rise. Yet, even so, the House of

Daniel T. McColgan, Joseph Tuckerman: Pioneer in American Social Work (Washington, D.C.: Catholic University Press, 1940).

⁷The Directors argued, "The two classes of children are different: the duty of the City to each is different and the whole establishment should be different." With this final protest they resigned en masse. See Boston, City Council, Reports, City Doc. No. 6, Boston, Mass., 1841.

Reformation never again came close to meeting the reformative ideals of Josiah Quincy and Reverend Wells. Instead, the truly problematic delinquents were sent to adult facilities and those who were committed to the House of Reformation endured a primarily custodial residency.

2. The Massachusetts State Reform School. Much of the resistance concerning the Boston House of Reformation came from prominent Boston citizens who believed that the reformation of juveniles should be a state rather than municipal responsibility.⁸ With the reorganization of the Boston institution in 1841, serious delinquents were thrown back into the State Prison and County Houses of Correction. Thereafter, the pressure increased for the state to provide reformative services for juveniles. In January, 1847, the General Court of the Commonwealth authorized the establishment of the Massachusetts State Reform School for Boys at Westborough, the first such state institution in the nation. The new reform school resulted from the advocacy of several influential Massachusetts men including Louis Dwight, Judge Emory Washburn of Worcester, and Francis G. Shaw, a prominent Norfolk County prosecutor. To this was added two anonymous donations of \$10,000 each from Theodore Lyman, president of the Directors of the Boston Asylum and Farm School. These men envisioned a state institution that would gather up the wayward and delinquent youth of the Commonwealth and re-form them into honest, moral and productive citizens.

⁸Josiah Quincy, A Municipal History of the Town and City of Boston During Two Centuries, 1630-1830 (Boston: Little and Brown, 1852), p. 102. Both New York and Pennsylvania provided state support to their refuges and the Boston Prison Discipline Society had long advocated that Massachusetts follow this lead. See Boston Prison Discipline Society, 4th A.R., 1829, p. 15.

In May the legislature approved the incorporation of the Trustees and in July, the Trustees appointed as first superintendent William R. Lincoln, the man who had previously served as teacher at the Boston House of Reformation. On November 1, 1847, the State Reform School received its first "pupils"--26 boys.

The exclusion of girls from the State Reform School was not to go unchallenged. By 1850 a group of prominent Boston women began agitating for a separate state institution for delinquent girls. While at first the legislature was reluctant to authorize a duplicate institution, this hesitancy was overpowered, and in February of 1855 the Commonwealth authorized a State Industrial School for Girls at Lancaster.⁹

When Judge Emory Washburn delivered the dedication address at Westborough he declared,

It is proposed, by schools like this, to remove those from the reach of temptation, so far as may be, who have been led astray by the undisciplined passions of youth, or the more resistless power of corrupt associates, by educating and training them to useful trades and employments, and thereby giving them the means of acquiring personal independence. . . . Here it is held out, even to the disparate, the gladsome light of home . . . which shall elevate them to the dignity of true manhood.¹⁰

These hopes were more easily voiced than implemented. The State Reform School experienced a tumultuous early history. Superintendents were appointed and released frequently. Commitments rose and fell often

⁹Mass., Acts of 1855, Ch. 18. This study focuses primarily on correctional policy toward boys. For a parallel study of reformatory services for girls in Massachusetts that reveals a somewhat different history, see Brenzel, forthcoming.

¹⁰Emory Washburn, Address at the Dedication of the State Reform School in Westborough, Mass., December 7, 1848 (Boston: Dutton and Wentworth, 1849), p. 16.

and the institution wavered from severe overcrowding to extreme underuse. Figure 1 presents a graph of the annual commitment rates which suggests the relative instability of the institution up to 1885.¹¹

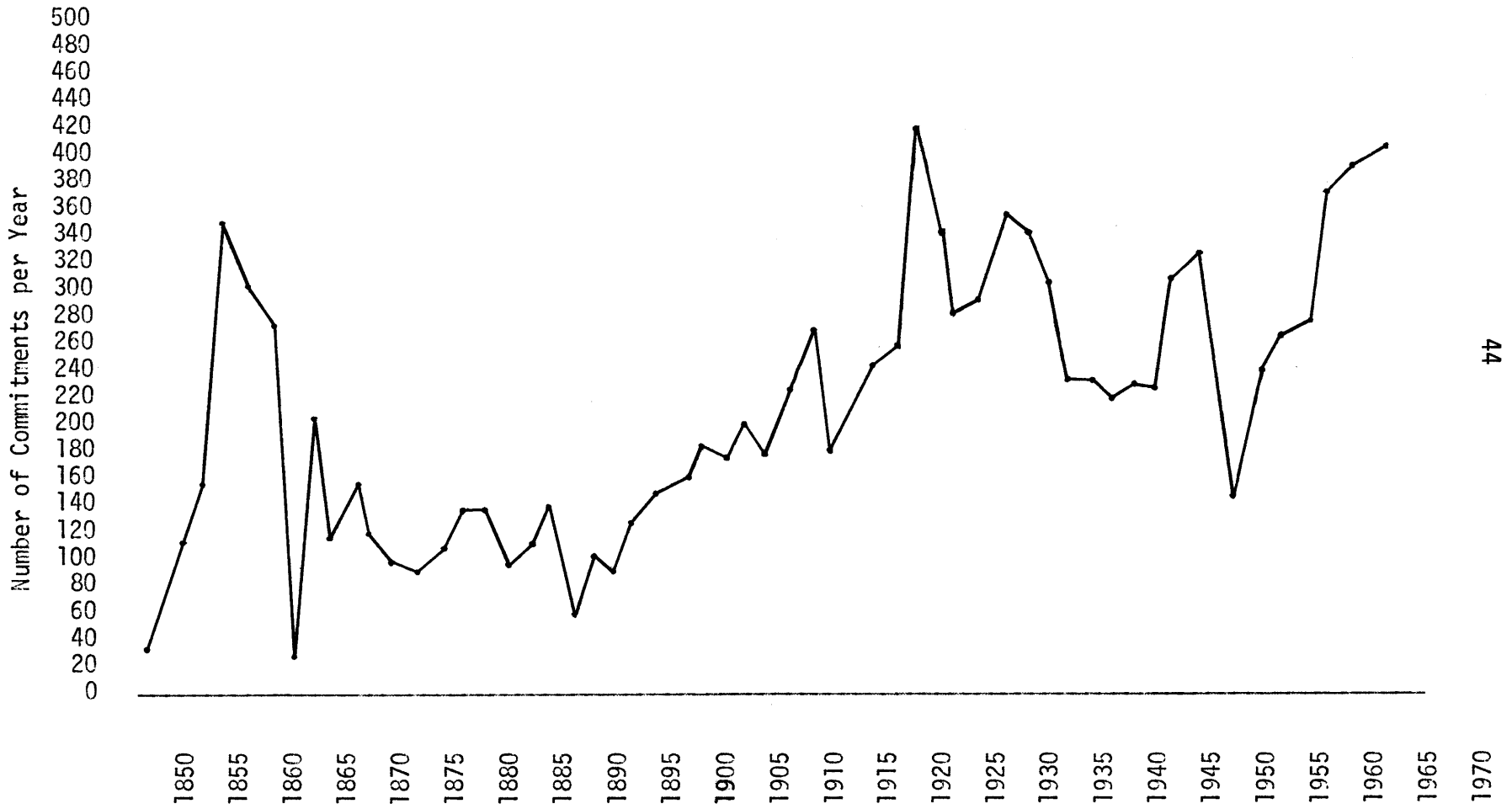
William Lincoln remained superintendent for five years and during his tenure the institution quickly reached capacity and required construction of a new building.¹² A new west wing was completed in 1853, and, while this did alleviate the crowding for a time, the population, now well above the recommended three hundred, continued to increase.¹³ The tensions arising from the overcrowding and the incarceration of so many volatile boys came to a head in 1859 during the administration of Superintendent William Starr. The size, the restlessness due to the Civil War, the budget restrictions and limited staff, the lack of suitable employment and the conditions of sentencing are all offered as reasons for the institution's degeneration. This last was graphically illustrated in 1859. Daniel Creedan, a fifteen year old inmate, who recognized that his alternative sentence to an

¹¹This graph has been developed from the census data found at the conclusion of each of the institution's annual reports. For a discussion of these annual reports see "Bibliography" in this study.

¹²In July of 1849, Theodore Lyman died leaving some \$50,000 as a permanent fund for the institution. When the legislature finally authorized the construction of the new west wing in 1852 its appropriation was inadequate and a large portion of the Lyman legacy was turned over to the construction fund.

¹³By 1858 the annual census had reached 639. In that year 271 boys were committed to Westborough. Of these 271, 65 were foreign-born, with 51 born in Ireland alone. Of the 271, 132 or 48.7 per cent were committed for property crimes (106 for larceny), 136 or 50.2 per cent were committed for what would be today called status offences (stubbornness, vagrancy, idle and disorderly), and 3 or 1.1 per cent for crimes against persons. Of those committed the average age was 13.2 years. See Mass., State Reform School, 11th A.R., 1858, tables.

Figure 1: Annual Commitments to the State Youth Corrections Institution at Westborough



adult prison would require less time than his indeterminate sentence at the reform school, devised a strategy of provocation in hopes that his obnoxious behavior would gain him a remand to the shorter alternative sentence.¹⁴ On August 13, he and five other boys ignited a fire in the ventilation system of the new west wing which quickly spread to the roof and by evening the resulting fire had fully destroyed the new addition.

The fire and the deteriorated conditions of the reform school disturbed many and the continued existence of the institution was even questioned. Alarmed by this threat, the Trustees came to the defense of the reform school with the first comprehensive evaluation of the institution's performance.¹⁵ But this defense proved inadequate. In 1860, a public scandal developed with the revelation that a group of boys had been manacled in dismal, unsanitary cells--called "the lodges"--for long periods of solitary confinement. The fire plus this scandal finally brought the problems of the school to the attention of the public. Serious reforms were necessary. In 1860 William Starr resigned. After a long search, Joseph Allen was selected as the reform superintendent who would attempt to salvage the faltering State Reform School.¹⁶

¹⁴Mass., State Reform School, 12th A.R., 1859, p. 7.

¹⁵In their summary, the Trustees concluded that the institution's problems arose from five causes: "first, the commitment of boys who are too old; second, the alternative sentence; third, the difficulty of finding out the true character of masters who apply for apprentices; fourth, the interference of parents; and fifth, the want of means for a proper classification of boys in the building." See Mass., State Reform School, 12th A.R., 1859, p. 7.

¹⁶Joseph Allen served at Westborough twice: first as superintendent from 1861 to 1867 and then from 1881 to 1885. On both occasions he was

Joseph Allen did much in his early years to bring order and discipline back to the State Reform School. His effort was an uphill battle against unruly pupils, a hostile staff and public sentiment which he noted at the time had "little faith . . . that the school would ever be a success."¹⁷ Allen established a firm but humanitarian discipline and slowly moved the institution toward the cottage model of organization first pioneered at Lancaster. Two cottages had been opened at Westborough in 1860 and Allen sought to use these as incentives for improved behavior by comparing them to conditions at a "well managed boarding school."¹⁸ Yet Allen's control on the institution remained tenuous at best. Increasingly the courts were looking upon the State Reform School with disrespect and a reluctance to commit to it any but the most obnoxious youth. In frustration and discouragement, Joseph Allen resigned in 1867.

3. The Life and Death of the Nautical Reform School. The joint legislative committee that investigated the fire at Westborough in 1859 noted, among the problems leading to the incendiary act, the existence in the reform school population of many older boys who not only were detrimental to the reformation of the younger boys, but who also required

appointed to salvage the institution from its brutal and deteriorated conditions. Allen sought in a firm and just manner to be a model for both his officers and his wards. In regards to confinement he wrote: "If boys never ran away, it would prove that no freedom was allowed; if a great many, that the officers were negligent or the building was insecure. A shrewd officer reads the intentions of the boys in their countenances and actions and counteracts their plans." For an interesting account of his efforts, see his own reminiscences in Joseph A. Allen, Westboro State Reform School: Reminiscences (Boston: Lockwood, Brooks, 1877). The quotation is from p. 37.

¹⁷Quoted in Katz, 1968, p. 199.

¹⁸Mass., State Reform School, 15th A.R., 1861, p. 35.

a vigorous discipline for their own improvement.¹⁹ For several years the idea of establishing a nautical branch of the reform school had been discussed. Suddenly the idea appeared very attractive as a means of segregating the older and younger boys as well as providing the older boys with the more rigorous discipline of nautical life.

The Governor supported legislation which easily won passage in the General Court and a "Nautical Branch of the State Reform School" was established in 1859 to accept boys fifteen years old or older who previously would have been committed to Westborough. Following the pattern of the time, the Governor appointed a commission to locate, purchase and outfit a vessel. A sturdy 649-ton ship, the "Rockwell," was selected and purchased in December and by summer the vessel, now renamed the "Massachusetts," was completed and sailed to Hull Roads in Boston Harbor to await its first inmates. On July 26, 50 boys were transferred from Westborough to the Nautical Branch.²⁰

Joseph Allen, in his efforts to restore order and discipline at Westborough, was all too eager to transfer difficult boys to the Nautical Branch and by 1863 the "Massachusetts" had reached capacity. In 1865 the legislature authorized the purchase of a second larger ship, the "Geo. M. Barnard," which was made ready and available by the summer of 1866. The existence of two ships made it possible to use one as a reception and classification ship while using the other as an avenue of promotion for the better disciplined youth. But this plan

¹⁹Mass., State Reform School, 13th A.R., 1859, p. 7.

²⁰Mass., Nautical Branch of the State Reform School, 1st A.R., 1860, bound in Mass., State Reform School, 14th A.R., 1860.

was not to hold for long. Beginning in 1865, the Board of State Charities gave voice to an ever-growing criticism of the seafaring reformatories. The criticism was based on three propositions: first, that the seaman's training was not valuable to boys, most of whom had no intention of such a life; second, that the costs of the vessels per capita far outran land reformatories; and, third, that the necessary congregate living style was abhorrent to the principles of moral reform.²¹ By 1870, such criticism was having impact. In that year the legislature authorized the closing and sale of the "Massachusetts" which was at that time stationed in New Bedford harbor. But opposition to the sale of the "Geo. M. Barnard" in the Boston harbor was more intense and a bill for its closing lost in the Senate the following year. In 1872, the new governor, Emory B. Washburn, added his voice to the demand for the closing of the Nautical School and in that year the legislature did pass the fatal legislation. On June 30, 1872, the last boys were transferred from the "Geo M. Barnard" to Westborough and the Nautical School experiment in juvenile corrections was terminated.

4. The Reaction to the Reform School. When the Boston House of Reformation came under sharp attack during the early 1840's one of its strongest defenders had been Samuel Gridley Howe, who was then a member of that institution's Board of Directors. Howe was an institution

²¹On this last point, the Board of State Charities was discreet but clear: "The packing is more close; the depraving contact more continuous; the evil communications are more corrupting; the lack of family influence, of female society, of variety in occupation and of amusement, are necessarily felt more keenly than in land reformatories." See Mass., Board of State Charities, 7th A.R., 1871, p. xxxvii.

builder.²² He was a leading figure in the development of the Massachusetts School for the Blind (later renamed the Perkins School for the Blind) and in 1848 he organized plans and lobbied for the Massachusetts School for Idiotic and Feeble-Minded Youth. Yet, by the 1850's, Howe had come to question the fundamental principles of the institutional response. Increasingly, he became a formidable critic. In 1854 he attempted unsuccessfully to persuade the legislature to abandon the idea of opening a girls' reform school and, instead, establish a placement system whereby wayward girls could be placed in farm families which he considered "the natural reform schools existing in the Commonwealth."²³

In 1865 Howe was appointed chairman of the new Massachusetts Board of State Charities. Howe and the Secretary of the Board, Frank B. Sandborn, soon developed a critique of the reformatory institutions that was sharp and detailed.²⁴ Writing with Sandborn in the Board's second annual report, Howe noted, "A great public institution is like a great machine: the more you add to it, the more mechanical and routinary

²²Samuel Gridley Howe (1801-1876) was a leading figure in Massachusetts social activism. He was an aggressive abolitionist prior to the war, a major supporter of the Union during the war, a strong advocate in the Free Soil movement and a long-time friend and companion of Horace Mann and Dorothea Lynde Dix, with whom he worked to advance the development of the common school and the assault on the deplorable conditions of the hospitals for the insane. For a fine review of the development of Howe's thinking, see Harold Schwartz, Samuel Gridley Howe: Social Reformer, 1801-1876 (Cambridge: Harvard University Press, 1956).

²³Quoted in Menel, 1973, p. 42.

²⁴Frank B. Sandborn (1831-1917) was a graduate of Harvard and a disciple of Emerson. He was a leading abolitionist during the Civil War and an editor and writer for several Boston journals. He served as the secretary of the Board of State Charities from 1863 to 1868 and chairman of the Board from 1874 to 1876. For a biography see Lindsay Smith, "Franklin Benjamin Sandborn," Proceedings of the Massachusetts Historical Society, 50:209-214 (1917).

do its operations become."²⁵ He had grown particularly critical of attempts to create a family within asylum walls.

We may as well try to imitate within a house sunshine and rain, and clouds and dew and all the shifting senses of nature, as imitate, in a reformatory, the ever varying influences of family life. . . . We have at best a make believe society, a make believe family and, too often, a make believe virtue.²⁶

Instead of incarcerating youth in custodial institutions, Howe and Sandborn advocated a family placement system much like Howe's earlier proposal in lieu of the girls' state reform school. Arrangements were to be made whereby youth would be placed in the morally upstanding farm families of the Commonwealth, there to learn productive skills as well as virtuous habits.

In order to guarantee the success of the placement, the State Visiting Agent was established under the Board of State Charities in 1869. The visiting agent and his staff were to travel around the New England states locating potential placement families, conducting state boys to their placements and, periodically, visiting these youth in their placements. Gardiner Tufts, the first State Visiting Agent, was a firm believer in preventive placements and under his forceful direction, the office of the State Visiting Agent became a formidable professional bureau.²⁷

²⁵Mass., Board of State Charities, 2nd A.R., 1866, p. 160. This important second annual report is attributed to both Howe and Frank Sandborn, the Board's secretary. It is not specified who wrote which sections, although Sandborn later gave Howe the major credit.

²⁶Mass., Board of State Charities, 2nd A.R., 1866, p. xlvi.

²⁷Gardiner Tufts was a prodigious administrator. He had served as an agent of the U.S. Sanitary Commission during the Civil War. He served as State Visiting Agent from 1869 to 1879. He was appointed superintendent of the State Primary School at Monson from 1879 to 1885, and, thereafter, he served as the first superintendent of the Massachusetts State Reformatory at Concord from 1885 until his retirement in 1891.

In 1870, the legislature further solidified and expanded the responsibilities to include the visiting of girls by a special female visitor. Subordinate officers were appointed for attending juvenile hearings and the state was divided into four districts in order to regionalize staff responsibilities. According to the stated plans, every child "placed out" under the supervision of the visiting agent was to be visited at least once annually.

Gardiner Tufts was as equally anti-asylum as either Howe or Sandborn. Like them, he saw "placing out" in terms of prevention. In theory placement would divert youths from the reform school before they required institutional reformation. The success of the practice could be measured by decreases in the number of youth committed to the reform schools.²⁸

Beneath the anti-asylum bias of Howe, Sandborn and Tufts, lay a desire to totally depopulate the reform schools and, eventually, to close them. The strategy of diversion and gradual depopulation which Gardiner Tufts carried out under the office of the State Visiting Agent produced an unanticipated problem within the reform school. The selective reduction in the number of commitments to the reform school meant that those who were committed were principally those most hardened in delinquent behavior and least amenable to reformation. Without the mix of youthful types, the institution, already overly prison-like in character, became even more custodial, retributive and distant from the founder's ideals.

²⁸At the height of popularity of the placement system the ratio of placements to institutional commitments was three to one. See John Wirkkala, "Juvenile Delinquency and Reform in Nineteenth Century Massachusetts: The Formative Era in State Care, 1847-1879" (Ph.D. dissertation, Department of History, Clark University, Worcester, Mass., 1973), p. 211.

By 1874, the Board of State Charities no longer singularly supported the preventive ideal. In that year Sandborn wrote:

It would appear . . . that the extreme limit of prudence in discharging and placing on probation the children complained of, has been reached . . . the policy pursued for the past four or five years, while producing many good results, has been carried in the direction of leniency toward young offenders, quite as far as their good or the safety of the community will permit.²⁹

This shift in policy direction provoked a serious conflict with the State Visiting Agent who remained committed to the maximum placement strategy. The fights which resulted between Tufts and the Board only added fuel to the broader public controversy over the management and conditions of the various social welfare institutions overseen by the Board of State Charities. This controversy ultimately resulted in the Reorganization Act of 1879 which terminated the Board of State Charities and the office of the State Visiting Agent and created in their stead the more powerful State Board of Health, Lunacy and Charity and the State Superintendent of State Minor Wards. Frank Sandborn continued on as Inspector of Charities under the new State Board, but Gardiner Tufts was transferred to the superintendency of the State Primary School at Monson. The primary school had been established in 1866 as the state institution for dependent and neglected children.

The Reorganization Act of 1879 marks a critical point in the development of Massachusetts youth corrections policy. By this event the basic structural framework for institutional and non-institutional

²⁹Frank B. Sandborn in Mass., Board of State Charities, 11th A.R., 1874, pp. lxvii-lxviii.

responses was in place.³⁰ In 1820 there had been no formal public policy toward wayward youth. Sixty years later there were two well developed approaches competing for dominance as state policy.

5. The Collapse of the State Reform School. After Joseph Allen's resignation in 1867 Westborough rapidly went through five superintendents. In 1873, Allen Shepperd was appointed superintendent and it was during his tenure in 1877 that a full scale riot occurred that required fire hoses and brute force to subdue. The local alarm that this event aroused was so intense that the legislature opened a hearing to consider various charges of mismanagement and brutal disciplinary procedures. During these hearings a long parade of boys, officers and officials gave testimony on the severe forms of punishment frequently employed. The investigating committee condemned the brutal procedures, recommended the discontinuance of some, but not all, forms of corporal punishment and advised a tightening of supervisory control of subordinates. Yet, in general, no fault was found in the basic structure or practice of the institution.³¹

The year 1881 brought the State Reform School's continuing crisis to a climax. The man who, perhaps unfairly, carries the burden

³⁰ John Wirkkala concludes that the 1879 Act "froze" the state structural organization into a compromised tension between "walled" and "unwalled" reform school and visiting agent approaches. See Wirkkala, 1873, p. 249.

³¹ In conclusion the committee noted: "Finally, we believe the institution is in most respects in excellent condition and the superintendent continuously endeavoring, under very trying circumstances, to promote the welfare of those under his charge." See Mass., General Court, Investigation into the Management and Discipline of the State Reform School at Westborough Before the Committee on Public Charitable Institutions, House Doc. No. 285, Boston, Mass., 1877, p. 5.

for this trying year is Edward T. Dooley, who assumed the superintendency in December of 1880 and resigned under pressure nine months later. Dooley was young and assertive and he wasted no time with the staff. He reorganized the officers, discharging some, with little regard for the informal staff structure. These jilted officers and their Westborough relatives stirred the townspeople into angry reaction charging Dooley with brutality and maladministration. For his part, Dooley retorted that the staff was exceedingly brutal, administering up to a dozen illegal punishments per day.³² In June, and again in July, the Trustees carried out intensive investigations which were reported to the Governor's Council. These investigations served to excite the boys and institutional order all but collapsed.³³ With the town, the staff and the inmates against him, Dooley had little choice but to resign. In desperation the Trustees turned to recall to the superintendency Joseph Allen, the one person who yet retained the confidence of the staff and the public. In October the reluctant Allen agreed to once again attempt to salvage the State Reform School.

Joseph Allen accepted the task of restoring the State Reform School only on the basis that the institution be totally reconsidered. The institution he returned to after fourteen years absence was in his eyes a disgrace. He found dozens of boys in disciplinary confinement, common practices of staff brutality, several cases of venereal disease among the boys and instances of "crimes against nature" for which he

³²Mass., State Primary and Reform Schools, 3rd A.R., 1881, p. 97.

³³In December, when Dooley assumed office, there were two boys in disciplinary confinement. In August there were thirty-five. See Mass., State Primary and Reform Schools, 3rd A.R., 1881, p. 102.

professed great shock.³⁴ Yet the days were numbered for the State Reform School. Joseph Allen completed the discharging of several more staff officers and the disposing, rather arbitrarily, of most of the more hardened boys.³⁵ The reorganization plan lowered the age of commitment for the new Lyman School to fifteen. Older boys, those who had previously been such a source of problems, were to be committed to the new Massachusetts State Reformatory at Concord which was established by the legislation in 1884.³⁶

In 1884 the legislature authorized the reestablishment of the reform school as the Lyman School for Boys.³⁷ The Trustees located and purchased the 93-acre Bella J. Stone farm located on a hill no more than a mile from the existing institution. In the spring of 1885 some of the most trusted boys were moved over to the reconverted farm buildings and construction began on two new cottages. The move and reorganization blew a fresh wind into the old institution and many now looked at the new cottages of the Lyman School as opening up a bright

³⁴No sooner had Allen officially received the keys in his hands than some twenty boys escaped from the correctional wing using duplicate keys. See Mass., State Primary and Reform Schools, 5th A.R., 1883, p. 80.

³⁵Twenty-six were contracted to shipping vessels "at some risk upon their return" and another five were sent out "to seek employment." See Mass., State Primary and Reform Schools, 6th A.R., 1884, p. 8.

³⁶See Mass., Acts of 1884, Ch. 225. The Massachusetts State Reformatory was to be an intermediate facility for young men and adult minor offenders. It opened in rather overbuilt quarters at Concord in 1885 and after only one year housed a population of 663 inmates. See Mass., Commissioners of Prisons, 40th A.R., 1884. Gardiner Tufts served as the first superintendent at Concord from 1885 until 1891.

³⁷Mass., Acts of 1884, Ch. 225.

new future. The Trustees were the most optimistic of all:

For the first time since this Board has had the care of this school, we feel that it gives promise of accomplishing, in large measure, the work for which it was founded.³⁸

6. The Lyman School for Boys. Following the reorganization of the reform school at Westborough, the Trustees appointed Henry Swan, Joseph Allen's assistant, as superintendent. Swan supervised the transition from the confused congregate organization of the State Reform School to the more refined cottage system that was intended for the new Lyman School. During his tenure, five cottages were developed in three new buildings and two remodeled ones, and a central chapel seating 250 was completed. Swan retired in 1888 and the Trustees appointed a secondary school teacher, Theodore F. Chapin, as superintendent.³⁹ Chapin was to remain as superintendent at the Lyman School for eighteen years, significantly longer than any previous administrator. The length of his tenure gives evidence of the long period of quiet stability which finally was achieved after the first chaotic forty years of the institution's history. Chapin ran a well ordered and widely respected institution and the rate of commitments maintained a steady even incline over the eighteen years (see Figure 1).

Chapin came to Westborough with a strong conviction that education was the key weapon in the battle against delinquency.

³⁸Mass., State Primary and Reform Schools, 7th A.R., 1885, p. 14.

³⁹Theodore F. Chapin was trained as a teacher. As a follower of the educational philosopher, Johann Herbart, Chapin saw in education the key to the institution's success: "The one and whole work of education may be summed up in the concept morality." Quoted in Mass., Lyman and Industrial Schools, 4th A.R., 1898, p. 38.

Beginning in 1894 he began questioning the efficiency of each cottage maintaining its own schoolrooms. Instead, Chapin advocated that there would be much to gain in economics and quality if a central schoolhouse were constructed which centralized classrooms and provided a basement large enough for military drill during the winter. For the next four years, Chapin badgered at a reluctant legislature and, finally, in 1889 received a \$25,000 appropriation. With this, plus a great deal of boy labor, Chapin had his new four-story schoolhouse open by 1900.

The period of quiet stability that prevailed in the institutional system at the turn of the century was paralleled by a stable period in the non-institutional probation system. In 1893 the Trustees petitioned the legislature for permission to employ their own visiting agent for boys placed out from the Lyman School. They claimed that the Superintendent of State Minor Wards was overcommitted and that they had more intimate knowledge of the boys and their needs.⁴⁰ On this basis the Trustees achieved legislative approval in May of 1895 to hire a Superintendent of Visitation and one assistant.⁴¹ As the first Superintendent of Visitation, the Trustees appointed Walter Wheeler, who had previously served as the last superintendent of the State Primary School.⁴² Wheeler

⁴⁰Mass., State Primary and Reform Schools, 15th A.R., 1893, p. 18.

⁴¹Mass., Acts of 1895, Ch. 428.

⁴²The State Primary School closed in 1895. Walter A. Wheeler was trained as a teacher. He spent nearly twenty of his early years as a high school teacher and school committeeman in Worcester. In 1890 he was elected to the General Court from the Third Worcester District. In 1892 he was named superintendent of the State Primary School where he remained until its closing in 1895. See Mass., Lyman and Industrial Schools, 1st A.R., 1895, p. 22.

set out immediately to familiarize himself with every boy and every placement under his jurisdiction. Superintendent Wheeler held his position for the next twenty-five years. During most of this period he worked in close cooperation with Superintendent Chapin and, under their combined efforts, the institutional and non-institutional system became highly regarded nationally as the so-called "Massachusetts System."⁴³

The stable period of time which runs from 1895 to 1905 is one of the landmarks in the history of Massachusetts youth corrections. Wheeler and Chapin were both devoted, competent men of great kindness and insight and, while the period is not marked by significant innovation, it is also without scandals and investigations.

7. The Boston Juvenile Court. Massachusetts has an early claim to the establishment of a separate court for children. In 1872 the legislature passed a bill creating specially appointed Trial Justices of Juvenile Offenders.⁴⁴ Opposition to this system arose in the state

⁴³In 1898 the Trustees claimed that "this work of carrying on the work of the school in behalf of boys in their own homes or in places is the most important advance in reformatory methods which has been made in recent years. Without some such system of visiting, the break between the restraint of the institution and the freedom of the world is too sudden. In the institution the boys are subject to a strict routine and to the support and stimulus of constant direction and companionship; and many of those who do best under such conditions are the first to fail when they must choose and act for themselves amid the distractions and temptations of the world." See Mass., Lyman and Industrial Schools, 4th A.R., 1898, p. 7.

⁴⁴Mass., Acts of 1872, Ch. 358. Initially any local court had jurisdiction over juveniles. With the establishment of the girls' reform school in 1856, jurisdiction over girls was restricted to probate judges and special commissions. See Mass., Acts of 1855, Ch. 442. In 1870 this same restriction was extended to boys under age 16. See Mass., Acts of

judiciary over its inefficiency, in the legislature over its cost, and from the State Visiting Agent over his extra work, and in 1877 the legislature abolished the experiment, returning jurisdiction over juveniles to police, municipal and district courts.⁴⁵ Little further activity occurred in developing a special court for children in the Commonwealth until after the passage of the Illinois juvenile court law in 1899.

In 1906, the legislature authorized "a court . . . in the city of Boston to be known as the Boston Juvenile Court."⁴⁶ This court was vested with the jurisdiction, authority and powers of the Boston Municipal Court in matters concerning all offenders under age 17 and all cases of wayward or neglected children residing in or apprehended in central Boston. The man appointed by the governor as first judge of the new court was Harvey Humphrey Baker.⁴⁷ Judge Baker served the Boston

1870, Ch. 359. This restriction proved unpopular. Probate courts were often overburdened and, in rural areas, were frequently at some distance from complaining communities. In order to relieve the probate courts and increase the number of judges hearing juvenile cases the 1872 legislation created the Trial Judges of Juvenile Offenders.

⁴⁵ John Wirkkala, in his analysis, suggests that the Trial Judges experiment had won passage because it increased the Governor's patronage in filling positions. It also greatly increased costs, caused considerable confusion and work for the visiting agents and increased the number of youths committed to reform schools. See Wirkkala, 1973, pp. 216-217.

⁴⁶ Mass., Acts of 1906, Ch. 489.

⁴⁷ Years later, writing in memorial, Roy Cushman, Judge Baker's chief probation officer and close friend, noted: "He was not an obvious choice. Apparently a prim New England Puritan, unmarried and outwardly quite unrelated to the stratum of city life from which the material for his work . . . was to come . . . [he] had what was called the 'child sense' and he made a great success of his task." See Roy M. Cushman, Harvey Humphrey Baker: Upbuilder of the Juvenile Court (Boston: Judge Baker Foundation, 1920), p. 4. Baker (1869-1915) was born and raised in Brookline. He attended Harvard Law School and as a volunteer visitor with the Boston Children's Aid Society he developed an early interest in

Juvenile Court for its first decade. During those years he tactfully but firmly established the court at the center of child saving activities in Boston. Over these years the court developed a competent professional probation staff. During the length of his term Judge Baker increasingly came to rely on probation and the private child protective agencies, committing youths to the reform schools only as a last resort.⁴⁸ As the Boston Juvenile Court grew in importance, Judge Baker became prominent nationally. He served as secretary of the National and State Conferences of Charities and Corrections and president of the National Parole Association. He died suddenly in 1915.

The following year, Frederick Pickering Cabot, a personal friend of Judge Baker, was appointed to succeed him.⁴⁹ Judge Cabot, like his predecessor, dedicated his life to the Boston Juvenile Court, serving as judge for sixteen years. Together, Baker and Cabot developed the legal and administrative practices which served to focus the Boston preventive orientation during the first quarter of the century.

children. Having served as secretary of a conference of Boston child saving agencies he edited a "Manual for the use in Cases of Juvenile Offenders." His was, therefore, a popular appointment with the preventive services.

⁴⁸ According to Judge Baker's own figures, of the 1,031 children he saw in 1907 he committed only 155 or 15.0 per cent, while he placed 418 or 40.5 per cent on probation. See Cushman, 1920, tables.

⁴⁹ Frederick Pickering Cabot (1868-1932) like Baker grew up in Brookline, graduated from Harvard Law School, never married and was highly regarded for his fairness and special sensitivity in dealing with children. His biographer notes: "He devoted himself not only to the development of the wisest and most throughgoing methods, but to the understanding so far as humanly possible of each child whose fortunes were for the time within his control." See M. A. DeWolf Howe, The Children's Judge: Frederick Pickering Cabot (Boston: Houghton, Mifflin, 1932), p. 60.

Boston was the center of the juvenile court work. The original legislation of 1906 established only one separate juvenile court. Delinquency cases brought to courts in other parts of the state were heard in special juvenile sessions of the adult district courts. Although in the following years several studies recommended the establishment of other juvenile courts, the judicial situation remained largely unchanged until 1972 when special juvenile courts were authorized in Worcester and Springfield.⁵⁰ The utilization of these courts can be seen by examining the two graphs in Figure 2. The solid line represents the annual number of youth brought to any Massachusetts court for a delinquency hearing. The dashed line represents the annual number of youth brought specifically to the Boston Juvenile Court.⁵¹

8. The Massachusetts Training Schools. In 1911 the Board of Trustees was reorganized and renamed the Trustees of the Massachusetts Training Schools.⁵² By that date there were three state institutions for juvenile delinquents. A separate State Industrial School for Boys had been authorized in 1908 to accept boys between ages 14 and 16.⁵³ This new institution was established to prevent older teenage boys from

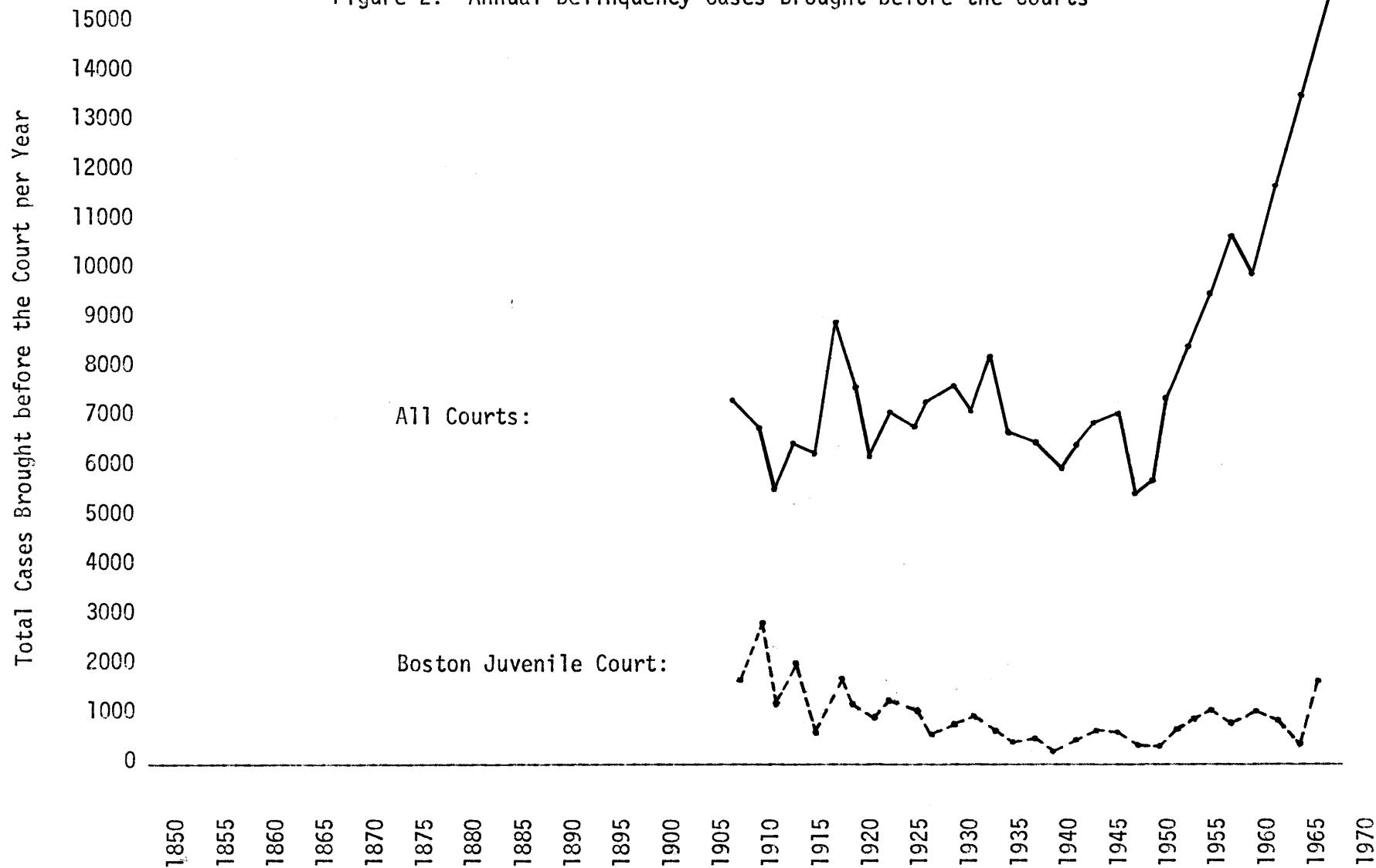
⁵⁰A fourth juvenile court has recently been authorized in Bristol County.

⁵¹These graphs are developed from the juvenile court statistics found in the annual reports of Mass., Commissioners of Prisons (1908-1919) and Mass., Department of Corrections (1920-1972).

⁵²Mass., Acts of 1911, Ch. 566. Although the individual institutions retained their traditional names, as a collection they were hereafter referred to as "state training schools."

⁵³Mass., Acts of 1908, Ch. 639.

Figure 2: Annual Delinquency Cases Brought before the Courts



being sent to the Concord Reformatory, which was by this date little more than a prison, and to relieve the overcrowding in the county truant schools where many of the older boys were committed for lack of access to the Lyman School.⁵³ The new industrial school opened in 1909 on a hundred-year-old Shaker farm purchased by the state in Shirley, not far from the Industrial School for Girls in Lancaster. Figure 3 presents a graph of the annual commitments for the Shirley institution. Like its predecessor, the new boys' correctional facility quickly filled to capacity and required the construction of new cottages by 1910.⁵⁴ In 1911 a permanent superintendent, George P. Campbell, was appointed at Shirley. Under Campbell's careful direction during the following thirty-two years the Shirley institution served as the vocational trade school for the older and more hardened delinquent boys.⁵⁵

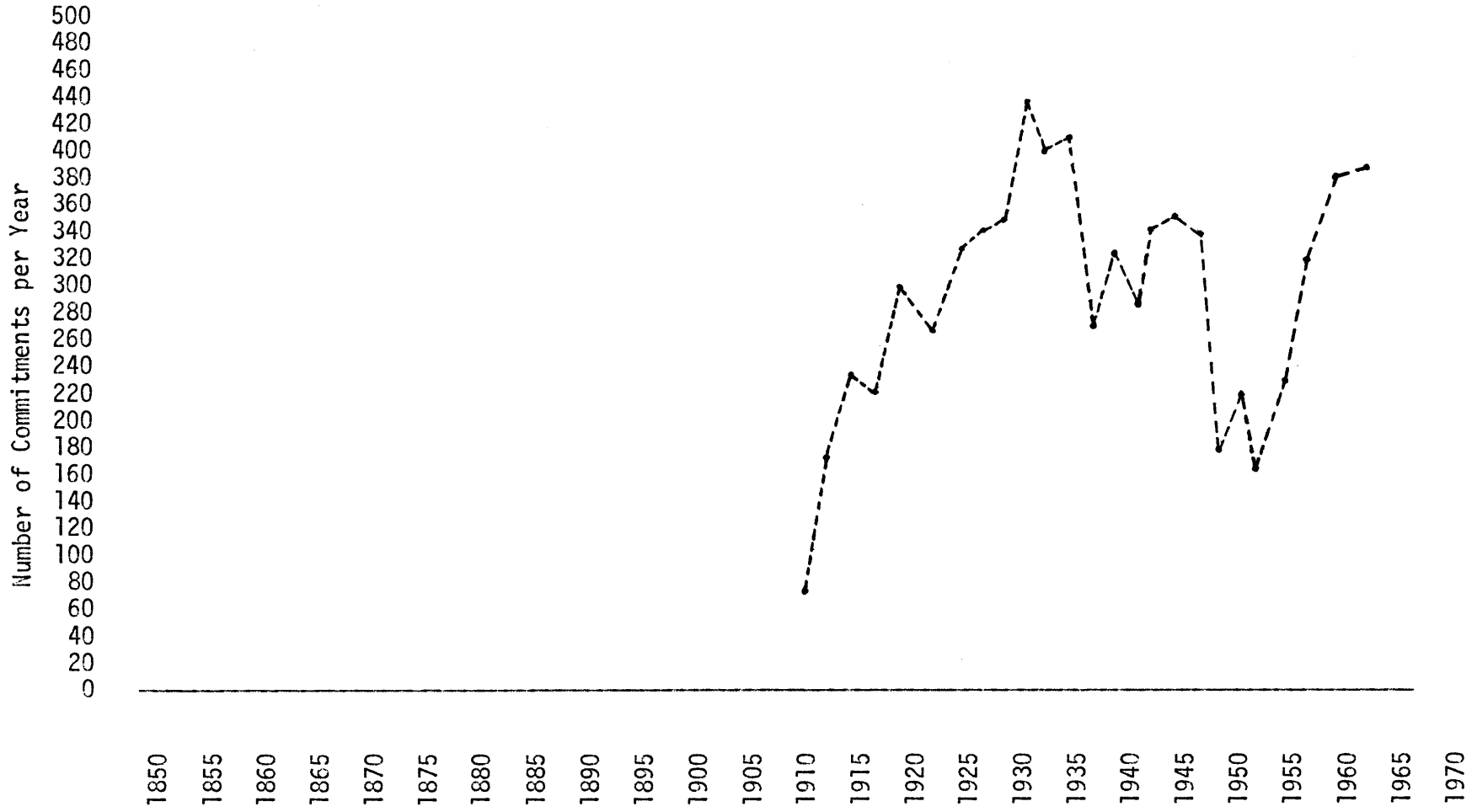
The 1910 legislation that reorganized the Board of Trustees also reorganized the visitation offices. Instead of separate offices for each institution, two parole departments were created: a Boys' Parole Department and a Girls' Parole Department. The parole work was subdivided into seven state districts and the staffs of both departments were gradually increased over the following five years.

⁵³The Suffolk County Truant School in West Roxbury (est. 1886) had been designed for less than 100 boys. By 1905 there were 215 boys in residence. See Mass., State Board of Charity, 27th A.R., 1905, p. 79.

⁵⁴Mass., Industrial School for Boys, 2nd A.R., 1910, p. 7.

⁵⁵Campbell set out a well delineated plan of treatment that varied little over his tenure. "When first committed three ideas are placed before the boy: he must learn to play the game according to the rules of society . . . second, every effort is made to have him see the need of ambition based on a definite plan; and third, the concrete means to both these ends is offered in the opportunity to learn a trade." See Mass., Training Schools, 1st A.R., 1911, p. 90.

Figure 3: Annual Commitments to the State Youth Corrections Institution at Shirley



By 1914 all three institution superintendents began to note a clear pattern of increasing commitments and increasing overcrowding (see Figures 1 and 3). The two boys' schools attempted to cope with this condition by decreasing the average duration of residence in the institutions, but this only served to place greater strain on the parole departments.⁵⁶ The Trustees laid the blame for this overtaxing condition on the preparations for war with Germany.⁵⁷

The war period between 1914 and 1918 brought noticeable changes in the institutions as patriotism and war production activities were stressed and the staffs were diminished by the manpower needs of the war. By the close of the war the institutions bore heavy scars. Overcrowded and understaffed, the institutions also lost several key administrators. Elmer Coffeen, superintendent at the Lyman School for the eleven years following Superintendent Chapin's death, died in 1917. Both the superintendents of Lancaster and the Girls' Parole Department retired soon after 1920. Yet most important of all, Walter Wheeler retired in 1919 after forty-eight years of public service. At the close of the decade it appeared that a generation was passing. Younger, more administratively trained professionals were to replace these elders and to pick up and try to repair the badly overcrowded, demoralized and relatively unattractive youth corrections services.

⁵⁶ Between 1910 and 1915 the school populations rose 19 per cent while the number on parole increased by 51 per cent. See Mass., Training Schools, 6th A.R., 1916, pp. 14-15. In 1916 Walter Wheeler complained that some of his agents were responsible for 300 boys and were working seven-day weeks.

⁵⁷ See Mass., Training Schools, 7th A.R., 1917, p. 13. The war also consumed boys on parole. Twenty-four per cent of boys paroled from Shirley in 1918 were in the service. See Mass., Training Schools, 8th A.R., 1918, tables.

9. The Judge Baker Foundation. Before his death, Judge Baker traveled to Chicago and there met Dr. William A. Healy and toured the famous Juvenile Psychopathic Institute. He was so greatly impressed with this clinic that, upon his return, he recommended that a similar "expert child clinic" be set up to aid the Boston Juvenile Court.⁵⁸ This recommendation was so attractive that after Judge Baker's death, Judge Cabot, Roy Cushman, Carl Carstens and others commenced soliciting private donations for the establishment of such a clinic as a memorial to Boston's first juvenile court judge. In 1916 they announced a fund raising campaign to establish the Judge Baker Foundation.⁵⁹

During their solicitation the Boston planners observed a timely opportunity. Dr. Healy, who was in Boston lecturing at Harvard, let it be known that he was dissatisfied with the sponsorship and level of support at the Chicago clinic. Eagerly Judge Cabot offered Healy the directorship of the new Judge Baker Foundation. Healy was attracted to the Boston offer because of the large stable endowment and the possibility that his psychological orientation might have greater impact among the many private child protective agencies for which Boston was famous.⁶⁰ Healy accepted Judge Cabot's offer and in April of 1917,

⁵⁸In 1911 he wrote: "A clinic for the intensive study of baffling cases which fail to respond to ordinary probationary treatment would enhance the efficiency of the court more than any other accessory." Harvey Baker quoted in Cushman, 1920, p. 61.

⁵⁹The clinic activities were to be the sole beneficiary of the foundation. The foundation was well endowed, having received a bequest of \$2,500,000 from the estate of George B. Tinkam, a prominent Massachusetts Congressman. See Mennel, 1973, p. 165 fn.

⁶⁰See William Healy and Augusta Bronner, "The Child Guidance Clinic: Birth and Growth of an Idea," Orthopsychiatry, 1923-1848: Retrospect and Prospect, ed. Lawson Lowry and Victoria Sloan (New York: American

he and his lifelong assistant, and later wife, Dr. Augusta F. Bronner, moved to Boston to direct the new clinic. The new clinic quickly became a vital adjunct to the Boston Juvenile Court.

Psychological malfunctioning had long been recognized as a problem in the reform schools. As early as 1904 Superintendent Chapin began to routinely transfer Lyman School boys to the Massachusetts School for the Feebleminded at Waverly. The Waverly institution and a new school for the feebleminded that opened at Wrentham in 1906 soon filled to capacity and the Lyman School was finally forced to set aside a separate cottage for feebleminded boys in 1916.

In 1924 Dr. Walter Fernald, the noted superintendent of the Massachusetts School for the Feebleminded, conducted a major survey of the inmates of the reform schools. His findings revealed the significant prevalence of psychological problems in the reform school populations and laid the basis for the Trustees' petition to the legislature for establishing a specialized clinic in the reform schools. In 1926 the legislature authorized the opening of a special mental hygiene clinic at the Lyman School. Dr. Manly Root was appointed first psychiatrist at the new clinic and he, in turn, hired Dr. Grace Helen Kent as the

Orthopsychiatric Association, 1948). Healy (1869-1963) was born in England but grew up in the United States. He attended Harvard, received a medical degree from the University of Chicago and conducted postgraduate work in London, Vienna and Berlin. In 1908 he returned to Chicago where he worked at the noted Chicago Polyclinic. In 1909 he was appointed first director of the Chicago Juvenile Psychopathic Institute which, under his direction, soon achieved international fame. A review of Healy's career and the Chicago clinic is provided in Murray Levine and Adeline Levine, A Social History of Helping Services: Clinic, Court, School and Community (New York: Appleton-Century-Crofts, 1970), pp. 155-183.

clinic's psychometrician. Together Doctors Root and Kent soon established a sophisticated program of psychological testing and counseling for Lyman School boys. Beginning in 1929 the program was offered to the Lancaster and Shirley inmates as well.

10. The State Training Schools During the Depression. In 1919 a major state administrative reorganization placed the administration of the youth corrections institutions under a special Division of Juvenile Training in the new Department of Public Welfare. This reorganization did not seriously affect the internal management of the training schools. Nor does the wild, speculative period following 1921 appear to have affected the institutions. Superintendent Charles Keeler, who followed Coffeen at the Lyman School, and Superintendent Campbell at Shirley endured the period with a stoic fortitude. The number of commitments did increase over the years (see Figures 1 and 3) and new cottages were constructed, but the institutions, for the most part, remained quiet and controlled. Neither did the judicial system change much during this period. The Boston Juvenile Court remained the state's only juvenile court and Judge Cabot continued with the same firm steadiness as his colleagues in corrections. Likewise, Healy and Bronner at the Judge Baker Foundation maintained a progressive but even and competent service. The decade of the 1920's was a stable period in Massachusetts youth corrections.

 The effects of the depression altered this placid picture. By 1931 court appearances sharply increased and commitments became more common (see Figures 1, 2 and 3). Institutional overcrowding resulted. Yet hardest hit were the parole departments. Not only were vocational

placements all but impossible to find, but many families found that they did not have the economic resources necessary to accept their own children when paroled.⁶¹ The strain on the institutions and parole departments was severe.

The tide of the depression began to turn in 1933, and with it came several changes. First, the institutional censuses began to decline. In part this was due to the government sponsored employment projects to which boys could be paroled. Second, PWA and CWA labor were made available to the institutions for additional buildings, remodelings and other physical improvements. Third, the national mandate for change and recovery swept in with the "New Deal" brought with it important personnel changes. Dr. Manly Root and the Superintendent of Boys' Parole, John Smith, went on to accept new federal posts. Some, like Lyman School Superintendent Keeler, retired, while others died. After sixteen years of devoted service to the juvenile court, Judge Frederick P. Cabot died in 1932. Once again the passing of the old guard opened the potential for major reforms.

11. Delinquency Prevention in the Community. Following the depression years of the 1930's there appeared a marked interest in youth work within the communities. Neighborhood associations and block clubs flourished in inner city neighborhoods and the idea of preventing delinquency through the schools, churches and recreation departments

⁶¹ Superintendent of Boys' Parole, John Smith, wrote, "We can not recall when industrial conditions, so far as our boys are concerned, were so bad. . . . In fact it was hard to find employment even on farms where in previous years little trouble was experienced." See Mass., Training Schools, A.R., 1930, p. 22.

became widespread. The State Commissioner of Probation, Herbert C. Parsons, was a strong advocate of neighborhood youth work, as was Judge John Perkins, who was appointed the third judge of the Boston Juvenile Court after Cabot's death in 1932.

Within the Boston area many of these efforts were supported by the Neighborhood Child Welfare program which operated as a demonstration program from 1932 to 1937. Under this program high delinquency neighborhoods were encouraged by special field workers to set up Neighborhood Child Councils. These councils served to bring together local residents with representatives of various private and public service agencies in order to rectify particular community problems that were assumed to contribute to delinquency. One of the most active such neighborhood councils was the West End Neighborhood League which sponsored over thirty block clubs in the West End during the mid-1930's and hired a large staff of neighborhood residents to organize and run the clubs.

As popular as these delinquency-prevention efforts were, they were soon mixed into a larger controversy about the effectiveness of the entire prevention approach. In 1931 the Harvard Law School launched a major "Survey of Crime and Criminal Justice in Boston." The director of the project, Felix Frankfurter, invited Sheldon and Eleanor Glueck to conduct a major segment of the survey on juvenile delinquents. The Gluecks had recently published results of a follow-up study of inmates of the Massachusetts Reformatory at Concord that demonstrated that some 79 per cent of the Concord graduates

continued on in a life of crime.⁶² The idea of a follow-up study on youths who passed through the Boston Juvenile Court and the Judge Baker Foundation was an attractive offer and in 1931 the Gluecks commenced a five-year follow-up study of one thousand such delinquents. The study, which was released in 1934, revealed that 53 per cent of the boys became delinquent during the treatment period and 88 per cent recidivated over the five years following treatment.⁶³

These results were devastating, for they threw doubt upon the effectiveness of the juvenile court and its probation staff which, at the time, formed the core of the preventive approach to delinquency in Boston. The court which had been so laboriously built by Judges Baker and Cabot had come to appear as ineffective as the correctional institutions it had sought to divert youth from. The Gluecks' findings were hotly debated, but the outcome was inevitable: the spotless reputation of the preventive approach had been tarnished.

⁶²See Sheldon Glueck and Eleanor Glueck, 500 Criminal Careers (New York: Knopf, 1930). Sheldon Glueck (1896-) was a graduate student at Harvard when Healy and Bronner had first made presentations there. Greatly impressed by their work, he sought to follow in their research tradition upon receiving his doctorate. Eleanor Glueck (1899-1972) joined her husband in Boston after graduating from the New York School of Social Work and together they spent the remainder of their lives at Harvard Law School conducting research on crime and delinquency. Their work is voluminous. For a good but critical review, see Jon Snodgrass, "The American Criminological Tradition: Portraits of the Men and Ideology in a Discipline" (Ph.D. dissertation, Department of Sociology, University of Pennsylvania, Philadelphia, 1972).

⁶³See Sheldon Glueck and Eleanor Glueck, One Thousand Juvenile Delinquents: Their Treatment by Court and Clinic (Cambridge: Harvard University Press, 1934).

12. The State Training Schools During World War II. The attack on Pearl Harbor in 1941 opened another period of strain in the correctional institutions. While the populations did not rise drastically as they did during the first World War, the problems resulting from a decreased labor force and the general unrest of inmates during war time severely burdened the schools. In particular, the proximity of Shirley to the activities at Fort Devens led to significant unrest among the older boys. But the staff problem concerned Superintendent Campbell more.

It is becoming impossible to secure satisfactory younger personnel because of the military needs of the country and because we can not compete with the generally high wage scales prevailing in the industrial world around us. Our boys are young and active and we need a leavening of young and active men on our staff.⁶⁴

The bare bones staff required the curtailment of much of the physical education, manual training and recreational programs at the Lyman School as well. By 1942, the Lyman School superintendent was reluctantly forced to hire older married women to fill teaching vacancies.⁶⁵

The Boys' Parole Department fared better. As in earlier war efforts, the armed services became a major placement for parole and there was an eagerness among the boys to perform their patriotic duty.⁶⁶ At the close of the war, the institutions were able to return

⁶⁴See Mass., Training Schools, A.R., 1941, p. 22.

⁶⁵See Mass., Training Schools, A.R., 1942, p. 8.

⁶⁶In 1942, 14.7 per cent of the Lyman parolees and 21.0 per cent of the Shirley parolees were in the armed services. By the following year the figures had more than doubled with 41.2 per cent from the Lyman School and 51.4 per cent from Shirley placed in the military. See tables in Mass., Training Schools, A.R., 1942, and A.R., 1943.

to a period of normalcy. With the cessation of hostilities many predicted a major post-war increase in delinquency, but it does not appear to have materialized (see Figure 2).⁶⁷

13. The State Youth Service Board. In 1948 the legislature passed the Youth Service Board Act of 1948 which abolished the Trustees of Massachusetts Training Schools and established in its place the Massachusetts Youth Service Board.⁶⁸ The Youth Service Board was charged with the central responsibility for the diagnosis, treatment and care of all delinquent youth.⁶⁹

The new Youth Service Board offered a powerful lever for reform. The correctional institutions were clearly faltering and generally regarded as ineffective. The embryonic community youth programs, while under some question, had yet to be given a real demonstration. But John Coughlin, the man who came to dominate

⁶⁷ Although Lyman School psychologist, Bessie Pasein, did note a rough adjustment between war time and post-war community life: "Principally, the difference lies in readjustment of the presence of a father in the home, in the tightening of disciplinary measures and resentment at such treatment." See Mass., Training Schools, A.R., 1946, pp. 15-16.

⁶⁸ Mass., Acts of 1948, Ch. 310.

⁶⁹ The concept of a central, professional board responsible for disposition and treatment was an innovation advocated since 1940 by the American Law Institute in its Model Youth-Corrections Authority Act which served as a prototype for the 1948 act. See Mass., General Court, Report of the Special Committee of the Senate to Make an Investigation and Study of the Division of Youth Services, Senate Doc. No. 1310, Boston, Mass., 1967, pp. 14-17. For an explanation of the act see "The Youth Corrections Authority Act," Proceedings of the National Probation Association, 35:227-240 (1947).

Massachusetts youth corrections as Chairman of the Youth Service Board for the next two decades, remained skeptical of community prevention. Instead Coughlin chose to expand upon the reformatory institutional system.⁷⁰ In 1952 the Division of Juvenile Training was reorganized into the Division of Youth Services and John Coughlin was appointed director of the new Division. As both chairman and director, Coughlin was well positioned to implement a major program of institutional expansion.

During the next decade, Chairman-Director Coughlin oversaw a significant expansion of existing institutions and the opening of several new facilities. Along with this expansion came a significant growth in the numbers of juveniles committed to the institutions (see Figures 1 and 3). In 1954 the Division opened a special 96-bed medium security unit for boys at Bridgewater. Known as the Institute for Juvenile Guidance, this prison-like facility was to act as a backup for the training schools' more difficult problems. A special publicity report written at the time reveals the Institute's dual purpose:

The immediate objective of the Institute is to protect the rights of the community and its citizens by providing security measures to restrain selected individuals. The long range objective is to provide an intensive therapeutic program necessary in the treatment and rehabilitation of deep seated, aggressive behavior problems.⁷¹

⁷⁰At the time of his appointment, John L. Coughlin was superintendent of schools in Marblehead. Educated at Harvard and previously school superintendent in Canton, Coughlin was considered a bright and effective educational administrator. He served as Chairman of the Youth Service Board from 1951 to 1969.

⁷¹Mass., Division of Youth Services, Services to Youth--"The Story of the Youth Service Board," Boston, Mass., 1955, p. 14. A Security and

In 1955, a special facility for younger boys, the John Augustus Hall at Oakdale, was opened in the old Worcester County Training School. This facility was to drain off the population of boys ages 7 to 10 who still found themselves committed to the Lyman School. At its opening Coughlin noted the hopes of the Board:

At this facility we will attempt to provide a decent, clean environment as closely related to normal living as possible in the institutional setting, to the end that the developments of anti-social attitudes may be arrested and prevented. The younger the child the better the hope that this end can be achieved.⁷²

The third facility opened during this period was the new Reception-Detention Center for Boys at Roslindale. This new center was to minimize the effects of detention.

The philosophy of the Detention Center is based on the feeling that through constructive experiences during the period of detention and through the design of living within the Center, initial shock at arrest and removal from home will be reduced; the child will be better prepared for appearance in court, and will accept more readily the court's findings and any subsequent program for rehabilitation.⁷³

The Roslindale facility was also to house the Division's reception center for boys which had been mandated by the Youth Service Board Act. Coughlin planned the Reception-Detention Center as a national model. When the unit opened in January of 1956 it was hailed as the "first

Treatment Unit for up to 15 boys had opened at Shirley in 1951, but in two years the facility had grown to 33 boys, well over capacity. This condition initiated the search for an alternative structural response.

⁷²Mass., Youth Service Board, A.R., 1956, p. 5.

⁷³Mass., Youth Service Board, A.R., 1955, p. 9. At the time boys were detained in crowded quarters at the old Bouve School building on South Huntington Avenue. Their removal permitted the centralization of girls' detention in the South Huntington Avenue building.

specially designed state supported detention unit in the country."⁷⁴ It was relatively luxurious. With one hundred single occupancy rooms, it also included a gymnasium, cafeteria, classrooms, counseling rooms, a chapel, an infirmary, a swimming pool, crafts rooms and a TV-movie room. Yet overcrowding appeared to be its destiny as well. By 1958 the center housed more than 170 boys.⁷⁵

These three institutions, plus a special forestry camp opened at Brewster in 1960, offered the new Youth Service Board a highly differentiated set of institutional alternatives in making dispositional decisions. Still the opening of these new institutions did not result in major reforms in correctional practice. The additional space made available at Westborough and Shirley by the diversion of segments of their populations to the specialized institutions did not long remain. The rising number of juvenile commitments maintained the training schools' overcrowded conditions.⁷⁶ Far from reducing the congestion in the training schools so as to permit basic reforms, the opening of the new institutions only served to increase the state's total number of incarcerated youth. In the face of institutional expansion, the problems of overcrowding and understaffing grew to serious proportions. In summarizing the year 1958, Superintendent of the Lyman School, John Borys, wrote,

January of 1958 was by far the worst experience of my seven years with the Youth Service Board. . . . During the month

⁷⁴Mass., Youth Service Board, A.R., 1956, p. 5.

⁷⁵Mass., Youth Service Board, A.R., 1958, p. 11.

⁷⁶The average population at the Lyman School increased from 209 in 1952 to 349 in 1964. See Mass., Youth Service Board, A.R., 1952 and A.R., 1964, tables. See also Figure 1.

. . . we were very successful in providing three certain minimum needs for children; one, we were able to feed them; two, we were able to clothe them; three, we have sufficient mattresses on which children could sleep. During the month the Superintendent was forced to grant 252 days of sick leave to the staff without an opportunity to hire one single individual for even one day.⁷⁷

Borys's sarcasm reveals more than the numbers do: the institutions were in crisis.

14. Community Action to Prevent Delinquency. Although the findings of the Gluecks' research during the 1930's and subsequent research conducted in the 1940's⁷⁸ seriously discredited the preventive approach to delinquency, the social activists of Boston refused to give up on the community prevention idea. The post-war period brought a renewed concern over the problems of juvenile delinquency and street gangs in the city.

A sense of crisis appeared in Boston in early 1954 when a series of violent gang incidents culminated in the death of a rabbi during a New Year's Eve mugging. The media demanded action and the aroused citizens of Roxbury met together to organize a community response. Together, they established the Greater Boston Council for Youth, and, with funding from the United Community Services, they organized the Roxbury Special Youth Project.⁷⁹ The project was divided

⁷⁷Mass., Youth Service Board, A.R., 1958, p. 7.

⁷⁸See also Edwin Powers and Helen Witmer, An Experiment in the Prevention of Delinquency: The Cambridge-Somerville Youth Study (New York: Columbia University Press, 1950).

⁷⁹For a review of the history see Walter P. Miller, "The Impact of a 'Total Community' Delinquency Control Project," Social Problems, 10:168-191 (Fall, 1962).

into a service program directed by David Austin, a leading social worker with prior settlement house experience, and a research component directed by Walter Miller, a Harvard-based anthropologist.⁸⁰ The service program focused on street gang work, direct family services and community organizing. The research focused on assessing the extent of delinquency and evaluating the effectiveness of community youth work.

The project lasted for three rancorous years during which it was frequently at odds with various private and public agencies. The Greater Boston Council for Youth, which had been formed of representatives from all relevant agencies, proved to be a highly volatile body.⁸¹ Conflicts frequently flared within the Council and between the Council and Project Director Austin. In 1957 issues finally came to a clear head and Austin resigned. Austin's resignation signalled the end of the project and six months later the Roxbury Special Youth Project was terminated. Before leaving his post Austin submitted a recommendation that the City of Boston pick up and continue the youth work portion of the project; this attracted the notice of the new Mayor, John Collins. In 1960 the city established the Youth Activities Bureau to continue preventive youth work in the city.

⁸⁰David M. Austin was trained as a social worker. He had worked in New York City in a "detached worker" program there. Prior to accepting the position at the Roxbury Project he had served as settlement house coordinator for Boston's Health and Welfare Council. Walter P. Miller was trained as an anthropologist. From 1948 to 1952 he conducted a study of the Fox Indians. Between 1953 and 1955 he was affiliated with the Harvard School of Public Health. His work in Roxbury led him to an interest in gang delinquency on which he has written many articles.

⁸¹For a more detailed review of the inter-organizational conflicts that eroded the project, see Walter P. Miller, "Inter-institutional Conflict as a Major Impediment to Delinquency Prevention," Human Organization, 17:20-23 (Fall, 1958). Hereafter referred to as "Miller, 1958a."

The Youth Activities Bureau, although close to the Mayor, was not provided sufficient resources to carry out effective projects. James Travers, the bureau director, had to content himself with a small staff of field workers for monitoring "delinquency-prone" youths and his own initiative in evaluating delinquency problems and recommending new projects. A better funded and more highly developed delinquency program arose from within the United Community Services. Beginning in 1959 U.C.S. commenced funding a whole series of local delinquency prevention projects out of its Duncan Russell Memorial Project on Juvenile Delinquency. By 1961 this fund was sponsoring sixteen small scale projects in the high delinquency areas of the city with a total annual allotment of \$100,000.⁸²

Yet the most ambitious plan to confront delinquency in the community arose from the Boston Youth Opportunities Project of Action for Boston Community Development. In 1961 the U.S. Congress passed the "Juvenile Delinquency and Youth Offences Control Act" making federal funds available on a competitive basis for "demonstration" delinquency prevention projects in major metropolitan areas.⁸³ In Boston, the federal grant went to Action for Boston Community Development, a private social planning agency established in 1960 to coordinate "the human side of

⁸²While these resources were plentiful and the projects fairly innovative, the project itself remained generally unplanned and unevaluated. For a capsulized history of these events see Stephen Thernstrom, Poverty, Planning and Politics in the New Boston: The Origins of ABCD (New York: Basic Books, 1969), especially pp. 64-71.

⁸³For a thorough review of these projects see Peter Marris and Martin Rein, Dilemmas of Social Reform: Poverty and Community Action in the United States (New York: Atherton Press, 1967). For a specific study of Boston see Thernstrom, 1969.

physical renewal."⁸⁴ The Boston Youth Opportunities Project was to be a research and action project to reduce "the volume and seriousness of criminal type behavior on the part of male youth 12 through 16 years of age."⁸⁵ Among others, John Coughlin of the State Youth Service Board and James Travers of the Boston Youth Activities Bureau were active in the project planning. The project began in 1963, with Robert Perlman, an associate at United Community Services, as Project Director. Focusing on opening up opportunities for youth to participate in legitimate social activities, the project initially encouraged proposals supporting school attendance and vocational training.

After a year of careful planning the project produced a program plan for concentrating on school and employment training opportunities in Charlestown, Roxbury and the South End. Then, suddenly in 1964, Action for Boston Community Development was designated as the Boston planning and coordinating body for the federal "War on Poverty" funds. The nascent Boston Youth Opportunities Project was swept under by the massive funding and complex bureaucratic and political relationships involved in implementing the "Great Society" programs. Although several neighborhood job training centers were established with federal funds from the federal Office of Manpower, Automation and Training, most of the coherency and interdependency planned for the youth project were lost in the swells of the much larger poverty programs. The Boston Youth Opportunities Program died not from a willful termination so much as an unintended drowning.

⁸⁴Quoted in Thernstrom, 1969, p. 17.

⁸⁵Action for Boston Community Development, "The Boston Youth Opportunities Project: A Report and a Proposal," Boston, Mass., December, 1963, p. 57. (Mimeographed.)

15. The Attack on the Youth Service Board. John Coughlin's continued strategy of insitutional expansion could not indefinitely hide the failure of the old institutions. By the mid-1960's the focus of reform once again identified the institutions as dismal, understaffed, overcrowded and ineffective junior prisons. Between 1964 and 1966, there were five separate investigations of the Youth Service Board and the management of the institutions.⁸⁶ The most devastating of these was a U.S. Children's Bureau report commissioned by Governor John Volpe.⁸⁷ Chairman-Director Coughlin defended the institutions against each of these investigations, identifying them as personal attacks on his own administration.⁸⁸ But these defenses proved futile.

⁸⁶ Investigations were conducted by the Governor's Management Engineering Task Force, the Attorney General's Advisory Committee on Juvenile Crime, the U.S. Children's Bureau, the Massachusetts Senate and the Massachusetts Committee for Children and Youth. There are three useful case studies of these events, all written by researchers sympathetic to the deinstitutionalization. These include Yitzak Bakal, "Closing Correctional Institutions: A Case Study," Closing Correctional Institutions, ed. Yitzak Bakal (Lexington, Mass.: D.C. Heath, 1973), hereafter referred to as "Bakal, 1973a"; Lloyd E. Ohlin, Robert B. Coates and Alden D. Miller, "Radical Correctional Reform: A Case Study of the Massachusetts Youth Correctional System," Harvard Educational Review, 44:74-111 (February, 1974); and Andrew Rutherford, The Dissolution of the Training Schools in Massachusetts (Columbus, Ohio: The Academy of Contemporary Problems, 1974).

⁸⁷ In 451 pages the Children's Bureau report leveled severe criticism, charging poor administrative practices, political interference in staffing selection, overcrowded and understaffed institutions, inappropriate placements, unnecessary detention and the existence of a "large number" of children in adult jails. See U.S. Department of Health, Education and Welfare, Children's Bureau, A Study of the Division of Youth Services and the Youth Service Board, Commonwealth of Massachusetts (Washington, D.C.: U.S. Government Printing Office, 1966).

⁸⁸ Coughlin called the Children's Bureau report "grossly untrue, defective and professionally incompetent." See Boston Globe, December 6, 1966.

Gradually, a major coalition of private associations began to form around the demand for reform.⁸⁹ The coalition at first was uncoordinated. All agreed that some change was required. But what change remained unclear. In 1967 and again in 1968 a bill to reorganize the Youth Service Board was filed in the legislature, but each year Coughlin's support in the legislature was able to delay consideration. Basically, the Director was playing a stalling strategy, but the situation was explosive and any volatile issue was a potential trigger to a crisis. Such an issue arose late in 1968 at the Bridgewater Institute for Juvenile Guidance. A personnel conflict there forced Coughlin to support his new hand-picked superintendent against the staff and a very vocal citizens group called the Committee for Youth in Trouble. The incident greatly weakened Coughlin's position and exposed him as a focus for the coordination of his opposition. His removal became the first priority of the various citizens groups, the public press and the television channels. The final blow came in early 1969 when Boston Juvenile Court Judge Francis Poittrast joined Coughlin's opposition.

By this time the opposition was overwhelming and in March the new Governor, Francis Sargent, requested and received Coughlin's resignation.⁹⁰ Following the resignation of Coughlin, the pressure for

⁸⁹This coalition included the Massachusetts Committee on Children and Youth, the Massachusetts League of Women Voters, the Massachusetts Parent Teachers Association and a single-issue protest group called the Friends of Youth Association (later renamed the Committee for Youth in Trouble).

⁹⁰At the last moment Coughlin withdrew his resignation and the Governor's Council refused to approve an interim director. Only with significant pressure from Sargent was Coughlin finally convinced to leave his long-held post. See Boston Globe, May 12, 1969.

reform was turned upon the reorganization legislation and with the support of the Governor, the Department of Youth Service Act achieved passage in August.⁹¹

16. The Department of Youth Services and Deinstitutionalization. The Department of Youth Service Act greatly reorganized the structure of the central administration.⁹² Specifically the Youth Service Board and the Division of Youth Services were abolished and replaced by a Department of Youth Services under a gubernatorially appointed commissioner. The new department (D.Y.S.) was to have full administrative and policy-making authority over all of the state youth corrections institutions as well as full responsibility for the supervision of all delinquent youth committed by the courts.

After a broad national search for an exceptional person to direct the new department, the Governor appointed Jerome Miller, an Associate Professor of Social Work from Ohio State University as the first Commissioner of Youth Services.⁹³ Miller was unknown in Massachusetts,

⁹¹Mass., Acts of 1969, Ch. 838.

⁹²Yitzak Bakal, in his analysis of this period, concludes that the act had several important consequences:

"First of all, the bill's very passage increased the credibility and visibility of the reform movement. The Act elevated the division to the status of a department and moved it from the Department of Education to a new super-agency consisting of Welfare, Health, Mental Health and Corrections. . . . Third, the Act set a new professional tone for the agency, using key words such as therapy, prevention, community services and research. Finally, the Act broadly empowered the new department to 'establish necessary facilities for detention, diagnosis, treatment and training of its charges including post release care.'"

See Bakal, 1973, p. 157.

⁹³Jerome Miller (1932-), who had originally studied to be a seminarian, had a masters degree in social work from Loyola University and a

but he was young and aggressive and he quickly assumed the leadership of the new reform effort in Massachusetts. Miller clearly saw his mandate as reform. He was presented with a new department, many staff openings, the strong support of the Governor and key legislators, and a collection of obsolete, overcrowded, politically weak and publicly disgraced institutions.

During his first year as commissioner, Miller made a significant effort to reform the institutions through staff development. Focusing intensively on Shirley, Miller sponsored an experiment in which the cottages were reorganized into self-contained groups and both the staff and youth were provided intensive training in the principles of milieu therapy and guided group interaction.⁹⁴ This experiment soon proved a major failure generating both staff resentment and a collapse in discipline.⁹⁵

Sensitive to the failure of the staff development experiment, Miller came to view the institutions as beyond reform. By 1971 he had

doctorate from Catholic University in Washington, D.C. Until 1965 he had served in the United States Air Force in Texas, Kansas and England where he had organized social services for Air Force families and their children. See Boston Globe, November 16, 1969.

⁹⁴ While in England, Miller had met Maxwell Jones, the leading advocate of milieu therapy with delinquents. Miller had been impressed with the man and the method. During 1970, he persuaded Jones to come to Massachusetts and provide the training himself. For a review of the principles of milieu therapy see Maxwell Jones, The Therapeutic Community (New York: Basic Books, 1953).

⁹⁵ Although Miller had recruited major figures in group therapy techniques, the experiment seemed doomed from the start. "The older staff, who were by and large, unskilled, found [the] new concepts a threat, and a challenge to their authority. The new staff had difficulty integrating [the] concepts into the daily operations of the institution." See Bakal, 1973, p. 159.

decided that the only viable reform strategy was to close the institutions. While he did not have the authority to terminate the institutions, he did have the authority to transfer the inmates. He therefore set out on a strategy of "deinstitutionalization" by which he transferred youth from the institutions to various alternative placements including private group residences, other state institutions, foster care placements and the youths' own families.

Focusing first on Shirley, Miller commenced to close the institution in the spring of 1971 by curtailing commitments and gradually transferring and paroling youths in residence. The guidelines were never made clear nor held consistent, and the resulting staff unrest and sense of inequity among the inmates produced a large number of escapes, several fires and the well vocalized displeasure of the residents of the town of Shirley. This last culminated in a protest meeting with the Governor.⁹⁶ From this experience Miller learned that speed was an important factor in closing institutions.

By mid-summer of 1971, Miller and his staff decided to close the John Augustus Hall at Oakdale, the facility for young boys. This was to be a rapid closing. In October several of Miller's staff members arrived at the facility to reclassify the boys. Within the month the majority of boys were either paroled, placed in foster care or transferred to vacant facilities at Lancaster.⁹⁷

⁹⁶Mass., General Court, Joint Committee on Post Audit and Oversight, Management Audit of the Department of Youth Services, Boston, Mass., 1974, p. 90. This study takes an unsympathetic view of Miller's conduct of the deinstitutionalization. Hereafter referred to as Mass., "Post Audit and Oversight Report."

⁹⁷The boys transferred to Lancaster were not assigned to Lancaster or previous Oakdale staff, but instead, were placed under a new

In December the long slow drain of youth out of the Shirley facility finally came to a close and on January 2, 1972, the last of the boys were transferred to the Lyman School, and the Industrial School for Boys was closed. During the summer of 1971, Miller told the superintendent of the Lyman School, Frank Ordway, that plans were being prepared to close the Lyman School as well. Ordway was at first disbelieving, but then became intransigent. Seeing Ordway as an impediment, Miller transferred the superintendent to the central office and promoted the assistant superintendent to acting superintendent at Westborough.

As the year closed, the institutions were in complete turmoil. The staffs were suspicious and demoralized. The traditional administrators had lost most of their authority. The population of residents was greatly diminished and those who remained often escaped. In December, Miller held a central staff meeting in order to firm up the final strategy for closing the institutions. Some wished to delay the final closing dates, but Miller was firm. In order to avoid a general confrontation with the legislature over the proposed budget, the institutions had to be closed during the legislative recess in January.

Plans were rushed along. The mechanism for developing a transition between the institutions and the future community placements of the youth was to be a month-long conference held on the Amherst campus of the University of Massachusetts and sponsored by a campus based volunteer group called Juvenile Opportunities Extension (J.O.E.).

contract with the Robert F. Kennedy Action Corps. See Mass., "Post Audit and Oversight Report," 1974, p. 99.

The J.O.E. conference was to take place in January during the university's winter vacation.⁹⁸ Plans for the J.O.E. conference were made without consulting staff members at the institutions. Although there were many rumors floating about, when the morning of January 17 arrived, the evacuation of youth from the Lyman School seems to have come as a major surprise to the Lyman staff. On that morning, Miller, his staff and assorted members of the news media showed up at Westborough, released the majority of the youths remaining in the institution, some 39 in number, piled them into cars and drove off for the J.O.E. conference. On that same morning 17 girls were transported from Lancaster to the Amherst campus.

By the summer of 1972 Miller had removed most all the populations from the Lyman School and the Industrial School for Boys and seriously reduced the population at Lancaster.⁹⁹ Miller and his staff had now turned to the complex process of organizing an alternative community-based services program for responding to delinquency. The wide variety of Massachusetts private services proved of significant

⁹⁸Under these plans university student "advocates" would be individually assigned to D.Y.S. youth with whom they would live in the dormitories and attend the month-long workshops. See Robert B. Coates, Alden D. Miller and Lloyd E. Ohlin, "A Strategic Innovation in the Process of Deinstitutionalization: The University of Massachusetts Conference," in Bakal, 1973a.

⁹⁹Miller had overseen the closing of the Institute of Juvenile Training at Bridgewater in 1969 during the first year of his appointment. The John Augustus Hall for younger boys was closed during the summer of 1971. By 1973 the institutions at Bridgewater, Oakdale, Shirley and Westborough were fully closed. The Lancaster facility continued to house several small uncoordinated programs. The detention center at Roslindale remained functioning as the principle facility for those boys requiring custodial security, and the Forestry camp at Brewster remained open as a low security treatment center.

benefit, for as soon as state funds were made available for "purchase-of-service" from private vendors there was a great rush of candidates. The confusion of the first year in sorting through applications, arranging placements, negotiating contracts and establishing monitoring capabilities proved almost overwhelming to the limited central office staff of the Department.

In order to reduce the work load at the central office and decentralize the diagnosis, placement and monitoring functions, Miller reorganized the Department into seven regional offices, and this transition only further added to the administrative confusion of the year. By the close of 1972 the new community-based service program was beginning to emerge as a stable and effective response to delinquency. The correctional institutions were, for the most part, closed. The one hundred and fifty year experiment in the institutionalization of wayward and delinquent youth was over. An era that had begun with optimism and enthusiasm in 1826 had closed. In its place there remained a renewed optimism and enthusiasm. Many saw in these events the beginning of a new era in Massachusetts youth corrections.

SECTION II
THE CONTENT OF SOCIAL REFORM

Section II: Chapter A
PROGRAMS OF RESPONSE IN MASSACHUSETTS YOUTH CORRECTIONS

1. This history of Massachusetts youth corrections reveals a wide variety of responses to the problem of youthful delinquency. Throughout the century and a half that has transpired since the establishment of the Boston House of Reformation both the diagnosis of delinquency as a problem and the prognosis of how to effectively respond to it have exhibited significant changes. Youthful misbehavior has long been recognized as a social problem.¹ Early efforts to cope with the problem were sporadic and varied.² Not until the early nineteenth century did

¹See the early documents in Juvenile Offenders for a Thousand Years: Selected Readings from Anglo-Saxon Times to 1900, ed. Wiley B. Sanders (Chapel Hill: University of North Carolina Press, 1970).

²In his excellent history of European childhood through the seventeenth century, Philippe Aries considers many examples of youthful excesses, but does not see these as recognized as an age specific social problem. See his Centuries of Childhood: A Social History of Family Life, trans. Robert Baldick (New York: Random House, 1962). John Gillis sees the child criminal of Dickens' time more associated with class than with an age cohort. See his Youth and History: Tradition and Change in European Age Relations, 1770-Present (New York: Academic Press, 1974), especially pp. 170-175. The famed Hospice de San Michele which was erected in Rome by Pope Clement VI in 1704 and which is often regarded as the first separate institution for delinquents in Europe actually housed only a few boys in a population made up primarily of the aged and infirm. See William Tallack, Penological and Preventive Principles (London: Wertheimer, Lea, 1896).

a widespread effort arise in Europe to confront youthful misbehavior as a form of social deviance separate from adult deviance.³ American developments closely follow this European timing. The emergence of a widespread self conscious effort to respond to delinquency is a product of the early nineteenth century.⁴

Only with the beginning of this century was the term "juvenile delinquency" given legal definition. During the nineteenth century "young criminals," "street arabs," "wayward youth" and "vagabonds" were equally popular labels applied to young social deviants. These various labels for misbehaving youth were not the result of mere semantic fads. Over the past two hundred years the definition of youthful deviance has changed in many ways. The very conception of the problem has changed radically as dependent, neglected and mentally defective youngsters have been, at different times, lumped into the concept and, at other times, selectively identified and removed from the concept.

As the definition of the problem of youthful deviance has changed over the years, so has the character of the responses to it. At various times punishment, moral reformation, education, psychotherapy

³See Gillis, 1974, pp. 37-93 ; and Harry Elmer Barnes and Negley K. Teeters, New Horizons in Criminology: The American Crime Problem (New York: Prentice-Hall, 1943), pp. 897-904.

⁴Both Joseph Hawes and Robert Menzel begin their histories of American juvenile delinquents by noting the eighteenth century origins. See Joseph M. Hawes, Children in Urban Society: Juvenile Delinquency in Nineteenth Century America (New York: Oxford University Press, 1971), and Robert M. Menzel, Thorns and Thistles: Juvenile Delinquency in the United States, 1825-1940 (Hanover, N.H.: University Press of New England, 1973). For primary sources see Children and Youth in America, ed. Robert H. Bremner, et. al., 3 vols. (Cambridge: Harvard University Press, 1970-1974).

and physical recreation have been advocated as responses to juvenile delinquency. Some such responses have required the child's institutional incarceration. Others have required foster placement in the country. Still others have encouraged the child to remain with the biological family. Each of these different responses shares in common a positive intention to respond to the stress of youthful misbehavior. The history of youth corrections policy, therefore, appears as a history of changes in the social problem definition as well as changes in the social responses generated as policy.⁵

These various different problem and response formulations can be called social policy programs of response, or, more simply, programs of response. Ideally, a program of response is the scheme in which the norms, practices, theories and structural forms of a given social policy are integrated and made a reasonable strategy for action. Such programs may be very clearly drawn out in official documents or may be only vague outlines constructed in the minds of a few practitioners or policy makers. Where written down, these programs are easier to reconstruct, although, in practice, programs seldom adhere closely to their official statements. Where unrecorded it is still possible to reconstruct historical programs from the fragments of program reports, government reviews, reports of visitors and the public and the private writings of program participants.

⁵This distinction between social problem and social response is a standard convention of the "social problems" approach in sociology. For classic formulations see Contemporary Social Problems, ed. Robert K. Merton and Robert Nisbet (New York: Harcourt, Brace and World, 1961), and Social Problems: A Modern Approach, ed. Howard S. Becker (New York: J. Wiley, 1966).

It is convenient to construct a descriptive model of these programs of response. For purposes of this analysis, programs of response will be viewed as composed of four categories of elements: structure, practice, theory and authority. Both the social problem formulation and the social response formulation are evident in this model.

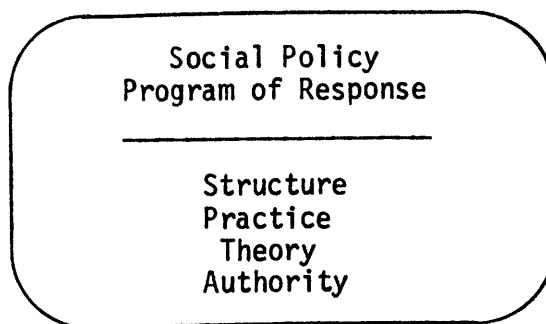
Formulations of the social problem can be identified by the causal theories which are employed as explanations for youthful misbehavior. Such theory traditions define the specific character of deviant youth as well as the roots of deviant motivation. For instance, during the decade of the 1920's it was popular to explain juvenile delinquency as the result of mental conflicts derived from the experiences of early childhood and infancy. This perspective on the etiology of delinquency was borrowed from psychological and psychiatric theories. As a full frame of reference this psychodynamic way of explaining delinquency can be called a theory tradition.⁶

Social responses, on the other hand, may be of three different types. First, structural forms may be considered social responses. Physical buildings, their architectural design and their internal functional organization, may be responses designed to cope with deviant youth. Second, authoritative forms such as legal, legislative and administrative codes and guidelines may be established as responses.

⁶Other terms could be used. The term tradition is borrowed from Don Martindale's The Nature and Types of Sociological Theory (Boston: Houghton, Mifflin, 1960). Nicholas C. Mullins calls them "theory groups." See his Theories and Theory Groups in Contemporary American Sociology (New York: Harper and Row, 1973).

Such codes and guidelines may serve to define and control certain kinds of illegal behavior or may authorize, systematize and regulate structural and practice responses to delinquency. Third, practice traditions may develop as social responses. Practice traditions include both the normative theories of expert practice and the actual behavioral conventions of practitioner's daily practice. In the example of the 1920's program that viewed delinquency as psychodynamically motivated, the mental hygiene clinic that opened at the Lyman School in 1926 and the Judge Baker Foundation are good examples of structural forms. These clinics were designed as responses to the psychological formulation of the delinquency problem. The authority form was the administrative department, such as the Department of Mental Disease or the Department of Public Welfare under which the clinics operated. The practice was called child guidance and it included clinical examinations, diagnoses, treatment plans and clinical consultation.

These four categories--theory traditions, structural forms, authoritative forms and practice traditions--form the building blocks of this model of the social problem-social response nexus. Together these four elements may be referred to as a program of response:



Throughout its history Massachusetts youth corrections policy has been dominated by a variety of these programs of response. It is the objective of this first section of the analysis to examine these various programs. Using the descriptive framework it is possible to reconstruct the case history as if it were a sequence of programs of response. By ignoring the time dimension and considering the programs of response comparatively it is possible to analyse each program in terms of its similarities and differences among the set of programs and, in so doing, to explore the kinds of programs which have come to be the Massachusetts youth corrections policy.

2. The descriptive model with its four categories provides the frame of analysis through which the case history of Massachusetts youth corrections policy can be analysed. In the analysis that follows the case history is reconstructed into seven chapters representing the seven programmatic approaches that have risen to dominance as accepted state and professional policy. The asylum program, the supervised placement program, the vocational education program, the child protection program, the child guidance program, the community prevention program and the community-based services program each have been identified in the case history. The precise divisions could be debated and the labels challenged, but the case history provides significant evidence of seven such programs and these seven programs generally characterize the major approaches that have appeared over the one hundred and fifty year period.

Each of the programs can be identified by specific responses within the four categories of response: structure, practice, theory and authority. Figure 4 identifies the seven programs and labels the

Figure 4: Programs of Response in the History of Massachusetts Youth Corrections Policy

Structure	Practice	Theory	Authority
ASYLUM PROGRAM Refuge/Reform School	Moral Reformation	Moral Degeneracy	Brd. of Trustees
SUPERVISED PLACEMENT PROGRAM Supervised Placement	Moral Reformation	(Heredity)	Brd. of Oversight
VOCATIONAL EDUCATION PROGRAM Vocational Training School	Vocational Education		Supervisory Brd.
CHILD PROTECTION PROGRAM Juvenile Court/Probation	Child Protection	Child Vulnerability	
CHILD GUIDANCE PROGRAM Child Guidance Clinic	Child Guidance	Psychodynamic	Administrative Dep.
COMMUNITY PREVENTION PROGRAM Neighborhood Organization	Community Org/Street Work	Structural/Functional	Youth Authority
COMMUNITY-BASED SERVICES PROGRAM Community-Based Services	Youth Services	Social Reaction	Regulatory Dep.

specific features that characterized the separate program categories. Thus, the asylum program can be seen as composed of the refuge and the reform school in the structural category, moral reform in the practice category, the moral degeneracy thesis in the theory category and the Board of Trustees in the authority category. The supervised placement program was composed of the placement as structure, moral reform as practice, heredity as theory and the board of oversight (the Board of State Charities) as authority. The heredity thesis is bracketed in Figure 4 to suggest the extreme ambivalence and incongruity with which it can be seen as the theory tradition in the supervised placement program. The vocational education program was characterized by the vocational training school as structure, vocational education as practice, a general void in theory and the supervisory board (the State Board of Health, Lunacy and Charity) as authority. Likewise, the juvenile court and probation note the structural distinction of the child protection program, with child protection as practice, child vulnerability as theory and a general void in authority. The child guidance program was characterized by the guidance clinic, child guidance practice, the psychodynamic theory, and the state administrative department. The community prevention program was, then, characterized by the neighborhood organization, community organizing, structuralist theories and the state youth authority. Most recently, the community-based services program has been identified by the community-based services as structure, youth services as practice, the social reaction thesis as theory and the state regulatory department as authority.

The labels for the seven programs have not been applied arbitrarily. The terms have been selected from the primary literature of the time and often represent the most commonly used expression in discussing the dominant policy approach. They are more than "catch words." They appear to have become "loaded" with significant connotation. Frequently, they were used to represent the entire program or major elements of it. In this capacity these terms acted as concepts around which participants could rally and against which others could rebel. As the subject of this study centers on intended and attempted policy and intended and attempted programs, much of the following analysis is focused upon exploring these verbalized concepts. In reviewing the various categories of each program of response careful attention is paid to the terms most frequently used in describing the responses to youthful misconduct. Where several concepts appeared central to the program, their interrelationships are reviewed and the degree to which they were attempted in program implementation is evaluated. Comparison among programs over time is organized around the comparison of these concepts.

The remainder of this section is divided into nine chapters.

Seven of these chapters, Chapters C through I, are devoted to considering each of the seven programs of response which have dominated Massachusetts youth corrections policy. The opening chapter, Chapter B, provides some necessary background material on the undifferentiated character of colonial and early republican youth correction policy. The concluding chapter, Chapter J, provides a summary of this section.

Section II: Chapter B
UNDIFFERENTIATED RESPONSES DURING THE COLONIAL PERIOD

1. The Community-Based Social Structure. The early colonial period of Massachusetts history was devoid of structural forms particularly designed to respond to youthful misbehavior. The colonial townspeople coped with and cared for all of their deviant and dependent members within the social forms of normal community life and undifferentiated from them. A spate of recent re-examinations of colonial community structure suggests that this early communal form, while not long lasting, was, indeed, stable and robust.¹

The utopian vision of an "errand in the wilderness" plus the primitive economics of survival mandated the community as the basic unit of structure in the early Plymouth and Massachusetts Bay colonies. This organization made each free man a partner in a joint effort where each would benefit to the extent of their common ability and for which each would labor individually. While housing was a private good, the land devoted to food production, the harvest and the stores were all held in common. The care of dependents during these first few generations was

¹Three of these studies use extensive data analysis to study individual communities: Kenneth Lockridge, A New England Town: The First Hundred Years, Dedham, Massachusetts, 1636-1736 (New York: W. W. Norton, 1970); Philip J. Greven, Jr., Four Generations: Population, Land and Family in Andover, Massachusetts (Ithaca: Cornell University Press, 1970); and John Demos, A Little Commonwealth: Family Life in Plymouth Colony (New York: Oxford University Press, 1970). Greven's study and the book by Lockridge are clearest in defining two colonial periods differentiated by type of community structure. Greven sees the earlier community structure of Andover as a reversion to the traditional patriarchal form of sixteenth century England with a strong emphasis on authority, patriarchy, mutual aid and stability. See Greven, 1970, pp. 268-272.

also a communal function. While the elderly, sick and orphaned were serviced in local families, the family itself was largely a dependent appendage of the community.²

2. The Family-Based Social Structure. The communal form of social structure did not survive long. The tightly controlled patriarchal community was replaced by a more tolerant, more fragmented social organization during the late seventeenth century.³ The result was a rapid proliferation of new community settlements and greater economic activity. These new communities were more open and fluid in organization and relied more heavily upon the family as the primary unit of social structure. As the community lost prominence, the extended family, often spread across several settlements, became the primary locus of socialization, social control and care giving.⁴

²The family served as the community's hospital, house of correction, church, school and social welfare institution. See Demos, 1970, pp. 184-185.

³Conventional historians see this transformation as the result of the erosion of Puritan idealism and English traditions by the corrosive forces of the American Wilderness. See, for instance, Perry Miller, Errand in the Wilderness (Cambridge: Harvard University Press, 1960). More recent historical interpretations view this transition less as erosion and more as a functional response to internal changes within the communities themselves. Greven notes the role of population growth over the restricted land area of Andover as encouraging geographic mobility of sons after 1700. See Greven, 1970, pp. 125-130. Lockridge sees the role of an increased birth rate and a decreased infant mortality rate as the cause of the unprecedented population expansion during this period. See Lockridge, 1970, pp. 66-69.

⁴This transformation is more fully developed by James A. Henretta in his review article, "The Morphology of New England Society in the Colonial Period," in Journal of Interdisciplinary History, 2:379-398 (Autumn, 1971).

The increasing independence of the family decreased the authority of community control and provided greater tolerance for individual differences. It also weakened the sense of communal responsibility and diminished the natural guarantee of care that deviants and dependents previously enjoyed by right. While resident dependents were yet viewed as community responsibilities, the village and town councils were increasingly forced to admonish, petition, coerce and bribe families into providing the necessary care.⁵

As reluctant as colonial families were to overburden themselves with their own relatives they were even more resistant to the plight of the stranger. In part this stemmed from the increasing population of non-homogeneous immigrants arriving in New England. By the mid-seventeenth century the Quaker population had become viewed as a serious threat.⁶ Of even more consequence were the immigrants who arrived when English authorities began to use transportation in earnest as a means of ridding England of undesirable vagrants. These vagrants were found no more desirable at the ports of Massachusetts, and vessels carrying such persons were generally made unwelcome. The residents of Massachusetts settlements feared these itinerant strangers because of their potential claim upon the community's welfare. It was this fear that resulted in the laws of

⁵The increasing importance of the family in providing social care and control becomes evident as communities, such as Plymouth in 1670, began passing statutes requiring that all residents live as a part of some family. See Robert W. Kelso, The History of Public Poor Relief in Massachusetts, 1620-1920 (Boston: Houghton-Mifflin, 1922), p. 31.

⁶Kai Erickson claims that this threat was perceived as far greater than the number of Quakers should have warranted. It was their unsilenceable heresy that proved threatening. See Kai T. Erickson, Wayward Puritans: A Study in the Sociology of Deviance (New York: J. Wiley, 1966), p. 108.

settlement and the protective practice of "warning out" whereby towns could selectively discourage newcomers who might too easily become dependent.⁷

3. The Shelter Institutions as Structural Response. The deterioration of the communal organization gave rise to two structural responses: the almshouse and the jail. Where the settlement laws were designed to protect the towns and villages from itinerant deviants and dependents, the almshouse was designed to provide shelter for resident deviants and dependents. Figuratively, the settlement laws defined the walls of community protection at the edge of settlement and the almshouse and jail became two of several information institutions within this community fortress.

Long before confinement and differentiation could separately define youth correctional institutions, early American social reformers had to develop and master the technology of providing public shelter without relying upon the private family. The seventeenth-century transition to a family-based social organization threatened to leave the community's dependents exposed and unprotected. The erection of public shelters was required to protect those left exposed. In 1682, Boston opened the first public almshouse in America, although almshouse care was not common in the Commonwealth until after 1700.⁸

⁷The first settlement laws appeared in the Plymouth Colony in 1636. Any persons who were not sponsored by existing residents were forbidden to take up residency. When the New England colonies were consolidated in 1672 the Articles of Confederation mandated the towns fully responsible for poor relief and three months' inhabitancy as adequate evidence of residency. In defense the towns authorized sheriffs and selectmen to "warn out"--sometimes quite forcefully--new arrivals who were potential dependents before they could establish residency. See Kelso, 1922, pp. 45-48.

⁸Robert Kelso describes the development of the almshouse as an outgrowth of private initiative. As the numbers of public dependents increase, some

Architecturally the almshouse was a roof with permeable walls. Public protection was offered to the aged, the widow, the orphan, the idiot, the sick and the stranger. Coming and going was frequent. These early institutions did not separate. Institutional residents and community members moved freely through the doors. Like the inn, the almshouse was a social response to the need for temporary shelter. Although it was expected that few residents would stay long, as time passed, many did.

Temporary shelter was also the central structural expression of the village jail. This jail was not an instrument of punishment or reformation, nor did it serve to separate the criminal from the community. The jail provided temporary quarters for the drunkard, the vagabond, the prostitute, the thief awaiting trial and the guilty awaiting punishment or deportation. The punishment of crime and the reformation of the criminal were carried out within the community, not inside the institution.⁹ Whereas the temporary provision of shelter was permitted in the almshouse, the temporary provision of shelter was required in the jail. Detention,

town councils began to use auctions for distributing the poor to their caretakers. As time passed certain persons established themselves as bonded contractors who negotiated for all of the town's poor in one bidding. "The result was a privately owned and operated almshouse where the profit to the keeper was the object sought and where the labor of the inmates formed a definitive and well understood part of the legal consideration." See Kelso, 1922, p. 112.

⁹George Haskins observes that it was not uncommon for colonial magistrates to refer offenders to local ministers for "conviction." Because such conviction was intended to "humble the will" of the offender and serve as a deterrent to others, admonition, public confession, humiliation and a wide range of corporal and capital punishments were conducted in full sight of the community. See George L. Haskins, Law and Authority in Early Massachusetts (New York: Macmillan, 1960), pp. 208-210.

a rudimentary form of confinement, was the object of jail house shelter. But the technical competence to guarantee detention in either physical construction or administrative organization was seldom adequate. Escapes were easy and frequent.¹⁰

The preferred "outdoor" system of public relief whereby care was provided dependents in their own home or with local families offered a simple prototype for organizing the internal structure of "indoor" institutional systems of relief. The family was the basic care-giving and socialization unit in the daily community and it seemed the most natural mode of internal organization within these early shelter institutions. In both the almshouse and the jail it was common for a keeper and his family to occupy rooms adjacent to those of the inmates and for the entire population to eat and work together upon a family-like routine.¹¹

This family organization may have been the uppermost intentions of those who first established and administered the poorhouses and lock-ups, but the prototype did not persist. The early shelter institutions, like many future examples, ran into the dilemma of congestion. The very existence of the almshouse seems to have attracted

¹⁰Some communities required prisoners to post bond while others attempted to hold the jailer responsible for the debts of escaped prisoners. In 1699, the General Court passed an "Act for the Regulating of Prisons, and to Prevent Escapes," but even colony-wide regulations proved ineffective. See Rothman, 1971, p. 56.

¹¹Rothman alleges that these early colonial institutions were not significantly different from the standard "outdoor" responses to deviants and dependents. The sheltered and filial relations of the family household were merely extended into artificially contrived family forms in almshouses and jails. Architecturally, he argues, both the almshouse and the jail appeared in facade as over-built houses and had internal layouts much like rooms in a house. The keeper and his family merely extended their family routine to include their charges. See Rothman, 1971, p. 55.

as many dependents as keepers were willing to accept.¹² As the demand for institutional capacity increased, the response was to more tightly pack the residents and increase the size of the facility. This congested institution took on a different social reputation than its earlier form. Whereas before the institution was seen as serving unfortunates, the new, overcrowded institution took on the stigma of serving undesirables.¹³ Jails, likewise, became congested with those who simply could not be deported nor left without restraint. They, too, became disreputable shelters packed with evil-doers and villains.¹⁴

In both institutions children were mixed indiscriminately with adults. As early as 1692, the General Court passed legislation which permitted idle and ill-behaved children to be sent to the houses of correction.¹⁵ From its opening day, the Boston Almshouse was a major public respository for orphaned and neglected children.¹⁶

¹²"Let the public but set up a receptacle and there will always be dependents to occupy it. This is the history of all times among all people."--or, at least, so it appeared to Robert Kelso. See Kelso, 1922, p. 171.

¹³A special study of the Boston Almshouse ordered by the town council in 1790 concluded:

"The almshouse is, perhaps, the only instance known where persons of every description and disease are lodged under the same roof . . . by which means the sick are disturbed by the noise of the healthy, and the infirm, liable to the vices and diseases of the diseased and profligate."

See Boston, Town Council, Town Records of 1790, Boston, Mass., 1790.

¹⁴Lewis, 1922,

¹⁵Kelso, 1922, p. 177.

¹⁶It was not until 1800 that a separate institution, the Boston Female Asylum, was established for homeless girls. A separate institution for male orphans, the Boston Asylum for Indigent Boys, was not established until 1814.

While in rhetoric the family ideal was espoused, many of the early shelter institutions, particularly in the larger towns, assumed conditions best suggested by the hold of a ship. This congregative organization was defined by a set of wardens overseeing a sizable population through means of mass processing, rigid routines and fairly severe forms of discipline. Together, the almshouses and the jails became the undifferentiated closets of the community: the dumping place for all those whom townspeople found too problematic or undesirable to care for within their households.

4. The Practice of Guardianship. During the period that Massachusetts remained a colony the common practice for coping with the community's dependents was guardianship. Such persons were to be sheltered within the community, preferably in homes, although increasingly in institutions, but the extent of the community's responsibility terminated with the guarantee of life's maintenance. Little hope or attention was given to curing or reforming these unfortunates. The colonists did not believe that institutions could or should reform the deviant and the value of the almshouse was never based on recovery or reform, but more on merely gathering in the homeless.¹⁷

Still, guardianship was not simply a passive practice. As shelter was built in order to protect, guardianship was practiced in order to control. Deviants and dependents were not permitted to roam

¹⁷Rothman argues this case specifically: "The colonists attributed no special virtues to institutionalization. They were not preoccupied with having the almshouse divide the worthy from the unworthy poor, and they certainly did not believe that incarceration could or should alter the character of the poor." See Rothman, 1971, p. 31.

without supervision within the community (although, with the advent of the settlement laws, they increasingly roamed free between the communities). Their presence was both a threat and an opportunity in the maintenance of the moral order. Religious teachings stressed the important contribution guardianship played in protecting the unfortunates as well as controlling the clarity of the moral experiment.¹⁸ The very existence of the needy, the sick and the misguided was seen as offering an opportunity for the dutiful parishioners to demonstrate the quality of their charity. Charity, particularly among the colonial gentry, was a symbol of status. Guardianship, therefore, was stressed in both public relief and private philanthropy.

In practice wayward youth in colonial Massachusetts were treated as dependents even though youthful deviance was subject to severe and uncompromising legal sanctions. For instance, the Massachusetts Body of Liberties, adopted in 1641, clearly stated:

If any child, or children, above sixteen years old, and of sufficient understanding, shall curse or smite their natural FATHER or MOTHER, he or they shall be putt to death, unless it can be sufficiently testified that the Parents have been unchristianly negligent.¹⁹

By 1660 Massachusetts had several severe laws providing penalties to children for lying, breaking the Sabbath, disobedience and stubbornness. In 1662, the Boston Town Meeting appointed persons

to prevent disorders by youth on the Lord's day; particularly in the meeting house; in time of God's solemn worship; with

¹⁸See Miller, 1960, pp. 5-7. While not directed by the same religious mission, Quaker social activists also viewed guardianship as a moral and religious obligation. See Sydney V. James, A People Among People: Quaker Benevolence in Eighteenth Century America (Cambridge: Harvard University Press, 1963).

¹⁹Quoted in Hawes, 1971, p. 13.

authority to correct those who were disorderly with a small wand and in the case of contempt, to take their names and bring them before the magistrate.²⁰

Children's punishments most commonly included lectures, fines or prolonged labor. Generally, incarceration and corporal punishments were avoided. Instead, the response to youthful misbehavior was to remand the youth to the home where strict family and religious government was expected to deter further excesses.

If children could not be adequately disciplined in their own homes, they could be indentured into a household with better discipline. When Thomas Lambert of Barnstable complained in 1660 against his son, Jedediah, that he "caryed stubbornly against his said father," the court agreed to release the boy to a "Mr. Hinckley to dispose of him to some honest, Godly family with his and his father's consent."²¹ In such cases of indenture, the practice of guardianship was transformed by the apprenticeship idiom. Under the governance of a contracted family, a misbehaving youth might be controlled and taught the rudiments of a productive living.²² Still, this early form of placement was not viewed

²⁰Quincy, 1852, p. 6.

²¹Quoted in Kelso, 1922, p. 167.

²²This practice was also used for dependent children. John Demos notes an early Plymouth statute that provided when "psons in the Gourment are not able to provide Competent and convient food and raiment for theire Children" the children could be removed from their families and placed with families where they would be more "comfortably provided for." See Demos, 1970, p. 104. Such "cumpulsory" indenture differed from the "voluntary" indenture whereby fathers bought their sons an artisan's training. Under the involuntary contracts the schooling might be more limited, the discipline more strict and the termination would not result in compensation. See Carl Bridenbaugh, The Colonial Craftsman (Chicago: University of Chicago Press, 1950), p. 131.

as a means of reformation. A successful apprentice learned skills for future self-support, but, if previously a wayward youth, there was little expectation that the condition could be transformed.²³

Education was an early state intervention into the family guardianship system of child care. By 1642, the General Court required all parents and masters of indentured youth to teach children to read and to understand the capital laws of the colony and the moral principles of the religion. During the early colonial period schools were an infrequent institution. The responsibility for education and vocational training fell clearly upon the family. As the community-family social network began to deteriorate during the late seventeenth century, informally organized schools and formally organized academies increasingly came to fill the void in teaching and training.²⁴ With this transition the school also became a major source of education for the dependent child. Children in the almshouses were frequently sent out to local schools and workshops for their training.²⁵

²³In part this resulted from the undeveloped condition of the apprenticeship system in the American colonies. The erosion of community controls had permitted the sophisticated apprenticeship traditions of European communities to deteriorate into more of a bonded labor relationship between children and masters. The shortage of labor, the expanding market for cheaply produced goods and services and the absence of strong guilds encouraged masters to take on many apprentices and offered little incentive for careful supervision or moral guidance. See Oscar Handlin and Mary F. Handlin, Facing Life: Youth and Family in American History (Boston: Little, Brown, 1971), pp. 28-33.

²⁴See Bernard Bailyn, Education and the Forming of American Society (Chapel Hill: University of North Carolina Press, 1960).

²⁵In 1768 an experimental spinning school was established near the Boston Almshouse for training almshouse youth, but it proved unpopular with local industries and it was discontinued after 1773. See Kelso, 1922, p. 178.

As hopeful as these early training efforts were, there was no general expectation that deviant youth could be reformed. At most it was hoped that training such youth might restrain them from becoming a worse scourge on the community; moreover, it was only what the community expected any of its youth to receive. Guardianship and its derivative apprenticeship were simple forms of social control and social training offered to guarantee economic independence. No more was expected under this early form of practice.

5. Predestination as Causation. In theory, social deviance in early colonial Massachusetts resulted from the devil. The earliest colonists were so committed to their moral mission that little tolerance was made within the social order for the misfit. The genesis of deviance was expelled from the community into the nether regions of the supernatural.²⁶

The Puritans had emigrated from Europe with the professed intentions of establishing a "Zion in the Wilderness," an ideal religious community which would serve as a model for a new Protestant reformation in Europe.²⁷ Purity of devotion and lifestyle were as critical as survival. The idealized condition of life--"everlasting life"--was the state of grace. In the common strivings for grace, many did not succeed. But, success was not self-determined, for grace was determined under a

²⁶Marion L. Starkey, *The Devil in Massachusetts* (New York: Knopf, 1949).

²⁷The ideals of these New England saints are well documented in several excellent histories. In particular see William Hubbard, *A General History of New England from the Discovery to MDCLXXX*, Massachusetts Historical Society, Second Series, Boston, 1848, vol. 5; and Perry Miller, *The New England Mind: The Seventeenth Century* (New York: Macmillan, 1939).

doctrine of predestination. During life, those who were the chosen would sense grace and so rise to authority and respect. Those who remained in doubt would strive in their honest callings waiting to learn their fate and the remainder would slide into conditions vulnerable to the temptations of the devil.²⁸ Both deviance and dependence were attributable to God's will. Puritan doctrine located within predestination a "cause" for all human condition, but in no way did it follow that the individual could therefore be excused for personal behavior.

God, so the reasoning went, arranged every moment of human history. . . . Every act of man, then, whether it be a saintly deed or a frightful crime, has been fully preordained. Yet at the same time God demands that every person consent to the future that has been chosen for him, so that he is always acting on the basis of his own volition in the very process of carrying out God's will.²⁹

Causation was predetermined, but personally accepted. The predestination thesis assigned the vulnerability to deviance to a pre-ordained order, but left the working out of the deviant act to a spectral compact.³⁰ The deviant act resulted from surrendering to temptation. The commission of the act was symptom of the individual's willful consort with the devil.

²⁸The eminent John Winthrop saw in predestination an explanation for all status including deviance: "God Almighty, in his most holy and wise province, hath so disposed of the condition of mankind, as in all times some must be rich and some poor, some high and eminent in power and dignities, others mean and in subjection." Quoted in Erickson, 1966, p. 191.

²⁹Erickson, 1966, p. 191.

³⁰Erickson argues that where the act stood as a symptom of a spectral compact and as a confirmation of social condition, it served to freeze the wayward Puritan into a deviant identity which precluded reform--"to characterize a person as deviant was to describe his spiritual condition, his calling, his vocation, his state of grace." See Erikson, 1966, p. 198.

Youthful deviance and dependence fell under this same assumption of predestination, but the presumption of innocence forestalled the inevitable identification, at least through puberty. The shrill antics of Abigail Williams and her companions in Salem in 1692 were never credited to their own volition. The devil was presumed to act only through the accused adults.³¹ The deviance of children was not enough to seal their fate.

As Massachusetts passed out of the strictly Puritan period, the predestination thesis receded in favor, but it lingered on in formal settings. The legislation of the eighteenth century is replete with prohibitions against providing or succumbing to temptations.³²

6. The Undifferentiated Response. A wayward youth could be either deviant or dependent. Colonial society made little of the distinction between the two. A youth's misconduct was sharply admonished, but it was taken primarily as a sign that the community should assume responsibility for the youth's proper upbringing. While the laws regarding youthful deviance were strict and severe, in practice, the response to such youth differed little from the response offered those youth who fell dependent on the community due to parental neglect or mental defect. Guardianship and apprenticeship were not defined in terms of punishment or retribution, nor in terms of rehabilitation. A wayward youth, like any dependent youth, simply required firm family discipline. In part, this undifferentiated response resulted from a reluctance to

³¹Starkey, 1949, p. 46.

³²See Edwin Powers, Crime and Punishment in Early Massachusetts (Boston: Beacon Press, 1960).

apply the devil assumption to children not assumed old enough to willfully choose deviant identities. In part, it resulted from the absence of any reform orientation which would have required an analysis of individual differences. In part, it resulted from a reluctance to differentiate problematic youth by condition when no policy of differentiated responses existed that would have affected practice.

The absence of distinction between deviants and dependents also characterized age and sex differences. Dependent youth generally were treated no differently than dependent adults. The sex of the child required no major difference in response either. The first efforts with children or adults of either sex was to offer care within their own homes, or, if that was impossible, in the homes of relatives, friends or neighbors. Only as a last resort were children or adults maintained in the public shelter institutions. There, little separation was made by age, sex or reason of admittance. Nor were great distinctions made in sending youth to jail with adults. There were no separate facilities for youths in need of detention and, if no other means could be found, the jail served them as well as it served adults. Even the major distinction between "indoor" and "outdoor" provisions was clouded by efforts to organize the institutions like a household and the failure to distinguish by any consistent policy who should receive which kind of services.

Whether young or old, male or female, indigent or profligate, persons in need of public services in colonial Massachusetts were not treated in terms of clearly separate categories. Such persons were generally handled on a case by case basis and the services they received,

while as varied as the personalities of the care providers, were not differentiated by even the crudest of public policy.³³ Massachusetts society was still predominantly a rural society and individual delinquents, as problematic as they may have been in their own communities, were simply too varied, too few and too infrequent to be considered a social problem.

Section II: Chapter C
MORAL REFORM AND THE ASYLUM

1. The Refuge/Reform School as Structure.¹ While the Boston House of Reformation, Boston Asylum and Farm School, State Reform School, State

³³The absence of a consistent public policy toward deviants and dependents functioned only so long as the communities were small and intimate. Kelso notes "for nearly a century it was usual to deal with each case individually as it arose. And it was usual also to present the case to the entire town in the regular town meeting, there to be discussed, frequently to be haggled over, and finally disposed of by some temporizing step." See Kelso, 1922, p. 93. The nineteenth century would require a more formal policy approach.

¹The New York House of Refuge was opened in 1824 and Philadelphia opened its House of Refuge in 1826. When Boston opened its institution, the name House of Reformation was selected because the city already had a House of Refuge "for females of bad reputation who have resolved to

Industrial School for Girls and the Nautical School differed significantly in details of structure, they were all related by their common devotion to the principles of moral reformation. Throughout the various refuges and reform schools there existed a basic set of principles and patterns so integrated and coherent that they can be seen as forming a common program of response organized around the asylum and the practice of moral reform.

In terms of structural arrangements the House of Reformation differed only slightly from the State Reform School that opened twenty years later. Both offered delinquent youth specialized public shelter in order to protect them from exposure. The shelter offered within the refuge was short term. With the establishment of the reform school, temporary shelter became enduring. The shelter of the reform school was not merely a temporary protection of last resort. The youth who arrived at these gates were expected to stay a while. An indeterminate sentence meant a commitment for the duration of childhood and the only prescribed exit from the institution was the placement.²

In structural form the refuge and reform schools merely adopted the shelter prototype of the almshouse and local jail. The true significance

reform." See Robert S. Pickett, House of Refuge: Origins of Juvenile Reform in New York State, 1815-1857 (Syracuse: Syracuse University Press, 1969), p. 200. Generally, these early children's institutions were referred to as refuges and the later institutions were called reform schools. Both terms are used here.

²The indeterminate sentence meant a youth was to remain under state supervision until the age of majority. This lengthy commitment was advocated in order to provide adequate time for reformation throughout the developmental years and to preclude too rapid a return of youths to their former deleterious home environments. See arguments presented in Mass., State Reform School, 2nd A.R., 1849, p. 4.

of the asylum as a structural response lay in the separation, confinement and differentiation intended within the concept.

During the later years of the eighteenth century, as the almshouses and jails became congested halls of disease, filth, and debauchery, the open, permeable access between institution and community diminished. While the Boston Almshouse remained at the heart of the inner city, a widening gulf separated its wretched interior from the streets outside. The community, which a century earlier cherished its dependents, now assumed the ethical prerogative of segregation. This inward estrangement of dependents followed the response to deviants. Like the Almshouse, Boston's Leverett Street Jail had filled to congestion with the petty criminals for whom deportment and physical punishment had no value. As if deviance could be contained by quarantine, the community created within its confines a ghetto of villains. The world on the inside developed a vicious culture of its own, separate and alien from the world on the outside.

It was these two festering subworlds that Boston Mayor Josiah Quincy, Louis Dwight, and the social reformers of the 1820's sought to remove from the heart of the metropolis. They planned to move these populations en masse from the inner city to a welfare compound newly built upon the South Boston hill. Reminiscent of the separation practices of deportment and warning out, the community was to be free of the menace of its deviants and dependents by segregating them, not inward, but outward.

It was amidst this transition, this new spatial segregation, that the refuge arose. The Boston House of Reformation, thus, commenced its existence not in the heart of the city, near the homes and parents of its

inmates, but geographically displaced in the South Boston compound. The House of Reformation was thereafter located at South Boston and, at other times, on the harbor islands, finally settling into permanent quarters at Deer Island. When the Boston Asylum and Farm School opened in 1835 it, too, abandoned the downtown Boston Asylum site for distant Thompson's Island.³ The separation of the refuge from its community and the estrangement of its inmates from their families was carried further with the establishment of the reform schools. While both the Westborough and Lancaster sites were selected because of their centrality to the state, these rural locations all but guaranteed the major separation of the inmates from their homes and communities. The nautical school succeeded in carrying separation to its fullest extreme. But the reform schools and nautical school achieved separation in more than geography alone. While the populations of the institutions remained primarily of urban backgrounds, the reform schools were deliberately rural with no semblance of urbanity and the nautical school offered the full antithesis of both urban and rural life in its maritime isolation.⁴

Figuratively, the reform schools were monuments to separation. The early Westborough facility stood as an isolated edifice perched upon the crest of a sylvan hill. Contemporary renderings depict a four-story

³The Boston Harbor islands have long served the city as the site of dumps, prisons, sanatoria and other artifacts of social disrepute.

⁴In selecting a site for the new State Reform School, the appointed state commissioners noted, "There are no manufacturing villages in the vicinity, and the farmhouses are not more numerous than in most of the agricultural towns in the State . . . The situation, therefore, is sufficiently retired." See "The Report of A. D. Foster, Robert Rantoul and Samuel H. Walley, Jr. to His Excellency, George N. Briggs, Governor of the Commonwealth of Massachusetts January 12, 1847," bound in Mass., State Reform School, 2nd A.R., 1849, p. 23. Hereafter referred to as the "Report of the Foster Commission."

brick structure with two symmetrical towers set on the horizon at great distance from the viewer and separated by a lake in the foreground.⁵

The separation of the refuge and reform school was seldom voluntary. The urge to run away back home had to be countered by restraint. The poorly implemented detention of the town and village jails had to be perfected and incorporated into the asylums of the mid-nineteenth century. But the social reformers went further. The passive concept of detention --holding in restraint--was developed into the active concept of confinement--building in limits. Confinement had a moral as well as physical significance that appealed to the head and heart as well as the feet. A. D. Foster and the state commissioners who researched and planned the State Reform School looked forward to the time when

classes may be formed of boys who may, with safety, be trusted to work in the garden or on the farm relying upon the moral influence exercised, and upon constant inspection, to restrain them from escape.⁶

Confinement under superintendents like Reverend E. M. P. Wells at the House of Reformation or superintendents William Lincoln or Joseph Allen at Westborough was more than restraint by force. A youth remained even when the door was open, because there was something to remain within --something of shelter and protection. Confinement was a group phenomenon. Confinement encircled the youth, but within the company of others. It gave comfort to the estrangement of separation. One was not merely separated out, and, as an individual ejected from the community; one was separated into a community of one's own.

⁵See, for instance, the frontpiece in Mass., State Reform School, 7th A.R., 1854.

⁶"Report of the Foster Commission," 1849, p. 28.

The early youth corrections institutions developed two primary forms of differentiation: by age and by sex. The central argument in behalf of both the House of Reformation and the State Reform School was the need to separate the young from the inmates of adult facilities.⁷ Structurally this differentiation occurred in steps. The House of Reformation was first established as only a separate wing of the new South Boston House of Correction. At that point, children between ages eight and eighteen were admitted though they could still be committed into the adult facilities. Only after 1836 did the refuge acquire a new building separate from the House of Corrections, although it was still on the same grounds.

In planning the Westborough facility, the Foster Commission made a significant effort to consider the proper age range for commitment.

. . . there is such a variety in stature, temperament, and character, among persons of the same age, that it is difficult to select any one age as the limit, either maximum or minimum. In a majority of cases, boys over sixteen years of age would be unsuitable subjects, and the general rule, it is thought, should be, not to send boys over that age to this place.⁸

⁷In arguing in favor of the House of Reformation, Louis Dwight condemned the imprisonment of children:

"The greatness of the evil, if there is no injustice and criminality in it, of placing a child and confining him there with strong bolts and bars, among a den of thieves, where he may be subject to any violence and not be permitted to utter a complaint without hazard of his life, has surely not been sufficiently contemplated."

See Boston Prison Discipline Society, 2nd A.R., 1827, p. 7.

⁸In preparing their report, the commissioners conducted a survey of several prominent social reformers and among the questions was one addressing the age range. In responding to this question, Theodore Lyman, who anonymously donated ten thousand dollars to encourage the Commonwealth to establish the institution, advised the commissioners to accept no boys older than fourteen years. See "Report of the Foster Commission," 1849, p. 64.

The commissioners settled for limiting admittance to those between seven and sixteen, but this age range soon proved to be too wide. Boys sixteen years old were often so much more hardened than those of more tender years that the younger boys were easily influenced and encouraged to grow in daring and insubordination. This inter-mixing of ages was seen as a major source of problems in the management of the institution and, later, a reason given for the institution's failure to correct delinquency.⁹

The Nautical School was advocated as a means of age differentiation. It was intended to divert away from Westborough those over fourteen, creating, in effect, two age-graded institutions. Although this attempt failed, the reorganization of the Westborough institution in 1885 finally did achieve a successful age segregation with those over fifteen being diverted to the new State Reformatory at Concord which was opened that same year.¹⁰

⁹In his annual report of October, 1884, Joseph Allen identifies the age of commitment as a clear correlate to the institution's quality of internal management. From 1848 to 1859 boys were committed between the ages of seven and sixteen. Allen notes that this period was "a gloomy and painful disappointment to many of the most hopeful friends of the noble experiment." After the fire of 1859 the maximum age was reduced to 14 and the school ship established to receive the older boys. By 1866 Allen notes that the institution was in such good order as to win the highest praise from E. C. Wines and Theodore W. Dwight in their investigation of reformatories across the country. With the abandonment of the school ships in 1872 the age of commitment was raised from 14 to 17 "since which time it has been a constant source of trouble and anxiety." See Mass., State Primary and Reform School, 5th A.R., 1884, p. 78.

¹⁰A further refinement in age differentiation occurred in 1908 with the establishment of a second reform school for boys, the State Industrial School for Boys at Shirley. When this facility opened, it accepted those delinquents between ages fifteen and eighteen leaving the Westborough institution with only those between ages seven and fourteen. See Mass., Industrial School for Boys, 1st A.R., 1909.

The refuges were not differentiated by sex. The House of Reformation accepted both boys and girls but lodged them separately.¹¹ With the establishment of the reform school, sex differentiation was built into youth corrections policy. During the initial planning for the Westborough facility, the Foster Commission considered a coeducational institution, but rejected the design noting that girls were more vicious and difficult to reform than boys.¹²

With the opening of the girls' reform school at Lancaster, sex differentiation was firmly established. Frances B. Fay, who directed the planning commission for the girls' reform school and served as its first superintendent, noted:

a feeling or sentiment prevailing in the community that girls are much more difficult and unpromising subjects of reformation than boys, and that, therefore, they would be less likely to repay in benefit to the State the labor, care and expense bestowed upon their training and education. Though there may be some grounds for this idea, the Commissioners have reason to suppose it is greatly exaggerated . . . there are no facts known to them that can in their view excuse, much less justify, the partiality of the State, in limiting its reformatory provisions to the male sex.¹³

¹¹Originally little more than a wall separated male and female quarters. In 1842 Boston was authorized to segregate girls into completely separate quarters for living as well as schooling and work. See Mass., Acts of 1842, Ch. 22.

¹²". . . in fact, it is found in similar establishments, that the girls sent to them are far more vicious, and more difficult to manage, than the boys." See "Report of the Foster Commission," 1849, p. 30.

¹³See Mass., General Court, "Report of the Commissioners for the Establishment of a State Reform School for Girls, January 19, 1858," House Doc. No. 43, Boston, 1855, p. 4. The report went on to recommend, ". . . it is to be a school for girls--for the gentler sex. . . . This circumstance is an important one and enters into and modifies the plan of buildings and arrangement of rooms, with all the details relating to employment, instruction, and amusement, and, indeed, to every branch of domestic economy."

See p. 7.

The internal structure of the House of Reformation differed little in intention or destiny from the earlier shelter institutions. The family ideal was espoused and the congregate form was achieved. Superintendent Wells ran a relatively small institution with a close parental style. After his departure, the institution increased rapidly in size and the superintendents who followed achieved order in a more military fashion. The problems of large populations and limited resources forced the abandonment of the family ideal in all but rhetoric and its substitution with a congregate system.¹⁴ The internal structure of the State Reform School when it opened quickly developed this same congregate military prototype. With an institutional census near double the available accommodations, it was difficult to do otherwise.¹⁵ The Nautical School expressed the congregate military prototype in the extreme. The boys literally lived in the hold of the ship and performed all their daily functions in accord with the rigors of nautical life.

When the girls' reform school opened at Lancaster, a new internal organization was introduced into reform school structure: Lancaster opened on the cottage prototype. The Fay Commission required the creation of separate cottages where "Each house is to be a family under the sole direction and control of the matron, who is the mother

¹⁴ "To follow the metaphors of superintendents of asylums and refuges, the family was the model for institutional organization. . . . But as is readily apparent, rhetoric and reality had little correspondence. Except for these public declarations, one would not have considered the family to be the model for the asylum. Rather, from all appearances, a military tone seems to have pervaded these institutions."
See Rothman, 1971, p. 235.

¹⁵ The institution which had been planned to accommodate 300 boys housed over 550 by 1856. See Figure 1.

of the family."¹⁶ When Superintendent Allen attempted to implement a modified cottage system in 1861 he envisioned a family-like relationship: "the great design of the school should be to make it, as much as possible, like a family,--to have the boys stand to the officers in the relation of children to parents."¹⁷

The cottage prototype differed significantly from the congregate prototype. The congregate system at the House of Reformation and the State Reform School centered upon the personal interaction between the superintendent and each individual youth. Such an organization could operate effectively only when the institutional populations were small. The increase in numbers doomed the congregate prototype. The cottage prototype decentralized the provision of treatment. Cottage parents in the various cottages became the focus of reformatory practice. With the cottage structure treatment could be more carefully differentiated. Cottages could be organized by age group or degree of discipline.

The cottage organization permitted the treatment of large numbers of youth with the closest approximation to the family. In establishing the cottage form at the new Lyman School at Westborough, the superintendent noted:

The Cottage system is intended to train juvenile delinquents and not hardened criminals, and no place is so well calculated to change the habits of a wayward boy as a pleasant, delightful and well regulated home. We claim this for the Cottage system. It is merely a place of detention, education and discipline, and not punishment. . . . The principles of

¹⁶Mass., Industrial School for Girls, 1st A.R., 1857, p. 6. See also Barbara M. Brenzel, "Better Protestant than Prostitute: A Social Portrait of a Nineteenth Century Reform School for Girls," in Interchange, 6:11-22 (1975).

¹⁷Mass., State Reform School, 14th A.R., 1861, p. 35.

reforming by this system are that of trust, moral persuasion and emulation. This requires skill, earnestness, caution, patience and self control. All these requisites are fit qualities to pattern after by the pupils under the charge of such officers.¹⁸

The cottages were referred to continually in terms of homes and families. But the reality was inconsistent. Indeed, each cottage was the residence of a husband and wife and frequently a couple of their small children. But the boys numbered up to 30 or 35 per cottage. This number plus the absence of sisters not to mention grandparents and other relatives made for unnatural "families." The cottages were not even home-like. Though reasonably small and self-contained with yards and kitchen gardens, the buildings were architecturally larger and more severe than the standard houses of their time. Rather than true cottages or families, the cottage system offered a decentralized federation of small self-contained institutions where a youth could be known intimately and could share with other peers all of the daily tasks of running a "household."

2. The Moral Degeneracy Thesis. The theoretical perspective which evolved during the reforms of the 1820's, while yet moral in flavor, cast out the devil and predestination as generators of deviant and dependent behavior. The new theory substituted moral degeneracy for the devil and moral contagion for predestination. The origins of deviance were to be found in the moral deterioration of the urban industrial community. This new thesis was, at heart, a theory of environmental determinism. The physical and social environment of deviant and dependent people became the object of interest.

¹⁸Henry E. Swan in Mass., State Primary and Reform School, 7th A.R. 1886, p. 86.

Convinced that all men were born equal, the theorists of the 1820's were forced to locate the cause for human differences in the accidents of environmental conditions. The civilized environment of America in the Jacksonian period was viewed as undergoing great stress. The old agrarian-mercantile economy of New England with its associated small rural villages and bustling ports was being challenged by the newer industrial and trade economy with its urban mill towns and heterogeneous class segregated cities. Immigration brought new family styles and expectations to America and the displacements brought on by mobility and industrial labor needs tore at the traditional authoritarian mode of family discipline. The social reformers reacted with moral indignation.

In 1820 Josiah Quincy conducted a special survey of public relief practices in the Commonwealth. This landmark report--commonly called the "Quincy Report"--did not consider the causes of poverty and vice directly, but in implication it indicated the immoral community of the poor.¹⁹ In an address before the Suffolk County Grand Jury in 1822 Quincy stated his thesis.

Poverty, vice and crime, in the degree in which they are witnessed in our day, are, in fact, in some measure the necessary consequences of the social state. Just in proportion as the higher and happier parts of the machine of society are elevated and enlarged, those parts, which are, by necessity or accident, beneath and below, become sunken and depressed.²⁰

¹⁹See Mass., General Court, Report on the Committee on Pauper Laws, Boston, Mass., 1821. Hereafter referred to as "Quincy Report."

²⁰Josiah Quincy, Remarks on Some of the Provisions of the Laws of Massachusetts Affecting Poverty, Vice and Crime (Cambridge: Hilliard and Metcalf, 1822), p. 4.

Of the various social problems concerning the social reformers of the 1820's, youthful waywardness was most easily seen in environmental terms.²¹ The child was seen as the vulnerable victim of these deteriorating conditions.

In every town, there are some, in the cities and large towns, many, who exercise no salutary control over their children. Vicious or thriftless themselves, their children follow their example. And, in that tender age, when the mind and heart most easily yield to the guidance of others, these children and youth become "offenders" against good morals and the laws of their country, hardened against truth and duty, and subject themselves to the stern penalty of the law. How often have the hearts of judges and jurors been moved with pity when they have been obliged to condemn to ignominious punishment some bright intelligent boy who was born and reared under such inauspicious circumstances!²²

Children were not viewed as responsible for their condition or behavior. Their innocence had been perverted by the failure of their families to inoculate them against the temptations of an immoral world. Thus, like addicts, they moved from minor transgressions to more serious offences. Where the devil paradigm postulated that characterological conditions were predetermined, the moral degeneracy thesis saw personality shaped and increasingly hardened into deviant status by the temptations of an immoral environment. Thus deviance was achieved, not ascribed, but achieved in an environment so corrupted as to all but guarantee the inevitable conditions. All that stood between the child and

²¹ "The vices at loose in the community invariably brought the unwary and untrained child to the prison gates. Delinquents' careers demonstrated the debilitating influences of the tavern, where they first began to drink, and the noxious quality of theaters and houses of prostitution, where they learned other corruptions."
See Rothman, 1971, pp. 76-77.

²²"Report of the Foster Commission," 1848, p. 22.

temptation was the adequacy of the family's moral discipline, and, all too often, the family itself was in a state of moral decline.

3. Moral Reform within the Asylums. A new practice arose with the reforms of the 1820's--moral reform. Guardianship was maintained as a fundamental practice, but "moral reformation" or "moral guidance" or "moral treatment," as it was variously labeled, was appended as a new response. Moral reform went beyond guardianship. The misbehaving child became the conscious focus of treatment. The offending behavior was to be eradicated and the course of the child's life changed. All children were recognized as malleable subjects. Having merely gone morally astray due to family or community circumstances, they were capable of moral redirection, reclamation and reformation. In the perspective of the Great Awakening, moral reform became a Christian duty. After visiting the House of Reformation in 1840. Massachusetts Chief Justice Parker observed:

How deeply does it concern the community to take these little creatures by the hand, when they shall have committed their first offence--withdraw them from contamination and guilt--provide the means of industry and education--soften their minds to the reception of moral and religious truths--and gradually by gentle treatment and wholesome discipline, lead them into the habits of order, truth and honesty. Is there any greater duty in a Christian country than this?²³

Moral reform was a well-developed response to the concept of youthful deviance formulated by the moral degeneracy thesis. Defining the root of deviance in the moral conditions of the environment, it was compelling to find its amelioration in moral terms as well. The practice

²³Quoted in County of Suffolk, Report of the Inspectors of Houses of Industry, Correction and Reformation, Boston City Document No. 26, Boston, Mass., 1840, p.

was, in reality, a rather eclectic mixture of principles focused upon orderliness, affection and discipline.

The first principle of moral reform was orderliness. The moral degeneracy thesis viewed the new urban industrial community as the locus of chaos and sloth. Such disorderliness was equated with immorality. The moral life was the well-regulated life. Therefore, the daily life of the House of Reformation was a carefully planned routine.

The boys generally are required to rise at half-past five in the morning. . . . They are required to attend religious services at six; the next half hour is devoted to washing, combing, hands, inspection and a few moments play. At half past six they are required to attend breakfast for which twenty-five minutes are allowed. At seven precisely school commences and continues till nine . . . From 9 A.M. to 12, all are required to work at their several employments, the smallest being allowed to recess at 10-1/2, of a few minutes to go to the yard. Dinner is provided at 12-1/2 and at 1 P.M. work recommences as in the forenoon, and continues till four. From 12 to half-past 12 and from 4 to half-past 4 boys are allowed to play in the yard. . . . Supper commences at 4-1/2 and evening school at 5 P.M. and continues till 7.²⁴

Regularity and order prevailed in the very movements of the inmates. One visitor to the House of Reformation in 1832 reported admiringly that the inmates were trained to march in drill formation between activities, to stand at attention and answer questions in unison and to perform drill exercises copied directly from West Point.²⁵

The extreme orderliness of the House of Reformation was expressed in its system of inmate classification. Reverend Wells' system

²⁴County of Suffolk, Report of the Inspectors of Houses of Industry, Corrections and Reformation, Boston City Document No. 26, Boston, 1840. p.

²⁵James F. Richmond, "The House of Reformation," New England Magazine, 3:382-390 (1832).

of gradation provided for three "Bon Grades" and three "Mal Grades" with ascending levels of privilege and descending levels of privation. Those in the highest grade were permitted unsupervised visits outside the institution; those in the lowest were deprived of play and conversation. The passing from one grade to another either up or down was determined by vote of the total inmate population. The rules and criteria and other matters of inmate concern were in large part determined by the group acting in self government.²⁶ Superintendent Lincoln instituted a similar system of merit grading and a rigorous daily routine when the State Reform School first opened, but the rapid increase in size of the population soon made it impossible to administer the practice adequately.²⁷

Next to orderliness stood affection. The religious foundations of moral reform prescribed the love of God and the love of man as antidotes to a life of sin and waywardness. The affection of the inmates was to be drawn out in reciprocation by the affections of the superintendent. Reverend Wells was a master of such endearment, often joining with the children in their games and roughhousing.²⁸ Figuratively moral reform

²⁶A detailed review of this system of practice is reported in Superintendent Wells' own words in de Beaumont and de Toqueville, 1833, pp. 216-223.

²⁷Superintendent Lincoln's grade system paralleled that of Superintendent Wells. Lincoln described the system in his 1850 annual report:
 "The system consists of four grades, designated by the numerals 1, 2, 3, 4,--1 being the highest grade. . . . We also have a subdivision of the first grade, called the class of 'Truth and Honor'--a degree which indicates the highest rank known in the school. For punishment, we degrade from a higher to a lower, and for encouragement, promote from a lower to a higher rank."
 See William Lincoln in Mass., State Reform School, 3rd A.R., 1850, p. 28.

²⁸Mary Carpenter, the British prison reformer, records Wells' own words: "We live happily together as a family of brethren, cheerful, happy, confiding and, I trust, to a greater or lesser degree, pious." See Carpenter, 1853, p. 212.

followed the pattern of a minister and his parishioners. A superintendent, such as Reverend Wells, was assumed to be morally superior to his wards. He commanded routine, respect, reason and affection from his wards on the basis of his moral authority. The ideal ward grew within the moral prescription of the superintendent and never deviated from his stern but loving guidance. It is no surprise that many of the early superintendents of the refuges and reform schools were trained in the ministry.

Orderliness stood only as discipline enforced it. "A month's stay in the company of boys accustomed to systematic discipline and obedience," officials at the Farm School estimated, "with a sense that there is no escape from order and regularity, generally converts the most wayward into good pupils."²⁹ James Talcott, the superintendent who immediately followed William Lincoln at Westborough, wrote

The course of discipline we aim to pursue is chiefly moral rather than physical, and it is our constant endeavor to maintain as nearly as possible, a system of what might perhaps be properly termed family discipline; causing each to feel that he has a personal interest in the welfare of all.³⁰

Self discipline was encouraged within the wayward youth. External discipline was to lead to internal self-control and self-respect.

Reverend Wells was able to maintain orderliness at the House of Reformation without corporal punishment, but his was a unique practice. Moral reform typically did not preclude physical punishment. In his dedicating remarks, Judge Washburn continued, "All that we can hope for, and perhaps all that we ought to desire is that punishment . . . should

²⁹ Boston Asylum and Farm School for Indigent Boys, Annual Report, 1849, p. 12.

³⁰ James M. Talcott in Mass., State Reform School, 7th A.R., 1854, p. 28.

be, as far as possible, parental in its character, and reformatory in its tendency."³¹ Superintendent Lincoln tried to limit the frequency of corporal punishments at Westborough, but increasingly his successors turned to severe punishments.

Rigid discipline, severe and brutal discipline, discipline without affection could turn moral reform into retributive punishment. Punishment was anathema to reform. It reduced confinement to prolonged detention or custody. Custody had no corrective meaning. No reformation was intended: no community was created. By the 1860's the House of Reformation was purely custodial.³² Following the inmate riot of 1877 a legislative investigation exposed the State Reform School as little more than a junior prison complete with cells, punishment devices, gun toting guards and brutal forms of corporal punishment. Increasingly, respect for authority became the primary expression of discipline and affection receded. The severe punishments of the later years of the State Reform Schools were motivated more out of issues of deference than actual breaches of order.³³

³¹ Washburn, 1849, p. 22.

³² In 1863 a controversial report by the Inspectors of Prisons concluded that the institution was "too much of a prison, too little an institution of instruction, too much the residence of law and punishment, too little a home of grace and culture." See Boston Common Council, Report of the Committee Appointed to Investigate Alleged Abuses at the Houses of Reformation and Correction, Boston, City Doc. No. 35, Boston, 1864, pp. 22-23.

³³ During the legislative investigation in 1877 testimony was heard concerning a boy named Watson which was typical. It was reported that young Watson was beaten about the head with a chair until his skin was swollen and broken and then sent for several weeks of solitary confinement in the "Lodge." His offense was resisting a teacher's attempted punishment. See Mass., General Court: Committees, Investigation into the Management and Discipline of the State Reform School at Westborough Before the Committee on Public Charitable Institutions, House Doc. No. 285, Boston, 1877, p. 74.

In its conclusions, the investigative committee reviewing the conditions leading to the 1877 riot noted:

the evidence shows conclusively that the experiment of trying to reform boys of all ages and degrees of crime by the same means and in one institution, has proved to be impractical, as well as contrary to the original intentions of the founders of the school.³⁴

4. The Asylum Program of Response. The shelter, separation, confinement and inmate differentiation of the refuge and reform school were typical expressions of the asylums which were founded to respond to various social problems during the middle of the nineteenth century. The moral degeneracy of the urban industrial community was seen as the genesis of many social ills and moral reform within the well-ordered asylum was viewed as the remedy. But the institutions turned out to be a response of mixed virtues.

The refuges and reform schools served to rid the communities of their most obnoxious youngsters, but in congregating them together in central institutions other problems emerged. Like the shelter institutions of the colonial period, the delinquent asylums fell prey to the dilemma of congestion. As commitments increased without a corresponding increase in institutional resources the world inside the asylum became an overly crowded, noxious ghetto in which orderly functioning could be guaranteed only through the use of severe forms of discipline. This discipline begot its own reactions and inmates and wardens became contentious adversaries. With this transition the asylums' public

³⁴See Mass., General Court: Committees, Committee Report on the State Reform School at Westborough: 1877, Senate Doc. No. 93, Boston, 1877, p. 1.

reputation diminished. Retribution threatened to replace charity as the primary objective and only the most hardened offenders were not somehow diverted from the asylum's doors.

The inner world of the reform school took on a separate reality from conventional society. The tightly packed congregate environment bred problems of youthful contagion. Older boys instructed and encouraged younger boys in the skills and lore of vice and criminal behavior. Homosexual promiscuity flourished where congestion and the absence of privacy encouraged intimacies to develop in a sexually segregated environment. Diseases spread easily among the residents and the number of deaths during epidemics was exaggerated by the close packing. Violence itself seemed to have a contagious quality. The potential for riots lay barely dormant. A suicide at Westborough in 1910 was followed a month later by a suicide at Lancaster.³⁵ The internal culture of the institutions were an unanticipated and undesirable consequence of the very shelter, separation, confinement and differentiation that determined the asylum pattern. Over the years, the institutions developed intensive public antipathy. These early efforts to respond to youthful deviance became viewed as social problems themselves.

Yet for all of their faults the asylums endured. They had captured the essence of the reformatory approach to youthful deviance. The asylum was perhaps only one means of reforming delinquents, but it caught within its structure, practice and theory the careful balance between forgiveness and retribution upon which humane reformation could be offered. The asylum program of response became identified as the dominant reformatory approach in youth corrections.

³⁵See Mass., General Court, Investigation into the Suicide of John Newman and the Conditions at the Lyman School for Boys, House Document, Boston, 1910.

Section II: Chapter D
SUPERVISED PLACEMENT AND THE HEREDITY THESIS

1. The Appearance of the Preventive Ideal. The transformation of Samuel Gridley Howe from an institution builder to a skeptic and the critique he leveled at the institutions was indicative of changes on-going in the broader climate of social welfare during the middle of the nineteenth century. The great increase in urbanization and immigration and the spread of the wage-based capitalist economy was viewed as deteriorating the quality of family life at a rate much more serious than that witnessed by the social reformers of the 1820's. The traditional hegemony of the family which had been maintained since the early colonial collapse of the community-based social structure was itself in great jeopardy. "In-door" institutional responses to deviance and dependency were seen as contributors to this undesired transformation. Increasingly, the asylum pattern of response receded as the singular dominant policy toward wayward youth. The notion of reformation of youth after they were unquestionably identified as delinquent was not challenged directly. Rather, a new pattern of response arose which shifted the focus of attention to a time earlier in the youth's development. Interest arose in preventive responses whereby potentially delinquent youths could be identified before they fully confirmed their deviant status. This preventive ideal, in structure and practice, was even more eclectic than the reformatory approach, although it did originate with one element of response that the asylum pattern had never quite achieved: a state policy-making authority structure.

2. The State Board of Oversight. The early asylums were established under separate boards of trustees. Typically six or seven prominent citizens were appointed by the governor to serve on the boards with rotating terms of office. The boards appointed the superintendents of the institutions who in turn hired the staff. Formal accountability ascended hierarchically up to the board as the final locus of policy. Incrementally, over the first half of the nineteenth century, Massachusetts had established a wide assortment of state charity and correctional institutions, but had never established a central government mechanism for overseeing them.¹ Each of these institutions operated under its own board of trustees, independent of the other institutions. Co-ordination among institutions was voluntary, piecemeal and limited.² There was no central location for considering state correctional or charity policy. With no state-wide administrative organization other than the governor's own immediate staff, state policy questions fell to the General Court where such issues were handled on an ad hoc special committee basis.

¹These included the State Prison at Charlestown (est. 1801); the General Hospital in Boston (est. 1811); three institutions for the insane at Worcester (est. 1834), Taunton (est. 1851) and Northampton (est. 1855); four institutions for the poor at Rainsford Island (est. 1852), Bridgewater (est. 1854), Tewksbury (est. 1854) and Monson (est. 1854); an institution for dependent children, the State Primary School at Monson (est. 1866); and the two state reform schools.

²Gerald Grob, in his history of Massachusetts mental health policy during the nineteenth century, notes that the fragmented and irrational administration of the institutions was not their only problem. "Moreover, welfare expenditures had risen rapidly. In 1832 the state spent \$60,000 for welfare related purposes; by 1855 the figure had risen to over \$300,000." See his Mental Institutions in America: Social Policy to 1875 (New York: Free Press, 1973), p. 273.

The reform school trustees were hardly organized to effectively consider issues of state policy. They had little data-gathering or evaluation capabilities. Until 1879 each institution had its own separate board and the responsibilities of these boards was limited to institution oriented issues. The trustees focused on the reformation of identified offenders; they had no authority in matters of adjudication or prevention.

While the need for a central state board was recognized for some time, it was not until 1863 that the General Court authorized the establishment of the Massachusetts Board of State Charities, the first such state board in the nation.³ The new board was structurally weak. The board consisted of seven unpaid members, a salaried secretary and a small staff, but the operations were clearly limited to an oversight, fact-finding function.⁴ The plan was to create an oversight agency which would improve policy decision-making without interfering with the administrative management of the institutions.⁵

³A special legislative study conducted in 1858 had reviewed the inefficiencies and recommended a central state board. See Mass., General Court, Report of the Special Joint Committee Appointed to Investigate the Whole System of Public Charitable Institutions of the Commonwealth of Massachusetts, Senate Doc. No. 2, Boston, 1859. But the various institutional boards were loathe to give up any of their jealously guarded independence. The bill that was passed in 1863 was heavily compromised to protect the interests of the institutional boards.

⁴Mass., Acts of 1863, Ch. 240.

⁵The legislative committee which planned the Board stated clearly, "we do not purpose to confer upon the central board power to interfere in any manner with the actual management of the several institutions otherwise than by offering counsel and advice." See Mass., Report of the Special Joint Committee . . ., Senate Doc. No. 2, 1859, p. 7.

Yet, the selection of Board members suggested otherwise. As chairman of the Board, the Governor appointed Samuel Gridley Howe and, as first secretary, the Board appointed Frank B. Sandborn, the noted Boston journalist and social activist. Both men were dedicated social reformers and both were particularly committed to changing institutional care. In their hands the data collection and policy oversight functions of the Board became weapons of reform. To this end the annual reports of the Board of State Charities emerged as major compendia of data, analysis, opinion and recommendations and, soon, both legislators and institutional administrators were turning to the Board for guidance, co-ordination and policy.⁶

As the new Board increasingly became the focus for state welfare policy, it brought with it an early drive toward rationality, planning and the bureaucratic ideal.

The philosophy of Howe and Sandborn imbued each annual report. First, there was a firm commitment of public responsibility:

The helpless, dependent, idle consumers and destructives number at least forty-five thousand, and make an enormous load that

⁶In his review of the Board of State Charities, Gerald Grob concludes: "While its authority was sharply circumscribed and limited and its staff minimal, the new board had the potential for rapid growth. . . . By the very fact that the functions were largely in the policy making rather than the administrative domain, it quickly overshadowed the individual welfare institutions. . . . That the board was intended to preside over the dismantling of the state's welfare apparatus proved of little consequence. Its early leaders were strong willed and organizationally minded men who were determined to introduce an element of rationality into welfare. In so doing they inadvertently began to create a bureaucratic apparatus that steadily increased its role and authority despite the fact that this trend was a direct contradiction to the original intent of the legislation."

See Grob, 1973, pp. 276-277.

can not be cast aside, cannot be left behind, but must be taken up and borne along on the body social.⁷

But the institutional response had proved inadequate:

In view of all the difficulties and expenses, and complications of various kinds, which our great reformatories are producing, and all of which, especially the first, are rapidly increasing; and in view of the importance of enlisting wider public sympathy, and a larger number of citizens in the work of reform, it is proposed to modify the present system with a view of getting rid of the central establishments all together; or, at least, of so reducing the number of inmates, that they will be merely temporary receiving stations.⁸

And, in creating a new system, the directions were clear:

In providing for the poor, the dependent, the vicious, especially for the young, we must take the ordinary family as our model.⁹

But this was not to be merely a contrived family:

. . . children need the human family as ordained by God,-- the family held together by ties of blood and of sympathy, not imperfect imitations of it, made by gathering its members for some special purpose.¹⁰

The family system that Howe and Sandborn advocated was a clear development of Howe's thinking in regard to the girls' reform school ten years earlier. Their plan envisioned the placement of youth in the good farm families of the Commonwealth under the careful supervision of state agents. Given such intensive preventive care, most youth would never need to be sent on to the reform schools. This early strategy of diversion was to lay the groundwork for the development of a preventive pattern of response.¹¹

⁷Mass., Board of State Charities, 2nd A.R., 1866, p. xx.

⁸Mass., Board of State Charities, 2nd A.R., 1866, p. xl xv.

⁹Mass., Board of State Charities, 2nd A.R., 1866, p. xl v.

¹⁰Mass., Board of State Charities, 2nd A.R., 1866, p. xl vi.

¹¹In his analysis, Robert Kelso observes:
"The year 1864 which was the first year of activity of the new

6. Supervised Placement and the Visiting Agent. Supervised family placement developed as a practice with the advent of the state visiting agent in 1866. Apprenticing young offenders had been practiced during the eighteenth century, but not with the same expression of prevention apparent after 1870 nor under the supervision of trained state visiting agents, or probation agents, as they were later called.¹²

By the 1850's it was no longer possible to rely on the traditional apprenticeship system. Urbanization and the rise of industrialization made the master-student relationship and many craft skills obsolete. Without the moral obligations of the traditional relationship, there was little incentive to personally oversee the youth's moral lifestyle.¹³ Thus

Board of State Charities, stands as a great landmark in the history of child care, for it was then that the various threads of the practice of earlier years were sorted out and woven by the State Board into a fabric of State policy. That which had been done blindly before, without consistent plan, was now subjected to analysis and such experiments as seemed clearly advisable were adopted as part of a social program."

See Kelso, 1922, p. 182.

¹²From the time of their establishments both the Westborough and the Lancaster institutions employed an informal placement system following the termination of confinement. Boys from the State Reform School were released either through a clear and non-conditional discharge or through a "binding out" procedure whereby desirable boys were sent to farm placements. These placements were not conducted under formal supervision and they all followed a period of reformation and so did not fit the newer interest in prevention.

¹³In 1846 the Directors of the House of Reformation noted:
"Formerly mechanics' apprentices served a full term of seven years, resided in the families of their masters and received moral as well as mechanical instruction. The system produced thorough mechanics and well disciplined, thrifty young men. At the present time mechanics employ boys and young men at particular branches of trade, for limited or uncertain periods, allowing them to board where they may, and conduct themselves when away from the workshops, as they will."

See Boston, Directors of the Houses of Industry and Reformation, Annual Report, Boston City Doc. No. 19, Boston, 1846, p. 9.

if placements were to be more than merely indentured labor or the easy abandonment of adult authority, state supervision was required. Such supervision was meant to control the functioning of the placement. The youth was not to be oppressed; neither was license to be granted.

The practice of supervised placement was based on the principle of regulation. Regulation addressed the abuses possible within the family contracts. While many families took to their charges with affection and sympathy, there were others where the youth's welfare was of secondary importance. In 1886 the Trustees complained:

Those who secure the services of boys on farms or in workshops are human and often selfish, and are chiefly interested to get the most possible service at the least possible cost, and in very many cases seem to care little for the moral welfare or intellectual improvement of those in their care. The boy fails to receive the wise counsel and warm encouragement in well-doing to which he is used, and soon comes to feel that nobody cares,¹⁴ that it is not worth while to do well, and so . . . runs away.

As a means of regulation, supervision also monitored quality. With systematic supervision it became possible to acquire feedback and the rudiments of program evaluation. Both cross sectional and longitudinal data were gathered and reported in the annual reports of the State Visiting Agent.¹⁵

Supervised placement was not hostile to moral reform. The same humane and paternal care directed both practices. The visiting agent

¹⁴Mass., State Primary and Reform Schools, 8th A.R., 1886, pp. 10-11.

¹⁵In 1874 Gardiner Tufts wrote a five year review of the work of the State Visiting Agent in which he presented lengthy statistical tables. In conclusion, he noted: "Of the whole number of persons--five hundred and twenty four-- . . . sixty-five per cent have done well; the conduct of nine per cent of them has been doubtful or unknown; ten per cent have done badly, and sixteen per cent are in the Primary School." See Mass., Board of State Charities, 11th A.R., 1875, p. 73.

and his agents espoused the affection and sensitivity characteristic of moral reform, but the real locus of treatment lay in the contracting family. Whatever orderliness and discipline were required was rendered within the placement setting. Supervised placement differed from moral reform not in style, but in focus. The practice emphasized early intervention into the lives of potentially wayward youth. The timely provision of a regulated intervention would avoid the need for reformatory treatment. That this intervention was orderly and affectionate was not paramount. The quality of the service was not as critical as the design of its delivery. Timeliness, thoroughness and carefulness were the essential criteria in effecting successful service delivery. The major problem lay in predicting potentially deviant youth before they required reformation. Howe and Sandborn thought that they had found the answer in heredity.

4. Genetic Causation. The new principles expressed by Howe and Sandborn in the second annual report of the Board of State Charities also included the suggestion of a new causal theory regarding deviance and dependency. Where the Quincy Report had been critical in granting legitimacy to the moral degeneracy thesis, the Board of State Charities report was instrumental in legitimizing the heredity thesis. The roots of deviance were no longer located in the dark, wretched alleyways of the urban, industrial community, but, rather, deviance arose within the bodily fluids that flowed through the consanguineous lines of kinship. For Howe and Sandborn, "The causes of evil are manifold, but among the immediate ones, the chief cause is inherited organic imperfection--

vitiated constitution--or poor stock."¹⁶ Heredity played an important role in determining deviance and dependency by bequeathing children who lacked "vital force" and who "tended to vice."

Children may fall short of the average amount of vital force, and may be feeble in body and mind, in consequence of a low or vitiated condition of parentage.¹⁷

But such conditions were not purely deterministic:

. . . all these tendencies may be measurably controlled; and man's reason is given partly that he may control them.
. . .

In a few generations with temperate life and wisely assorted marriage, the morbid conditions disappear--the median line is regained.¹⁸

The dragon of predestination, put finally to rest in the reforms of the 1820's, arose again, although with less virility, as genetic predetermination. People were not destined to deviance. The predisposition to deviance was carried through the generations of "poor stock." But this predisposition was not immutable. A few generations of moral living might cleanse away the evil from the blood line. Yet, more importantly, the continued practice of immoral living might seal in the predisposition into a blood line that might otherwise have remained pure. That choice belonged to the individual. As evidence Howe and Sandborn observed:

Our people are not ignorant of the existence of natural law, in virtue of which the sins of the father are visited upon the children to the third and fourth generation, but not many consider that the consequences of violating the law are

¹⁶Mass., Board of State Charities, 2nd A.R., 1866, p. xxii.

¹⁷Mass., Board of State Charities, 2nd A.R., 1866, p. xxix.

¹⁸Mass., Board of State Charities, 2nd A.R., 1866, pp. xxix, xxxii.

inevitable. . . . Nothing else accounts satisfactorily for the fearful mortality among children, especially in the least favored classes, or explains why, as a general rule, one half of every thousand born in the class will die before they are seven years old.¹⁹

While such inferences may appear sloppy by today's standards, the reliance on a scientific research approach lay at the core of the heredity thesis. The theory grew directly from phrenology, eugenics and the new empiricism associated with Adolphe Quetelet and A. M. Guerry in their studies of European crime statistics.²⁰ But, of even greater importance, was the new popular interest in biology and natural evolution which followed directly from the publication of Origin of the Species in 1859. The new evolutionary hypothesis took on ideological meaning as Herbert Spenser developed it into a metaphor for all social development. Social Darwinism both legitimated the genetic theory of deviance and a laissez-faire approach to social welfare.²¹ Prevention was a sensible precaution, but

¹⁹Mass., Board of State Charities, 2nd A.R., 1866, p. xxix.

²⁰Phrenology, the science of predicting character and behavior by studying the shape and protruberances of the skull, was popular in Massachusetts during the 1830's and 1840's. George Combe, the leading Scottish phrenologist, visited the Boston House of Reformation in 1838 and, there, met and greatly impressed Samuel Gridley Howe. See Menzel, 1974, p. 79. The works of Quetelet and Guerry were available in Massachusetts after 1860 and they quickly set the standard for the budding new discipline of criminology. For a good review of the early theory of the new discipline see Arthur E. Fink, Causes of Crime (Philadelphia: University of Pennsylvania Press, 1938). The important impact of phrenology is considered in John D. Davies, Phrenology: Fad and Science (New Haven: Yale University Press, 1955) and the contributions of eugenics are reviewed by Mark H. Haller in his Eugenics: Hereditarian Attitudes in American Thought (New Brunswick: Rutgers University Press, 1964).

²¹The foundations of the laissez-faire approach to social welfare are well developed by Samuel Mencher in Poor Law to Poverty Program (Pittsburgh: University of Pittsburgh Press, 1967), see especially pp. 57-92.

reformation was not only impossible, efforts toward reformation were tamperings with the natural selection process of social development.

During the 1870's the heredity thesis grew more rigorous and substantial as major studies were conducted to support and defend it.²² One of the first studies in Massachusetts to specifically relate the development of children to youthful misbehavior was carried out by Henry Pickering Bowditch, a Harvard physiologist who pioneered the study of juvenile anthropometry. Beginning in 1872, Bowditch conducted a twenty-year study of Boston school children and inmates of the Westborough and Lancaster institutions. The study included an enormous volume of statistics on the size, shape, strength and intellectual development of delinquent and "normal" children, but did not draw pejorative conclusions about those within the institutions.²³

During the post-Civil War period the heredity thesis grew increasingly popular among those advocating a preventive approach to youth corrections. It was more difficult for those working within the reform schools to find easy acceptance. It appeared absurd to seek reformation among inmates if their deviance resulted from genetic imperfection. Yet, the thesis did have some effect within the institutions.

²²Cesare Lombroso published L'Uomo delinquente (Milan: Hoepli, 1876) in 1876 postulating that the habitual criminal was a specific biological type which represented an atavistic throwback to earlier more primitive forms of the human species. Richard Dugdale published "The Jukes": A Study of Crime, Pauperism, Disease and Heredity (New York: G. P. Putnam's Sons, 1877) in 1877 demonstrating how one family had for four generations produced progeny of ill repute and depraved character.

²³For an interim report see Henry P. Bowditch, "The Growth of Children," in Mass., State Board of Health, 8th A.R., 1877, pp. 275-309.

In 1887, the superintendent at Westborough wrote:

. . . it will be seen that a very large percent of those who have made up the population of the school during the past year have been living within the influence of intemperate homes. Cannot the old adage "blood will tell," be illustrated on this connection? Is it not one of the strong lessons of nature that an individual is only in a limited degree what would be termed a free agent. He inherits from his parents moral qualities in the same way that he inherits physical attributes, and it would seem to show that the sins are not confined in their effect to themselves, but are "visited upon the children to the third or fourth generation."²⁴

Unlike the practice of supervised placement, the heredity thesis that arrived in Massachusetts with the establishment of the Board of State Charities did not assume a companion position alongside the responses of the asylum pattern. It did not so much replace the environmentally oriented moral degeneracy thesis as it did offer competition in the causal menu. There was little accommodation between the two paradigms. Both maintained clear and distinct traditions. Throughout the late nineteenth century both paradigms co-existed in a state of respectful controversy.²⁵

5. The Placement Program of Response. During the second half of the nineteenth century the scope of youth corrections policy broadened from the reformation of delinquents to encompass preventive responses directed toward avoiding the need for institutionalization. The placement program of response arose as a response to the critique leveled at the asylums by prominent post-bellum social reformers. The

²⁴Henry E. Swan in Mass., *State Primary and Reform Schools, 9th A.R.*, 1887, p. 69.

²⁵Mennel argues that before the 1890's the popularity of the heredity thesis rested more on social prejudices against immigrants than on scientific acceptance. The major impact of the scientific studies was not felt until the last decade of the century. See Mennel, 1973, p. 91.

critique was not based on the faulty performance of the reform schools --that evaluation evidence was insufficient--but, rather, the critique rested on a broader disagreement. The newer generation of social activists believed that institutions were not a proper structure for child care. Only in real families--preferably, upstanding farm families--could the tendencies toward delinquency be arrested. The trick lay in identifying delinquency-prone children early enough, either by family condition or biological indicators, and intervening with placement and trained supervision.

The key to the trick, it was hoped, lay in the growing understanding of heredity. A propensity toward deviance was thought to flow along kinship lines. Crimes and immoral acts committed during one generation were assumed to have consequences in future generations. Children of the poor, the sick and the criminal were likely candidates for delinquency. The thesis firmly rooted the parens patriae doctrine that permitted the state to single out specific children for early and radical intervention. Yet the implications of the thesis could not easily be extended further into practice. Supervised placement could not be expected to correct genetic damage. Biological remedies such as surgical operations and sterilizations followed easily from the thesis, but such practices were abhorrent to the humanitarian doctrines of men like Howe, Sandborn and Tufts.²⁶ Rather, the Massachusetts reformers steadfastly supported an environmentally based response--the supervised placement--for a genetically

²⁶Toward the close of the century such remedies as sterilization were attempted on a small scale in Indiana and elsewhere, but these efforts were generally condemned. See Mennel, 1973, p. 100.

defined problem. Howe offered some heroic conceptual leaps in his reports, such as the notion that moral living could cleanse immoral character, but for the most part, the logic and coherency of the relationship could not be satisfactorily stated. For all that it was commonly espoused, the heredity thesis was never integrated into the supervised placement program of response. It remained a theoretical gloss over a practice which relied almost entirely upon the same basic principles of orderliness, affection and discipline as found in the institutional practice of moral reform. The supervised placement program primarily represented a change in the structural and authority forms of Massachusetts youth corrections. There was no fundamental innovation in practical treatment.

Section II: Chapter E
EDUCATION AND THE VOCATIONAL TRAINING SCHOOL

1. Vocational Education as Practice. Education had fully arrived in the reform schools as a tool of youth corrections by the 1890's. It did not supplant moral reformation as practice, but, rather, each

accommodated to the other. The State Reform School had clearly been identified as a school from its founding in 1847 and teachers and classrooms had existed all along, but that teaching had been simply rote exercises tied to the traditional academic subjects. Only after the Civil War, when public school education became "scientific" and geared toward vocational expectations, was education seen as a force to combat idleness and waywardness.

The teaching of vocational skills arrived in two waves: industrial training and manual training. David Snedden, the progressive Massachusetts Commissioner of Education, wrote of the reform schools:

It had to be confessed that the industries which had proved feasible and financially profitable in the institutions were not such as to lead to industrial efficiency outside.

. . . early in the seventies the pressure of a different ideal was felt by the schools. This was, at first, in the direction of teaching trades which would be of considerable profit to the inmate, morally and vocationally, on his leaving the school. . . .

Finally came the manual-training movement. . . . The justification of manual training . . . is that it possesses a more highly educative value along all industrial lines than does any other vocational work which can be given to children. . . . it is believed to stand to industrial education in somewhat the same relationship that arithmetic does to the varieties of business practice.¹

Manual training addressed fundamental cognitive and physical skills. It was seen as a prerequisite to learning specific industrial skills, but it differed from the earlier industrial education in that it self consciously taught skills separate from production requirements.²

¹David S. Snedden, Administration and Education Work of American Juvenile Reform Schools (New York: Teachers College, Columbia University, 1907), pp. 92-94.

²The distinction was critical and controversial for it struck at the heart of the apprenticeship form of artisan training. It was argued

The generation of the post-Civil War period did not face industrialism with the same hostility as had its predecessors. In fact, they accommodated to the rising industrial order by trying to shape it positively.³ The ability to hold a job and to labor competently and efficiently became a critical indicator of normality, especially for young men. Where the earlier reformers looked to the moral and upright boy as their symbol of success, the reformers of the 1890's looked for the skilled and employable boy.

In 1884 the Trustees of the reform school stated this distinction clearly:

Any effort at reform which does not furnish such industrial training as shall at least lay the foundation for some trade or occupation is fatally defective. Persons not so equipped, however good the intentions are very likely to drift back into the old vicious criminal life and frequently are compelled to do so.⁴

The period marked most heavily by the education idiom at the Lyman School extends across the long tenure of Superintendent Theodore F. Chapin who held office from 1888 until his death in 1906. In 1889 Chapin introduced the Swedish or Sloyd system of manual training exercises. A year later

that manual training would provide a youth with a well rounded skill base which would permit vocational mobility, inventiveness and entrepreneurship. See the history of manual training in Berenice M. Fisher, Industrial Education: American Ideas and Institutions (Madison: University of Wisconsin Press, 1967), especially pp. 66-77.

³ Arthur Mann's study of late nineteenth century social reformers begins noting: "Out of the urban and industrial revolutions came a fresh crop of Bostonians to fashion conceptions of social reform for the machine age. The smelting pot of the common milieu made them speak the same language of rendering life more meaningful for the underprivileged." See his Yankee Reformers in the Urban Age (Cambridge: Harvard University Press, 1954), pp. 22-23.

⁴ Mass., State Primary and Reform Schools, 6th A.R., 1884, p. 10.

Chapin introduced the Swedish Ling system of physical gymnastics and the military drill as a form of exercise. Both the Sloyd and the Ling system were constructed as a sequence of individually mastered skills designed from quite specific educational objectives and organized to permit individually paced development.

Each of these programs proved popular among the boys and the Trustees.⁵ The emphasis on the education of the body fit well under the heredity thesis while easily accommodating the principles of moral reform. In 1892 the Trustees noted:

An integral element in the school system is the military drill (all in uniform and armed with real swords and muskets), and the physical culture drill after the Swedish or Ling system. The latter is practiced daily, and is admirably adapted to developing obedience, promptness and self control. Such exercises valuable to everyone, are especially so to those who, as in the case with many criminals, have ill developed nervous centers.⁶

In fact, it was through the Instructor of Physical Training that the anthropomorphic studies, so popular at the time, were conducted.⁷ By 1898

⁵The Trustees offered great praise for each of these programs. They noted that systematic physical exercises "may induce a boy who is viciously inclined to treat his body with decency and care, thus contributing a most important element to his moral growth." See Mass., State Primary and Reform Schools, 14th A.R., 1892, p. 14. Of the military drill they noted that it "aids in securing prompt and cheerful obedience to commands, not only on the drill ground, but elsewhere, to say nothing of cultivating that erect, alert manly bearing so desired." See Mass., State Primary and Reform Schools, 11th A.R., 1889, p. 9.

⁶Mass., State Primary and Reform Schools, 14th A.R., 1892, p. 14.

⁷The annual reports of the Instruction of Physical Training for this period are filled with statistical records. The 1895 report includes the results of a study of two groups of boys over a six-month period comparing height, weight, girth of chest, waist, hips, thighs, calves, and forearms and strength of chest, back, arms and legs all in metric units. See Mass., Lyman and Industrial Schools, 1st A.R., 1895, pp. 81-85.

the famed Dr. Henry P. Bowditch was studying Lyman School boys and advising upon the boys' physical condition.

Even as Superintendent Chapin championed education as reformatory practice, he also saw limits within the structural setting of the school. The freedom of progressive education did not fit well in a prototype of confinement.

There is an anomaly in the enforced detention of the boy who is to be educated to the highest and freest use of his will. Modern pedagogical ideas are at war with the very conditions under which the boy is held. For the head of a reform school is set the herculean task to find a method by which the boy shall be trained in just conception and use of liberty while in a state of bondage.⁸

Chapin's dilemma, in fact, revealed the vulnerability of education as practiced in a reform school. The question had been central to the philosophy of all schooling since Horace Mann had advocated the development of Massachusetts' common schools--"how does one free a child and shape him at the same time?"⁹ If moral shaping was a covert objective of public school instruction, it was an overt objective of the reform school, and in the reform school it remained a paramount dilemma.

Education made sense as a means to developing industrial skills in reform school graduates. It made less sense as a means of correcting children in confinement. Education was forward looking. Each youth was approached as an ignorant child who one day must make a living in an

⁸Theodore Chapin in Mass., *Lyman and Industrial Schools*, 4th A.R., 1898, p. 37.

⁹Lawrence Cremin follows this fundamental question from Horace Mann back to Pestalozzi and Rousseau and, ultimately, to Plato. It remained a primary dilemma of all moral instruction throughout the nineteenth century. See Lawrence Cremin, The Transformation of the School: Progressivism in American Education, 1867-1957 (New York: Random House, 1964), pp. 11-12.

industrial economy. Education was profoundly democratic as it asked little of a youth's background and provided treatment similar to that provided youth outside the institutional walls. Yet, the backward blinders of education left it incapable of "correcting" something that had gone wrong. Education remained insensitive and unresponsive to the causes of youthful deviance. Preparation for the future, not correction of abnormalities, underlay the idiom of education. For correctional purposes moral reform yet remained the primary practice.

2. The Vocational Training School as Structure. The development of education as reformatory practice did not so much bring about changes in the institutional structure of the youth correction institutions as it did the internal organization. The institutions remained committed to shelter, separation, confinement, and age and sex differentiation. Internally, the cottage prototype remained the primary mode of organization, but, in part, it was compromised and adjusted to accommodate an additional organization prototype--the vocational training school.

The school which Superintendent Chapin fought so hard to build at Westborough during the 1890's expressed a new notion of centralization, age grading and the classroom ideal. The advent of education brought with it a critique of the cottage prototype. Superintendent Chapin and the Trustees, while praising the cottage organization in some respects, found the implied decentralization of education to be less than desirable. Centralization became a key expression of the vocational training school.

Comparing the separate cottage organization of the institution to a normal community the Trustees argued in their 1895 annual report:

Now the maintenance of eight ungraded schools in an outside community having a school population of two hundred and fifty

children, all living within a quarter of a mile circuit, would be considered the height of folly from the point of view of economy and efficiency.¹⁰

This argument eventually proved persuasive and, in 1898, the legislature authorized the construction of a central school building at the Lyman School.

Centralization was tied closely to the principles of economy and efficiency. The late nineteenth century was the seedbed of scientific management. Industrialism, while maligned for its effects upon the social order, was embraced for its rationalism and efficiency. The public schools were experiencing a wave of school administrators bent on rationalizing and economizing education.¹¹ The efficiency of the centralized school appealed to Chapin and he applied it to other of the Lyman School functions. Having centralized the practice of education into a common school, the Trustees went on to question other features of the cottage prototype at Westborough.

The central laundry and kitchen are apparent departures from the so called "cottage plan," but are not so in reality . . . The essence of the cottage is the dividing of the boys into small groups, in which close personal contact of masters and pupils is possible; it is in the word, the "individualization" of the boy and whether the cooking and washing are done in the house or outside of it is of no consequence whatever.

An added footnote established the sex differentiated nature of these functions:

Such is not the case in the girls reform school. Their training in housework is an important branch of education.¹²

¹⁰ Mass., Lyman and Industrial Schools, 1st A.R., 1895, p. 20.

¹¹ See Raymond E. Callahan, Education and the Cult of Efficiency (Chicago: University of Chicago Press, 1962) and Michael B. Katz, Class, Bureaucracy and the Public Schools: The Illusion of Educational Change in America (New York: Praeger, 1971), Chap. 2.

¹² Mass., Lyman and Industrial Schools, 5th A.R., 1899, p. 11.

The age grading expressed in the school room advancement system was a refinement on the age differentiation which underlay the original reform school prototype. Both stemmed from the same desire to systematize education through classifying youngsters by age and level of development.¹³ Classroom age grading simply became a further refinement in the classification of youth. David Snedden notes:

In the work of the juvenile reform schools the idea of classification carries with it the notion of segregation, even isolation. The main purposes are, first, to prevent the contamination of less hardened or less mature children by those further advanced along undesirable lines; and, second, to make it possible to adjust discipline, freedom and various educational means to the more specific needs of classes, differing in their character. . . . Classification, of course, had its beginning with the establishment of children's prisons, for these were organized primarily to prevent the contamination of children by mature criminals. From that time to the present the process of classifying children . . . has continued, until today the more advanced of the schools manifest an extraordinary range of division of children.¹⁴

Age grading not only recognized the differences in development and ability within the institution's population, but, also, provided a clearly visible status ladder for the practice of reformation. Advancement which was based on merit in common schooling could be used as a reward for the desired moral behavior in the reform school. The merit grading of the early refuge was resurrected in the merit advancement of the reform school vocational training school.

¹³Joseph Kett views age grading in the schools as an attempt to bring order and control into nineteenth century schools and remove children from the interference of industrial labor demands. See Joseph F. Kett, "History of Age Grouping in America," in James S. Coleman, *et. al.*, Youth: Transition to Adulthood (Chicago: University of Chicago Press, 1974), pp. 18-19.

¹⁴Snedden, 1907, pp. 122-123.

The classroom prototype was added to the family prototype as an expression of internal structure. The classroom was more easily obtainable in a reform school than was the family. By 1906 the Lyman School offered eighteen different courses ranging from music instruction to house painting and the school building had become the central focus of the institution.¹⁵ The reform school classroom stood to the cottage as the public school classroom stood to the family household.

The development of the vocational training school within the reform schools served to create a tightening linkage between the reform schools and the public schools. Increasingly, the staffs of these separate institutions came to note their sharing of common problems. Where the reform schools borrowed vocational education from the developments of public education, the public schools borrowed the reform school prototype for their disciplinary needs. In so doing, they created an intermediary institution, the county truant school, modeled, in large part, upon the reform school prototype. Compulsory attendance created truancy and the problem of enforcement. State law permitted "habitual truants" to be sent to Westborough, but in 1886 Boston established its own institution, the Boston Parental School, as a residential center for "habitual truants, absentees and school offenders."¹⁶ By the 1890's the concept of an intermediate institution as a back-up to enforcing proper public school behavior became widespread. County truant schools appeared across the Commonwealth, funded by counties, but operated

¹⁵For course descriptions see "Superintendent's Report" in Mass., Lyman and Industrial Schools, 12th A.R., 1906.

¹⁶Mass., Acts of 1886, Ch. 282.

under the supervision of the State Board of Education.¹⁷ These institutions operated much like small reform schools. They provided shelter, separation and confinement and stressed moral reform and vocational education.

Together, the state reform schools and the county truant schools became the prototypes for all vocationally oriented schools. During the last decade of the nineteenth century the reform schools had become such models of good vocational training schools that David Snedden could conclude his survey of reform school education by stating, "However imperfect these schools have accomplished their work, it is nevertheless true that they represent to-day the most persistent, comprehensive, and effective experiment in the domain of education that is available to the student."¹⁸

3. Ignorance, Heredity and Child Development. It would appear in hindsight that education as a reformatory practice should have inspired a theory of delinquency causation based on ignorance. That no such theory developed is due, in part, to the reluctance of education to

¹⁷At one point there were nine such institutions: Essex County Truant School at Lawrence; Hampden County Truant School at Springfield; Middlesex County Truant School at North Chelmsford; Norfolk, Bristol and Plymouth Counties Truant School at Walpole; Suffolk County Truant School (Boston Parental renamed) at West Roxbury; Worcester County Truant School at Oakdale; Berkshire County Truant School at Becket; Hampshire County Truant School at Goshen; and Bristol County Truant School. The last three were operated for only a short period before they were closed for lack of commitments.

¹⁸Snedden, 1907, p. 8. Michael Katz notes that the reform school was the first and most advanced form of compulsory education in the Commonwealth and that Massachusetts reformers looked to the reform school as a model element in the state's education system. See Katz, 1968, p. 164.

recognize delinquents as unique and in need of special explanations and is due, in part, to the continued dominance of the heredity thesis.

During the 1890's the fruits of positivist criminology had fully ripened in America. The works of Lombroso, Tarde and Ferri were well read and influential. Biological determinism was an accepted tenet of the positivist tradition. By the turn of the century the growing interest in eugenics, the science of improving human breeding, had begun to mix with the heredity thesis and together they provided scientific legitimacy to reactionary, nativistic impulses.¹⁹

In Massachusetts, the heredity paradigm was greatly tempered by the influence of G. Stanley Hall and the child study movement. The arrival of Hall at Clark University in 1889 marked a significant landmark in the development of the theoretical approach to the cause of youthful misconduct.²⁰

Hall's basic thesis--the "general psychonomic law," which he borrowed from Haeckel and Spenser--was that ontogeny, the development of the individual organism, recapitulates phylogeny, the evolution of

¹⁹For the effects of the eugenics movement see Haller, 1964. A well developed summary of the various scientific approaches to juvenile delinquency during the late nineteenth century is provided in Menzel, 1973, pp. 78-101.

²⁰Granville Stanley Hall (1844-1924) earned Harvard University's first doctorate in psychology as a student under William James. He then traveled to Germany to study in the laboratory of Wilhelm Wundt. In 1880 he accepted a position at Johns Hopkins University where he established an important laboratory for the study of child development. In 1899 he accepted the presidency of Jonas Clark's new university at Worcester. From this position the prolific Hall spent the next thirty years organizing research on child development and orchestrating the child study movement. For a review of Hall's life and theory and their impact see Dorothy Ross, G. Stanley Hall: The Psychologist as Prophet (Chicago: University of Chicago Press, 1972).

the species. The individual child evolves through a series of stages which correspond to the stages of human evolution from pre-savage to civilized culture. The normal growth of the mind required that each stage be lived through, for it, and it alone, contained the stimulus for the emergence of the next stage. Hall regarded adolescence as a period of "storm and stress" which must be lived through in order to achieve the civilized self. This adolescent "crisis" was characterized by "lack of emotional steadiness, violent impulses, unreasonable conduct [and] lack of enthusiasm and sympathy. . . . The previous selfhood is broken up . . . and a new individual is in the process of being born."²¹

For Hall, much misbehavior and waywardness were to be expected during this stage and he advised tolerance. He felt most adolescents were "more or less morally blind" and "essentially anti-social." "The youth who go wrong," he wrote, were "in the majority of cases, victims of circumstances or of immaturity, and deserving of pity and hope."²²

²¹G. Stanley Hall, "The Moral and Religious Training of Children," Princeton Review, 58:26-48 (January, 1882). This article long stood as a landmark statement of the child study approach. Hall's theory did not wear well with time. By the 1930's the study of adolescence no longer bothered much with the recapitulation idea. Specifically, the theory was impugned for: a) ignoring the influences of culture; b) overemphasizing the importance of physiological functions in adolescent development; c) viewing adolescence as turbulent due to instinctual upheavals; and d) regarding the physical development of adolescents as saltatory rather than gradual and continuous. See his Adolescence: Its Psychology and Its Relation to Physiology, Anthropology, Sociology, Sex, Crime, Religion and Education, 2 vols. (New York: D. Appleton and Co., 1904). For a sympathetic review see Robert E. Grinder and Charles E. Strickland, "G. Stanley Hall and the Social Significance of Adolescence," Teachers College Record, 64:390-399 (February, 1963).

²²G. Stanley Hall, Youth: Its Education, Regimen and Hygiene (New York: D. Appleton, 1906), p. 135.

The determinents of youthful deviance lay in the predetermined evolution of the child's natural growth and in large part it represented a passing condition.

Whereas Hall interpreted his thesis with hope for the future of troubled adolescents, his students were less positive.²³ George Dawson, for instance, was hardly optimistic in his study of Massachusetts' reform school youth. Dawson carried out an empirical study of the anthropomorphic, physiological, sensory and mental aspects of sixty inmates of the Lyman School and the Industrial School for Girls and a comparable group of Worcester public school children. On many indicators, including size of head, breadth of face, symmetry of ears, intelligence scores and ability to work attentively through written tests, there was a statistical difference between reform school and public school children. Dawson concluded that, indeed, many reform school inmates were defective. "In them," he wrote, "some at least of the forces of development are acting retrogressively." Therefore:

Like tens of thousands of their kind throughout the world, they will spend their lives in state institutions or under police surveillance. They are out of harmony with their environment and are . . . incapable of meeting the demands of a civilization that exists only by assimilating the good and eliminating the bad.²⁴

²³J. Adams Puffer saw in the delinquent gang "an ancient virtue of savagery" and Maxamillian Grossman saw youthful criminality as "probably due to some form of arrested development during the pubertal stage" which resulted in a "savage condition of mind." See J. Adams Puffer, The Boy and His Gang (Cambridge: Houghton, Mifflin, 1912) and Maxamillian Grossman, "Criminality in Children," Arena, 22:235-237 (October, 1896). The quotations are from Mennel, 1973, p. 82, and Hawes, 1971, p. 215.

²⁴George E. Dawson, "A Study of Youthful Degeneracy," in Pedagogical Seminary, 4:243-245 (December, 1896).

The heredity paradigm which was heralded in Massachusetts by Howe and Sandborn just following the Civil War grew and blossomed in the Commonwealth under the anthropomorphy of H. P. Bowditch and the developmental psychology of G. Stanley Hall. During this period, the scientific, particularly empirical, approach to theory building was firmly established, criminology became an accepted field of study, the study of youthful misbehavior was closely linked to the study of normal child development, and adolescence as a research category was clearly separated from childhood and adulthood.

Yet for all the research and rhetoric the heredity thesis had little direct effect on reformatory practice. Heredity was frequently acknowledged as one factor contributing to delinquency, but most practitioners avoided giving it a central place.

G. Stanley Hall's evolutionary psychology, Lombrosian criminology, eugenics--these sciences led the study of juvenile delinquency into a cul-de-sac. Scholars who employed them reached generally negative conclusions about the possibilities of reforming delinquent children. Even the refutation of extreme determinism by Boas and others did not lead to organized programs. Lombroso's positivism shifted the focus of criminological study from crime to the individual criminal or delinquent, but this new concern was hardly compassionate; that is the individual delinquent found little in this approach to give him hope. For while scientific studies of criminals and delinquents were based upon empirical observation and measurement, their pessimistic conclusions tended to categorize the subjects as unfit for philanthropic concern.²⁵

Moral reform and education remained the major idioms of organized practice. Theory which did not support their relevance could not be accepted. The heredity thesis was fundamentally anti-environmental in substance and too close to the predestination paradigm of earlier times. Such a thesis

²⁵Mennel, 1973, p. 100.

appeared to render moral and social reform absurd. It simply could not support an acceptable youth corrections policy.

4. The Vocational Education Program of Response. The vocational training school had a significant impact on the asylum. Internally, it served to mitigate some of the extreme decentralization of structure mandated by the cottage system of organization. Through the establishment of the centralized school, Chapin was able to reassert the immediate involvement of the superintendent in reformatory practice, a function which had been all but lost with the decentralization of the cottage system. Within the wider community, the addition of the vocational training school elevated the public image of the reform school to the level of a public secondary school. The school became viewed more as a state experimental laboratory for advancing vocational training than as a state correctional institution for detaining and punishing young rogues. This more positive public image helped to legitimate the institution as an acceptable place to send young misdemeanants. These more tractable youngsters created the youthful fix necessary to build the morally upright and self-regulating community that Theodore Lyman and the early superintendents had envisioned.

The close association between the institution and the state educational system introduced the professional teacher as an agent in responding to youthful deviance. The teacher joined the warden and the superintendent as an equal staff member, but different from them: the teacher was a specially trained professional. The advent of the teacher in the Massachusetts reform schools during the 1880's marks the beginning of the inroads of professionalism in youth corrections.

Yet for all that the vocational training school affected the asylum, education was never fully accepted as reformatory practice. The heredity thesis remained the paramount causal explanation of deviance. Like the practice of supervised placement, education could not be expected to correct genetic maldevelopment. Yet education never developed its own theory of ignorance as a cause of deviance. Without such a theory, education was not a reasonable means for correcting deviance. At best, education meant no more than the training of youth for a vocation. All that could reasonably be hoped was that a highly skilled youth with good work habits would find plenty of work and, therefore, become invulnerable to the temptations of vice and crime. Education never became a central practice of reformation precisely because it never responded to deviance. As a social response it simply was not relevant to the social problem as it was then defined and it never seriously attempted to reformulate the social problem. Thus, education was simply grafted onto the stalk of moral reform as a maintenance service of the reform school much like feeding, clothing and guaranteeing the good health of the reform school inmates. The educational program of response was fundamentally incomplete. It resulted in the addition of new forms and new practices in the institutional setting, but it never seriously challenged the traditional forms or practice as the dominant reformatory policy.

Section II: Chapter F
CHILD PROTECTION AND THE JUVENILE COURT

1. Juvenile Delinquency and Legal Procedure. The 1906 legislation that established the Boston Juvenile Court was procedurally significant because it marked a clear reform in legal practice. Early legal practice had not defined delinquency nor differentiated clearly among youth who received corrective services.¹

During the last half of the nineteenth century the Massachusetts courts incrementally developed procedure differentiation in the handling of youth and adult cases. Legislation in 1860 made special provisions for the presence of an adult representative in cases involving children. Where neither the father, mother or guardian could be located, the court could appoint a suitable person.² Legislation in 1882 removed youths unable to raise bail from pre-trial detention in adult settings. Instead, such youth were to be referred to an agent of the State Board of Health, Lunacy and Charity.³

¹ Earlier definitions were primarily informal statements of aggregates. The House of Reformation was to admit "all such children who shall be convicted of criminal offenses, or taken up and committed under and by virtue of an act of this Commonwealth for suppressing and punishing of rogues, vagabonds, common beggars and other idle, disorderly and lewd persons." In addition the institution was to accept "all children who live an idle or dissolute life, whose parents are dead, or if living, from drunkenness, or other vices, neglect to provide any suitable employment, or exercise any salutary control over said children." See Mass., Acts of 1826, Ch. 183.

² The representative was to appear at the trial to "show cause, if any there be, why said child shall not be committed." Mass., Acts of 1860, Ch. 75.

³ Mass., Acts of 1882, Ch. 127.

The 1906 legislation went well beyond these embryonic procedural reforms. It took a new philosophical position. The child was no longer to be handled as a junior criminal and the procedure was no longer to take the form of criminal proceedings. The preamble of the new law read:

This act shall be liberally construed to the end that the care, custody, and discipline of the children brought before the court shall approximate as nearly as possible that which they should receive from their parents, and that, as far as possible, they shall be treated not as criminals, but as children in need of aid, encouragement and guidance.⁴

The youth was to be handled in an informal "hearing" rather than a trial. A youth would not be found "guilty" but, rather, "delinquent." Delinquency carried no criminal sanctions. Rather than punishment, a youth was to be provided assistance and guidance. The court was to act in parens patriae and to render decisions "in the best interests of the child."⁵ To the degree possible the child's reputation was to be protected. The hearings were conducted in relative privacy and the judicial records were not generally available to the press. The hearings were informal, standards of evidence were loose and due process safeguards were waived because of the non-criminal character of the court.

Age differentiation was a clear intention of the 1906 juvenile court act. It resulted from earlier efforts to provide legal separation between children and adults, but, like the correctional institutions, it

⁴Mass., Acts of 1906, Ch. 413.

⁵See Gustave L. Schramm, "The Juvenile Court Idea," Federal Probation 13:19-23 (September, 1949). An extensive critique of the doctrine of parens patriae is included in Francis A. Allen, The Borderland of Criminal Justice (Chicago: University of Chicago Press, 1964). The paternalism of the "in the best interests of the child" philosophy is offered an equally extensive critique in Joseph Goldstein, Anna Freud and Albert Solent, Beyond the Best Interests of the Child (New York: Free Press, 1973).

took some time to settle on the proper age of demarcation. While an 1860 law had set sixteen as the maximum age for childhood, an 1870 law raised it to seventeen.⁶ The 1906 law set the age at sixteen but a new law in 1931 raised the age to seventeen again.⁷

The court served to formalize in judicial practice the protective ideal in responding to children. The focus of the court's hearings did not rest on the proving of the commitment of a deviant act, but, rather, on the extent of a pre-criminal condition in the character and social background of the child. The court examination included personal motivation as well as criminal intent and moral reputation as well as the nature of the offense. Judge Baker proudly wrote:

The court does not confine its attention to just the particular offense which brought the child to its notice. For example, a boy who comes to court for some such trifle as failing to wear his badge when selling papers may be held on probation for months because of difficulties at school; and a boy who comes in for playing on the street may . . . be committed to a reform school because he is found to have habits of loafing, stealing or gambling.⁸

Judge Baker's court looked past the deviant act. The central question was: how much is the condition of the child one which requires the intervention of the state? The result of a delinquency determination in the juvenile court was similar to a dependency or neglect finding in the probate court. The state assumed a paternal role. Advice, guidance, service and supervision were offered all but the most vicious youth.

⁶Mass., Acts of 1860, Ch. 75 and Acts of 1870, Ch. 359.

⁷Mass., Acts of 1931, Ch. 217.

⁸Harvey Humphrey Baker, "Procedure of the Boston Juvenile Court," Survey 23:643-652 (February, 1910), p. 649.

These remaining youth, no matter what their age, were not to be treated as juveniles or by the juvenile court. They were to be "bound over" to Superior Court.⁹ The juvenile court expelled retribution from responses to youth. The retributive ideal was only to meet youth who were no longer considered young.

The juvenile court was distinctly a Boston institution. The Boston Juvenile Court was the only such special institution established under the 1906 law. In other jurisdictions special "juvenile sessions" were authorized in which trial justices sat in informal delinquency hearings to consider cases brought against children. These trial justices typically were not specially trained in the new orientation of child protection. Cases were frequently held in the same courtroom as adult sessions and the informality of the proceeding was not always to the youth's advantage. While the focus of the new juvenile court law centered on the Boston court, most youth brought before the courts of the Commonwealth were heard in juvenile sessions of regular adult courts.¹⁰ This discrepancy seemed not to have been highly significant to the Boston reformers. The focus of child saving was on the urban immigrant child and the locus of child saving charities was Boston. The value of the Boston Juvenile Court was as much in offering a symbolic center to the Boston child saving charities as it was in relieving adult courts of

⁹Children under fourteen could not be bound over except for "an offence punishable by death or imprisonment for life." Mass., Acts of 1906, Ch 413.

¹⁰In 1915, 967 cases were begun in the Boston Juvenile Court while 5393 cases were begun in juvenile sessions. See Mass., Commissioners of Prisons, 15 A.R., 1915, Tables, pp. 148-151. See also Figure 3.

children or formalizing a protective orientation in the judicial handling of children.

2. Child Protection and the Private Child Saving Charities.

Prior to the Civil War there were relatively few private formal charitable agencies specifically directed to deviant and dependent children. Those that did exist were significant, in their impact on charity and philanthropic activities.¹¹ The Boston Asylum and Farm School was the only private institution particularly devoted to offering reformatory services to wayward youth prior to the war.¹²

The role of the private charities was more developed in the preventive services. In 1834 the Boston Children's Friend Society was incorporated.¹³ From its beginning the society maintained a home for neglected children of both sexes first on Sheafe Street and, after 1845, on Rutland Street. In 1885 a separate home for older boys was opened in

¹¹The first institution specifically established for youth was the Boston Female Asylum established for "the relief of female orphans ages 3-10" in 1800. The Boston Asylum for Indigent Boys was established in 1814. The Boston Young Men's Benevolent Association was founded in 1827 followed by the St. Vincent's Orphan Asylum in 1831, the Boston Children's Friend Society in 1833, the Farm School in 1835, the New Bedford Orphan Home in 1843, and Worcester Children's Friend Society and the Boston Children's Mission to the Children of the Destitute in 1849 and the Nickerson Home for Children in Boston in 1850. A complete listing can be found in Mass., State Board of Charity, 22nd A.R., 1900.

¹²A second such institution, the Plummer Farm School for Boys, was established at Salem in 1855. The Boston Asylum and Farm School changed its policy in 1860 and, thereafter, became more of a preventive agency focused on dependent children.

¹³This organization developed from the efforts of several prominent Boston women who found the public accommodations for neglected children unacceptable. Reverend William Collier, a city missionary, and several "female societies for missionary purposes" organized a joint meeting in 1833 at which the new association was formed. See Boston Children's Friend Society, 80th A.R., 1914, p. 9.

suburban Dedham. The Society relied heavily upon residential care and indenturing. Parents signed papers of release, but these had no legal binding and the Society was continually fighting with parents and relatives over the right of supervision.

In 1849 a Children's Friend Society was opened in Worcester, the Children's Mission to the Children of the Destitute was opened in Boston and, the following year, the Nickerson Home for Children was opened in Boston. Each of these institutions followed the same practice of residential care followed by indenture first pioneered by the Boston Children's Friend Society. Yet increasingly the system fell into disfavor. When Howe, Sandborn and their associates developed their critique of institutional care, they included the private charities in their indictment. The Children's Friend Societies and the Children's Mission, in particular, were overtly missionary in their approach. To the Catholic community they appeared as eager to prevent the spread of Catholicism as the deviance of children and this concern created significant animosity.¹⁴ Finally, the economic depressions of the 1870's resulted in an overabundance of neglected children which far exceeded the residential capacities of the private charities.¹⁵

¹⁴Following the war, the private charities became segregated by religion. The Boston Children's Friend Society refused to accept any more Catholic children. In 1859 the Church Home for Orphaned and Destitute Children was opened under Episcopal aegis in South Boston and in 1864 the Association for the Protection of Destitute Roman Catholic Children in Boston was founded. A Jewish home, the Helping Hand Temporary Home for Destitute Children, was opened in 1899. See Mass., State Board of Charity, 22nd A.R., 1900.

¹⁵Nathan I. Higgins suggests there were other reasons for this disenchantment as well. The private charities appeared capricious in whom they accepted. Catholics, blacks and illegitimates were often discriminated against. Indentures proved harder to come by

The period between 1865 and 1900 witnessed a major expansion in the number and diversity of private charities in Massachusetts directed at the plight of children.¹⁶ Out of this growth appeared a new form of preventive practice most commonly referred to as child rescue or child saving. The founding of the Boston Children's Aid Society in 1865 marks the beginning of this transition.¹⁷ During the early period this new Society bought and operated Pine Farm at West Newton. The farm was to be a family, not an institution. It became a temporary home as the focus of child saving practice shifted toward the supervised placement of children in farm families. Critical to this practice was the "friendly visiting agent" employed by the Society after 1883. Volunteer visiting agents increasingly became important as the Society began to supervise children in their own homes. By the 1890's the Society had developed a

during the antebellum economic depressions. Indenturing girls was also risky, particularly in households where the husbands or sons proved aggressive. Higgins offers one of the few adequate studies of the development of Boston's private charities. See his "Private Charities in Boston, 1879-1910" (Ph.D. dissertation, Harvard University, Cambridge, Mass., 1962).

¹⁶In 1865 the Boston Children's Aid Society and the New England Home for Little Wanderers were founded. In 1869 the Boston Young Women's Christian Association opened, followed by the House of the Good Shepherd in Roxbury in 1870, the Children's Home of Fall River in 1873, the Massachusetts Society for the Prevention of Cruelty to Children in 1878, the Hampden County Children's Aid Society in 1880, the Boston Working Boys' Home in 1884, the Boys' Institute of Industry in 1885, the Boston Girls' Friendly Society Home in 1887, the Worcester Boys' Club in 1890, the Boston Working Girls' Home in 1892, the Bunker Hill Boys' Club in 1894, and the Elizabeth Peabody Home in 1896. See Mass., State Board of Charity, 22nd A.R., 1900.

¹⁷The Boston Children's Aid Society arose out of concern for the fate of boys locked up at the Suffolk County House of Correction. The chaplain, Rufus Cook, and several others organized the Society to accept boys transferred from the prison into their care. See Higgins, 1962, p. 202.

highly diverse system of preventive care based on supervised work with children in their own homes, supervised work with children in placements and some residential care at the Society farms.¹⁸ With this diversity it became possible to specifically tailor responses to the individual needs of each youth. Such non-institutional child-saving became widely accepted. The Children's Friend Societies and the various religious charities followed the Children's Aid Society in adopting supervised placement or home visitation as the preferred policy. By 1890 supervised placement had become the accepted practice of most of the major private charities of Boston.

The transition toward child protection begun as child saving under the Children's Aid Society was carried into full practice by the Massachusetts Society for the Prevention of Cruelty to Children. This third major society was established in 1878 in order to focus attention upon child abuse and neglect and to use legal and legislative channels to rescue exposed children.¹⁹ The Society maintained a temporary home for children, and engaged in supervised placement, but the Society also went further. The early directors envisioned the Society as a children's advocate devoted to securing laws for the protection of children and making certain of their enforcement.

¹⁸Higgins, 1962, p. 217. Additional farms were purchased in Westborough and Foxborough.

¹⁹The Society for the Prevention of Cruelty to Children was established through the efforts of several wealthy Boston women including Sara W. Thorndike and Kate Garnett Wells. Originally chartered as the Massachusetts Children's Protective Society in 1877, the organization was renamed after the successful New York agency upon which it was modeled. See Ray S. Hubbard, Crusading for Children, 1878-1943: The Massachusetts Society for the Prevention of Cruelty to Children Boston, Mass., 1943.

The rescue of exposed children was carried out through legislative, legal and community action. The Society pressed for and achieved legislation regulating the development of "baby farms," the public display of deformed children, the importation of kidnapped children as gymnasts, actors or beggars, the employment of truants as newsboys and several other measures concerning child labor. The Society used litigation in addressing hundreds of cases of child abuse and neglect. By the turn of the century the Massachusetts Society broke with other state chapters in expanding beyond child rescue to pursue the organizing of preventive activities at the community level. This break was significant because it committed the Massachusetts agency to a community action strategy which few other agencies had dared to try. In 1907 the Society sealed this commitment by hiring a state-wide secretary to help local communities form district chapters and by 1918 there were twenty-seven local chapters across the Commonwealth.²⁰ These local chapters served to awaken community interest and concern over the plight of children and to organize local action to address abuses and change institutional practices.²¹

²⁰Hubbard, 1943, p. 26.

²¹Local communities were frequently found to be blind to local problems. The first task of Society agents, then, was to transform the objective conditions into a recognized social problem. Ray Hubbard writes:
"Mrs. Alice B. Montgomery . . . pioneered protective work in Western Massachusetts. She possessed a dynamic personality and thorough understanding of social work. Connecticut Valley and Berkshire towns never dreamed that bad conditions existed in their midst. But Mrs. Montgomery stirred them into action; and as a result of her indefatigable endeavors, the Hampshire, Berkshire and Franklin District organizations were founded."
See Hubbard, 1943, p. 26.

As the emphasis in the Society's title shifted from "cruelty" to "prevention," child saving emerged as child protection.

Child protection is a distinct form of social service to children. . . . It aims to obtain results through advice, persuasion and parental education, but, when necessary to take extreme measures, its agencies are equipped for the effective use of compulsion, discipline or punishment through a personnel trained in the use of law and legal machinery for a social purpose. It is the function of child protection to work for the elimination or improvement of bad community conditions adversely affecting child and family life.²²

Child protection focused upon the community in a direct way. Exposed children were to be protected, but the means did not require separation or confinement. Legal, legislative and community forces were to be rallied to guarantee "the establishment of wholesome standards of family life and the protection of childhood."²³

The rise of child protection as the dominant practice among Massachusetts' private charities was paralleled by the rise of professional social work. The debate over professionalism in youth correction services had arisen as early as the 1870's when Howe and Sandborn became critical of Gardiner Tufts's handling of the Office of the State Visiting Agent. Among their concerns was Tufts's efforts to create a highly professional office with full-time salaried agents instead of relying on volunteer "charity workers."²⁴ The charity organizations involved in child saving work often stressed the value of the volunteer

²²Quoted in Hubbard, 1943, p. 38.

²³Hubbard, 1943, p. 38.

²⁴Wirkkala, 1973, p. 244.

friendly visitors. The personal advice and guidance of the volunteer visitor raised charity from mere alms-giving to a differentiated scientific benevolence.²⁵

But this faith in the personal character of volunteers did not last into the twentieth century. With the advent of child protection the moral supervision of the Children's Aid Society was replaced by the gathering of social data. Diagnosis and prognosis were to become expert functions founded on scientifically gathered data. The needs of the "whole child" required the special knowledge of professionals. The friendly visitor was replaced by the salaried case worker.²⁶ Special training was required to guarantee professional service either in a professional social work school or by the Society, which developed a two-year program designed to transmit that "understanding, proper interpretation and treatment of individuals in need which is the task of

²⁵In his analysis, Roy Lubove writes:
 "Rejecting alms as an expression of the benevolent instinct, the charity organization societies swung to the opposite extreme and exalted the beneficial potentialities of personal relationship. . . . The urban poor required no resource so desperately as the counsel of an intelligent and kind friend, whose primary qualifications for the work were not technical but personal-- 'all possible sympathy, tact, patience, cheer, and wise advice.' Paid professionals lacked the spontaneity and zeal of volunteers."
 See his The Professional Altruist: The Emergence of Social Work as a Career 1880-1930 (Cambridge: Harvard University Press, 1964), pp. 12-13.

²⁶ "The Society's high regard for casework skill evolved directly from its emphasis on differential treatment, and it urged contributors to consider 'the maintenance of a high standard of service essential, even if such means a definite limiting of work.' Not quantity, but quality counted, and the Society tried to restrict each worker to forty or forty-five cases."
 See Lubove, 1965, p. 44.

a trained social worker."²⁷ The growing professionalism spawned professional organizations and in 1913 the Massachusetts Child Welfare Committee was formed to coordinate the activities of some twenty-five private agencies concerned with children.

The early child saving charities of the nineteenth century inaugurated a new approach to private philanthropy in which intelligent, efficient service to dependent children and families replaced the paternal benevolence of wealthy donors with overtly missionary goals. Yet this new scientific philanthropy could never be reconciled with the faith in the personal character of the volunteer. As questions of skill and technique influenced private charities after 1900, the value of voluntary service was seriously questioned. Professional child protection required functional specialization and the presumption of expertise.²⁸ Child protection, as the Society for the Prevention of Cruelty to Children recognized, must go beyond merely child rescue. The conditions which produced deviant and dependent children lay in the community in which they were raised. Prevention could no longer focus solely on the vulnerable and exposed child; it required a direct assault on the malevolent conditions of the community. But this recognition, first noted in 1907, was yet premature.

3. The State Supervisory Board. The last decades of the nineteenth century also marked a change in the state administrative structure. As the

²⁷ Boston Children's Aid Society, 53rd A.R., 1917, p. 10, quoted in Lubove, 1965, p. 44. The New York School of Social Work opened in 1898 and the Boston School for Social Workers was opened in 1904.

²⁸ Lubove, 1965, p. 49.

state developed more and more costly welfare institutions, the legislature increasingly began to look for more efficiency in organizing these services. The Board of State Charities carried out a protracted battle with the trustees of the various institutions attempting to rationalize and co-ordinate their functions, but the Board was restricted in its authority: oversight could have just so much effect.

Increasingly centralization became seen as the means of achieving efficiency. In the Reorganization Act of 1879 the legislature abolished the separate Board of State Charities, the State Board of Health and the nine separate boards in charge of the various welfare institutions and created in their place a central State Board of Health, Lunacy and Charity.²⁹ This new State Board consisted of nine unpaid members and a paid staff. Oversight of the two reform schools and the State Primary School at Monson, the state institution for dependent children, was merged into one seven-member Board of Trustees of the State Primary and Reform Schools. While these new boards represented a major reorganization in state authority structure, in other policy matters there was little change.³⁰ The reorganization resulted in

²⁹See Mass., Acts of 1879, Ch. 29. This same centralization occurred in other services as well. In 1879 the supervision of all adult correctional institutions was placed under a central Board of Commissioners of Prisons. Supervision of the institutions for the instruction of the deaf, dumb and blind had been centralized under the State Board of Education in 1875.

³⁰This was due in large part to the retention of personnel through the reorganization. Six of the nine State Board members had served on the previous boards. The chairman of the new State Board had been chairman of the Board of State Charities. Many of the major staff members also made an easy transition, including Frank Sandborn, who was named Inspector of Charities.

little disruption or change in the administrative procedures or daily functioning of the reform schools.

In 1870 the Board of State Charities began an effort to bring the various private charities under state control. The board recommended no further construction of state institutions. Instead, the board recommended offering subsidies to private charities with the proviso that the state assume a share of the directorates of these agencies.³¹

But the vast centralization of the State Board proved to be too great. One board could simply not effectively establish policy discretion over so many services and such a wide range of institutions. The early years of the State Board were filled with administrative conflict and political controversy.³²

In 1886 the legislature commenced dismantling the State Board by separating out the health functions and re-establishing the State Board of Health. The residual Board of Lunacy and Charity settled into

³¹ See Mass., Board of State Charities, 7th A.R., 1871, p. lxvi. Kelso sees this provision as critical for without it the Commonwealth would have embarked "upon that same troubled sea of public subsidies which has left the States of New York, Pennsylvania, and Maryland, among other virtually at the mercy of a swarm of lobbying directorates, seeking by all means known to politics to secure a share of the State grants." See Kelso, 1922, p. 152.

³² Much of this resulted from an overly hostile governor. Benjamin F. Butler campaigned for governor with open attacks on the State Board. He advocated the Board be replaced by a civil service administrative agency with a single administrator. See William D. Mallam, "Butlerism in Massachusetts," New England Quarterly, 33:186-206 (June 1960).

³³ For an excellent history of the board, see Barbara G. Rosenkrantz, Public Health and the State: Changing Views in Massachusetts 1842-1936 (Cambridge: Harvard University Press, 1972).

a less turbulent career with little change and ever-increasing professional competence, bureaucratic rationality and national pre-eminence.³⁴

4. The Child Protection Program of Response. Child protection was a central theme of the progressive era.³⁵ Protection, a principle which had underlain the founding of the refuge and reform school, during the 1890's became a defense against the abuses of laissez faire capitalist industrialism particularly upon the lives of the poor and immigrant child. The child saving activities of the late nineteenth century were guided by the protection metaphor. The courts and the legislatures became the focus of the new practice. The particularistic approach to saving specific children was replaced by the universal prevention of abuse for all children.

In so doing the new court re-integrated the policy distinction between deviant and dependent children. Delinquency was defined in practice as a condition like dependency. The paternalistic and nurturant practices advanced in the services to neglected and abandoned children were extended to the delinquent. The key feature lay in probation. Probation was to be to prevention as commitment was to reformation. It was the legal and social basis upon which services could be rendered.

³⁴In 1898 a separate State Board of Insanity was created. With the removal of responsibility for the insane, the remaining board was reorganized as the State Board of Charities. Robert Kelso, who served as Secretary of the State Board of Charities from 1910 to 1919, claimed that continuity of service through long tenure of office by qualified public-spirited citizens made the Massachusetts board one of the two best in the nation. See Kelso, 1922, p. 156.

³⁵Robert H. Wiebe claims, "If humanitarian progressivism had a central theme, it was the child. He united the campaigns for health, education, and a richer city environment, and he dominated much of the interest in labor legislation." See Robert H. Wiebe, The Search for Order, 1877-1920 (New York: Hill and Wang, 1967), p.

The Juvenile court was both a source of this development and a product of it. The new court resurrected and extended the old chancery provisions of the British common law and significantly expanded the parens patriae doctrine. The restatement of the protectorate function of the state over minors further reinforced the long-established presumption of innocence thrown about children by the common law.³⁶ Protection rendered the child as victim and buttressed the image of the adult as defender, guardian and conservator. The victim-defender relationship was ripe for the development of legal practice and legal practice only further legitimized the protective intervention of the state.

The mechanism for the intervention was probation. Probation was to be preventive much as supervised placement had been, although it would seek to keep juveniles in their own family. It mixed the administrative function of verification through periodic checks and the absence of adverse reports with the meliorative practice of casework treatment in order to prevent the child's further slide into criminality.³⁷ Yet probation was also something more than intended under the protection principle. Probation officers became agents of the court, and while the early judges attempted to maintain the child protection stance, the probation officers, who quickly moved from volunteer status to that of paid professionals, became the court's informers. Research and fact-gathering became guises for spying. The

³⁶See Robert G. Caldwell, "The Juvenile Court: Its Development and Some Major Problems," Journal of Criminal Law, Criminology and Police Science, 51:493-511 (January, 1961).

³⁷See Diana Lewis, "What is Probation?" Journal of Criminal Law, Criminology and Police Science, 51:189-204 (July, 1960).

mix between meliorative treatment and inquisition stretched the foundations of trust and rendered much probation incredible.

For at root probation was coercive: behind its friendly facade lay the sterner judge, the commitment and the reform school. And the reform school was indeed a prison now. The juvenile court, probation and the private charities generally diverted away the more tractable youth and, like a great gate-keeper, permitted only the more hardened to pass on into institutional confinement. While the Lyman School and the newer Industrial School for Boys at Shirley which opened in 1909 operated efficiently, effectively and with little public disruption, few did not recognize the life-chilling stigma of their reputations.

The Boston Juvenile Court held firmly to its central child protection mission under Judges Baker and Cabot. Yet the years which followed Cabot's death saw the court's solid preventive reputation slowly sink to the same ambivalence with which most practitioners regarded the "juvenile sessions" functioning throughout the remainder of the state. Being "sent to juvenile court," being adjudicated "a juvenile delinquent," being "on probation" achieved the same public stigma as once was reserved only for those committed to the reform school.

By the late 1930's the Boston Juvenile Court was considered as a dilemma. Part social service agency, part legal tribunal, it appeared to serve neither function well.³⁸ The judges that followed Cabot were capable and well-intentioned individuals, but they struggled with an

³⁸ See Massachusetts Child Council, Juvenile Delinquency as a Public Responsibility (Boston, 1939). For a more general overview, see Benedict S. Alper, "Forty Years of the Juvenile Court," American Sociological Review, 6:230-240 (April, 1941).

understaffed court and an overburdened probation department.³⁹ The juvenile court was not the court envisioned by the progressive reformers. And yet, for all its problems it did serve as the wellspring for the next major program of response. The juvenile court served both as the incubator for the new court clinics, and as the scientific laboratory for the research upon which the psychodynamic theory of delinquency causality was to be built.

Section II: Chapter G
CHILD GUIDANCE AND THE PSYCHODYNAMIC THESIS

1. The Psychodynamic Thesis. During the second decade of the twentieth century the heredity thesis lost much of its popularity among practitioners. Its inability to guide practice proved a fatal limit. During this period a new theoretical approach achieved favor. Nurtured in the early psychometric testing of school children and mental

³⁹The judges who followed Cabot's death in 1932 included John Perkins who held the office from 1932 to 1945, Joseph Connelly from 1945 to 1964, and Francis G. Poittrast from 1964 to the present.

defectives and stimulated by the growing popularity of psychiatric concepts in Europe, a new psychological approach to youthful misbehavior developed.

The psychodynamic thesis located the cause of delinquent behavior in the mental and emotional problems of the adolescent mind. The focus on the psychological roots of deviance shifted attention away from the heredity-environment debate and toward the unknown complexes and irrational impulses of the unconscious and subconscious.

In Massachusetts, the formalization of the psychodynamic thesis is marked by the arrival of William Healy and Augusta Bronner at the Judge Baker Foundation. The orientation of Healy and Bronner found great popularity among the psychologically directed social welfare community in Boston. The Massachusetts social reformers had never embraced the heredity paradigm as seriously as many in New York or the Midwest, and the liberal attitudes and intellectual traditions of the Bay State offered a conducive climate for a psychologically oriented theory.¹

Healy's interest since his early training had focused more broadly than delinquency. His psychological perspective was formalized by studies of neurological disorders. His approach to delinquency in Chicago had focused upon what he termed "conduct disorders." Healy's research into the etiology of conduct disorders was not simply academic; his basic objective was to improve practice. "It makes little difference

¹ Jon Snodgrass has noted a general difference in perspective between the New England and Midwestern communities which has significantly affected the theory development of each area. See Snodgrass, 1972, pp. 10-11. Sigmund Freud's only visit to the United States brought him to Clark University in 1908. His popular acceptance in Massachusetts was no surprise in an intellectual climate dominated by luminaries like William James, G. Stanley Hall and Hugo Munsterberg.

which theoretical point of penology is held," he wrote in 1915, "the problem of society ever is to handle a given offender satisfactorily."² That year, he published his major text subtitled A Text-Book of Diagnosis and Prognosis for All Concerned in Understanding Offenders. Healy did not consider himself a theorist. He attempted only to present data and conclusions with as few generalizations as possible.³ Even so his work first became recognized for the formulation of what became known as the "multiple factor" approach. Each case of delinquency was caused by a plurality of factors in combination. The combinations were never duplicated from individual to individual and, therefore, they were not generalizable to a group or class. In opening The Individual Delinquent, Healy noted "Our main conclusion is that every case will always need study by itself."⁴

The best example of the multiple factor approach is found in The Individual Delinquent. The study grew from an examination of one thousand young recidivists received by the Chicago clinic between 1904 and 1914. In his summary of findings, Healy lists fifteen categories of causal factors. The categories are loaded with moral assumptions and the selection and priorities are left arbitrary and unexplained. Delinquent behavior in one case appears to be caused by any number of "factors" which, when present in another individual's case, could lead to the most conventional of behaviors. Since anything could cause

²William Healy, The Individual Delinquent: A Text-Book of Diagnosis and Prognosis for All Concerned in Understanding Offenders (Boston: Little, Brown, 1915), p. 25.

³Snodgrass, 1972, pp. 81-82.

⁴Healy, 1915, p. 5.

anything there was little generalized understanding.⁵ The multiple factor approach was more significant in broadening the previous anthropomorphic orientations than in actually offering a theory.

Healy's second major contribution to theory development was brought about by the 1917 publication of Mental Conflicts and Misconduct in which he selected one single cause and elaborated on its wide range of behavioral outcomes.⁶ In this view delinquency became a form of psychoneurotic behavior. Healy postulated an "inner driving force" which was neither reasonable nor prudent and which broke through individual repressions as "mental conflicts" which resulted in delinquent misconduct. For this Healy recommended a focus on the "mental environments" of the individual through a form of "mental analysis" which was largely shaped by the conventions of psychoanalysis. By 1935 when Healy's Roots of Crime was published it was evident that another influence--the work of Shaw and McKay in Chicago--had been included, for now mental conflicts were viewed as displacements of emotional problems under unfavorable

⁵"On the other hand," Snodgrass observes, "the idea that theory is unobtainable or unnecessary, that facts can not be abstracted, that generalizations about the causes of behavior in two or more persons is impossible, constitute a set of propositions about the nature of behavior and the nature of theory." See Snodgrass, 1972, p. 93.

⁶William Healy, Mental Conflicts and Misconduct (Boston: Little, Brown, 1917). Joseph Hawes sees this selection as a psychoanalytical redirection of Healy's earlier multiple factor approach, but Snodgrass sees it only as an amplification of one factor within the continuing multiple factor perspective: "Thus, for Healy, multiple factors determined delinquency, and a single factor determined multiple misconduct." See Hawes, 1971, p. 256, and Snodgrass, 1972, p. 93.

social conditions.⁷ Yet Healy held tightly to the primacy of psychological conditions:

The existence of slum districts alone does not explain this high frequency of criminality; this also requires a certain psychological attitude on the part of the inhabitants.⁸

Environments may play their part in shaping character, but the causes of deviant behavior lay in the torments of the mind.

Although Healy, early in life, had been a charter member of the American Breeders Association, genetic causes were not prominent in his work. He became a major antagonist of the Lombrosian and anthropomorphic traditions and criticized them heavily for their presumptions. By holding close to empirical evidence and eschewing theory, Healy challenged genetic theory on its own positivist grounds.⁹ His work became a major contributor to the growing disenchantment with the heredity paradigm.¹⁰ In its place, Healy offered, and did much to develop, a psychodynamic thesis of delinquency and crime.

⁷See William Healy and Franz Alexander, Roots of Crime (New York: Knopf, 1935).

⁸Healy and Alexander, 1935, pp. 4-5.

⁹Healy reports:

"I took hundreds of photographs of the heads and faces of the delinquents we studied; made measurements of thousands of crania, and looked carefully for mal-formed ears and hard palates. . . . The story in short is that we found . . . there may be inheritance of some physical condition or mental peculiarities which can have significant bearing upon the development of delinquent trends, but this is very different from the direct inheritance of criminalistic traits, which can only properly be defined as discrete and innately antisocial tendencies or drives."

See William Healy and Augusta F. Bronner, "The Child Guidance Clinic," in Orthopsychiatry, 1923-1948: Retrospect and Prospect, ed. Lawson Lowry and Victoria Sloan (New York: American Orthopsychiatric Association, 1948), pp. 19-21.

¹⁰In his review, Robert Menzel asserts that "More than any other man, Healy was responsible for channeling scientific study of juvenile

2. The Child Guidance Clinic. The psychodynamic response to delinquency produced its own structural prototype: the clinic. The clinic took two forms. It appeared among the preventive services outside the correctional institutions and appeared as a separate division among the reformatory services inside the institutions.¹¹

The Judge Baker Foundation was the preeminent clinic among the private preventive services. It opened in a four-room office on Court Street, but quickly outgrew this and moved to a separate building on Milk Street. In 1936 the clinic, then renamed the Judge Baker Guidance Center, erected its own four-story building complete with temporary residential units on Longwood Avenue. As the clinic grew in professional and national importance it continued to maintain a close and valued relation with the Boston Juvenile Court.¹² But it also offered its services to other of the public agencies and many of the private child protective services.¹³

delinquency away from sterile efforts to quantify its relationship to mental ability or bodily form." See Mennel, 1973. p. 162.

¹¹For a review of the origins of state supported child guidance services see Helen L. Witmer, Clinical Psychiatry Under State Auspices (New York: Commonwealth Fund, 1939). For a short survey of developments in Massachusetts see Mass., Child Council, 1939, Chap. 5.

¹²In 1931, Judge Cabot wrote:
 "I cannot imagine the Juvenile Court functioning properly without the Judge Baker Foundation. The Court cannot make an intelligent decision in any case without knowing the human material with which it deals. To know that material calls for technical knowledge, great expertise and skill. These the Foundation furnishes."
 Quoted in Straightening the Twig: The Work of the Judge Baker Foundation, Child Guidance Center (Boston: Judge Baker Foundation, 1931). Hereafter referred to as "Straightening the Twig."

¹³By 1928, for example, less than half of the cases (44.7 per cent) came from the juvenile court, while a fifth (18.9 per cent) came from welfare agencies and a fifth (17.9 per cent) came from private children's services. See Glueck and Glueck, 1934, p. 49.

The Judge Baker Foundation and the earlier Chicago clinic became prototype models for juvenile clinics throughout the nation including several others in Massachusetts.¹⁴ These clinics, frequently called child guidance clinics, were typically small private agencies which contracted with local courts, schools and welfare agencies in providing psychological testing and counseling sources. Other clinics were opened to address the psychiatric needs of younger children. Modeled upon a child guidance clinic established by Dr. Douglas A. Thom, nine so-called "habit clinics" were opened by the Division of Mental Hygiene in and around Boston during the 1930's.¹⁵ Beginning in 1931 the Division of Mental Hygiene began to sponsor traveling school clinics which rotated among local schools, bringing psychiatric diagnosis and referral directly to the community. Both the habit clinics and the traveling school clinics were viewed as preventive responses to the problems of mental illness and juvenile delinquency.

In 1931 a special commission was established by the legislature to investigate laws relating to children. Upon this commission's recommendations, a law was passed requiring psychiatric examination of all children prior to court commitment.¹⁶ After the passage of this law

¹⁴The Worcester Child Guidance Clinic opened in 1934 and a child guidance clinic was opened in Springfield in 1938. Both clinics operated independently but were supported in part by grants from the Massachusetts Division of Mental Hygiene. See Mass., Child Council, 1939, p. 94.

¹⁵Mass., Commissioner of Mental Diseases, A.R., 1937, p. 54.

¹⁶Mass., Acts of 1931, Ch. 119. The commission report is Mass., General Court, Report of the Special Commission to Investigate the Laws Relative to Children, House Doc. No. 1200, Boston, Mass., 1931.

outpatient clinics at the various state hospitals and schools for the feebleminded commenced the routine physical and mental examination of all adjudicated delinquents.

The psychodynamic thesis greatly affected the training schools as well. Psychiatric testing and counseling required a structural setting within the institutions that could serve as a clinic and laboratory.¹⁷ The clinic which was established at the Lyman School functioned much as the school infirmary. All incoming school residents were sent to the clinic for initial testing. This testing served to screen those who belonged in the institution from those who might be directed elsewhere. Where such testing indicated the potential for psychiatric treatment the clinic also served as the locus for such treatment.

During the second and third decade of this century, the clinic became a distinguished new structural form in youth corrections. It functioned as a locus of treatment and a center for research and training. The clinic was both a hospital and a laboratory. Both functions were wedded together as a means of advancing and legitimating the psychodynamic thesis. The scientific approach of the heredity thesis found legitimate expression in the laboratory of the mental clinician. This quest for

¹⁷The psychological clinic form was not new in institutional settings. As a prototype it was well established in mental institutions. The first such clinic established in the United States was the psychological clinic organized by Lightner Witmer in 1896 at the University of Pennsylvania. Witmer's clinic became a center for the study and treatment of mentally retarded children as well as a focus for the development of intelligence testing in America. The first such clinic in Massachusetts was opened by Dr. Elmer E. Southard and Mary C. Jarret in the outpatient department at Boston Psychopathic Hospital in 1912.

rationality in the examination and treatment of the irrational gave birth to the new practice of child guidance.

3. The Practice of Child Guidance. Psychiatric practice developed first as a treatment for mentally deranged people. From the early work of Rush, Pinel and Turke through the later developments of Maudsley, Kraepelin, Freud and Meyer, a language, a means of diagnosis and a collection of techniques were developed for treating the chronic and acute manifestations of mental illness.¹⁸ Clinical and outpatient work with mentally ill persons was formally established in Massachusetts in the 1890's, first, by Dr. Walter Fernald at the Massachusetts School for the Feeble-minded and, then, by Dr. Walter Chandler at the Boston Dispensary.¹⁹

With the opening of the Judge Baker Foundation, psychiatric treatment became available to juvenile delinquents in Massachusetts. Healy's new clinic quickly evolved a practice that was later to be called child guidance. This practice was composed of examination, treatment and follow up. The examination was designed for diagnosis as well as research. The Judge Baker clinic served many of the Massachusetts

¹⁸This history is well documented in works such as George Rosen's Madness in Society: Chapters in the Historical Sociology of Mental Illness (New York: Harper and Row, 1968).

¹⁹Mennel, 1973, p. 160. Outpatient work with children was first begun by Fernald in a clinic established at Waverly. A similar service was established at the Wrentham School in 1917. By 1928 there were fifteen outpatient clinics operating from the state hospitals and schools for the feeble-minded. See Mass., Child Council, 1939, p. 90.

courts, and, particularly, the Boston Juvenile Court as an examination and diagnosis center. Typically, youth referred to the clinic by the courts were brought by probation officers who hand delivered the youth's full probation file. The clinic performed a "social examination" which included the family background and history. This was followed with a "physical examination" by a physician, a "psychological examination" by a psychometrician and a "psychiatric examination" by a psychiatrist. A staff conference often attended by Healy or Bronner followed these examinations and from this a summary report was prepared and forwarded back to the court.²⁰

The "mental analysis" techniques that Healy and Bronner advocated at the clinic were psychotherapeutic in form and origin and the Foundation maintained a staff of clinically trained psychiatrists and psychiatric social workers.²¹ The treatment involved counseling and guidance often with parents, but frequently with the youth alone. These early psychotherapeutic sessions were often short in duration and quite directive in form.

The follow up practices of the Judge Baker staff provided the data necessary for an effective supervision of treatment. Three months after the initial examination a check was made to determine the progress

²⁰The psychological tests included several instruments including the Binet-Simon intelligence inventories. The psychiatric examination always included a chance for the clients to tell their "own story." See Glueck and Glueck, 1934, pp. 50-56.

²¹The clinic actually did not provide direct counseling services to most of its clients with the exception of those brought to the clinic directly by parents or schools. Most of the counseling was done by other private services under the direct supervision of the Judge Baker Foundation staff. See Glueck and Glueck, 1934, p. 58.

of treatment. On occasion the staff held supervisory conferences with those involved in pursuing the clinic's recommendations. Annual reports were filed in the clinic's records on all youth receiving treatment and a final analysis was completed at the closing of each case.²² This extensive record keeping facilitated the research objectives of the Judge Baker clinic as well as the need for treatment supervision.

The mental hygiene clinic that Dr. Root and Dr. Kent set up at the Lyman School also focused heavily on research. Large filing systems were set up and records were meticulously kept. This data provided the basis for identifying and classifying types of mentally defective delinquents. Among these populations Doctors Root and Kent became particularly interested in two types: the feebleminded, long recognized as a problem, but the other, the psychopath, had not been labelled before.

They compensate for their scarcity by the enormous amount of trouble they cause. They are children who are sensitive, egotistical, often very immoral, always selfish and babyish; they react to discipline by sulkiness and crying and temper tantrums. . . . The general prognosis for these children is bad; a few will become actually psychotic, a few will become more stable, but most of them will remain all of their lives unstable, irritable, troublesome individuals.²³

²²See Glueck and Glueck, 1934, p. 60.

²³Dr. Manly Root in Mass., Training Schools, A.R., 1926, p. 5. During his first year at the clinic, Dr. Root wrote:

"In general, the attitude of this department is to regard the boys and girls as suffering from psychological reactions and bad anti-social attitudes which are to be treated and improved, if possible. To be sure, real mental disease plays a very small part and even mental deficiency never alone wholly explains the delinquency, the reactions being natural and usually quite explainable. We adopt, however, the medical metaphor, which makes it easy for a physician to consider his material. From our standpoint, therefore, the schools are as hospitals."

See Mass., Training Schools, A.R., 1926, p. 5.

Indeed, classification became a primary function of the clinic and the spirit of deterministic adjustment became an underlying theme. In 1929, Dr. Root reports,

When a boy has reached his intellectual limit, as evidenced by our tests and his actual performance in school, an effort is made to find a trade or other work for which he is better suited.²⁴

By 1931 Dr. Root had pursued his studies so far as to suggest that of the Lyman School boys, 38 of the 87 mentally defective youngsters were such discipline problems that a separate department for young defective delinquents should be established to rid the school of their misbehavior.

The "defective delinquent" classification was not new in Massachusetts. In 1911 the Commonwealth had been the first state to recognize defective delinquents as a separate category of offender and to authorize a special institution for their care.²⁵ By 1926 there were both a male and a female Defective Delinquent Department set up at the State Farm at Bridgewater. Defective delinquents were primarily mentally retarded, feebleminded or psychotic persons who were either dangerous or prone to criminal acts.

Psychiatric treatment grew out of medical practice. The "social doctor" became the newest professional to invade youth corrections practice. The relationship between professional and youth was modeled upon the clinical doctor-patient relationship. Ultimately youth had to be seen as "sick" in order that treatment could be provided to "cure"

²⁴Dr. Manly Root in Mass., Training Schools, A.R., 1929, p. 5.

²⁵Although Massachusetts authorized a facility for defective delinquents in 1911, it did not appropriate funds. New York State opened the first institution for defective delinquents at Napanoch in 1921. Massachusetts opened Bridgewater in 1922.

them. Mental dysfunctions became the focus of practitioner diagnosis. Although the causes might be in the family or community, the cure had to be in the individual. Following the medical model, the individual was seen as a highly integrated system of balances. Delinquents were somehow "out of balance." Through a treatment directed at the individual--"the total individual" as Healy and the child guidance professionals called their case work clients--could delinquents be curbed from following a long career of criminal behavior. The religious metaphors of degeneracy and reformation were replaced by a language of "treatment" and "cure" borrowed directly from medical and scientific practices. As professionals wrote of "defectives" and "illness," "neurotics" and "psychopaths" instead of "wayward" and "abandoned" children, the disease metaphor infused reformatory practice as well. Mental health became equated with socially conventional behavior and the objective of correctional practice became the mentally healthy, "normal" youth. The "skilled and employable" youth of vocational education practice and the "well regulated, morally upright" youth of moral reformation practice was now replaced by the "emotionally and psychologically well adjusted" youth in the continuing search for a proper criterion of reformatory success.

4. The State Administrative Agency. Increasing professionalization and administrative centralization in the state executive branch resulted in a full reorganization in 1919 in which the executive administration emerged as a bureaucratic system of departments. With the rewriting of the State Constitution the public charities services were reorganized

under a State Department of Public Welfare.²⁶ The old unpaid board was eliminated and replaced by a single professional commissioner and an unpaid advisory board. With the reorganization, authority for public welfare policy was centralized in a single individual. In organizing the department into separate divisions the preventive and reformatory services were separated into a Division of Child Guardianship and a Division of Juvenile Training, each accountable directly to the commissioner. The youth corrections institutions were made a sub-unit of the new department although they remained administered through a single board of trustees, the Trustees of the Massachusetts Training Schools.

Under these new arrangements the Trustees retained their executive secretary, but a new administrative position, the Director of the Division of Juvenile Training, was created to oversee the daily fiscal and management operations of the institutions.²⁷ This administrative structure altered the traditional youth corrections authority structure. Ideally, the boards of trustees had set policy under which administrative issues, such as budget and personnel matters, were determined. In actuality, the superintendents played a major role in policy making, because they alone were knowledgeable about daily operations and because they alone could juggle management conditions so as to encourage policies they favored. In large part, policy followed administration. With the establishment of the new Division of Juvenile Training, administrative

²⁶Mass., Acts of 1920, Ch. 350.

²⁷Evidence of the slow but steady growth of the central administrative staff is suggested by a 1920 decision to move the central office from the Back Bay to larger quarters at 41 Mount Vernon Street, much nearer to the State House.

questions were to be shared between superintendents and the central office. In this reorganization it would appear that the superintendents lost policy status. In fact, it was the trustees who lost. As policy followed administration, policy questions increasingly were settled within the administrative compromises between superintendents and the central office and the trustees became increasingly ineffective. The scientific rationality associated with the professional clinic was mirrored by the increasingly rational and bureaucratic structure of authority in the institutions.

5. The Child Guidance Program of Response. Child guidance was defined as that "branch of the mental hygiene movement which is concerned with the personality and conduct disorders of childhood and which takes account of the complex interactions between the child and his environment and seeks to help him to gain a workable orientation to the world."²⁸ The approach was subtle and intensive. A high value was placed on the rational and "scientifically-supported" treatment strategies of professional clinicians working in one to one relationships. The "total individual" required an extensive commitment of professional energies. Yet the child guidance practice of child guidance clinics rarely went this far.

"Mental conflicts" were not amenable to simple cures. Intensive "deep therapy" and extensive behavioral supervision were frequently

²⁸Bernard Glueck, "Child Guidance," Encyclopedia of the Social Sciences, 3 vol. (New York: Macmillan, 1930), p. 393. This term is reported to have been selected in order to avoid the stigma associated with the term "psychiatry" which was commonly associated with insanity. See Levine and Levine, 1970, p. 236 fn.

required to correct years of family abuse and deviant habit formation. The "total individual" approach was much more than most clinicians could afford to provide to all but a few youth. For the others, the clinics were required to rely on court probation personnel and private agency workers. Most often these practitioners were untrained and overworked. Spelling out their dissatisfaction with the court's treatment agents, Healy and Bronner wrote in 1926, "probation is a term which gives no clue to what is done by way of treatment."²⁹ How right they were to be critical. The Gluecks' famous research well documented the inability of probation workers to carry out the clinic's recommendations.³⁰ But the Gluecks remained skeptical of "the psychiatric approach" even under the best of circumstances. In their conclusions they wrote:

When we come to the "psychiatric approach" we find a still less objective attack on the problems of criminology. . . . Whatever may be said against psychoanalysis, its exponents have made one contribution that is all important, namely their insistence . . . that the problems of personality distortion and antisocial conduct are far more deeply rooted than psychologists, "mental testers," educators, and sociologists have been wont to suppose. By that very point of view, however, they have admitted that there still remains much more to be learned about human motivation than has yet been contributed by psychiatry.³¹

This skepticism was not uncommon. The child guidance approach modified the moral reform practice of the institutions; it did not replace

²⁹William Healy and Augusta F. Bronner, Delinquents and Criminals: Their Making and Unmaking (New York: Macmillan, 1926), p. 82.

³⁰Only in 195 of the 908 cases under study were all of the clinic's recommendations carried out. See Glueck and Glueck, 1934, p. 129.

³¹Glueck and Glueck, 1934, p. 282.

the older practice. It was conceptually possible to define all youthful misconduct under the psychodynamic thesis and, so, transfer all misbehaving youth to established institutions for the mentally deviant. This did not happen. The correctional institutions were firmly in place. Moral reformation and vocational education remained primary idioms of practice. Some misbehaving youth might be "sick," but some were definitely "bad," or at least wayward, and the traditional correctional institutions served such youth satisfactorily. Instead of replacing the correctional institution with a hospital, a hospital prototype was introduced into the institutional structure.

The new clinic proved of great value to the institutions. Superintendent Keeler at the Lyman School noted its value for in "fitting boys into their proper niches, necessary adjustment may be made and friction reduced."³² As central as the clinic, research, testing and counseling were to the child guidance program, the program actually served best to legitimize adjustment as a central concept of reformative work. The well balanced, well adjusted youth was the youth who adhered to conventionality. Adjustment became synonymous with treatment. Under the rubric of adjustment, deviants were to be taught or guided or counseled in how to conform in their daily behavior. Adjustment did not address questions of the larger environment. The individual was the object to be adjusted. Healy's treatment focused attention directly upon the individual delinquent. He was not unmindful of social conditions, but such conditions were not covered within his professional orientation.

³²Charles Keeler in Mass., *Training Schools*, A.R., 1930, p. 7.

"Our task has been to accept the American scene as it is and work with delinquents and their families in the midst of many conditions which we regard as unfortunate."³³ The individual offender formed the "dynamic center of the whole problem of delinquency and crime" and it was the "total individual," not merely his moral character or employability, which was to be adjusted to fit conventional expectations.³⁴

The economic depression of the 1930's curtailed the continued development of the child guidance clinics. Financial resources diminished and by 1931 even the Judge Baker Foundation was forced to open a major fund raising campaign in order to survive.³⁵ By the close of the decade the clinics once again regained their fiscal strength. Yet the policy climate had changed. The depression had curbed the dominance of the child guidance program. A community rocked by a common threat to individual security no longer chose to see social problems as purely individual pathologies. Something more social, more structural was failing.

³³Healy quoted in Snodgrass, 1972, p. 57.

³⁴Healy, 1915, p. 22.

³⁵See "Straightening the Twig," 1931, p. 1.

Section II: Chapter H
DELINQUENCY PREVENTION AND STRUCTURALIST THEORY

1. Structural-Functional Theory as Causation. In 1927 Frederick Thrasher published The Gang and two years later Clifford Shaw published Delinquency Areas.¹ These two volumes and several subsequent studies by Shaw and Henry D. McKay sparked a major new approach to thinking about delinquency causation.² Originating in the work of the early Chicago traditions of sociology, this perspective originated by considering the distribution of delinquency (that is, apprehended delinquents) over geographic space. After studying 1313 juvenile gangs in Chicago, Thrasher located their existence in specific urban districts he called "ganglands." In "gangland" small groups of youths establish organized delinquent gangs as a response to the disorganized social life of the slum. Shaw and McKay carried Thrasher's ecological conception further specifying discrete "delinquency areas" in which disorganized community life resulted in conditions where crime and delinquency became "more or less traditional aspects of life" and where such "delinquent traditions" were passed on from older to younger persons through personal and gang contacts.³ The concept of transmitting deviant modes of behavior among

¹Frederick M. Thrasher, The Gang: A Study of 1,313 Gangs in Chicago (Chicago: University of Chicago Press, 1927) and Clifford R. Shaw, et. al., Delinquency Areas (Chicago: University of Chicago Press, 1929).

²See, for instance, Clifford R. Shaw and Henry D. McKay, Social Factors in Juvenile Delinquency, National Commission on Law Observance and Enforcement: Report on the Causes of Crime, vol. 2 (Washington, D.C.: U.S. Government Printing Office, 1931).

³See Shaw and McKay, 1931, p. 387. The idea of a delinquency area was not truly new--Sophonisba P. Breckenridge and Edith Abbott considered

peers was developed from the work of Edwin Sutherland who posed in 1924 that young delinquents pick up deviant norms and skills through "differential association" with other delinquents whom they admire and emulate.⁴

The Chicago sociologists saw juvenile delinquency as one of several social problems which emanated from the social disorganization of inner city life. Deviant behavior was not a product of biological or psychological disturbance; it resulted from social pathology. Disintegrative forces acting in a slum community damaged the community's power to act as an agent of social control and deviant behavior arose uninhibited by social sanction. Deviance was symptomatic of dysfunctions in the social order.

Sutherland, himself, opened a crack in the ecological image. He too saw the natural areas of slum districts, yet he viewed them not as disorganized, but, rather, as "differentially organized." Sutherland opposed notions of deviance as a psychological or a social pathology. Deviance grew naturally out of deviantly organized sub-cultures through the differential association of members with other members. While not willing to equate delinquent sub-cultures with socio-economic class, Sutherland did formulate an ecological pluralism that went beyond consensus.⁵

"delinquency neighborhoods" in their 1912 study, The Delinquent Child and the Home (New York: Russell Sage, 1912), p. 150.

⁴See Edwin H. Sutherland, Principles of Criminology (Philadelphia: J. B. Lippencott, 1924).

⁵Sutherland continued to refine and develop his ideas over the many editions of his famous text. For one of the best statements see Principles of Criminology, 4th ed. (Philadelphia: J. B. Lippencott, 1947).

It was left for Albert Cohen to identify the delinquent subcultures as a product of the lower class condition.⁶ Cohen, a Harvard-trained, Columbia-based sociologist, assumed a structuralist view of the delinquent subculture, itself. The subculture arose out of the "status frustration" lower class adolescents felt in trying to measure up to dominant middle class values. This stress produced a "reaction formation" which inverted middle class values to form a subculture that was "non-utilitarian, malicious and negativistic."⁷

In Boston structuralist theory took a different bent. The notion of a disorganized social structure in lower class community was dealt a serious blow by William Foote Whyte's three year study of Boston's North End that revealed a highly structured and inter-dependent web of kinship and friendship relations.⁸ The cultural diversity and spatial segregation of Boston's lower class gave class divisions a distinctive positive characteristic. Walter Miller, a Harvard University trained anthropologist, saw in Cohen's "delinquent subculture" an analogy of all of lower class life. He disputed Cohen's image of the delinquent

⁶ Albert K. Cohen, Delinquent Boys: The Culture of the Gang (New York: Free Press, 1955). Cohen graduated from Harvard University where he studied under W. Lloyd Warner and Talcott Parsons. His work parallels Robert Merton's "Social Structure and Anomie," American Sociological Review, 3:672-682 (October, 1958).

⁷ ". . . certain children are denied status in the respectable society because they can not meet the criteria of the respectable status system. The delinquent subculture deals with these problems by providing criteria of status which these children can meet."
See Cohen, 1955, p. 121.

⁸ See William Foote Whyte, Street Corner Society: The Social Structure of an Italian Slum (Chicago: University of Chicago Press, 1955).

sub-culture as a mere inversion of the culture it opposes. Rather, Miller posited a dualistic cultural setting in which the delinquent subculture was an accentuation of a separate lower class culture which, in fundamental ways, differed from middle class culture.

The standards of lower class culture cannot be seen merely as a reverse function of middle class culture . . . lower class culture is a distinctive tradition many centuries old with an integrity of its own.⁹

Lower class delinquent behavior--exhibiting a focus on trouble, toughness, smartness, excitement, fate and autonomy--was inferred from lower class culture.

Following cultural patterns which compromise essential elements of the total life pattern of lower class culture automatically violates certain legal norms.¹⁰

The delinquent was identified as deviant even as he pursued conventional (for him) values.

Miller's experiences as research director of the Roxbury Special Youth Project shaped his explanations of the causes of delinquency. The theory grew easily out of the community prevention program. The Boston Youth Opportunities Project, on the other hand, grew out of a different causal theory. In 1959 Richard Cloward and Lloyd Ohlin, consultants to "Mobilization for Youth," a New York City community prevention project, published their influential work postulating "an opportunity theory of delinquency."¹¹ Cloward and Ohlin also took off from

⁹Walter B. Miller, "Lower Class Culture as a Generating Milieu of Gang Delinquency," Journal of Social Issues, 14:5-19 (Summer, 1958), p. 18. Hereafter referred to as "Miller, 1958b."

¹⁰Miller, 1958b, p. 18.

¹¹See Richard Cloward and Lloyd E. Ohlin, Delinquency and Opportunity: A Theory of Delinquent Gangs (New York: Free Press, 1960).

Cohen's observation of a "delinquent subculture," but argued that such subcultures arose wherever "opportunities for illegal activity are easily accessible in the same social setting in which opportunities for legitimate activity are limited."¹² The Boston project, like all those initiated and funded by the President's Committee on Juvenile Delinquency and Youth Crime, was heavily influenced by this particular theory of causation.¹³

As different and conflicting as these various theories of causation were in important elements and assumptions, they all derived from a common perspective. The structure and functioning of the lower class or inner city community within the larger social structure included tensions that impelled some young residents to form gangs and conduct themselves in behaviors that were illegal or illegitimate in terms of middle class values. This view lay at the heart of the structuralist theories. Whatever their differences in details, they commonly directed the attention of practitioners toward preventing delinquency by interventions at the community level.

2. Youth Work and Community Prevention. It was possible to translate these new theories of delinquency directly into practice. A theory rooted in the structural conditions of the community suggested a practice that

¹²Cloward and Ohlin, 1960, p. 150.

¹³ "Ohlin and Cloward's influential Delinquency and Opportunity . . . did not so much create these preferences as rationalize them, providing a measure of academic support for the assumptions . . . and providing as well a useful vocabulary with which supplicants for demonstration grants could describe their purposes." See Thernstrom, 1969, p. 170.

sought to reorganize community structure and status. The early Neighborhood Child Councils of the 1930's, the Roxbury Special Youth Project of the 1950's, and the Boston Youth Opportunities Project of the 1960's, all attempted this translation. Although nearly thirty years separated these projects they all shared several concepts in common, particularly the idea of pre-delinquency and the community as the locus of treatment.

The "pre-delinquent" or "delinquency prone youth" was a central concept behind community prevention work. The juvenile court identified the delinquent youth, but by that point preventive work was no longer relevant. For community prevention to be effective, it was necessary to identify pre-delinquents--youths whose behavior and life patterns would soon result in court commitments. Pre-delinquency was the raison d'être of community prevention. The pre-delinquent was the gang youth who could yet be dissuaded from gang violence. The pre-delinquent was the child of a broken home who could yet be taught the values of the family. The pre-delinquent was the minor offender who could yet be redirected from a criminal career. It was the propensity toward delinquency that was bred in the lower class community and it was this pre-deviant condition that attracted the community youth worker.¹⁴

The pre-delinquent was to be prevented from future deviance through interventions at the community level. The target of practice was the dysfunctional neighborhood and its institutions. The Roxbury

¹⁴See A. Vollmer, "Predelinquency," Journal of Criminal Law and Criminology, 14:279-285 (1923-1924).

Special Youth Program called this the "total community" approach.¹⁵ It differed significantly from the "total individual" approach of child guidance practice. The unit of treatment was expanded beyond the individual to the whole community. Delinquency was a result of social, economic and cultural problems within the "total community." In order to inhibit delinquency it was necessary to institute or restore a constructive relationship between the individual youth and the gang, the family and the community. The Boston Youth Opportunities Project merely expanded this list to add community institutions such as the schools.

The Neighborhood Child Councils focused chiefly on recreation, community improvement and the provision of general welfare services.¹⁶ Recreational programs were considered one of the most immediate means of reaching delinquents and pre-delinquents. Recreational activities were seen as a natural approach to organizing peer group social structure, redirecting youthful energies into non-delinquent activities and providing a respectable means of constructing meaningful relationships between neighborhood adults and youth. Ball clubs, hobby clubs, field trips and athletic leagues were encouraged and sponsored by various neighborhood organizations and existing private services. During the 1930's agencies such as the Y.M.C.A., Y.W.C.A., Boys' Clubs, Catholic Youth Organizations, Boy Scouts, Girl Scouts and various settlement houses greatly expanded their recreational services in such high delinquency neighborhoods as Charlestown, the North End, the West End and Roxbury.

¹⁵For a full analysis of the approach see Miller, 1962.

¹⁶See Mass. Child Council, 1939, p. 141.

Community improvement meant encouraging neighborhood self-help. Neighborhood leaders were identified, encouraged and supported in bringing together the concerned citizens of the community who could select their own problems and plan and implement the programs they felt most lacking in their own neighborhood. The key to this was the voluntary neighborhood improvement organization which acted as a small special purpose government in providing the participants a sense of self-confidence, self-responsibility and self-respect.

The provision of general welfare services was central to community prevention. The class-based analysis of delinquency suggested that pre-delinquent youth were either blocked from receiving public services or received a disproportionately inadequate amount. Significant attention was made to improve and compensate education, health and welfare services.

The Roxbury Special Youth Project had three foci also: detached youth work with street gangs, social case work with families and the coordination of youth services among existing agencies through community organizing.¹⁷ Work with the gang, the family and the community was to make up the "total community" approach. Detached youth work in the Roxbury Special Youth Project was an innovation not found in the older Neighborhood Child Welfare programs. Detached youth workers were typically professional social workers who, although employed by the project, conducted most of their work outside the agency in the streets

¹⁷ See Walter B. Miller, Rainer C. Baum and Rosetta McNeal, "Delinquency Prevention and Organizational Relations, Controlling Delinquents, ed. Stanton Wheeler (New York: Russell Sage, 1968), p. 72. A research component was included. This will be considered at the close of this chapter.

and clubhouses of the neighborhood. The objective of detached youth workers was to use their "free agent" status to gain the trust of gang members so as to "redirect the energies of gang members into constructive channels."¹⁸ Strategic intervention was seen as focusing on the peer group as the unit of treatment. Again the individual delinquent was seen more as a piece of a larger socio-economic pattern that needed "redirection." David Austin at the Roxbury project was a particularly strong advocate of the detached worker approach and, at one point during the project, he had seven detached youth workers working in four sub-neighborhoods.¹⁹

Family service was in large part a holdover from the more traditional casework approach. It remained in the Roxbury project under the gloss of supporting youth work in the streets, although six years later it was viewed as anathema to the proposed practice of the Youth Opportunities Project. The plan of practice in the Roxbury project would have family service provided to those youths who were at the same time getting attention from the detached youth worker. In actual practice this proved difficult for the very families of most interest to the project were typically those already receiving services from the Public Welfare Department or the local family service agencies. Interventions

¹⁸ Detached youth workers were typically products of social work schools. The concept had first been developed by settlement house administrators "detaching" some staff to work outside the house. For a comprehensive review of the principles see Irving Spergel, Street Gang Work: Theory and Practice (Reading, Mass.: Addison-Wesley, 1966).

¹⁹ David Austin's approach to youth work is recorded in his "Goals for Gang Workers," Social Work, 2:43-50 (October, 1957).

in such cases either led to the duplication of services or to jurisdictional competition among agencies.²⁰

Community organizing was the broadest of the three foci of community prevention practice and it was the primary focus for addressing the "total community" as a unit of treatment. Like the community improvement component of the earlier Neighborhood Child Programs, community organizing was to encourage neighborhood leadership and voluntary neighborhood associations in addressing neighborhood defined problems. It was this concept that would develop through the Youth Opportunities Project into the "maximum feasible participation" requirement of the "War on Poverty" Area Planning and Action Councils.²¹

3. The Organized Community as Structure. Not only was the focus of practice common across the community prevention approaches, the basic principles of structure were common. Central to the practice of community prevention was the indigenous neighborhood worker, the neighborhood association and the agency coordinating council.

The West End Neighborhood League hired local residents to organize and staff the sports clubs and hobby clubs it sponsored. The indigenous workers offered several advantages to the program. First,

²⁰ David Austin attempted to resolve this problem at the Roxbury project by creating a mini-coordinating council called the "Roxbury Multiple-Problem Family Program" to which existing agencies loaned staff for highly focused intensive services. See Miller, Baum and McNeal, 1968, p. 73.

²¹ For a provocative history of this direct development see Daniel P. Moynihan, Maximum Feasible Misunderstanding: Community Action in the War on Poverty (New York: Free Press, 1969).

they were assumed to possess a "natural knowledge" of the local neighborhood that outside professionals lacked. Second, they were hampered by none of the communication barriers that blocked non-residents, particularly those associated with "welfare work," from gaining local trust. Third, they often had previously established relations with the pre-delinquents whom the projects were most trying to reach. Finally, the indigenous worker provided program professionals with an effective means of educating the local community in the processes of organizing community activities and utilizing existing social services.

The neighborhood associations themselves were established to foster community confidence and provide local youth welfare. The Roxbury Project was instrumental in forming about a dozen such local neighborhood groups. Membership in these associations was based on residence within small sub-neighborhoods. All these groups were loosely federated under the aegis of a broader "community association." ²²

The Greater Boston Council for Youth, like the West End Neighborhood League before it, was established as an agency coordinating council. The coordinating council was to bring together representatives of relevant public and private services concerned with youth work and focus their concerted attention upon the plight of the target community. Not only was the coordinating council to coordinate activities by reducing redundancy and inefficiency among services and to provide legitimacy to the community prevention project, it was also to serve as a common forum across which agencies could trade information and in which all could contribute jointly in setting policy. In general, the community prevention

²²Miller, Baum and McNeal, 1968, p. 72.

projects expected to maintain good working relations with most existing agencies and the coordinating councils were established to facilitate this cooperative spirit.²³ But such coordinating councils were seldom integrated well enough to overcome inter-institutional competition and ideological conflicts. The Greater Boston Council witnessed both forms of fragmentation. The Roxbury Special Youth Project was a serious operational threat to the municipal recreation department and the State Division of Youth Services, and a serious ideological threat to the Catholic and Protestant church representatives.²⁴ The Council endured a significantly conflict-ridden existence which, at times, rendered it a major disbenefit to the project.

4. The State Youth Service Board. The Youth Service Board Act passed in 1948 greatly reorganized the administrative authority of Massachusetts youth corrections.²⁵ First, the act abolished the independent Board of Trustees of the Massachusetts Training Schools and created a three-member Youth Service Board in its place. Second, the act centralized the responsibility for correcting delinquent youth at the state level. Previous to 1948 the Juvenile Court and juvenile sessions committed delinquents directly to the institutions. Under the act,

²³Austin expected that the Roxbury Youth Project would be well received because it planned to work on the "tough kids," leaving the other agencies free to work with the more tractable youth. See Miller, Baum and McNeal, 1968, p. 76.

²⁴See Miller, Baum and McNeal, 1968, p. 87.

²⁵Mass., Acts of 1948, Ch. 310.

delinquents could only be committed directly to the Youth Service Board. The Youth Service Board, then, had central responsibility for the reception, diagnosis, treatment, custody and parole of all state delinquents. Whereas before dispositional discretion had rested with the various juvenile judges at the county level, the new law centralized the responsibility for all correctional practice decisions in one board at the state level. Third, the new law created a radical split in administrative authority between state policy toward treating delinquents and state policy toward managing the institutions. Under the act, the Division of Juvenile Training remained in the Department of Public Welfare. It assumed all responsibility for the administration of the institutions and staff. The Youth Service Board administered the youth and the Division of Juvenile Training administered the institutions.

The centralization of the Youth Service Board satisfied the new chairman, John Coughlin, but the administrative schism was unsatisfactory. In the year following his appointment, Coughlin pressured the legislature into reorganizing the Division of Juvenile Training into the Division of Youth Service under the Board of Education, "but not subject to its control"²⁶ and establishing himself as ex-officio director of the new division. Serving as both chairman and director, Coughlin managed to centralize all youth correction policy making into one supervisory position. Having achieved this powerful position Coughlin was secure in pressing his plans for institutional expansion.

Coughlin's campaign to expand the institutional web did not produce simply more capacity. Each of the new facilities was designed

²⁶Mass., Acts of 1952, Ch. 605.

for a highly specialized population. The Institute for Juvenile Guidance at Bridgewater, the John Augustus Hall at Oakdale, the Reception-Detention Center at Roslindale and the Forestry Camp at Brewster offered the Youth Service Board a highly differentiated set of institutional alternatives in making dispositional decisions. The John Augustus Hall carried even further the age segregation which had been a marked pattern of differentiation since the founding of the asylums and permitted the family-like nurturance that had long been advocated as proper care for young adolescents. The Bridgewater facility was a further development of the degree-of-viciousness differentiation which was a trend traceable back to the nautical school. For all the rhetoric to the contrary, the opening of the separate Bridgewater facility offered a legitimation to punitive custody.²⁷ Bridgewater could be a youth prison so that the remainder of the correctional institutions could be free of manifest penology. The forestry camp with its openness, fresh air, recreational freedom and physical challenge, provided a highly prized reward as an incentive for proper behavior. The Roslindale facility separated the newcomers from long term residents and offered both the Youth Service Board and the court the opportunity for adequate diagnosis before further decision-making.

Yet for all that Chairman-Director Coughlin did to expand the mix of institutional alternatives for the correction of delinquents, he did relatively little to advance the prevention of delinquency. Community

²⁷The reports of severe discipline and brutal forms of punishment during the early 1960's provide the well recognized indicators of this condition. See Mass., Youth Service Board, A.R., 1964, n.p.

delinquency prevention was not a high priority with the chairman-director. It was not that the state took no action in regard to delinquency prevention.²⁸ In 1953 Coughlin established a Bureau of Research and Delinquency Prevention in the Division of Youth Service. Yet the bureau remained relatively small and concentrated heavily on legislative research.²⁹ What delinquency prevention work was actually carried on by the staff was primarily in the form of community consultation and police training. Beginning in 1956, the Division of Youth Service began to underwrite School Adjustment Counselors in some public schools, but again the budget and administrative support remained relatively small.³⁰

While the period of Coughlin's tenure at the Youth Service Board witnessed major developments in community prevention work in Boston and elsewhere around the state, the state authority remained relatively distant from these projects. In particular, Coughlin assumed a hostile attitude toward the Roxbury Special Youth Project which he at one point accused of encouraging rather than inhibiting delinquency.³¹ Although Coughlin participated in the early planning of the Boston Youth Opportunities Project, he later grew critical and bitter over the emphasis

²⁸The Youth Service Bureau Act did authorize the Board "to develop constructive programs to reduce and prevent delinquency among youth." See Mass., Acts of 1948, Ch. 310.

²⁹By 1955 the Bureau included a director, four staff members and one secretary.

³⁰Although even with limited resources, the project director, Edna Sanford, produced a well regarded program with seventy-three school adjustment counselors in the schools by 1961.

³¹Coughlin had been a member of the Greater Boston Council on Youth during the formation of the project, but relations worsened over time and during the height of hostilities he forbade youths on parole to participate in project activities. See Miller, Baum and McNeal, 1968, p. 82.

on planning and research and the low involvement permitted the Division of Youth Services.³² For Coughlin, delinquency remained primarily an individual and family problem. The community was not an effective or proper location for state intervention.³³

5. The Delinquency Prevention Program of Response. The Great Depression of the early 1930's brought about a serious reappraisal of social welfare policies. The sharp retreat of the social work profession into case work during the previous decade was gradually replaced by a re-awakened interest in social conditions and community action.³⁴ The structuralist theories of delinquency which originated out of "the Chicago School" of sociology refined by Harvard-associated social scientists were cautiously adopted by Boston social workers. Community prevention required social action at the neighborhood level and community organizing and neighborhood associations arose as innovative responses. But the social welfare environment of Boston was unlike that of Chicago. Two conditions set it apart: the dense pattern of private social welfare agencies and the heavy tradition of psychologism.

³²Thernstrom, 1969, p. 115.

³³In 1957 Coughlin wrote,
"Since the effects of delinquency know no local boundaries, the State cannot but concern itself with the statewide problems resulting. On the other hand, delinquency has its origins in family and neighborhood. Prevention is, therefore, primarily a matter of local responsibility."

See Mass., Youth Service Board, A.R., 1957, p. 6.

³⁴See Clarke A. Chambers' interesting reanalysis of the role the regression to case work played in preparing the way for the major reforms of the 1930's in Seedtime of Reform: American Social Service and Social Action, 1918-1933 (Minneapolis: University of Minnesota Press, 1963).

Boston had a long tradition of private philanthropic services. Its various ethnic and religious communities had established a wide assortment of benevolent and fraternal agencies. There were a variety of neighborhood and settlement houses. On top of these services were piled the institutional artifacts of the child protective and child guidance programs. Each of these services was fiercely independent: many were openly hostile toward one another.³⁵ New neighborhood organizations were typically regarded with suspicion and jealousy.

As the home of William Healey and the Judge Baker Foundation, Boston was a center of the child guidance program. Since the early days of G. Stanley Hall's "child study movement" and the pioneering work of Walter Fernald in studying "mental defects," Massachusetts had been a hospitable locus for the heirs of William James. The Massachusetts Conference of Social Work had a wide reputation for its psychiatric orientation.³⁶ Psychiatric case work was a strong tradition in the Commonwealth. In introducing the community prevention program into Massachusetts, it was conditioned by this unique climate. A major element of agency coordination and another of psychiatric case work were appended to the neighborhood focus and community organizing practice of community prevention. Community youth work assumed heavy doses of inter-agency conflict and family case work.

³⁵It was this serious inter-organizational rivalry that had necessitated the establishment of the Associated Charities of Boston in 1880. It was this same inter-organizational rivalry, unaffected by the Boston Associated Charities, that provided grounds for the establishment of the Massachusetts Child Welfare Committee in 1913.

³⁶Two of the nation's leading schools of psychiatrically oriented social work--Smith College and Simmons College--were located in Massachusetts.

As accepted as community prevention was among the professional social work community in Massachusetts, it remained rather coolly received at the state level. The traditional reluctance of the Massachusetts legislature to become deeply involved in the local communities was perpetuated by John Coughlin's reluctance to support community prevention. Nor was his caution unfounded. Contemporary studies of the effectiveness of community youth work as preventive practice reported fairly disconfirming findings.³⁷ Chief among these effects was the Cambridge-Somerville Youth Study which was established in 1935 for the double purpose of preventing delinquency and examining the effects of community youth work as a means of delinquency control. The project was founded by Dr. Richard Clark Cabot, a social ethics professor at Harvard University. Cabot, along with project director Edwin Powers and research associate Helen Witmer, set up matched pairs among some 750 boys selected from the working class sections of Cambridge and Somerville. Half of these boys received treatment which included "friendly, regular attention from counselors, as well as whatever medical and educational service seemed necessary" until they reached age seventeen, and the other half received no such treatment.³⁸ The findings of this original study and follow-up studies conducted in 1948 and again in 1956 failed to uncover significant differences in future delinquency and adult criminality

³⁷Early studies of community recreation programs as contributors to delinquency prevention reported negative conclusions. See Andrew G. Truxal, Outdoor Recreation and Its Effectiveness (New York: Columbia University Press, 1929), and Frederick M. Thrasher, "The Boys Clubs and Juvenile Delinquency," American Journal of Sociology, 42:66-68 (July, 1936).

³⁸See Powers and Witmer, 1951. The research program is detailed in Chapters 5 and 6.

between the treatment and control groups.³⁹ Even Walter Miller's careful evaluation of the Roxbury Youth Project failed to demonstrate very supportive conclusions. While Miller's research was truncated by the early termination of the project, he was able to show some reduction in delinquent acts during the duration of the project, but this effect appears not to have been long lasting. After the termination of the project there was a general resurgence of delinquency, although for some groups--those with the longest consistent worker contact--there was some reduction in delinquent behavior.⁴⁰

The community prevention program ran largely on moral fervor. There was a "rightness" about re-directing pre-delinquent youth in the community.⁴¹ The class-based theories offered a certain rebel spirit to organizers in the community. There was a sense that they were close to the root causes of social stress. Yet, the implications were potentially overwhelming. It was possible to see the entire social structure as at fault. Few went so far. The fundamental objective lay in re-organizing the lower class community or the social services on which it relied.

³⁹See Joan and William McCord, "A Follow-up Report on the Cambridge-Somerville Youth Study," The Annals of the American Academy of Political and Social Science, 332:89-96 (March, 1959), p. 95.

⁴⁰See Walter Miller, "Preventive Work with Street Corner Groups: Boston Delinquency Project," The Annals of the American Academy of Political and Social Science, 332:97-106 (March, 1959).

⁴¹The Boys' Club slogan--"Better to Build Boys than Mend Men"--caught the spirit of the times.

Community work focused on the street, the family, the neighborhood and, occasionally, the city. It never considered the entire social and economic structure in which all these units were embedded.⁴²

Section II: Chapter I
COMMUNITY-BASED SERVICES AND SOCIAL REACTION THEORY

1. Labeling, Social Reaction and the Institutional Critique. During the mid-1960's a new theory of deviance achieved professional acceptance. This new theory, which went under several names including "labeling," "interactionist" and "societal reaction," had early roots in the literature of social psychology.¹

⁴²See critique in Ian Taylor, Paul Walton and Jock Young, The New Criminology: For a Social Theory of Deviance (New York: Harper and Row, 1973), chap. 4. See also Harold Finestone's recent study of the Chicago criminologists in Victims of Change: Juvenile Delinquents in American Society (Westport, Cn.: Greenwood Press, 1976).

¹While the thesis was evident in much of the early research on "symbolic interaction" and "role theory," it was first codified as a theory of deviance by Edwin Lemert in Social Pathology (New York: McGraw Hill, 1951). The publication of Howard Becker's Outsiders: Studies in the Sociology of Deviance (New York: Free Press, 1963) marked a critical point in popularizing the approach. Other significant studies include Edwin M. Schur, Labeling Deviant Behavior: Its Sociological

According to the social reaction thesis deviance is not a dimension of the individual character. The deviant condition of certain persons is achieved through interaction with a larger audience who "label" them as deviants. Initial selection of those to be labeled deviant is better explained by the social reaction of the larger audience to an individual act than by the psychological or socio-economic conditions of the individuals involved. Certain people who are perceived to perform certain deviant acts in certain situations will be identified by others as "deviants." An early University of Chicago sociologist, Frank Tannenbaum, observed:

The process of making the criminal . . . is a process of tagging, defining, identifying, segregating, describing, emphasizing, making conscious and self conscious; it becomes a way of stimulating, suggesting, emphasizing, and evoking the very traits that are complained of. . . . The person becomes the thing he is described as being.²

Individuals do not "become deviant" on their own. They must engage with a social group who perceive their action as deviant. It appears that "social groups create deviance by making the rules whose infraction constitutes deviance, and by applying these rules to particular people and labeling them as outsiders." Therefore, "the deviant is one to whom that label has been successfully applied."³

By viewing the creation of deviants as occurring in the social interaction between individual actors and social audiences, the social reaction thesis shifted focus away from the offender and community and

Significance (New York: Harper and Row, 1971), and Edwin Lemert, Human Deviance, Social Problems and Social Control (Englewood Cliffs: Prentice-Hall, 1967).

²Frank Tannenbaum, Crime and the Community (Boston: Ginn and Co., 1938), pp. 19-20.

³Becker, 1963, p. 9.

onto the social institutions that pass judgement on behavior and dispense deviant labels.⁴ The responsibility for the persistence of deviance and, particularly, its development among novices, belonged to the social control institutions that organized particular responses to norm-violating conduct. In terms of crime and delinquency, the police, the courts and the correctional institutions became suspect as primary instruments in maintaining and promulgating, instead of reducing, a large population of law offenders.⁵ The institutions in their efforts to respond to crime unintentionally created criminals. The social reaction thesis led to a powerful critique of social institutions.

The institutional critique stretched across all of the juvenile justice institutions. The correctional institutions were faulted whether they were reformatory or punitive. Confinement in separation dispensed the deviant identity regardless of internal form or practice.⁶ The court,

⁴Thus,

"Deviance is not a property inherent in certain forms of behavior; it is the property conferred upon these forms by the audiences which directly or indirectly witness them. . . . Sociologically, then, the critical variable is the social audience . . . since it is the audience which eventually decides whether or not any given action or actions will become a visible case of deviation."

See Kai T. Erikson, "Notes on the Sociology of Deviance," Social Problems, 9:307-314 (Spring, 1962), p. 308.

⁵An application of the social reaction theory applied to delinquency can be found in Victor Eisner's The Delinquency Label: The Epidemiology of Juvenile Delinquency (New York: Random House, 1969). The relationship between delinquency and legal institutions is explored by Aaron V. Circourel in The Social Organization of Juvenile Justice (New York: J. Wiley, 1968).

⁶ "Nor does it seem to matter whether the valuation is made by those who would punish or those who would reform. . . . The harder they work to reform the evil, the greater the evil grows under their hands. The persistent suggestion, with whatever good intentions, works mischief, because it leads to bringing out the bad behavior that it would suppress."

See Tannenbaum, 1958, p. 20.

likewise, was indicted regardless of its intentions or due process protections. "It is important . . . to recognize that when, in an authoritative setting, we attempt to do something for a child 'because of what he is and needs,' we are also doing something to him," wrote one prominent lawyer. "We shall escape much confusion here if we are willing to give candid recognition to the fact that the business of the juvenile court inevitably consists, to a considerable degree, in dispensing punishment."⁷

While the social reaction thesis was not incompatible with the earlier structuralist theories, it grew in acceptance largely for where it re-focused reform attention. Where the various structuralist theories appeared to call for a major re-ordering of social structure, values or opportunities, the social reaction thesis only called for a re-forming of the institutions. The discontent so many had felt so long about the institutions, suddenly had a sound theoretical explanation. Jerome Miller clearly understood this connection:

The very nature of labeling youth as "delinquent" . . . is related to the power of the definers and the powerlessness of the defined. Society views the deviant as an outsider and prefers to isolate him in the abnormal setting of an institution. Administrators and the helping professions administer "treatment" based on arbitrary definitions, thereby fulfilling social and moralistic functions for the society other than that of rehabilitation. The defined cannot escape their definitions, which result in self-defeating social roles and delinquent self-concepts.⁸

⁷See Francis A. Allen, The Borderland of Criminal Justice (Chicago: University of Chicago Press, 1964). p. 18.

⁸Jerome G. Miller, "The Politics of Change: Correctional Reform," in Closing Correctional Institutions, ed. Yitzak Bakal (Lexington, Mass.: D. C. Heath, 1973), p. 3. Miller was well committed to the social reaction thesis even before his arrival in Massachusetts. See his

The institutional critique provided by the social reaction thesis in the 1960's was far more solid than the arguments set forth against the institutions by Howe and Sandborn in the 1860's. Correctional institutions were not onerous simply because they could not provide family nurturance and too easily led to undesirable commingling, they were disastrous because they sealed in the delinquent label and guaranteed the criminal future of inmates. It was one thing to argue the case on moral grounds; it was quite another to question effectiveness. The institutional critique provided the theoretical rationale for deinstitutionalization.

2. Community-Based Services. The structural alternative that was explicitly advocated by Miller and the deinstitutionalization reformers was community-based services.⁹ These services ranged from traditional foster care placements to innovative non-residential services in schools, out-patient clinics and community youth service centers. The depopulated youth corrections institutions produced a large number of delinquent youth who could not be left without supervision. Operating on the "purchase of service" provision of the Department of Youth Services Act, Miller commenced distributing grants to a plethora of different private,

"The Dilemma of the Post-Gault Juvenile Court," Family Law Quarterly, 3:229-239 (1969).

⁹In a strategy paper released in 1972, Miller wrote:
 "Juvenile correctional institutions . . . do not: rehabilitate anybody, produce lower rates of crime, or decrease chronic recidivism. Community-based programs . . . will do no worse than the incarcerating institutions, and the price to society --in human and financial terms--is bound to be much lower."
 See Mass., Department of Youth Services, "A Strategy for Youth in Trouble," Boston, Mass., 1972, p. 16. (Mimeographed.)

public and quasi-public agencies to provide services to delinquents in community settings.

In order to administer these grants and supervise the youths in these community services, Miller turned to his assistant commissioner of the Bureau of After Care, Joseph Leavey.¹⁰ Both Miller and Leavey felt that a community treatment system required a decentralized administration. They wanted a system whereby committed youth could be diagnosed, placed and treated without leaving their own local area. In 1971 they moved to regionalize the after care administration into seven state districts. The early development of the regions was chaotic. Most were just getting organized when the institutions were closed. Faced with large numbers of youth who needed services immediately, the regional staffs soon fell to allocating purchase of service commitments with a minimum of planning and little central office coordination or supervision.¹¹

Generally, what this rather chaotic funding produced was a "mix" of alternative service types which included short-term detention placements, residential group care, foster care, a forestry program, non-residential services and secure and intensive care services.¹²

¹⁰Joseph M. Leavey (1937-) had been director of the Department of Public Welfare's purchase of service division before he came to join Miller in the new department.

¹¹Mass., "Post Audit and Oversight Report," 1974, p. 82.

¹²By the close of 1972, Bakal counted 13 federally funded group homes used almost exclusively by D.Y.S. Other D.Y.S. residential placements had been made in 27 group homes for emotionally disturbed youth, 14 group homes for drug therapy, 14 residential schools and 3 homes for pregnant girls. From May to October of 1972, the foster care placements jumped from 85 to 189. By October of 1972 there were 616 youths in non-residential treatment programs. See Bakal, 1973, p. 164.

By the fall of 1973 there were ten residential detention centers of which three provided secure detention facilities. Services provided in these centers varied significantly. The residential group care services were divided into five categories. Residential treatment programs provided bed, board and intensive social and psychological services. Services were somewhat less specialized and intense in group home programs. Specialized boarding schools were used for youth with special physical or psychological handicaps. Regular boarding school programs and residential camp programs were used where youths needed only the most limited of special services. The forestry camp at Brewster remained open and averaged a population of twenty-five boys per two-month phase. Foster care was divided into two types: family placement with D.Y.S. case work services and family placement with special services from private service agencies. The non-residential services were also of two kinds. Day school programs focused exclusively on learning difficulties while the general recreational, employment training and individual counseling services were more varied in their composition. Three secure intensive care units provided less than 100 slots all under private contract, the largest being "the Andros program" operated by the Boston Mental Health Foundation in the old Reception-Detention Center at Roslindale.¹³

Community-based services were not only developed as an alternative to incarceration. There was a growing number of court diversion programs and youth service programs developed as pre-hearing alternatives to court probation. In 1971, seven "youth resource bureaus"

¹³Mass., Department of Youth Services, A.R., 1973, pp. 12-16.

were set up under federal funding in five of the major cities of the Commonwealth.¹⁴ These bureaus accepted youth referred to them by police and pre-trial screening officers. They offered non-residential and employment counseling programs in hopes of preventing youths from further contact with the legal and law enforcement system. Courts, also, began to set up in-house counseling clinics and diversion programs.

By 1972 diversion had become a basic principle in the design of community-based services. Viewing the juvenile justice system as a major element in the selection and confirmation of delinquency, the objective was "to minimize the penetration" of youth into the system. Thus, police could divert youth from further processing by "diverting" them into community-based services, court probation officers could "divert" youth at court intake sessions and judges could "divert" youth by "referring" rather than "committing" youth to D.Y.S. Diversion at the court was significantly increased by the establishment of the Court Liaison Program in 1972. Following the closing of the correctional institutions the district court judges, and particularly Judge Francis Poitras of the Boston Juvenile Court, grew increasingly hostile to the deinstitutionalization. Concerned over the inability of D.Y.S. to provide secure facilities for incarcerating dangerous youth, Poitras

¹⁴This was a response to the recommendations of the 1967 federal "Crime Commission" report. See U.S. President's Commission on Law Enforcement and Administration of Criminal Justice, The Challenge of Crime in a Free Society (Washington, D.C.: U. S. Government Printing Office, 1967). For an insightful study of one such bureau in Cambridge see Gerald Croan, "The Youth Service Bureau Strategy: Community Based Diversion and Delinquency Prevention Reconsidered" (Masters thesis, Department of Urban Studies and Planning, Massachusetts Institute of Technology, Cambridge, Mass., 1973).

and others threatened to increase the "bind overs" of youth to adult courts. In order to placate the judges and improve organizational coordination, Miller and his staff set up the Court Liaison Program, which offered special court liaison officers to aid in the most heavily over-loaded juvenile courts and sessions.¹⁵ With a special authorization from the State Attorney General, D.Y.S. funds were made available for providing community-based services to "referred" youth who yet remained on court probation and the court liaison officer became the principle agent in implementing this court diversion process. Diversion was viewed as beneficial because, in theory, it provided state supported social services without requiring court processing or the stigma of the delinquency label. But such diversion was not without critics. Some felt that diversion relieved the state of the responsibility of providing effective services; some suspected that the selection of particular youth for diversion was open to questions about fairness and the absence of due process protections; and some argued that diversion diverted the pressure for court reform from the fundamental problems of the court.¹⁶ Diversion was insidious. While it may well have decreased the number of youth who penetrated the juvenile justice system, it may overall have increased the number of youth actually receiving youth correction services.

¹⁵A short history of the program can be found in Joseph Hadzima, "Diversion Strategies in Juvenile Justice: The Court Liaison Program" (Bachelor's Thesis, Department of Urban Studies and Planning, Massachusetts Institute of Technology, Cambridge, Mass., 1973).

¹⁶See Paul Nejeleski, "Diversion: Unleashing the Hound of Heaven?" Justice for the Child (Revisited), ed. Margaret Rosenheim (Chicago: University of Chicago Press, 1975); and Donald Cressey and Robert McDermott, Diversion from the Juvenile Justice System, National Assessment of Juvenile Corrections, University of Michigan, Ann Arbor, Mich., 1973.

Youth who might previously have been "released with a warning" or referred to conventional services, such as schools or churches, or to private agencies, increasingly became drawn into the publicly supported community-based services.

3. Youth Service as Practice. The new practice which arose with community-based services, best described as youth service, varies significantly across a wide range of treatment modes from conventional foster care placements to "Synanon games" and primal scream therapy.¹⁷ Nearly all of the drug therapy programs either provide individual, group or family counseling. Various residential and day schools provide advanced and remedial schooling for those with special learning conditions. Special training is provided the physically, emotionally or mentally handicapped in outpatient clinics.

Much of youth service work is based on short term assistance commonly called crisis intervention. The long term residential services with their slow and cumbersome admissions processes have been replaced by a service both more temporary in intention and more immediately accessible. In the more efficient regions of D.Y.S., a youth referred or committed to D.Y.S. may be diagnosed and placed in a service program on the same day. Apprehended youth awaiting trial are provided specialized detention placements where immediate services and counseling can begin. Much of this crisis intervention and short term counseling is based on therapy principles developed in drug treatment centers.

¹⁷ See Yitzak Bakal, "The Massachusetts Experience," in Delinquency Prevention Reporter, U.S. Department of Health, Education and Welfare, Youth Development and Delinquency Prevention Administration, Washington, D.C., April, 1973, p. 5. Hereafter referred to as "Bakal, 1973b."

Self determination and self-responsibility are central objectives of youth service practice. The focus of group residence practice centers on attempting to re-direct feelings of failure, fatalism and injustice which serve to "neutralize" the acceptance of personal autonomy and self esteem. Some programs offer variations of behavioral modification principles to effect behavior change while others, so-called "concept houses," offer group and self criticism as an avenue for attitude change. Prior to the closing of the institutions, a "Homeward Bound" program, modeled in part on the "Outward Bound" programs of Maine and Colorado, was established at the Brewster Forestry Camp.¹⁸ These outdoor physical skill and challenge programs have been designed to instill a sense of competence and self esteem.

For all their variation the community-based services share many features of youth service practice in common. First, they all provide treatment in small intimate settings. No congregate forms exist. There are no functions carried on in any size larger than the small group. Second, they are generally informal. Even in the more highly structured programs, rules, routines, directives, "red tape" and formalized authority are kept to a minimum. No special clothes are required, no rigorous staff hierarchy prevails. Typically, care is provided in relaxed, sensitive surroundings with wide latitude for personal self expression. Third, the services are located in community settings. Typically, the

¹⁸In 1964 five Lyman Schools boys were sent to the Colorado "Outward Bound" program and this proved so successful that twenty-five more were sent to "Outward Bound" programs the following year. The "Homeward Bound" program was established in 1968. See Herb C. Willman, Jr., and Ron Y. F. Chun, "Homeward Bound: An Alternative to the Institutionalization of Adjudicated Juvenile Offenders," Federal Probation, 37:52-58 (September, 1973).

services are provided in old houses, storefronts, church basements, schools or community clinics. The services may make use of other community institutions and youth are left free to experience the community whenever reasonable. The services may be available to community members who are not under D.Y.S. supervision. The services are not typically community controlled or "of the community," but they are "community-based." Fourth, professional status, expert knowledge and professionalism are not highly salient. Many of the services are staffed by trained social work, psychiatric, psychological or medical professionals, but there is also a tendency to hire para-professionals, pre-professionals and non-professionals. Professionalism is seldom used as a significant feature of organization. Staff openness, shared knowledge and participatory program development are frequent elements of staff relations.

The youth service of community-based services is fundamentally a supportive and affectionate practice reminiscent of the moral reformative practice of the nineteenth century:

. . . the kind of trusting relationships needed to help an individual gain insight into his attitudes and actions can be best established in a small close setting where staff, too, are free to contribute their own personal investment . . . without being encumbered by narrowly devined roles and responsibilities.¹⁹

And like moral reformation, youth service remains primarily a reformative practice. The selection and confirmation of delinquency may reside in the institutions designed to socialize and control youth, but the focus of treatment remains primarily centered upon the individual. The larger

¹⁹Quoted in Mass., General Court, Committees, Report of the Joint Committee on State Administration to Evaluate the Programs and Facilities within the Department of Youth Services, Boston, Mass., 1972, p. 7.

goals of youth service as a national strategy may involve institutional change and youth advocacy,²⁰ but the practice offered in the majority of Massachusetts community-based services reveals a retreat from such broad preventive concepts. Instead, the individual delinquent is once again the object of practice. While there is more awareness and sensitivity to the role of the community and social class structure in producing delinquency than found in the child guidance clinics of the 1930's, the focus on adjustment and "the development of coping skills" has again become the dominant principles of youth corrections practice.

4. The Department of Youth Services. The new Department of Youth Services was intended to provide one central focus for the administration of institutions and the supervision of youth. For this purpose it was originally organized into four departments: clinical services; educational services; institutional services and after-care; and delinquency prevention and community services.²¹ Before these divisions could even begin to formalize their functions, the department was changed both in structure and intention.

The deinstitutionalization and the private "purchase-of-service" curtailed institutional administration. Without institutions, their administration was unnecessary.²² Instead the department became more

²⁰In 1972 the federal government tried to establish "youth service systems" as a national strategy. See Robert J. Gemignani, "Youth Service Systems: Diverting Youth from the Juvenile Justice System," Delinquency Prevention Reporter, July-August, 1972.

²¹Mass., Acts of 1969, Ch. 838.

²²"The Department, in eliminating training schools . . ., deliberately eliminated its own functions as a 'correction' agency. Central now

concerned with the regulation and coordination of private services. The department remained committed to the supervision of state wards, but regulation and coordination became increasingly significant concepts. Regulation was required to guarantee that private services delivered the services that were contracted. The regulative function and purchase-of-service contracts required an effective monitoring and evaluation capability. Late in 1972 D.Y.S. set up an Evaluation Unit within the central office and negotiated for the creation of a computerized tracking and information system. Although the new evaluation unit was provided a staff of nine organized into three teams, its task was overwhelming. During its first year the evaluation unit examined forty-seven private services and recommended the termination of four.²³ Coordination of services, attempted in the community prevention program on a private voluntary basis, was now to be shifted to the state. It was hoped the inducements of state funds might overcome the conflicts in philosophy and jurisdiction that had doomed the earlier efforts. Coordination was to be carried out by the regional offices.

Local communities through their mental health agencies, schools, vocational education programs, hospitals, drug treatment programs are to a large measure equipped to provide multiple services to children. Through Youth Services regional offices, the Department intends to encourage that delivery, provide funding where necessary, and coordinate efforts to maximize efficiency.²⁴

. . . is the concept that 'delinquent' children are in need of service." See Bakal, 1973b, p. 5.

²³Subsequently, placements in these four services were discontinued. See Mass., Department of Youth Service, A.R., 1973, p. 8.

²⁴Bakal, 1973b, p. 6.

The "purchase-of-service" arrangements created an entirely new pattern in state authority. While responsibility for supervising youth remained within the Department, its ability to do so directly was sacrificed in order to achieve the flexibility, variation and competitive innovations offered within the private service market. The old child protective agencies of the nineteenth century, at least those that now survived, plus a whole new generation of services, have become the locus of youth corrections services. The state has, for the most part, pulled out of direct services. Instead the Department of Youth Services has become predominantly a planning, decision-making and watchdog agency.

5. The Community-Based Services Program of Response. Community-based services were consistently argued to be less costly, more effective and more humane than the institutional approach. Commissioner Miller and Governor Sargent were fond of noting the cost savings of community-based services.

Under the old system, we found ourselves supporting an entire system at a level only a small minority of the population needed. We spent approximately \$10,000 a year to keep a child in an institution. For this money we could buy a child a complete wardrobe at Brooks Brothers, give him a \$20 a week allowance, send him to a private school and, in the summer, send him to Europe with all expenses paid. . . .

If on the other hand, we invest in a community treatment program, we can provide individual services, personal counseling, job training, specialized education, and healthy group home settings for about half the cost.²⁵

Fiscal conditions were a major consideration in providing Miller's support

²⁵Quoted from Francis W. Sargent in Benedict S. Alper, Prison Inside-Out: Alternatives in Correctional Reform (Cambridge: Ballinger, 1974), p. 162.

among legislators. The cost of maintaining the institutions had begun to increase rapidly during the 1960's.²⁶ The old physical plants needed to be replaced or seriously rehabilitated. The state finances themselves were beginning to appear more strained as rising public service costs were rapidly outstripping revenues. In economic terms the state was approaching a fiscal crisis.²⁷ In this climate deinstitutionalization was seen as an attractive alternative. Yet the total budget of the department has required substantial increases following the deinstitutionalization.²⁸ This has been justified by a large increase in the number of children receiving services which has rendered the per capita costs lower.²⁹ The number of youth receiving services has greatly increased not because of a sudden rise in youthful deviance or delinquent apprehensions, but rather because the D.Y.S. services are more attractive to judges, probation officers and private agencies faced with the problems of the less serious offenders.³⁰ While diversion has increased the number

²⁶In 1964 budget expenditures stood at \$5,245,195; by 1966 the figure was \$5,764,634; and by 1971 the figure had jumped to \$10,196,404. Figures are computed from Mass., Financial Reports, A.R., 1964, 1966 and 1971.

²⁷See James O'Connor, The Fiscal Crisis of the State (New York: St. Martin's Press, 1973).

²⁸In 1969 the budget was \$7,227,012. By 1973 the budget was \$12,090,863 and the 1974 budget was \$15,198,819. These later figures did include the costs of maintaining the vacant institutions as well. Yet the proposed 1975 budget computed without the cost of the institutions was set at \$16,956,986. See Mass., Department of Youth Services, A.R., 1973, p. 43.

²⁹In 1970 the Department serviced 932 youths. By May of 1973 the number had jumped to 2125. See Mass., Department of Youth Services, A.R., 1973, p. 39.

³⁰Mass., Department of Youth Services, A.R., 1973, p. 10.

of youth receiving public services outside the juvenile justice system, the D.Y.S. conversion to community-based services has increased the number of youth receiving public services inside the juvenile justice system. The entire community-based service program has served to expand the number of youth receiving state financial services. The expansion of these services has not come at the expense of private services because private services have been the primary beneficiaries of the public contracts. Indeed, as private services switch over from a primary reliance on private charity to a reliance on public contract, they generally achieve an improvement in fiscal condition.³¹

The same paradox of congestion that plagued the corrections institutions plagues the community-based service system as well. Whereas congestion had more immediate impact in the institutional system because superintendents quickly protested as populations reached the capacity of the facility, congestion in the newer system is more subtle. There is no hard limit of capacity among private services. New services can always be established. There is not now, nor has there ever been, a hard limit on the number of youths in need of services.³² The only limit is the fiscal limit of the state to supply these services. There is here a danger that public support of private services through "purchase-of-service" agreements may reduce the inducement of private services to maintain

³¹Of course, this was not true for the services that filed bankruptcy due to the inadequate conversion of D.Y.S. from one system to the other.

³²Nor can D.Y.S. impose one. Leavey notes, "Since intake is determined by the number of referrals and commitments made by judges, the Department cannot place arbitrary limits on services to be provided." See Mass., Department of Youth Services, A.R., 1973, p. 11.

private revenue resources. Under such conditions the private services would be private in legal definition only, the state fiscal crisis might be further aggravated and the regulative control of D.Y.S. over its private vendors might be inverted as the private vendors developed a politically powerful state-wide organization.

Beyond costs and their potential for spiralling upward, how effective are the community-based services? The question is yet very much unanswered. As with earlier programs, there have been few evaluations. A Harvard Law School study that closely followed the deinstitutionalization suggests that the youths in community placements report more favorable responses and that recidivism is lower for youth in the community settings than in the institutions.³³ "Bind overs" to adult courts did increase, although the number of youth actually committed to state correctional facilities decreased.³⁴ Treating delinquent children like dependent children again raises the question, "Why draw a distinction?" Recent reports from the Governor have suggested converging the two groups in a superagency for children reminiscent of the 1841 reorganization of the Boston House of Reformation and the 1879 creation of the State Superintendent of State Minor Wards. But a superagency may stigmatize

³³See Coates, Miller and Ohlin, 1973. For a critical review of these findings, see Andrew T. Scull, Decarceration: Community Treatment and the Deviant--A Radical View (Englewood Cliffs: Prentice-Hall, 1977), p. 101.

³⁴In 1969 and 1970 the Dorchester District court and the three juvenile courts bound over 66 youths. During the following two years this figure jumped to 246. See Boston Globe, November 11, 1973. On the other hand the number of youth aged 17 and younger committed to the state adult correctional institutions during 1970 was 38 or 4.4 per cent, during 1971 it was 47 or 4.3 per cent, and during 1973 it was 6 or 3.0 per cent. See Ohlin, Coates and Miller, 1974, p. 103.

dependent children as easily as it may reduce the stigma of delinquent children. A larger agency may also tend more easily to "lose" individuals and become overstructured with a patronage-filled bureaucracy.

Only in terms of an increase in the humaneness of community-based services is there common agreement that the new approach is a definite improvement. Community-based services may be a step in the desired direction, but they clearly remain unproven as the ultimate solution in responding to juvenile delinquency. Already the voice of caution can be heard:

Unquestioning support is granted for projects describing themselves as community-based or as youth service bureaus without careful examination of the quantity or quality of services rendered in group houses or half-way houses, or examination of whom they accept or exclude. . . . When the promise of community services results in lost children, and there is a failure to plan adequately for children who are a danger to themselves or others, communities become angry and take repressive measures. . . . These may be inevitable difficulties of a transitional period, but they will be surmounted only if those responsible for new programs remain vigilant and honest about what they can and cannot do.³⁵

³⁵Justine Polier Wise, "Myths and Realities in the Search for Juvenile Justice: A Statement by the Honorable Justine Polier Wise," Harvard Educational Review, 44:112-124 (February, 1974), p. 123.

Section II: Chapter J
THE CONTENT OF SOCIAL REFORM

1. Consideration of the community-based services program of the 1970's bring this analysis to a close. Each of the seven programs of response that have dominated Massachusetts youth corrections policy over the past century and a half has been considered. In reviewing the analysis, the evidence of change is apparent. Changes in the conceptual features of the four program categories indicate changes in the programs themselves. Changes in the programs provide the necessary evidence for a "succession of differences over time." Therefore, it can be said what surely must have been evident all along: that change has occurred in Massachusetts youth corrections policy during these past one hundred and fifty years.

But just what kind of change has occurred? What has changed? The answer to these questions lies in reviewing the developments within the four categories. The case history has offered several kinds of evidence of change in each of the categories. Much of this evidence can be categorized into conceptually clear indicators. For each program category general indicators of change can be derived from the evidence used to describe the content of the category. Indicators of change in structural forms include changes in planned forms and changes in achieved forms. Indicators of planned form include architectural designs and spatial layouts, guidelines on client population size and characteristics and plans for treatment organization and daily routines. The Foster Commission report on the State Reform School and Commissioner Miller's

"Strategy for Youth in Trouble" provide such evidence. Structural forms achieved through actual implementation may vary significantly from these stated plans. While the Westborough institution continued to be discussed as a school and refuge, the correctional wing opened in 1877 included cells, bars and bolted doors. The treatment schedule in this new wing was certainly not organized educational enterprise. Riots and brutal discipline prevailed. Thus, achieved forms are better indicated by the actual use of physical space, the annual reports of client population size and characteristics and investigative testimony on the actual organization of the service.

Changes in authority traditions are indicated by formal guidelines and informal rules of practical conduct. Legal, legislative and administrative guidelines reveal the normative mandates under which administrative and staff organization is formally constructed. Thus, the Board of State Charities was legislated as a purely oversight authority and the Department of Youth Services Act was intended only to lead to a reorganized and rationalized institution-based corrections system. Yet, the administrative and staff organization, particularly by informal means, may deviate widely from these normative guidelines. Thus, Howe and Sandborn and, a century later, Jerome Miller reorganized their authority into quite different forms than their legislative mandates required. Administration and the procedures of authority as practiced may differ significantly from the "espoused code of authority." Authority as practiced may create its own "practical code of authority" in order to function reasonably, effectively and, occasionally, surreptitiously.¹

¹This distinction is well recognized in the literature of organization theory as the difference between "formal" and "informal" structure. See

Practice traditions, like authority traditions, are indicated by both behavioral and normative indicators. And, in similar manner, there appears a disjuncture between the espoused and practical codes of the normative indicators.² The "espoused code of practice" associated with moral reform in the reform schools clearly mixed orderliness, affection and discipline, yet, frequently, during the nineteenth century the practical code of moral reform emphasized retributive discipline quite beyond the mandates of the espoused code.

These codes of authority and practice are prescriptive systems of principles and rules developed to guide action. They offer a diagnosis of the problems to be addressed, a prognosis noting who should do what to address the problems, and criteria for determining whether the results of action are successful. For instance, the espoused code of practice which served to guide the practice of moral reform assumed the causal theory of moral degeneration as the basis for its diagnosis. It advocated a practice

Chester I. Barnard, The Functions of the Executive (Cambridge: Harvard University Press, 1938), chap. ix; and Philip Selznick, "Foundations of a Theory of Organizations," American Sociological Review, 13:25-35 (February, 1948). The notion that theory guides practice and that the formal and informal characteristics are attributes of espoused and practical theory is developed in Chris Argyris and Donald A. Schon, Theory in Practice: Increasing Professional Effectiveness (Chicago: Jossey-Bass, 1974). The term "code" is used here to denote a system of principles or rules for right action and to differentiate this meaning from the term theory as employed in "theory traditions."

²It is convenient to describe three indicators here: the conventions of practice as practiced, the espoused code of practice and the practical code of practice. This analysis views both practice and authority as composed of these three elements. Methodologically this is more difficult than conceptually. Espoused codes are typically well revealed in documents. The actual functioning of authority or practice can be gleaned from observation or historical narratives and testimonials. Practical codes, on the other hand, typically must be inferred from such observations or testimonials. Not only are such inferences open to serious methodological biases, they are so fully dependent upon the descriptions of actual functions and conventions of behavior that they hardly can be said to be a separate indicator.

organized around the principles of orderliness, affection and discipline and conducted by individuals of high moral standing and a deep concern for the moral life of children. The clean, obedient, upstanding and morally pure child was the image of successful practice. The espoused code of child guidance is revealed in the writing of Dr. Healy and Dr. Root. The diagnosis is borrowed from the psychodynamic thesis of mental conflicts. The prognosis and counseling by trained psychiatric personnel and success is represented by the well adjusted, socially integrated, hard working youth.

The evidence of change in theory traditions is also signified by particular indicators. Causal theories of youthful misbehavior typically include a causal focus, or set of independent variables, a problem focus, or set of dependent variables, and mediating or conditional processes. Thus, misbehaving youth were the problem focus of the moral degeneracy thesis and the causal focus centered upon the intemperance, idleness, vice and immorality found in the urban industrial community. The only mediating influence specified was the moral character of the youth's family. The problem focus for the structuralist theories was the delinquent gang with the causal focus shifting from the disorganized local community to the class segregated opportunity structure, to the class segregated value system. Various mediating conditions included race and sex differences, the provision of local welfare services and the access to meaningful economic opportunities.

In more closely examining these program categories it is possible to see how specific concrete events of the case history can be used as indicators of change within the categories. Changes in these attributes

indicate changes in the categories. But, such indicators may be of two kinds. Some indicators represent the intended program and some better represent the resultant program. The subtle distinction between planned and achieved forms of structure and espoused and practical codes of practice and authority reveals this disjuncture. Where the objective of this study is to focus on intended and attempted programs and policy, the thrust of this analysis has been on the planned and espoused features of program responses. It is this focus which has led to the recognition of generative concepts as the fundamental features in each of the program categories.³

Within the program categories there appear to be organizing concepts which are so pervasive over time that, although personnel and clients may change and minor refinements of form or code may transpire, the particular response remains consistent and recognizable from time period to time period. The organization of the response persists over time regardless of the succession of minor differences that occur. Just as significantly, it is these same organizing concepts that, when they no longer exist, as when Miller closed the reform schools, show that the new response is fundamentally different and expresses fundamentally new expressions of organization. These organizing concepts are the basic

³The notion of "generative concepts" follows Donald A. Schon's Displacement of Concepts (London: Tavistock, 1963). In developing the notion of generative concepts as basic units for the analysis of social policy, it is not intended to discredit the use of concrete indicators as the reasonable units for evaluating the output or product of policy programs. Such indicators still serve well as measures of effect. Generative principles serve as a means of clarifying and concretizing the description of the "treatment" side of the evaluation equation. It is as a means of specifying the content of a given social policy without alluding to abstract "objectives" or "goals" that generative principles find their great value.

elements of social problems and social responses. Throughout the case history such organizing concepts have been identified and discussed in terms of principles and patterns. Organizing or generative principles, such as shelter, separation, supervision, affection, orderliness, curing, supporting, training, protecting, degeneration or disorganization, are the basic units of program categories.⁴ Such principles are active, that is, generative, in that they perform like a genetic code to guarantee that the "tradition" of organization inherent in a given response remains fundamentally invariant regardless of specific refinements and minor adjustments.⁵

The genetic metaphor works well here. The generative principle acts as a kind of chromosome code by which generations of forms are reproduced without variation. Generative principles thus act as the guardians of tradition. They are ontologically fundamental to organization. But, as organizing features of organization, generative principles are not identical with organization. Various configurations of generative principles may generate several somewhat different

⁴The term generative principle is used here instead of several other potential candidates. A generative principle is less comprehensive, more active and more overtly normative than what Thomas S. Kuhn calls a "paradigm." I use the term paradigm to identify the basic form or pattern of a theory tradition which is derived from generative principles. This is more in keeping with my understanding of Kuhn's definition. See Thomas S. Kuhn, The Structure of Scientific Revolutions (Chicago: University of Chicago Press, 1962). Generative principles not only describe; they proscribe. A generative principle implies an attitude as well as a concept. Fact and value merge in a single unit.

⁵In terms of epistemology, generative principles are similar to the notion of essence. It is only by recognizing cognitively that the form or tradition under observation expresses the same generative principles associated with a named response that the immediate phenomenon can be classified as a member of that familiar form or tradition. In writing of the juvenile court, Edwin H. Sutherland lists three principles which "are stated to be absolutely essential, so that a court without them is not a juvenile court." See Sutherland, 1947, p. 305.

organizational forms. Thus, the congregate reform school, the cottage reform school, the nautical reform school and the vocational training (reform) school were all derived from the same basic generative principles of structure that constituted the foundations of the asylum program. In this example the same generative principles produced different patterns of organization. Throughout the case history several different words have been used to suggest these common patterns of organization.⁶ In structure, the pattern of organization has been called a prototype. In practice and authority the patterns have been called codes or idioms depending upon their referent. In theory, the pattern has been labeled as a thesis or paradigm.

The generative principles of structure, therefore, serve as the determinants of spatial prototypes and guarantee that one reform school or one clinic appears fundamentally like another. In practice traditions and authority traditions, generative principles are the organizing features of the codes and idioms of convention which serve as precedents in keeping practice and authority consistent over time. In the theory traditions, generative principles provide the frame of reference and guides for analysis

⁶ Anthropologists refer to such ideal models of cultural forms as configurations, archetypes or prototypes. See, for instance, H.G. Barnett's classic study of innovation: Innovation: The Basis of Cultural Change (New York: McGraw Hill, 1953). Donald Schon's "concepts" has this same character. See Schon, 1963. I have used the term "pattern of organization" as a generic term for such "concepts" as they appear in each of the four categories. By "pattern" I intend to suggest the same looseness that exists in Kenneth Boulding's use of "image". Both uses suggest "ways of seeing" organization, although Boulding's "image" is more extended than my own. See Kenneth Boulding, The Image: Knowledge in Life and Society (Ann Arbor: University of Michigan Press, 1956).

which characterize particular theoretical paradigms.⁷ Thus, principles guide and constrain the design of the specific responses in the program categories. They serve as basic design criteria. Generative patterns are the graphic resolutions of the design problem posed within the design criteria. These patterns are the fundamental archetypes of response forms and traditions. They provide the conceptual blueprint upon which the specific responses are constructed.⁸ Figure 5 presents this model as a hierarchy of elements, suggesting how policy programs can be seen as constructed from fundamental generative concepts.

The case history reveals some overlap between structure and practice (for instance, in supervised placement the two categories are indistinguishable) and between practice and authority (the role relations of the practice prognosis are also indicators of codes of authority). This more detailed construction of the categories reveals a certain arbitrariness and imprecision in their formulation. Frustrating as this lack of clear distinction may be in terms of conceptualization and methodology, it pointedly demonstrates how fundamentally interdependent

⁷In some theory traditions there is evidence of a particular thesis such as the psychoanalytic thesis or labeling thesis. In other cases there is an absence of well codified theory. It is a strength of Kuhn's formulation that the paradigm offers "something that can function when the theory is not there." The paradigm taken in this sociological sense is only one of three conceptions Margaret Masterman finds in Kuhn's formulation. See her "The Nature of a Paradigm," in Criticism and the Growth of Knowledge, ed. Imre Lakatos and Alan Musgrave (London: Cambridge University Press, 1970), pp. 59-89.

⁸This architectural design metaphor is somewhat misleading because it incorrectly implies a temporal sequence connecting principles to patterns to "designed" response. The case history suggests that these various elements all emerge synthetically, each shaping and in turn shaped by the others. This will be taken up in the following section. For an analysis of architectural design which does suggest this synthetic process see Christopher Alexander, Notes on the Synthesis of Form (Cambridge: Harvard University Press, 1964).

Figure 5: Model of a Social Policy Program of Response

Social Policy Programs of Response				
Program Categories:	Structure	Practice	Theory	Authority
Generative Concepts: (Principles and Patterns)	Prototypes	Codes or Idioms	Theses or Paradigms	Codes or Idioms

the categories of a policy program may be. Some programs, for instance the moral reform/asylum program and the psychodynamic program, exhibit such a substantial interdependence among the four categories of response that they appear to have the character of a unified system.⁹ The logic which underlies the policy program is so strong that changes in the concepts of one category affect concepts in other categories. For example, the focus on the family as a mediator in the moral degeneracy thesis gave rise to the cottage as an expression of the family ideal in the structure of the reform school, which in turn permitted the decentralization of the responsibility for the orderliness, affection and discipline of moral reform practice from the superintendents to the cottage supervisors. In this case, the increase in interest in the family as a causal mediator affected the organizing features of moral reform practice which, in turn, affected the organizing features of the reform school structure.

This system-like character of programs of response suggests that the generative concepts associated with a particular program display some interdependence and coherence. Ideally, the concepts underlying the program categories all perform together to fashion and present a coherent and consistent program. Where there appears significant dissonance among the concepts, as in the case of the supervised placement program into which Howe attempted to integrate the heredity thesis, the program appears less compelling. In such cases strong efforts may be made to reduce the dissonance and achieve conceptual coherence within the

⁹The term system here is defined loosely as in Ludwig von Bertalanffy's "sets of elements standing in interaction." See his General Systems Theory: Theory, Foundations, Applications (New York: Brazillier, 1968), p. 38.

program. Gardiner Tufts struggled hard to rid the supervised placement program of the genetic theory.¹⁰ Walter Wheeler, the man who finally formalized "the Massachusetts system" of supervised placements, saw little genetic causation in the youth he placed and visited.¹¹

Ideally, programs of response are total "systems of response." They create a comprehensive and integrated policy climate in which rational and systematic practice and research can be conducted. Figure 6 presents each of the programs of response with its generative concepts listed in outline form. The page numbers reference the pages of this study where each of the concepts are considered. The theory concepts in the supervised placement and vocational education programs appear either poorly integrated or absent. The authority concepts in the community prevention program remain dissonant with the other program concepts. Yet, in several of the cases, notably the asylum, child guidance and community-based services programs, the generative concepts appear consistent and well integrated and yield fairly compelling programs of response.

2. With this descriptive model of policy programs it is now possible to examine the effects of reform on the content of social policy. Consider the different modes of change manifest in each of the four program categories.

¹⁰See Gardiner Tufts, "Family Visitation of the Wards of the State as Practiced in Massachusetts," in Transactions of the National Conference on Penitentiary and Reformatory Discipline, ed. Enoch Wines (Albany, N.Y.: Weed, Parsons, 1871), pp. 360-369.

¹¹In 1911 Wheeler write, "The more I study the problem of the reformation of boys . . . the more I am convinced that it is personality that counts." See Mass., Training Schools, 1st A.R., 1911, p. 62.

Figure 6: Expanded Programs of Response in the History of Massachusetts Youth Corrections Policy

THE ASYLUM PROGRAM

Moral Degeneracy Thesis

Conception of Deviant: wayward youth "born and reared under...inauspicious circumstances" (p. 125)

Origin of Deviance: the morally degenerate community where poverty, vice and intemperance abounded (p. 124)

Moral Reformation

Target of Treatment: the youth

Criteria of Success: the morally upstanding youth marching forward in "the dignity of true manhood"

Conception of Service Provider: morally exemplary male superintendents and officers of great "skill, earnestness, caution, patience and self control" (p. 123)

Plan of Practice: a "well ordered life" under the strict "family discipline" of an affectionate superintendent and his officers

Refuge/Reform School

Plan of Structure: a shelter, separated from the community, in confinement and differentiated by age and sex (p. 115)

Internal Organization: like a cottage at a "well managed boarding school" (p. 46)

Board of Trustees

Plan of Authority: an autonomous board sets policy and a fully responsible superintendent administers within policy guidelines

THE SUPERVISED PLACEMENT PROGRAM

Heredity Thesis

Conception of Deviant: wayward youth who "fell short of the average amount of vital force" (p. 141)

Origin of Deviance: "poor stock"; "low or vitiated condition of parentage" (p. 141)

Moral Reformation

Target of Treatment: the youth

Criteria of Success: morally upstanding youth having regained "the median line"

Conception of Service Provider: the Christian farm family..."the natural reform schools of the Commonwealth" (p. 49)

Plan of Practice: a rigorous well ordered, well disciplined farm life under the periodic supervision of a visiting agent

Supervised Placement

Plan of Structure: a farm family under the supervision of a visiting agent (p. 138)

Figure 6: Page two

Internal Organization: visiting at least once per year

Board of Oversight

Plan of Authority: visiting agent operates under state board policies (p. 134)

THE VOCATIONAL EDUCATION PROGRAM

Theory (Ignorance?)

Conception of Deviant: untrained, low skilled youth

Origin of Deviance: ?

Vocational Education

Target of Treatment: the youth

Criteria of Success: highly skilled, employable youth who manifests "prompt and cheerful obedience to commands" (p. 148)

Conception of Service Provider: the male or female professional teacher

Plan of Practice: differentiated manual training, Sloyd, physical education and military drill would instill skill, discipline and obedience (p. 149)

Vocational Training School

Plan of Structure: a centralized school house among the cottages organized for economy and efficiency

Internal Organization: the classroom permitting age graded advancement (p. 153)

Supervisory Board

Plan of Authority: Board of Trustees set policy within guidelines of state board; superintendent administers (p. 173)

THE CHILD PROTECTION PROGRAM

Child Vulnerability

Conception of Deviant: the "juvenile delinquent" (p. 163)

Origin of Deviance: ?

Child Protection

Target of Practice: the youth; the law

Criteria of Success: curtailment of law breaking behavior

Conception of Service Provider: the "fatherly" judge; the "brotherly" probation officer

Figure 6: Page three

Plan of Practice: a "juvenile judge" in an informal "hearing" found youths "delinquent" and "placed them on probation" often in "private child protective services" (p. 164)

Juvenile Court

Plan of Structure: an age specific chancery court acting under the parens patriae doctrine and "in the best interests of the child" (p. 163)

Internal Organization: the "juvenile hearing" or "juvenile session"
Authority (see Supervisory Board)

THE CHILD GUIDANCE PROGRAM

Psychodynamic Thesis

Conception of Deviant: psychologically and emotionally maladapted and dysfunctional individual
Origin of Deviance: mental conflicts arising from early childhood and infancy experiences (p. 182)

Child Guidance

Target of Practice: the individual youth

Criteria of Success: the emotionally well adjusted youth (p. 195)

Conception of Service Provider: professional trained psychiatric clinicians and psychometricians

Plan of Practice: examination, diagnosis, prognosis and consultation supervision;
research and classification (p. 188)

Child Guidance Clinic

Plan of Structure: a diagnostic and evaluation center

Internal Organization: the hospital laboratory (p. 184)

Administrative Department

Plan of Authority: the state administrative department sets policy, centralizes administration;
the superintendent as bureaucrat (p. 191)

THE COMMUNITY PREVENTION PROGRAM

Structuralist Theories

Conception of Deviant: the pre-delinquent gang member (p. 202)

Origin of Deviance: growing up in lower class "disorganized community"; "differentially organized community" in a sub culture in defiance of middle class values; in conformance with lower class culture (p. 197)

Figure 6: Page four

Community Prevention

Target of Practice: the gang, the community (p. 204)

Criteria of Success: the reduction of recidivism among youth, the reduction of delinquency rate in community

Conception of Service Provider: professionally trained social worker (p. 205)

Plan of Practice: detached work to re-direct gang behavior, family counseling and community organizing, opening up educational and employment training opportunities (p. 201)

Organized Community

Plan of Structure: organizing "the total community" using indigenous community workers and community action councils (p. 206)

Internal Organization: the organized gang, the neighborhood association and the agency coordinating council

Youth Service Board

Plan of Authority: a dispositional board responsible for youth corrections and an administrative division responsible for institutional management (p. 208)

THE COMMUNITY-BASED SERVICES PROGRAM

Social Reaction Thesis

Conception of Deviant: the labeled delinquent

Origin of Deviance: youth serving institutions identify some law breaking youth as "delinquent" and the youth react by accepting the label (p. 217)

Youth Services

Target of Practice: the youth, the youth serving institutions

Criteria of Success: the reduction of recidivism among youth, the reduction of delinquency rate in community

Conception of Service Provider: social workers, counselors and community para-professionals

Plan of Practice: diversion to small, informal community centers which stress self-respect and self-responsibility (p. 220)

Community-Based Services

Plan of Structure: informal, small scale community-based services (p. 222)

Internal Organization: the group home, foster care, the forestry camp and non-residential services

Regulatory Department

Plan of Authority: regionalized monitoring and evaluating state department overseeing private purchase-of-service vendors (p. 228)

The increase in popularity of moral reform as practice did not result in the abandonment of the older principles of guardianship. Rather, the principles of moral reform and guardianship were adjusted such that each practice accommodated to the other. The strong commitment to order, affection and discipline associated with moral reform were appended onto the protection and control associated with guardianship. Nor did the rise of vocational education as practice result in the abandonment of the then traditional practices. The principles of vocational education and the older reformatory principles were adjusted such that each accommodated to the others. This form of additive change appears throughout the reforms of practice. Neither the advent of child guidance practice nor the rise of youth service practice resulted in the abandonment of previous principles of practice. Reforms in practice appear to be characterized by a pattern of adjustment and accommodation, whereby new practice traditions were added on to existing traditions with only minimal loss of the older principles.

This additive form of change does not appear to hold true for reforms of authority. While the Board of State Charities was specifically intended only to add an oversight function to the existing state policy making process, Howe and Sandborn developed the board so as to usurp policy making functions from both the legislature and the boards of trustees. In effect, the Board of State Charities replaced the fragmented boards of trustees in major state policy making. This replaceive form of change was even more evident in later reforms of authority. The State Board of Health, Lunacy and Charity replaced the Board of State Charities, as did the Department of Public Welfare replace the State Board of Charity.

The reforms that led to the Youth Service Board/Division of Youth Services and the Department of Youth Services were also characterized by replacement. In reforms of authority, new forms of structure appear to replace older forms by the complete substitution of one form for the other.

The replacive form of change apparent in the reforms of authority differs in still another way from the additive form of change associated with reforms of practice. In reforms of authority, the replacement of one form with another was viewed as a continuous effort to improve upon the principles of older forms. While each form replaced its predecessor, its principles grew directly from the needs of the older form. Thus, the State Board of Health, Lunacy and Charity achieved the policy supervisory authority that Howe and Sandborn had advocated earlier and the Department of Public Welfare achieved the administrative authority that the State Board of Charity considered desirable. Likewise, the Department of Youth Services achieved the regulative authority which had been advocated by the Youth Service Board. This continuity is not true with reforms of practice. Moral reform did not grow organically from the principles of guardianship; nor did vocational education develop naturally from the principles of moral reform. Rather, moral reform, vocational education, child guidance and youth service developed independently and in a manner discontinuous with previous practice. Only through careful adjustment and accommodation were these new practices grafted onto earlier practices. New traditions of practice appear to develop in a discontinuous mode whereas new forms of authority arise in a continuous mode.

Reforms of theory, like reforms of practice, appear to arise in a discontinuous manner, but they are not accepted as additions to existing theory. The moral degeneracy thesis not only replaced the predestination thesis, it was a fully discontinuous development. The principles of predestination were antithetical to the principles of moral degeneration. There could be no adjustment or accommodation between the two theories. The reform, therefore, was a complete transformation and, as such, it was discontinuous with the past. The relation between the heredity thesis and the moral degeneracy thesis was also antithetical. Had there ever been a full acceptance of genetic causation, such a reform would also have had to be discontinuous. The increase in popularity of the psychodynamic thesis may have borrowed a few bits of the heredity thesis and the moral degeneracy thesis, but it clearly did replace both as the dominant theory of causation. Again, the socio-economic theories of the 1930's and 1940's, had they achieved full acceptance, would have been discontinuous replacements. This has been well borne out by the acceptance of the social reaction thesis which is both discontinuous with psychodynamic theory and has served to replace it. Reforms of theory, then, appear to occur through a process of discontinuous replacement, whereby new theories arise frequently in contradiction with existing theories and eventually come to fully replace them in professional and popular acceptance.

Reforms of structure are hardest to categorize in this manner. The refuge/reform school was discontinuous with traditional forms of youth correcting structure and, in terms of reformatory services, it did replace them. The cottage organization likewise was discontinuous and,

eventually, a replacement. Yet the nautical school, the reformatory and the other age-graded institutions were not discontinuous with the reform school--which was itself an age-graded institution--nor did they serve to replace the reform school. Neither the vocational training school, the reception center nor the medium security institution were discontinuous replacements. Each arose from the same structural principles as the reform school prototype and each was adjusted to accommodate to the reform school. The same cannot be said of the clinic. It arose in the preventive services and was, thus, discontinuous, but it was easily added into the training school without replacement. Finally, the deinstitutionalization replaced the reform schools with community-based services which, as structural forms, were discontinuous with the developments of the institutions. Reforms of structure appear to have taken many forms. They were both continuous and discontinuous with earlier forms and they served both as additions to and replacements of the earlier forms.

In all, the changes manifest among the various program categories appear to have taken four different forms. These four modes of reform may be represented by a simple two-by-two matrix as constructed in Figure 7. The two co-ordinates of the matrix form four cells each representing a mode of reform noted in the case history: continuous addition, continuous replacement, discontinuous addition and discontinuous replacement. Each cell can be given a label. Reforms that result in additions that are continuous with previous developments may be called refinements. Reforms that result in the replacement of a previous pattern with a new pattern, but one that develops directly from the earlier pattern,

Figure 7: Modes of Social Reform in Social Policy Development

	Additive	Replacive
Continuous	re-finements	accessions
Discontinuous	re-constructions	trans-formations

may be called reconstructions. Reforms that result in additions to a given pattern, but whose development arises outside the specific pattern, may be called accessions. Finally, reforms that result in the replacement of one pattern with another which has developed outside the earlier pattern may be called transformations.

Following this typology, most of the reforms of practice appeared as discontinuous additions or accessions. Most of the reforms of authority appeared as continuous replacements or reconstructions. Most of the reforms of theory appeared as discontinuous replacements or transformations and the reforms of structure appeared to provide evidence of all four modes of social reform.

The question "what changes in the reform of social policy?" can now be answered. Social responses to social problems continuously produce social policy. This history of Massachusetts youth corrections policy can be characterized as a sequence of dominant programs of response. These programs can be considered as composed of four program categories: structure, practice, theory and authority. Specific responses in each program category may be characterized by their unique generative concepts. These concepts take the form of generative principles and generative patterns. Social reforms of social policy change the generative concepts that organize responses in policy programs. Such changes may either add to or replace previous concepts and such changes may be either continuous or discontinuous with these previous concepts. Only where such changes are both discontinuous and replacive can social reform be said to have fully transformed a social policy. Generative principles and their derivative generative patterns of organization serve,

then, as the basic units of analysis for studying social policy. They characterize social policy in such a manner that policy programs may be evaluated and improved by refinements or may be confronted, critiqued, challenged and replaced with clarity and definitiveness.

Having developed a means of identifying change in a social policy and a frame of analysis for examining the content of social reform as it affects social policy it is next necessary to consider the means by which the social reform of social policy occurs.

SECTION III
THE PROCESS OF SOCIAL REFORM

Section III: Chapter A
SOCIAL REFORM AS A FRAME OF ANALYSIS

In the preceding section the history of Massachusetts youth corrections policy has been presented in "snapshot" form. Specific periods of policy history have been abstracted from the running flow of the historical chronicle and examined as discrete states of youth corrections policy. By comparing one state with temporally earlier states it has been possible to document change along certain categories of analysis and to suggest certain attributes as units for analysing these changes. That analysis has been completely static. No attempt was made to consider the actual processes which have brought about the changes. It is toward these processes that the study now turns.

How is it that social reform happens? What are the immediate actions and events that constitute the mechanics of the reform of a social policy? Under what conditions and due to what motivation does social reform arise? There are two interlocking questions here. The first concerns the actual mechanics by which social reform occurs and the second involves the conditions which are necessary antecedents of social reform. Conceptually these two questions can be considered independently, but among the concrete phenomena of the case history the distinction is

often blurred. Action which brings about change can also be seen as the immediate antecedent of change. Conditions which appear to render change inevitable are frequently the result of actions and events intended to bring about change. This section, which begins with the concrete phenomena of the case history, begins by considering the two questions without distinction. As the analysis moves further away from the specifics of the case, the questions will be separated in order that they may offer independent avenues of exploration.

Studies of social policy change have viewed the phenomena from several different perspectives. Each perspective, or frame of analysis, has led the analyst to select different phenomena for primary study, to interpret these phenomena with different meanings and to explain change with different metaphors in mind. The selection of frames of analysis is, then, a critical variable in "shaping" and explaining the data of historical analysis.¹

It is common in literature reviews to present these frames in comparative fashion, often advocating one over the others.² Instead of exploring the frames of analysis comparatively in order to choose a "winner," this study will use various frames cumulatively. The strengths

¹At this level of abstraction, the framework follows Gregory Bateson's conceptualization of "psychological frames" as devices for delimiting a class of messages or meaningful phenomena. See his "A Theory of Play and Fantasy," in his Steps to an Ecology of Mind (New York: Chandler, 1972). For a more recent application of the concept see Erving Goffman, Frame Analysis: An Essay on the Organization of Experience (New York: Harper and Row, 1974).

²An excellent attempt to evaluate reference frames in terms of their actual service in explaining an historical case is found in Graham T. Allison's Essence of Decision: Explaining the Cuban Missile Crisis (Boston: Little, Brown, 1971).

of each frame can then be accepted and employed to shape and explain the phenomena that it handles best. Not only will this permit the exploration of several frames of analysis, it will provide a fuller, more rounded analysis of the processes of social reform.

In explaining the processes of change within the case history, four overlapping reviews are presented, each presenting in turn its own frames of analysis. In the first segment, which includes Chapter B, the formation and implementation of social policy is examined by considering the decision-making, administrative and political details of three separate cases of policy change drawn from the case history. In Chapter C, the origin of new ideas and their flow into Massachusetts youth corrections policy are examined from the perspective of innovation and diffusion. Chapter D, then, presents an exploration of the role of social movements in the process of social reform. In Chapter E, the role of ideas and social organization are examined within social reform movements. Finally, Chapter F provides a summary for the section by stating the accumulated model of the mechanisms and conditions of social reform.

Section III: Chapter B
SOCIAL POLICY FORMATION AND IMPLEMENTATION

1. Decision Making in Policy Formation. It is conventional to think of social policy as the result of specific decisions.¹ In order for a social organization, such as the state, to adopt or change its policy toward some social problem, it is easily assumed that a decision making actor or body makes a choice. While it is possible that such choices might be made inadvertently or without specific intention and that such choices need not be unitary, the assumption that social policies are fundamentally the result of specific decisions is central to conventional explanations of policy development.

The assumption is not unreasonable. Most policy making processes involve decisions: typically, many decisions. Skepticism arises only where it is assumed that the decision or decisions account sufficiently for the entire policy making process. It is an easy oversimplification to conclude that social policies arise or are altered by decisions alone. Such oversimplification isolates policy decisions from the total process of policy formation and invests in them unwarranted importance. Where policy decisions are separated from their historical context the developmental perspective of policy formation is lost and each policy making event comes to appear more unique and independent than it is felt to be by those who experience it. This reifying of decision making

¹For conventional decision-oriented approaches to policy formation see Daniel Lerner and Harold D. Lasswell, eds., The Policy Sciences (Stanford: Stanford University Press, 1960), and Yehezkel Dror, Public Policy Making Re-examined (San Francisco: Chandler, 1968).

in social policy analysis fragments the policy making process and, until recently, relegates the implementation of policy to the class of uninteresting residuals.² The recent efforts to study policy implementation, while much needed, also suffer from a reluctance to re-integrate policy formation and policy implementation into a single historical process. It is not necessary to do such radical surgery on the policy making process. The activities which lead up to a major policy decision are similar to those that follow it. Policy formation and policy implementation are both pieces of the long broad process by which social policies develop.

Consider the case history. Of the various decisions that have set the course and shaped the future of Massachusetts youth correction policy, three stand out as landmarks for which Massachusetts is well remembered and often cited. These three include the decision to open the nation's first state reform school, the decision to establish a supervised placement system that would prevent delinquency by nipping waywardness while it was yet nascent, and the recent decision to close down the state institutions and rely, instead, on a network of community-based services. Because each of these decisions has been viewed as highly significant, the conditions of their occurrence have been well documented. Through reviews of primary sources and secondary analyses it is possible to reconstruct in

²For a good study of implementation which views it as a distorting process in the conduct of new policy programs, see Jeffrey Pressman and Aaron Wildavsky, Implementation (Berkeley: University of California Press, 1973). Martha Derthick's New Towns In-Town (Washington, D.C.: Urban Institute, 1972) is less clear, but also views implementation problems as distortions. A more positive approach is suggested in a paper by Martin Rein and Francine Rabinovitz, "Implementation," Joint Center for Urban Studies, Cambridge, Mass., 1974. (Mimeographed.)

some detail specific case studies that recount the events and actions which led up to and immediately followed each of the three decisions. In the remainder of this chapter, each of these three decisions will be reviewed and analyzed in the broader context of its historical environment.

2. Case I: Establishing the Asylum Program. The effort to develop a successful institutional system of youth corrections in Massachusetts took nearly forty years. The problem was primarily one of implementation. The patterns of organization were described in detail long before they could be implemented in structure and practice. The State Reform School arose from the same generative principles as the House of Reformation, but, like the House of Reformation, it did not long remain true to those principles.

The general deterioration of the House of Reformation and the resulting disenchantment of Boston's leading social activists laid the seedbed for sprouting the reform school prototype. Both New York and Pennsylvania offered financial support to their municipal refuges. The antipathy of the General Court toward Boston blocked such aid in Massachusetts. Furthermore, many prominent citizens, including those active in the Boston Prison Discipline Society, felt that the care of delinquent children should be a state, not a city, function.³ The reluctance of the Commonwealth to support municipal refuges left it vulnerable to pressures for the establishment of a state institution.

³See Boston Prison Discipline Society, 4th A.R., 1829, p.15, and Quincy, 1852, p. 107.

In 1846 the legislature received two memorials which stimulated interest in a state institution.⁴ The receipt of these petitions prompted the legislature to establish a special legislative investigating committee. Noting that a "radical change" was required in the existing care of young offenders and that a state supported institution had the best potential for such results, this committee recommended that the state establish "a manual labor school."⁵ The legislature responded on April 16 by directing the governor to appoint a three man commission to locate and purchase a site and prepare plans for a school building and by allocating up to \$10,000 for the task. The governor then appointed three commission members with Alfred D. Foster as chairman.

For several years prior to 1846, Theodore Lyman, the president of the Directors of the Boston Asylum and Farm School for Indigent Boys on Thompson's Island, had been attempting to convince the directors of the Farm School to accept boys from outside the city. But the directors of the Farm School, like those of the House of Reformation, were reluctant to take on a responsibility that so many believed fell to the state. Thus, when Lyman heard of the Foster Commission's efforts to locate a site for a state reform school, he wrote to Foster offering the commission a \$10,000 donation which he asked Foster to accept as an anonymous gift.

⁴ Francis G. Shaw, the Foreman of the Second Jury of Trials of Norfolk County, addressed the legislature claiming that the County House of Correction, where Norfolk County youth were then confined, was not "a fit or suitable place for the confinement and detention of juvenile offenders." The second petition sent by the Town of Roxbury in conjunction with the Norfolk County petition noted the alarming rise in the numbers of juvenile offenders. See Katz, 1968, pp. 167-168.

⁵ See Letter from Governor George N. Briggs to the House of Representatives, January 15, 1847, bound in Mass., State Reform School, 1st A.R., 1847, p. 20.

In January of 1847 the Foster Commission submitted its report noting the use of the anonymous donation for the purchase of the Lovett Peters farm in Westborough.⁶ On April 9, 1847, the Massachusetts legislature authorized the establishment of the State Reform School at Westborough, ordered the state to take control of the Peters property, allocated another \$10,000 for construction and directed the governor to appoint a three member Board of Trustees.

3. The State Reform School as a Policy Response. A decision was reached on April 9, 1847, by the members of the General Court to authorize the establishment of a state reform school. This decision represented an important event in the implementation of the asylum program. If the Great and General Court of Massachusetts were assumed, for the moment, to be a basic problem-solving unit,⁷ then it might be possible to examine the decision in terms of the rational problem-solving model.

The rational problem-solving frame of analysis in the policy sciences rests upon a simple problem-solving model. A stress is perceived, a problem statement is formulated, alternative responses are considered and one response is selected as the resolution.⁸ In order to employ this

⁶See "Report of the Foster Commission," 1849, p. 24.

⁷For those who know well the Massachusetts legislature it does stretch the imagination.

⁸For the best early formulation of this model, see John Von Neumann and Oscar Morganstern, Theory of Games and Economic Behavior (Princeton: Princeton University Press, 1944). Further developments can be found in Duncan Luce and Howard Raiffa, Games and Decisions (New York: J. Wiley, 1957), and Kenneth J. Arrow, Social Choice and Individual Values (New York: J. Wiley, 1963).

model some unit of analysis must be assumed capable of problem solving in a unified manner similar to that of an individual actor. This unit of analysis is conceived to act as a "black box" into which the problem statement and alternatives are "fed in" and out of which a selection is "fed out." This selection is assumed to be based on a rational logic organized by a given set of objectives across which comparative utilities can be computed.⁹

Given this frame of analysis, the two local petitions in the General Court would be seen as presenting the stress and defining the problem.¹⁰ Whatever search among alternative responses that occurred was completed by the time that the special legislative committee set the mandate for the Foster Commission to establish "a state manual labor school." For the Foster Commission, the problem and the solution arrived together.

At the time, no other state had committed itself to a state reform school.¹¹ What, then, motivated the legislature to approve such an institution? It might be argued that the legislature looked with such pride upon the national reputation of the Worcester State Lunatic Hospital

⁹Some analysts have attempted insight into the inner workings of this "black box." See W. Ross Ashby, Design for a Brain (New York: J. Wiley, 1952), and George A. Miller, Eugene Galanter and Karl H. Pribram, Plans and the Structure of Behavior (New York: Holt, Rinehart and Winston, 1960).

¹⁰Michael Katz notes, "The two concerns that combined to form the argument that the Commonwealth should create a reform school were the evils of mixing juvenile delinquents with mature criminals in the same jail and apprehension at the increase in crime. Each of the two petitions sent the state legislature in 1846 stressed one of these two concerns." See Katz, 1969, p. 167.

¹¹New York State had been providing state subsidies to the New York House of Refuge since 1832, but the institution was not under state control. See Pickett, 1969.

which it had authorized in 1833 that it assumed that it might do as well with an institution for young offenders. But the legislature was, at best, divided concerning the state hospital.¹² Moreover, the state also operated the prison at Charlestown which was hardly considered a success. Rather, the legislature was reluctant to enter social services.¹³ Besides, Boston already maintained a youth corrections institution and there was a private venture in the Farm School. The decision to open the State Reform School is only viewed as rational when accounting is made for the political pressures that were placed on the legislature in order to force the state takeover and expand the services which were generally considered a failure in Boston.

Louis Dwight of the Prison Discipline Society, Francis Shaw of Norfolk County and the selectmen of Roxbury were instrumental in elevating the issue to the state legislature. Neither Norfolk County nor Roxbury nor the remainder of Massachusetts was served by the Boston House of Reformation. While the refuge pattern had become attractive throughout the state, most other jurisdictions could not afford to provide separate facilities. Further, many in Boston, particularly the city councilors, were eager to shift their financial burden over to the state. Lyman, himself, became attracted to the state auspices when it became apparent that the Farm School Board of Directors were resistant to accepting other than Boston youth. But Lyman was politically trapped.

¹²See Gerald N. Grob, The State and the Mentally Ill: A History of the Worcester State Hospital in Massachusetts, 1830-1920 (Chapel Hill: University of North Carolina Press, 1966).

¹³Even by 1855, when the City of Lowell opened a House of Refuge, the state refused to provide financial assistance.

His support of the new idea would embarrass his fellow Farm School directors and jeopardize the idea when it came before his political enemies in the General Court.¹⁴ Thus, he offered his philanthropy anonymously. The Lyman gifts were critical in matching the original legislative funds and drawing out additional state appropriations for construction. Foster and Washburn strategically offered the funds as a carrot to the reluctant legislature and easily won their appropriations.

It would be convenient to assume the 1847 legislative decision to authorize the State Reform School as the quintessential policy decision in establishing the new institution and look no further at the subsequent events. To do so would require isolating this one decision from the long series of decisions that were required to produce a fully operational reform school and to seriously inflate its significance. The 1847 decision is important in that it does mark the official state recognition of the reform school prototype, but this recognition did not guarantee that the principles of the asylum program would immediately achieve dominance. Just as there appeared a long developmental period for the generative concepts of the asylum program prior to the 1847 decision, there followed a long period of development after the decision during which the concepts were further refined and finally realized in the Lyman School of the 1890's. This subsequent implementation period is not significantly different from the period that preceded the major policy decision. Efforts to properly understand the problem and properly formulate a response which characterized the earlier period also characterized the implementation

¹⁴See "Theodore Lyman," American Journal of Education, 10:5-10 (March, 1877).

period. The successful implementation of a policy program as dominant policy is the result of a long sequence of decisions of which the central state recognition decision is only one such decision and not always the most significant one.

4. The Lyman School as a Policy Response. Had men like Foster, Washburn or Robert Rantoul stayed on to construct and develop the new institution it might have achieved a more lasting success. Instead, the task fell to the first superintendent, William R. Lincoln. Lincoln had previously served as head teacher at the Boston House of Reformation and, rather than look widely for prototypes, he strove to replicate the refuge system at Westborough. Although he alone was not responsible for the form achieved, it was this, and similar planning, which caused the reform school to inherit most of the flaws which existed at the House of Reformation--specifically, the congregate pattern of organization.

Lincoln responded to the overcrowding that soon engulfed the State Reform School by increasing the size of the congregate facility. While this only temporarily relieved the overcrowding, it had the immediate disadvantage of creating an institution far larger than the original plan and much bigger than could reasonably be administered without significant staff brutality. The fire of 1859 that destroyed half of the building and the public scandal that arose over the shackling of disobedient boys in "the lodges" provide blatant evidence of the degree to which the institution envisioned as a place of affectionate and well-ordered moral reformation had been perverted from its originating principles. Only the firm and confident administration of Joseph Allen could restore the fallen institution.

Allen's chief success during his first term was the establishment of the Nautical School and the reduction in the age of commitment at Westborough such that the older, more hardened youth could be separated from the younger population. This lower age limit was an important feature that the Foster Commission was aware of, but had not gone far enough in advocating.

The rational frame of policy analysis focusing on the decision to open the Nautical Branch would view the fire and scandal over "the lodges" as precipitating incidents leading to a problem definition. The problem was formulated by the two investigating committees as the presence of the older boys. The Nautical Branch would then naturally be the result of the decision to divert away the older boys. In this view the decision responded to two objectives. First, by ridding Westborough of the older boys, it would reduce the potential for their contaminating younger boys and then provoking the officers to severe forms of discipline. Second, the nautical life would provide more rigorous discipline for the older boys as well as marketable skills for their entry into employment.¹⁵

The decision seems to have proved some success. With the older boys diverted away, Superintendent Allen was able to re-establish the practice of moral reform and greatly reduce corporal punishment. Severe forms of punishment are not again noted until after 1870 when the "Massachusetts" was closed and older boys are re-introduced at Westborough.

¹⁵See M. L. Elbridge, "History of the Massachusetts Nautical Reform School," in Transactions of the National Congress on Penitentiary and Reformatory Discipline, ed. Enoch Wines (Albany, N.Y.: Weed, Parsons, 1871) pp. 352-353 for just such an analysis.

But the hope that the Nautical Branch would provide the older boys a more challenging discipline and more employable skills falters.

The nautical reform school which had been established as a youth corrections institution became the object of a major displacement of purpose.¹⁶ By the middle of the 1860's the indenturing system of the Nautical Branch whereby private ships could contract for boys as crew members had become extremely popular among whaling companies which required cheap inexperienced crews with a willingness to carry out two to four year voyages. The New Bedford whaling interests were eager to take advantage of this Boston Harbor resource. In 1867, when the Massachusetts Nautical School was established as an independent institution separate from the State Reform School, these New Bedford interests were able to force the transfer of the "Massachusetts" to the New Bedford Harbor.¹⁷ This capturing of the nautical reform school by the whaling interests made the institution more the recruiter of cheap seafaring labor and less the reformer of wayward boys. In becoming more pointed in his criticism of the nautical reform school, Frank Sandborn hinted at these other problems with the institution:

. . . juvenile reformatories are established to make of boys, good men and not to replenish any branch of industry supposed to be languishing.¹⁸

¹⁶In 1861 the legislature authorized the arming of the "Massachusetts" and the stationing on her of a customs agent for the deterrence of smuggling in the Boston Harbor.

¹⁷Mass., Board of State Charities, 3rd A.R., 1867, p. 169. This year also marked the high point of these indentures. In twelve months 64 boys were "shipped out" on 27 whalers. See Wirkkala, 1973, p. 141. Unrest and disorders were common on the two vessels and escapes and attempts at arson were frequent.

¹⁸Mass., Board of State Charities, 7th A.R., 1871, p. xxxix.

Not only did the majority of boys not want to become seamen, there really was little future in the trade due to the declining position of the mercantile and fishing sectors of the economy. By 1867, even the whaling industry, into which most of the boys were "shipped out," was rapidly deteriorating.¹⁹

The rational frame of policy analysis does not handle these issues of organizational interests and segmented decision processes well. Where no single actor makes final decisions, where no one decision persists, where issues of implementation compromise and displace basic policy objectives, attention must be turned toward the organizational context in which policy programs are developed.²⁰

Thus, the failure of the reform school to meet its original objectives is seen as the result of an organizational constraint dictating the makeup of the client population. The result of Allen's efforts to eject the older boys and the Trustees' desire to establish a separate institution was the nautical reform school. The nautical reform school, in turn, was captured by the legislature to serve as a means of customs

¹⁹Wirkkala, 1973, p. 142.

²⁰For considering such complex cases, policy analysts have developed another frame of analysis focused upon administrative processes rather than decision making logic. From this perspective new policy is seen as the outcome of the aggregate of various small decision making processes. The units of analysis are formal organizations in which emphasis is placed upon the inter-bureau functional relationships. In focusing upon planning, coordination, conflict resolution, motivation and incentives, attention is directed toward structural constraints and the priority of persistence in organizational behavior. This approach finds its earliest formulations in Barnard, 1937, and Herbert Simon's Administrative Behavior (New York: Macmillan, 1947). Its best codification appears in James G. March and Herbert Simon, Organizations (New York: J. Wiley, 1958), and Richard M. Cyert and James G. March, A Behavioral Theory of the Firm (Englewood Cliffs: Prentice-Hall, 1963).

control and by the whaling interests as a source of cheap labor. By the 1870's the questioning of such blatant misuse of the institution, particularly by the Board of State Charities, resulted in its fall from public acceptance and its eventual demise.

The reintegration of the older boys back into the Westborough institution after 1870 undid most of what Joseph Allen had been able to accomplish during his first term as superintendent. The riot and investigation of 1877 reveals a return to the pre-Nautical School pattern of organization. The discipline abuses revealed in the 1877 investigation were only the symptoms of the custodial and punitive character of the staff and the institutional ambiance. In his testimony Joseph Allen often referred to the staff as "low quality." But in 1877 neither the Trustees nor the investigating committee would clearly rebuke the staff for fear of damaging the institution's reputation and angering the Westborough townspeople.²¹ The disastrous efforts of Superintendents Sheldon and Dooley to gain administrative control of the reform school staff clearly reveals the degree of staff insubordination. Events broke in 1881, not because the Trustees suddenly discovered the institution's failings, but because the Trustees finally were forced to confront the staff-townspeople coalition and note the "radical defects in the system." Certainly, Joseph Allen would never have returned to Westborough, where he had previously resigned because of the lack of Trustee support, unless he had been guaranteed a free hand and the authority of the Trustees to deal with the staff. Indeed, Superintendent Allen did clean house. He paroled and transferred inmates and discharged and reorganized staff. He demanded and

²¹Mass., Senate Doc. No. 93, May 7, 1877, p. 3.

got the commitment age lowered to fifteen, and a totally new facility based on the cottage plan. The Trustees for their part threw their support into coalition with the State Prison Commissioners in pressing the legislature for an intermediary reformatory which would serve young men and boys over the age of fifteen. The 1885 legislation that authorized the establishment of the Lyman School also authorized the State Reformatory at Concord. The Trustees negotiated a deal with the State Board of Health, Lunacy and Charity to convert the old Westborough facility into a state hospital so as to clear potential opposition in the legislature against the re-establishment of the reform school. Rather than one simple decision, the re-establishment of the State Reform School was the result of a collection of negotiations between Joseph Allen, the institutional staff, the Trustees, the legislature, the Prison Commissioners and the State Board of Health, Lunacy and Charity.

5. Case II: Establishing the Supervised Placement Program. The establishment of the non-institutional program advanced as slowly and clumsily as the institutional program. Beginning in a formal way in 1866 with the authorization of the State Visiting Agent, the implementation was finally successfully achieved in 1895 with the establishment of the Superintendent of Visitation.

The visiting agent was first set up as an informal administrative agent of the Board of State Charities. In September of 1866, following a recommendation set out by Howe and Sandborn in the first annual report, the Board authorized one man, Gordon Fisk, to serve as a special visiting agent.

The duties of this special agent initially were limited to the placement supervision of the various indentured and adopted children of the state almshouses. The following year this supervision was extended to cover boys "placed out" from the reform school.²² This additional responsibility provided Fisk with more children than he could possibly visit, particularly as it likewise fell to him to interview and screen prospective placement families. Fisk soon began to express irritation at his lack of assistance. Accordingly, the Board brought pressure on the legislature to officially establish the Office of the State Visiting Agent and provide an adequate appropriation. In June of 1869, the legislature approved the new bureau, permitted the hiring of staff and added to the office the duty of attending court whenever a juvenile case was to be heard.²⁵ Ironically, for all his labors, Gordon Fisk was passed over in the Governor's selection of Gardiner Tufts to head the new office.

Gardiner Tufts was a strong administrator with an enormous task and under his direction, the Office of the State Visiting Agent soon became an effective professional bureau. From its inception, the Trustees of the reform school remained hostile to the new office. During these early years the Board of State Charities soundly supported Tufts. The anti-institutional bias bound Howe and Sandborn together with Tufts in a somewhat uneasy alliance. But by 1874, the relations between the Board and the visiting agent had become more distant. In that year Sandborn concluded: "It would appear . . . that the extreme limit of prudence in

²²Mass., Board of State Charities, 7th A.R., 1871, p. 83.

²³Mass., Acts of 1869, Ch. 453.

discharging and placing on probation the children complained of, has been reached."²⁴

This shift in Sandborn's position marked a far broader shift in the Board's principles. While it would be incorrect to call this shift a total reversal of its previous position, after 1874 the Board appears more positive toward the reform schools and more willing to see the necessity for their services. Beginning in 1876 the Board sought to curtail the activities of the visiting agent by cutting its budget. In outrage Tufts circumvented the Board and went directly to the Governor to acquire operating funds. With this the schism between the two parties became irreparable and the conflict escalated into a public debate. This debate only added to the growing controversy over the Board of State Charities that eventually resulted in the 1879 reorganization act. The reorganization did not jeopardize the visitation system. Although the Office of the State Visiting Agent was terminated, visitation continued under the Superintendent of State Minor Wards as an important function of the State Board of Health, Lunacy and Charity.

In 1893 the Lyman School participated in a survey of modern reform school practice for the Chicago World's Fair. In preparing for this presentation, Superintendent Chapin conducted a comprehensive evaluation of the institution's performance by surveying the situation of Lyman School boys as they reached age 21. The results showing that of the graduates, thirty-five per cent went on to other penal institutions so concerned the Trustees that they determined that some better method of follow-up was necessary. Since 1889 the State Board had employed a

²⁴Mass., Board of State Charities, 11th A.R., 1874, p. lxvii.

specific visiting agent under the Superintendent of State Minor Wards whose primary duty it was to visit Lyman School boys placed out on probation. The Trustees viewed this commitment as inadequate and grew increasingly critical of the State Board's handling of the post-release placement and visitation functions.²⁵ In 1893 the Trustees petitioned the legislature for permission to employ their own visiting agents. The finance committee rejected this petition noting that there was no appropriation. The Trustees then turned to the Attorney General for a ruling on their claim. The Attorney General affirmed the right and duty of the Trustees "to exercise a general oversight and supervision of all children committed to these schools during minority or until their discharge."²⁶ On this basis the Trustees returned to the legislature and achieved approval to hire a Superintendent of Visitation and one assistant.²⁷

6. Supervised Placement as a Policy Response. The implementation of the placement program is not well revealed by the rational frame of analysis either. The central decision would have to be the determination of who best should supervise post-release placements. It would appear

²⁵It was not that the Superintendent of State Minor Wards failed, but "the members of the Board, occupied with many other important duties assigned them, have little opportunity to see and know the children or to observe where their methods or their agents may be at fault." See Mass., Lyman and Industrial Schools, 1st A.R., 1895, pp. 9-10.

²⁶Mass., Lyman and Industrial Schools, 1st A.R., 1895, p. 10.

²⁷Mass., Acts of 1895, Ch. 428.

that the legislature, as the central actor, would have finally determined the Trustees to be the most effective and, on that basis, authorized the Superintendent of Visitation. But this is not true to the events. Neither the decision nor the decision-making event is so clearly defined. Nor was the Superintendent of Visitation simply the result of a set of incremental decisions and organizational procedures. The transition from the State Visiting Agent to the Superintendent of Visitation displayed controversy and serious conflict.²⁸

The Trustees had never fully accepted the loss to the State Visiting Agent of the follow-up monitoring of youth "placed out" from the reform school. The Trustees initially had been granted responsibility for the reformation of youth until the age of majority. During the early years of the visiting agent's development this responsibility for the supervision of post-release placements had been lost to the Board of State Charities. Gordon Fisk began his supervisory visiting with almshouse children because there was no competing service for such children and almshouse managers were eager to have him conduct the work. But Howe and Sandborn saw family placements as a good means of moral reform as well as guardianship and, gradually, they pushed Fisk upon the post-release placements

²⁸Where conventional policy analysis has been forced to approach conflict as a significant category of study, a third orientation, a political bargaining frame of analysis, has been developed. New policy is seen as the result of negotiations and bargains established among individuals, organizations or coalitions. Power and other forms of political resources become significant variables in determining the amount of influence various units will have in affecting a particular policy result. An early formulation of this approach can be found in David Truman's The Governmental Process (New York: Alfred A. Knopf, 1951). Further developments can be found in Charles E. Lindbloom, The Intelligence of Democracy (New York: Free Press, 1965), and Martin Meyerson and Edward Banfield, Politics, Planning and the Public Interest (Glencoe: Free Press, 1955).

of the reform school. After three years Fisk had succeeded in subjugating the reform school placements.

With the formalization of the office, Fisk was replaced by Gardiner Tufts. Tufts was the Governor's man and less deferential to Howe and Sandborn. Yet, like the Board, Tufts was anti-institution and during the following decade he consistently sought to divert youth from the institutions and to extract them from the institutions once they had been committed. The future development of the Office of the State Visiting Agent reveals it as a highly political strategy to depopulate the institutions and to close them. This strategy may have succeeded except for the withdrawal of the Board's support.²⁹ The transition from the State Visiting Agent to the Superintendent of State Minor Wards actually meant little. The Trustees maintained that post-release supervision should be under their control. For them there was no central decision. The only real issue concerned the best timing for gaining control and this was merely a strategic decision.

The implementation of the supervised placement program extended for a period of nearly thirty years following the state's 1866 decision to adopt the pattern as state policy. Over this long period Gordon Fisk, Gardiner Tufts, Frank Sandborn, Superintendent of State Minor Wards

²⁹ Nothing that this shift in the Board's position did not result from a change in the membership of the Board, John Wirkkala sees the transition as a result of two developments. First, by 1874, the Board finally came to see that the deteriorated conditions at the reform school were in part the result of the Visiting Agent's efforts to divert away the more reformable boys. Second, by 1874, the Board had grown resentful of Tufts' repeated efforts to gain operating autonomy from the Board due to their divergent ideas about proper practice. The Board tended to follow Howe's belief in organized voluntary action. Tufts put his faith in full-time, salaried professionals. See Wirkkala, 1973, pp. 237 and 244.

H. B. Wheelwright and Hiram Shurtleff, who followed Wheelwright as Superintendent of State Minor Wards, attempted several different strategies for stabilizing and formalizing the program. All of these efforts proved inadequate largely due to the hostility of the reform schools and their Trustees. The Trustees maintained their uncompromising position because without the control of placements their ability to freely move youth in and out of the institutions was inhibited. This ability was seen as critical to maintaining the internal order within the institutions. Their dependence upon the Superintendent of State Minor Wards meant constant negotiations over every youth transferred. Furthermore, as long as the non-institutional system remained beyond the control of the Trustees, the institutions remained vulnerable to the same strategy of depopulation that developed under the State Visiting Agent. The 1893 survey was critical, for, in throwing doubt upon the effectiveness of the Superintendent of State Minor Wards, it determined the opportune timing for a fast grab. In fact the Trustees' initial petition to the legislature was so ill-conceived that it died in committee on its own merits. Undaunted, the Trustees then turned to the Attorney General to acquire a ruling which defined their mandate as dominant over that of the State Board. Even with this added legitimacy, the Trustees won their authorization only in the bargaining over the closing of the State Primary School, the institution for dependent children. With the Primary School out from under the Trustees and the dependent youth safely under the Superintendent of State Minor Wards, the State Board was willing to trade off the reform school youth. Miffed over the loss of the Primary School, the Trustees hired its last superintendent, Walter Wheeler, as the first Superintendent of Visitation.

With the careful balance re-negotiated between providing preventive services to dependent children and reformatory services to delinquent children, the institutions were once again secure.

7. Case III: Establishing the Community-Based Services Program. The implementation of deinstitutionalization and the recent emergence of community-based services marks the third policy formation case. Again the problem and response are seen as developing jointly over a long period of time. The concepts do not appear new, but, rather, appear as borrowed and re-formulated to meet the specific conditions of Massachusetts youth corrections. Unlike the previous case, the deinstitutionalization does offer a central policy decision and a central decision making actor in the person of Jerome Miller. It is also reasonably possible to separate the case into two phases: a policy formation phase prior to the January, 1972 closing of the institutions and a policy implementation phase following the January, 1972 event.

In first considering the policy formation phase, the rational frame of analysis would focus on the deinstitutionalization decision. Input into the decision would include the wording of the 1969 Act, the mandate that the Miller administration assumed that it received from the Governor, and the rising costs and long-recognized ineffectiveness of the institutions. Conventional analysis would only require stating the input conditions as obvious reasons for the output decision. But was the choice so obvious? The input conditions alone are insufficient to explain why closing the institutions rather than re-organizing them was the outcome. How about the therapeutic cottage strategy? Was it merely an early

policy choice sabotaged by a malevolent staff or was it a destabilizing and provocative manipulation in a larger Miller strategy?

From the beginning, Miller made no effort to hide his general disdain for the old line staff. For most of the new D.Y.S. officers, Miller did not look to the existing administrative staff. Instead, he recruited from outside the department including several loyal friends from Ohio. Early on Miller commenced a practice of showing up unannounced at the institutions to talk with the children--a practice not easily accepted by staff members who traditionally ran rather autonomous institutions. On one such occasion, Miller, accompanied by the Governor's wife, arrived unannounced at Bridgewater in time to witness staff members assaulting several boys who had attempted to abscond. The difficulties that followed as Miller attempted to discipline the staff involved in this incident only widened the growing cleavage between the Commissioner and the old line staff.³⁰

Yet Miller's antipathy found an easy target in the beleaguered Bridgewater facility. The lease on the Bridgewater facility was up for renewal.³¹ With the lease running out and the public hostility of the Committee for Youth in Trouble toward the Institute for Juvenile Guidance, Miller found an easy environment for simply closing down the facility, relocating the staff and paroling or transferring the youths.³² This

³⁰Rutherford, 1974, p. 7.

³¹The institution had been operating at Bridgewater in temporary quarters leased from the Department of Corrections since its opening in 1954.

³²Many of the boys transferred were relocated into a secure cottage at Shirley known as "Cottage #9" which was the same solution for such youths used fifteen years earlier before the Bridgewater facility opened.

effort was carried out quickly and efficiently and, as such, it became a model for future procedures. By October of 1970 the Institute for Juvenile Guidance was closed.

The therapeutic cottage strategy was Miller's attempt to reform the institutions through staff development. Reasoning that the milieu therapy he had seen conducted by Maxwell Jones in England might work in the Massachusetts institutions, Miller convinced the reluctant superintendent of Shirley, John Hastings, to reorganize the cottages into self-contained groups. Miller then persuaded Maxwell Jones to come to Massachusetts in March of 1970 and lead a three day workshop explaining the principles of the therapeutic community to both youth and staff. The workshop only tended to create further tensions. The day following Jones' departure, sixteen boys absconded from Shirley. Miller was quick to see in this a staff/youth conspiracy and he publicly denounced it as "sabotage."³³ Although in the months that followed Harry Vorath, a consulting expert in "guided group interaction" from Minnesota and Yitzak Bakal, himself, tried to support the therapeutic community model at Shirley, generally it was conceded that the experiment was a failure.³⁴

Elsewhere, Miller found more success. Convinced that there was excessive brutality at the Reception-Detention Center, yet uncertain of

³³Boston Globe, November 7, 1971.

³⁴In retrospect, Bakal notes:
 "The Maxwell Jones training sessions . . . symbolized the beginning of a strong and visible staff alienation. . . . Some of this resistance became overt as in the writing to snare legislators and the press, as well as covert sabotage as inducing runaways, work stoppages, misuse of sick leaves and early retirement. However, these staff confrontations had a limited negative impact on the department because they were skillfully used by Miller to elicit sympathetic support from the press and reform groups."
 See Bakal, 1973, p. 159.

its extent or origin, Miller permitted a young Harvard graduate student to pose as a detainee under the alias "Ernie Manning." "Manning" spent four days at Roslindale and his resulting report, which documented numerous instances of staff impropriety, laid the basis for discharging four employees. During the following weeks, the frequency of escapes at Roslindale skyrocketed.³⁵ Miller again called this sabotage and suspended and discharged more employees.³⁶

Set into such a history the deinstitutionalization decision must be seen as an outcome of a protracted struggle between the central office and the institutional staffs over control of the institutions. The conflict format was clearly established from Miller's early displays of antipathy. The Bridgewater incident which he used as a basis for closing the Institute for Juvenile Guidance and the "Manning" incident at Roslindale signaled the intended relationship. In that environment it would be naive to accept the therapeutic cottage strategy on its merits alone. Instead, the strategy was a direct test of authority. It failed not on its merits, but precisely because both sides equated it with a win or lose battle. The policy of closing the institutions did emerge as a result of the failure of the therapeutic cottage policy, but control of the institutions was the objective in both cases.

³⁵Forty-eight escapes accumulated over four successive Sundays. See Boston Globe, November 7, 1971.

³⁶Boston Globe, April 4, 1971.

8. Deinstitutionalization as a Policy Response. The control of the institutions became a serious controversy during the first years of Miller's administration because Miller, unlike John Coughlin before him, brought to the state policy making position programmatic concepts that were fundamentally different from those held by the reform school staffs. It was possible to graft Coughlin's institutional expansion strategy onto the existing institutional programs because his vision of youth corrections was basically an extension and refinement of the existing traditions. Coughlin's practical grasp of policy authority was never a critical issue, because he and the institutional superintendents differed little on their commitment to the institutional programs. Miller's vision was not of this same continuum. The social reaction perspective informed Miller's skepticism of the institutional program: Miller did not believe that youth could be treated in institutional settings. In his belief he was supported by a growing movement of professionals, politicians and social activists. The early critics of John Coughlin including David Hollenbeck of the Committee for Youth in Trouble, Martha Elliot of the Massachusetts Committee on Children and Youth, and Senator Beryl Cohn who had written the Department of Youth Services bill, had grown critical of the basic structure of the institutions. By the early 1970's their critique was joined by the new governor, his wife, several leading Boston criminologists, the Massachusetts Parent Teachers Association, the Massachusetts League of Women Voters and key members of the state legislature. Miller's antipathy for the institutions was widely shared. Governor Sargent's selection of Miller as the first commissioner of the new department was intended to bring about reforms many felt were long

overdue. Sargent's decision was a part of a larger process of reform. Miller's arrival in Massachusetts served to focus the existing institutional critique and to commence serious consideration of institutional changes. The institutional staffs were correct in coming to view Miller and his administration as symbolic of a growing threat to their continued maintenance of the long traditions of institutional care for youthful delinquents.

By early 1971 it had become apparent to Miller and his staff that if any big reforms were to be implemented large blocks of fairly flexible funds were needed. For this Miller turned to the state and federal government. Federal funds were obtainable from the Law Enforcement Assistance administration (L.E.A.A.) through the Massachusetts Governor's Public Safety Committee. At first the new chairman of the Governor's Committee was quite attracted to Miller's plans. Miller's early proposals in 1970 netted the department three L.E.A.A. grants totalling \$110,000 for service programs and planning.³⁷ With the L.E.A.A. planning grant, Miller created a Planning Capability Unit that soon began to formalize a strategy and lay the ground work for major structural reforms. By the summer of 1971, closing down the institutions as exemplified by the Bridgewater closing had become the chief organizing objective. From this point on, deinstitutionalization became a key word for department policy.³⁸

Yet a strategy as major as deinstitutionalization required an enormous massing of "no strings" money. For this Miller turned to the

³⁷Mass., Department of Youth Services, A.R., 1973, p. 20.

³⁸In June, the director of the Planning Capability Unit, Arnold Schucter, circulated an "in-house draft" entitled "A Framework for a Purchase of Service Approach to Accelerated Deinstitutionalization."

state. The Speaker of the House, the President of the Senate and the Chairman of the Joint Legislative Committee on State Administration were all interested in Miller's notion of reform through deinstitutionalization. In 1971, the Speaker of the House submitted a supplemental appropriation request for a one million dollar residential care program to permit the department to establish nine regional community treatment centers. Governor Sargent, his wife, the League of Women Voters, the Committee for Youth in Trouble and MCCY strongly demonstrated their support, and by August the one million dollar supplementary appropriation was approved by the legislature with only minor opposition. The stage was set for closing the institutions.

Consistently Miller had been more clear about closing the institutions than about what would replace them. At first, he envisioned small regional community treatment centers run by D.Y.S. This idea underlay the request for the one million dollar state supplemental appropriation. Yet as he became increasingly skeptical of state run institutions and state employees, he turned more toward private contracting. Leavey's successes with purchase of service arrangements encouraged Miller's faith in the private non-profit group home. Thus, the supplemental appropriations plus another \$235,000 L.E.A.A. grant in 1972 did not go to state run community treatment centers as originally intended, but rather were converted into a large pool of resources for the purchase of private market services. Once this money became available, there was a rush of non-profit corporations eager to open placement slots in existing facilities or open totally new facilities. Foster care placement potentials also increased, but not as rapidly. The problem which developed in early 1972

was not the lack of placement potentials, but the speed with which the department could inspect, evaluate, approve and fund placements. The central office machinery was completely overburdened. Throughout the year the administrative and reimbursement processes ran far behind the purchase of service commitments Miller and the regional staffs arranged.

By late 1972 the new community-based services program was beginning to take shape in the Department of Youth Services and Jerome Miller and the Massachusetts deinstitutionalization were developing international acclaim. Yet, by this time, the untidy pieces and unresolved problems of implementation were creating a vocal and effective opposition.

First, there were the institutions and their functionless staff. Miller, who until then had been fairly insensitive to these staffs, moved now out of concern for the political leverage their existence might create. To some he offered early retirement, to others he offered a transfer to the regional offices or other parts of the new system, and to others he offered transfers to positions in the new private services.³⁹ Yet many employees remained at the institutions drawing pay and doing little work.

Then there were the institutions, themselves. Not only did their maintenance cost severely limit the department's budget, but their very existence threatened the entire deinstitutionalization experiment. Sitting there vacant, it was only a matter of time or change of administration before they would be reopened. Miller and the central office staff sought extensively to transfer the properties out of D.Y.S.

³⁹This latter situation was blatantly illegal and only brought Miller more criticism. See Mass., "Post Audit and Oversight Report," 1974, p. 132.

to corrections or mental health or to private purchasers. Further, there was Lancaster which somehow got missed in the closings. While the population had been reduced down, Lancaster did not close. In February plans were made to close it by May. In May the plans were delayed until the fall, and by the close of the year Lancaster was still open. The high priority given boys' institutions throughout the history of juvenile corrections seemed to have left Lancaster still standing when the other institutions fell.

There also remained several issues unresolved which angered the judges, Judge Poitras of the Boston Juvenile Court in particular. If the Roslindale facility were to close, where could D.Y.S. guarantee secure setting for youth who were a physical threat to themselves or the community? Without being specific the juvenile judges were threatening detention in adult settings and increased "bind overs" of dangerous youth to Superior Courts. In fact, Roslindale did stay open. The secure cottage which had moved to Lyman when Shirley closed now moved to Roslindale under a private contract. Then there was the natural but volatile issue of ineffective supervision of D.Y.S. wards. Since the closing of the institutions the frequency of runaways, always a problem before, increased significantly. Further, such escapes had begun to result in death--of the youths as well as of their victims.⁴⁰

Finally there were the growing revelations of mismanagement, fiscal irresponsibility and large budget overruns in the Miller administration. Not only did Miller continually violate regulations and

⁴⁰In 1971, eight state wards under D.Y.S. supervision died violently. See Mass., "Post Audit and Oversight Report," 1974, pp. 236-238.

act without authority, he also seemed to consciously commit obligations for which the resources simply were not there. While Miller may have merely considered this "borrowing against the future," many in the state legislature saw in this criminal irresponsibility.

Miller could see well enough the growing opposition. While much of it was derived from the problems of rapid deinstitutionalization, most of it was focused around himself, personally. Reasoning that consolidation cannot be carried on by one who had so polarized a situation, Miller decided to resign. Although the Governor pressed him to stay on, Miller was convinced of his choice. In January of 1973, Jerome Miller resigned as Massachusetts' first Commissioner of Youth Services.

9. The Process of Policy Reform. Changes in social policy can be viewed as a process that appears like social reform. Social reform as a means of policy formation and implementation does involve central policy decisions, but it sets such decision making into the context of a rich and complex policy making process. The central focus on decision making was valuable in the case studies in those situations where an identifiable actor was faced with a clear choice and made a clear decision. The Trustees' decision to recommend the Nautical Branch was a fair example, as was their decision to close the State Reform School. Yet in both cases the specific decisions were viewed as rational only within the larger political framework. In none of the cases studied did the rational problem-solving model appear. The discrete specification and the temporal linearity implied in the model are illusory. First, singling out the

central problem-solving actor or problem-solving moment is typically difficult. Did the Superintendent of Visitation appear because the Trustees finally decided that the time was right to act, or because the State Board finally decided to give in to the pressure of the Trustees once the State Primary School was closed? Second, problems and solutions do not appear out of historical context. Policy problems are typically generated by past solutions and there is no natural beginning or conclusion to the process. Third, every resolution is emergent in the developmental formulation of the problem. Both problem formulation and resolution develop concurrently and synthetically.⁴¹ The decision to oust Director Coughlin evolved as the problem grew to focus on him. The older boy problem at the reform school was developed in conjunction with the resolutions attempting to divert and separate them.

Fourth, alternative resolutions are seldom developed. The reform school prototype was the only structural pattern considered in 1846. The nautical school was the only pattern considered in 1859. The concurrent development of problem and resolution shapes the problem around a single resolution.⁴² Fifth, implementation does not stand temporally independent of the problem-solving process. Both problem and resolution are developed around what is feasible to implement and the

⁴¹Frequently problems and resolutions appear in a manner that is organic and interdependent. Each shapes the other. Process and product merge. See Alexander, 1964, pp. 84-131 for a comparable argument.

⁴²Herbert Simon's attempt to "bound rationality" by substituting for the comprehensive search among alternatives his "satisficing principle" under which the first satisfactory alternative is selected, is more true to the evidence, but it represents a weakening of the model to accommodate the evidence. See his Models of Man: Social and Rational (New York: J. Wiley, 1957), pp. 241-260.

synthetic engagement of problem and resolution continues on through the implementation activities. Thus the State Reform School developed toward the refuge prototype during its implementation as Superintendent Lincoln came to equate the reform school problem and resolution with his earlier experience at the House of Reformation. Similarly, the decision to employ the rapid closing strategy in the deinstitutionalization grew out of Miller's learning from the failure of implementation with the earlier gradual closings. The policy selection process in the social reforms studied displays much more complexity and ambiguity than the rational frame reveals and the approach offers little value in addressing implementation activities after policy selection.

The concept of social reform offers a richer means of viewing social policy development. Social reform suggests that policy formation is the result of social processes. Single actors may make central decisions, but they do so only as the embodiment of a broader social process. Social reform reveals policy formation to be a piece of a larger process which includes the dissolution of past programs and the implementation of new programs. No hard lines are drawn separating the advocacy of new programs from the efforts to formalize and institutionalize them once they have been approved. Finally, social reform implies that policy formation is a continuous and ongoing process. No program is ever fully completed or absolutely dominant. Every program exhibits a life span and its demise is as much a part of that life as is its conception and establishment.

The remainder of this section will pose a vision of social reform in social policy. Such a vision reveals the implementation of social reform in Massachusetts youth corrections policy as the result of a series of recurrent social reform movements arising from general reform ideologies which serve to diffuse new problem formulations and responses across geographic and social policy areas. In order to develop this vision it is necessary to demonstrate, first, that new programs of response are the result of diffusion processes; second, that such diffusion processes are the product of organized social movements; and, third, that such social movements are rooted in social action which is organized by generalized belief in systems of reform. In the chapters which follow each of these assertions will be explored in detail.

Section III: Chapter C
DIFFUSION IN SOCIAL REFORM

1. The Diffusive Frame of Analysis. Neither the Massachusetts reform schools nor the non-institutional services arose without precedent. The reform school, the juvenile court, the child guidance clinic were all

innovations in Massachusetts youth corrections policy. But these innovations were not Massachusetts inventions. Instead, they were pieces of ongoing national and international social reforms where the implementation of any one such innovation was well recognized as related to previous innovations in youth correcting or other social policy areas. New ideas, practices or institutions which were innovations in Massachusetts were borrowed and adapted or copied from previous models. In many of these innovations the Commonwealth was seen as an early adopter. The implementation of an innovation in Massachusetts was frequently a key factor in determining the eagerness with which other state governments followed in adopting the innovation. But the adoption of policy innovations in Massachusetts was only one step in the larger process by which new innovations in youth correcting were developed and diffused throughout the world.

This chapter considers the origins of several of the innovations that appeared as reforms in Massachusetts youth corrections policy. The review employs a frame of analysis developed in anthropology for considering the processes by which innovations diffuse across or within cultures.¹

Where the frames of policy analysis focused upon decision making, the diffusive frame focuses upon the adoption of innovations. An innovation

¹Much of the early formations come from the work of Franz Boas, James Frazer and A. L. Kroeber. More recently, the paradigm underlying the diffusion school has appeared in other disciplines, notably political science, sociology and organization theory. The classical review of this literature is Everett M. Rogers, Diffusion of Innovations (New York: Free Press, 1962) which, aside from its title, focuses heavily upon the adoption process. A more recent review with particular emphasis upon organizational behavior is offered in Gerald Zaltman, Robert Duncan and Jonny Holbeck, Innovations and Organizations (New York: J. Wiley, 1973).

is here defined as any generative principle or pattern that is new to the unit of adoption.² In this study the unit of adoption is the aggregate of traditions and programs defined above as Massachusetts youth corrections policy.

The adoption of an innovation necessarily implies some type of social reform. In some cases such reforms may be only refinements and in others the adoption may signal a full transformation. It is possible for reforms such as personnel changes or client population changes to occur without alterations in any of a program's generative concepts. In such cases there is no innovation. Yet in each of the major changes noted in the case history, the transition in dominance from one program of response to another required the adoption of an innovation. Some innovations may be considered inventions. Inventions are a sub-type of innovation. While an invention is specifically intended to denote the creation of new material or organization, it is here marked as the adoption of generative concepts specifically created within the unit of adoption.³ Innovations

²H. G. Barnett defines innovation as "any thought, behavior or thing that is new because it is qualitatively different from existing forms." See Barnett, 1953, p. 7. This definition is more solid than more recent definitions because it defines newness. Yet it lacks the relativeness achieved by stating newness in terms relative to the unit of analysis. Everett Rogers and F. Floyd Shoemaker in Communication of Innovations: A Cross Cultural Approach (New York: Free Press, 1971) note: "An innovation is an idea, practice or object perceived as new by the individual. It matters little . . . whether the idea is 'objectively' new as measured by the lapse of time since its first use or discovery . . ." (p. 19). Accepting this meaning into Barnett's definition resolves the unit of analysis problem. What appears as an innovation in a particular institution may not appear as an innovation in terms of a state system of institutions or the set of similar institutions.

³Historians, in particular, are noted for exhaustive searches of records in attempts to locate the earliest appearance of an invention. Here we will be somewhat sloppy, only asking if an innovation was an invention within Massachusetts youth correction services or whether its adoption

spread across geographic areas by diffusion. Diffusion is a transmission process whereby generative concepts are transmitted from one unit of adoption to another.⁴ Diffusion requires a medium for transmission. In sociological terms such a medium takes the form of communication channels. A communication must flow through existing social patterns or networks in order for an innovation to diffuse. These social networks are a precondition of diffusion.⁵ A new principle or pattern may appear in a unit of adoption due to invention or diffusion . . . or tradition. Tradition need not require an adoptive decision. It is a conservative process whereby generative features persist through time.⁶ Herein lies the meaning of tradition as used in "practice tradition" or "theory tradition." The tradition refers to the maintenance of principles and patterns unaltered over time.

resulted from diffusion. They by "earliest" we will mean "earliest known within Massachusetts youth correction services."

⁴Kroeber defines diffusion as "the process, usually, but not necessarily gradual, by which elements or systems of culture are spread; by which an invention or a new institution adopted in one place is adopted in neighboring areas." See A. L. Kroeber, "Diffusionism," in The Encyclopedia of the Social Sciences, 3 (New York: Macmillan, 1937). Rogers is a bit more simplistic--"Diffusion is the process by which an innovation spreads." See Rogers, 1962, p. 13.

⁵An excellent study of the role of social networks in the diffusion of innovations can be found in James S. Coleman, Elihu Katz and Herbert Menzel, Medical Innovation: A Diffusion Study (Indianapolis: Bobbs-Merrill, 1966).

⁶Kroeber compares diffusion and tradition as fundamentally conservative processes in contrast to invention.

"As usually understood . . . tradition refers to the transmission of culture content from one generation to another of the same population; diffusion, from one population to another. Tradition therefore operates essentially in terms of time, diffusion in terms of space."

See Kroeber, 1937, p. 319.

Adoption is the last category of the diffusive frame. It suggests the process by which an adopting unit decides to accept an innovation as dominant policy. Typically, the adoption process is posed as a set of staged sequences including awareness of need and/or innovation, formation of attitude, decision to adopt and implementation of adoption.⁷ In this formation it is quite similar to the choice process in the rational frame of policy analysis. The adoption process is analogous to the policy formation process and it serves to set that process into its historical context. This perspective can be seen from the following examples taken from the case history.

2. The Asylum Program. The first appearance of the refuge/reform school prototype is an important structural innovation in youth corrections policy. Structurally, the State Reform School at Westborough was modeled upon the earlier refuges. The geographic separation was greater and the firm commitment to sex segregation was new, but these were only minor refinements. The Foster Commission had carefully sampled the opinions of several of the prominent social reformers of the day and studied the details of many existing institutions before recommending policy for the new reform school.⁸ In adhering closely to these opinions

⁷Rogers includes a trial or evaluation stage. See Rogers, 1962. Several authors also see a legitimation or routinization stage as well. See Thomas Robertson, Innovative Behavior and Communication (New York: Holt, Rinehart and Winston, 1971).

⁸The commission visited Houses of Refuge in New York and Philadelphia, the Boston House of Reformation and the Farm School, and surveyed many persons including Frederick Packard in Philadelphia, Daniel Chandler at South Boston, Francis George Shaw of West Roxbury, Samuel B. Woodward at Worcester and Theodore Lyman. See "Report of the Foster Commission," 1849.

and models, Foster and his fellow commissioners recommended policies which differed little from the best principles of the day. The final report of the commission, while sensitively drawn and carefully considered, is hardly innovative.

With little to differentiate the State Reform School from existing refuges in structure, there was little incentive to significantly alter the internal organization either. The appointment of William Lincoln as the first superintendent at Westborough only added to this absence of discontinuity. Superintendent Lincoln all but copied his earlier experience directly into the internal organization of the State Reform School. The open congregate system maintained in a single monumental building persisted.

Nor in practice did the refuge or reform school deviate far from existing models. Lincoln was a firm disciple of moral reform. He set up a graded honor system, maintained a rigorous daily schedule and minimized corporal punishment in a manner imitative of superintendents Wells and Chandler at the House of Reformation. The Westborough institution traced its concepts of practice directly back to the refuge: both the Boston House of Reformation and its antecedent, the New York House of Refuge.

Moral reformation first appears as self-conscious practice in youth correction policy under Superintendent Curtis in New York⁹ and Superintendent Wells in Boston. But the practice did not originate in youth corrections. Both Curtis and Wells were aware of moral treatment techniques used in contemporary mental asylums. Moral treatment likewise required a disciplined, well-ordered, affectionate and moralistic

⁹Curtis's philosophy of practice is well spelled out in Pickett, 1969.

behavioral setting.¹⁰ The origins of moral treatment grow from the earlier work of Philippe Pinel in France and William Tuke in England during the close of the eighteenth century. Pinel and Tuke and their contemporaries pioneered in releasing the lunatics and madmen from their confinement in dungeons and hospitals and providing a treatment based upon patience, kindness, guidance, and the building of a new morally ordered environment. This practice was first introduced in American mental asylums at New York's Bloomingdale Asylum which was separated from the parent New York Hospital in 1821. The practice soon spread to other hospitals including Massachusetts' McLean Asylum and Philadelphia's Friends' Asylum.¹¹ The efforts of Wells and Curtis, while innovations in terms of youth correcting services, were not inventions in terms of meliorative services or the new American Republic.

The State Reform School and the Boston House of Reformation both appeared during a major wave of institutional development that spread across several social service areas and most of the northeastern states. The period between 1820 and 1850 is marked by the construction of many large formal public service institutions throughout the new nation. Prior to 1820 there were less than five separate institutions for the mentally ill in America. Between 1820 and 1840 only Massachusetts, Vermont and Ohio opened public mental institutions. But in the next decade state

¹⁰For a thorough accounting of the theory of moral treatment, see Ruth Caplan, Psychiatry and the Community in Nineteenth Century America (New York: Basic Books, 1969).

¹¹Grob notes the important role of the Quakers and the writings of Benjamin Rush in transmitting these ideas from Europe to America. See Grob, 1973, pp. 40-44.

institutions for the insane were opened in Maine, New Hampshire, Georgia, New Jersey, Tennessee, Louisiana and Indiana.¹²

New York State opened the first prison organized upon the new penitentiary principles in 1819 at Auburn. Pennsylvania followed with its own plan at Pittsburgh in 1826 and Philadelphia in 1829. Thereafter, large state penitentiaries were opened in rapid succession in Connecticut (1827), Maryland (1829) and New Jersey (1830). Ohio and Michigan opened penitentiaries in the 1830's, and Indiana, Wisconsin and Minnesota followed during the next decade.¹³

In juvenile corrections this process of state institutionalization followed the same pattern. Prior to the 1820's there were no separate public institutions for criminal youth. The New York House of Refuge was established in 1824 and the Boston and Philadelphia institutions opened in 1826. The innovation did not immediately spread to other municipalities. But by the 1840's a second wave of institutional openings appeared. The Westborough facility was first in 1847, although that same year Rochester, New York opened a refuge. Refuges then opened in Cincinnati (1850) and New Orleans (1847), and during the 1850's they appeared in Providence, Baltimore, Pittsburgh, Chicago and St. Louis. The state reform school prototype also spread during this period with institutional openings in Maine (1850), New Hampshire (1852), Connecticut (1854), Michigan (1856), and Ohio (1857).

In the care of the indigent, in treating the mentally defective, in reforming the adult criminal and the wayward youth, the mid-nineteenth

¹²Grob, 1973, p. 112.

¹³This history is traced well in Lewis, 1922, and McKelvey, 1936.

century marks a major period in the growth of public institutions.¹⁴

Thus, the adoption of the institutional system of response in Massachusetts youth corrections policy was less a unique event than it was an important step in the wider process of the diffusion of the institutional response to the social problems of deviance and dependency.

3. The Supervised Placement Program. Where Massachusetts youth corrections can lay only small claim to originating the institutional system, it has more claim with the non-institutional form. The supervised placing out practice initiated under State Visiting Agent Gardiner Tufts was actually inspired by the advocacy of Samuel Gridley Howe. Not only did Howe campaign long and hard for the system when it finally was approved by the legislature, it was set up under the Board of State Charities where Howe served as secretary.

Howe, for his part, was greatly inspired by the work of Charles Loring Brace, the secretary of the New York Children's Aide Society. After its founding in 1853, the New York agency pioneered in the placing out of New York City's wayward and vagabond children into the homes of Midwestern farmers. While sharing Brace's views on youthful misbehavior, Howe never advocated the extreme distance of the New York placements. Instead Howe turned to other Massachusetts prototypes.

¹⁴It is the relative frequency with which such institutions appeared during this period that brings Rothman to cite these years as "the age of the asylum." See Rothman, 1971, p. xiv.

¹⁵For an excellent review of this system, see Miriam Langsam, Children West: A History of the Placing-Out System in the New York Children's Aide Society, 1853-1890 (Madison: University of Wisconsin Press, 1964).

For one, there was the placement system of the Children's Mission to the Children of the Destitute which began operation in 1849. The Children's Mission, founded by Unitarian clergymen and maintained by Sunday school donations, provided a temporary home from which children were placed in jobs and foster homes.¹⁶ Where the Children's Mission did not technically care for criminal children, the Boston Children's Aid Society, which was established in 1864, did. Unlike its New York counterpart and more like the Children's Mission, the Boston Children's Aid Society maintained a home at Pine Farm where children were housed temporarily, disciplined and trained before being placed out. The Boston Children's Aid Society, soon after its opening, established a special working relationship with the Suffolk County Court where Rufus R. Cook, Chaplain of the Suffolk County Jail, agreed to act as agent to the Society. Cook maintained an informal probation system for children brought before the court and as agent for the Society, was frequently able to divert wayward children from the court to Pine Farm. As the informal probation officer to the court, Cook was actually the successor of John Augustus, the man who is credited with the invention at the Suffolk County Court of the first court probation system in the country.¹⁷

¹⁶Mennel, 1973, p. 41.

¹⁷In August of 1841, John Augustus (1785-1859) happened to be in one of Boston's municipal courts where he noticed "a ragged and wretched looking man" in court as a "common drunkard." As an abstainer, Augustus approached the man, found him contrite and willing to reform, and persuaded the judge to release the man into his supervision. Thus, John Augustus began his career as the first court probation agent in the nation. At first he accepted only drunkards, but soon he began to aid juveniles. In 1843 he accepted responsibility for an eleven year old boy and two little girls. See Hawes, 1971, p. 174.

Thus, the origin of the non-institutional system of response to wayward youth actually did develop within the Massachusetts context. The innovation grew slowly from the early court probation efforts of John Augustus, through the placement system of the Boston Children's Aid Society, into a prototype which attracted the admiration of Samuel Gridley Howe who fought to establish it under the State Visiting Agent. There Gardiner Tufts developed it into the efficient and effective service which under State Superintendent of Visitation, Walter Wheeler, would become the often imitated "Massachusetts system."

Like the institutional program of response, the non-institutional program was not merely an innovation in practice or structure, but rather, was new in its entirety. Moral education and the moral degeneracy paradigm made the old apprenticeship system an innovative new response to youthful misbehavior. This explicit combination of responses appeared as an "invention" in Massachusetts. Recognizing the success of the "Massachusetts system," state after state modeled their non-institutional approach after the Commonwealth and the concepts diffused outward throughout the country and across the Atlantic.

4. The Juvenile Court. Massachusetts has an early claim to the establishment of a separate court for children, but the invention did not catch on. Instead, Chicago claims the birthplace of the juvenile court and the Boston Juvenile Court resulted from a clear diffusion process. In 1899 the Illinois legislature, under pressure from activists in the private child welfare organizations of Chicago, accepted a bill drawn by the "Juvenile Court Committee" of the Chicago Bar Association. After a

lengthy debate, the legislature passed "an act to regulate the treatment and control of dependent, neglected and delinquent children" which established a separate court for minors in Cook County.¹⁸ A year later Judge Benjamin D. Lindsey set up an informal juvenile court in the Arapahoe County Court at Denver. Judge Lindsey, Judge Richard Tuthill, first judge of the Cook County Juvenile Court, and Timothy Hurley, the chief probation officer at Chicago, became travelling missionaries in an effort to establish juvenile courts throughout the nation. The diffusion literally swept the states and by 1917 juvenile court legislation had been passed by all but three states.¹⁹ The law enacted by Massachusetts in 1906 clearly reflects Judge Lindsey's influence as the preamble is almost a duplicate of the Colorado law of the time.

Although the juvenile court prototype found easy adoption in the liberal Boston setting, it did not readily diffuse into the hinterland. While several government studies suggested establishing other juvenile courts in Massachusetts, for the most part the judicial community remained satisfied with the various "juvenile sessions" associated with municipal, police and district courts.

5. The Child Guidance Clinic. Like the juvenile court, the juvenile guidance clinic was invented in Chicago, not Boston, and appeared in Boston as the second such clinic to be set up in the country. This diffusion resulted from the efforts of Judge Baker, Judge Cabot and other prominent

¹⁸Excellent studies of this event can be found in Platt, 1969, and Hurley, 1907.

¹⁹Platt, 1969, p. 10.

Bostonians to attract Dr. William Healy to Boston.²⁰ Healy had been the central figure in the development of the Chicago clinic and it was his move to Boston which transferred the idea and implanted it in Massachusetts soil.

The Judge Baker Foundation and the child guidance clinics in Massachusetts were but one response to a long-recognized problem in youth corrections policy. The child guidance clinic was a response to the problem of mental defectives in the court population which had been paralleled by other responses to the same problem in the institutional resident population. The problem of mentally abnormal children in the reform schools is first noted in the reform school annual reports of the 1880's. Superintendents such as Allen and Chapin simply noted that mentally abnormal inmates were a problem and should not be committed to reform schools. Little seems to have been done until the turn of the century when the Fernald study was carried out.

The first response to the long-recognized problem did not occur until 1900. In that year the first girls from Lancaster were transferred to the Massachusetts School for the Feebleminded. Such diversion collapsed as an effective response as quickly as it arose. The institutions for the feebleminded were overcrowded and the reform schools themselves were forced to resolve the problem internally. In 1902 a separate cottage for defective girls was set up at Lancaster. While the problem continued

²⁰This social network included in addition to Judge Frederick Cabot, J. Prentice Murphy, the director of the Boston Children's Aid Society; Jessie Hodden, the Superintendent of the State Women's Reformatory; Herbert C. Parsons, the Commissioner of the State Probation Commission; Edith Burleigh, the Superintendent of the State Girls' Probation Department; and Francis Stern, Director of Food Services at the Boston Dispensary. See Lubove, 1965, p. 90.

to plague the Lyman School as well, the separate cottage approach was not adopted there until 1916. The in-house mental hygiene clinic set up under Dr. Manly Root during the 1930's was the third response to this same problem. This clinic was modeled upon the same generative principles as the court-based child guidance clinics of the 1920's.

The clinic, like the court, did not originate in Massachusetts, but the Commonwealth was in both cases the second adopter. After the adoption, the institution became a major model in determining the character of future diffusion. During this period the social reformers of Chicago, particularly those around Jane Addams and Hull House, provided the national focus of innovation in youth corrections, but the reformers of Massachusetts were early followers and the spirit of innovation was only slightly less than a half century earlier.

6. Deinstitutionalization and the Community-Based Services.

Massachusetts does stand first among the states in its commitment to total "deinstitutionalization" of the youth corrections system. The 1972 decision to close all of the custodial institutions was the first such policy to appear in American youth corrections. The 1967 U.S. President's Crime Commission report had called for "community-based corrections,"²¹ but the total state conversion to "purchase-of-service" community-based services envisioned a qualitatively different prototype. In general, the popular policy of the late 1960's was to develop a mix of correctional treatment facilities. Community-based correctional facilities were to

²¹ "U.S. President's Crime Commission Report," 1967, pp. 165-171.

augment and relieve, but not replace, custodial institutions. This notion was borrowed from the more advanced developments on-going in mental health.

Following World War II, a new wave in theoretical writings on mental health practice developed the concept of "community psychiatry" as a new preventive approach to mental illness in the community.²² This thesis, plus the widespread availability of psychotropic drugs, which made it no longer necessary to confine many mental patients, created a momentum away from the large custodial institutions. Under pressure from the National Association for Mental Health and the National Institute of Mental Health, the Congress established the Joint Commission on Mental Illness and Health in 1955 to review state efforts in providing mental health services and to provide federal recommendations. In the final report, the Joint Commission recommended the establishment of community mental health centers for "reducing the need of many persons with major mental illness for prolonged or repeated hospitalization."²³ In February

²²The initial ideas were generated in the writings of Karl Menninger, Eric Lindeman and Jerome Frank. These ideas were refined and developed into the "community mental health" ideology by Gerald Caplan, Elaine Cummings and Leonard Duhl. For a review of the history see David Mechanic, Mental Health and Social Policy (Englewood Cliffs: Prentice-Hall, 1969).

²³Upon receiving these recommendations, President Kennedy appointed a cabinet level task force under Anthony Celebrezzi, then Secretary of Health, Education and Welfare. It was this task force that gave voice to the deinstitutionalization policy.

"From its beginning, the Celebrezzi Committee favored a radical break with the past and the creation of an alternative service system, for the most part independent of the mental hospital system. Disregarding those recommendations of the Joint Committee that suggested improving state hospitals, the Committee pressed for the translation of the community care ideology into practice..."

See Franklin D. Chu and Sharland Trotter, The Madness Establishment: Ralph Nader's Study Group on the National Institute of Mental Health (New York: Grossman, 1974), p. 17.

of 1963 President Kennedy delivered to Congress his "Message on Mental Illness and Mental Retardation," throwing his support behind the community mental health bill, then under draft.

With this as impetus, community care in mental health services became the priority policy across the states. In retrospect, the innovation can be seen as a reaction to contemporary conditions:

The community care ideology developed from the growing realization that the mental hospital, as it existed, did much to isolate the patient from his community, to retard his skills, and, in general, to induce a level of disability above and beyond that resulting from the patient's condition.²⁴

This same reaction appeared around other institutional services, particularly juvenile reform schools. Throughout the late 1950's and 1960's there was a series of influential exposés and critiques of existing conditions in the nation's youth corrections institutions.²⁵ The criminology of the late 1960's was filled with critiques of the institutional approach to deviance. Alternative community-based services were appearing throughout the country, particularly for the care and rehabilitation of young drug abusers and runaways. The new generation of social welfare professionals was decidedly anti-institutional, idealistic and committed to informal milieu or "rap" therapy. The halfway house and group home were seen as the wave of the future.

²⁴Mechanic, 1969, p. 82.

²⁵See Albert Deutsch, Our Rejected Children (Boston: Little, Brown, 1950). In 1967 James Howard, a Christian Science Monitor reporter, toured various facilities and wrote a popular critique in Children in Trouble: A National Scandal (New York: David McKay, 1969). In 1965, the New York Times Magazine article reviewed the statistics on reformatory failures and brutalities and called the conditions a crisis. See New York Times Magazine, November 21, 1965.

Pre-trial diversion, pre-commitment alternatives, and youth service bureaus increasingly came to be seen as priority policy. California developed the Probation Subsidy plan, Minnesota commissioned an extensive program of depopulation and community care facilities, and Kentucky attempted several institutional closings. The formalization of the problem in Massachusetts was a result of a much wider attitude prevalent throughout many of the states. Moving toward a community-based service system was distinctly an anti-institutional policy and closing the institutions soon achieved the policy label deinstitutionalization. A new policy was born. Massachusetts youth corrections became the most committed adopter of the deinstitutionalization strategy and other states watched to evaluate the consequences in consideration of their own adoption.

7. The Diffusion of Social Problems and Social Response. Each of these cases illustrates a major reform in Massachusetts youth correction policy. Each reform required the adoption of a response or set of responses which were innovations in policy. In only one case, the case of the non-institutional system, is there evidence that the generative concepts were actually invented in Massachusetts and in this case, the development of the program of response was clearly affected by events in New York and Europe. In each of the other cases the generative features of the innovations owed much to earlier developments in other places or other areas of social policy.

In three of the cases reviewed here, the innovation first appeared in other states, particularly New York and Illinois, and arrived in Massachusetts with the Commonwealth as second adopter. In several

other cases Europe served as the source of innovations which diffused into Massachusetts policy.²⁶ In three of the cases reviewed, the innovations first appeared in other service areas. The practice of institutional moral treatment, the child guidance clinic and the community-based services all appeared first in the care and treatment of the mentally ill. The diffusion into youth corrections often took over a decade. Further innovations often appeared under private auspices first, with the state adopting prototypes only once the risks proved minimal.²⁷ The original refuges were either private or municipal. The early visiting systems were first tried in private agencies and the child guidance clinics also began in the private sector. In each case, Massachusetts youth correction policy stood as a unit of adoption for ideas generated elsewhere.

Viewing the reform of policy in this diffusive frame of analysis provides an historical context to the Massachusetts events, elucidates the origins of policy innovations, and frees the analysis of policy from the constricted focus on decision-making which the frames of policy analysis mandate. The diffusion of social policy reforms from state to

²⁶The cottage system of internal organization which, after its adoption at Lancaster in 1855, became a model for the nation, was first developed at the Rauhe Haus in Germany in 1833 and later at Frederick Auguste Demetz's famous institution at Mettray, France. The ideas were transferred to American soil through the travels of Mary Carpenter and Horace Mann. See Mass., Board of State Charities, 2nd A.R., 1866, p. 125. The Nautical School was developed along lines similar to the Liverpool School Ship aboard the "Akbar" in England. See Mass., Board of State Charities, 1st A.R., 1865, p. 233. The Ling system of physical training and the Sloyd system of manual training, both popular in the reform schools of the 1890's, were consciously imported from Sweden.

²⁷Although Massachusetts was not as resistant as other states, both the Boston House of Reformation and the State Reform School were the first public institutions of their type.

state has been considered by several other writers, but none of these studies has attempted to interlace the diffusion of problem formulations with the diffusion of resolutions.²⁸

Problems do not always arise from the perceived needs within a given system of response. The awareness of problems and the formation of the problems themselves may diffuse across states much as social resolutions do. Problem formations, like the resolutions that resolve them, have historical determinants. The formulation of a problem in Massachusetts seemed affected in both timing and content by problem formulations in other places and other areas of social policy. The need for a public house of refuge and later a state reform school occurred during a very active period of institution building in several different social service areas in most of the states along the Eastern seaboard. The problem of reform schools beset with mentally defective youth was commonly recognized in many other states as well, long before the clinic became common as adjuncts to courts and correctional institutions. Some social

²⁸Two early attempts can be found in Ada J. Davis, "The Evolution of the Institution of Mothers' Pensions in the United States," American Journal of Sociology, 35:573-587 (1930), and Edgar McVoy, "Patterns of Diffusion in the United States," American Sociological Review, 5:219-227 (1940). E. H. Sutherland's study of the spread of sexual psychopath laws in the 1940's is the only study to consider directly criminal justice policy. See "The Diffusion of Sexual Psychopath Laws," American Journal of Sociology, 56:144-156 (1950-1951). In 1969, Sharkansky published his study of the regional affinity of geographical sub-sets of states. One type of evidence he used was the similarity of policy and the common history of its adoption within each region of states. See Ira Sharkansky, Regionalism in American Politics (Indianapolis: Bobbs-Merrill, 1969). Jack Walker has carried this further in disaggregating policy decisions into types and analysing diffusion of types of policy innovations across states. He finds several cohesive regional groups and several "leagues" of non-contiguous states. See "The Diffusion of Innovations Among the American States," American Political Science Review, 63:880-899 (1969).

problems such as the intermixing of children and adults in correctional facilities and the long-berated failure of the reform schools to successfully reform were recognized long before successful responses were adopted. In such cases the recognition of the problem and its formulation diffuse across units of adoption in a fashion similar to the diffusion of resolutions.

In other cases, problem formulation and resolution formulation appear to diffuse jointly. In such cases, there appears to be a close correspondence between the advent of a new response pattern in one state and the recognition in other states of a problem so formulated that that particular response is the best resolution. Such resolutions have almost a fad-like quality.²⁹ Their adoption among states takes on the character of emulation and competition.³⁰ The historical relationship between New York, Illinois and Massachusetts (and more recently, California) has this character. In some cases, adoption may occur where the problem was barely recognized. The most blatant example is the juvenile court. During the 1870's, Massachusetts established and dismantled a juvenile court system on the basis that the problem--youth being tried in adult courts--was not a problem worth that particular response. Thirty years later,

²⁹The disturbing quality of this situation has been drawn out by political scientists studying the rather inappropriate adoption of dense Eastern forms of local government into the sparsely settled and arid states of the Great Plains. See Herman Walker, Jr. and Peter L. Hansen, "Local Government and Rainfall," American Political Science Review, 40:1113-1123 (1946).

³⁰Such processes have also been noted as factors in urban policy innovations. See Robert L. Crain, "Fluoridation: The Diffusion of an Innovation Among Cities," Social Forces, 44:467-476 (1966), and Thomas M. Scott, "The Diffusion of Urban Government Forms as a Case of Social Learning," The Journal of Politics, 30:1091-1108 (1968).

Massachusetts adopted a juvenile court and separate juvenile sessions with almost no legislative study to determine the nature of the problem. Instead, a policy which proved successful in Chicago was all but stamped across the nation's legislatures, with Massachusetts proud of her second adopter status.

In summary, innovations appear in both problem formation and response formation. In some cases they diffuse separately; in other cases, they diffuse as an integrated unit. The diffusion of problems and responses sets the historical background for the adoption process. The adoption process takes the form of policy decision-making in that it can be the result of a choice or series of administrative negotiations. Inventions of problems or response types do occur but they are typically greatly indebted to existing principles and patterns. Massachusetts youth corrections policy has been the locus of several such policy inventions. The adoption of an innovation in Massachusetts has been only one event, although an important one, in the larger collection of events which make up the biography of youth corrections policy.

The diffusive frame of analysis reveals the adoption of an innovation within the historical perspective of its transmission from invention through each of its adoptions, but this way of seeing social reform does not provide a social embodiment for the mechanics of diffusion. The maintenance of tradition has been seen as requiring a social institution organized around a particular program of response. Diffusion requires a social reality as well. Some social unit is required for the analysis of the mechanics of diffusion. The following chapter will consider social movements as the social manifestation of diffusion in the process of social reform.

Section III: Chapter D
SOCIAL REFORMS AS SOCIAL MOVEMENTS

1. Social Movements in Youth Corrections. The process of diffusion requires as a precondition the existence of a social network. But the diffusion process in social reform is not a random or accidental event. Its occurrence is the result of concerted social activity on the part of persons within that social network. Such social action requires social organization. Some social unit must act as a means by which problem and response concepts are propelled along social networks. Such a social unit can be described as a social movement. Social movements provide the organizational means by which new generative concepts are diffused across geographic and social policy areas. These social movements are critical to the processes of social reform.

The functioning of social movements is evident in the social reforms of youth corrections policy. For instance, a social movement appears in the early years of the refuge. The opening of the House of Refuge in New York City resulted from the efforts of an organized group of doctors, lawyers and philanthropists within the New York Society for the Prevention of Pauperism.¹ This group included men such as John Griscom, a noted educator who had toured European youth institutions, James Gerard, a young lawyer, Cadwallader Colden and Stephen Allen, both former mayors, Isaac Collins and John Pintard. In 1823 this group split from the parent

¹Robert Pickett's study of these events is the most complete, though it is quite narrow in conception and loose in construction. See Pickett, 1969. For a briefer and equally light rendition see Hawes, 1971, chap. 3.

Society and formed a separate organization, the Society for the Reformation of Juvenile Delinquents, to plan and advocate the establishment of a separate institution for wayward and vagrant youth. In so doing they formed a coalition with the Almshouse Commissioners and within a year they prevailed upon the state legislature to authorize (later to fund) the New York House of Refuge.

With the opening of the institution the group's influence spread rapidly, largely facilitated by the social network of the Society of Friends.² Griscom was a Quaker and a close friend of fellow-Quaker Thomas Eddy, a leading prison reformer. John Pintard and Isaac Collins were also Quakers. In 1828 Collins moved to Philadelphia. There he became involved with Robert Vaux and other Quakers of the Philadelphia Society for Alleviating the Miseries of the Public Prisons in their plans for the Philadelphia House of Refuge.³ Louis Dwight of the Boston Prison Discipline Society, although not a Quaker, maintained close contact with these New York and Philadelphia social reformers.⁴ Through the Prison Discipline Society he supported and encouraged the growing refuge movement in Boston. The movement in Boston was organized around Mayor Quincy and included Louis Dwight, City Marshall Benjamin Pollard, Ralph Waldo Emerson and the noted physician, William Alcott.

²"The movement to establish the House of Refuge, and its management after it opened, was guided by Quaker reformers who had gained prominence through earlier works of charity and reform," notes Sanford Fox, who goes on to observe, "An important factor accounting for the judgement of traditional history that the House of Refuge was a great achievement in child welfare and a benevolent reform in juvenile penology was the reputation acquired by the Society of Friends." See Fox, 1970, pp. 1188, 1202.

³Mennel, 1973, p. 4.

⁴See Boston Prison Discipline Society, 1st A.R., 1825.

This New York-Philadelphia-Boston network of social reformers, many of whom had close personal ties through the Society of Friends and all of whom professed a common interest in establishing refuges for wayward youth, composed a social movement. For some five years from 1823 to 1828 this social movement guided the establishment and development of America's first houses of refuge.

Several authors have identified the diffusion of the juvenile court idea with the existence of a social movement.⁵ This movement is seen as developing from a broader "child saving" movement that arose among Chicago's social reformers and charity workers in the late nineteenth century. The movement coalesced around the Chicago Women's Club in 1893. It formulated its position during the debates of the 1898 Illinois Conference of Charities. From a growing critique of the John Worthy School, the Chicago House of Correction section for delinquent boys, the analysis developed into a drive to establish a separate juvenile court so that children "might be saved from contamination of association with older criminals."⁶

The social network of prominent Chicago women was critical to the early part of the movement. Jane Addams, Julia Lathrop, the Abbott sisters and Florence Kelly were all active in and around Hull House.

⁵Anthony M. Platt states "The juvenile court system was part of a general movement directed toward removing adolescents from the criminal law process and creating special programs for delinquent, dependent and neglected children." See Platt, 1969, p. 10. In particular see his "The Rise of the Child Saving Movement: A Study in Social Policy and Correctional Reform," The Annals of the Academy of Political and Social Science, 381:21-38 (1969). See also Fox, 1970, p. 1222; Mennel, 1973, p. 134; and Caldwell, 1961, p. 495.

⁷Quoted by Platt from a Chicago Women's Club report. See Platt, 1969, p. 129.

Louise de Koven Brown was the link between Hull House and the Chicago Women's Club where Lucy Flower and Mrs. Perry Smith were the central figures in the campaign.⁷ In attempting to broaden the base of advocacy the women pressed the Chicago Bar Association into coalition. Judge Harvey Hurd of the Bar Association drafted a bill to be carried to the legislature. With the effective lobbying of men such as Timothy Hurley of the Catholic Visitation and Aid Society, and Hastings Hart of the Children's Home and Aid Society, the bill was easily passed into law in 1899. But the movement did not then die. Instead, it attracted national figures including early juvenile court judges such as Richard Tuthill in Chicago, Benjamin Lindsey in Denver, and Harvey Baker in Boston. Of these, Judge Lindsey became a veritable missionary in the movement, traveling and lecturing extensively throughout the country.⁸ Along with Tuthill, Baker and Hurley, who had been appointed Chief Probation Officer in Chicago, Judge Lindsey maintained the central focus of a social movement organized to establish juvenile courts in every state.

2. Social Movements as a Frame of Analysis. It is not uncommon to think of social reforms in terms of social movements. The activities of the Populists and the Progressives at the turn of the century are commonly characterized as social reform movements. Particular reform efforts, such as those associated with temperance, women's suffrage, Free Silver and

⁷The social network is well documented in James W. Linn, Jane Addams: A Biography (New York: Appleton-Century, 1935).

⁸In 1902 Judge Lindsey presented lectures in Detroit and Kansas City; in 1903, in Atlanta; in 1904, throughout California; and in 1905, in St. Louis. See Hawes, 1971, pp. 241-243.

social security, are typically referred to as movements.⁹ Some historians have employed the concept of social movements as an organizing category for examining the social history of the United States.¹⁰ Yet, throughout these various studies little effort has been made to consider the implications of using social movements as a frame for analyzing the material of their study. There does exist a reasonable body of literature, particularly in the field of sociology, which focuses on social movements as a subject of analysis, and that literature is useful to review here.

Not all social movements can be considered social reform movements. Some social movements arise to resist reform or to bring about changes much more fundamental than that which could be called policy reform. Yet the history of reform efforts in social policy frequently reveals the existence of a form of social organization which could be called a social movement.¹¹ Social movements are here defined as collective enterprises

⁹An excellent study linking social reform and social movements is Joseph R. Gusfield's Symbolic Crusade: Politics and the American Temperance Movement (Urbana: University of Illinois Press, 1963).

¹⁰Roberta Ash in her Social Movements in America (Chicago: Markham, 1972) reviews the social movements which marked each of six periods of American history. Thomas H. Greer surveys the history of reform movements among farmers, workers and the middle class from 1865 to 1940 in American Social Reform Movements: Their Pattern Since 1865 (Port Washington, N.Y.: Kennikat Press, 1949).

¹¹In his analysis of the development of the state mental hospital in the mid-nineteenth century, Gerald Grob notes an identifiable social reform movement. See Grob, 1973. In the early development of the social work profession, Roy Lubove notes the importance of the charity organization movement. See Lubove, 1965. This movement is the focus of study in Frank D. Watson, The Charity Organization Movement in the United States: A Study in American Philanthropy (New York: Macmillan, 1922). Allen F. Davis discusses the critical contributions of the Progressive movement in his Spearheads of Reform: The Social Settlements and the Progressive Movement, 1890-1914 (New York: Oxford University Press, 1967). Lawrence Cremin identifies the role of a social movement in the development of progressive education during the twentieth century. See Cremin,

which arise in order to promote or resist change.¹² As a "collective enterprise" social movements fit within the conventional category of collective behavior. Social movements, by this definition, are a form of purposive social action which exhibit social structure, although, often, a loose and informal social structure. This loose social structure establishes social movements as a sub-type of social organization comparable to social institutions.¹³ But, whereas institutions exist to maintain traditions, movements arise to change or resist changes in traditions.¹⁴

1961. Finally, the civil rights movement of the mid-twentieth century is covered in Arthur I. Waskow, From Race Riot to Sit-in (New York: Doubleday, 1966).

¹²The alleged father of social movement analysis, Herbert Blummer, defined social movements as "collective enterprises to establish a new order of life." See his "Social Movements" in Studies in Social Movements: A Psychological Perspective, ed. Barry McLaughlin (New York: Free Press, 1969). Hans Toch, a social psychologist, is a bit more specific in defining a social movement as "an effort by a large number of people to solve collectively a problem they feel they have in common." See his The Social Psychology of Social Movements (Indianapolis: Bobbs-Merrill, 1965), p. 5. In their study of collective behavior Ralph Turner and Lewis Killian note the oppositional character of movements as well. For them a social movement is "a collectivity with some continuity to promote or resist change in the society or group of which it is a part." See their Collective Behavior (Englewood Cliffs: Prentice-Hall, 1957), p. 308.

¹³Whereas social movements are conventionally classified as a form of collective behavior along with riots, panics and crazes, functionalist analysis tends to dismiss them as episodic irregularities in an otherwise integrated institutional order. See the critique of Neal Smelser's theory of collective behavior in J. A. Banks, The Sociology of Social Movements (London: Macmillan, 1972). It is only in recent years that sociologists have begun to look at social movements as forms of social organization comparable in significance with social institutions. Tom Burns has recently stood the conventional image of social movements upon its head, viewing institutions as "epi-phenomena" of social movements. See his Organization and Organizations, London, 1974, unpublished paper.

¹⁴For movements which arise to resist reform see James W. Vander Zanden's study of desegregation resistance movements in the South in "Resistance

Four conditions are necessary for a social organization to be considered a social movement. These include 1) the existence of a self-conscious social network 2) which persists over a reasonable period of time, 3) which holds to a common purpose, and 4) which acts to promote or resist change. The collection of people need not be spatially proximate, but they should be reasonably conscious of one another. The time period may vary, but a year appears as a minimum. While the general purpose may be elaborate or simple, unified or dissonant, broadly consensual or frequently debated, at minimum it must include the promotion of or resistance to change. Yet it is not enough simply for a social movement to exist; it must sponsor action. This action must be intended to mobilize public sentiment, influence public action, legitimate a particular cause or impede on-going public processes.

These criteria make no note of the degree of organization that must be manifest in a social movement. Both the general "child saving movement" of the late nineteenth century and the Massachusetts Society for the Prevention of Cruelty to Children would meet these standards, yet they differ significantly in their degree of formal organization. In his classic essay on social movements, Herbert Blummer distinguished two types of movements: the general and the specific.¹⁶ In order to differentiate

and Social Movements," Social Forces, 37:312-315 (1959) and Harold Fleming's study of the same subject reported in "Resistance Movements and Racial Desegregation," The Annals of the American Academy of Political and Social Science, 304:44-52 (1956).

¹⁵For an excellent textbook approach see John Wilson, Introduction to Social Movements (New York: Basic Books, 1973).

¹⁶Blummer, 1969, p. 8. Blummer identifies a third type in his analysis: the expressive social movement. Because expressive social movements are not defined in terms of social change they are not considered here.

the two types, Blummer postulates a continuum of collective behavior which is differentiated by degree of organization. At one end lies "the cultural drift" which is too ill organized to be considered a social movement. A "general social movement" exhibits a rudimentary structure and a "specific social movement" exhibits a more highly formalized structure. More recent formulations of this typology have added a fourth, even more organized type, which is called the "movement organization."¹⁷ In this typology the child saving movement would be a general social movement and the Massachusetts Society for the Prevention of Cruelty to Children would be a movement organization. This typological hierarchy is useful in explaining how social movements function.

3. The Functions of a Social Reform Movement. The diffusion of a new policy tradition and its rise to dominance requires the mobilization of many individuals. Some people must invent new concepts; some must communicate the concepts; some must be attracted to the concepts; and some must become convinced and accept the new concepts as dominant policy. A social reform movement serves as the mechanism for mobilizing, organizing and coordinating these many individual efforts.

For example, when the Commonwealth Fund approached the National Committee for Mental Hygiene in 1920 proposing the joint sponsorship of a national delinquency prevention program, the psychodynamic thesis was well established as a major contender for policy dominance in delinquency prevention. William Healy's writings were widely read and the private

¹⁷Mayer N. Zald and Roberta Ash, "Social Movement Organizations," Social Forces, 44:327-341 (1966).

clinics associated with the Chicago and Boston courts offered well developed prototypes for a nation-wide program. The basic ideas for the new program had already been "invented"; the major task was one of diffusion.¹⁸

In January of 1921 a planning conference was organized at Lakewood, New Jersey, and Healy and Augusta Bronner were invited to participate. The five year demonstration program for the "Prevention of Delinquency" that emerged was clearly built upon the pioneering work of the Boston couple. The core of the program centered upon the development of demonstration "child guidance clinics" in eight different cities and the establishment of a Bureau of Children's Guidance at the New York School of Social Work to provide technical training and support for the clinics.¹⁹ The demonstrations proved to be a remarkable success. The clinics became centers for technical consultation and training and, by 1927, when the program was completed, it is estimated that there were some 102 similar clinics established throughout the country.²⁰ In Massachusetts child

¹⁸Psychiatric social work had already been established with professional training programs opening at the New York School of Social Work in 1917 and Smith College in 1918. Observing this the Levines note "the model which was to be propagated in the 1920's was a model developed in the previous generation. The Fund intended to direct its efforts to adding to the resources already available in the field." See Levine and Levine, 1970, p. 238.

¹⁹The Levines' study suggests that the term "child guidance" was selected to avoid the sickness stigma of psychiatry. See Levine and Levine, 1970, p. 236 fn. Other histories of these events can be found in Lubove, 1965, pp. 89-100; George S. Stevenson, "Child Guidance and the National Committee for Mental Hygiene," in Orthopsychiatry, 1923-1948: Retrospect and Prospect, ed. Lawson Lowrey and Victoria Sloan (New York: American Orthopsychiatric Association 1948).

²⁰Lawson G. Lowry and Geddes Smith, The Institute for Child Guidance, 1927-1933 (New York: Commonwealth Fund, 1933).

guidance clinics were established in Springfield in 1938 and in Worcester in 1934. Such child guidance clinics as these aided the diffusion of the psychodynamic thesis into the juvenile sessions of the Commonwealth courts, into the reform schools and into the many private child protective agencies. Further they served as models for the establishment of "habit clinics" advocated by Dr. Douglas Thom to address the behavioral problems of younger children.²¹

In 1923, Healy joined with other leading child psychiatrists and counseling practitioners to found the American Orthopsychiatric Association and launching its professional journal, the American Journal of Orthopsychiatry. The child guidance principles developed by Healy, Herman Adler, Healy's successor at the Chicago Institute for Juvenile Research, Bernard Glueck, medical director of the New York Bureau of Children's Guidance, and David Levey were diffused throughout a broad international audience through this professional association and the pages of the new journal. By the 1930's most of the major juvenile courts had access to psychological clinics and psychologists, psychiatrists and their clinics were rapidly becoming standard components in the structure of progressive youth corrections facilities across the country.

The process by which the child guidance program or response diffused from the early efforts of William Healy at Chicago and Boston fits well the criteria of a social movement. An identifiable collection of people who persisted over some ten years performed a whole series of actions in order to promote the psychodynamic thesis, child guidance practice and child guidance clinics as the preferred policy for responding to delinquent

²¹Mass. Child Council, 1939, p. 95.

youth. What began as an invention in Chicago and Boston gained popularity and acceptance among juvenile judges and child protection practitioners. They formulated a general movement. Between 1915 and 1921, Adler in Chicago, and Healy and Bronner in Boston refined the two model clinics and Healy published his major treatise. During this period the social problem of juvenile delinquency was reshaped by the psychodynamic thesis and the social response was recast by the principles of psychiatric practice, psychological testing and the clinic prototype. An emergent program appeared which was new and attractive but vague. A formal program statement was yet required. The Lakewood Conference and the Commonwealth Fund's program were significant in converting the general movement into a specific movement. The Lakewood Conference report refined the emergent program into a formal program statement. Healy, Bronner, Adler, Glueck, Levy and Salmon emerged as core figures in the movement. During this period significant diffusion of the principles and patterns occurred as clinics appeared throughout the nation and professional schools seriously began to train practitioners in the principles of child guidance. Specific movement organizations appeared as the National Committee for Mental Hygiene established a separate Division on the Prevention of Delinquency and the American Orthopsychiatric Association was founded. By 1926 a specific social reform movement was in full swing.

The emergence of a specific social movement from a general social movement is characteristic of social reform movements. Herbert Blummer notes this dynamic as a component of his typology:

Indeed a specific social movement can be regarded as the crystalization of much of the motivation of dissatisfaction,

hope and desire awakened by the general social movement and the focusing of this motivation on some specific objective.²²

Thus, there appears a progression, or "career" in Blummer's terminology, of social movements from less organized forms to more organized forms.

The career of a social movement depicts the emergence of a new order of life. In its beginning, a social movement is amorphous, poorly organized and without form. . . . As a social movement develops it takes on the character of a society. It acquires organization and form, a body of customs and traditions, established leadership, an enduring division of labor, social rules and social values.²³

This notion of a developmental progression in organizational formality has been identified by other writers as following the canons of a "natural history."²⁴ Cultural drifts may spin off general social movements which in turn may generate specific social movements. Specific social movements, then, may develop movement organizations and social institutions. This latter form--the social institutions--although a natural projection of the tendency toward increasing organizational formality in the social movement progression, is a distinctly different form of organization than its social

²²Blummer, 1969, p. 11.

²³Blummer, 1969, p. 8. This notion of a career in social movements is not unique to Blummer. For further examples see Turner and Killian, 1957, p. 481, and Kurt Lang and Gladys Lang, Collective Dynamics (New York: Thomas Y. Crowell, 1961), p. 532.

²⁴A classic model is developed by Carl A. Dawson and Warner E. Gettys. A movement is seen as beginning in a "preliminary stage of social unrest," passing through a "popular stage of collective excitement" and a "stage of formal organization" and, finally, reaching a terminal point of "institutionalization." See their Introduction to Sociology (New York: Ronald Press, 1929), pp. 787-803. Crane Brinton's study of four political revolutions finds a comparable natural history. See his The Anatomy of Revolution (New York: Vintage, 1958). In the orientation taken here these stage-specific natural histories are too linear and mechanical. Instead, the emergence of one type does not require the demise of a more general type. Specific social reform movements exist in conjunction with more general social movements and cultural drifts.

movement antecedents. Some irrevocable boundary is crossed in the increasing formalization of the social movement whereby the organization is no longer a social movement directed toward change and is, instead, a social institution directed toward stability and persistence. Thus the Judge Baker Foundation, the Worcester Child Guidance Clinic and the Springfield Child Guidance Clinic all became stable institutions directed toward the delivery of services, rather than the diffusion of the generative concepts which had created them.

4. The Social Reform Movement as the Mechanism of Diffusion. It has already been suggested that the diffusion of the refuge prototype and the juvenile court prototype into Massachusetts youth corrections policy resulted from something like a social movement. The social network of reformers and philanthropists that refined the concepts and advocated and lobbied for their acceptance exhibited the requisite "we-consciousness," the duration, the common purpose and the direct action necessary to meet the definition of a social movement.

Social movements are evident elsewhere as well.²⁵ The introduction of vocational education into the late nineteenth century reform schools paralleled the reform efforts directed toward the elimination of the contract system of convict labor used and abused excessively in some states.²⁶

²⁵In reviewing his participation in the Roxbury Special Youth Project--which he calls the "Midcity Project"--Walter Miller writes: "For most of its staff members the Midcity Project had the character of a true social movement." See Miller, Baum and McNeal, 1968, p. 72.

²⁶Massachusetts juvenile reform schools never seriously developed this practice, although the adult prison and state reformatory did. For a critical discussion of its misuse see William Letchworth, Industrial Training of Children in Houses of Refuge and Other Reformatory Schools (Albany: Argus Co., 1883).

These reforms, led by William Letchworth and William Rineland Stewart of the New York Board of State Charities, merged with the growing vocational education movement in the public schools associated with Calvin M. Woodward at Washington University and John D. Runkle at the Massachusetts Institute of Technology. The movement attracted national figures in juvenile corrections such as Homer Folks of the Pennsylvania Children's Aid Society and Hastings Hart of the Russell Sage Foundation, who saw in vocational education a means of teaching reform school youth skills without the abuses of private contracts. The vocational education movement generated two conflicting specific movements--the industrial education movement and the manual training movement--whose ardent supporters in youth corrections waged serious debates within the state boards and the annual meetings of the professional conferences.²⁷

The vocational education movement which swept the education profession of the 1880's fits well the typology laid out by Blummer. The two specific movements were in every sense a "crystalization of much of the dissatisfaction, hope and desire awakened by the general social movement."

An even finer example of the social movement hierarchy is found in the child protection movement of the late nineteenth century. The general movement was recognized as child protection. There appeared two specific movements: one commonly called "child rescue" or "child saving"

²⁷ See, in particular, C. A. Gower, "Industrial Training in Juvenile Reformatories," Proceedings of the National Conference on Charities and Corrections (1888); A. J. Hutton, "Industrial School for Delinquents," and Guy C. Hanna, "Vocational Training in Boys' Correctional Institutions," Proceedings of the National Conference on the Education of Truant, Backward, Dependent and Delinquent Children, 13 (1916).

and the other, somewhat more recent in timing, concerned with "child advocacy" and community delinquency prevention. Each of the two specific movements produced even more highly organized movement organizations. In Massachusetts, the Boston Children's Aid Society, especially during its earlier years, represents well a child saving movement organization as do the Boston and Worcester Children's Friend Societies. The Massachusetts Society for the Prevention of Cruelty to Children, especially after the turn of the century, is the best example of a child advocacy movement organization. The child rescue movement was organized around people like Kate Garnett Wells, John H. Dixwell and Sarah W. Thorndike of the early Massachusetts Society. The child advocacy movement centered around practitioners such as Carl C. Carstens and Alice B. Montgomery of the Massachusetts Society and Judge Harvey H. Baker and Roy M. Cushman of the Boston Juvenile Court. The general child protection movement manifested an emergent program which viewed children as vulnerable, oppressed, abused and neglected. The program statement of the specific child rescue movement is revealed in the annual reports of the child rescue agencies.²⁸ The group homes and country farms of the various private charities were the resulting institutions of the child rescue movement. The formal statement of the specific child advocacy movement is embodied in annual reports like

²⁸For example, the quarter-century report of the Boston Home for Destitute Catholic Children concludes:

"It is a delicate duty to deprive parents of their children, and the work must be done with caution, and only in cases of necessity. . . . But, our duty demands that, while we appreciate the loss of the parents, we think of the gain to the children. We strive to keep our hearts tender, and to be as kind as a just enforcement of the law will permit."

See Boston Home for Destitute Catholic Children, Statement of the Work from Its Incorporation in 1864 to Its Quarter Century Celebration in May, 1889, Boston, Mass., 1889, p. 31.

those of the Massachusetts Society.²⁹ The juvenile court and the various local chapters of the Massachusetts Society are examples of the institutions created by the child advocacy movement.

5. Social Reforms as Social Movements. For each of the changes examined in the case history there exists evidence of a social reform movement which has functioned so as to diffuse new social problem definitions and new social response formulations across geographic and social policy areas. Typically, these social reform movements have displayed a developmental dynamic whereby general, loosely organized social action manifesting vague, emergent program orientations has created more formal, more coordinated, more effective social action rationalized by more formal, better argued program statements. These social reform movements have arisen from established social networks existing among professionals, practitioners, philanthropists and social activists. Often, the movements have served to develop those networks into formal associations and institutions. The institutionalization of a well organized social reform movement appears to divert the diffusion mission into a more stabilized delivery-of-service mission which no longer offers such high salience to the need for change. Instead, the associations and institutions which result as a social reform movement achieves policy dominance focus upon

²⁹For example:

"Child protection . . . attacks the various problems of serious child neglect and abuse from the standpoint of parental and community responsibility for care and protection . . . its agencies are equipped for the effective use of compulsion, discipline or punishment through a personnel trained in the use of the law."

Quoted in Hubbard, 1943, p. 38.

the implementation of a routinized and rationalized bureaucracy which guarantees its own self-maintenance. This process, this natural transformation of the social reform movement, is taken up in the next chapter.

Section III: Chapter E
THE ORGANIZATION OF SOCIAL REFORM MOVEMENTS

1. Movement Organization in Social Reform. The previous chapter has considered social reform movements as a mechanism which "appears" or "emerges" according to some unspecified developmental logic referred to as a "career." This analysis results from examining social reform using social movements as a unit of analysis. In order to understand how social reform movements develop it is necessary to decompose the movements into component units and examine their internal anatomy and the means by which they "work." This chapter considers the internal mechanics of social reform movements.

Social reform movements arise to diffuse new programs of response which are deemed necessary because old programs have failed. Yet

movements are not merely the result of conditions or "forces." Human action and human motivation are required to mobilize participants.¹ The increasing formalization of social reform movement organization occurs as social reformers attempt to broaden the acceptance of the movement, legitimize the new program of response and mobilize the discontent experienced by those dissatisfied with current policies. Social reformers, such as Quincy, Dwight, Lyman, Howe, Sandborn, Baker, Healy, and Miller, can not achieve social reform alone. They must convince others of the "rightfulness" of the new program of response. Where policy formulation is not the result of one central decision, many persons must be convinced of this "rightfulness." To do this, many more must be mobilized to accept and advocate the new program. The program must become popular.

The popularizing of a new program occurs at the expense of existing programs. For the new program to achieve dominance it must be accepted as better than existing programs. New programs develop most easily where existing programs are commonly held in disrepute.

New programs have a kind of "honeymoon" period immediately following their adoption. Enthusiasm for the new program runs high, overshadowing natural skepticism and potential detractors withhold their criticism or find that it falls on deaf ears. Typically, this honeymoon period does not endure. After a period, perhaps no longer than several months, the disjuncture between high expectations and low performance begins to appear and, thereafter, the program is supported with a certain

¹"The outcome is, then, never determined finally by remote variables, but it is always influenced by the processes of interaction which reflect the coming-into-being of the movement." See John Wilson, 1973, p. 90.

level of anxiety and discontent. Superintendent E. M. P. Wells' tenure at the new Boston House of Reformation demonstrates such a period of good will. For several years the institution had international praise and the sharp criticisms of members of the Common Council were ineffectual. As the honeymoon period receded these criticisms proved incisive and Wells resigned. Thereafter, the refuge was supported by an ambivalent public. In order to popularize a new program, it is necessary to build upon such popular ambivalence and mobilize the passive discontent into active unrest. This shift from potential impulse to overt action occurs during the emergence of a general social reform movement.²

The mobilization of participants requires the appearance of an identifiable group of social reform leaders advocating common programmatic concepts. These leaders may be either inventors of new program concepts as in the case of E. M. P. Wells, or disseminators of already invented concepts as in the case of Samuel Gridley Howe and Judge Harvey H. Baker, or a combination of both as in the case of William Healy.³ These social reform leaders articulate the program, advocate its adoption, and participate, if no more than symbolically, in the organizing of the social reform movement.

² "The major difference between discontent and unrest lies in the different interpretations given to the same objective situation. . . . The step from impulse to act is managed through the interpretation of discontents in a way that makes social activism an attractive way out. The shift from discontent to unrest is affected by a withdrawal of legitimacy from present social arrangements and the legitimation of non-institutional solutions." See John Wilson, 1973, p. 91.

³ Everett Rogers identifies three types of actors in the adoption process: innovators, opinion leaders and change agents. Innovators are "early adopters," opinion leaders are "individuals who are influential in approving or disapproving new ideas" and a change agent is a "professional person who attempts to influence an adoption decision in a direction that he feels is desirable. See Rogers, 1962, pp. 199, 209 and 254.

This is particularly the case with general movements. Without a formal dues collection association, there are no material incentives for participating in a social movement. It is true that for many practitioners the adoption of a new program as dominant policy may have long run material benefits in terms of future employment, but this potential accrues to individuals whether or not they participate in the social movement.⁴ Thus, individuals generally choose to participate in social reform activities for other than material gain. The shared objective of the social reform movement and the commitment to its "moral rightness" provide meaning to daily action or what can be called the purposive incentives of the movement. This clarity of sight and action attracts and recruits new participants. Thus, the attractiveness of "compellingness" of new concepts is a critical factor in maintaining the "moral commitment" of movement participants. The needs of individuals become subordinate to the needs of the movement. Thus, members of the Massachusetts Committee on Children and Youth, the Massachusetts League of Women Voters and the Massachusetts Parent and Teacher Association supported the deinstitutionalization without any sense of personal gain.

But purposive incentives are not all that mobilizes participants. Jerome Miller brought to the Department of Youth Services friends from Ohio. The central office in Boston was dominated by a closed clique of "insiders" all of whom shared in the halo of Miller's charisma. "Outsiders"

⁴This problem of inducing participation where the reward is a collective good equally available to participants and non-participants will be recognized as "Olson's dilemma of collective action." See Mancur Olson, Jr., The Logic of Collective Action (New York: Schocken, 1965), p. 21. This analysis of the "incentive systems" of social reform movements is informed by the model developed in Peter Clark and James Q. Wilson, "Incentive Systems: A Theory of Organizations," Administrative Science Quarterly, 6:129-166 (Summer, 1961).

within the department, in other government agencies and in the various private associations struggled to attract Miller and to receive his personal sanctions. Both "insiders" and "outsiders" were motivated by incentives of solidarity. Friendship, personal loyalty, admiration and a sense of being "in" on events of history provided further incentives for the mobilization of participants. Such solidary incentives are particularly salient for those participants most closely associated with social reform leaders. As the social distance increases between the leaders and movement participants, solidary incentives decrease in importance and participation is motivated primarily by purposive incentives.

Social reform leaders may rely on existing social networks as the early refuge advocates relied on the sectarian relationships of the Society of Friends, or they may organize separate new movement organizations for the single purpose of advancing the movement. The Boston Prison Discipline Society, the Massachusetts Society for the Prevention of Cruelty to Children and the Friends of Youth were all formal organizations specifically set up as movement organizations. The establishment of a movement organization frequently signifies the generation of a specific social reform movement. A movement organization is a purposive, voluntary association formally organized to advance the objectives of a specific movement. As a voluntary association, such organizations court members with purposive and solidary incentives just as the social movement courts participants, only with more formalization and rationality.⁵ This more highly refined

⁵For the "incentive systems" approach applied to voluntary associations see James Q. Wilson, Political Organizations (New York: Basic Books, 1973), pp. 30-55.

formalization and rationality results from the creation of an executive component in the organization which reduces the reliance on charisma, formalizes mobilization procedures, routinizes reform activities, establishes a formal program statement and collects revenues in order to maintain material incentives.⁶ The movement organization becomes the core of the specific social reform movement and it is this organization that offers the sanctions of legitimacy to the various patterns of structure, practice, theory and authority that are implemented in the name of the new program.

2. Program Statements in Social Reform Movements. Ideally, programs unite problem definitions and response formulations into logically integrated systems of activity organized around the program concepts of structure, practice, theory and authority traditions. The asylum program during the early refuge period and the child guidance program during the 1920's provide excellent examples of well integrated systems. Yet, such programs do not merely arise and achieve dominance as fully developed systems. The emergence of a program and its implementation occur in a long developmental process which has here been described as a diffusion process conducted under the aegis of a social movement. The developmental character of social movements which describes them as arising out of the nebula of cultural drifts and undergoing progressive formalization suggests the model by which programs develop as well.

⁶Zald and Ash see this rationalization as producing a "routinization of moral incentives." See Zald and Ash, 1966, p. 338.

The development of programs is dependent upon the development of the social movements that arise to diffuse and advance them. Their development is inter-dependent. Prior to the emergence of a social reform movement, when the environment consists primarily of vague cultural drifts, programs are typically unclear, unformulated and obscure. As a general social movement develops, an emergent program begins to take shape. Several generative concepts may be recognized. Specific patterns of organization may be invented. Rough formulations of the social problem and the social response appear together, but specific inconsistencies and logical discontinuities remain unresolved.⁷ As a specific social reform movement emerges from the general movement, the emergent program is refined into a formal program statement. Indeed, one of the principle means of recognizing the emergence of a specific social reform movement is the appearance of a formal program statement.⁸ Frequently, no one program statement embodies the whole logic of the program, but some even somewhat incomplete statements are frequently looked to as seminal statements.⁹ The second annual report of the Board of State Charities was such a program statement for the supervised placement program. Howe and Sandborn formulated

⁷In his essay on social movements, Hans Blummer recognizes these pre-theoretical formulations:

"A general social movement usually is characterized by a literature, but the literature is as varied and ill-defined as the movement itself. It is likely to be an expression of protest, with a general depiction of a kind of utopian existence. As such it vaguely outlines a philosophy based on new values and self conceptions. Such a literature is of great importance in spreading a message or view."

See Blummer, 1969, p. 10.

⁸While the appearance of a formal program statement typically indicates a specific movement, not all specific social movements produce formal program statements.

⁹For a parallel use of the "program statement" concept see Mullins, 1973.

the social problem and social response around the genetic thesis and the placement practice and laid out most of the principles and patterns that later came to characterize the supervised placement program. Likewise, the Lakewood Conference report was the seminal statement for the child guidance program and Shaw McKay's Social Factors in Juvenile Delinquency was critical to the community prevention program.

Such program statements are the summation of the generative principles and patterns of organization and their derivatives in the categories of response. These program statements make up the general belief system of the social reform movement. As the repository of the values, assumptions, beliefs and rationalizations of the social movement, these program statements offer a cognitive map of the participants' expectations and the hierarchy of values by which standards of success can be posited. A good program statement tells a great deal about the espoused aspects of a social policy program. Program statements are both explanations of social reality and a guide to acting upon it. They are significant in legitimating a social problem definition, advocating a particular response, clarifying and focusing the social movement, setting a common purpose and reducing dissonance among the categories of response.¹⁰

¹⁰Although Blummer uses the term "ideology" to refer to these program statements, his conception is similar:

"The ideology of a movement consists of the body of doctrine, beliefs and myths. More specifically it seems to consist of . . . first, a statement of the objective, purposes and premises of the movement; second, a body of criticism and condemnation of the existing structure which the movement is . . . seeking to change; third, a body of defense doctrine which serves as the justification of the movement and of its objectives; fourth, a body of belief dealing with policies, tactics and practical operations of the movement; and fifth, the myths of the movement."

See Blummer, 1969, p. 19.

It is within the development of the program statement, constrained, channeled and energized by the development of the social movement, that the definition of the social problem, the formulation of the social response and the logical relations between the categories of response are refined and honed down to their parsimonious best.

3. Practitioners and Professionals in Social Reform Movements. The early social reform leaders who advocated and established the refuges and reform schools were economically independent philanthropists and middle-income doctors, lawyers and politicians. They were frequently self-made men and women who, out of self-interest and concern for the future of the new Republic and the plight of its poor and unfortunate, gave their energies to a multitude of charity and reform efforts. Their interests were frequently legion and their names appear in the histories of many social services.¹¹ They acted through a wide range of voluntary associations and benevolent societies which were seldom coordinated and often competitive.¹²

By the close of the Civil War a different form of charity and charity organization had begun to emerge. Hailed as the "new charity" or "scientific philanthropy," this new form signified both a major expansion in the magnitude and multitude of benevolent outpourings, and the development of a more rational concern for method and practice in charitable

¹¹ See Donald H. Calhoun, Professional Lives in America: Structure and Aspirations, 1750-1850 (Cambridge: Harvard University Press, 1965).

¹² Robert Bremner quotes one observer of the day as noting that Boston boasted "such a number and combination of charities as has never before been found in any city of its size." See his American Philanthropy (Chicago: University of Chicago Press, 1960), p. 45.

giving. The basic principles of scientific philanthropy were actually quite traditional. The concern for the abusive consequences of well intentioned benevolence persisted, but questions of practice and technique in the coordination of the community's welfare services and the stimulation of voluntary friendly visiting became salient.¹³ A concern for organization and coordination is evident in the appearance of federations of charity organizations and the rapid adoption of state level boards of charity oversight throughout the progressive states.¹⁴ The creation of national conferences and coalitions such as the National Conference of Charities and Corrections (1874) and the National Prison Association (1871) helped to further the coordination and dialogue among charity and correctional practitioners.

During this period practitioners and social reformers became more clearly differentiated. Those who practiced in the institutions as a life career became trapped by the institutional needs and stigma. Social reformers, such as Samuel Gridley Howe, who previously had advanced the movements that created the institutions, now became the leaders in movements which challenged and threatened institution affiliated practitioners. The crusades of Franklin Sandborn, Frederick Wines, Dorothea Dix and Horace Mann demonstrate this separation between social reformers and conventional practitioners.

By the late nineteenth century both social reformers and institutional practitioners had begun to feel the effects of professionalization.

¹³Lubove, 1965, p. 1; Bremner, 1960, p. 66.

¹⁴For a review of the federations see Watson, 1922.

The reliance on the friendly state visiting agent gave way to the recruitment of trained probation agents. The institutional staffs were becoming increasingly differentiated by professional category. National professional associations and journals specific to reform schools appeared. In 1904 reform school practitioners broke with the National Conference of Charities and Corrections and formed their own National Conference on the Education of Truant, Backward, Dependent and Delinquent Children which met annually and published its own Proceedings.¹⁵

Professionalism requires the mantle of expertise based upon special skill and the existence of a self conscious group identity.¹⁶ Each of the programs that appeared during the twentieth century manifested these two qualities. The child guidance program was a professional movement organized by psychiatrists, clinicians and psychiatric social workers trained in the techniques of psychological testing, psychiatric diagnosis and psychotherapeutic counseling. The community prevention program which arose during the 1930's and 1940's was associated with community social workers, community organizers and neighborhood case workers trained in family and community dynamics. Professionalism affected social reformers as well as practitioners. The leaders of social reform movements during the first half of the twentieth century were trained professionals and the movements they supported were based in large part upon professional associations and social networks among professionals.

¹⁵See Menel, 1973, p. 107.

¹⁶See Howard S. Becker, "The Nature of a Profession," in his Sociological Work (Chicago: Aldine, 1970), pp. 87-104; and Lubove, 1965, chap. 5.

The rise of professionalism formalized the group identity of practitioners and rationalized the incentive system by which social reformers (now professional reformers) could mobilize action. The group consciousness of professionals offered the solidary incentives for developing and supporting strong professional associations such as the American Orthopsychiatric Association. But professional organizations also offered the purposive motivation for legitimizing the "moral rightness" of specific problem and response formulations and rendering professional growth and aggrandizement as ends in themselves. Social reform leaders such as David Austin and Jerome Miller needed to do little more than tap existing professional animosities in order to find the discontent necessary to attract and recruit participants to the professional advocacy of new programs. What had been simply popular and charity reform movements during the mid-nineteenth century became, in this century, primarily professional reform movements.

4. Theorists and Researchers in Social Reform Movements. It is not so unconventional to think of practitioners and professionals advocating new programs, establishing promotional practice-oriented associations and participating actively in social reform movements. It is less conventional to think that theorists and researchers behave in similar fashion. Recent studies in the sociology and history of science support the idea that social organization is as important in theory formation and diffusion as it is in the development of practice.¹⁷ Diana Crane has suggested that

¹⁷There are at least three approaches to this subject. Merton's early work and Joseph Ben-David's work have attempted to extend Weber's and

modern scientific communities are socially organized at two levels: groups of collaborators who work on common problems with a high degree of solidarity, and social networks of geographically dispersed researchers who work upon similar orientations, but on different problems and who maintain communication through key individuals. The first she calls a "social circle" and the second, an "invisible college."¹⁸ The collaborative social circle is not unlike a movement organization. It exhibits a collective self-consciousness, a temporal duration, a common purpose and it supports group legitimated research which is directed at advancing or resisting some theoretical transformation.

The scientific study conducted under the heredity thesis was the first theory tradition in criminology to exhibit significant social structure. A loosely organized social network of phrenologists existed around George Combe in Scotland and England. Combe worked in a social setting with the character of a social circle.¹⁹ In America the study of juvenile anthropometry evolved from collaborative groups of colleagues and students

Mannheim's interest in the relation between science and political and economic institutions. See Robert K. Merton, Social Theory and Social Structure (Glencoe: Free Press, 1957); and Joseph Ben-David, "Scientific Productivity and Academic Organization in Nineteenth Century Medicine," American Sociological Review, 25:828-843 (December, 1960). W. Hagstrom in The Scientific Community (New York: Basic Books, 1965) and Robert W. Friedrichs in A Sociology of Sociology (New York: Free Press, 1970) have focused directly upon the social organization of science. Finally, Thomas Kuhn has approached the history of science from an organizational perspective. See Kuhn, 1962.

¹⁸Diana Crane, Invisible Colleges: Diffusion of Knowledge in Scientific Communities (Chicago: University of Chicago Press, 1972), pp. 34-35. The "invisible college" concept originates in Derek J. deS. Price, Little Science, Big Science (New York: Columbia University Press, 1963).

¹⁹See David A. DeGuistino, "Phrenology in Britain, 1815-1855: A Study of George Combe and His Circle" (Ph.D. dissertation, University of Wisconsin, Madison, Wis., 1969).

into a social network centered around H. P. Bowditch at Harvard and Franz Boas at Columbia. The eugenics researchers formed a loose network around Charles Benedict Davenport and his genetics research center at Cold Spring Harbor, Long Island.²⁰

Yet the best evidence of social organization comes from the child study approach. G. Stanley Hall with his social circle of researchers at Clark University and Johns Hopkins clearly stood at the center of a widely dispersed and influential social network. Historians reviewing the approach frequently cite this network as a "movement."²¹ Indeed, the social network does appear as a social movement. There was a significant group consciousness which endured over time and around which research was conducted explicitly attempting to challenge conventional notions of child development. The Worcester and Baltimore laboratories formed organizational centers and the journal, Pedagogical Seminary, served as a formal means of communication. Thus child study as a collective enterprise among researchers and academicians can be identified as a social reform movement within theory traditions.

The same conclusion can be drawn concerning the psychodynamic, structuralist and social reaction theory traditions. Healy, Bronner, Glueck and Adler, along with the American Orthopsychiatric Association and its journal, stood at the center of a research network which in structure and function appeared as a social movement. Thrasher, Shaw and

²⁰See Haller, 1964, pp.

²¹John and Virginia Demos, "Adolescence in Historical Perspective," Journal of Marriage and the Family, 31:632-638 (November, 1969); Ross, 1972; and Grinder and Strickland, 1963.

McKay and Sutherland in the midwest, Cohen in New York and Walter Miller in Boston were pivotal in a social movement which, while internally conflictual, commonly sought to displace what was perceived as the psychological determinism in the dominant thought of delinquency causation. The internal conflicts evident among the structural-functional theories graphically display the particular character of the theory traditions which arise as social policy responses. Several of the research traditions show a tendency to be relatively closed systems turned inward upon continuing disputes over theoretical interpretations and empirical findings.²² New theory paradigms diffuse across geographic and social policy areas propelled by social organizations which appear as social movements. These theoretical movements develop with increasing formal organization and specificity into "social circles" or "schools" which, as they achieve dominance, take on the character of the stable, routinized and defensible social institution referred to as "normal science."²³

5. The Transformation of Social Reform Movements. Social reform movements among theorists and researchers as well as practitioners follow a similar pattern from the general to the specific; from the global to the detailed; from the informal to the formal. The motivation for this developmental pattern lies within the needs of the movement itself. In

²²The heredity thesis and the psychodynamic thesis were particularly closed and contained theories which neglected and downplayed threatening evidence. Such relatively closed theories resemble Kuhn's formulation.

²³Kuhn describes "normal science" as "research firmly based upon one or more past scientific achievements, achievements that some particular scientific community acknowledges for a time as supplying the foundation for its practice." See Kuhn, 1962, p. 10.

order to grow in size and degree of effect a central leadership must emerge to mobilize active participants. Because such reform leaders can only offer solidary incentives to a limited population of close colleagues, they must turn to articulating the objectives of the movement in such a way that others will be attracted through purposive incentives.²⁴ The articulation of the reform movement requires the formalization of the program of response in such a way that many individuals and organizations will come to recognize it, understand it and accept it. Put simply, the program of response must become compelling. In so doing it is frequent that the reform leadership establishes a movement organization which further formalizes and rationalizes the movement and, perhaps, defines membership and collects dues in order to provide for material incentives.

This tendency of social reform movements to become more formalized and rational in their functioning involves increasing refinements in structure. While this development produces refinements in the program, it may also bring about transformations of the program. These transformations in the program may occur either because of the mobilization needs of the social movement or the maintenance needs of the resulting social institution. In either case, such transformations may divert or alter the practical program from its espoused concepts. It is this process that creates the distinction between the espoused and practical codes of authority and practice.

²⁴ Joseph Gusfield differentiates two functions here which frequently conflict. Mobilization refers to the re-affirmation of movement goals and values in order to promote participation. Articulation refers to the integration of the movement with other social organizations in order to broaden coalitions and achieve policy impact. See Joseph Gusfield, "Functional Areas of Leadership in Social Movements," in Studies in Leadership, ed. Alvin Gouldner, rev. ed. (New York: Russell and Russell, 1965).

Transformations may occur during the development of the program. Superintendent William Lincoln reconstructed the espoused asylum program during the early implementation of the State Reform School. The child guidance program articulated in the report of the Lakewood Conference was significantly altered from a community approach to an individual case approach when implemented under the Commonwealth Fund's demonstration program.²⁵ The neighborhood organizing program originally developed by Shaw and McKay in Chicago in the 1930's became community case work in the Cambridge-Somerville project and street gang work under the Roxbury Special Youth Project. The transformation of the program of a social reform movement during the development of the movement is common.²⁶ The need to mobilize participants through the manipulation of purposive incentives requires the development of a program which is relevant to their personal sense of discontent. This transformation may broaden and confuse the generative concepts of the program, may narrow and constrain them, or may divert and warp them into tangential directions.²⁹

²⁵The Levines see this redirection as a part of a much larger professional trend away from community and institutional change and toward building professional competence and status in diagnosis and the development of professional treatment plans which it was expected that others would carry out. See Levine and Levine, 1970, pp. 242-244.

²⁶For other examples see Mayer N. Zald and Patricia Denton, "From Evangelism to General Service: On the Transformation of the Y.M.C.A.," Administrative Science Quarterly, 8:214-234 (June, 1963); Sheldon Messinger, "Organizational Transformation: A Case Study of a Declining Social Movement," American Sociological Review, 20:3-10 (1955); and Eliot Rudwick and August Meier, "Organizational Structure and Goal Succession: A Comparative Analysis of the NAACP and CORE, 1964-1968," Social Science Quarterly, 51:9-24 (1970).

²⁷Sanford Fox argues that the child saving movement which arose in Chicago during the 1890's was directed at corrections reform, but was diverted by the lawyers into court reform. See Fox, 1970, p. 1227.

Transformations in the program may also develop as the social reform movement achieves success. Success of the movement in achieving policy dominance often entails the establishment of a new social institution. Such an institution, while developmentally linked to its sponsoring social movement, marks a significant break with the movement. Whereas the movement was developed to advance social reform, the institution is promoted to establish and stabilize the new program. This discontinuity in the developmental pattern of the social reform movement represents a transformation of the movement and often it is accompanied by a transformation of the program. The mobilization activities of a movement are now traded for the maintenance activities of an institution. Solidary and purposive incentives decrease in favor of material incentives and the program now becomes shaped by the practitioners' needs to stabilize their employment setting and expand their share of the client and service market. The program ceases to look so like a mechanism of challenge, and comes more to appear as a mechanism for rationalization and, ultimately, defense.²⁸

In this analysis, social movements are not merely counter-institutions--they are the social machines by which new institutions are manufactured.²⁹ They function as the mechanisms by which concepts are

²⁸These processes are similar to those described by Max Weber as the "routinization of charisma" and offer evidence of what Roberto Michels called "the iron law of oligarchy." See From Max Weber: Essays in Sociology, ed. Hans J. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), pp. 297-301; and Roberto Michels, Political Parties (Glencoe: Free Press, 1949).

²⁹It is in this sense that social movements are epi-phenomena of social organization. See Burns, 1974.

converted into social organization. Yet, social movements are more than merely neutral mechanisms. They have a developmental pattern of their own which constrains and channels the possibilities for social reform. In so doing, they may divert and displace the original generative concepts of new programs. The displacement of program concepts is, thus, a natural result of the processes of social reform. The transformation of social reform movements transforms the programs which contend for policy dominance.

Section III: Chapter F
THE PROCESS OF SOCIAL REFORM

The task of this section has been to describe the process by which the social reform of social policy occurs. The mechanisms of social reform can now be considered separately from the conditions.

The mechanics of social reform have been characterized as following the model of a social movement. New program principles and patterns arose as inventions in one geographic or social policy area. They were diffused among regions and policy areas by social reform

movements which were organized to advance social policy reform. New social policy programs were seldom the result of single decision by pivotal actors. Instead, the formation of new policy more often resulted from an aggregation of small incremental decisions and negotiations among conflicting actors and organizations. Singular critical decisions were evident and important, but they were typically set within the context of many smaller negotiations and, thus, served symbolic functions as much as practical functions.¹ The formulation of new social policy was not an isolated event performed to cope with the infrequent eruption of new social problems. Policy formation was, instead, a constantly developing process in which old and new programs competed for policy dominance. The ascent and descent of particular policy programs occurred in a general pattern similar to the growth and decay cycles of a natural history. The aggregate of the various small events necessary to advance new policy programs and diffuse them across service and geographic boundaries composed a social movement.

Employing a social movement as the model for the reforms of social policy provides a developmental mechanism for organizing the data of the case history. The process of social reform becomes identified as a sequence of steps which advance and, at the same time, constrain the forces of change which lead to social policy reform. Social policy reform involves five

¹In regards to nineteenth century mental health policy Gerald Grob notes: "the shift that occurred in the manner in which dependent groups were cared for did not reflect a sustained or systematic analysis of existing problems or the future ramifications of particular programs. The debate over policy, on the contrary, was generally characterized by concern for immediate or short run issues. . . . The result was that the broad framework of public policy was for the most part not the conscious choice of legislators and officials, but rather the sum total of incremental decisions."

See Grob, 1973, p. 95.

steps: 1) the conversion of latent discontent into active unrest, 2) the embedding of this unrest in a general social movement, 3) the emergence of a specific social reform movement, 4) the adoption and institutionalization of the new program and the specific social reform movement, and 5) disaffection and the reappearance of discontent.

The sequence begins when a general discontent is converted into self-conscious dissatisfaction. Typically this is expressed as a dissatisfaction over the perceived incongruence between the expectations and the performance of current social policy programs. The second step begins when the dissatisfaction becomes embedded in a general social movement with an informal emergent program. At this point generative principles and patterns of organization may become apparent and the character of the problem formulation and the resolution may be roughly sketched. The emergent programs are shaped and molded by the mobilizing requirements of the growing social movement. The program and the movement develop interdependently through increasing specification and formalization. The emergence of a specific social reform movement with a formalized program statement marks the third step. At this point a movement organization may appear, core leadership becomes established and significant debates among protagonists may arise. The acceptance of the new program is pending. The fourth step is marked by the acceptance of the new program as dominant policy and the transformation of the social movement through the institutionalization of the program concepts. The period may be marked by the establishment and construction of new physical structures and a kind of "honeymoon" during which consensus, enthusiasm and optimism prevail. The fifth step is recognized as the "honeymoon" period is replaced by a

growing disenchantment and disaffection with the new program of response. The incipient leadership dissolves and its place is taken by managers and administrators. The spirit of reform subsides into a general discontent. Yet it is this discontent which prepares the climate for the emergence of a new cycle of social reform.

This, then, is the developmental dynamic which underlay the changes in Massachusetts youth corrections policy. At any moment the state policy was the result of the developmental logic of social reform. The ongoing tension between established policy and its several contenders was a continuous condition, and every new program was as much a reaction to the failures of past policy as a thrust toward new frontiers.

What then are the conditions necessary for the social reform of social policy? Several conditions have been suggested in this section. Stated generically, these include a specific discontent, responding participants, a social network, and generative concepts.²

First there needs to be a specific discontent. Social discontent may arise from many sources. Where it is directed at specific norms or

²This formulation has been significantly influenced by Neal Smelser's excellent analysis of collective behavior, although the categories and perspective differ. See Neal J. Smelser, Theory of Collective Behavior (New York: Free Press, 1962). It has already been established that social movements are a subtype of collective behavior. Smelser's thesis is therefore relevant here. The conception of social movements used in this study is congruent with the "norm-oriented movement" described in Smelser's taxonomy. Yet the analysis developed here differs from Smelser's. Smelser views all forms of collective behavior as deviant, episodic interruptions in the equilibrium of an otherwise stable social structure. I prefer to see collective behavior as the flip side of stable structure. Social movements and social institutions are both equal sub-types of social organization. Both are locked together in a developmental dynamic. Each requires the other. Each determines the creation of the other.

patterns of behavior, it may be converted into social action directed toward social change. In this case discontent typically arose over the recognition of the plight of deviant and dependent youth and the perceived ineffectiveness of current programs to respond to this problem. Another condition appears to be responding participants. Without active leadership, without advocates, persuaders, demonstrators and opinion leaders willing to initiate action, new programs would not arise. Leadership in responding to perceived problems is critical both in terms of the actual effort such persons put out in order to articulate the issues and mobilize others into action, and in terms of the symbolic significance their appearance has on others in making new concepts acceptable and legitimating social action. A social network is necessary to provide the communication web through which new concepts can be diffused and social reform leaders may attract and recruit movement participants. Generative concepts are a necessary fourth condition. Without new concepts social reform has no meaning. Attractive and compelling concepts are essential. The peculiar quality of such concepts is their ubiquity. Historical records are filled with allusions, metaphors, ideas and principles, yet only a few ever generate programs which achieve policy dominance and, then, those few are often held dominant with a tremendous resistance to change.

These four conditions offer the basic foundations upon which social reform movements are built. Each of the conditions is necessary, but even together they are not sufficient to bring about a social reform. These four conditions were frequently evident in Massachusetts, but major social reforms of the state youth corrections policy were relatively rare.

Some other factors must act to condition the timing of social reform. Other determinants which are more historically scarce are required to explain the initiation of effective social reform movements. These will be considered in the following section.

SECTION IV
THE DYNAMICS OF SOCIAL REFORM

Section IV: Chapter A
THE PATTERN OF SOCIAL REFORM

1. The Developmental Logic in Social Policy. It is quite possible to think of change in social policy as a purely random event. All that has been written so far might well be valid. Social reforms arise as social movements and change the generative concepts of social policy. But beyond that social reforms have no further meaning. Their conditions and success are merely fortuitous. Such an argument would negate the idea of social policy as the result of a developmental logic. It would suggest that the right mix of temporal conditions and new concepts could appear at any time and that their very appearance is enough to induce social reform. The case history suggests otherwise. The reform schools existed throughout the past thirty years in a state of public disrepute. Discontent was ubiquitous. The concept of deinstitutionalization was known and applied almost a century earlier. The private services had been in place at least since the turn of the century. The social reaction thesis was not that different from several of the structuralist theories. Yet deinstitutionalization had to wait until the early 1970's. Something more must have been required than the conditions of discontent and the concept of community-based services.

This fourth section of the study considers the dynamics of social reform in the on-going development of social policy. The focus is on the "forces" or motivations which guide and condition social reform. Throughout the study this focus has been referred to under the metaphor of development. Development is a rich concept with a long history.¹ As a metaphor, development has significant biological connotation.² Along with growth, development implies a change process of expansion and differentiation. It has the character of evolution, maturation and unfolding. Development implies that something--some persisting identity--develops. Change defined earlier as a succession of differences in a persisting identity is in sympathy with this notion of development. Whatever it is that has a persisting identity--social policy, programs of response or random phenomena--that goes through a succession of differences without losing its persisting identity must experience that process called development. In development, persistence and change are sibling processes.

Development suggests a logic and order to change. Specific changes are endowed with meaning and purpose when viewed in aggregate across significant time periods and from broader levels of analysis. The logic of development implies that change is natural, directional, imminent,

¹From Aristotle's physis conceived as growth and generation, and Augustine's conflict between genesis and decay, Hegel and Kant laid the eighteenth century foundations for social and biological development. Comte, Marx, Darwin and Sir Henry Maine all explored and employed the metaphor extensively, but it was in Herbert Spencer's work, and particularly his "development hypothesis," that the concept reached the peak of its explanatory power. See Nisbet, 1969, for an extensive review of the history.

²The metaphor of development has long held a central place among developmental psychologists. Discredited in the critique of G. Stanley Hall's developmental theory, the metaphor has experienced a resurgence of utility in the work of Jean Piaget, Bernard Kaplan and Heinz Werner.

continuous, necessary and arising from uniform causes.³ Causality, the last of these, is to be simple and universal. Development is a "grand" metaphor closely associated with the "grand" social theorists of the nineteenth century. It requires "grand" causes. But in historical analysis, such "grand" causes are more easily posited than proved. The issue of historical causality in social change is controversial. Functionalist analysis seeks the causes of social disruption in the immediate conditions of the event.⁴ Conflict analysis relies more heavily upon the inherent "blooming" of fundamental contradictions. The "final cause" lies in the earliest formations of conditions.⁵

In this study the issue of causality is muffled in the imprecision of the analysis. Conditions and co-variance are considered without reference to causality. A more rigorous study is required to test these sketches in the fires of quantitative analysis.

In order to explore the dynamics of social reform it is necessary to shift the level of analysis from the examination of specific programs and specific social reforms to a more global perspective. The unit

³Nisbet, 1969, pp. 166-188.

⁴For instance, Emile Durkheim in his The Rules of Sociological Method (Chicago: University of Chicago, 1938) locates the sources of all social change in the "social milieu." For Durkheim, "The antecedent state does not produce the subsequent one, but the relation between them is exclusively chronological. . . . The stages the humanity successively traverses do not engender one another." See p. 117. The continuity of change lies in the reconstruction of history.

⁵For Aristotle, the "final cause" represented the seed from which the remainder of the plant's development is totally determined. See Nisbet, 1969, p. 27. For the role of causality in history see Patrick Gardiner, The Nature of Historical Explanation (New York: Oxford University Press, 1961).

of analysis becomes, instead, the entire one hundred and fifty year period viewed as one long, continuously developing entity. In order to do this it is necessary to return to the case history. The detailed accounts of the case history are now aggregated into textures, abstracted and idealized, to be sure, but textures in which holistic patterns can be discerned and considered in terms of their interpretive meanings.

The focus is on long term development. The duration of the term under study is significant because it is only in terms of this "long term" that trends can be differentiated from "periodic fluctuations." The "long term" perspective reveals periodic fluctuations as changes that are matched with counter changes so that conditions return to an original state. These periodic patterns of recurrent returnings appear as cycles and are typically defined in contrast to longer term patterns or so-called "secular trends." A secular trend would be indicated by long periods of directional continuity, while a cyclical pattern would be represented by a periodic returning to a common point.⁶ It is also possible that in developing phenomena certain elements appear as cyclical fluctuations "piggybacking" on long term secular trends.⁷ It is this image which best describes the development of Massachusetts youth corrections.

To differentiate these patterns, changes over the long period of time need to be considered graphically. This section, therefore, deals in

⁶The 1922 "Conference on Cycles" sponsored by the Carnegie Institution opened noting, "In general scientific use of the word [cycle] denotes a recurrence of different phases of plus and minus departures, which are often susceptible to exact measurement." See "Report on a Conference on Cycles," The Geographical Review, 13:657-676 (1923), p. 657.

⁷This was the schema that Max Weber suggested for viewing societal change. See "Introduction," this study.

historical interpretation and speculation. Because its units are more abstracted, the section is less analytical than the previous sections. In assuming such a broad overview of the development of Massachusetts youth corrections policy the various pieces of the study, so dismembered in the previous analyses, will here be re-united into a more systematic whole.

2. The Regularity of Social Reform. The natural history model of the mechanisms of social reform movements suggests the rise and fall of a collective action. Within the residual disaffection of a once new program lies the discontent necessary for the rise of a subsequent social reform movement. The model implies a cycle. Like the tide passing over a sandbar, each reform rises and falls leaving behind a differently arranged policy. Each policy persists only until the next wave of reform. The cycle of new policy programs is the most distinctive feature of the case history. Over a century and a half of policy development some seven new programs rose to policy dominance, left their developmental heritage and receded before the ascendancy of newer programs.

The analysis in Section II presents these programs as temporally detached phenomena arrayed in sequence, but only generally fixed in date. It is difficult to provide precise dates for the ascendancy or dominance of most of the programs. Arbitrarily certain event dates can be used as indicators that fix the time when a new program is officially recognized as dominant policy.⁸ For instance, the opening of the Boston House of

⁸Often official recognition is a better indicator that a new program is a strong contender and it would, therefore, typically precede the achievement of dominance by some few years. For purposes of this study, official recognition will stand as the general indicator.

Reformation in 1826 marks the official recognition of the refuge program in Massachusetts and the opening of the State Reform School at Westborough in 1847 marks the official recognition of the reform school. The year 1866, which marks the Board of State Charities appointment of the first visiting agent, may represent the official recognition of the supervised placement program. The official recognition of the vocational education program can be dated at 1885 with the reorganization of the State Reform School, and the establishment of the Boston Juvenile Court in 1906 can mark the official recognition of the child protection program. The year 1917, the date marking the establishment of the Judge Baker Foundation, can be used to indicate the official recognition of the child guidance program. Official recognition of the community prevention program is harder to document. The Gluecks published 1000 Juvenile Delinquents in 1934. The Cambridge-Somerville Youth Study began in 1935. The Civilian Conservation Corps began operation in 1933 and the first neighborhood association meetings began in the West End in 1934. Arbitrarily, 1934 could be selected as the central date. The 1953 establishment of the Bureau of Research and Delinquency Prevention and the 1954 commencement of the Roxbury Special Youth Project could mark the second phase of the community prevention program. Finally, the deinstitutionalization of 1972 clearly marks official recognition of the community-based services program.

What is distinctive about this sequence when fixed by date is the general regularity of the period between recognitions. Particularly during the nineteenth century, new policy programs appear to achieve official recognition on a regular basis roughly every twenty years. The regularity of this period is maintained during the twentieth century with

the exception of the recognition of the child guidance program, which follows the recognition of the child protection program by only eleven years. The exception is not enough to invalidate the pattern.

Of the eight periods that lie between the dates of official recognitions, seven have durations of seventeen to twenty-one years, and the average duration for all eight periods is 18.25 years. There appears to be a fairly continuous rhythm to the period of social reform with a frequency of roughly two decades. The identification of this pattern leads easily to the question of why it exists. How can such periodicity in the rise of social reform movements be explained? This question is central to the analysis presented in this section.

The chapters that follow describe the conditions of social reform in Massachusetts youth corrections policy as lying both inside and outside the programs of response. The internal dynamics of program development provide the basis for the discontent needed to condition social reform. But the timing of social reform movements and the conceptual content of new programs is largely the product of dynamics external to program development. Chapter B considers the dynamics of program development as a generator of discontent. Chapter C considers the role of structural and demographic forces in determining the timing of social reform in Massachusetts youth corrections policy, and Chapter D considers the role of larger ideological factors in determining the generative concepts which appeared in new programs of response. Finally, Chapter E provides a summary by applying this frame of analysis to the rise and fall of the institutional response as dominant policy.

Section IV: Chapter B
THE PATTERNS OF PROGRAM DEVELOPMENT

1. The Patterns of Program Maintenance. The social reforms that convey new programs of response into policy dominance exhibit a cyclical pattern. The natural history model of the development of social reform movements suggests the cycle. Social reforms arise from discontent in order to advance new programs into policy dominance and then recede again into the inertia of prolonged discontent. The first cycle in the biography of a policy program can be regarded as a special stage of program establishment. The stage of program establishment is completed when the program is institutionalized and is commonly regarded with a reasonable amount of ambivalence and disaffection.

The stage of program establishment has been examined in detail in the previous section. This chapter focuses upon cycles in program maintenance which occur after program establishment. The central interest here is the degree to which patterns of program maintenance may explain the periodic emergence of social reform.

The career of a program of response is characterized by two types of patterns after program establishment. The maintenance of the program exhibits frequent short term fluctuations that appear as cycles and longer term projections that appear as secular trends. In order to consider these various patterns it is necessary to identify indicators of program behavior which represent the vitality of programs. The annual commitment rate for the reform schools indicates program utilization. Graphs of these

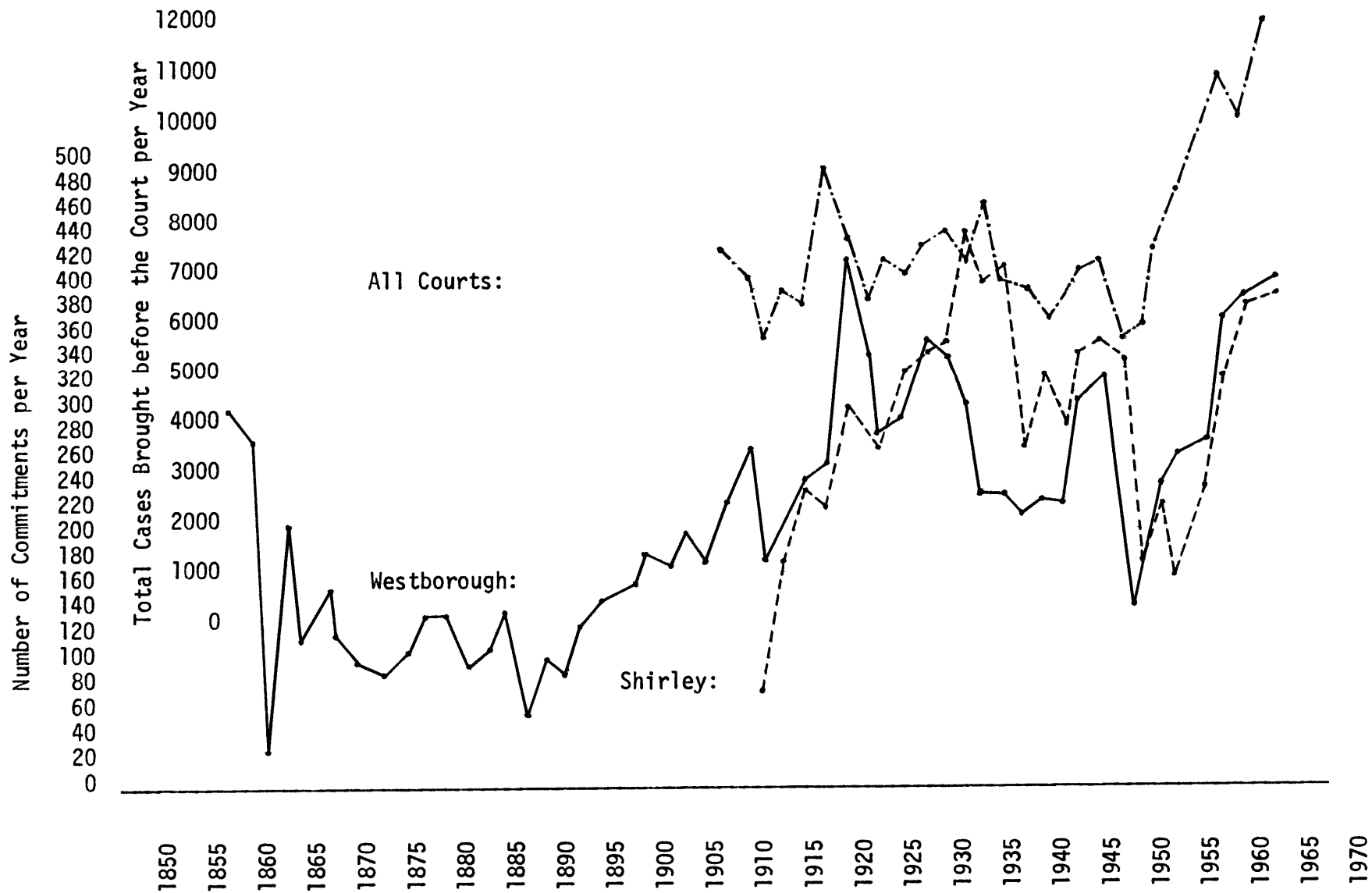
reception rates have already been presented in Figures 1 and 3. The court appearance rate for the juvenile court serves as a reasonable indicator for the child protection program. A graph of this rate has been presented in Figure 2.¹ Figure 8 superimposes the three reception rate graphs for convenience in consideration. The solid line in Figure 8 represents the annual commitment rate for the Westborough reform school for boys ages 8 to 14. The year 1885, the year in which the institution was re-established as the Lyman School, marks a reasonable date for separating the stage of establishment from the maintenance stage. The period between 1885 and 1905 has been noted as a time of stability and consensus. This period is marked by a long trend of gradually increasing commitments. The slump in the graph marked around 1910 is most likely the result of the diversion effects of the early juvenile court law. There appears to be a peak in commitments at 1918, a slump at 1922, a peak at 1925, a slump at 1933 which lasts until 1941, a peak at 1944 and a slump at 1948. The dotted line which begins at 1910 represents the commitment rate for boys ages 15 to 20 committed to the Industrial School for Boys.

Finally, the dash-dot line in Figure 8 indicates the appearance rate for all children before the Boston Juvenile Court and the various juvenile sessions throughout the Commonwealth.² The stage of program

¹Reception rates for other programs would also be of interest. Generally, data for other programs is more difficult to acquire and for purposes here rates for the institutional and protection programs serve as adequate examples.

²Because the juvenile court law sought to minimize record keeping, the data is not easily disaggregated by age or sex.

Figure 8: Annual Utilization of the Westborough and Shirley Institutions and the Juvenile Court



establishment is not so noticed with regard to the court program, because the large percentage of children appearing before the court appeared before juvenile sessions of existing municipal, district and trial courts which, because they required little more than rearrangements in court scheduling, experienced a very easy and rapid period of establishment.³ The graph, then, begins at 1908 and slopes down to a depression at 1912, then ascends to a peak at 1918, followed by a descent to 1923, an ascent to 1933, a descent to 1942, an ascent to 1946, a descent to 1948 and a long rapid ascent to a peak at 1966.

2. Short Term Fluctuations in Program Maintenance. The graphs of the reception rates for the two reform schools and the juvenile court all exhibit a common form. Like the graph of a radio signal, short term cyclical fluctuations appear to ride as secondary waves upon longer term primary waves. Each of these waves warrants separate consideration.

It is possible to look at the short term fluctuations separately from the longer term trends. Where the three reception rate graphs are superimposed upon the same horizontal time axis, as in Figure 8, it is possible to see that there is a significant sympathy among these short term fluctuations. They appear to vibrate together. Increases in reception rates at the courts are matched by increases in reception rates at the reform schools. Increases in the number of court appearances appears to

³As evidence to the point, it is relevant to factor out the graph of court appearances for the Boston Juvenile Court alone. The Boston court was a new institution and it did require a period of establishment. That period of establishment is evident from 1908 to 1912 in the graph of its appearance rate. See Figure 2.

increase the number of youth committed to the reform schools. Where reception rates at the reform schools are dependent upon reception rates at the courts it is not surprising to see such parallels. But what factors bring on the initial fluctuations in the reception rates at the courts? Court reception rates are dependent upon referrals from the apprehension sector. Some factors must provide a differential effect on the apprehension sector which in turn sends short term waves of youth through the interrelated programs.

Occasionally, the Trustees of the reform schools note in the annual reports how changes in the number of commitments are the result of economic conditions in the society as a whole. For example, in 1917 the Trustees noted:

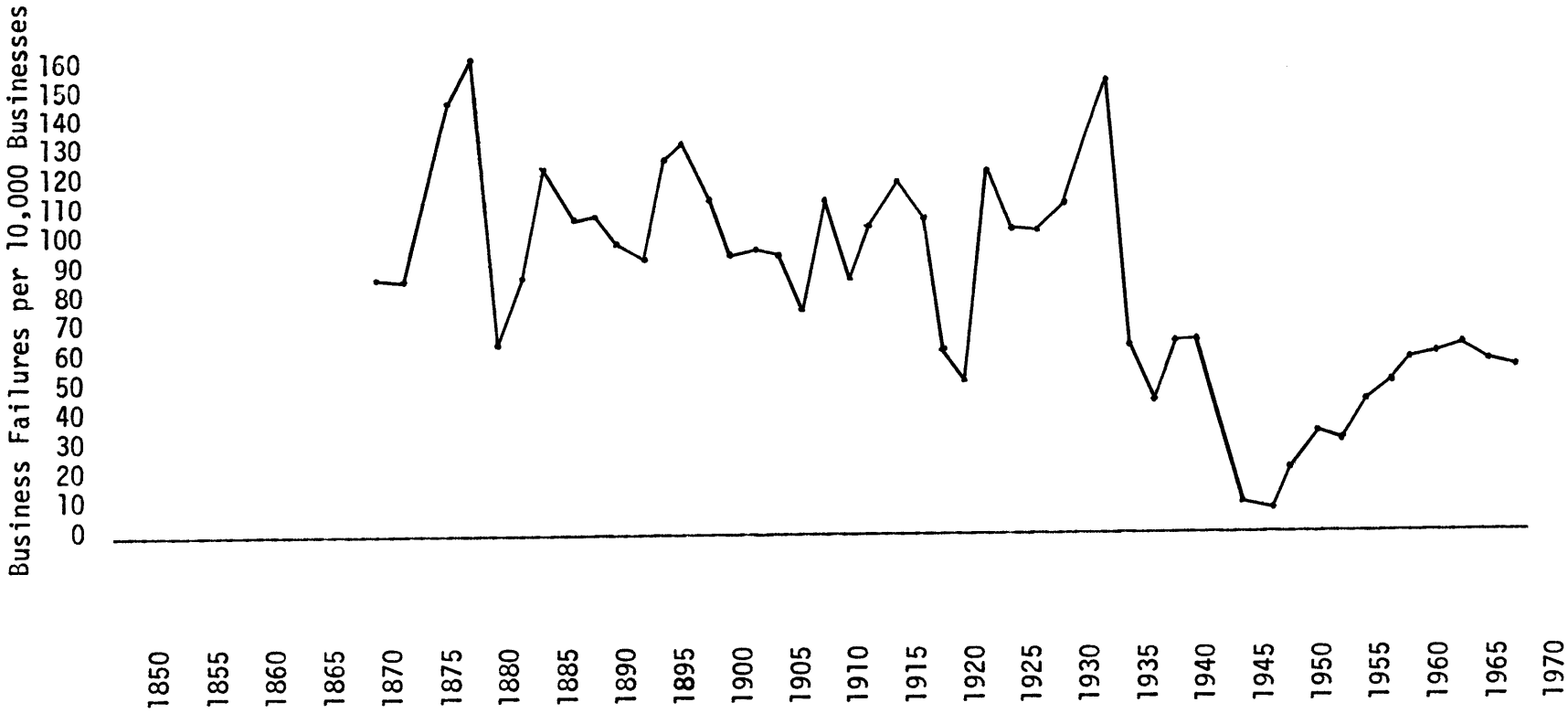
The causes of the marked increase in commitments during the past year are difficult if not indeed impossible to determine. That the increase is in some measure related to participation of the United States in the war--with the attendant excitement, social and industrial activity, and the departure of fathers and brothers--is quite likely.⁴

Such observations are not difficult to verify. Figure 9 presents a graph of the national annual business failure rate from 1870 to 1970.⁵ The relationship between the institutional and court reception rates and even this crude indicator of economic health is easy to demonstrate. The economic depressions of 1873, 1882, 1893 and 1907 are marked by significant

⁴Mass., Training Schools, A.R., 1917, p. 13.

⁵The data is available in Dun and Bradstreet, Reference Book and Failure Statistics, New York, New York. See individual years 1870 to 1919. For the period 1920 to 1970 see Dun and Bradstreet, The Failure Record Through 1971, New York, New York. See compilation in U.S. Bureau of the Census, Historical Statistics of the United States: Colonial Times to 1970, vol. 2 (Washington, D.C.: U. S. Government Printing Office, 1975), pp. 912-913.

Figure 9: National Annual Number of Business Failures



increases in the reform school commitment rates. The depressions of 1920, 1929 and 1937 are marked by major decreases in the reform school commitment rates for boys ages 15 to 18 (i.e., commitments to the Industrial School for Boys). Wars also appear as determinants of short term fluctuations in reception rates. World War I and World War II are marked by major increases in commitments for boys ages 8 to 14. The Civil War is also marked by a significant increase in the commitment of younger boys.⁶

The short term fluctuations in program utilization appear to bear close relationship with the short term fluctuations of business conditions. Economic depressions brought more youths into the correctional system. Wars, on the other hand, appear to draw older youth out of the correctional system. Yet as much as business conditions may affect the short term cycles of program maintenance, these conditions do not appear to explain well the longer term cycles. These longer term cycles appear better explained by dynamics internal to the programs themselves.

3. Long Term Trends in Program Maintenance. The short term fluctuations in reception rates of the three graphs under consideration appear independent of their longer term patterns. The longer term trends represent the overall social reputation or the social legitimacy of the

⁶The relationship between crime and the economy has been considered by several theorists. Chief among these has been William Bonger. Bonger, a Marxist criminologist, spent much of his life attempting to develop the relationship between economic conditions and the emergence of "criminal thought." See his Criminality and Economic Conditions (Boston: Little, Brown, 1916). Delinquency and the economy have been considered by Belton M. Fleisher in The Economics of Delinquency (Chicago: Quadrangle, 1966), and by Daniel Glazer and Kent Rice in "Crime, Age and Unemployment," American Sociological Review, 24:679-686 (1959).

program. Each of the programs appears to have periods where legitimacy is high, marked by long term increases in the reception rate, and periods where legitimacy is low, marked by long term decreases in the reception rate.

The long term utilization curve of the Westborough reform school rises to a peak during the second decade of this century and then gradually falls until the middle of the century. The long term curve of the Shirley institution likewise rises to a peak during the 1920's and then declines. The long term curve of the court appearance rate exhibits this same bell shape, with an apex at 1934. In addition it shows an enormous upsweep beginning in 1948.

Central to the rise and fall of program legitimacy are the twin dilemmas of program congestion and decongestion. Programs are not merely expandable plans which can be enlarged to any size. There are optimum levels in the scale of utilization. Overcrowding is a serious assault on program dominance for with it comes an almost irreversible deterioration of program legitimacy.

The State Reform School offers an excellent example. The first years of the institution were marked by high program legitimacy and a tremendous growth in the institutional commitment rate. But this increase occurred without a parallel increase in the institutional release rate. This led to a large increase in the population that overcrowded the institution. Such overcrowding not only strained the physical facilities and the internal organization of the institution, but it also overwhelmed the limited staff and precluded the effective practice of moral reform. Simply housing, feeding, clothing and caring for the physical and health

needs of 500 boys consumed the limited resources of the staff and superintendent. Mass processing of all boys under conditions of rigorous discipline became the norm. The increase in the ratio of inmates to staff was a continuous threat even where adult men were larger and stronger than the individual boys. The natural defense of the staff officers was an increased concern for discipline and a decreased tolerance for rule infraction. Congestion alone bred a volatile and unhealthy atmosphere which was a significant departure from the principles upon which the institution had been established. Custody, severe discipline and retributive punishment arose as principles of practice and solitary seclusion and physical constraint emerged as principles of structure. This transformation within the program marks the dilemma of congestion: overcrowding results in a transformation of program principles. The State Reform School of 1868 was no longer a prototype reform school. It was becoming a junior prison.

This transformation of program principles could not long remain a secret within institutional walls. As the congested and severe conditions inside the institution became public knowledge, the social reputation of the institution suffered. This resulted in the erosion of legitimacy as indicated by the significant decrease in the commitment rate after 1858 and 1868. These decreases in commitments are reflective of the longer term legitimacy cycle. The decrease in legitimacy is marked by a biased decrease in population characteristics. Prior to 1860 a general mix of wayward boys was committed to the State Reform School. Perceiving the transformation, local and district courts began to be more selective in their commitments, diverting away all but those youth for whom

a junior prison was relevant. This biased commitment population further confirmed the junior prison prototype by populating the institution with only the more hardened junior criminals. After 1878 the institution was no longer congested, but the decongestion process had worked to worsen, not better, the degree to which the institution lived up to the principles of its establishment. This is then the dilemma of decongestion: reducing overcrowding confirms the transformation of program principles. By 1878 the no-longer-crowded State Reform School was a prototypical junior prison.

The ascent and descent of a program of response marks its life and death. It is fundamental to any program born into policy and reared to dominance that it will eventually degenerate into quiet senility. The institutionalization of a program marks its legitimation and the growth of discontent marks its de-legitimation. The long term trends in program utilization for each of the three programs considered illustrates this pattern. In large part the trends can be explained by the degree to which the programs operated within capacity or were stretched beyond their effective limits through client congestion. Yet the actual crisis of the programs is not found in mere congestion alone. It is the degree to which that congestion damages the sensitive balance among program principles and transforms the program into a less desirable program that commences serious de-legitimation of the program. By this time simple refinements are inadequate. Indeed, naive decongestion appears to aggravate the unintended transformation. A sensitive trust has been broken between the program and its advocates and only replacive reform can re-establish program legitimacy.

4. The Pattern of Program Development. The development of programs of response displays both short term fluctuations and long term trends. The short term fluctuations appear as responses to the fluctuations of economic activity. Generally economic depressions appear to increase program utilization particularly for younger delinquents. The same can be said for wars: they increase the program utilization by younger boys. While the observed phenomena appear clear, the implications could be quite varied. Both economic depressions and wars appear as major economic dislocations which may affect basic family and community life. During such periods of major dislocation it may be that conventional patterns of child discipline break down, families and communities are more vulnerable and less able to tolerate the stress of youthful misbehavior, or law enforcement officials are more willing to look to formal programmatic solution. The reasons for the increases in program reception rates during major economic dislocations may include all of these and several others. However it is seen, though, external economic fluctuations do not appear to affect the longer term program trends. The long term dynamics of program development appear to be based on the social acceptability of the program. In each program there appears an initial period of high legitimation during the stage of establishment. This is followed by a long period of maintenance during which legitimation may rise and fall one or several times.

 Thus program development is influenced both by externally generated conditions and internally generated determinants. Programs are also affected by each other's development. This third relationship has significant value particularly as other programs reach high levels of legitimacy. The large increase in popular acceptance of the placement

program during the 1870's parallels the decreasing commitment rate at the reform school and the asylum program's falling legitimacy. The two programs were viewed, at least by Howe, Sandborn, Tufts and the Trustees, as in direct competition for the wayward youth client population. The establishment of the juvenile court in 1906 leaves a noticeable impact upon the reception rates of the institutions. Judge Baker initially gave strong priority to the court probation system over commitment to the reform schools, as did other judges in the juvenile sessions. The dip in the reception rate for younger boys between 1908 and 1911 reflects this inter-program effect (see Figure 8).

For all of these relationships, there is a surprising lack of evidence that program development conditions social reform. The two decade cycle of program reform is invisible in the timing of program dynamics. The short term fluctuations are too frequent and the long term trends generally well exceed the social reform cycle.

The pattern of program development does not, then explain the emergence of new social reforms. The period of development is simply too long. Social reform does not wait around until a program of response has run its course. The discontent which provides the necessary ferment for the generation of a new social reform appears long before the previous program of response has lost legitimacy. In some cases, such as the emergence of the supervised placement program, the new program appears even before the previous program has been successfully implemented. While new programs of response must find discontent in order to discredit older programs and replace them in policy dominance, they can not be said to arise simply as responses to the failures of previous programs. Instead,

new programs arise from outside the social policy system and enter the system before they are required by the natural demise of existing programs. The emergence of new programs of response on the basis of a twenty year period in Massachusetts youth corrections history must be determined by conditions external to the on-going development of existing youth corrections policy. It is to these external conditions that the next chapter turns.

Section IV: Chapter C
THE PATTERNS OF SOCIAL POLICY DEVELOPMENT

1. The Structural Foundations of Social Reform. Conditions within the life cycle of programs of response appear to set the stage for the emergence of social reform, but they do not provide the opening cues. The discontent that grows upon an old program pre-conditions its demise, but factors external to the program determine the emergence of a new program. The process of social reform, considered in the previous section, revealed the workings of broader, more general social movements and broader, more general belief systems in fostering particular social reform movements.

This chapter considers the relationship between specific social reform movements in Massachusetts youth corrections policy and the broader general movements that occasionally sweep the larger society. In so doing, the analysis strays some distance from its empirical roots in the case history and courts the speculative boundaries of the study. This is a limitation in the case method: the world must be viewed as if seen from inside the case. Thus, much of what is suggested here is offered as avenues for further exploration.

The cyclical pattern in the rise of social reform is not a unique insight. Several penological historians have likened reform efforts to the swinging of a pendulum.¹ Orlando F. Lewis, in his history of adult prisons up to 1845, notes three "reform periods" separated in time by "sags."² Political scientists have noted a tendency for the formation of associations to occur in waves. Some decades such as the 1840's, the 1860's, the 1880's and the 1900's were noteworthy for the founding of large numbers of voluntary associations.³

¹Max Grünhut in Penal Reform: A Comparative Study (New York: Oxford University Press, 1958) notes, "Prison discipline is a history of 'ideals and errors' . . . Prison discipline seems to be in a permanent state of reform. . . . This makes a periodic swinging of the pendulum almost inevitable." See p.

²The first reform period dates from 1790 with the founding of the Walnut Street Jail in Philadelphia. A "second wave of prison reform" swept the new republic beginning in the 1820's, and the third period commenced in the 1840's. See Lewis, 1922, pp. 324-327. These cycles correspond to those found in the early years of case history in this study.

³David Truman was an early observer of this phenomenon. See Truman, 1951, p. 59. The general twenty year cycle is suggested but not stated in the writings of James Q. Wilson. Wilson does pose one tentative generalization concerning these periods: "Periods of rapid and intense organizational formation are periods in which the salience of purposive incentives are sharply increased. Organizations become more numerous when ideas become more important." See Wilson, 1973b, pp. 195-203. Quote is from p. 201.

Common to all of these writers is the observation that certain periods of history exhibit more social reform activity than do intermediate periods. The "Jacksonian Period" is frequently cited as a major period of social and political reform.⁴ The years preceding and during the Civil War are filled with highly volatile reform activity.⁵ The close of the nineteenth century is also seen as a time of significant social ferment, particularly among farmers and laborers.⁶ The turn of the century is marked by the "Crusade for Social Justice," a period of extensive progressive reform.⁷ The 1930's witnessed a wide collection of political movements on the left, on the right and, under the federal "New Deal," in the middle.⁸ Finally, the 1960's are designated a reform period marked by major changes in civil rights and social welfare.⁹

Each of these periods of highly active reform is marked by the appearance of broad general social movements along with a varied collection of more specific social reform movements.¹⁰ The specific social reform

⁴See Ash, 1971, p. 91; Pickett, 1969, p. 6; Rothman, 1971, p. xiii; and Marvin Meyers, The Jacksonian Persuasion (Stanford: Stanford University Press, 1957).

⁵See Ash, 1971, p. 100; Gusfield, 1963, pp. 53-54; and John L. Thomas, "Romantic Reform in America: 1815-1865," American Quarterly, 4:656-681 (1965).

⁶See Ash, 1971, pp. 119-134; Greer, 1949, p. 61; and Wiebe, 1967, pp. xii-xiv.

⁷See Ash, 1971, p. 154; Hofstadter, 1955, p. 3; and Davis, 1967, "Preface."

⁸See Ash, 1971, p. 195; and Basil Rauch, The History of the New Deal, 1933-1938 (New York: Creative Age Press, 1944).

⁹See Morris and Rein, 1967, p. 208. Few adequate histories of the period exist. A reasonable report by a federal participant is provided by James L. Sundquist in Politics and Policy: The Eisenhower, Kennedy and Johnson Years (Washington, D.C.: Brookings Institution, 1968).

¹⁰Roberta Ash poses a hierarchically-ordered typology for considering

movements are not independent of the more general movements. The state penitentiary movement that followed the establishment of Pennsylvania's Eastern Penitentiary and the mental hospital movement that followed the establishment of the Worcester State Hospital were companion movements sponsored and nurtured by the experimental atmosphere of Jacksonian democracy.¹¹ The specific social reform movements arose within the environment of these general movements.

The refuge and reform school movements emerged from the broader populist movement during the Jacksonian period. The juvenile court movement was a specific manifestation of the general progressive movement of the 1890's. The community prevention program derived from the larger social recovery efforts of the "New Deal." As noted previously, the specific social reform movements that swept Massachusetts youth corrections policy were infused and motivated by broader, more general movements that swept other geographic and social policy areas. Each of the social reforms in Massachusetts youth corrections corresponds to a more general movement from which it derived. Those youth corrections programs that did emerge during national reform periods were uniquely shaped by their innovative contexts. The refuge and reform school were easy derivatives of the asylum concepts that diffused across the northeastern states during the second quarter of the nineteenth century. The community-based services in small, decentralized informal group homes and clinics were easy adaptations of the communes, "collectives" and alternative drug abuse and health services clinics popular during the late 1960's.

social movements in American history. See Ash, 1972, pp. 9-10. See also Greer, 1949, pp. 274-287.

¹¹ See Lewis, 1922; Grob, 1973; and Meyers, 1957.

But what, then, brought on these broad national reform movements? Roberta Ash ties her analysis of American social reform movements to fundamental transformations within the economic "sub-structure" and ideological "super-structure."¹² The social ferment of Jacksonian democracy has been identified as an outcome of an expanding mercantile economy.¹³ Richard Hofstadter argues that the populist movement of the 1890's arose from dislocations within the agrarian economy.¹⁴ It is common knowledge that the "New Deal" was a specific response to the economic hardships of the Great Depression. The "Great Society" programs of the 1960's and the social turmoil that refocused reform attention on the poor, the community and the failures of traditional social and municipal services may also be seen as arising from structural conditions. Frances Fox Piven and Richard Cloward argue that the "poverty programs" of the 1960's were aimed at curtailing civil disturbances in cities and capturing and stabilizing the voting power of the new black population that migrated from the rural South into the cities.

¹²Ash, 1971, p. 4. Ash's analysis is basically indebted to Marx, although she elaborates with much that comes from other sources.

¹³See Peter Temin, The Jacksonian Economy (New York: Norton, 1969).

¹⁴The populist movement which Hofstadter sees as the seedbed of progressivism and "the first such movement to attack seriously the problems created by industrialism" arose as a response to an international crisis in the agrarian market. "It was an effort on the part of a few important segments of a highly heterogeneous capitalistic agriculture to restore profits in the face of much exploitation and under unfavorable market and price conditions." See Hofstadter, 1955, pp. 50-61. Quote is from p. 58.

¹⁵See Piven and Cloward, 1971, chaps. 8 and 9. Piven's and Cloward's analysis is unconventional. James L. Sundquist argues that the "poverty program" arose from discontent alone. Dissatisfaction with traditional programs in mental health, urban renewal, job training, and public relief led federal "brain trusters" to seek new concepts. The general

Even where policy reforms do not nest easily into more general social movements they do follow periods of severe economic dislocation. The severe economic depressions of 1893 and 1929 are easy to identify in the business failure graph presented in Figure 9. The progressive period and the "New Deal" have already been linked to these crises. The graph also indicates the major depressions of 1873 and 1913. While conventional histories do not consider the periods following these dislocations as major eras of social reform the appearance of the vocational education movement in popular education and the appearance of the child guidance movement in mental health services suggest that these periods also were conducive to social reform. The vocational education program and the child guidance program in Massachusetts youth corrections policy were manifestations of these specific social movements in education and mental health.

It is possible to consider a causal connection between severe economic dislocations, general social movements and specific social reform movements in Massachusetts youth corrections policy. Depressions and wars would be seen as creating structurally conducive environments for the emergence of broad general social movements which, in turn, nurture and support specific social reform movements. The first nationwide depression in 1819 would be seen as important in explaining the appearance of the refuge movement, the financial panics of 1837 and 1839 would be noteworthy

"poverty program" arose from a convergence of discontent with the failure of several specific social movements. See Sundquist, 1968, especially pp. 111-134. The analyses put forward by Moynihan (1969) and Marris and Rein (1967) also focus more on ideational origins than structural origins. Both studies explore the role of the professional advisors and social scientists who "thought up" the new concepts.

in the development of the reform school movement, and the Panic of 1857 would be critical in explaining the rise of the supervised placement program. Wars, too, would be seen as potential motivators. The relation between the Civil War and the placement program, World War I and the child guidance program, and World War II and the community prevention programs of the 1950's would be potentially significant linkages.

The difficulty with relying on severe economic dislocations such as depressions or wars as an explanation for the rise of social reform movements is that there are more of them than needed. The appearance of social reform movements in Massachusetts youth corrections policy on a two decade period requires a similar pattern in the independent variable. The economic crises of 1825, 1847, 1884 and 1920, while not comparable to those of 1873 and 1929, were significant financial depressions and this analysis would tend to ignore them. While some connection between economic conditions and social reform movements is highly probable, economic conditions alone do not appear to determine the emergence of social reform.

2. The Cyclical Pattern of Reform Generations. Economic fluctuations appear to render periods following major economic dislocations as rich in reform potential. Yet not every period of structural conduciveness has erupted with significant social reform. In Massachusetts youth corrections history only those periods where structural conduciveness has appeared roughly two decades after the last major social reform have witnessed the ascendancy of a new program of response to policy dominance. It appears that some conservative force must operate that blunts the potential for

social reform when structural conditions appear ripe too frequently, and that it is a conservative force that wears down on something like a twenty-year frequency.

Where social reform movements require the mobilization of influential participants for the effectuation of program ascendancy, it is quite possible that these social reformers once committed to a new program later become a conservative force defending the program once accepted as dominant policy. The very mobilization of many active participants of various ages around a particular new program may create a kind of reform generation which acts as a unified body in advocating and, later, defending a new program. A generation of professionals and practitioners might wear down and lose dominance after some twenty years of program maintenance. What would once have been a generation of zealots would, after two decades of practice, be likely to be a generation of intransigent administrators weakened by time's passing. A new social reform tried earlier may not have succeeded against such a dominant generation. A new social reform tried after two decades might attract all the dissident and discontented opponents of the dominant policy, young and old, and weld them together into a new generation of social reformers.

Generation is perhaps a misleading term. A reform generation need not be an age cohort. More like a social movement, membership in such a generation is not limited by age. Rather it is outlook which gives social movements generational qualities. Mobilization of participants in a social reform movement encourages a conflict perspective where those within the movement perceive themselves as advocating the "new" against those who

are perceived as defending the "old." A conflict between program approaches and policy perspectives becomes recast as if it were an inter-generational struggle. This competition between "generations" serves to aid a new movement in its development. The conflict perspective sharpens a new program and galvanizes the mobilization of participants.¹⁶

Consider the case history. Howe, Sandborn, Fisk and Tufts perceived of themselves as protagonists of the reform school Trustees and staffs. With the supervised placement program they sought to replace the asylum program. Howe's solitary effort ten years earlier had failed to achieve dominance, in part, because the reform school prototype was still supported by the dominant generation. The efforts of Miller and his allies were seen as a direct confrontation with the older associates of the training schools. The conflict came to appear generational: the young and "the right" against the old and "the wrong."

Miller orchestrated the conflict orientation to his advantage. Both he and the institutional staffs recognized that control of youth corrections policy meant success. The struggle for power was couched in terms of the moral sentiments. For latent in the spirit of social reform is a conflict orientation and a compulsive drive for power. Social reforms achieve dominance only through competitive engagement and the search for power is the key to success. A reform generation is one in

¹⁶For an insightful analysis of the integrative and disintegrative functions of inter-generational conflict, see Shmuel N. Eisenstadt, From Generation to Generation: Age Groups and Social Structure (New York: Free Press, 1956), chap. 6.

which the need for power is high.¹⁷ The motivation may be transferred from self interest to altruism, but the basic challenge of advocacy and struggle remains immutable.

Section IV: Chapter D
IDEOLOGIES IN SOCIAL REFORM

1. The Functions of Ideology in Social Reform. If each generation of reformers has reacted to the current failings of past generations of reformers, they have done so in words as well as deeds. Not only were young reformers out to create new structures and embrace new practices and theories, they also sought to legitimate new languages and new belief systems. When considering the process of social reform in the last section it was noted how new program statements and new reform movements emerge out of more generalized belief systems and more general social movements.

¹⁷ See David C. McClelland, Power: The Inner Experience (New York: Irvington, 1975), pp. 346-350. McClelland posits a 15 to 20 year cycle in which social reform and war follow each other as reciprocal motivating conditions.

These broad general social movements offer more to specific social reform movements than energy and legitimacy alone. They also establish the ideational climate in which new generative concepts are evaluated and selected as foundations for specific social reform movements. These ideological climates, or ideologies, arise from secular social and economic developments within the social structure. Various terms have been used to suggest the long term trends in the development of American society. Modernization, urbanization, industrialization, the rise of capitalism, the emergence of nationalism, bureaucratization, centralization, secularization, the rise of the welfare state and the emergence of consumerism and monetization all have marked American social development. Throughout history various of these processes have served as engines of social transformation and, at various times, these processes have become the focus of broad national anxieties. The ideational climates associated with the various national social movements have been constructed as reactions to these transforming processes. The ideas and values of the national social movements have developed from anxieties and insecurities associated with social development. The generative features which have appeared in each reform movement are, therefore, directly linked to the processes of national social and economic development through the ideologies of reform generations.

The emergence of the supervised placement program provides an excellent example of the ideological underpinnings of youth correction programs. Following the diffusion process backwards from the specific social reform movement of Howe, Sandborn and Tufts, it has been noted that ten years earlier, Howe had advocated a similar program for the girls'

reform school. At that time, there was no specific movement and Howe's actions were ineffectual. Yet, even at the time a social movement was beginning to emerge. As this movement began to form it came to focus around Charles Loring Brace at the New York Children's Aid Society, John Augustus and Rufus Cook at the Suffolk County Court and the Boston Children's Mission to the Children of the Destitute. The emergent program described children as morally exposed and in need of resettlement with good Christian families. Prior to the efforts of Brace, Augustus and Cook there was no significant movement for child placement and no recognizable program outline. Yet, there was something in those early "cultural drift" years. Something motivated Brace, Augustus, Cook and, later, Howe, Sandborn and Tufts that stood in the place of a recognizable program statement. That motivating orientation from which the earliest generative features emerged was not focused on refining the social response to wayward youth. Instead, it arose from a repugnance for the conventional asylum program and a firm ideological commitment that children, even problematic children, should not be raised in segregated state institutions; rather, they too required the firm and loving context of human families. The roots of the supervised placement program statement lay in an ideological commitment. This ideology arose from a fundamental anxiety over the perceived deterioration of the family confronted with urbanization and a wage based means of production.

The supervised placement program was not unique in its origins. Each of the programs that have achieved policy dominance in Massachusetts youth corrections can be traced back to fundamental ideological orientations. These ideological orientations reflect basic conceptions

about the proper relationship between citizens and the social order.¹ Figure 10 outlines the various ideological components recorded as significant in each of the various general social movements which have emerged during the periods of active social reform in America. The synopses of belief systems presented in Figure 10 are well generalized and highly idealized. Yet, if these abstracts are compared to the concepts associated with Massachusetts youth corrections programs (see Figure 6), the nested relationship between general ideologies and specific program statements is well illustrated.

The vocational education program emerged out of the interests of teachers and industrial managers who sought to create a skilled, dependable and mobile labor force that would benefit and achieve success in the rapidly industrializing economy. They were deeply disturbed by the growing ranks of idle urban youth, unskilled, unproductive and potential audiences for anti-capitalist and pro-union demagogues.² These reformers were not appalled by industrial expansion or the new economic order.³ Instead, they hoped through state intervention into the lives of the young, both in public schools and state reformatories, to produce a generation of workers who could master and use the new technologies for their own social well being and independence.⁴

¹This relationship between ideologies and criminal justice policy has been explored elsewhere. See Leon Radzinowicz, Ideology and Crime (New York: Columbia University Press, 1966) and Walter B. Miller, "Ideology and Criminal Justice Policy: Some Current Issues," Journal of Criminal Law and Criminology, 64:141-162 (1973). For the role of ideology in other areas of social policy see Mencher, 1967 pp. 241-266; and Wilensky and Lebeaux, 1965, pp. 33-48.

²See Snedden, 1970, pp. 90-98.

³See Mann, 1956, p. 231.

⁴See Katz, 1968, pp. 213-218.

Figure 10: Detailed General Social Movements Affecting the History of Massachusetts Youth Corrections Policy

JACKSONIAN DEMOCRACY

Substructural Changes

Emergence of commercial capitalism and commercial agriculture

Ideological Concepts

Transcendentalism and inner enlightenment

Moral Entrepreneurship and religious revivalism

Social Gospel and voluntary Christian philanthropy

Quakerism and humanitarianism

Anti-industrialism

Democratic participation

Manifest Destiny

Complimentary Specific Movements

Communal experimentation: Brook Farm, Fruitland, Onieda, New Harmony and Modern Times

Workingmen's co-operatives

Prevention of pauperism: almshouses and workhouses

Lunatic Asylums

Penitentiaries

ABOLITIONISM

Substructural Changes

Industrialization, urbanization, immigration and the rise of the factory

Ideological Concepts

Immediatism and Emancipation

Quakerism and humanitarianism

Chiliasm: New Inner Light, post-Reformation

Ill-liberalism

Moral revolution and self discipline

Complimentary Specific Movements

Universal education

Reconstruction: Freedman's Bureau, Sanitary Commission

POPULISM

Substructural Changes

Development of industrial capitalism, massive urban immigration, rapid urbanization, the closing of the frontier and the concentration of wealth and financial power

Ideological Concepts

Social Darwinism and Laissez Faire economics

Individual progress: Horatio Alger

Victorianism

Nativism, nationalism and Americanization

Anarchism and Agrarian Socialism

Anti-urbanism, pro-agrarianism

Complimentary Specific Movements

Commercial agrarian movements: the Grange, Farmers Alliance

Public Health

Temperance

Women's Suffrage

Charity Organization and Federation

Trade unionism and labor activism: National Labor Union, Knights of Labor, "Molly Maguires"

Industrial education

PROGRESSIVISM

Substructural Changes

Development of monopoly capitalism, industrial expansion, specialization and bureaucratization and urban differentiation

Ideological Concepts

Good government: efficient, professional, uncorruptable, centralized, budget-controlled and accountable

Scientific management and scientific charity

Industrial Socialism: I.W.W., C.I.O.

Anti-immigration, nativism and restrictionism

Protection: child labor, widows' benefits and pensions

Exposing: muckraking and yellow journalism

Complimentary Specific Movements

Civic reform: Municipal Research Bureaus, Voter Leagues, Commercial Clubs, National Municipal League

Prohibition

Settlement Houses

Playgrounds, housing, "City Beautiful" and city planning

Negro advancement: N.A.A.C.P., Urban League

Union Federation: A.F.L.

NEW DEAL

Substructural Changes

Development of welfare capitalism, state-industrial co-ordination and suburbanization

Ideological Concepts

Recovery and rebalancing: N.R.A.

Federal involvement, federal planning and federal administration

Economic security: social insurance, labor protection and public assistance

Corporate regulation

Anti-communism, pro-intellectualism, liberalism

Complimentary Specific Movements

Public works, public assistance: P.W.A., C.C.C.

Public relief and unemployment assistance: T.E.R.A., F.E.R.A.

Public housing

Towsend's National Recovery Plan

Bohemianism and the New Wave

GREAT SOCIETY

Substructural Changes

Development of post-industrial capitalism, automation, multi-national corporations, significant expansion of service sector and metropolitan and regional development

Ideological Concepts

Community action, community organizing and participatory management

Decentralization and regulation

Civil Rights

Compensatory treatment, advocacy and institutional change

Consumerism

Complimentay Specific Movements

War on Poverty, Economic Opportunity and Model Cities

Civil Rights: Black nationalism, school desegregation and voting rights

Women's Liberation and the "sexual revolution"

Counter-culture: communes, alternative life styles, drug experimentation

War resistance, civil disorder and the "New Left"

Youth programs: Peace Corps, Job Corps, Head Start, Upward Bound, VISTA

References: Ash, 1972; Bremner, 1960; Davis, 1967; Greer, 1949; Hofstadter, 1955; Mencher, 1967 and Trattner, 1974.

The child protection program originated in the distress of middle class (particularly female) civic activists over the significant powers for social abuse which arose unbridled in the urban industrial production economy.⁵ They saw the child, particularly the poor immigrant child, as exposed and vulnerable to the exploitation of corrupt and greedy industrial "robber barons" and urban "political bosses." They saw in legal action by the state and coordinated voluntary services by middle class charity workers a means of protecting the child and acculturating the family without pauperizing the laborer.⁶

The child guidance program emerged from professional practitioners who sought to aggrandize scientific rationality and yet put to rest the biological notion that character was inherited. They feared the irrational impulse in human motivation and attempted to enshroud it in a litany of psychological pathologies. They attempted to locate the origin of deviance firmly in the individual psyche and to prevent its infectious development by providing early counseling and redirection while youth remained within their own families. The clinics and psychological tests stood as a defense against the continued generational transference of poor family socialization and non-healthy psychological and behavioral habits.⁷

The community prevention program originated in the social thought of academicians and professional community workers. They witnessed a society increasingly class segregated with decreasing mobility for the lower classes. They saw in the disorganized slum life of urban ethnics

⁵See Platt, 1969, pp. 75-100.

⁶See Lubove, 1965, pp. 7-9, and Watson, 1922.

⁷See Levine and Levine, 1970, p. 271.

and "Negroes" the seeds of violence and social unrest.⁸ They avoided a direct confrontation with the economic order by laying the blame for youthful deviance on the faulty social organization of the lower class community and the malfunctioning of social welfare services. They sought through community organizing and the redirection of delinquent gang incentive systems to bring lower class youths into the mainstream of legitimate economic opportunities.

These capsulized statements are admittedly oversimplified. Yet, they do suggest the derivative qualities that link programs in youth corrections to broader ideological orientations which are based in historical social and economic conditions. It is as if scraps of broad contemporary socio-political ideologies were torn loose and progressively re-molded into formalized programs for concrete action in responding to pressing social stresses.

2. The Conservative Impulse in Social Reform. The derivation of program concepts from socio-political ideologies provides a frame of analysis for describing social reforms in terms of political interests. Ideologies as a category of political analysis have conventionally been identified as political weapons in class conflict. Karl Mannheim, in his classic treatment of the subject, describes ideologies as masks of deception and self-deception which cover over the private interests of dominant groups in the social structure.⁹ Because such groups are

⁸See Snodgrass, 1972, pp. 206-208, and Finestone, 1976.

⁹In this formulation, Karl Mannheim follows Karl Marx in viewing ideologies as a part of the superstructure designed to rationalize the economic

dominant and prefer to stay so, ideologies bear a significant conservative tendency, functioning as rationalizers and legitimators of the existing social order.

As conservative deceptions, it should appear odd, then, if ideologies served as motivators of social reform. Such a situation would throw progressive claims of social reformers under skepticism. The situation is better revealed by considering the directional tension within social reforms. David Rothman views the reforms of the Jacksonian period as originating in both a sense of loss and a sense of hope.¹⁰ These social reforms were both forward looking and backward looking; both progressive and regressive. The past was painted as the ideal, but it was transposed onto the future. This is, indeed, the nature of conservatism in the sense of a progressive conservatism. Forward progress is directed by principles assumed as lost properties, or soon to be lost properties, of the past. For the reform generations of the mid-nineteenth century, it was the loss of community, common values and a stable social order which impelled them toward institutions and family placements. All around them were indications of social decay and impending crisis.¹¹

substructure:

"The concept 'ideology' reflects the . . . discovery . . . that ruling groups can in their thinking become so intensely interest-bound to a situation that they are simply no longer able to see certain facts which would undermine their sense of domination. There is implicit in the word 'ideology' the insight that in certain situations the collective unconscious of certain groups obscures the real conditions of society both to itself and to others and thereby stabilizes it."

See Ideology and Utopia: An Introduction to the Sociology of Knowledge, trans. Louis Wirth and Edward Shils (New York: Harcourt, Brace and World, 1936). p. 40.

¹⁰Rothman, 1971, p. xix.

¹¹For further evidence supporting Rothman see Meyers, 1957.

Theodore Lyman had been mayor of Boston from 1834 to 1836, a rather violent time in the city's history during which anti-Catholic riots had broken out in Charlestown and on Broad Street, and William Lloyd Garrison was attacked by an anti-abolitionist mob. Lyman, the "silk-stocking Federalist," therefore, drew his interest in crime and the problems of delinquents from a deep concern over the erosion he saw in the social order of the city he loved.¹² Samuel Gridley Howe was born of Brahmin background. He was the social activist par excellence. His involvement in American abolitionism and civil wars in Greece and Santo Domingo arose from a deep passion for social justice which he feared lay highly vulnerable throughout the world.¹³ Frank Sandborn was also of Puritan ancestry. He lived in the rarified atmosphere of Concord where he wrote extensive biographies of his friends: Emerson, Thoreau, Channing, Hawthorne and Bronson Alcott. He was an outspoken abolitionist and a close friend of John Brown. Sandborn outlived the "transcendentalists" and lived long enough to see the erosion of the cultured world and the repudiation of his own ideas.¹⁴

Judge Baker and Judge Cabot were both products of Brahmin Boston. Both were born in Brookline, attended Harvard, remained bachelors and lived much of their lives among the gentlemen's social clubs of Boston. It was hardly the world of the poor and wretched who appeared in their courtrooms. Both men saw in the young faces of those who appeared before

¹²See Roger Lane, Policing the City: Boston, 1822-1885 (Cambridge: Harvard University Press, 1967), pp. 26-34.

¹³See Schwartz, 1956.

¹⁴See Smith, 1917.

them the human scars of the processes of industrialization, urbanization and immigration.¹⁵ William Healy was also a product of a Harvard training. His introduction to social ills came from his associations with the "Hull House circle," but he never developed the awareness of lower class life which characterized the settlement houses. Instead, Healy viewed the world through highly moralistic eyes. While he little considered the social order as a causal factor, he saw in the troubled minds he examined the seeds of social destruction and chaos.¹⁶

The social reformers most responsible for policy changes in Massachusetts youth corrections were bound by a continuous tension. They acted offensively toward the future, but defensively toward the present. Like the juvenile delinquents they sought to aid, they were innovators who reacted against the established patterns of conventionality in order to protect themselves. Clifford Griffen, in his analysis of nineteenth century philanthropists, refers to them as "conservative reformers." Such reformers, coming from prosperous and respectable families, saw themselves as heirs to the colonial theocrats and Federalist revolutionaries. As "God's Elect" they saw benevolent activity as a part of moral stewardship--their trusteeship to relieve the suffering of the needy and correct the behavior of the deviant so as to salvage mankind and secure their proper place in the "life hereafter."¹⁷

Such benevolence grew easily from a political ideology based on natural status. Jacksonian philanthropists were motivated by conservative

¹⁵See Cushman, 1920, and Howe, 1932.

¹⁶See Snodgrass, 1972, p. 196.

¹⁷See Griffen, 1960, chap. 2. For the role of religious evangelism in these early reforms see Timothy L. Smith, Revivalism and Social Reform: American Protestantism on the Eve of the Civil War (New York: Abington, 1957).

concerns for the preservation of the social order.

They feared imminent social upheaval resulting from the explosive mixture of crime, disease and intemperance which they believed characterized the lives of poorer urban residents. Without relieving the poor of their responsibility for their condition, these philanthropists saw in their benevolence, ways of avoiding class warfare and the disintegration of the social order. The French Revolution reminded them . . . that the costs of class struggle were highest to advantaged citizens.¹⁸

The social order these reformers struggled so to preserve was one already undergoing deterioration from its more stable past.

Many Americans in the Jacksonian Period judged their society with eighteenth century criteria in mind. . . . They were embarrassed about the cruelty and shortsightedness of earlier punishments, and hoped to be humanitarian reformers. Yet they also believed that their predecessors, fixed in their communities and ranks, had enjoyed social order.¹⁹

But the generation that followed looked back on the 1820's with an equal sense of loss and desire.

Americans in both North and South responded to changes brought by the Civil War by looking back on the years preceding Sumter as a golden age, a time of virtue and innocence, after which the nation . . . moved away from the South's idyllic "Greek Democracy" and the North's peaceful "agrarian republic." The nation seemed to forget the sense of malaise of the generation after 1830. . . . Instead, the former golden age, the Revolutionary generation, was lengthened and the two generations after 1815 came under the enlarged halo of innocence.²⁰

And a generation later, the populists revealed this same conservative ideal.

The utopia of the Populists was in the past, not the future. According to the agrarian myth, the health of the state was proportionate to the degree to which it was dominated by the agricultural class, and this assumption pointed to the superiority of an earlier age. The Populists looked backward

¹⁸Mennel, 1973, p. 6.

¹⁹Rothman, 1971, p. 69.

²⁰Bernard Wishy, The Child and the Republic: The Dawn of Modern American Child Nurture (Philadelphia: University of Pennsylvania Press, 1969), p. 81.

with longing to the lost agrarian Eden, to the republican America of the early years of the nineteenth century.²¹

This same regressiveness appeared among Progressives as well.

Radical or moderate in their proposals, the Boston progressives were conservative in their assumptions. They wished to preserve the older ideas of American life wrapped up in the one idea of the open society. Fearful that America would follow Europe in developing a class-ridden society, they cherished the ancient doctrine of the oneness of the human race.²²

Recent reconceptualizations of ideology as a political category have attempted to provide it with an expressive as well as instrumental function. In this reformulation, ideology is seen as a catharsis for anxieties created by social stresses and a means of understanding and coping with such tensions.²³ While this strain theory of ideology yet admits the existence and functions of dominant carrier groups, the class oppression is downplayed. All segments of the social structure experience social stress and the ideological response, while formulated and maintained by dominant groups, benefits non-dominant groups as well and among them finds active acceptance and voluntary support.²⁴ The conservative impulse

²¹Hofstadter, 1955, p. 62.

²²Mann, 1956, p. 238.

²³Peter Berger and Thomas Luckman call this additional function of "putting everything in its place" the "nomic function" of ideology. See their The Social Construction of Reality: A Treatise on the Sociology of Knowledge (New York: Doubleday, 1966), p. 91. Clifford Geertz observes, "In the interest theory, ideological pronouncements are seen against a background of universal struggle for advantage; in the strain theory, against the background of a chronic struggle to correct socio-psychological disequilibriums. In one men pursue power, in the other they flee anxiety." See his "Ideology as a Cultural System," in Ideology and Discontent, ed. David Apter (Glencoe: Free Press, 1964), p. 52.

²⁴In this formulation lies the basis for viewing the ideological hegemony of capitalism in American history.

in American social reform views loss and change as more significant threats to personal and social well being than inequality and the mal-distribution of power, status and wealth.²⁵

This particular bias in American social policy reforms appears because the formulation of social policy has been the province of the upper and middle classes. All of those figures who have been considered in this study have been among the social and economic elite of the Commonwealth. They have acted in behalf of the less advantaged, but they have always done so within their own status bound visions. The sense of loss and grief these reformers experienced in witnessing the consequences of secular trends in the social structure was the angst of their particular class. They struggled to improvise new progressive responses to the plight of the poor and deviant, but they did so only by means that confirmed and reinforced their own position and their own values. Their antidote to fundamental loss lay in reformist action: action directed toward alleviation and protection. But this altruism was a mixture of charity and confirmation, benevolence and reinforcement. No matter how it failed the disadvantaged, it served those who felt that advantage carried with it social responsibility.

While the development of a youth corrections system may well have served to guarantee the stability of a class segregated social structure, the social reforms of youth corrections policy did not arise from class conflict. Indeed, the hopes, fears and dreams of the poor easily converged with the motivations of their middle class caretakers.

²⁵See David K. Cohen, "Loss as a Theme in Social Policy," Harvard Educational Review, 46:553-571 (November, 1976). For a provocative consideration of loss and the conservative impulse in social policy see Peter Marris, Loss and Change (New York: Pantheon, 1974).

If class control was a consequence of social reform actions, it was not among the manifest objectives.²⁶ Instead, the conflicts inherent in the reforms of youth correction policy pitted one generation of caretakers with one scrap of reform ideology against an older generation of caretakers with an older scrap of reform ideology.²⁷ Nor were the conflicts simple expressions of progressive inspiration against regressive intransigence. For it is not so much that old reformers convert reform into reaction, but, rather, that within social reform ideologies both progressive and regressive impulses exist in a delicate tension.²⁷ New social reformers merely confront old reform ideologies as if the tension had dissolved into pure reaction. The conflict between reform generations is most often one of authority, power and dominance among social elites and not a contest over social progress.

3. The Pattern of Social Reform. The socio-political ideologies from which the Massachusetts youth corrections programs sprang were innovation oriented, but tempered by a conservative impulse. This conservative impulse resulted from the life positions of the social reformers themselves. In some cases blunt economic anxieties propelled social reformers, in other cases, cultural and ethnic issues, religious

²⁶The generational quality of history explains the reactive character of concept selection:

". . . what, from the point of view of imminent intellectual history, appears to be the 'inner dialectic' in the development of ideas, becomes, from the standpoint of the sociology of knowledge, the rhythmic movement in the history of ideas as affected by competition and the succession of generations."

See Mannheim, 1936, p. 270.

²⁷Richard Hofstadter makes this same point in considering populist reforms. See Hofstadter, 1955, p. 21.

issues, issues of national security and domestic order, issues of empathy, compassion and justice and feelings of loss, grief and bereavement motivated social reform.

The innovations of youth corrections policy were, thus, a class-based response to loss. The fundamental motivations of social reformers were derivatives of a conservative impulse at once progressive and regressive. The frustration of elite reformers faced with secular transformations they distrusted was resolved in an aggressive moral entrepreneurship which pitted them not against the forces they felt powerless to alter, but, instead, against the social policies of the past. Action gave purpose to floundering identities and sustained political commitment. That the legitimacy of new programs does not last remained either unknown or irrelevant. Personal and social investments in new programs are large and there is significant resistance to the acceptance of program demise even where there is reasonable ambivalence and discontent. It appears that major economic dislocations helped to loosen that resistance and to convert passive discontent into active unrest. Even then it is not every economic cycle that brought with it social reform. There is a natural period to the rise and fall of a generation and it appears necessary to depose a generation to finally achieve the dominance of a new program. And this only happens every twenty years or so.

Section IV: Chapter E
THE DYNAMICS OF SOCIAL REFORM

Social reform in youth corrections policy arose from various sources. Long term secular trends internal to program developments led to program discontent and set the stage for policy reform. But conditions internal to programs did not determine the final timing or content of social reform movements and new programs of response. The appearance of social reform in social policy was determined by broad transformations in both the structural and ideological sectors of the society. Significant upheavals in the economic sub-structure were mediated by the generational constraints of reform generations in rendering particular time periods conducive to broad general social movements. The more secular developments of the social structure, such as industrialization, urbanization or immigration, produced certain reactive-progressive ideological orientations among high status individuals and these constrained and guided the selection and development of the generative concepts in new program statements. Only where discontent was high and structural and ideological climates were ripe did social reform arise to change youth corrections policy.

The study closes where it began--staring at the deserted cottages and farmhouses of the Lyman School. We have traced the story of that institution from inception to termination. Above all else, the case history has revealed the rise and fall of the institutional response to deviant youth.

The rise and fall of the institutional response marks the most significant transformation of the case history. The period between 1820 and 1850 witnessed a significant break with the undifferentiated responses of the past. A bold new social reform was implemented in Massachusetts youth corrections policy. The refuge and reform schools were unique innovations. The vocational education movement of the 1880's was never intended to create a replacement for the reform schools. In recasting the reform schools as training schools, the movement sought no more than to reconstruct the prototype to more effectively achieve the original conceptions of Quincy, Wells, Foster and Lyman. The child protection and child guidance programs to the degree that they had an effect on the reform schools, were adjusted and modified to enhance and refine the institutional prototype. Neither program was intended to replace the existing institutions.

This was not the case with the supervised placement program. Howe, Sandborn and Tufts clearly intended a transformation in dominant youth corrections policy. They almost succeeded. Instead, the preventive placement response was aborted and defused of its replacive potential. The parole system implemented under Superintendent of Visitation, Walter Wheeler, bore resemblances to the early visiting system in form and function, but not in intent. The placement program was compromised in the negotiated unification of 1895. The preventive mission was lost in the professional developments of child protection and child guidance and did not emerge again as a potential threat to the institution's legitimacy until the rise of the community prevention program. But this prevention program never directly confronted the institutional hegemony. Instead,

it could not quite shake the psychodynamic tradition of Boston's eminent child guidance community.

It was only in the rise of the community-based services program and the passion for combat of the reform activists of the late 1960's that the seeds of a true transformation in youth corrections were finally sown. The deinstitutionalization of the Miller administration was wrenching and destructive precisely because it was replacive and discontinuous. The institutional program which had so long served as the backbone of Massachusetts youth corrections policy was finally destroyed. The Lyman School and its sibling institutions were closed.

The corrections institutions were the result of a specific social reform movement as surely as was their closing. But why did these separate, almost contradictory, movements arise? What does this frame of analysis offer in explaining the rise of the institutional response in America and, even more so, its demise? This one case, bounded by geography and social service area, can not be expected to provide a definitive answer, but it can, and does, offer some interesting insight.

The rise of the institutional response and the rise of the non-institutional response were parallel phenomena. The non-institutional response was not merely the repeal of the institutional response. The institutions degenerated over time and failed to maintain their popular legitimacy. But this decay was not the sole determinant of their termination. Instead, both the institutional response and the non-institutional response were the result of independent social reform movements, each reacting to the failures of the previous programs and each constructively directed by a bold vision of innovation.

Some writers equate the rise of the asylum program with structural conditions alone, particularly the emergence of urbanization and industrialization.¹ Urbanization and industrialization are seen as forces eroding the dominant position of the family as a locus of social welfare and the institutions are seen as the substitute necessary to fill the void. The problem with this analysis lies in the extent to which urbanization and industrialization had advanced by the second and third decades of the century.² Boston was clearly an urban center filled with the various problems of urban life by 1830 and it is supportive of this argument that Boston was the site of the first institution for wayward youth in the state.³ Yet, it would not be correct to say that Massachusetts was well urbanized until after 1850, when over half of the residents lived in communities of over 2500 persons. While the first factories were constructed in the 1820's, the heavy impact of industrialization did not occur until after mid-century when the major textile mills were opened in the Merrimack and Connecticut River valleys.⁴

¹See Mechanic, 1969, p. 54, and Deutsch, 1937.

²By 1830, only 31 per cent of Massachusetts residents lived in communities of over 2500 persons. It was not until 1850 that this figure reached 50 per cent. See U.S. Bureau of the Census, Massachusetts 1970 (Washington, D.C.: U. S. Government Printing Office, 1972), esp. Table 1: "Population of the State: Earliest Census to 1970."

³By 1830 Boston had a population of 61,392 and was a densely packed city. See Oscar Handlin, Boston's Immigrants (Cambridge: Harvard University Press, 1941), Table II, p. 239.

⁴Labor scarcity constrained much of the industrialization prior to the 1840's. See Handlin, 1941, p. 74. Stanley Lebergott's analysis of nineteenth century occupational development finds that less than ten per cent of the national labor force was occupied in manufacturing before 1840. See his Manpower in Economic Growth: The United States Record Since 1800 (New York: McGraw-Hill, 1964).

Yet, the rise of the refuge and reform school movements did coincide with the beginning of intensive economic growth in the new republic.⁵ That this early growth did not result in significant industrialization suggests that the growth of the 1820's and 1830's was more in commerce than in manufacturing.⁶ But the growth of commercial capitalism required a regular and dependable wage-based labor force as surely as would the growth of industrial capitalism a half century later. If the refuge and reform school were seen as functional in reproducing such a labor force for the later industrial revolution they could have equally well served this early nineteenth century commercial economy.

Thus the emergence of the institutional response to wayward youth may well have resulted from the on-going social and economic transformations in Massachusetts, but it was not a direct or automatic response. The institutional prototype rapidly diffused into more rural states where neither commercial nor industrial capitalism was yet to have impact in the state economy. Further, while urbanization and industrialization were to continue to expand significantly into the twentieth century, the institutions soon degenerated and lost most of their popular and professional legitimacy. Instead, the refuge and the reform schools were advocated as part of a larger ideology in which they were as much a progressive innovation

⁵It has been conventional for historians to assume that the American economy did not really "take off" in economic growth much before 1840. See, for instance, W. W. Rostow, The Stages of Economic Growth (New York: Cambridge University Press, 1960). More recent analysis suggests that significant growth may have begun as early as 1800. See P. A. David, "The Growth of Real Product in the United States before 1840: New Evidence, Controlled Conjectures," Journal of Economic History, 27:151-197 (June, 1967).

⁶Peter Temin refers to this as a "commercial revolution." See his Causal Factors in American Economic Growth in the Nineteenth Century (London: Macmillan, 1975), p. 16.

directed at building a better society as they were a reactive impulse to secular transformations.

In 1820 Josiah Quincy condemned the destructive effects of the existing "outdoor" welfare approach to deviants and dependents, not only because of the damage done to society, but, also, because of the demoralizing effects it had on the individual.

Of all modes of providing for the poor, the most wasteful, the most expensive, and most injurious to their morals and destructive of their industrious habits is that of supply in their own families.⁷

Quincy envisioned the erection of a statewide network of shelters which would separate and differentiate the poor, sick and wayward so as to protect and reform them that they might yet emerge as respectable and productive citizens. Foster, Lyman and Washburn followed Quincy in this two-fold advocacy. The Foster Commission recommended the State Reform School noting, "The leading object of this institution should be . . . the entire reformation of wayward boys, thus saving the subjects of reform from ruin, and rendering them permanent blessings to their race."⁸ In his dedication address Emory Washburn went even further:

A moment's reflection would satisfy the mind of any of that in a government like ours, the charge which these [delinquents] impose upon the industry of the community must be heavy indeed. When, therefore, we remember that every one who shall here be reformed is not only relieving the State from the expense of his support, but is adding his industry to the aggregate wealth which is to bear the burden, we shall see that, as a mere question of profit and loss, the State has a deep stake in the establishment and success of this institution.⁹

⁷"Quincy Report," 1821, p. 9.

⁸"Report of the Foster Commission," 1849, p. 31.

⁹Washburn, 1849, p. 101.

This analysis, further, helps explain the failure of the supervised placement program to transform youth corrections during the mid-nineteenth century. Under the conditions of early commercial and industrial capitalism labor was scarce. Outdoor relief was seen as threatening the mobility and productivity of the labor market.¹⁰ Supervising problematic children in their own families converted them into dependents who sapped family resources and constrained the availability of adult breadwinners. Permitting idle youth to wander freely necessitated additional law enforcement personnel and encouraged the future development of unskilled, undisciplined and, most likely, dependent adults.¹¹ Such idle and undisciplined youth were not only dangers to their own future productiveness, they were seen as contagions among their peers serving as bad apples to spoil the lot of potential workers and family supporters. Supervising problematic children in rural farm families made sense to the placement family. Farm family life was labor intensive and a state ward could generally be made an economic asset. But agriculture in Massachusetts, like the nautical business of whaling and shipping, was not a growth sector of the economy, and youth in either setting could not be well prepared for a productive future. The institutions that separated wayward children from struggling families, removed them from the undisciplined life of the streets

¹⁰Mencher, 1967, p. 94.

¹¹ "The moral condition of many children and youth in Boston is truly deplorable. Great numbers are not attending school, are without proper parental control . . . are in a daily practice of small offences and appear to be ripening for a life of poverty, idleness and crime. . . . If parents can not or will not keep their children in school and from the daily violation of wholesome regulations, the public had better support and teach them and effect a permanent moral as well as pecuniary savings."

See Boston House of Reformation, A.R., 1846, p. 11.

and set them to the orderly acquisition of work skills, self-discipline and respect for conventional values provided the most effective response for both the children and the social order of the nineteenth century.

Why, then, did the movement for community-based services arise in the late 1960's? What forces mandated the final abdication of the institutional response? Again the motivation is revealed in the program statements. In 1972 Jerome Miller complained,

. . . incarceration in training schools . . . is inhumane by current standards, destructive and humiliating of inmates even under the best of circumstances, educates youth in ways of crime and anti-social behavior, is incredibly expensive as either a correctional or rehabilitative method, and . . . these infantilizing, corrupting and expensive characteristics are inherent in institutions and not susceptible to reform.¹²

The institutions were inhumane, ineffective and above all expensive. The significant increase in the number of commitments during the late 1960's recreated the dilemma of congestion. The more youths incarcerated in the congested institution, the more the institutions were seen as illegitimate. The rising costs of maintaining the increasing number of youths in institutional settings was the final challenge. The entire institutional response had come to be questioned. Discontent was rampant. Yet deinstitutionalization was not simply anti-institutional. Within the program lay the same dual tension which had formed the underpinnings of the asylum program a century and a half earlier. Miller and the reform activists saw in community-based services a means of correcting that part of society which defined and, in theory, created delinquency:

The value in the movement to community programs is not . . . in their effectiveness in lowering recidivism--though hopefully they will be effective. The value is in the fact that community

¹²"A Strategy for Youth in Trouble," 1972, p. 16.

programs have a potential to re-educate the public as to who and what "criminals" and "delinquents" are in a variety of roles other than those of "inmates." These programs . . . provide the underpinnings of a new ideological backdrop against which diagnosis and classification can develop in new, less restrictive directions.¹³

The movement to community programs was not unique to Massachusetts youth corrections. The principles of deinstitutionalization and community-based services were a part of a broader ideology that swept several different social policy areas and many of the progressive states during the late 1960's. This community care ideology was not without structural roots. The emergence of community-based services coincides with the emergence of a fiscal crisis in state budgets and an over-supply of human service professionals. Reducing capital and maintenance outlays for inefficient residential institutions and relying instead on ("outdoor") welfare payments and purchase-of-service contracts with private agencies offered an opportunity to relieve the pressure on the state budget. Contracting welfare and correctional services would placate young professional activists by expanding occupational opportunities for working with the poor, the sick and the deviant. During the past two decades state budget appropriations for human services mushroomed. A large percentage of this increase occurred in the maintenance of social service institutions. The widespread unionization of state employees and the advent of the eight-hour day/forty-hour-week seriously raised the costs of institutional services. By the 1960's the physical plants of the custodial institutions, most built during the nineteenth century, were rapidly approach such decay

¹³Jerome G. Miller, "Corrections: Reform or Retrenchment," Massachusetts Department of Youth Services, Boston, Mass., September, 1972, p. 6. (Mimeographed.)

and inefficiency as to require replacement. State budgets, strained by the rising costs of services and constrained from raising taxes or debt ceilings by political and economic factors, arrived at a fiscal impasse close to crisis proportions.¹⁴ In this setting, Jerome Miller's revelation that the state could send a boy to Harvard University for a year plus give him a summer in Europe for what it cost annually to incarcerate him carried significant impact.¹⁵

Where the mid-nineteenth century had been a period of labor scarcity, particularly among the low wage earners necessary for early industrialization, the mid-twentieth century has witnessed the emergence of an oversupply of labor, particularly among middle class professionals. The expansion of the social services during the past two decades has in part been a response to this labor surplus.¹⁶ The 1960's witnessed the activism of a reform generation. Many of the educated young who reached adulthood during this period were attracted to community work and the helping service occupations. Initially less interested in achieving economic advantage than in doing work that was considered socially and morally right, they formed a large pool of inexpensive and dedicated labor. These young professionals were eager to serve just those clients that the

¹⁴It is this tendency for government expenditures to outrun revenues that has come to be labeled "the fiscal crisis of the state." See O'Connor, 1973, p. 2.

¹⁵See B. Vachon, "Hey Man, What Did You Learn in Reform School? The Massachusetts Plan," Saturday Review, 55:69-76 (September 16, 1972).

¹⁶The development of this human service army has been considered elsewhere. See Brigitte Berger, "'People Work'--the Youth Culture and the Labor Market," The Public Interest, 35:55-66 (Spring, 1974, and Alan Gartner and Frank Riessman, The Service Society and the Consumer Vanguard (New York: Harper and Row, 1974). For its relevance to deinstitutionalization, see Scull, 1977, p. 150.

state was increasingly eager to economize on. The deinstitutionalization in Massachusetts and the development of a complex web of community-based services may have resulted as much from these two structural conditions as it did from the institutional critique of the social reaction thesis and the ideological rhetoric of Jerome Miller.

Like each of the social reforms covered in this study, the movement to establish the institutional response and the movement to establish the non-institutional response arose from a combination of structural and ideological conditions. In each of the reforms of Massachusetts youth corrections policy, the motivation for change and the processes which effected change emerged from transformations in the larger social order and the dreams and fears of coping with an uncertain future. Each represented the adoption of an innovation and each arose on the wings of a social reform movement that mingled in the larger flight of a general social movement.

CONCLUSION

SOCIAL REFORM AND SOCIAL POLICY DEVELOPMENT

1. Social policy is the result of the continuous developmental processes of social reform. At a given moment of history the content of social policy is an artifact of the successes and failures of the social reforms which have shaped its biography. Current social policy always bears the scars of its own development.

Social reforms arise within the context of particular socio-economic conditions, but the content of the programs that they advance is formed within the constraints of the continuous unfolding of existing social policy. Social reforms are therefore reactive as well as progressive. They derive their energy from the forces associated with modernization, but they derive their content from the legacies of tradition. The dynamic of change which social reform offers social policy is specifically developmental because changes of social policy are fundamentally conservative. The long trends in the development of social policy expose new programs as a struggle to confront the challenge of new times with the values and visions of past history. From this perspective it is now possible to delineate the model of social reform which has been posed in this study.

Social reforms arose from a combination of six conditions. All are necessary, but two are primary in determining the timing of reform. A specific discontent, responding participants, a social network and

generative concepts are necessary and frequently available. The more rare conditions which set the basis for action are structural and ideological conduciveness.

The first, structural conduciveness, sets the action climate, from which the mobilization of participants, in the form of a social movement, springs. Structural conditions become conducive to social reform following major economic dislocations such as significant business depressions or wars. But the emergence of a conducive action climate is not enough. An action climate does not determine the ideational climate. Ideational climates are derived from general socio-political ideologies. Only within a conducive ideational climate can generative concepts achieve the legitimacy necessary to direct social reform movements. Alternative belief systems arise in emergent form when existing social service programs are commonly discredited, ambivalence runs high and a clear new generation of social reformers is latent. Particularly where older reformers have institutionalized existing programs and rapid vocational mobility for new practitioners is limited, conditions are conducive for new ideational climates. When structural conditions have created conducive action climates and ideological conditions have created conducive ideational climates and these conditions overlap in time, social reform is imminent.

Given the necessary conditions, social reform movements will arise to advance new policy programs. The action climate is conducive for the emergence of general social reform movements. Such general social movements are indicated by the conversion of discontent into general unrest through the mobilization of participants. The mobilization of participants

occurs as emergent belief systems arise in the ideational climate. The fusion of general social reform movements and emergent belief systems around specific generative concepts transforms the general movement into a specific reform movement and the emergent belief system into a formal program statement.

Where a specific social reform movement and a specific program statement achieve policy dominance, the social reform movement is transformed and the new program is institutionalized. The movement is converted into a social institution and the new program is established as the dominant formation of the problem and response. Typically, the ascendancy of a new program to policy dominance is immediately followed by a period of consensus and enthusiasm. This optimism is eventually replaced by ambivalence and skepticism as the performance of the new program fails to achieve its expectations and a general discontent again settles in. With this discontent, the full cycle of social reform has run its course. Renewed social reform action must await the next period of structural and ideological conduciveness.

The cycle of social reform is not only one of process; it is also a cycle of ideas. New patterns are carried backwards in search of old precedents. Innovation and tradition merge in the language of social reform. Old concepts are drawn forward to combat the anxiety and insecurity of the present. The sense of loss that, in part, motivates social reformers, can only be relieved through the affirmation of renewed purpose.¹ The forward thrust requires a conscious rebuilding of new

¹Peter Marris marks out other avenues for coping with loss, but sees them as leading into debilitating postures, repression and repetition, or a compulsion for deception and diversion. See Marris, 1975, chaps. 2 and 3.

structures of social reality. It can be a creative act involving invention and innovation.² It requires an entrepreneurial spirit and a willingness to risk. The willingness to risk must derive from the hope for a better future. Thus, the social reform movement is forward motivated, but backward looking. The generative concepts provide re-affirmations of an idealized past. As compelling features, they offer generative avenues for re-structuring social reality. The purpose of action arises from the desire to build or implement, that is, generate, real phenomena designed upon projected patterns. The social reform movement mobilizes a generation of participants because in its emergent program lies a means of channeling loss and hope into purposive action.

In a peculiar fashion, social reform breaks traditions and allows for the advent of new innovations and the flow of diffusion in order to re-establish and re-dedicate traditions. Reform generations have much in common with each other even where scores of years separate them. They transmit to the culture a vitality and vision which is at once threatening, disturbing and, fundamentally, confirming. The social reformers who navigated reform movements in Massachusetts youth corrections set out to improve services to delinquent youth as well as the society which those youth offended. They sought to create policies that would be models for proper social living, that would stabilize the fundamental child socializing institutions and that would confirm their own group status as moral guardians of a vulnerable society. That no one program ever came close to meeting all these expectations nor finding a full consensus among youth corrections practitioners does not detract from the intentions and attempts.

²Marris, 1975, p. 111.

The study has followed the effects of social reform on youth corrections policy. Much has changed and, yet, fundamental changes have been few. Throughout the history there has been a continuous tension between differentiation and integration. Each effort to identify, separate, segregate and decentralize within the program categories has been countered by efforts to integrate programs of response and create internal consistency among the program categories. Refinements and reconstructions have been frequent, but replacive changes were more rare. The emergence of the institutional response, the emergence of the non-institutional placement response, and the deinstitutionalization all represent significant transformations in policy. But even in these cases, not all program categories were equally affected by change. Programs of response are seldom well articulated or worked through. The various modes of reform yield an unevenness in policy development. The continuous development of authority and practice is not well matched by the sometimes rancorous and conflictual changes in theory and structure. The additive changes of practice provide a cumulative quality to the development of practice, but the replacive character of reforms in theory offers potential tensions between practice and theory in the cumulative development of social policy. The heavy investment nature of structural forms results in a conservatism toward change that is potentially incompatible with the highly discontinuous nature of reforms of theory. Only with the wrenching reform of the deinstitutionalization were all four categories similarly affected. That was the genius of success in the deinstitutionalization: the new program of response required replacive reforms in all program categories. Most all concepts of

conventional structure, practice, theory and authority were replaced. Whether such a radical transformation of social policy can long survive in pure form remains a question for future histories.

2. In conclusion, it is valuable to consider if the developmental approach to changes in social policy has been useful. There have been advantages. The approach has revealed the functioning of social reform in policy change. Policy making is viewed as a social process involving large numbers of people pressuring, advocating, thinking and doing. Single decisions are comfortably embedded within a larger social process. Single actors are given symbolic and charismatic importance as well as instrumental significance.

Concepts are provided a biographical background. New ideas do not simply spring forward out of a search among alternatives. They emerge as a product of the times and help to create and shape those times. Rather than identifying policy changes and asking the origin of new concepts, the emergence of new concepts appears as one of the principle factors in making policy change happen. New concepts shape the problems they resolve.

Temporal patterns are given a place in social policy analysis. Policy changing events are not seen as sporadic occurrences. Particular structural and ideological conditions are seen as controlling the timing of social policy changes and these conditions, themselves, are seen as regulated by temporally constraining factors.

Policy formation and policy implementation are united into one continuous process. The social action that formalizes and affects policy

programs becomes a direct extension of the social action that shapes and advances such programs into policy dominance.

The policy making process is not developed as a story told in reverse. The activities, motivations and intentions leading up to a decision need not be reconstructed as if they occurred only to explain the decision. Instead, the developmental approach records a long history in which many events lead on to many others, each shaping and constraining the next. Events have meaning in themselves, and occur for reasons which quite often render actual policy outcomes as inadvertant. While the timing of social reform exhibits a lawful-like quality, its content is typically seen as fortuitous.

Finally, the developmental frame of analysis provides a comprehensive and holistic vision of policy development. Each program is seen in the context of its history and its future. Policy is viewed as a responsive, ever changing climate within which programs vie for dominance and **under** which structural and ideological conditions float. The ecological relationship of social reform and structural and ideological conditions makes for an integrated and systematic vision of social policy development.

The developmental approach has disadvantages as well. It requires an enormous amount of research. The policy development story is not complete until a large amount of historical evidence is unearthed. There are no methodological criteria for delimiting the depth of evidence that is relevant.

Because of its survey quality, the approach easily can become superficial. Just as no criteria exist to indicate enough information has

been collected, no criteria exist to suggest too little has been collected. It is easy to write bad history by simply glossing over and ignoring dissonant evidence for the sake of simplistic and compelling visions.

Further, the long chronological dimension to the developmental approach inhibits the range of synchronic research. A narrow band is cut through history and there is little to see of the character of the broad phalanx of social action with which events actually move across time.

Viewing the changes of social policy through the lenses of development offers strengths at the price of weaknesses. Much can be learned of social policy within this view. Much has been revealed of both the long term and short term changes in Massachusetts youth corrections history. What is lost in depth may be gained in context and perspective. I have asked nothing more of this way of seeing. Social reform and social policy have been linked and it is this linkage that has served as the central point of this study.

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