Contents

1. Ideas and the Cycle of Juvenile Justice, 3
   The Cycle of Juvenile Justice, 3
   Ideas Drive the Cycle, 4
   Organization of This Book, 6

2. Ideas in History, Philosophy, and Law, 10
   Ideas in History, 10
   Ideas in Philosophy, 15
   Ideas in Law, 17
   Summary and Conclusion, 19

3. What Stays the Same in History? 21
   The Behavior of Youth, Especially Young Males, 22
   Special Laws for Juveniles, 25
   Mitigation of Punishments for Juveniles, 28
   Views of Adults about the Behavior of Youth, 31
   Belief That Juvenile Justice Policy Increases Crime, 34
   The Cycle of Juvenile Justice, 37

4. The Origin of Juvenile Delinquency, 42
   Juvenile Delinquency as a Modern Phenomenon, 43
CONTENTS

Juvenile Delinquency as a Modern Idea, 49
Juvenile Delinquency as a Phenomenon and an Idea, 55

5. The Origin of Juvenile Justice—The First Juvenile Institution, 58
   Historical Context: New York City Around 1820, 59
   The Society for the Prevention of Pauperism, 60
   The New York House of Refuge, 62
   Legal Issues Related to the Juvenile Institutions, 68
   The Lessons of History, 74

6. The Origin of Juvenile Justice—The First Juvenile Court, 83
   Historical Context: Chicago at the Turn of the Century, 84
   The First Juvenile Court, 86
   Characteristics of the Original Juvenile Court, 90
   Legal Issues Concerning the Juvenile Court, 96
   The Lessons of History, 98

7. Juvenile Justice Today—Good Intentions, 108
   The Case of Morris Kent, 109
   The Case of Gerald Gault, 114
   The Case of Samuel Winship, 120
   The Case of Joseph McKeiver, 123
   The Case of Gary Jones, 127
   The Lessons of History, 130

8. Juvenile Justice Today—Actual Practice, 135
   Did the Adjudication Hearing Change in Actual Practice? 136
   Did the Disposition Hearing Change in Actual Practice? 146
   The Lessons of History, 148

9. The Lessons of History, 154
   Predictions: The Cycle Continues, 155
   Prescriptions: The Best and the Worst of Each Policy, 156
   Breaking the Cycle of Juvenile Justice, 163
An "Idea of Juvenile Delinquency": Naive Risk-Taking, 166
An "Idea of Juvenile Justice": Communication, 170
Reforming Juvenile Justice, 177
Would These Ideas Sell?, 181

10. The End of Juvenile Delinquency, 186

Index, 191