# Editor's Introduction: Juvenile Delinquency, Modernity, and the State

**Heather Ellis**[*]

JUVENILE DELINQUENCY REMAINS A CENTRAL TERM FOR ACADEMICS AND PROFESSIONALS in sociology, politics, and law, and for many commentators in the media and popular press. In March 2011, a conference was held in Berlin with a view to exploring some of the reasons behind the term's long-standing popularity.[1] Most of the articles comprising this special issue were first presented there. Many people who use the term "juvenile delinquency" in their everyday life and work (sociologists, political scientists, social workers, and judges) frequently do so with little awareness of its long history and the wide variety of meanings with which it has been invested for more than two centuries.[2] Given that this term remains instrumental in the categorization and sentencing of thousands of young people around the world, the fact that its meaning has varied dramatically according to time and place and still, many would argue, evades precise definition should certainly make us think more carefully about how we use it in our own work.

Historians who have examined the relationship between juvenile delinquency and the state have traditionally tended to portray it in the form of a rather oversimplified grand narrative. Usually, juvenile delinquency has been treated as a concrete social problem, a worrying side effect of "grand processes" of modernization (above all, industrialization and urbanization) in the West. In particular, the damage these processes are believed to have caused to traditional structures of authority—that is, the family and the apprenticeship system—has been blamed for the growth of uncontrolled gangs of young people on the streets of major cities from the early nineteenth century onward.[3] Another classic feature of modernity, the tendency of the state to expand its functions and responsibilities, has generally been hailed as the most successful means of challenging (and ultimately eradicating) the problem of juvenile crime.[4] In this way, Western modernity is rescued from opprobrium, with the expanding state serving as the repository for a new civilizing force. This narrative is perhaps most visible in colonial contexts, where the expansion of Western state power in the form of imperialism (particularly in the exportation of youth justice systems) has often been hailed by those at the time and since as progressive and civilizing.[5] Thus, despite the less pleasant aspects of the modernizing process

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[*] **Heather Ellis** is guest editor of this issue. She is a senior lecturer at the Faculty of Education Studies, Liverpool Hope University (email: ellish@hope.ac.uk). She specializes in the history of generational conflict, education, and masculine identity and is the author of *Generational Conflict and University Reform: Oxford in the Age of Revolution* (Leiden and Boston: Brill, 2012).

(in particular, growing levels of juvenile crime), the positive, some might say, Whiggish narrative of Western progress is not only saved, but also strengthened. It is interesting and important to note that the emergence of juvenile delinquency and the fight against it in the Soviet East has been treated very similarly. Here, again, juvenile crime is treated as a regrettable side effect of Western capitalist modernity, and the (Soviet Communist) state as the only agent capable of stamping it out. Instead of a Whiggish narrative of Western progress, here the innate superiority and triumph of Soviet communist society is proclaimed.[6]

Despite the obvious self-glorifying nature of such narratives, relatively few historians in recent decades have set out to question them. To do so was an important aim of the conference in Berlin, where versions of these articles were first presented. In their respective essays, all six contributors set themselves against what they describe as "essentialist" and "dehistoricized" accounts of the relationship between juvenile delinquency and the state, many of which explicitly valorize the state (whether Western capitalist or Soviet Communist) as the one entity capable of solving this worrying social "problem." In such an analysis, they complain, both juvenile delinquency and the state are unnecessarily reified in ways that erode and elide their constructed nature. Applying instead what may be described as a "cultural historical" or "discursive"[7] approach to the relationship between juvenile crime and the state, all the essays included here highlight the much greater variety that exists in the ways in which the term "juvenile delinquency" has been applied in different historical contexts.

When juvenile delinquency is examined as an idea, discourse, or label, rather than as an objective and readily identifiable set of behaviors present in whatever historical context, a much more complex picture emerges. In particular, we get a much clearer idea of the broad range of actors, both individuals and groups, who drew upon and mobilized the term to serve a variety of aims and interests. As each essay included here shows, we must take notice of groups often left outside traditional accounts of historical juvenile delinquency in the West and East: religious charities and welfare organizations (Jürgen Harder), churches (Juliane Brauer), medical and legal writers and criminologists (Paul Vasilyev), splinter political parties and terrorist organizations (Alex Clarkson), as well as local communities and the media (Michael Krause, and Alex Law and Gerry Mooney).

Beyond increasing the number and type of actors involved, we must think more carefully about what constitutes "the state" and "state actors." At first glance, many of the groups mentioned above would seem to have little to do directly with the state. However, as the essays reveal, it is virtually impossible to classify individual actors or groups of actors so clearly. This is shown particularly well in Jürgen Harder's essay on Weimar Germany. Although the various reformatories he deals with were run by religious organizations, the state subsidized them and allocated inmates. In the person of Pastor Wolff, a central figure in Harder's essay, we see these tensions very clearly. Although a religious official and head of a Protestant Home Mission

*(Diakonie)* reformatory in Hanover, Wolff was also chairman of the Advisory Board to the State Board of Governors (for Youth Welfare) of Lower Saxony and of the General Council for Correctional Education, a body that represented the interests of both religious and state-run reformatories, in which capacity he played a central role advising the government on the reform of youth welfare law. Thus, in this single individual clashed a range of contending allegiances and interests, not reducible to the label of "state "or "nonstate." Pavel Vasilyev's study of juvenile drug addiction in early Soviet Russia focuses on another set of actors, medical writers, who may at first seem independent from state control (and at times even openly criticized state policy). However, as Vasilyev points out, many worked in or for government-run organizations such as hospitals, research units, and universities. He thus prefers to use the term "semi-independent actors."

This blurring of boundaries is crucial for questioning the independence and power of the state to define and control juvenile delinquency, which much of the current historical literature insists upon. As all the essays in this special issue reveal, states were subject to considerable levels of criticism and opposition from influential groups regarding their policies on youth welfare and juvenile crime. Jürgen Harder's essay highlights the substantial criticism coming from reformatory inmates, from left-wing newspapers, some medical experts, and even from among reformatory staff. Pavel Vasilyev likewise shows that the early Soviet state suffered criticism at the hands of medical and legal writers and criminologists. In her essay, Juliane Brauer points to the considerable criticism that the government of East Berlin faced from the "oppositional church movement," while Alex Clarkson shows that West German attempts to tackle the squatters' movement in West Berlin met with opposition from a wide range of left-wing groups. As their position is revealed to be considerably weaker than the traditional historiography allows, the various states are shown to be be consciously searching for (and dependent upon) a range of allies. These included, in the case of Weimar Germany, religious organizations such as the Protestant Home Mission (only 6 percent of reformatories were state-run); in early Soviet Russia, the government was dependent upon the medical and legal assistance of the writers whose works are examined by Pavel Vasilyev. In the case of late twentieth and early twenty-first century England, Wales, and Scotland, governments have come to rely heavily on the assistance of the media (both print and TV) and increasingly on the support and involvement of local communities in their youth justice policies, as the essays by Michael Krause and Gerry Mooney and Alex Law reveal. Although they might support the state, these groups also followed their own distinct aims and interests.

The relative failure of many juvenile crime policies perhaps most clearly reveals the limitations of state power. In contrast to the narrative of success found in the work of historians (often mirroring the view of state-authored documents from the time), the essays here offer a different assessment. As Pavel Vasilyev shows, despite Soviet claims that juvenile drug addiction had been eradicated by the 1930s, it remained a desperate and increasing problem well into that decade and beyond. Stasi reports in the German Democratic Republic (GDR) documented the successful "disbandment" of Punk groups in the early 1980s, but Juliane Brauer shows that such control over the "Punk problem" in East Berlin was never achieved. As Alex Clarkson demonstrates, the West Berlin government was no more successful in countering the squatter movements in the same period. Indeed, these groups actually consolidated their position in the face of internal confusion about how to deal with them. The situation has not changed significantly if we consider contemporary Britain. As Michael Krause reveals, each year some 46 percent of all ASBOs (Antisocial Behavior Orders) given to young offenders in Britain are breached, resulting in prison sentences.

Another important gain of a discursive approach to historical juvenile delinquency is that it has become a transnational discourse. Once it is seen as an idea or set of ideas constructed and deployed by a wide range of actors with varying interests, rather than tied strictly to state institutions, we can move outside the geopolitical bounds of the nation-state. Formerly, juvenile delinquency generally took the form of national case studies.[8] This flowed from the considerable emphasis the historiography placed on the role of the individual state. However, the individual case studies selected by contributors to this special issue reveal that the authors' ideas concerning juvenile delinquency were strongly influenced by thinking about youth crime abroad. As Jürgen Harder shows in the case of Weimar Germany, British writers on eugenics such as Francis Galton wielded considerable influence; in early Soviet Russia, German writers on addiction, especially Ernst Joël and Fritz Fränkel, were very important. In the case of contemporary Britain, Michael Krause suggests that the system of youth justice, and particularly its focus on restorative justice and community involvement, may have been influenced by the former GDR. The essays by Pavel Vasilyev and Juliane Brauer, which focus on Communist countries, highlight the extent to which "juvenile delinquency" as a concept was viewed as a negative and damaging import from the "decadent" capitalist West.

Beyond blurring the boundaries of what constitutes the state by "de-essentializing" it, these essays, which exemplify discursive or cultural-historical delinquency analysis, do the same for "juvenile delinquency" itself. Traditional historical analysis often vindicated the state as the "destroyer" of juvenile crime and represented delinquency as a readily identifiable set of behaviors or a concrete social problem awaiting governmental "solution." Yet the essays included here highlight the importance of recognizing that what constitutes juvenile delinquency has changed (often dramatically) according to the historical and cultural context. Closely examining these changes can reveal much about the complex array of actors and interest groups involved in constructing juvenile delinquency and the strategies designed to tackle it. Beyond the petty crime, theft, and vandalism normally encompassed under the rubric of delinquency, in early Soviet Russia juvenile drug addiction was constructed as a form of delinquent behavior. In East

Berlin in the 1970s and 1980s, certain types of music and songs (in particular Punk) were treated as such; city authorities in West Berlin in those decades configured squatting as a type of delinquency, while in contemporary England, Wales, and Scotland, hanging around on street corners and general "antisocial behavior" has been labeled juvenile delinquency.

It is important to bear in mind that to label something as a form of "juvenile delinquency" is also to criminalize it. Thus, when behaviors not formerly punishable under criminal law become criminalized, it represents a significant, though not always successful, attempt to expand the social control exercised by the state. Aside from Alex Clarkson's examination of squatting, each essay here deals with activities criminalized through the application of the term "juvenile delinquency." Careful study of the activities particularly targeted in this way reveals much about the groups that states consider most threatening at particular times.

Based on a case study of a German reformatory for young men, the first article, by Jürgen Harder, analyzes core problems of youth welfare confronted by state and nongovernmental organizations during the Weimar Republic. Harder focuses on a critical essay written in 1926 by an inmate who was shortly to come of age and leave a reformatory run by the Protestant Home Mission *(Diakonie)*. The essay addressed serious grievances concerning the educational practices of German reformatories and preceded the "crisis of correctional education," which was diagnosed soon afterward by specialists and the general public as resulting from increasing educational, economic, and conceptual problems in modern youth welfare. Harder examines how inmates and their mentors experienced efforts by the state to "reintegrate" reformatory inmates, labeled "juvenile delinquents," into society. He also considers how state welfare agencies, religious welfare bodies, and the heads of reformatories responded to critical comments made by young inmates. Finally, he asks to what extent the notion of "juvenile delinquency," which these organizations and individuals enthusiastically embraced, was influenced by the social Darwinist and eugenics discourses that had gained prominence in West European scholarly circles since the mid-1920s.

In the second article, Pavel Vasilyev examines the construction of juvenile drug addiction as a form of delinquency in early Soviet Russia. Juvenile drug addiction is generally recognized as a contemporary global problem, but Vasilyev argues that it is often presented in an unduly simplified form. There is a clear lack of attention to the historical roots of drug addiction and its various cultural forms. Even historians of the relevant social developments and legal changes have retained an essentialist understanding of drug addiction and drug regulation, while failing to see existing links between medical and legal research and a state's narcotics policy. In the Russian context, the emergence of drug addiction as a social problem can be traced from the beginning of World War I to the end of the 1920s. The article focuses on medical and legal texts from the period and attempts to establish how drug use by adolescents was constructed as a form of youth delinquency and a specific social problem requiring immediate state intervention. It specifically analyzes the ways in which early Soviet medical constructions reflected national traditions and ideological preferences, while actively borrowing from internationally renowned Western scientific theories. Beyond establishing grounds for comparison with Western European contexts (mostly through the works of German addiction researchers Ernst Joël and Fritz Fränkel), this essay suggests features that are peculiar to Soviet medical constructions.

The third article, by Juliane Brauer, shows that conflicts in the GDR between youth culture, the state, and society were in part the result of clashing emotional styles. As such, it draws upon methodological insights taken from the newly emerging field of the history of emotions. Brauer considers specific educational policies in the GDR during the postwar years, described as constituting an "educational dictatorship." She examines the ways in which beliefs about the emotional impact of music were used to "train" the emotions of young citizens for service to the communist state. Also considered are the reactions of state agencies to the development of the Punk scene in the GDR. Brauer argues that the emergence of Punk music, and its construction as a rebellious and "Western" cultural form, posed one of the greatest challenges for the East German state. She suggests that the increasingly harsh repression of Punk groups over the course of the late 1970s and early 1980s was primarily driven by a fear that "Western" notions of youth culture and behavior were successfully penetrating East Germany. The article looks at how young East Germans reacted to the crackdown and the associated criminalization of their activities.

The focus of the fourth article, by Alex Clarkson, is on the ways in which the police and security services, controlled by the city government of West Berlin, were confronted throughout the 1980s with a variety of urban youth groups who demonstrated a willingness to use violence to achieve their political aims. Some youth movements explicitly stated that the purpose of their actions was to achieve political (if often utopian) ends; for its part, the city government's responses oscillated between emphasizing their supposed juvenile delinquency and claiming that these movements represented a tangible revolutionary threat to the established order. Often linked with the wider squatters' movement, some radical left networks used violent tactics against the state and their political opponents, in their view to defend physical and social space over which they had achieved a degree of hegemony. The article examines the factors that shaped contradictory state perceptions of these emerging patterns of political behavior in West Berlin. Lacking an underlying understanding of the goals and social structures of emerging radical left milieus, elements of the West Berlin security services tended to conflate political violence with juvenile delinquency, undermining any attempt to develop cohesive strategies of repression or accommodation until the Mainzer Strasse riots in 1991. Clarkson details internal conflicts within West Berlin state institutions: some defined spasms of street violence purely in terms of juvenile delinquency, whereas others emphasized the political dimension. Various radical youth networks capitalized on the state's confusion and solidified their hold over subcultural enclaves within West Berlin until the fall of the Berlin Wall.

In the fifth article, Michael Krause compares the practices of "naming and shaming" and the involvement of the community in youth justice in contemporary Britain and the former GDR. Since 2004, he observes, British police have had the right to "name and shame" all those who have received an Antisocial Behavior Order (ASBO). Since ASBO legislation has been designed especially for young people, "naming and shaming" in local contexts primarily affects juveniles whose names, faces, and deeds are publicized. The current trend toward liberalizing the traditional discretion of the police and judiciary originated in the United States, where sexual offenders in particular are routinely named and shamed. Yet historical research shows that "naming and shaming" of delinquent citizens was also a central element in socialist legal systems like that of the GDR. "Naming and shaming" practices in these two very different historical settings have never been subjected to comparative study, but there are good reasons to do so. In both countries, "naming and shaming" was adopted at a time when a wider political consensus around restorative justice at the community level had become dominant. In each context, "naming and shaming" emerged as a technique of social control when governments felt the need to involve citizens more actively in the judicial process. In Britain today, local citizens are becoming increasingly engaged in youth justice through "youth offender panels," where they—together with a youth worker—decide about restorative measures for youth offenders. The decision to "name and shame" a young offender is not made by youth-offender panels, but rather by the police and a local "young offending team" (consisting of professionals). Nonetheless, the increasing participation of local citizens in youth justice matters is a clear trend in contemporary Britain.

In the final article in this special issue, Alex Law and Gerry Mooney aim to overcome the static effect of de-historicized, fixed categories of the British "underclass." Crucially, they map the sociohistorical development of class disdain and disgust across distinct state-societies, Scotland and England, through the frame of Norbert Elias's account of civilizing and decivilizing processes. The authors argue that differences in the historical development of urban Scotland produced a colloquial commonsense about lower-working-class "Neds" that oscillates between "humor" and moral outrage, lubricated at regular intervals by a distinctive, semiautonomous Scottish media. This is closely associated in the public imagination with more than a century of decivilized violent gang disorder. In turn, they argue, this has been accentuated by an autonomous Scottish criminal justice system and, since 1999, by the devolution of major administrative state functions culminating in the prospect of Scottish independence from the United Kingdom.

## NOTES

1. Four of the six essays in this special issue were first presented at the conference entitled "Juvenile Delinquency in the Nineteenth and Twentieth Centuries: East-West Comparisons." Organized by Heather Ellis (Liverpool Hope University) and Lily Chang (Cambridge), it was held at the Centre for British Studies, Humboldt-Universität zu Berlin, on March 12 and 13, 2011. The Fritz Thyssen Foundation, Cologne, generously sponsored it.

2. On the lack of awareness of the historical development of concepts of juvenile delinquency in contemporary sociological and criminological studies, see Shore (with Cox, 2002).

3. For a discussion of the importance of "Western" processes of modernization to understanding the emergence of juvenile delinquency as a social problem, see Shore (with Cox, 2002, 3). For examples of analyses that link the appearance of "juvenile delinquency" as a term and an idea with the Industrial Revolution in Britain, see May (1973, 7–29), Margery (1978, 11–27), King and Noel (1993, 17–41), and King (1998, 116–66).

4. This has been particularly the case with regard to the history of juvenile delinquency in the United States. Such accounts have been criticized in Platt (1969). More recently, Miroslava Chavez-Garcia (2007, 466) referred to historians who valorize the "civilizing" role of the state in the establishment of a youth justice system as "march of progress" historians.

5. For examples of this type of analysis in colonial and former colonial contexts, see the comments by Clement and Hess (1990, 13), when summarizing the conclusions of two essays on the development of juvenile delinquency in modern non-Western contexts (Egypt and Russia): "The juvenile reformatory spread with the influence of Western European countries: Badr-El-Din Ali demonstrates that Egypt established reformatories a year after becoming a colony of Britain in 1882, and Yoshio Tsujimoto shows that Japan, anxious to gain the respect of western nations also copied the British reformatory system in the 1880s."

6. For historical analyses of the relationship between juvenile delinquency and the state in communist societies, see, for example, Riordan (1989), Poiger (2000), and Sperlich (2007, esp. pp. 194–215).

7. For a useful introduction to "discursive" approaches to cultural practices in general, see Hall (2003). For the application of a discursive approach to understanding the construction and deployment of "juvenile delinquency" concepts, see, for example, Cherrington (2005, 89–111).

8. Such typical national case studies (mostly located in the West) include: Hawes (1971), Gilbert (1986), Odem (1995), Jones (1999), and Carrigan (1998); for the history of juvenile delinquency in individual European countries, see, for example, Shore (1999), Horn (2010) (on the UK), Fishman (2002), and E. Harvey (1994).

## REFERENCES

Carrigan, D.O.
1998 *Juvenile Delinquency in Canada: A History*. Toronto: Irwin.
Chavez-Garcia, M.
2007 "In Retrospect: Anthony M. Platt's *The Child Savers: The Invention of Delinquency*." *Reviews in American History* 35 (3): 464–81.
Cherrington, J.
2005 "Politicizing Dominant Discursive Constructions about Teenage Pregnancy: Re-Locating the Subject as Social." *Health: An Interdisciplinary Journal for the Study of Health, Illness and Medicine* 9 (1): 89–111.

Clement, P.F. and A.G. Hess
1990 *History of Juvenile Delinquency: A Collection of Essays on Crime Committed by Young Offenders, in History and in Selected Countries. Vol. 1.* Aalen: Scientia Verlag.

Cox, P. and H. Shore (eds.)
2002 *Becoming Delinquent: British and European Youth, 1650–1950.* Aldershot: Ashgate.

Fishman, S.
2002 *The Battle for Children: World War II, Youth Crime, and Juvenile Justice in Twentieth-Century France*. London: Harvard University Press.

Gilbert, J.
1986 *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s*. Oxford: Oxford University Press.

Hall, S. (ed.)
2003 *Representation: Cultural Representations and Signifying Practices*. London: Sage.

Harvey, E.
1994 *Youth and Crime in Weimar Germany*. Oxford: Oxford University Press.

Hawes, J.M.
1971 *Children in Urban Society: Juvenile Delinquency Nineteenth-Century America*. Oxford: Oxford University Press.

Horn, P.
2010 *Young Offenders: Juvenile Delinquency, 1700–2000*. Stroud: Amberley.

Jones, K.W.
1999 *Taming the Troublesome Child: American Families, Child Guidance, and the Limits of Psychiatric Authority*. London: Harvard University Press.

King, P.
1998 "The Rise of Juvenile Delinquency in England, 1780–840: Changing Patterns of Perception and Prosecution." *Past and Present* 160: 116–66.

King, P. and J. Noel
1993 "The Origins of the 'Problem of Juvenile Delinquency': The Growth of Juvenile Prosecutions in London in the Late Eighteenth and Early Nineteenth Centuries." *Criminal Justice History* 14: 17–41.

Margery, S.
1978 "The Invention of Juvenile Delinquency in Early Nineteenth-Century England." *Labour History* 24: 11–27.

May, M.
1973 "Innocence and Experience: The Evolution of the Concept of Juvenile Delinquency in the Mid-Nineteenth Century." *Victorian Studies* 17: 7–29.

Odem, M.E.
1995 *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885–1920*. London: University of North Carolina Press.

Platt, A.M.
1969 *The Child Savers: The Invention of Delinquency*. Chicago: University of Chicago Press.

Poiger, U.G.
2000 *Jazz, Rock, and Rebels: Cold War Politics and American Culture in a Divided Germany*. London: University of California Press.

Riordan. J. (ed.)
1989 *Soviet Youth Culture*. Bloomington, IA: Indiana University Press.

Shore, H.
1999 *Artful Dodgers: Youth and Crime in Early Nineteenth-Century London*. Woodbridge: Royal Historical Society.

Shore, H. (with P. Cox)
2002 "Re-inventing the Juvenile Delinquent in Britain and Europe 1650–1950." In *Becoming Delinquent: British and European Youth, 1650–1950,* edited by P. Cox and H. Shore, 1–22. Aldershot: Ashgate.

Sperlich, P.W.
2007 *The East German Social Courts: Law and Popular Justice in a Marxist-Leninist Society*. Westport, CT: Praeger Publishers.