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A comparative study of juvenile delinquency and its treatment in Egypt and Massachusetts.

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BOSTON UNIVERSITY

GRADUATE SCHOOL

Thesis

A COMPARATIVE STUDY OF JUVENILE
DELINQUENCY AND ITS TREATMENT IN
EGYPT AND MASSACHUSETTS

by

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CHAPTER I

WHY IS DELINQUENCY A PROBLEM FOR THE WHOLE COMMUNITY?

1. Because: It is a composite problem
2. Because: Many organized groups are involved
3. Because: One program of services has usually "just grown"
4. Because: The community program will continue to grow
5. Because: It affects all cities
6. Because: Specialized services are necessary
7. Because: One problem is rooted in the basic strains
within our culture

The National Conference on Prevention and Control of Juvenile
Delinquency, Washington, D.C., February 11, 1946.

1. Purpose and Scope of Study

A. Reasons for choosing topic

In this work, the writer will attempt to give two main reasons for choosing this topic

1. This study points to the need in Egypt.

a. Shortage in number of courts.

There are only two juvenile courts in Egypt.

The first was established in Cairo (April 1905), the second was established in Alexandria in the same year. Population of Egypt was at about that time, eleven millions.¹ One number of these courts is still the same while the number of the population increased to nearly double.² Moreover, following the theory of the "competence territoriale", all children who live outside Cairo or Alexandria are usually tried before the ordinary courts where they reside.

There are only four reformatories for the whole country, one of which is for girls.

It is true, thence, that Egypt is badly in need of juvenile courts in big cities all over the country. In Cairo, for example, where the population is more than two millions,³ one court is apparently not enough.

1.	Census of 1907	11,287,359
2.	" "	1947 19,092,389
3.	" "	1947 2,100,506

Also, the number of reformatories is not sufficient in comparison with the great number of children who are given sentences and committed to them, or are still wandering in the streets because there is no room for them.

What the writer mentioned about courts and reformatories and be retold also about the agencies dealing with the young delinquents. In practice, there are only two social service bureaus, one in Cairo and the other in Alexandria. Two detention homes were recently established in the two mentioned cities to prevent youths from being detained in the ordinary prisons with adult offenders.

b. Needed improvement in quality of work.

It is very helpful to study the methods and techniques of the various agencies and courts in Massachusetts which have a very long history in the field of delinquency. Such methods and techniques may be applied in Egypt with adaptation to the different patterns of culture.

2. Personal Reasons.

The writer's interest in this topic grew out of his field work and his job since October, 1940. During this period he has dealt with the young delinquents, investigating their conditions and environment, deducing the causes of delinquency and prescribing methods of treatment and prevention. Seizing the opportunity of having been awarded a full Smith-Mundt/Fulbright Grant and coming to Massachusetts, one of the

outstanding States in this social field, the writer has the sincere desire to make this comparative study and transfer to his home, (Egypt), some of the fruitful means of study and emperical efforts towards reform.

B. Aims of this Study.

The aims of this study are to analyze the nature and the development of delinquency in Egypt and in Massachusetts, to compare the causes, procedures and different methods of prevention, control and treatment of the young delinquents in the two areas, and then to make recommendations for changes.

C. Sources of Data

Data has been gathered from books, reports, pamphlets, articles, laws and codes and from personal visits to many official and non-official agencies and institutions relating to the field of study, This, beside my personal material, information and practice in the field.

D. Limitation of the Study

For the purpose of this, Cairo is used as a representative example of the Egyptian approach to the problem. In the same way, the study of Massachusetts delinquency places special emphasis on the City of Boston.

E. Outline for the Remainder of the Thesis

Chapter II will illustrate the nature and defination

Chapter III will give an idea about the extent and kinds of delinquency in general, in Massachusetts and Egypt.

Chapter IV will reveal to the causes of delinquency in general the two countries with examples of the Socio-Cultural setting of delinquency.

Chapter V will examine the procedures for dealing with the problem in the two countries with reference to the different types of agencies. (Prevention-Control-Treatment)

Chapter VI will criticize and set forth the conclusion of the significant achievements in Egypt and Massachusetts.

Chapter VII will offer such recommendations, if any, for change in both Massachusetts and Egypt.

CHAPTER II

THE NATURE AND DEFINITION OF DELINQUENCY IN EGYPT
AND MASSACHUSETTSA. THE NATURE OF DELINQUENCY IN GENERAL

1. What is delinquency?

Delinquency is not a name of an illness. It is not a term which bends itself to experimentation and statistical procedures such as the comparison between psychiatrically "normal" and "abnorman" groups. The student who seeks by reading or discussion to ascertain current opinions on juvenile delinquency must be struck by the following two facts:

A. Each point of view, whether calmly or forcibly expressed is based on a deep-rooted conviction.

B. It is impossible to demonstrate objectively the validity of any one opinion.

Who can satisfactorily give a sound answer to the question who is a delinquent and who is a non-delinquent. From the point of view of the psychologist, is a delinquent the child whose conflict arises from impulsive behavior or immaturity? Or is it the child who resists social patterns by lying, stealing, sex behavior, running away, or the child whose behavior is disturbed due to the dawn of adolescence. Is it the child who has what is called the behavior of protest, or who does not respect his parents or because of inferiority complex resorts to to compensatory stealing? Is it the child who is unable to conform to social patterns because of his mental deficiency

mental deficiency and inadequency? Who knows? Noone can give a satisfactory answer. How difficult it is in each of these cases to draw a line between the delinquent and the non-delinquent behavior.

(a) Annette found some whisky at home, and got drunk, at the age of seven.

(b) Arnold stole some extract from a neighbor. His mother said, "send him to the training school".

(c) Sarge whips his sisters.

(d) Cap stays out till midnight.

(e) J.F. and J.B. fight one another.

(f) Alvin stole his mother's stove and sold it.

(g) Melvin stole a pig from his father who prevailed upon the juvenile court to commit him to the Training School at the age of 15.

(h) An alcoholic parent complains that his daughter is "sassy".

(i) A boy strikes his alcoholic grandfather with a rock.

(j) Another is abusive to his mother and her sister.

(k) Still another hacks up a package that his mother aimed to send to another son.

(l) At the filling station that he was taking care of during his father's absence, Richey found a pint of whisky belonging to his father. Upon his father's return, they quarreled. The father complained. Two months after the boy's father died, the boy wagered 40 cents against a bottle of wine in a game of dice. His mother said that she would send him to the Training School the next time.

(m) One mother complained that her boy was very troublesome and "just like his dad"

(n) Another parent heard that Jane left church one night and went to the school grounds with some boys.

(o) Gaylord is in when his mother is out and out when his mother is in; she works.

(p) Another mother had her fifteen year old son taken to jail from home because he was drunk.

(q) Jerry had a tantrum during which he jerked the telephone off the wall.

(r) Speck's grandmother had him committed to the Training School because he tried to leave town.

(s) Mark's mother committed him after he stole a gallon of gasoline.¹

Can these children in the preceding cases be labeled delinquents? Some say "yes", some "no". It is needless to say that delinquent children are pretty much the same as other children. If a difference is insisted on, the advance guard would say that the delinquent child is one who has been caught and haled into court and the non-delinquent child is one who either is not taken to court if found out, or is never found out. This means that except for the grace of God, anyone of us might be delinquent.

A very intelligent senior student, a young woman, in an unguarded moment of class discussion said, " Why I can't see a bit of difference between this case and my younger brother. He is only fifteen and yet he smokes like a chimney, stays out late at

1. Tappan, page 3, from Austin L. Porterfield, "Youth in Trouble"

night to three in the morning, is craze about girls, loves to hang around hot-dog wagons and slot machines, borrows money from the family purse without asking, refuses to work on school lessons and hates school."¹

An able British student of juvenile delinquency lends his authoritative support to this notion when he says, "There is no sharp line of cleavage by which the delinquent may be marked off from the non-delinquent. Between them, no deep gulf exists to separate the sinner from the saint, the white sheep from the black. It is all a problem of degree of a brighter or darker grey. This graded continuity, the normal melting into the abnormal by almost imperceptible shades, is entirely in accord with what we now know of most other forms of mental deviation. The moral faults of children run in an uninterrupted series, from the most hearless and persistent crimes that could possibly be pictured, up to the mere occasional naughtiness to which the most vicious will at times give way. The line of demarcation is, at bottom, a social rather than a psychological concept. A child is to be regarded as technically a delinquent when his anti-social tendencies appear so grave that he becomes or ought to become the subject for official action."²

What then, is delinquency? Certainly, there is no more central question in this study and probably none more difficult to answer, yet it is important to see the nature of delinquency as clearly as possible. It is important, because on the interpretation

1. Walter Reckless "Juvenile Delinquency" Page 13, 1932

2. Burt, Cyril "The Young Delinquent, N.Y. 1925, Page 13-15

of the term depends all the differences which set off the juvenile from the adult criminal as well as from the non-offender. Furthermore, the line between juvenile delinquents and adult criminals is arbitrary, for the laws usually consider the age range as a significant factor of demarcation between the two.

2. Juvenile delinquency implies a special age range.

This is presumably based upon a belief as to the degree of immaturity which reasonably takes into account responsibility for one's acts. The upper age limit for original jurisdiction of the juvenile courts varies from 16 to 21 years, but 18 is the common limit adopted by the larger number of States. "It is the upper age limit recommended by the National Probation and Parole Association and the United States Children's Bureau and adopted for delinquency proceedings in the federal courts."¹ But it must be remembered here that the chronological age limits alone are not entirely satisfactory, for the children differ greatly in their physical, mental and social age levels. Delinquency is more directly associated with social age than with either the physical or mental age, for social age involves emotional stability and maturity, attitudes and habits, understanding and socialization.

1. F. B. Sussman... "Law of Juvenile Delinquency" 1950

3. Juvenile delinquency implies a district court Jurisdiction.

This subject will be treated later in Chapter 5. What is interesting to say here is that there is a large number of States which focus attention on the crime rather than on the criminal. In such States the type of crime is the deciding factor if the offender is a juvenile delinquent. That is to say that the immaturity of the child is less important than the type of crime committed. In a capital crime, the child may be deprived of the benefit of the juvenile court. The immaturity of the person can not help here. It is worthy to note that in several States capital and life offenses and sometimes other serious crimes are excepted from the operation of the juvenile court laws. "For example:

I. Vermont and West Virginia- except capital crimes.

II. Colorado, Iowa, Massachusetts, Montana, New York, South Carolina, Tennessee and United States Courts except crimes punishable by death or life imprisonment. (Mass. by death only since 1948)

III. Florida, Maryland, North Carolina, Pennsylvania and Rhode Island except certain other specific offenses.^{1.}

B. Definitions of Delinquency.

Delinquency as a word has a varied history. The latin (de, away or from), Linqere - to leave, was not in latin literature applied to children. It meant failure, neglect of

1. P. W. Tappan. Juvenile Delinquency, 1949. page 18.

duty, abandonment of an agreement.^{1.} In a broad sense, juvenile delinquency has reference to antisocial acts of children and young people under a certain age, whose misconduct is an infraction of the law. Carr^{2.} indicates six possible meanings of the term "juvenile delinquent and illustrates them by a diagram of concentric circles:

1. The outer circle includes the total juvenile population - all children in a given area, below a given age, specified by law as coming under the heading of juveniles. A large proportion of these are not delinquent.

2. The second outer circle includes all juvenile *deviants* - all children showing *deviant* behavior, whether or not antisocial.

3. Legal delinquents . All *deviants* committing antisocial acts as defined by law.

4. Detected delinquents. All anti-social *deviants* detected.

5. Agency delinquents. All detected anti-social *deviants* reaching any agency.

6. Alleged delinquents. All apprehended anti-social *deviants* brought to court.

7. Adjudged delinquents. All court anti-social *deviants* "found" guilty.

1. W. W. Skeat. "Etymological Dictionary of the English Language" Dr. M.W. Water, page 146 "Youth in Conflict."

2. Carr, Lovell, J. Delinquency Control 1940 (page 59)

There are, of course, countless definitions of juvenile delinquency. For example:

- 1. One average citizen thinks of the delinquent child only as one who has violated a law.
- 2. The National Probation and Parole Association defined a delinquent child as ^{1.}
 - a. one who has violated any law of the State or any ordinance or regulation of a subdivision of any State.
 - b. one who by reason of being wayward or habitually disobedient or uncontrolled by his parents, guardian or custodian.
 - c. one who is habitually truant from school or home.
 - d. one who habitually deports himself so as to impair or endanger the morals or health of himself.

The White House Conference of 1930 defined delinquency as any juvenile misconduct that might be dealt with under the law.^{1.} Juvenile delinquency is what the law says it is. It is a legal term, changing in character from state to state. There is, to be sure, a basic area of juvenile delinquency which can be identified in nearly every state of the Union -- namely, the commission of an act by a child which if committed by an adult would be regarded as a criminal offense. But around that hard core are concentric circles of other acts which, in various states and localities are considered delinquencies when committed by children but not legal offenses when adults commit them.^{2.}

1. Teeters & Reinemann "The Challenge of Delinquency" page 5 May 1951
 2. Albert Deutch "Our Rejected Children" page 5, 1950

1.
Sol Rubin indicated that every definition of delinquency includes violations of law and ordinances by children. The definition of delinquency does not, however, stop there, but starts there. The following is a list of abbreviated definitions of acts or conditions included under the heading of delinquency in the juvenile court laws of the United States.

1. Violates any law or ordinance.
 2. Habitually truant.
 3. (Knowingly) associates with thieves, vicious or immoral persons.
 4. Incurable.
 5. Beyond control of parent or guardian.
 6. Growing up in idleness or crime.
 7. So deports self as to injure or endanger self or others.
 8. Absents self from home (without just cause and) without consent.
 9. Immoral or indecent conduct.
 10. (Habitually) uses vile, obscene or vulgar language (in public place).
 11. (Knowingly) enters, visits house of ill repute.
 12. Patronizes, visits policy shop or gaming place.
 13. (Habitually) wanders about railroad yards or tracks.
 14. Jumps train or enters car or engine without authority.
 15. Patronizes saloon or dram house where intoxicating liquor is sold.
-

16. Wanders streets at night, not on lawful business.
17. Patronizes public poolroom or bucket shop.
18. Immoral conduct around school (or in public place).
19. Engages in illegal occupation.
20. In occupation or situation dangerous or injurious to self or others.
21. Smokes cigarettes (or uses tobacco in any form).
22. Frequents place whose existence violates law.
23. Is found in place for permitting which adult may be punished.
24. Addicted to drugs.
25. Disorderly.
26. Begging.
27. Uses intoxicating liquor.
28. Makes indecent proposal.
29. Loiters, sleeps in alleys, vagrant.
30. Runs away from state or charity institution.
31. Found on premises occupied or used for illegal purposes.
32. Operates motor vehicle dangerously while under influence of liquor.
33. Attempts to marry without consent, in violation of law.
34. Given to sexual irregularities.¹

1. Taken from "Law of Juvenile Delinquency", F.B. Sussman page 20 ... "List of Acts or Conditions Included in Delinquency" (Tabulated in decreasing order of frequency)

II IN MASSACHUSETTS

A. The Nature of Juvenile Delinquency

The general problem of delinquency in Massachusetts seems to be the same as in other parts of the world though with some differences due to the special culture of the area where the children grow up. It is obvious that the problem is closely associated with social disorganization. Certain specific anti-social acts of particular individuals may be due to incidental or special conditions, but the more serious offenses, certainly the more complex types of delinquencies, are due chiefly to the differential factors in the social situation in which personal and social conflicts exist. The social situation involves some kind of social disorganization. Perkins proclaimed one day, "We at the Boston Juvenile Court believe that the excess delinquency is a sign of failure in our total educational system. The statute of Massachusetts says that children should be regarded not as criminals but as children in need of guidance and care. Therefore, the statute gave official recognition to the fact that whatever the immediate act may be that brings a child into a juvenile court, the issues presented are, problems involving understanding, and protection rather than criminal responsibility, guilt or punishment."¹.

The problem of juvenile delinquency is not a recent problem in Massachusetts. To understand the role of Massachusetts in juvenile delinquency, it is better to go back to

1. Honorable Justice J. F. Perkins

the early days of the nineteenth century when the Boston House of Refuge and the First State Reform School for juvenile offenders were established in Massachusetts the first in 1826 and the second in 1847. The early correctional reformers were more concerned with the treatment of youthful offenders after their collection than with modifications in the processes of arrest, detention, trial and the like.

An 1869 statute provided for the presence in court of a State Agent or his deputy whenever applications is made for the commitment of any child to any reformatory maintained by the Commonwealth -- a provision still in force. (Laws of Massachusetts 1869, Chapter 453, Section 4). The agent and his deputies were also charged with the finding of suitable homes for children whose interests would better be promoted by placement in a family or by indenture than by incarceration in a reformatory, and with the periodic visiting of such children. As will be seen in the succeeding chapters many exceptional authorities in this state have dealt with the problem. Some have focused their attention on the statutes. Amendments have been passed ~~out~~, one can say, yearly. The last important amendment was in 1948. (See Chapter 310 of the Acts and Resolves of 1948) The Youth Service Board was established by this act to fulfil some needs which one faces in dealing with the problem. Other authorities carry out experiments and researches. They have brought ~~out~~ to the field valuable results. One can follow the works of Sheldon and Eleanor

Glueck in studying the nature of delinquency in this state.

The Gluecks, for example, noted here in Massachusetts that (1) with the passing of years the number of youths who continue to be offenders is steadily diminished. They noticed also that (2) a considerable incidence of foreign-born parentage among the juvenile delinquents sent to the Boston Juvenile Court. (3) The economic condition of the delinquent families was very poor; (4) the homes were unwholesome; (5) 90% of the Boston delinquents come from broken homes. (6) The educational achievement of the delinquents was far below the standard (the measurement was Boston School children). (7) 95% of the delinquents had engaged in various forms of misbehavior. (8) 50% of the juvenile delinquents in Boston are in good health.^{1.}

1. The Age Range

Seventeen years of age is believed to be a reasonable upper age limit in Massachusetts. Following the Statute a "Delinquent child" is a child between seven and seventeen, etc. (Section 52, Chapter 119, General Law). However, there would seem to be no sound reason for not including the 17 year old children in the juvenile category as most of the states do. Moreover, 17 years as a point of transition has no biological or other scientific basis. It will be seen in the following chapters that offenses of children 17 years old are not different from those of 16 and 15.

1. "One Thousand Juvenile Delinquents" by Sheldon Glueck & Eleanor T. Glueck, Cambridge Harvard University Press, 1934

The minimum age is 7 in Massachusetts as stated in the Statute and this age is the ~~minimum~~ age in many states and foreign countries including Egypt. Yet there is a school of thought which opposes the limitation by saying that a child of six and half years may need what the child of seven needs.

2. A Special Court for Juvenile Delinquents

There is only one court in Massachusetts which is exclusively for juvenile delinquents. It is one of the outstanding juvenile courts of the country. It is the Boston Juvenile Court. The experience and wisdom of the officials of that court have helped to develop and establish high standards of juvenile court procedure and practice.

The procedures and statements of the laws of that court will be discussed in Chapter 5. Outside the competence of the Boston Juvenile Court, juvenile cases are brought before the juvenile sessions of the district courts. This also will be explained in Chapter 5.

B. Definition of Juvenile Delinquency in Massachusetts

According to the House Bill No 616 (1) (An Act relative to Delinquent Children enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section I

The term " delinquent child" whenever used in this chapter, shall be construed to mean any boy or girl between the ages of seven and seventeen years who commits any offence not punishable by death or imprisonment for life - except the offence of being an habitual truant or an habitual school absentee, or habitual school offender, under the provisions of Chapter 46 of the Revised Laws - or who violates any city ordinance, or city or town by-law; or who is stubborn, disobedient or wayward or who knowingly associates with thieves, vicious or immoral persons, or who without just cause, and without the consent of his parent or custodian, absents himself from his home or place of abode or who knowingly frequents a house of ill-repute or a policy shop, or a place where any gaming device is used, or any place where intoxicating liquors are sold, or who wanders about the streets in the night time under conditions which involve moral exposure, or who habitually uses vile, obscene, vulgar profane or indecent language, or who is guilty of

1. House ... No 616

Bill accompanying the petition of Grafton D. Cushing for legislation to provide for dealing with juvenile offenders against the laws as delinquent children. Joint Judiciary January 23 Commonwealth of Massachusetts the Year 1906

immoral conduct in any public place, or in or about any school house, or who is leading an idle vagrant or vicious life.)

The definition of a "delinquent child" before the amendment of 1948, was a child between seven and seventeen who violates any city ordinance or town by-law or commits an offence not punishable by death or imprisonment for life (1) The 1948 amendment affects the definition by striking out the words, " or by imprisonment for life".(The General Laws of Massachusetts Chapter 119, Section 52)

(1.)Chapter 413 Section I Laws and Resolves of Massachusetts 1906.

III IN EGYPT

A. The Nature of Juvenile Delinquency

There was no definite chapter in the penal code of Egypt for the juvenile delinquents until the 19th century. Since the year 1805, the statute was based on the Moslem Law. Judges followed this law in their sanctions. Beside the law, there were extensive studies focused on the "Four Main Doctrines" or "El Mazaheb". (El Shaffie, El Malkey, El Hanbaly, and El Hanafy) These can be called the Schools of Thought from which the judges formulated their laws and passed their sentences.

These Doctrines suggested that young offenders should be tried not as adults but as immature persons. The distinction between adults and immature person is based on the age of puberty.

Mohamed Ali Pasha, the then ruler of Egypt passed a law in the year 1826, called "The Fellah Law" (Fellah means farmer). Although that law had many articles dealing with many crimes such as larceny, robbery, assault and so forth; and the sanctions of these crimes, yet nothing was mentioned about the juvenile delinquents.

A year later another law was passed. It was called the " Montakhabet Act". (Montakhabet means to choose). Article No 133 of that Act pointed out some simple procedures about the commitment of the youth and the basis of their punishment. The age range was ignored. The sign of maturity was reaching puberty (age 14 - 15 years). Later in the same century, other laws were passed, similar among which was the " Hamayoni Law". This law resembled the Turkish Law called " Nama Sultan".

In the year 1883, the mixed Tribunals were established

to replace some of the Consular Courts. In 1887 there followed the establishment of the National Tribunals.

It is regrettable ~~to say~~ that from the 16th century onward, the capitulations placed all foreigners living in Egypt beyond the jurisdiction of Egyptian legislation and judicature (1). According to them, no legislation could be applied to foreigners living in the country, unless it was approved before hand by their respective states. Their law suits could be dealt with only by the Consular Courts, or in accordance with a later reform in 1883 passed by the Mixed Tribunals. In that year the first criminal statute specifically relating to juvenile delinquents was passed. Its origin was from the French Law. The writer has to add that the Egyptian jurisdictions generally speaking are organized along the lines of the French statutes, but we have other special matters where the laws are based upon Islamic, Italian, German and other foreign legal systems.

The 1883 Act deals only with children who commit a crime or offence according to the criminal law; that is to say those children who were simply in need of ~~the~~ care and protection (the neglected children and the dependent children). The Act ~~was~~ left without any consideration for vagrant children, thus in the eyes of the law they were not to be considered. That Act was amended in the year 1904 (Articles 59 - 65((See Chapter five.) The juvenile delinquents as described in the law were in the age category of seven up to fifteen. A child therefore who has not completed his seventh year must not be brought to trial. Corporal punishment was left intact by the 1904 amendment.

(1) This system of capitulations did not come to an end until October 14, 1949 in accordance with the Montreux Convention of 1937

Children according to the judge's ^{discretion} appreciation may be whipped and sentenced to the reformatory from two to five years. Children may also be put in jails for a period not to exceed ten years, if they commit an offense punishable by death or by imprisonment for life. Furthermore in that amendment of 1904, nothing was said about vagrant children.

In 1908 a special act for vagrant children was passed.

In 1937 the Penal Code was revised. With reference to the juvenile delinquents, the Act of 1904 was amended but very little change was made. Corporal punishment, for example, was abolished. The articles of the Penal Code (64-73), dealing with juvenile delinquency have divided these children according to their age range into three categories. (This will be discussed in Chapter Five).

The vagrant children's Act of 1908 ^{was} ~~has~~ been amended in October 1949. Many progressive ideas have been incorporated, such as raising the age of the child to eighteen and so on. A distinct court for Juvenile Delinquents --- The judicial structure in Egypt consists of Courts of First Instance, with a number of subsidiary summary courts attached to each, and three courts of appeal to which the Courts of First Instance can appeal. Over and above all these is the Court of Cassation for both civil and criminal matters. The first Juvenile Court in Egypt was established in Cairo in 1905.

^{It is within} The authority of that court ~~is~~ to sentence children who are over seven years and under fifteen, if they are guilty of a crime, misdemeanor or contravention, (meaning a minor offence similar to violations of a city ordinance in the American Law).

All districts of Cairo are within the jurisdiction of Cairo Juvenile Court. These districts are: Abdeen, Saidah, Helwan, Wayli, Boulac, Ezbakiyah, Mousky, Khalifa (Misr El Gadida), Gamaliah, Road El Farag, Shoubra, Darb El Ahmar, Bab El Shaaria, Misr El Kadimah.

A year later in 1906, the Alexandria Juvenile Court was established. Its authority is the same as that of Cairo. Also all the districts of Alexandria are within the jurisdiction of the court.

B. Definition of Juvenile Delinquency in Egypt

There is no particular definition in the Egyptian Law. A delinquent can be considered a child who is over seven but under fifteen, who is guilty of a crime, misdemeanor or contravention. But such a concept sometimes seems vague, for the law also makes a distinction between adults and those who are between fifteen and and seventeen years in the matter of penalties. For example Article 72 of the Penal Code of 1937 says: " The penalty of death, perpetual or part time penal servitude cannot be pronounced against an accused whose age is from fifteen to seventeen years -----". (This will be discussed in the procedures and statements of Laws in Chapter Five.)

CHAPTER III

THE EXTENT AND KINDS OF DELINQUENCY IN EGYPT AND MASSACHUSETTS

SECTION I

In General

A. The Extent

What is meant here by extent of juvenile delinquency is the distribution of the problem in terms of age, sex, race, nativity. The regional differences (rural and urban areas) and the types of offences.

a. Introduction

The general opinion prevails that juvenile delinquency rates increased rapidly during the War and that this increase was caused by the War. I. R. Perlman said, "The number of children getting into trouble with law enforcement and judicial agencies seem to have increased sharply during the War to a peak in 1945. From the peak of 1945 children brought into court or arrested decreased sharply in 1946 and continued downward in 1947, following the end of War time conditions."¹

This is an unsatisfactory explanation insofar as the United States is concerned, because although wartime conditions may have accentuated delinquent behavior, increases were in evidence prior to the War, owing to entirely different conditions. While no pronounced trends following World War II are as yet discernable, fluctuations in rates have occurred with an abatement in some regions

1. I.R.Perlman, The meaning of Juvenile Delinquency Statistics, Federal Probation, September 1949, Page 67

and increases in others.

b. Statistics of Delinquency

There is no overall agency to compile comprehensive nationwide statistics. Hence, national data of the extent of juvenile delinquency is not available, but several Government Bureaus collect data on certain items that cover a portion of the cases handled by law enforcement agencies.

The scope of this paper is concerned with Massachusetts and Egypt, but it is important to know something of the overall picture of the United States. There are two main Federal Bureaus for reporting such statistics:

1. The Uniform Crime Reports published semi-annually by the F.B.I. (Federal Bureau of Investigation, U.S. Department of Justice). This bureau summarizes the offenses known to the police. They are dependable chiefly to the extent that they report actual counts of fingerprint arrest records sent to Washington by cities in all parts of the United States.

2. The United States Children's Bureau collects data on the number of juvenile court cases (cases disposed of by courts voluntarily participating in its Reporting plan). These reports do not constitute a completely representative sample of all juvenile courts in terms of geographic location or rural-urban distribution. Moreover, the Reporting Courts are concentrated largely in the North-western section of the United States.

It is important to note some of the difficulties in collecting correct data for the following reasons:

1. Some courts report only cases disposed of by formal court action.

2. Other courts report in addition the unofficial cases disposed of, especially those handled by referees or probation officers without formal court action, e.g., dependency, neglect and medical cases are sometimes included in the reports of total findings.

3. Variation by states in the matter of age jurisdiction of the courts, also facilities and personnel of the courts and the extent to which courts use other law enforcement agencies or youth serving agencies in dealing with cases affect the statistics of the volume handled.

4. Juvenile court statistics include only the cases disposed of by the courts, which is not a complete index of the total volume of delinquency. Many cases are taken care of by the police, the sheriff, school authorities, or by social agencies in the community and are not referred to courts.

5. Another difficulty confronts students of delinquency, that being how to estimate the number of children who are repeaters or recidivists. Few if any records are available that would give any reliable answer.

Dr. Teeters, in his book pointed out that "it is obvious, then, that only a nation wide picture of juvenile maladjustment can be satisfactory in appraising the extent of delinquency. We have seen that definitions are in-

adequate and that statistics are woefully weak. Perhaps it is too much to expect the development of some central registration bureau, but until we have some such service we shall never know with any degree of certainty just how much delinquency there is in this country."¹

c. Extent of Age and Sex

The median age of children involved in delinquency cases in four hundred thirteen courts was about fifteen and one-half years. About the same median age was found for girls as for boys and for unofficial as well as official cases. "Almost three-fourths of the children involved in delinquency cases were fourteen years of age or over."²

The following table shows the percentage of boys and girls when referred to court by four hundred thirteen courts in the year 1949:³

TABLE NO. I

Age of child when referred to court	Percentage of Juvenile Delinquency cases					
	<u>Total</u>	<u>Official</u>		<u>Unofficial</u>		
		<u>Boys</u>	<u>Girls</u>	<u>Boys</u>	<u>Girls</u>	
Total cases	--	--	--	--	--	
Age reported	100	100	100	100	100	
Under 10 years.....	4	3	1	5	3	
10 years, under 12.....	7	7	3	8	4	
12 years, under 14.....	15	15	15	16	14	
14 years, under 16.....	34	33	45	31	40	
16 years and over.....	40	42	36	40	39	
Age not reported.....	--	--	--	--	--	

1. The Challenge of Delinquency by Teeters & Reinemann
1951 New York-Prentice Hall, Inc. Page 19
2. Juvenile Court Statistics 1946 - 1949, Federal Security
Agency Children's Bureau, Statistical Series No. 8
3. Ibid, Page 13

Also the following table shows the difference in the rate of change between boys and girls in police arrests cases and juvenile courts cases.

Boys and girls delinquency percentage cases disposed of by seventy-six urban juvenile courts and all fingerprint records received by the Federal Bureau of Investigation of boys and girls under eighteen years of age arrested by police, 1938 to 1947.¹

TABLE NO. II

Year	<u>1938</u>	<u>1939</u>	<u>1940</u>	<u>1941</u>	<u>1942</u>	<u>1943</u>	<u>1944</u>	<u>1945</u>	<u>1946</u>	<u>1947</u>
Police Arrests	1:18	1:19	1:15	1:13	1:8	1:7	1:7	1:9	1:10	1:10
Juvenile Court Cases	1:5	1:6	1:5	1:5	1:4	1:4	1:4	1:5	1:5	1:4

d. Race and Nationality

In the United States, there are primarily two large racial groups, the whites and the negroes. The validity of statistics dealing with the crime ratios between white and negroes may be questioned because of certain racial prejudices. For example:

1. The differential treatment of negroes by police authorities.
2. The poverty of the negroes in comparison to the whites.

It is helpful to report here what the English student,

1. The Annals of the American Academy of Political and Social Science, Volume 261, January 1949, Page 13

Cyril Burt has indicated in his book "Young Delinquents," that the rich people sometimes solve their problems without going to police or making official records. But the consensus of local studies according to Neumeyer shows that the negroes supply a larger percentage of delinquents in proportion to the total juvenile population in this group than do the whites. Of the 4,287 cases of delinquent children during the 1939 to 1942 period, 1,115 were negroes and 663 were classed as Latin Americans.¹

Negro girls show a higher rate of delinquency than white girls.²

These statistics, one can say, need interpreting, for perhaps the majority of the population in such areas may be negroes, as is the case in the South.

With reference to nationality, it is obvious that in this country there are:

1. Foreign born
2. Native born of foreign parentage
3. Native born of mixed parentage
4. Native born of native parentage.

Which category accounts for more delinquency? Here again, Neumeyer reports that the percentage of delinquents who are foreign born is very low. This is explained in part by the fact that less than nine percent of the population of the United States in 1940 was foreign born and that very few of them were in the juvenile age group. The average

1. Juvenile Delinquency in Modern Society by Martin H. Neumeyer, D. Van Nostrand Comp. Inc., 1949, Page 30.
2. Walter C. Reckless and M. Smith, First Edition, McGraw-Hill Book Co., Inc., N.Y., Page 37.

age of the foreign born was fifty-one. Nearly one-fifth of the total population is composed of persons with foreign or mixed parentage.¹

e. Regional Differences (Rural and Urban)

It is generally believed that cities have higher rates of crime and delinquency than rural areas. It is also noticed that the number of crimes decreases as the distance from the large city increases. Also rural territories surrounding large cities have a crim rate higher than areas removed from the immediate influences of an urban environment.

The rates of children committed to correctional institutions was high among those who came from cities. But there are those who say that in rural areas many violations are solved quietly and gone unnoticed by official authorities.

f. Types of Offenses

It is quite difficult to evaluate definitely statistics of types of offenses. The reports vary in the classification. Some mention four or five types of offenses, others classify five or six kinds of stealing.

The following table contains a typical classification. Classification of offenses of juvenile court statistics study of the Children's Bureau 1928.

TABLE NO. III

<u>The Offense</u>		<u>Percent</u>
A. Stealing or attempted stealing		
1. Automobile stealing	5)	
2. Burglary or unlawful entry	11)	
3. Robbery	2)	38
4. Other types of stealing	13)	
5. Types of stealing not reported	7)	
B. Truancy		9
C. Running away		8
D. Ungovernable or beyond parental control		10
E. Sex Offense		4
F. Injury or attempted injury to persons		3
G. Act of carelessness or mischief		25
H. Violating liquor or drug laws or intoxication		1
I. Other charges		1
		100

1. The weak points in this classification are, for example, "other types of stealing cases were thirteen more than the combined percentage of several classes mentioned."

2. The class No. H should be divided into three categories.

It is important to know what types of offenses the children under eighteen commit. The following table gives the percentage of arrests of persons under eighteen, twenty-one and total percentage under twenty-five years of

age in the period January to June 1951.¹

TABLE NO. IV

	Percentage under 18 years of age	Percentage under 21 years of age	Total Percentage under 25 years of age
Total	4.9	15.2	30.0
Criminal Homicide	2.8	10.6	26.4
Assault	2.2	10.2	25.8
Robbery	8.7	28.9	53.6
Burglary - breaking or entering	19.7	42.1	61.7
Larceny - theft	10.1	27.4	45.2
Auto theft	25.9	50.9	69.7
Embezzlement and fraud	1.2	6.6	20.1
Stolen property; buying, receiving, etc.	5.0	16.3	32.0
Arson	7.7	18.4	31.0
Forgery and counter- feiting	3.5	13.8	31.0
Rape	7.8	29.9	52.5
Prostitution and com- mercialized vice	1.0	7.6	28.9
Other sex offenses	2.5	10.7	26.4
Narcotic drug laws	4.1	20.4	48.8
Weapons; carrying, possessing, etc.	4.5	17.8	36.4
Offenses against family and children	.3	4.3	20.2
Liquor laws	1.8	13.1	23.1
Driving while intoxicated	.4	3.9	14.1
Road and driving laws	2.6	20.0	42.6
Parking violations	--	9.4	23.1
Other traffic and motor vehicle laws	3.1	17.9	39.6
Disorderly conduct	2.6	14.2	31.1
Drunkenness	.5	3.8	12.2
Vagrancy	3.5	14.2	29.3
Gambling	.6	3.2	10.8
Suspicion	7.0	21.3	39.4
Not stated	1.8	9.4	23.7
All other offenses	10.0	22.6	38.7

B. The Kinds of Delinquents

In Chapter II, the writer defined the juvenile delinquent. Here the writer will describe the different kinds of juvenile

delinquents. At the outset, it is important to notice that the neglected and the dependent child are also found in most juvenile courts' jurisdiction. "All states but four confer jurisdiction upon the childrens court over neglect and dependency. (Massachusetts, New York, New Mexico and Texas)."¹ Massachusetts has neglect but not dependency jurisdiction. Dependent children are dealt with by administrative agencies.

Some states handle, beside the dependent and neglected, other cases of adoption, the physically handicapped child, the mentally defective or disorderly child, illegitimacy or marriage of girls under sixteen.

Who is the neglected child?

The Standard Juvenile Court Law prepared by the committee on Standard Juvenile Court Laws of the National Probation Association (New York, N.Y., 1933) stated that the neglected child is (1) a child who is abandoned by his parent, guardian or custodian, (2) a child who lacks proper parental care by reason of the fault or habits of the parent, guardian or custodian, (3) a child whose parent, guardian or custodian neglects or refuses to provide proper or necessary subsistence, education, medical or surgical care, or other care necessary for his health, morals or well being, (4) a child whose parent, guardian or custodian neglects or refuses to provide the special care made necessary by his mental condition, (5) a child who is

1. Juvenile Delinquency by Paul W. Tappan, McGraw-Hill Book Co., Inc., 1949, New York, Page 21

found in a disreputable place, or who associates with vagrant, vicious or immoral persons, (6) a child who engages in an occupation or is in a situation dangerous to life or limb, or injurious to the health or morals of himself or others.

Who is the dependent child?

The above Standard Juvenile Court Law stated that the dependent child is (1) a child who is homeless or destitute or without proper support or care through no fault of his parent or guardian, (2) a child who lacks proper care by reason of the mental or physical condition of the parent, guardian or custodian.

Who are the Federal juvenile offenders?

Those are the children who are charged with violating Federal laws. Such cases may be either handled by Federal authorities or may be dealt with under State Juvenile Court Laws. The policy has been to divert cases of Federal juvenile offenders to State authorities wherever possible and in some communities serious violations of Federal Laws as well as minor violations are handled by juvenile courts. The number of cases of children dealt with by Federal Courts is influenced by several factors such as (1) the age limits of state - juvenile court jurisdiction, (2) the stage of development of state juvenile - court and probation systems.

There are many acts and laws dealing with Federal juvenile offenders. The important are:

1. Liquor laws
2. Immigration act
3. Motor vehicle theft act

4. Postal laws
5. Laws against counterfeiting and forging
6. Interstate Commerce Act (Car Seal Act)
7. Narcotic Drug Act
8. White Slave Traffic Act.

S E C T I O N II

IN MASSACHUSETTSA. The Extent

Introduction

The extent of delinquency is very important because of the implication that here lies the earlier manifestations of many of the problems of crime. It is from the juvenile delinquents that a large percent of our criminals will be recreated.

The problem of the juvenile delinquency in Massachusetts is the same as in any other state, though there are variations in causation. The causation will be discussed in Chapter IV.

Let us consider the distinction of delinquency in terms of age, sex, race, nationality, region (rural or urban) and types of offenses.

a. The Age:

In Massachusetts, Sheldon Glueck and Eleanor Glueck found out in the study of one thousand juvenile delinquents that the age of the children at their first arrest was as follows:

1. One boy was arrested at the age of six
2. Seventy-one were arrested at seven or eight
3. Two-hundred and twenty-three were arrested at nine or ten
4. Two-hundred and sixty-five were arrested at eleven or twelve
5. Two-hundred and seventy were arrested at thirteen or fourteen

a. (cont'd)

6. One-hundred and fifty-nine were arrested at fifteen or sixteen
7. Four were arrested at seventeen

That is to say that the mean being eleven years, eleven months.¹ In a study by Harvard Law School in Criminology, of five-hundred juvenile delinquents, it was found that nearly half of that number showed evidences of anti-sociality before their eighth year as is shown in the following table.²

Table No. V

Age at Onset of Misbehavior of Five-Hundred Juvenile Delinquents.

<u>Age</u>	<u>Delinquents</u>	
	<u>Number</u>	<u>Per cent</u>
Under 5 years	20	4.0
5-7 "	222	44.4
8-10 "	196	39.2
11-13 "	53	10.6
14-17 "	9	1.8
Total	<u>500</u>	<u>100.0</u>

M. = 8.35 years

It was observed in the same study of five-hundred juvenile delinquents that the mean age of juvenile delinquents at first court appearance was 12.39, while the mean age of the same cases at first conviction was 12.52. The follow-

1. One Thousand Juvenile Delinquents by Sheldon Gleuck and Eleanor T. Glueck, Cambridge Harvard University Press, 1934, p. 97.
2. Unraveling Juvenile Delinquency by Sheldon and Eleanor Glueck, The Commonwealth Fund, Ny Y. 1950, p. 28.

ing table shows these statements.¹

Table No. VI

Age at First Court Appearance and First Conviction.

<u>Age</u>	<u>First Court Appearance</u>		<u>First Conviction</u>	
	<u>Number of Delinquents</u>	<u>Per cent of Delinquents</u>	<u>Number of Delinquents</u>	<u>Per cent of Delinquents</u>
7 years	4	0.8	3	0.6
8 "	23	4.6	21	4.2
9 "	45	9.0	40	8.0
10 "	70	14.0	72	14.4
11 "	81	16.2	73	14.6
12 "	64	12.8	65	13.0
13 "	84	16.8	87	17.4
14 "	67	13.6	70	14.0
15 "	53	10.6	59	11.8
16 "	9	1.8	10	2.0
Total	<u>500</u>	<u>100.0</u>	<u>500</u>	<u>100.0</u>

b. Sex

The relative percentage of boys and girls who are juvenile delinquents in Massachusetts Courts was approximately ninety to one-hundred per cent.

The following table shows the total numbers and percentage of boys and girls committed to the juvenile courts in Massachusetts during the period 1940-1947.²

-
1. Ibid., p. 293
 2. Report of The Board of Probation, for the years 1940-1947, ending December 31. 206 New Court House, Boston, Mass., p. 3.

b. (cont'd)

Table No. VII

Boys and girls committed to the Juvenile Courts in the years 1940 - 1947.

<u>Year</u>	<u>Number of Boys</u>	<u>Per-centage</u>	<u>Number of Girls</u>	<u>Per-centage</u>	<u>Total</u>	<u>Per-centage</u>
1940	4108	90	472	10	4580	100
1941	4241	89	526	11	4767	100
1942	4406	88	628	12	5034	100
1943	5556	85	997	15	6553	100
1944	5868	87	861	13	6729	100
1945	6364	89	794	11	7158	100
1946	5324	90	625	10	5949	100
1947	4472	90	552	10	5024	100

It should be observed from the preceding table that there was an increase during the war-time, (1941 - 1945) which was approximately 33%.

c. Race and Nativity

The extent of the juvenile delinquents of Massachusetts in terms of race and nativity is somewhat involved. A Survey of Crime and Criminal Justice in Boston, conducted by the Harvard Law School, based on one thousand juvenile delinquents showed that:

a. In terms of race of juvenile delinquents¹

1. 943 were white
2. 49 " negro
3. 8 " negroid

What is meant by negroid is one parent is white and one colored.

b. In terms of nativity of juvenile delinquents²

1. 821 of the children were native born.
2. 155 " " " " foreign born.
3. 24 " " " their nativity was unknown.

1. One Thousand Juvenile Delinquents. Ibid. p. 302.

2. Ibid 303

3. Ibid 303

c. The nativity for the parents of these juvenile delinquents was:¹

1. 121 parents of children were both native.
2. 619 " " " " " same foreign country.
3. 61 " " " " " each of different foreign country.
4. 110 parents of children were one native and the other foreign country.
5. 24 parents of children were one native and the other was unknown.
6. 25 parents of children were one foreign and the other was unknown.
7. 40 parents of children were both unknown.

d. Types of Offenses

In Massachusetts, a study of five-hundred juvenile delinquents brought to court as first offenders, it was noticed that:

a. In 65.6% of these cases, the offenses were against property (larceny, attempted larceny, conspiracy to commit larceny, larceny from the person, burglary, attempted burglary, using auto without authority, and so on.)

b. A tenth (10.2%) of the children, the offenses were against the public order (breaking glass, breaking windows, maliciously injuring property, destroying property, trespassing, stealing rides, violating license laws, ringing false alarms, delaying cars, throwing missiles, violating parking rules, stoning trains and the like.)

c. Another tenth (9.6%) were charged with stubbornness (complaints generally being made by their parents)

d. 4.8% with running away.

¹. Ibid. 303

- e. 3.6% with truancy.
- f. 2.6% with assault and battery.
- g. 2.4% with sex offenses.
- h. 1.2% for fire-setting.¹

The following table shows the type of offenses committed by the juvenile delinquents charged to one juvenile court of Massachusetts in the years 1940 and 1947.²

Table No. VIII

<u>Offenses</u>	<u>1940</u>	<u>1947</u>
Against Person	180	211
Against Property	2707	2691
Sex Offenders	174	252
Domestic Relations	7	6
Drug Law, Violation of	-	-
Liquor Law, Violation of	-	-
Drunkenness	28	100
Motor Vehicle Law, Violation of	430	540
Minor Infractions	794	955
Against Public Order	260	269
Total	<u>4580</u>	<u>5024</u>

The period of eight years showed slight differences except in the offense of drunkenness, where the number jumped from 28 to 100. The total of 1947 had increase of 444 cases.

1. Ibid. Unrevealing Juvenile Delinquency, p. 28.
2. Report of the Board of Probation for the years ending December 31, 1940 - 1947. Board of Probation, 206 New Court House, Boston, p. 19-20.

B. Kinds of Juvenile Delinquents in Massachusetts

Under the Statutes of Massachusetts (Chap. 119, Section 52, of the General Laws) there are:

1. The delinquent child, defined as "a child between seven and seventeen who violates any city ordinance or town by-law or commits an offense punishable by death."

2. Wayward child, defined as, "a child between seven and seventeen years of age who habitually associates with vicious or immoral persons or who is growing up in circumstances exposing him to lead an immoral, vicious or criminal life."

3. Under Chapter ?? of the General Laws, there is defined what is called the School Offenders:

a. Section 3 defines an "habitual truant" as "a child between seven and sixteen who wilfully and habitually absents himself from school."

b. Section 4 of the chapter described the "habitual absentees" as "a child between seven and sixteen found wandering about the streets or public places, having no lawful occupation, habitually absent from school and growing up in idleness and ignorance, etc."

c. Section 5 of this chapter describes the "habitual school offender" as "a child under sixteen persistently violating reasonable regulations of the school he attends, or otherwise persistently misbehaving therein, so as to render himself a fit subject for exclusion therefrom, shall be deemed a habitual school offender."

4. Chapter 119, Section 42 defined the "neglected child" "as a child under sixteen years of age by reason of orphanage, or of the neglect, crime, cruelty, insanity, or drunkenness or other vice of the parents is growing up without education or without salutary control, or without proper physical care or in circumstances exposing him to lead an idle and dissolute life or is dependent upon public charity." Sections 12 to 22 inclusive of said chapters refers to the abandoned child, the adopted child, and illegitimate infants.

SECTION III

In Egypt

A. The Extent

1. Introduction

No exact statement on the extent of juvenile delinquency in Egypt could be made, for we know only of the more unfortunate delinquents who fall into the hands of the law. As for the others, who, being more dexterous in their crime and escape the hands of the law, no statement at all could be made.

There are many American jurists who are alarmed by the large number of delinquents in America. This is because of the methods of recording and the many different kinds of Bureaus or agencies which collect the data that cover the big portion of the cases handled by the courts and the police.

In Egypt, we then should not be flattered at our comparatively smaller number. The following table shows the total number of cases brought to the court¹ during the period 1937 to 1943. Capital crimes are excluded.

TABLE NO. IX

<u>YEAR</u>	<u>MISDEMEANORS</u>	<u>CONTRAVENTIONS</u>	<u>TOTAL</u>
1937	3622	3196	6818
1938	3065	3570	6675
1939	3250	4705	7955
1940	3395	5446	8841
1941	3993	12783	16776
1942	4305	7970	12275
1943	3888	8092	11980

1. Arabic Work-Reports of The Cairo Juvenile Court for the years 1937 to 1943

Age and Sex

The age of the delinquents in the Criminal Law ranges from seven to fifteen, but special consideration is given to those of fifteen to seventeen years of age as it will be explained later in Chapter V.

The recent Vagrancy Law of 1949 raised the delinquent maximum age to eighteen. No definite recent statistics can be given to show at which age the children start their misbehavior. But roughly speaking, the age of the seven hundred twenty-two children committed to the Cairo Juvenile Court sent to the Social Service Bureau for investigation and follow-up during the period June 1940 to December 1948 is as follows:¹

The age of 722 Juvenile Delinquents in Cairo

TABLE NO. X

Ages	7-10	11-13	14-15	16	Unknown	Total
Boys	156	390	98	6	18	671
Girls	17	35	1	-	1	51
Total	173	425	99	6	19	722

It can be noticed that boys in the juvenile court represent the majority of the cases.

The recent reports of the Cairo Juvenile Court (the two years 1950 and 1951) give the following statements:²

-
1. Arabic Work - The annual Reports of the Cairo Juvenile Court-Social Service Bureau of 1940 to 1948, Cairo.
 2. Arabic Works - Annual Reports of the Cairo Juvenile Court of the years 1950 to 1951.

TABLE NO. XI
A G E S

Year	7-12	12-15	15-18	Totals
1950	1249	1017	174	2440
1951	1262	1070	104	2436

From the mentioned reports it was found that the rate of girl delinquents to boy delinquents was about 13% to 87%.¹

The following table shows this statement:

TABLE NO. XII

Year	Boys	Girls	Total
1950	2076	364	2440
1951	2101	335	2436

Race and Nationality

The statistics on race in the field of juvenile delinquency is found in Egypt, for no racial groups can be compared or considered as in America where there are two large racial groups, the Whites and the Negroes. Before October 14, 1949 only the Egyptians were tried before the National Courts. The foreigners were tried either before the mixed courts or the Consular Courts. This differentiation made the statistics.

Rural and Urban Differences

In Egypt as anywhere, cities have higher rates of crime and delinquency than have rural areas. Thus a larger number of delinquencies are to be found in Cairo and Alexandria than elsewhere. See tables No.

This is due mainly to the slum areas which are often found in cities. This beside the overcrowding, the operators of

1. Arabic Works, Annual Reports of the Cairo Juvenile Court of the years 1950 to 1951.

vice and gambling and street gangs. Also police vigilance tends to be more active in large cities. In the rural areas of Egypt the rural culture still exists; type of work, strong religion and family stability. This topic is illustrated in Chapter IV.

The following table shows the number of delinquent cases in the tow big cities of Eghpt, Cairo and Alexandria, with a comparison in the provinces that represent generally rural areas in the year 1947.¹

The total numbers of offenses committed by juvenile delinquents in Egypt during the year 1947:

TABLE NO. XIII

<u>Place</u>	<u>Minor Offenses</u>	<u>Misdemeanors</u>	<u>Crime</u>
Cairo	400	5347	9
Alexandria	348	1303	19
Benha	73	21	00
Zagazig	15	54	00
Port-Said	00	227	3
Suez	00	79	2
Mansoura	28	230	00
Domietta	00	43	1
Shebin El Kourn	22	51	00
Tanta	22	78	00
Damanhour	29	37	00
Giza	00	122	00
Beni Suef	5	62	00
Fayoum	2	81	00
Menia	123	187	2
Assuit	35	23	00
Jouhag	36	137	00
Kena	10	19	00
Asswan	15	64	3
Total of Cairo and Alexandria	748	6650	28
Total of Provinces	415	1515	11

1. Ibid, Page 15

It is clearly seen from the above tables that number of cases in Cairo and Alexandria are greater in number if compared with the rest of the country. It is also seen that the crimes committed are quite rare if compared with minor offenses and misdemeanors.

Types of Offenses

The types of offenses in Egypt are quite different to the types of Massachusetts. This will be discussed in Chapter VI of this thesis.

The following table shows the different types of offenses committed by four hundred sixty-six boys and thirty-two girls referred to the Cairo Social Service Bureau in the period 1940 to 1948 inclusive.¹

Offenses of 498 juveniles referred from the Cairo Juvenile Court to the Social Service Bureau:

TABLE NO. XIV

	<u>Boys</u>	<u>Girls</u>	<u>Total</u>
Number	466	32	498
Theft	273	20	293
Beyond Control	96	1	97
Vagrancy	72	7	79
Attempting Theft	12	-	12
Larceny	10	-	10
Adultery	2	4	6
Cheating of Food	1	-	1

It is important to observe that crimes are very few in number compared with misdemeanors and minor offenses. The following table shows crimes committed by juveniles in Cairo during the years 1939, 1940 and 1941.²

-
1. Arabic Work, The Annual Reports of the Social Service Bureau in the years 1940-1948 inclusive, Cairo.
 2. The Cairo Juvenile Court Annual Reports 1939, 1940 and 1941, Cairo, Egypt.

TABLE NO. XV

	<u>1939</u>	<u>1940</u>	<u>1941</u>	<u>No.</u>
Striking resulting in homicide	1	-	1	2
Attempting murder	7	3	2	12
Murder	-	1	-	1
Striking resulting in disability	9	13	18	40
Forgery	-	-	1	1
Violent robbery	1	13	7	21
Repeated robbery	4	2	2	8
Rape	10	1	5	16
Blocking communication	-	-	5	5
Intentional incinding	-	2	-	2
Various other crimes	7	6	13	26
Total	39	41	54	134

It is important to observe that more than 90% of the offenses (if vagrancy offenses are excluded) are thefts; that is to say larceny including robbery as it is seen in the following table.¹

Offenses committed by 497 inmates of the Marg Reformatory in the year 1945.

TABLE NO. XVI

Intoxication	23
Arson	1
Murder	17
Larceny including robbery	457
Total	497

It is also important to observe the following:- (a) out of these 497 inmates, 83 were in a gang at the time of committing the offense, 414 were alone at the time of committing the offense, (b) 417 of these inmates committed their offenses by daytime, 80 of these inmates committed their offenses at night, (c) 60 of these inmates were from rural areas in Upper Egypt, 116 of these inmates were from

1. The Marg Reformatory Reports of the year 1945. Arabic Work, Cairo, Egypt.

rural areas in Lower Egypt and 321 of these inmates were from urban areas in Egypt.

B. Kinds of Delinquents

Two main kinds are found in the Egyptian Legislation, the delinquent child according to what the Criminal Law says and the Vagrant child according to what the Vagrant Law says.

I. The Criminal Law

As it was stated, before, the act of the Criminal Law concerning the delinquents was first passed in 1883. The last amendment was in 1937 (that might be amended shortly). This act divides the delinquents according to their ages into two kinds:

a. Children between seven and less than twelve years who have been guilty of crime or misdemeanor or minor offense mentioned in the Egyptian Legislation. The punishment differs according to the kind of offense.

b. Children between twelve and fifteen

1. Those who have been guilty of a crime punishable by either detention or penal servitude for a period of time,

2. or guilty of a crime punishable by death or perpetual penal servitude,

3. or guilty of any infraction against the law.

II The Vagrant Children

The act was first passed in 1908. It was amended in 1949. It defines a vagrant child as one who is under eighteen years old when:

- a. He or she begs in the streets or in taverns.
It is considered beggary if the child sells trivial goods or practices gala gala jobs,
- b. he or she gathers cigarette butts or such things or refuse,
- c. He or she works with the prostitutes or in a gambling house or serves those who are involved in these jobs,
- d. he or she joins the vagrants or those who are under the police suspicion or those of bad character,
- e. He or she is of bad behavior and being beyond control of his father, guardian, mother (in case the father is dead, absent or deprived from his civil rights) or anybody who has charge of him,
- f. He or she has no constant home or is accustomed to sleep in the street, and
- g. He or she has no legal way to earn his living or no honest supporter and his parents are dead or imprisoned or absent.

CHAPTER IVCAUSES OF DELINQUENCY IN EGYPT AND MASSACHUSETTS

Section I

Causes in GeneralIntroduction

What are the causes of Delinquency?

There is no definite answer to this question. A vast body of literature and research have been devoted to the study of causation in delinquency, but the result arriven at prove partly valid and was partly false.

Burt pointed out twenty years ago that:

"Crime is assignable to no single universal source, nor yet to two or three, it springs from a wide variety and usually from a multiplication of alternative and converging influences."¹ Because of this multiplicity and also because of the difficulty of establishing causal relationships the answer will remain equivocal.

For instance, if we consider, say, the relationship between broken homes and child delinquency, there are four possible combinations:

- a. Broken homes and delinquent children
- b. Broken homes and non-delinquent children
- c. Unbroken homes and delinquent children
- d. Unbroken homes and non-delinquent children

1. The Young Delinquent by Cyril Burt, Appleton and Company, New York, 1925, p. 62.

According to Burt's¹ saying, "An examination of delinquents alone can never be conclusive. To find, among a batch of young offenders, that eight per cent are illegitimate, that 19% come from very poor homes, and that nearly 30% are definitely dull and backward- all this means nothing until we have discovered how often the normal unoffending child is similarly afflicted."-

Walter Reckless, a social scientist who has done some of the best research in crime, writes, "It is impossible in the existing state of criminological knowledge to say just what are the causes of crime. Any one who attempts to do this is far transcending the bounds of definite knowledge."²

Let us see briefly what the pioneers in the field have said about the causes of delinquency. From the beginning, it will be noted that the contradictory nature of the opinions is obvious, while some believe that delinquency is due to biological causes, others attribute it to accidental external and sociological causes and so forth.

"There is no national blueprint which will provide an all-inclusive summary of the various causes of juvenile delinquency. In a general way, these causative factors are well known to all. Conditions vary in each individual community, and, in fact, within each home in each community. The different conditions, stresses, circumstances and tensions playing upon each forger bring forth

1. Ibid., p.68.

2. Walter C. Reckless, Criminal Behavior (New York, McGraw Hill Book Co.) 1940, p. 163.

unique results and thus each case must be handled on an individual basis. It can be said, in summary, that there are as many causes of delinquency as there are evils and errors in the world."¹

- a. Take for example, the concept "Heredity".
Is delinquency hereditary?

Does one inherit a gene for criminality, or to be specific, "delinquency?" Are people who are born with certain physical abnormalities, such as underslung jaw, hairy body, beetle browed and so on inclined to crime as Lambroso declared?

"Richard Dugdale, the author of "The Jukes" published in 1877, admitted that heredity and environment were the influences determining the whole question of crime. His ideal objective was to determine how much crime resulted from heredity and how much from environment. We do not believe that Dugdale or any of the other investigators who followed in his foot-steps solved that riddle."²

Ahnsjö³ in his book on delinquent girls, gives a table which compared various writers' evaluation of the relative importance of endogenous and exogenous factors in the etiology of juvenile delinquency. The discrepancies revealed are striking. Some attribute 91%, others 12% to hereditary factors in the etiology of juvenile

1. National Conferences on Prevention and Control of Juvenile Delinquency, Washington, D. C., November 20-23, 1946, p.1, report #7.
2. Teeters and Reinemann, "The Challenge of Delinquency" New York Prentice, Hall Inc., 1951, p. 87.
3. L. Bovet "Psychiatric Aspects of Juvenile Delinquency, World Health Organization, Palais Des Nations, Geneva, 1951, p. 12-13.

delinquency. Similarly, some writers assert that they have never seen a single case where external factors are alone responsible, compared with a figure of over 50% given by others. Thus today, as in the nineteenth century, two age-old ideas clash: one of the inborn criminal linked with the name of Cesare Lombroso, the other, exemplified by the words of Victor Hugo:

"The opening of a school is the closing of a prison."

Today, these two opposing views have lost none of their original force. They are, however, often disguised, maybe more or less unconsciously and both need more thorough and more scientific research. Doubtless, many writers in attempting a via media, hope to reconcile these opposing doctrines. They may briefly be called the organic and the psychogenic approaches. Such an attempt is often merely superficial and only serves to hide even from its own advocate, a deep attachment to one or another point of view.

Professor E. A. Hoaton, in Harvard University, attempted in opposition to the almost unanimous opinion of other scholars, to revive the Lombrosian theory. At great cost, he made elaborate measurements of thousands of prisoners and a few non-prisoners, and found an accumulation of slight differences between the two groups, and concluded that:

"The primary cause of crime is biological inferiority."¹

1. E. A. Hoaton, Crime and the Man, Cambridge, 1939, p.130.

Freud, however, with that biological approach so characteristic of his work, has already emphasized the importance of "Somatic Compliance" although this idea has been sadly neglected by some of his followers, It is now forty years since Bleuler stressed that the correct question to ask when examining a behavioral phenomenon was not, "is this organic or psychogenic?" but "to what extent is this psychogenic?"

Whenever behavior and its origin are under discussion, his advice has the same value today as yesterday.

b. Another concept is the "Glandular Dysfunction."

Is the delinquent behavior caused by glands? There is no reason to believe that delinquents suffer more from glandular disturbances than does the general population.

c. Does Physical Handicaps create delinquency?

Are most delinquents physically handicapped? The answer is that thousands of children who have serious physical handicaps and yet manage to make an adequate adjustment to normal life.

d. Does Poverty influence the behavior of delinquents?

Poverty is not a cause of delinquency. This statement is evidenced by the courage, fortitude, honesty and normal stamina of thousands of parents who would rather starve than steal and also who inculcate this attitude in their children.

Can it then be said that "economic status" and "delinquency" are related? Who knows? Some researchers think "yes" and some "no." Some researchers, tell us that in some cases the absence of economic security was one factor in the production of criminal behavior.

e. Do broken homes produce delinquency and crime? Do delinquency areas? Slums?

One can say "yes", broken homes yield more criminals than unbroken homes. But we can also say that many mothers and some fathers, who have lost their mates through separation, divorce or death, are doing a splendid job of rearing their children.

f. Does delinquency seem to be an urban problem rather than a rural problem? Is that because of the operators of vice and gambling establishments which are more numerous in the city? In cities, the children of the streets see saloons, night-clubs, vice and sexual looseness all about them.

g. Does the Church and Sunday School do important work in combating delinquency?

There seems to be a wide variation of opinion as to their value in this connection. Edward C. Lindeman writes "I reject the notion that an increase in the number of persons receiving the type of religious education now prevalent, will automatically result in a diminution of crime."¹

1. "Underlying Social Causes of Crime" Yearbook, N.P.P.A. 1941, p. 111.

h. Can lack of recreation be a factor helping in the increasement of juvenile delinquency?

The old saying that, evil finds mischief for idle hands is true. No one can deny the fruitful results from establishing playgrounds, boys and girls clubs, The Boy Scout and Girl Scout, settlement houses, and neighborhood centers. These various character building agencies are wholesome influences in the childrens' lives.

i. What is the responsibility of the school as a contributing factor in delinquency?

Is truancy not a start of delinquency? Is truancy not the probable proof that the school is an unsatisfactory experience ?

j. What is the responsibility of the press in delinquency?

The contents of so many newspaper stories represent a continual glorification of and pre-occupation with crime, the delinquent and the criminal, by continually playing up crime, that it is likely that newspapers are important in making us a crime-centered culture.¹

k. What is the role of the movies and the radio in delinquency?

The interest of juveniles in movies and the radio has caused some persons to over-estimate their importance

1. Marshall B. Clinard "The annals-Secondary Community Influences and Juvenile Delinquency" p. 45, January 1949.

but others still say that hundreds and perhaps thousands of boys and girls are to a greater or lesser degree affected by movies and radios. Many may commit delinquent acts as a result, but they are the maladjusted children who are always on the border-line of anti-social behavior. "Our chief criticism of the thrillers on the radio is that they are cheap and tawdry and that they reflect the low taste and cultural levels of many American homes."¹

l. What is the role of comic books in producing delinquents?

All comic books are not unwholesome or vicious but some type of control is necessary so that young children and especially the maladjusted may not be affected and be coming anti-social and violent by tending to identify themselves as aggressors through imitations.

m. If the child suffers in his childhood from various forms of rejection, insecurity or frustration arising from the denial of a mother's love, can we predict that such a child will be delinquent?

Healy, in his book "Mental Conflicts and Misconduct" describes cases in which mental conflict causes anti-social behavior.² Aichhorn viewed delinquency as symptomatic of a neurosis.³ Dr. White mentioned two factors which are

1. The Challenge of Delinquency by Teeters and Reineremann, New York-Prentice-Hall, Inc., 1951, p. 186.
2. Dr. William Healy, The Individual Delinquent, Little, Brown, Boston, 1917.
3. Wayward Youth by August Aichhorn, Viking, New York, 1925.

a first step in explaining delinquent and criminal behavior. These factors are:

- a. Social Disorganization
- b. Brain Injury¹

These are some questions which the student in the field of delinquency faces when he treats the problem of causation. Teeters and Reinemann undertook the causation of delinquency in five long chapters.² They summarized their findings by saying, "If the reader is confused after reading the various chapters dealing with causes of delinquency, he need not fret too much, as we have seen the experts in the field are also confused. Our analysis was not so much an attempt to arrive at conclusions as to warn the reader against dogmatism on the subject. The ill-informed or partially informed person always has a comfortable, tailor-made reason to advance for delinquency, but those who have studied the problem assiduously are much more cautious.

No physical abnormality, no degree of insanity or emotional instability, no extent of feeble-mindedness, no glandular imbalance, no extreme of poverty or misery, no filth of slum life, no lack of recreation, no stimulation of the press, movie, radio, comic magazine, no hysteria or crime wave will certainly, without exception cause a delinquent act. An act of delinquency or crime

1. The Abnormal Personality, by R. W. White, 1948, p. 378.
2. The Challenge of Delinquency by Teeters and Reinemann, New York, Prentice-Hall, Inc., 1951.

is committed only when just the correct combination of personal and social factors come into existence. To create a specified delinquent situation. As the distinguished British authority on delinquency, Dr. Cyril Burt, has stated:¹ "Crime is assignable to no single universal source nor yet to two or three, it springs from a multiplicity of alternative and converging influences."

Here we have what is often termed the "multiple causation" theory of delinquency or crime. This is the thesis held by most students of these problems. Only by careful study can we begin to solve the riddle of delinquency. There is no short cut.

1. See *Young Delinquent* by Dr. Cyril Burt, New York, D. Appleton and Company, 1925, p. 575.

Section II

Causes in MassachusettsIntroduction

In Massachusetts as in any other state the causes of delinquency are the same in general. The authorities in the problem today conclude the causes of delinquency in that brief expression "Bio-Psycho-Social Phenomenon."¹ No one who wishes to gain an insight into the causes of social maladjustment and of one of its consequences, juvenile delinquency, can afford to neglect any one of the three terms of this expression.

Within these three terms we will illustrate the causes of delinquency in this state:-

The Biological Factors: Two points will be discussed under this term.

- A-Physical Health
- B-Mental Health

1-Physical Health

Dr. Sheldon Glueck in Massachusetts said in his book Unraveling Juvenile Delinquency "The possible chains of causation in the field of physical ill health and handicap are much more difficult to trace and unravel, because they are much less directly related to attitudes, motivations and behavior tendencies than are those in some of the other fields in this research." There is a popular notion and a belief among criminologists that juvenile delinquents are on the whole a less physically group of youngsters than are non-delinquents.

¹. Unraveling Juvenile Delinquency by Sheldon and Eleanor Glueck. The Commonwealth Fund New York 1950. Page 170

The following table shows some aspects of birth and infancy between delinquents and non-delinquents.¹

TABLE NO. 17

SOME ASPECTS OF BIRTH & INFANCY

<u>DESCRIPTION</u>	<u>DELINQUENTS PER CENT</u>	<u>NON-DELINQUENTS PER CENT</u>	<u>DIFFERENCE PER CENT</u>
1-Mothers' pregnancy abnormal	4.2	2.4	1.8
2-Instrumentally delivered	9.0	12.8	-3.8
3-Malformed at Birth	4.0	2.2	1.8
Born prematurely or weight			
4-Under six pounds	5.8	6.8	-1.0
5-Convulsions or Spasms	5.4	3.8	1.6
6-Operations or serious accidents	6.2	3.4	2.8
7-Markedly retarded in walking	3.8	2.2	1.6
8-Markedly retarded in talking	6.0	4.6	1.4
9-Sickly as infant	14.6	9.6	5.0

N. B. Percentages in the above table are based on totals of 500 days.

It is evident that only relatively small numbers in both groups of boys were affected by any of these conditions. with one exception. The delinquents are reported to have been somewhat more sickly as babies than the non-delinquents (14.6% - 9.6%). They were cranky, fretful, nervous, or irritable. Otherwise the delinquents and non-delinquents closely resembled each other, the difference being statistically insignificant. To see to what extent glands play a part as a causal factor, the following table ²by the same author illustrates the nature of glandular disturbances on delinquents and non-delinquents.

1. Unraveling Juvenile Delinquency by Sheldon and Eleanor Glueck.
The Commonwealth Fund New York 1950. Page 170
2. Ibid Page 178

TABLE NO. 18

NATURE OF GLANDULAR DISTURBANCES

<u>DESCRIPTION</u>	<u>DELINQUENTS PER CENT</u>	<u>NON DELINQUENTS PER CENT</u>	<u>DIFFERENCE PER CENT</u>
I-Lymph glands, suggestive or marked enlargement	12.7	14.7	-2.0
II-Thyroid, suggestive disturbance	1.8	2.8	-1.0
III-Pituitary, suggestive dis- turbance	2.0	4.2	-2.2
IV-Overdeveloped sex glands	7.8	8.8	-1.0
V-Underdeveloped sex glands	13.7	12.4	-1.3

Ratios are based on totals of 498.

We see that there is no statistically significant difference between delinquents and non-delinquents in the incidence of glandular disturbances.

2-Mental HealthIntelligence as a causal factor

Comparison of intelligence level of juvenile delinquents with Massachusetts School boys (3638 school children in three Massachusetts cities) discloses the marked inferiority of our group. At one extreme, the delinquent group contains nine times the proportion of boys of defective intelligence; at the other, half the proportion of boys are of normal or supernormal intelligence. Judged from a Psychiatric viewpoint, three-fifths of the delinquent boys had marked emotional and personality defects ranging from a high incidence of conditions not definitely classifiable as Psychotic, "Psychopathic", "Peculiar" or neurotic, to a small percentage of definitely psychotic syndromes. Criminalistic or sex "ideation" was noted in five percent of the cases, sex and other conflicts were found in three percent, various marked "dissatisfactions" in five percent."¹

1. One thousand Juvenile Delinquents by Sheldon Glueck & Eleanor T. Glueck. Cambridge Harvard University Press 1934. Page 109.

The following table gives a comparison of intelligence of Juvenile Delinquents and Massachusetts school children.¹

TABLE NO. 19

COMPARISON OF INTELLIGENCE OF JUVENILE DELINQUENTS AND MASSACHUSETTS

<u>CLASS</u>	<u>JUVENILE DELINQUENTS</u>		<u>SCHOOL CHILDREN</u>	
	<u>NO.</u>	<u>PER CENT</u>	<u>NO.</u>	<u>PER CENT</u>
I-Normal and supernormal (I-Q of 91 and over)	407	41.6	2,872	79.0
II-Dull (I-Q of <u>81</u> to <u>90</u>)	276	28.2	511	14.0
III-Borderline (I-Q of 71 to 80)	168	17.1	199	5.5
IV-Defective (feebleminded) (I-Q of 70 and below)	<u>128</u>	<u>13.1</u>	<u>56</u>	<u>1.5</u>
	979	100.0	3,638	100.0

The following table shows the verbal intelligence quotient of 500 delinquents and 500 non-delinquents both are Massachusetts children.²

TABLE NO. 20

<u>SCORE</u>	<u>DELINQUENTS</u>		<u>NON-DELINQUENTS</u>	
	<u>NO.</u>	<u>PER CENT</u>	<u>NO.</u>	<u>PER CENT</u>
120 and above	10	2.0	2	0.4
110 - 119	29	5.8	29	5.8
100 - 109	66	13.2	98	19.6
90 - 99	117	23.4	159	31.8
80 - 89	136	27.2	131	26.2
70 - 79	91	18.2	66	13.2
60 - 69	46	9.2	11	2.2
59 and below	<u>5</u>	<u>1.0</u>	<u>4</u>	<u>0.8</u>
	500	100.0	500	100.0

M= 88.56

M= 92.00

B-THE SOCIOLOGICAL FACTORS

1-One Boy in the Family

The true home of the child depends upon the attitudes of the parents toward each other and towards the children. Adler intreated

1. Ibid Page 102

2. Unraveling Juvenile Delinquency by Sheldon & Eleanor Glueck. The Commonwealth Fund New York 1950. Page 356.

the importance of the place of the child in the family group. His position as only child, eldest or the youngest, may affect his personality development and behavior patterns. Although they are in the same family environment, each child is born into a different situation and is subject to somewhat different influences. A first child is alone at the beginning and the center of interest, but after the birth of a second child, he is dethroned and may rebel against this loss of superiority. If a first child has a mental or physical disability, the second child may become assertive and aggressive. If the youngest child is unwanted, he may feel a rejection on the part of his parents which was not experienced by the other children. If boys are more favored in the family group than girls, the behavior reactions of both will be affected. These things play their part in the personality development of the child and must be taken into account when treatment is considered so that the necessary corrections and substitutions can be made.¹

The Glueck studies of causes of delinquency in Massachusetts showed that there is little difference between the delinquents and non-delinquents, as to the size of the households of which they are a part. However, a somewhat lower proportion of the delinquents are making their homes with their own mothers, and a considerably lower proportion are

1. National Probation Association, Helene Pigeon, p. 200, 1942.

living with their own fathers. More of the parents of the delinquents are separated, divorced, have never been married to each other, or are no longer living.¹

The following table is a comparison between delinquents and non-delinquents on the marital status of Their own parents.

Table No. XX

<u>Status</u>	<u>Delinquents</u>		<u>Non-Delinquent</u>		<u>Difference Per cent</u>
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Per cent</u>	
1. Living together	268	54.3	363	73.4	19.1
2. Separated	61	12.4	24	4.9	7.5
3. Divorced	43	8.7	30	6.1	2.6
4. Widowed	90	18.3	66	13.4	4.9
5. Did not marry each other	31	6.3	11	2.2	4.1
	<u>493</u>	<u>100.0</u>	<u>494</u>	<u>100.0</u>	<u> </u>

The following table shows the family delinquency. That is to say, delinquency of parents of siblings. Delinquency of step parents and foster parents, relatives by marriage as well as blood relatives are included.

Table No. XXI

<u>Family Delinquency</u>	<u>No. of Delinquents</u>
1. Unknown	82
2. None	113
3. Court record of one or both parents only	93
4. Court record of Parents & Siblings One or more parents & one or more Sibling	154
5. Court record of Parents & Siblings & unofficial record of parents & siblings	171
6. Court record of Siblings	114
7. Unofficial record of parents	176

1. Unraveling Juvenile Delinquency by the Gluecks, p.91, 1950.

Table No. XXI (cont'd)

<u>Family Delinquency</u>	<u>No. of Delinquents</u>
8. Unofficial record of parents & Siblings	36
9. Unofficial record of siblings	29
10. No court record or unofficial record of immediate family but court record of relatives	9
11. Unofficial record of relatives	23
	<u>1000</u>

N. B. Unofficial delinquency means misconduct for which the person has not been but could be arrested.

B. Broken Homes as a Factor

Many students have placed great emphasis on the broken home as an important factor. It is obvious that an ideal home is very rare, also we have to bear in mind that not all broken homes produce delinquents. In the year, 1925, Dr. Miriam Van Waters set down what she thought the home should furnish the child.¹

"The home has primary tasks to fulfill for its young, to shelter and nourish infancy in comfort, without inflicting damage of premature anxiety, enable the child to win health, virility and social esteem; to educate it to meet behavior codes of the community, to respond effectively to human situations which produce the great emotions, love, fear and anger, to furnish practice in the art of living together on a small scale where human relationships are kindly and simple; finally the home has as its supreme task

1. Youth in Conflict by Miriam Van Waters, New Republic, Inc., New York, 1926, p. 90.

the weaning of the youth, this time not from the breast of the mother but from dependence from relying too much on that kindness and simplicity from home, so that youth may not fail to become imbued with joy of struggle, work and service among sterner human relationships outside."

But nowadays, we are concerned with the broken home whether it is a "psychologically broken home" or a "physically broken home." The former is often described by psychiatrists as a "tyranny ruled over by its meanest member." It is the home where both parents and perhaps several children reside physically, but where constant bickering occurs, where little respect is shown the rights of each individual, and where the child is pushed around or ridiculed. It is the authoritarian home in which the father assumes the old-fashioned patriarchal role, the wife and children are relegated to a passive status; and the old bromide "children should be seen and not heard" is the rule. In such homes, the child is too often rejected, never having the genuine experience of "belonging." As a result, he becomes desolate, anxious, restless or often hostile. Our child-guidance clinics are full of such cases, and there is plenty of evidence that thousands of others unfortunately never get to the clinics. They are supposed to "outgrow" their peculiarities.

The second type of broken home is the one that is physically broken, the one in which one or both parents are missing, dead, divorced, or deserted.

Is there a high correlation between the physically broken home and delinquency? Many studies have been made

but there is not complete agreement.

Some Studies in Massachusetts:

"Healy and Bronner, after studying 4000 cases, both in Boston and Chicago, found that "normal parental conditions" (both parents alive and living at home) existed in only a little over half of the cases in each city."

They state, "Certainly broken homes existed more often in the background of delinquency than in the average for the general population."¹

Sheldon and Eleanor Glueck in their evaluation of 1000 cases of juvenile delinquents in Massachusetts, found that the broken home or "poorly supervised home" looms large. They say, "Our delinquents come largely from homes which were for one reason or another broken or distorted. There can be little doubt that these boys had an unwholesome home life. Even the possibility that non-delinquents have so high an incidence of inadequate homes would not make it less necessary to take into account the home background in developing any treatment program for delinquency."²

In their opinion, a broken home is one from which one of both parents have been removed by death, separation,

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1. The Challenge of Delinquency by Teeters and Reinemann, New York Prentice-Hall, Inc., 1951, p. 150.
 2. One Thousand Juvenile Delinquents, Harvard University Press, 1934, p. 76.

desertion, divorce, imprisonment, or illness in a hospital or commitment to a hospital for mental diseases, with absence from the home for a year or more, or for frequent brief intervals.

The following table shows the proportion of broken and poorly supervised homes among families of delinquents.¹

Table No. XXII

Broken or Poorly Supervised Homes

<u>Status</u>	<u>Number</u>
1. Death of one or both parents	258
2. Sporadic or permanent desertion or separation	174
3. Divorce of parents	8
4. Prolonged absence of one or both parents by reason of illness or imprisonment	24
5. Delinquency of one or both parents	195
6. Incompatibility of parents	33
7. Discipline poor by both parents	134
8. Mother works out and no substitute in home	28
9. Child Welfare Agencies had to intervene	36
10. None	76
11. Unknown	34
	<u>1000.0</u>

Moreover, the physical aspects of the homes of these 1000 juveniles were as follows:²

<u>Physical Aspect of Home</u>	<u>Number of Delinquents</u>
1. Good	97
2. Fair	184
3. Poor	462
4. Unknown	257
	<u>1000</u>

1. Ibid, p. 75.
2. Ibid, p. 307.

C. Poverty - The Economical Status

"Though many delinquents come from poor homes and live precarious lives," said Neumeyer,¹ "yet millions of poor people have not become offenders. Neither poverty nor prosperity per se may be the cause of crime. Even in slum and blighted neighborhoods where poverty is rampant and wretched housing conditions exist, only a fraction of the unemployment, child labor, mothers working, street trades, invasion of industry and business in a residential area, urban blight and the conduct of people who are affected by them."

Teeters pointed out that "many causes contribute to poverty, but the most important cause is political and economic conditions, and this cause could be largely eliminated if we could somehow abolish the inordinate greed, indifference and selfishness of our captains of industry and our city and county political bosses. But these individuals themselves are socially conditioned by our social and economic philosophies of "get rich quick" and "something for nothing."

A fact frequently overlooked is that large numbers of white collar workers have an insufficient income to maintain their families adequately.

Regardless of where they may live, children from poverty-stricken families hover between delinquency and a life of moral rectitude. Every day, the poor contrast their economic lot with the good fortune of those who enjoy

1. Neumeyer, M.H. Juvenile Delinquency In Modern Society 1949, D. Van Nostrand Co., Inc.

good food, comfortable clothes, an occasional movie, perhaps a car and a "date" with a girl. When children have few or none of the things that are usually taken for granted by many people as the "good way of life," their thoughts invariably turn to self-pity or envy, and such feelings are likely to result in frustration and bitterness, which, in turn, may lead to delinquency unless the children are lucky enough to be subjected to wholesome influences. Such influences do actually offset the potential delinquency of thousands of children subjected to poverty. It is the home of courage and of high moral standards that thwarts much delinquency."¹

Dr. Cyril Burt, author of *The Young Delinquent* showed that 19% of Delinquents of London came from homes of the very poor, whereas only 8% of the city's total population came from such groups; 37% of the delinquents came from the next two classes labeled moderately poor, though the total population percentage in these two classes was only 22%. In short, over half of the total amount of juvenile delinquents was from poor and very poor families. But here, Burt hastens to add a factor that should always be recognized, but that seldom is, in evaluating this alleged correlation between poverty and delinquency - that most of the delinquents from the comfortable groups succeed in avoiding "official inquiry and action." His final conclusion is that poverty alone does not produce crime. As he so

1. *The Challenge of Delinquency* by Teeters and Reinemann, New York, Prentice-Hall Inc., 1951, Page 128

succinctly puts it, "If the majority of the delinquents are needy, the majority of the needy do not become delinquent."

In Boston, Dr. Healy shows that "in only 0.5% of his cases, poverty was a major cause and in 7.1%, it was a minor one."¹

In Boston, Maud A. Merrill found marked differences in the economic status between a group of delinquent children and a controlled group of non-delinquents in spite of the fact that they lived in the same neighborhood. Two-thirds of the delinquents came from the economically marginal groups, as against half of the non-delinquents.² The Gluecks³ found among 925 families with delinquent boys that 8.1% were dependent and 68.2% were in marginal economic circumstances.

The following table shows the economic status of 1000 Juvenile Delinquents:

TABLE NO. XXIV

<u>The Status</u>	<u>Number</u>
Comfortable	219
Marginal	631
Dependent	75
Unknown	75
Total	1000

Comfortable means: family has resources to maintain itself for at least four months if income ceases.

Marginal means: family lives on daily earnings but

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1. The Young Delinquent by Cyril Burt, New York Press, 1925 Page 65
 2. Problems of Child Delinquency by Houghton Mifflin, Boston, 1947, Pages 77-79
 3. One thousand Juvenile Delinquents by Sheldon & Eleanor Glueck, Harvard University Press, 1934, Page 68.

accumulates little or nothing, being usually on the verge of dependency. Here are included instances in which temporary aid was resorted to once or twice in order to tide over a critical situation, and may have been given for a few days or even a month, and with this little assistance the family was able to manage their own problem.

Dependent means: family requires support quite continuously from public or private agencies.

D. The Neighborhood

The neighborhood is important when the child emerges into a larger world. In part, alley and street he finds among his playmates a new set of codes and a new situation to which he must make adjustment. This point comes earlier among the poor than among the well-to-do and is subject to less supervision. Just as certain families have traditions in criminal behavior and are characterized by a high rate of delinquency, so certain neighborhoods have a tradition of lawlessness and tend to produce a disproportionate number of delinquency cases. They are usually slums on the fringe of expanding business and industrial district, marked by physical deterioration.

To study the neighborhood in Boston, the Gluecks made a spot map of the City of Boston by census tracts showing the five year rate (1933-1937) of juvenile delinquency.

It is seen from the following table that none of the boys were found upon intensive exploration, to be living

in a good neighborhood, that is, a region in which there were no street gangs, or centers of vice or crime within a radius of two square blocks, and in which there was opportunity for wholesome recreation (public playgrounds, school or community centers, parks, and the like) within easy walking distance of the boys home. Only a handful of both groups of boys (5.8% and 5.2% respectively) were living in fair neighborhoods, that is, areas in which, although there were no marked deleterious influences, there was an absence of opportunities for wholesome recreation within easy walking distance.

The bulk of both delinquents and non-delinquents were, in like proportion (94.2%, 94.8%) living in neighborhoods in which there were gangs, much street life, and centers of vice or crime, regardless of whether or not facilities existed for wholesome recreation.¹

Neighborhood influences in areas in which Boston Delinquents and matched (non-delinquents) were living when selected for study:

TABLE NO. XXV

<u>Influence</u>	<u>Delinquents</u>		<u>Non-Delinquents</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Good	0	0.0	0	0.0
Fair	29	5.8	26	5.2
Poor	471	94.2	474	94.8
Total	500	100.0	500	100.0

Again in the study of 1000 juvenile delinquents in Boston Juvenile Court, the Gluecks found the following results:

1. Unraveling Juvenile Delinquency by Sheldon & Eleanor Glueck. The Commonwealth Fund, N.Y., 1950, Page 36.

TABLE NO. XXVI

The neighborhood in which the delinquent was a resident at the time of examination:

<u>Neighborhood</u>	<u>Number</u>
Good	25
Fair	104
Poor	782
Unknown	89
Total	1000

The meaning of Good here:

- a. No street gangs
- b. No centers of vice or crime within a radius of two square blocks
- c. Opportunity for wholesome recreation within easy walking distance as public playgrounds, schools or community centers, parks, etc.

Fair:

- a. No street gangs
- b. No centers of vice or crime within a radius of two square blocks
- c. No opportunity for wholesome recreation within easy walking distance as public playgrounds, schools or community centers, parks, etc.

Poor

- a. Corner gangs
- b. Centers of vice or crime within a radius of two square blocks
- c. No opportunity for wholesome recreation within easy walking distance as public playgrounds, schools or community

centers, parks, etc.

Beside the sociological factor which we have already mentioned there is supplementary factor which is the cultural factor. It includes the subfactors, religion, leisure time and recreation, school, work, press, movies, radio and television, comic books, etc.

A. Religion

Is it true that the delinquency rate could be lowered if only the church would play its part in guiding youth along the paths of moral rectitude? Can one or two hours per week spent in Sunday School have an affect on the youth? Hartshorne and May in their book "Testing the Knowledge of Right and Wrong,"¹ point out that correlation between the child and Sunday School teachers is .002, while between child and parents .55, child and friends .35, child and club leaders .14 and child and school teacher .03.

In Massachusetts, the Gluecks evaluation showed that the delinquent boys (500 boys) were less attentive to their religious duties, 39.3% attending church regularly (once a week), as compared with 67.1% of (500 boys) non-delinquents. However, only a small proportion of either group (6.5%, 4.2%) neglected their church duties completely.

B. Leisure Time

The element of leisure time is very important since gang activities take place during the play period and are sometimes the only outlet available.

1. Unraveling Juvenile Delinquency by Sheldon and Eleanor Gluecks, The Commonwealth fund, New York, 1950, Page 166

Lack of Recreation as a cause of Delinquency

Delinquency, can be stated as a form of play. It is easy to see that running away from home, stealing an apple or driving a stolen car may satisfy some of the basic needs or desires that are satisfied by baseball, pleasure riding, or going on a camping trip. Therefore, both delinquency and recreation are essentially group activities.

In spite of these similarities, from the point of view of the larger community, these two forms of group activity are widely different. One is destructive; the other is constructive. One is dangerous; the other is desirable. One is law violation; the other is recreation.

There is no inherent reason why one group engages in delinquent activity and the other in recreation. The delinquent boys might just as well be limiting their activities to conventional games, and vice versa. The important variable is to be found not in the boys, but in the variations in the educational process in the neighborhood. Of course after habits of delinquency have been established, it may not be easy to substitute less exhilarating conventional activities. It is not easy to satisfy a champagne taste with coca cola.¹

The following table shows how one thousand juvenile delinquents in Boston use their leisure time.²

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1. The Neighborhood and Child Conduct by H.D. McKay, The Annals of the American Academy of Political and Social Science, January 1949, Page 32.
 2. One Thousand Juvenile Delinquents by the Gluecks, Harvard University Press, 1934, Page 93

Use of Leisure Time

TABLE NO. XXVII

<u>Description</u>	<u>Number</u>
Constructive	3
Negative	61
Harmful	912
Unknown	24
Total	1000

Constructive means:

Number of well supervised social groups such as Y.M.C.A. or settlements are using leisure time to further self-education (as night school) or training for a vocation (as correspondance course or technical school.

Negative means:

At least does not engage in harmful activities, though not using leisure time constructively; no bad habits.

Harmful means:

Pronounced bad habits, associations or recreation which may lead to criminal conduct such as bad companions, gangs, drug addiction, excessive drinking or gambling, etc. The presence of any one or combinations of these factors places the offender in this category.

C. The School

Conspicuous among the causes that lead to tragedies of health, Cyril Burt notes "grief arising out of incidents of school life."¹ One-third of the waking life of youth is spent in school. Much harm may come from teachers who are temperamentally unsuited to the profession and unaware of many of the deeper springs of youthful conduct and behavior

1. Cyril Burt, The Young Delinquent, N.Y., 1938, Page 446

Sometimes, discipline is either too lax or too rigid, the teacher does not hold the pupils attention, the curriculum is impractical, uninspiring and unadjusted to the capacities and needs of the individual child, moral education neglected, or provisions for physical exercise and sports are not made. Whatever the cause, many children are not adjusted.¹

"Truancy," states Dr. Van Waters, "may be a misplaced virtue. It may be a biological protest against bad air, mental or physical defects or healthy criticism of a course of study hopelessly dull, heavy, mechanical and uninteresting. Frequently it is an attempt to evade responsibility, to escape meeting an issue, again it is a mode of self-expression or taking revenge."²

"The school is a large contributing factor in delinquency. Truancy, for example, constitutes a considerable proportion of delinquency in itself and if we recognize that it in turn is related to stealing and sex delinquency, it becomes even more important. By definition, truancy implies that school is an unsatisfactory experience."³

The Gluecks in the study of One thousand Juvenile Delinquents pointed out the reasons and causes for leaving school.⁴

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1. Edwin Cooley, Probation and Delinquency, 1927, Page 6
 2. Youth in Conflict by M. Van Waters, New Republic, Inc., New York, 1932, Page 90
 3. Walter C. Reckless and M. Smith, Juvenile Delinquency, New York, McGraw-Hill Book Co., 1932, Page 174
 4. One Thousand Juvenile Delinquents by Sheldon and Eleanor Glueck, Harvard University Press, 1934, Page 312.

Reasons for Leaving School

TABLE NO. XXVIII

<u>Cause of Withdrawal</u>	Percent
Economic reasons (family needed aid)	65.7
Dissatisfaction with school	15.1
Expelled from school	4.3
Committed to reformatory or similar institution	4.3
Graduated	3.7
Inability to do work	2.9
Physical disability	.8
Various other reasons	3.2
Total	100.0

THE WORK

Edwin Cooley says¹ although serious outbreaks of delinquency rarely occur during the hours of manual work by the youth, nevertheless the remoter causes of such offenses often lie in the failures, grievances, and discontent arising from employment. Vocation maladjustment, resulting from work unsuited to the training, strength, or temperament of the worker, or various and vicious influence of the fellow workers with loose moral codes, often play a distinct part in provoking delinquencies. Restless and impatient with irritating conditions untrained youth flits from one occupation to another for reasons unknown to himself, because he cannot interpret the dissatisfactions and vague unrest which prompts such action.

Although legislation has been passed for protecting children from some kinds of work, working conditions, number of hours and so forth, yet these legislature safeguards in many cases are not implemented, therefore there is failure to protect the children. The increase in

1. Edwin Cooley, Probation and Delinquency, 1927, Page 23

establishing vocational guidance centers may aid in solving the problem.

Children, when permitted to work in modern industry without legislative safeguards are mercilessly exploited. This practice produces physical defects, mental backwardness in the individual with resultant moral evils in the community.¹

The Gluecks in their study of One thousand Juvenile Delinquents pointed out "although the offenders were still very young when examined by the Judge Baker Foundation in Boston, many of them had already been gainfully employed. Out of the one thousand boys, seven hundred ten were at work." Their ages at the time they first began to work were as follows:²

TABLE NO. XXIX

<u>Ages</u>	<u>Percentage</u>
10 years or younger	12.2
11 - 12	25.2
13 - 14	54.5
15 - 16	8.1
Total	100.0

The nature of occupation of 710 boys who were at work was as follows:³

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1. Youth in Conflict, by M. Van Waters, New Republic, Inc. New York, 1932, Page 113
 2. One Thousand Juvenile Delinquents by Sheldon and Eleanor T. Glueck, Harvard University Press, 1934, Page 89
 3. It is quite obvious from the preceding tables of juvenile delinquents was to a large extent engaged in street trades. The dangers of such occupations during the years of puberty and adolescence do not require extended comment.

TABLE NO. XXX

<u>Number</u>	<u>Percentage</u>	<u>Occupation</u>
412	58.1	Engaged in the street trades (as newsboys, bootblacks, errand boys or messengers)
110	15.5	Worked as office boys, stock boys, bell boys, or clerks
81	11.4	Factory hands
36	5.1	Helpers to unskilled workers such as teamsters
13	1.8	Helpers to skilled or semi- skilled workers such as plumbers
11	1.5	Restaurant hands
11	1.5	Various kinds of night work
9	1.3	Teamsters or longshoremen
10	1.4	Other legitimate occupations
17	2.4	Illegitimate occupations such as selling stolen goods
<hr/>	<hr/>	
710	100.0	

D. The Psychological Factors

These factors can be found in the feeling of insecurity to which any criminal tendency from whatever source gives rise. Everywhere is found insecurity born of uncertain material and emotional conditions. Usually the insecurity gives rise to anxiety, which is the fear without an object. This anxiety may not be understood by the person, but creates such tension that relief must be obtained at all costs. An aggressive reaction which may result in crime is the most usual method of obtaining this relief.

Helene Pigeon said, "Antisocial behavior is the result of the maladjustment between the individual and his

environment due to inadequacy of the personality and his environment or both, and the two factors vary in degree in an endless number of combinations. The unstable balance results in attach on the situation, just why anti-social conduct is chosen as the means, just what is the selective principle, are questions not yet answered by science.

Inadequate personalities do not necessarily become criminals and some succeed magnificiently. Conversely there are offenders among well placed and noble characters who live in favorable circumstances."¹

Among the studies of personality and behavior of delinquency were the studies made by Dr. Healy and Bronner in the Judge Baker Guidance Center of Boston. Two hundred seven cases out of four hundred were labeled Personality and behavior problems.²

The study made in Boston on One thousand Juvenile Delinquents proved that four hundred forty-three of the boys have no mental distortion and three hundred fifty have personality liabilities.³

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1. Helene Pigeon, Probation and Parole in Theory and Practice, National Probation Assoc., N.Y., 1942, Pages 200-204.
 2. Little, Brown, Boston, 1917
 3. One Thousand Juvenile Delinquents by Sheldon and Eleanor Gluecks, Harvard University Press, 1934
Page 310

Mental Condition of 1000 Boys

TABLE NO. XXXI

Question of abnormality	47
No mental distortion	443
Definite psychosis	3
Constitutional inferior personality	39
Psychopathic personality	19
Truamatic constitution	1
Epileptic	10
Peculiar personality	13
Post-encephalitic	0
Psychoneurotic	5
Marked adolescent instability at home	70
Personality liabilities	350
Total	1000.

SECTION III

The Causes in Egypt

In Egypt the causes can simply be divided into three main parts. Physical, mental or psychological factors.

A. By physical causes, we mean first of all the structure of the body. Does the child look in splendid physical condition, strong, weight, height, normal development of sex organs (circumcised or not)¹ and with no finding of physical abnormality. Or does one find him poorly developed, badly nourished, height below normal. Sometimes we find children with ~~normal~~ narrow foreheads, hollow chest, prominent sternum, crowded teeth and sharp chin. Boys referred by the juvenile court in Cairo, to the social service bureau, should be examined by a physician, who makes an overall examination of heart, lungs, pulse, eyes, ears, nose and throat (special attention to diseased tonsils) teeth, bone structure fingers, etc.. The skin is examined for inflammation and eczema and glands to see if there is a glandular disturbance. Examination is made of the abdomen for hernia.

Tropical diseases and parasites are very familiar in Egypt.² Ninety per cent of the population is subject to them and they are a prominent cause of delinquency. The following are the important diseases which infect the people:

a. Trachoma		90%
b. Bilharziasis	(75% in Rural)	55%
c. Ancylostomiasis		30%
d. Malaria		15%
e. Syphilis		8%
f. Pellagra		6%

1. Circumcision in Egypt is generally done for both sexes.
2. Taken from "Health Aspects of Social Welfare, by Dr. Malmond Abid El Azim "Second Social Welfare Seminar for Arab States of Middle East Cairo, 1950, p. 298.

g. Tuberculosis
h. Leprosy

2%
0.3%

A young girl who used to steal from the neighbors was referred to the Social Service Board for investigation. The medical examinations revealed that the girl was suffering from the parasite form of tape worm called Ascaris. This parasite shares a person's diet, leaving him very little nutrition and making him feel a constant hunger and weakness. This little girl was compelled by necessity to rummage for food. When treated, this girl was cured from her bad habit.

Another case was of a stray youth who could never settle down to any job and became vagrant. It was revealed by a medical examination to be suffering from some kind of scald (baldness) which gave him an inferiority complex. After treatment, he became a regular worker and a normal person.

The following table shows the medical examination of 642 children referred from the Cairo Juvenile Court to the Social Service Bureau during the period, June 1940 to December 1948.¹

1. Social Work for Juvenile Delinquents by Dr. M. Saleh El Din Pacha, First Social Welfare Seminar 1949, Lebanon, 450-454, (Arabic Works)

Table No. XXXA

Medical examination of 642 boys referred to the Bureau.

Number of Cases (Grand Total)	642	
Sound Children	242	38%
Sick Children or infected	400	62%
<u>Kinds of sickness</u>		
Eye disease	134	25%
Endemic diseases	128	24%
Poor physical condition	76	14.2%
Venerial and skin diseases	71	13.2%
Nose, ear and throat diseases	44	8.2%
Chest diseases	31	5.7%
Surgical injuries	15	3%
Ventral diseases	12	2.2%
Teeth	10	1.8%
Fevers	8	1.4%
Gland	4	0.7%
T. B. of intestines	2	0.4%
Rhumatic diseases	1	0.2%
Total of diseases	536	100.0%

From the above table, it is clearly observed that some of the sick children suffer from more than one sickness.

B. Mental Causes

Some times mental defects may be organic resulting from heredity, yet it is seldom the cause of mis-behavior, it only makes the child somewhat handicapped to social adjustment.

Watson cleared up that point by saying, "that the emotions of the infant are simple, that the baby is not born afraid of the dark, or rats or snakes or making addresses in public. He is not born with feelings of love for his parents, or with anger for social injustice, or resentment at not being asked to serve on a committee. These feelings, he acquires through experience and education. His educators are those who feed and clothe him, lift, rock, stroke and hold him.

Love attaches itself to all that gives comfort and security to the child; anger at first is aroused only when free movements of the child are restricted; fear comes with loss of physical support.¹ Gradually, through operation of the conditioned reflex, these primitive feelings, love, anger and fear attach themselves to an ever widening circle of persons and objects, and man, a social being with all his thousand whims, artifices, prejudices and deep capacities for pleasure and pain is developed.

How? This question can be answered only as we retrace the steps the unfolding personality has traveled. No laboratory analysis can reveal all the journey nor explain why it was taken. The social worker in rapport with the child is the only one who will give us a complete study.

The delinquents are born normal. They acquire their maladjustment from the environment. Few are those who come from lower types of intelligences. The idiots and imbeciles do not concern us in this connection, since few delinquents come from these lower types.

There are some students who have even taken the strange position that on the average, criminals are above normal in intelligence, but only the defective ones are caught and convicted.

It was noticed among our epidemic diseases, the pellagra was 6% as was noticed before. Pellagra comes from mal-balanced nutrition, that is to say from food which is generally poor in some kind of vitamins. Pellegra is among the causes of mal-adjustment and insanity of delinquents in Egypt.

1. Watson W., "Psychology from the Standpoint of a Behaviorist" 1936, p. 198.

Intelligent Quotient (I.Q.) are usually made to the cases referred to the Bureau.

The following table shows the average of intelligence of 722 children.

Table No. XXXB

Intelligent Quotient

<u>Score</u>	<u>Per cent</u>
Supernormal or genius	1.5
Above normal	5.5
Normal	20.25
Below normal	27.
Dull and borderline	24.5
Feebleminded	21.25

a. It is clearly noticed that the percentage is very high with the below normal types (27%)

b. Also 72% are either below normal, dull, borderline or feebleminded.

This is not strange for children who are born under very poor circumstances and victims of malnutrition, disease, poverty and so on.

C. The Psychological Factors

a. Zahi stole a watch, he did not sell it but he wore it, showing it to his playmates at school. His neighbor, in class had a watch given to him by his father on his birthday. Zaki has no father, his mother is too poor to buy him a watch. The boy's theft of course demonstrates a marked feeling of inferiority.

b. Another extreme form of delinquency may come from being handicapped, e.g. as losing ones leg by an accident .

A child without legs may become a problem child. He tends to achieve superiority by doing wrong. Another is the indigent child who begs and gains the sympathy of the people through his defect and enjoy life by being idle and thereby turning an illegal into a vagrant.

Psychological problems are remarked when early symptoms of Psychosis appear. Syphiletic Psychosis may be communicated to the child by an infected mother (Infection of the fetus during gestation or of the infant at time of delivery.)

It is very essential to discuss the psychological difficulties which we face in dealing with children. The killing of a person by a youngster may be the result of fued contributing factor in delinquency. Beside jealousy, one can add to the list, ill temper, recurrence of failures, rage, marked flustuations of energy, moodiness, frequent sickness, evasion of tasks and hard situations, nervousness and over-sensitivity. These are among the hundreds of symptoms of which the psychiatrist should observe as danger signals in treating our children. Physical, mental and psychological factors which have been discussed are responsible for 8.1% of 577 cases referred from the Cairo Juvenile Court to the Social Service Bureau. The following table shows the average of the personal factors in our juvenile delinquents.¹

1. Arabic Work, The Annual Reports of The Social Service Bureau in the period 1941-1948 inclusive.

Table No. XXXC

The Social Service Bureau

Cases referred in the period 1941 to 1948

<u>Year</u>	<u>Number of Cases</u>	<u>Personal Causes</u>
1941	141	3.8%
1942	134	6 %
1943	62	4.7%
1944	51	3.5%
1945	56	13.5%
1946-1947	56	11.5%
1948	77	9.6%
	<u>577</u>	

The Domestic Enviromental Factors:

By domestic environment we mean:

- a. Family discords
- b. Weakness in the personality of both parents or one of them.
- c. The contradictory treatment of the child by both parents or one of them.
- d. Exploitation of the child by his parents.
- e. Stinginess or meanness
- f. Neglect
- g. Fondling and cruelty
- h. Poverty

This second category of factors is responsible for 75% of the cases of delinquency in Egypt. The following table shows the rate per cent of the causes of delinquency in Egypt.

Table No. XXXDCauses of Delinquency in Cairo¹

<u>Causes</u>	<u>Percentage</u>
1. The Domestic Environment	75.6%
2. The External Environment	13.5%
3. Personal factors (physical, mental and psychological)	8.1%
4. Unknown factors	<u>2.8%</u>
Total	100.00%

The child in the family

More discussion has been devoted to the family as a factor in delinquency than any other. It seems that all the factors mentioned before can all be included under the vitally significant factor "the family" or let us say, "The cradle of the personality." The basic reaction patterns of thinking and feeling are formed very early in the life of the child. A major part of study deviated to the Egyptian family has been concerned with family discords or broken homes. This was discussed before, in the first part of the chapter. Again, it can be said that discord, weakness in the personality of the parents is contradictory treatment of the child. Exploitation, stinginess, cruelty and neglect possess significance in relation to the child's maladaptations to society; when one or more of these factors are found in the life history of the child, they damage the stability and social adjustment of the youngster.

Poverty in the family is a debatable factor in regard to delinquency and crime. Very rarely does hunger or cold turn the individual to crime. The majority of individuals are law abiding. Economic circumstances is considered one of the causes of delinquency. In Egypt, poverty may be the result of too large a number of children for the limited income of the bread-winner. In the Egyptian family, the father is the bread-winner, the mother very rarely works outside the home. Statistics show only twenty-two mothers in every 100 families help their husbands by working in such occupations as sewing clothes. It is difficult to draw a comparison be-

tween the Egyptian and American standard of living. More than half of the income of 60% of families investigated, and studied by the writer is spent on Drugs, Tea, Cigarettes and other kinds of tobacco such as Shisha and Goza. Because of poverty, parents may oblige their children to sell some trifling goods or gather cigarettes' butts or the like.

The result is that many of them smoke at an early age (7 - 12 years). Some parents sometimes force their children to work as domesticservants in houses.

Examples

1. A child, aged 8 was forced by his father to sell lottery tickets till midnight in cafes and night clubs.
2. In a family of ten members, the father was imprisoned, the mother was expecting a child, and forced her children, a son and two daughters to collect cigarettebutts.
3. A blind father¹ used his son as his cane to attract the attention of people in the street, both beg to live.
4. The son worked as a servant. His master did not pay him his wages for four months. The father advised his son to steal from his master as a matter of compensation. The boy stole the watch of his master, and was arrested. Who is the criminal?
5. A boy of 12, arrested for sex offense with a little girl of 7 in the neighborhood. The boy and his family, which consisted of six members, live together in one room. The boy

1. Cases of blindness were 109317 in the official census of Egypt in the year 1927, out of the total number of population which was 14, 217,864. In 1937, the cases decreased to 86, 218 and the population was 15,932,694.

only imitates the act of his parents through observing them at night.

We cannot deny that divorce is a dominant factor in delinquency in Egypt. The husband under the Moslem Law, the official religion in Egypt, has the undisputed right to divorce his wife, but the wife has to appeal to the court if she wants to obtain a divorce. Divorce may be obtained on the grounds of cruelty of the husband or wife, neglect, drugs, failure to support a family. Therefore, we can agree to an extent with the schools of thought which divorce as a causal factor denies.

This school insists that poverty and not divorce is the responsible factor in this connection. The victims of divorce are our children, who sooner or later may become delinquents and criminals.

Does Polygamy play a part in the problem?

The following table shows the percentage to Moslems with reference to the number of wives:

Table No. XXXII

Cases of Marriage in Egypt¹

<u>Number of Wives</u>	<u>1927</u>	<u>1937</u>
One wife	2, 420,362- 95.18%	3,007,746- 96.86%
Two wives	114,247- 4.49%	21712 - 2.95%
Three wives	7,318- 0.29%	5,169- 0.17%
Four Wives	891- 0.04%	<u>3,105,147-</u>
Total	2, 542,818 100.00%	<u>3,105,147 100.00%</u>

1. The Egyptian Census of 1927 and 1937. (Arabic Work)

Examples

1. A child's father divorced his wife (the mother) and both remarried. Step mother treated the child badly. The nature of work of the father (trader) is to travel and leave the child. The boy slept in the street, and was sent to the court as a vagrant.

The misbehavior of the parents or one of them has its reflection on their children.

Before the abolishment of prostitution in Egypt, the mother's child was a licenced prostitute. The daughter refused to stay at school after being noticed frequently stealing the books of her associates in class and torn them into pieces. Why does the daughter do that and from whom does she seek revenge?

2. The father is drunk and fired from his job. Divorce happened after awhile. The child was left to his grandmother, who was old and enjoying going out. The boy lives in the street with no schooling and no job, thus he became a street boy, a vagrant.

The fondling of the parents create in the child the love of playing the truant, just because he was fond of his parents searching for him. He enjoyed the street, became vagrant and then a member of a gang.

The death of the father, who was poor, led the mother to marry another man, who shared the child's gratitude and maternal love. The boy left school and the house and went to Alexandria, where he was captured as a vagrant.

The death of the mother is a cause for father never stays without another wife. The step-mother is the enemy

especially if she bears a child.

Death of both father and mother. The child loves his parental love. He is often put in a foster home or with his relatives who usually do their best to put him in an institution or a reform school (or Malgaa).

The following table shows the domestic environmental factors in 302 cases of juvenile delinquents committed to the Cairo Juvenile Court in the years 1943 - 1948.

(See next page - Table No. XXXE)

DOMESTIC ENVIRONMENTAL FACTORSTable No. XXXIE

The year	<u>1943</u>	<u>1944</u>	<u>1945</u>	<u>1946-47</u>	<u>1948</u>	
Grand total of cases	62	51	56	56	77	<u>302</u>
Total of Environmental factors	76	95	137	138	130	
Per cent of Environmental factors	71%	82.5%	71%	75.8%	80.2%	
Family discord	34	27	29	29	36	
Fondling	14	12	9	9	10	
Cruelty	11	6	17	6	6	
Neglect of parents or one	9	17	14	20	16	
Misbehavior of parents or one	4	5	13	4	7	
Exploitation of parents or one	1	3	4	3	8	
Contradictory treatment of parents or one	3	3	23	14	14	
Poverty		(a case may have more than one factor)	13	16	26	12
Stinginess			3	1	12	9
Weakness in the personality of two or more			6	11	15	12

1. A case may have more than one of these factors.
2. The percentage of domestic environmental factors is with reference to the whole factors --- Two beside it:
 - a. Personal factors
 - b. External environmental factors.

The Outside Environmental Factors or The External Life of the Child.

- a. That is to say his neighborhood with his associates, gangs and recreation, falling under the dominance of evil monger.
- b. The School or the Work
- c. The Movies, and the immoral films; books and unhealthy reading.
- d. Migration

a. The Neighborhood

Here we have to go back to the old question, "Do associates and gangs have effect on the child behavior?" One would say "yes" and "no". For example, the child, if he is maladjusted does not need instruction or stimulation to truant, to disobey his parents, to run away from home or to take the property of others that he desires. Many children, said Topan, from favorable social economic circumstances do behave in these ways without **impulsion** from a gang, a delinquency area, or a bad companion.

But on the other hand, no one can deny that there often appears in the **history** of delinquents, a sequence of offenses learned in group association as begging, junking, jack-rolling, shop-lifting and burglary. Just only a few months before the writer was to leave Cairo for the States, the Juvenile Court referred to the Bureau, a gang consisting of forty. Males numbered 29 and females, eleven.

This gang and the activities of its members has shocked the Egyptian public 's opinion to a great extent. The tragedy in this matter is that children, who were forced to work under

the influence of the merger El Toukhy, have done the worst evils and immoral deeds. Beside thefts and pick-pocketing, it was observed through the medical, social and psychiatric examinations, that boys and girls under twelve, others under fifteen were passive. They were completely exploited sexually. (Six of the cases were positive after Syphilis examinations.)

The following table shows the different ages of this gang.

Ages of Egyptian Juvenile Delinquents in the Toukhy
Gang.

Table No. XXXIG

Gender or Sex	<u>Below 7</u>	7 - 9	10-12	13-15	16-18	<u>Above 18</u>	Total
Males	--	1	13	15	--	--	29
Females	--	--	2	3	3	3	11
Total	--	1	15	18	3	3	40

b. The School or the Work

Ali, aged 11, attended the primary school. He was obedient and intelligent and never missed his class except when suddenly, he played truant and was punished by his father. An associate was encouraging him to leave school and go to a public garden where they were meeting other kids. Afraid of his father, he preferred to sleep outside his home and became a vagrant.

It is needless to say that school may be responsible for much delinquency and some teachers are still sources of anxiety to the young child.

An excellent girl, passing successfully from one grade to another....One day the teacher said, "You must bring ten piasters to buy a piece of cloth to decline (The Home

Economics Class). The girl did not bring the money to the teacher. The teacher rebuked her in front of her class-mates. The girl disappeared.

The social investigation showed that the girl's father died. She had **four** siblings and the mother was poor. Her financial situation couldn't allow her to pay the sum of money, to her daughter it meant refusal at home and rebuking at school which made life hard and the girl became a truant.

The Work

In Egypt children are employed in industry to a much greater extent than in the States and in European countries. The census of 1927 gave 15% of the total industrial workers as children. The census of 1937 is as follows:

Boys	29,226
Girls	2,230
Total	31,456

Grand total workers of both sexes, 273,467

The ratio of adults to children is 88.5% to 11.5%.

Many of these children are employed in small workshops under the direction of a relative. Their work is generally light and the pace of industry slow. Under these conditions and in the absence of facilities for free education employment may be claimed to have an effect upon the adjustment of children, especially with the fact that children work without any vocational suitability or guidance. Children also are paid in Egypt very low wages. This effects their life and also has the effect of depressing the general wage level for fathers (adult workers).

Before the year 1909, children had to work in ginning factories. Large numbers of pale and unhealthy children of both sexes and often under eight years of age were employed in these mills, often for more than twelve hours a day in an atmosphere thick with dust and cotton fibre.

The first attempt in modern Egypt to regulate child labor was made by Law No. 14 of 1909, applied in the first

instance to ginning mills. This Law provided some relief and improvement. This Law has been repealed by the Law No. 48 of 1933.

This Law has regulated daily working hours for minors wherever they are allowed to work, fixing daily and weekly rest periods. It prevented employers from employing them on night shifts and stipulated that they must be in possession of medical certificates, showing their fitness for employment.

It is to be observed that out of three hundred sixty-one vagrant cases, social investigation proved that in the case of two hundred thirty-one the cause of their maladjustment was the cruelty of their head chief worker in the factories.

Usually in factories they try to imitate the adult worker by smoking cigarettes or using cigarette butts. The chief worker may be a bad example if he drinks liquors or is addicted to narcotics. Hashish, which is a narcotic, is extremely wide-spread among workers. Those people who are addicted to Hashish opium and the like have the belief that these drugs help them in sexual affairs. Two hundred seventy-eight children (among them forty-six girls) were all arrested and committed to the court, forty-two as addicts and one hundred ninety boys and forty-six girls as dealers.¹

1. The Reformatory Report of 1929 to 1931, Arabic Works

Emmigration from Villages to the Cities

It is difficult to believe that emmigration here could be a cause of delinquency. It is better to find out the causes which encourage the villagers to emmigrate. These causes might be the latent courses of the problem of delinquency. The principle one is the economic position. The low standard of living of the rural population, which is obvious from their primitive housing and meager food supply and from their ill health and malnutrition, in addition to their ignorance and primitive ways of production, is due to their low annual income which does not exceed a few pounds. This income cannot sustain a family with a variety of needs at a time like this. Moreover we see that most of the farmers cannot get even this low income except by working very hard as wage earners. The crops which they grow are for the landowners.

Another important factor may be the attractions of cities, movies, theaters, saloons, etc. These are, in short, the external environmental factors of delinquency in Egypt. These factors are less than the domestic environmental factors and somewhat more than the personal factors as it was already explained. To conclude these whole factors which cover the whole problem of juvenile delinquency, the following table shows the percentage of each category of factors in the period 1941 to 1948.¹

1. Cairo Social Service Bureau's Annual Reports

Causes of Delinquency

TABLE NO. XXXI B

Year	1942	1943	1944	1945	1946-47	1948
No. of cases	134	62	51	56	56	77
Percentage of personal factors	6.0	4.7	3.5	13.5	11.5	9.6
Domestic Environmental factors	82.6	71.0	82.5	71.0	75.8	80.2
External or outside environmental factors	11.4	24.3	14.0	15.5	12.7	10.2
Total per cent	100.0	100.0	100.0	100.0	100.0	100.0

Conclusion

These are the causal factors in general in Massachusetts and Egypt. It remains to say a word in delinquency is found only when the correct combination of factors come into existence.

There is a chain of causal events - the separate links in the chain are of intense interest to students of the problem. They are items of great practical import. Here for instance, said Dr. Healy and Dr. Bronner, is one sequence showing a few of the many variabilities to be found in different cases:

- (1) Stealing - led up to by association with bad companions
- (2) Association with bad companions made possible through street life
- (3) Street life - resulting from truancy
- (4) Truancy - caused by school dissatisfaction
- (5) School dissatisfaction - arising from lack of interest in unsuitable school work.

(6) Unsuitability of school work - the resultant of demotion

(7) Demotion - a disciplinary measure for misbehavior in school

(8) Misbehavior in school - the expression of the activity of a supernormal boy (who was already in a grade too low for him).

CHAPTER V

Procedures for Dealing with Delinquency in Egypt and
Massachusetts

1. Agencies of prevention
2. Agencies of control
3. Agencies of treatment

A. In Massachusetts

Introduction

I Procedures and statement of laws

The juvenile court is one of the first of the specialized courts set up in recent years within the judicial structure. It is built along modern lines, in harmony with the scientific knowledge and techniques of the Twentieth Century. It is as free as possible from the traditional attitudes and procedures which fetter other parts of the system of criminal justice. For many centuries Anglo-Saxon Law recognized that children were not fully responsible in criminal matters. Under common law, the age of seven was set as the limit below which a child could not be held responsible or punished by the order of the court. Between the ages of seven and fourteen an examination was provided to determine his discernment. If he was held responsible or capable of the mischief, he could be subjected to all forms of punishment applicable to adults. Blackstone says, "Under seven years of age, indeed, an infant cannot be guilty of felony, for then a felonious discretion is almost an impossible nature, but at eight years old he may be guilty of felony."¹

¹ Blackstone, Commentaries on the Laws of England, Book IV, Chapter II, Page 41.

The philosophy of the juvenile court is different from that of an adult court, and is based on two principles - first, that a child cannot be held responsible for criminal acts until a much later age than the Common Law limit of seven years, and second, that although brought within the jurisdiction of the court, the child is not accused of a crime nor regarded as a criminal. The court stands in the position of a protecting parent rather than a prosecutor.

2. The establishment of the Boston Juvenile Court.

Although Massachusetts did not pass its Juvenile Delinquency Law until 1906, seven years after the establishment of the first juvenile court in Illinois, it had nevertheless "long been the center of experimentation in methods of dealing with delinquency and crime." Not infrequently, it has been the initiator of movements for the better understanding of youth and the amelioration of its conditions.

"The humanitarian note in the treatment of juvenile delinquents was originally founded in the creation of "houses of refuge" for children. The first of these in America was the New York City House of Refuge (1825), but a Boston institution, also called a House of Refuge, followed a year later.

The first state reform school for juvenile offenders was established in Massachusetts in 1847, the early correctional reformers being more concerned with the treatment of youthful offenders after their conviction than with modifications in the processes of arrest, detention, trial and the like. Gradually the interest of reformers that had, as it

were, been directed at first to the wrong end treatment of juvenile offenders after conviction - shifted to needed reforms in the procedure preceding punishment or correction. And here again Massachusetts was among the pioneers. The reforms took the shape of special personnel, social investigation of the strict, technical criminal procedure when applied to child offenders."¹ Thus an 1869 statute provided for the presence in court of a "State Agent" or his deputy whenever application is made for the commitment of any child to any reformatory maintained by the Commonwealth." This provision is still in force. The agent and his deputies were also charged with the finding of suitable homes for children whose interests would better be promoted by placement in a family or by indenture than by incarceration in a reformatory, and with the periodic visiting of such children. A law of 1870² required that in the Suffolk County Courts, cases against children under sixteen should be heard "separate from the general and ordinary criminal business," while elsewhere the hearing should be held before probate courts instead of the criminal tribunals. Here also was the germ of the modern elaborate procedure for social investigations in the requirement that the agent for juveniles or an assistant "shall have the opportunity to investigate the case, attend the trial and protect the interest of, or otherwise provide for the child."³

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1. One Thousand Juvenile Delinquents by Sheldon and Eleanor Gluecks, Harvard University Press, 1934, Page 9
 2. Laws of Massachusetts 1869, Chapter 453, Sect. 4 and 1870 Chapter 359, Sect. 7
 3. Ibid, Section 8

Separate trials were extended to all pertinent courts in the state in 1872.¹ The governor and council designating and commissioning the necessary number of justices of the peace, or of municipal districts and police court justices, to try juvenile offenders. These justices were given concurrent jurisdiction with the judges of probate courts in cases of juvenile offenders under seventeen. They were to be known as "trial justices of juvenile offenders."²

In 1877 a separate session for juvenile offenders was provided for, with its own court records and docket.³ One year later, in 1878, the Mayor of Boston was authorized to appoint probation officers with investigatory and visitorial powers in relation to probationers.⁴

In 1891 power of appointment was transferred to the judges and was made mandatory and the duties of probation officers were more specifically set forth.⁵ Thus probation, probably the most promising, and certainly the most flexible instrument at the command of juvenile as well as adult courts, owes its inception to Massachusetts. The Juvenile Court of the City of Boston as mentioned before was established in 1906, just one year after the establishment of the Cairo Juvenile Court and in the same year as the establishment of Alexandria Juvenile Court.

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1. Ibid 1872, Chap. 358
 2. Laws of 1872, Massachusetts
 3. Ibid, Laws of 1877 Chapter 210, Sec. 5
 4. Ibid, 1878, Chapter 198
 5. Ibid 1891, Chapter 356

The Boston Juvenile Court Law enacted in 1906 provided for a separate court with a judge appointed by the Governor for life. Two special justices and a clerk to be appointed by the Governor and the Council.

The Boston court does not deal with cases from all parts of the city. It has jurisdiction only over those cases which arise in the central parts commonly known as the North, West and South Ends, and the Back Bay. These comprise the most congested districts of the city, and the greater portion of its immigrant population. It has no authority over children who commit offenses in other part of the city. Even today, their court is the only juvenile court in the Commonwealth and is limited to only one portion of the city of Boston. Outside of this jurisdictional area covered by the Boston Juvenile Court, the Municipal Court of Boston and the District Courts elsewhere in the state, function as juvenile courts. Such courts have exclusive original jurisdiction over delinquents between seven and seventeen except as to offenses punishable by death. They may waive jurisdiction in any case involving a child between fourteen and seventeen if the court believes that his welfare and the interest of the public require that he should be tried for said offense or violation instead of being dealt with as a delinquent child.

The juvenile court may continue cases from time to time when investigations have to be made. It also has the power to make its own procedural rules; to hear cases in private, to accept the written promise of the parents or those in "Loco parentis" that the child will present himself in court

leaving him unincarcerated, pending the hearing, but to admit him to bail where necessary and to obtain needed information from the schools.

3. Procedures in Handling the Juvenile Delinquents

If a boy is arrested during the morning, the officer is required to bring him into court immediately. If the arrest occurs at any other time, the police officer is required to communicate with a probation officer and notify his parents. The policy, of course, has the phone numbers of all probation officials of the city. The custom is that the probation officer always asks the police officials to telephone him as soon as the parents have arrived. Then he goes to the police station and makes a preliminary investigation by interviewing the parents and determining in this way whether the home is suitable for the boy to remain there until time for the hearing. If the probation officer believes that the home is unfit for the child, formerly he had to take the child to one of the temporary homes in Boston which had been selected and supervised. Now after the establishment of the detention home, the child usually remains there.

Upon bringing the child into court, the policy officer makes out a formal application for a complaint, which can be approved only by the judge. In most courts, the application for complaint is approved by the clerk. The clerk here differs from the clerk of the courts of Egypt. Here, he is usually a lawyer, a graduate of a school of law and responsible for seeing that the legal procedure and rules

are correctly followed. In the Juvenile Court of Boston he usually receives a salary three-fourths that of the judge.

Judicial oversight of the granting of complaints in juvenile cases has the advantage of a check on police officers who sometimes make arrests on insufficient or unreliable information. Moreover, the judge can usually obtain the necessary testimony of arresting officer by questioning him, thereby often obviating the need of the officer's presence in court later.

The arresting officer first should have the complaint approved by the judge. The probation officer has to make his investigations. These investigations should not take place until the child is found delinquent. The judge usually says, "I found you delinquent." Judge Cabot, during his period, customarily had to say something of the following nature, "John, you've been a pretty bad boy and I'll have to give you the name which the Law gives to such boys - 'delinquent boy.' I find you a delinquent boy." He had to add, "From this finding you have a right to appeal. Do you want to go into another court and see what the judge there will find, or do you prefer to stay with me and see what we can do to help you along?"¹

It is the mature opinion of several observers that Judge Cabot's manner in questioning boys was/^{so} understanding and kind that by the time he gave them their choice of appealing or remaining under supervision of his court

1. One Thousand Juvenile Delinquents by Sheldon & Eleanor Glueck, Harvard University Press, 1934, Page 41

the majority of delinquents would choose the latter alternative.

After the child being found delinquent, positive action starts. The case may be pending for two weeks. The child during this period may stay at home if the home is fit, otherwise the boy is detained in a detention home.

At the second hearing, only the probation officer, the parents and the boy are present. The judge discusses the entire situation with them in the light of the reports submitted to him. The judge may dismiss the case, put the case on probation; he may perhaps put the case on probation on condition of attending the Citizenship Training Group which will be discussed later; He may also sentence the boy to the Youth Service Board. This is the procedure of the only one Juvenile Court in this Commonwealth - the Boston Juvenile Court, and also the procedure of the District Courts which conduct juvenile sessions.

4. Statement of Juvenile Court Laws

The laws differentiate between the delinquent and the wayward child. "A delinquent child is a child between seven and seventeen who violates any city ordinance or town by-law, or commits an offence not punishable by death." "A wayward child is a child between seven and seventeen years of age who habitually associates with vicious or immoral persons, or who is growing up in circumstances exposing him to lead an immoral vicious or criminal life."¹

1. Section 52, Chapter 119, General Laws of Massachusetts

Proceedings

"If complaint is made to any court that a child between seven and seventeen years of age is a wayward child or a delinquent child, said court shall examine, on oath, the complaint and the witnesses, if any, produced by him, and shall reduce the complaint to writing, and cause it to be subscribed by the complaintant."

"If said child is under fourteen years of age, said court shall first issue a summons requiring him to appear before it at the time and place named therein, and such summons shall be issued in all other cases, instead of a warrant, unless the court has reason to believe that he will not appear upon summons, in which case, or if such a child has been summoned and did not appear, said court may issue a warrant reciting the substance of the complaint, and requiring the officer to whom it is directed forthwith to take such child and bring him before said court, to be dealt with according to law, and to summon the witnesses named therein to appear and give evidence at the examination."¹

"A judge may permit an appeal taken by a parent in behalf of his minor child from a sentence of the latter to an industrial school as a delinquent to be withdrawn by the child without the consent and in the absence of the parents."²

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1. Section 54, Chapter 119 General Law of Massachusetts
 2. Robinson V. Commonwealth, 242 Mass. 401, 136 N.E. 241, cited in note, 76 A.L. R. 252.

Notice of arrest to be given to probation officer and parent or guardian, release to probation officer, etc.:

"Whenever a child between seven and seventeen years of age is arrested with or without a warrant as provided by Law, the officer in charge of the place of custody to which the child has been taken shall immediately notify the probation officer of the district court within whose judicial district such child was arrested and at least one of the child's parents, or if there is no parent, the guardian or person with whom it is stated that such child resides, and shall inquire into the case. Pending such notice and inquiry, such child shall be detained. Upon the acceptance by the officer in charge of said place of custody of the written promise by said parent, guardian or any other reputable person to be responsible for the presence of such child in court at the time and place where such child is to appear or upon the receipt by such officer in charge from said probation officer of a written request for the release of such child to him. Such child shall be released to said person giving such promise or to said probation officer making such request provided, that if the arresting officer requests in writing that a boy between twelve and seventeen years of age or a girl between fourteen and seventeen years of age be detained, or if the court or trial justice issuing a warrant that such child shall be held in safe keeping pending his appearance in court, such child shall be detained in a police station or house of detention pending his appearance

in court and provided, further, that nothing contained in this section shall prevent the admitting of such child to bail in accordance with law. Said probation officer shall notify such child of the time and place of the hearing of his case."¹

Detention in police station, etc., commitment to jail, etc.:

"No child under seventeen years of age shall be detained by the police in a lockup, police station or house of detention pending arrangement, examination or trial by the court. Except as otherwise provided in Section 68, no child under seventeen years of age except when charged with an offense punishable by death or life imprisonment shall be committed by the court to a jail, or house of correction or to the State Farm, pending further examination or trial by the court or pending any continuance of his case or pending the prosecution of an appeal to the Superior Court or upon adjudication as a delinquent child."²

Parent or guardian to be summoned:

"If a child has been summoned to appear or is brought before such court upon a warrant, as summons, shall be issued to at least one of its parents, if either of them is known to reside within the Commonwealth, and, if there is no such parent, then to its lawful guardian, if there is one known to be so resident, and if not, then to the person with whom such child resides, if known. Said

1. Section 67, Chapter 119, General Laws of Massachusetts

2. Ibid, Section 66

summons shall require the person served to appear at a time and place stated therein, and show cause why such child should not be adjudged a wayward child or delinquent child, as the case may be. If there is no such parent, guardian or person who can be summoned as aforesaid, the court may appoint a suitable person to act for such child."

"If the court shall be of opinion that the interests of the child require the attendance of any proceedings of an agent of the department, and shall request such attendance, such agent shall attend to protect the interests of said child."¹

Parents, Guardians, etc., may be summoned:

"At anytime during the pendency of any case before a court or trial practice against a child under seventeen years of age, whether pending adjudication or during continuances or probation or after the case has been taken from the files, the court or trial justice may summon any parent or guardian of said child, or any person with whom the child resides."² But if such persons, mentioned above fail to appear, the court may resort to compulsory process.

"The court issuing the summons may issue a capias to compel the attendance of such person, and such capias shall be issued and served in the same manner as a capias to compel the attendance of witnesses who have failed to appear on a subpoena issued in behalf of the Commonwealth

1. Ibid, Section 55
2. Ibid, Section 70

in a criminal case."¹

Records not open to public inspection:

"An adjudication of any child as a wayward child or delinquent child under section fifty-two to fifty-nine, inclusive, or the disposition thereunder of any child so adjudicated, or any evidence given in any case arising under said sections, shall not be lawful or proper evidence against such child for any purpose in any proceeding in any court, and records in cases arising against any child under said sections shall not be received in evidence or used in any way in any such proceeding, except in subsequent proceedings for waywardness or delinquency against the same child and except in imposing sentence in any criminal proceeding against the same person; nor shall such adjudication or disposition or evidence operate to disqualify a child in any future examination, appointment or application for public service under the government either of the Commonwealth or of any political subdivision thereof."²

Commission of criminal offense by child between fourteen and seventeen. Disposition of case:

"If the child has committed an offense against a law of the Commonwealth, or has violated a city ordinance or town by-law, and the court is of the opinion that his welfare, and the interests of the public, require that he should be tried for said offense or violation instead of

1. Ibid, Section 71

2. Ibid, Section 60

being dealt with as a delinquent child, the court may, after a hearing on said complaint, order it dismissed."¹

N.B. The word dismissed here means referring the cause to the criminal court: Section 74 says, "Criminal proceedings shall not begin against any child between fourteen and seventeen years of age, except for offences punishable by death, unless proceedings against him as a delinquent child have been begun and dismissed."²

Jurisdiction of Courts:

"In criminal proceedings, district courts other than the municipal court of the city of Boston, The Boston Juvenile Court and trial justices may commit children under seventeen years of age to the custody of the Youth Service Board, but may not commit such children to the Lyman School or the Industrial Schools."³

Complaint warrant:

"If there is complaint against any child between fourteen and seventeen years of age against whom proceedings have been begun and dismissed (disposition of case) for any offence not punishable by death, such court or trial justice shall examine, on oath, the complaintant and the witnesses produced by him, shall reduce the

complaint to writing and cause it to be subscribed by the complaintant, and may issue a warrant reciting the substance of the accusation and requiring the officer to whom it is directed forthwith to take the person accused

1. Ibid Section 61
 2. Ibid Section 74
 3. Ibid Section 73

and bring him before said court on trial justice, to be dealt with according to Law, and to summon such witnesses as shall be named therein to appear and give evidence on the examination."¹

The child may be placed in charge of Youth Service Board:

"The court or trial justice before whom a child is brought on a complaint under the preceding section, with the consent of the Youth Service Board, may commit him to the custody of said board and authorize it to place him in charge of any person, or, if such child proves unmanageable, to transfer him to the facility which in the opinion of said board, after study will best serve the needs of the child, until he becomes twenty-one years of age. Said board may provide for the maintenance, in whole or in part, of any child so placed in charge of a person. The Youth Service Board may discharge from custody any child committed to its care under this section."²

The warrant of commitment:

"The court or trial justice at the time named in the summons, shall examine the child and any person who appears in answer to the summons and take such testimony relative to the case as may be produced. If the allegations are proved, and it appears that the child is a suitable subject for commitment to the custody of the Youth Service Board, and that his moral welfare and the

1. Ibid, Section 75

2. Ibid, Section 76

good of society require that he should be sent thereto for diagnosis treatment or training, a warrant of commitment shall be issued."¹

The right of appeal:

"A child adjudged a wayward child or delinquent child has the right to appeal to the superior court both from the finding and from the order of commitment or sentence and also may appeal to said court at the time of the order of commitment or sentence in which event the entire case shall be before said court as if originally commenced therein. The appeal, if taken, shall be tried and determined in like manner as appeals in criminal cases, except that the trial of the said appeals in the superior court shall not be in conjunction with the other business of that court, but shall be held in a session set apart and devoted for the time being exclusively to the trial of juvenile cases. This shall be known as the juvenile session of the superior court and shall have a separate trial list and docket. All appealed juvenile cases in the superior court shall be transferred to this list, and shall be tried, unless otherwise disposed of by direct order of the court."²

A report of investigation:

"In any appealed case, the superior court before passing sentence or before ordering other disposition shall be supplied with a report of any investigation made by

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1. Ibid, Section 77
 2. Ibid, Section 56

the probation officer of the court from which the appeal was taken."¹

The court has the power of treatment

A. Proceedings after adjudication

What is done with the child after its status is determined? The laws set out various forms of treatment.

"At the hearing of a complaint against a child the court examines such child and any witnesses that appear, and takes such testimony relative to the case as shall be produced. If allegations against a child are proved, he may be adjudged a wayward child or delinquent child."

"If a child is adjudged a wayward child, the court may place him in the care of a probation officer for such time and upon such conditions as may seem proper, or may deal with him in the manner provided for the disposal of the case of a neglected child, except that it may not commit him to the custody of the Department of Public Welfare, but may commit him to the custody of the Youth Service Board."

"If a child is adjudged a delinquent child, the court may place the case on file, or may place the child in the care of a probation officer for such time and on such conditions as may seem proper, or may commit him to the custody of the Youth Service Board."

"If it is alleged in the complaint upon which the child is so adjudged that a law of the Commonwealth has been

1. Ibid, Section 56

violated, the court may, with the consent of the Youth Service Board, commit to the custody of said board and authorize it to place such child in charge of any person, and if at any time, thereafter such child proves unmanageable, to transfer such child to that facility which in the opinion of said Board, after study, will best serve the needs of the child, but not for a longer period than until such child becomes twenty-one. The Youth Service Board may provide for the maintenance, in whole or in part, of any child so placed in charge of any person.

"If a child adjudged a wayward child or delinquent child is placed on probation by the Superior Court, he may be placed in the care of a probation officer of the district court, including in such terms the Boston Juvenile Court, within the judicial district in which such child resides.

"The court may commit such delinquent child to the Youth Service Board, but does not commit such child to a jail or house of correction, to the Lyman School or the Industrial School for Boys, or the Industrial School for Girls, nor to any other institution supported by the Commonwealth for the custody, care and training of delinquent or wayward children or juvenile offenders."¹

Not allowing the court to commit delinquents and wayward children to institutions has applied only since the establishment of the Youth Service Board in 1949. Before

1. Ibid, Section 58

that time, "the court may commit such delinquent child to any institution to which it might be committed upon a conviction for such violation of law, excepting a jail or house of correction and all laws applicable to a child committed upon such a conviction shall apply to a delinquent child committed under this section." (Section 58, Chapter 119, before the amendment of 1948).

B. Cost of support in the institution, etc.

"The court may make an order for payment by parents or by the child's guardian out of the ward's property, or by any other person responsible for the care and support of said child, to the institution, department, division, organization or persons furnishing care and support at times to be stated in an order by the court of sums not exceeding the cost of said support after ability to pay has determined by the court, provided, that no order for the payment of money shall be entered until the person by whom payments are to be made shall have been summoned before the court and given an opportunity to be heard. The court may from time to time upon petition by, or notice to the person ordered to pay such sums of money, revise or alter such order or make a new order, as the circumstances may require."¹

C. Restitution by a child

"If the juvenile court finds that a delinquent child has committed an act involving civil liability, the court may make it a condition of probation that the child make

1. Ibid, Section 58

restitution or reparation to the injured person to such an extent and in such sums as the court determines."¹

D. Jurisdiction of court over children beyond the age of seventeen:

"Courts may continue to exercise jurisdiction in their juvenile sessions over children who become seventeen years of age or who pass the age limit for being the kind of complaint or proceeding before the court, pending adjudication on their cases, or during continuances or probation, or after their cases have been placed on file, or where a child between the ages of sixteen and seventeen commits an offense and is not apprehended until after reaching the age of seventeen the court may deal with said child in the same manner as if he or she had not reached the age of seventeen, and all provisions and rights applicable to a child under seventeen shall apply to said child. Nothing herein shall authorize the commitment of any child over seventeen years of age to the Youth Service Board, or give any court any power or authority over said children after they become eighteen years of age, except that, on the revocation of the suspension of the execution of a sentence or order of commitment, such sentence or order of commitment may be executed, notwithstanding that the child sentenced or ordered committed has passed the age limit for commitment to the Youth Service Board to which he was sentenced or ordered committed."²

1. Ibid, Section 62

2. Ibid, Section 72

E. When the child violates probation:

"If a child has been placed in care of probation officer, said officer at any time before the final disposition of the case, may arrest such child without a warrant and take him before the court, or the court may issue a warrant for his arrest. When such child is before the court, it may make any disposition of the case which it might have made before said child was placed on probation, or may continue or extend the period of probation."¹

1. Ibid, Section 59

Section II

Agencies of Treatment, Prevention and Control.

Introduction

A. It is quite difficult to say what agency treats delinquents, what agency prevents and what agency controls delinquents. Any agency which deals with treatment, at the same time acts as a preventive and control agency.

It is impossible to enumerate in this paper all the agencies of Massachusetts, even of Boston. Thus, it is reasonable that we choose as examples, functions of each group. The writer chose "The Citizenship Training Group" as an example of an agency of control. For as we will see later, the judge sends the child to the C. T. C. to see whether in a certain time, he will be a law-abiding citizen or not.

The writer chose the Judge Baker Guidance Center as an example of a preventive agency and The Youth Service Board as an agency of treatment.

The Citizenship Training Group of the Boston Juvenile Court

A. Introduction

The Citizenship Training Group was founded in 1936 by Judge Perkins, who was the judge of the Boston Juvenile Court at that time. He believed that a period of conditioning was necessary to gain a detailed picture of the boy in order to understand his behavior pattern. Any boy, between the ages of twelve to seventeen, found delinquent by the judge of the juvenile court may be put on probation on condition that he

attend the C. T. G. for twelve weeks, five days a week.

The purposes of this group are:

a. To study the extent of the boy's problem and its nature from the view point of his personality and the causes of his maladjustment and to control his behavior.

b. The Staff

The staff consists of a:

a. Director, who has an extensive experience in the field of social work and in probation.

b. A full time secretary

c. A consultant psychiatrist, part time.

d. A part time psychometrist and group worker.

e. A part time gymnasium instructor.

f. A part time instructor in Arts and Crafts.

g. A full time statistician, who compiles important and vital statistics concerning the many cases appearing before the court.

Beside these paid staff members, there are field work students from the Schools of Social Work, who attend the C. T. G. as a part of their field work study.

c. The Boy as a Member

The first contact of the boy with the Citizenship Training Group occurs after he has been placed on probation by the court. After disposition of his case, in a district court or the Boston Juvenile Court, the boy is ordered to report to the department that same after-noon.

When a boy arrives at the office, he is usually met by the director. A record of the boy's name and address is made. He is then asked to fill out an interest sheet containing a

list of sports and hobbies in which the boy would like to participate. The boy is interviewed by the director and is usually told by the staff that:

- a. He is to report every day on time and
- b. He is responsible for his own behavior.

The boy should be examined medically. He is sent to the hospital (The Boston Dispensary) for that purpose. The hospital writes a report of his health and physical condition. ~~See-copy-attached.~~

If a boy is found ill or having any kind of sickness, all efforts are made by the C. T. G. to correct this illness with the cooperation of the Dispensary.

Dental care is also given by the Dispensary.

Certain psychological tests of intelligence, such as school achievement and special ability tests are administered in all cases. Psychological group tests, The Terman, The Dearborn and the Stanford Binet achievement are given to the boys during their second or third week to enable the leaders to get an insight into the individual boy's mental capacity and to learn his aptitudes and mechanical skills.

Often the results of these tests explain why the boy is mal-adjusted at school or disclose that he is not measuring up to his full capacity at school. If there is too much deviation, between results of the Dearborn and the Terman, the Weschsler-
an individual test
Bellevue test is given to the boy by a psychologist. Observations are made on each boy throughout the twelve week period and notes are taken of his characteristic behavior, in discussion classes, group games, arts and crafts, the locker room and a variety of social situations. The case worker usually makes a thorough social investigation of each boy's home, school, church and contacts with other social service agencies, the boy may have had in the past.

d. Case Conference

Case conferences are conducted every Thursday afternoon. After the boy has attended the C. T. G. for a reasonable period (maybe four weeks). His case is discussed at the conference, which is attended by the director, case workers, psychiatrists,

and psychologist. All the investigations made are reviewed and appraised. This data is used as a background to the observations secured through the medium of group activity and is evaluated for the purpose of revealing the following:

- a. The boy's problem.
- b. The treatment that should be undertaken in the light of the data secured.

Some of the aims of treatment of the citizenship group are to aid the boy as much as possible in developing insight into his own motives of behavior. The staff tries to instill incentive into the boy so as to arouse him to make his own effort in every phase of the program. Another important aspect to be considered in the department's aims is to encourage and give the boy a sense of achievement by aiding him to complete successfully, certain types of activity.¹

e. The Program

The program endeavors to aid the boy in developing a healthy attitude toward the law, the family and the institutions under which he must live.² The activities end about five-thirty and boys, designated by the director, are given two student car tickets each. This is done to relieve the financial strain attendant on reporting every day when a boy lives far from the C. T. G..

At the end of the twelve weeks, the worker has a talk with the boy which they both review the whole experience and discuss the future. The boy is then returned to the court

1. Pamphlet of the Citizenship Training Group of Boston Juvenile Court, August 1942, Published by
2. A schedule has been prepared for each day's activities from Monday through Friday (See Table No. XXXII)

and a report is submitted to the judge with recommendations for the boy. If the boy completed his first twelve weeks satisfactorily, he is recommended to continue on his second probationary period. In this period, he is required to report only once a week to his probation officer but he is not required to attend the C. T. G.. The boy can come to the C. T. G. for advice or help whenever he wishes and is told that the staff will always be glad to see him.

Table No. XXXII
Outline of Program.¹

DAYS	3:30 - 4:30	4:30 - 5:30
Monday	Singing and for Dramatics	Woodwork
<u>Individual Testing</u>		
Tuesday	Gym (Trampoline)	Discussion
Wednesday	Crafts	Crafts
Thursday	Gym Tumbling Basketball	Discussion
Friday	Gym Group Games	Educational Movies

1. Taken from the Annual Report of the Citizenship Training Group, ending December 31, 1951.

Brief Summary of the Assistance Given or What Each
Boy Receives from the Citizenship Training Group¹

1. Medical examination and follow-up.
2. Psychological examination and testing.
3. Thirty-six hours of gymnasium work.
4. Twenty-eight hours of instruction in citizenship.
5. Gymnasium suit, sneakers, towel, soap, shower and locker.
6. Car-fare when needed.
7. Case work assistance.
8. Group work experience.
9. Handicraft equipment, material, and instruction.
10. Guidance and counseling.
11. Membership in club or settlement.
12. Summer Program.
13. Psychiatric services when needed.
14. Visual Education Program.
15. Clothing and limited financial assistance of emergency nature.

Principles of the Program

It is important to notice that the program of the C. T. G. is based on the following principles:

- a. Many normal boys are delinquent because of a lack of training in the fundamental qualities of good citizenship and good manhood. They are often not vicious or pathological but essentially untrained.
- b. Delinquency is not a fixed category by which boys can be classified. Delinquent behavior is found in all types of boys regardless of station, race or environment, and is seen in all

1. Ibid.

possible ranges of the normal, pathological and defective.

c. No particular skill has pre-eminence in the treatment of delinquent behavior. Insights from education, Psychology, Psychiatry, Sociology, Medecine, and Religion must all be used in an adequate treatment of the problem.¹

"Here the boy has an opportunity to express his aggressive-ness or possible other behavior traits which can be observed by the staff. The class-room discussion period is used to gain insight, information and discipline in clear thinking. The leaders hold frequent informal talks with the boys, whereby a good working relationship may be established between the leader and the boy. The boy is encouraged to become an active member of a club, church group, settlement house and other community groups, by interpretation to the end that he may understand their function and be attracted to their activities. During the summer period, boys are participating in an outdoor program which consists of a camping trip, hiking, sailing and athletics. For those who wish to go to a summer camp, the C. T. G. provides this facility."²

THE JUDGE BAKER FOUNDATION

"The Meaning of Child Guidance:

During the past two decades there has been a considerable spread of child guidance (or "behavior or habit") clinics which only the economic depression has begun to curb.

Child guidance is that branch of the mental hygiene movement which is concerned with the personality and conduct disorders of

1. The Citizenship Training Group of Boston Juvenile Court Pamphlet, August, 1942.
2. Ibid.

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 his world. Though a psychologic clinic for children had been founded as early as 1896, in Philadelphia, it was not until 1909, a decade after the establishment of the Cook County Juvenile Court in Chicago, that the first practical demonstration of a coordinated effort for child guidance was made by Dr. William Healy and his associates. This was in the form of a Juvenile Psychopathic Institute in connection with the juvenile court of Chicago. With this court, clinic as a model, the movement spread."¹

Origin of the Judge Baker Foundation

"Among the earliest of the child guidance clinics denoted wholly or partially to aiding courts, was that established in connection with the Boston Juvenile Court in April, 1917, in commemoration of the name and work of Judge Harvey Humphrey Baker, the first judge of the Boston children's tribunal. The report of his first five years in office concluded with the opinion that, "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." To meet this need, the Judge Baker Foundation was established. Dr. Healy and Dr. Augusta Bronner, who were associated with the Chicago clinic, were invited to Boston to organize and direct the enterprise."

1. One Thousand Juvenile Delinquents by Sheldon and Eleanor Glueck, Harvard University Press, 1934, p. 46.

Clientele: "Owing to the volume of cases that came before the court and the limited personnel at the J. B. F. only a portion of the cases were sent to the clinic for examination. However, these were not limited to cases deemed by the judge or probation officer to be especially "difficult." Many of them were cases in which the judge's opinion, the social issues and mental make-up of the juvenile, might be clarified by examination at the clinic."¹

It must be noticed that the examinations of the clinic were not only for cases referred by the court. On the contrary, the court cases form only a part of the work of the J. B. F.. Various social agencies, schools and private families have been turning to the clinic for examination of "problem children", many of them are technically not delinquent but require vocational or educational advice.

Scope of Clinical Examination

"Arrangement for examination of a delinquent child at the J. B. F. is made by the probation officer. Most children are permitted by the court to return to their families pending examination at the clinic; they report to the J. B. F. by appointment and without the escort of an officer, a practice helpful to the establishment of proper rapport. A written statement from the court about the juvenile is the basis of every examination. This report is prepared by a probation officer. At best, it embraces the findings of a personal visit to the home, records of school and social agencies in touch with the family of a delinquent, a brief

¹. Ibid, p. 48.

social history and statement of the immediate problem which brought the child before the court."¹

It must be pointed out, however, that the probation officer furnishes the J. B. F. only such information as he already has preceding the time of the clinical examination. "If the delinquent must be seen by the clinic on the afternoon of the day on which he first appeared in court, the information given to the J. B. F. by the probation officer is necessarily meager and of imperfect reliability, when several weeks intervene between the original court contact and the examination at the clinic, the data supplied by the probation officer is likely to be more comprehensive. At all events, the clinic is furnished at least a statement describing the offense and the probation officer's impressions of the boy, together with a school report and the unverified family history as obtained from a parent.

The avowed policy of the clinic in an examination is not only to consider factors that have an obvious bearing on the child's delinquency, but to regard him as a growing personality from a physical, mental and social point of view, with particular reference to his personality assets and liabilities. IN the J. B. F. examination, the following subjects are embraced."²

a. On the family, data is obtained from the following sources:

- a. Report of the court
- b. Abstracts of reports in the files of various social agencies, obtained through registration of the case at the social service exchange.
- c. Social history obtained by an investigator of the J. B. F. from a member of the family, in order to supplement the agency reports.

b. On the child, the following information is obtained through examination at the J. B. F.:

1. Ibid, p. 49.
2. Ibid, p. 50.

- a. Psychological examination including the "child's own story" by a psychiatrist.
- b. "The social examination contains the following points:
 1. Judgement as to the appearance, personality and reliability of the informant.
 2. Details of the nationality, education, habits, occupation and standards of each parent.
 3. Home conditions and family relations.
 4. Significant points in the development history of the juvenile delinquent, his habits, school record, industrial history, interests and companions and his personality traits as reflected in his home life, school, conduct, contacts with companions and in industry.
 5. Problems presented by the child (e. g. stealing, truancy, bunking out)
 6. Suggestions and recommendations as to how the case should be treated by the court."¹

After the physical, psychologic examinations, every child is given the opportunity to tell his own story to a psychiatrist or other specially qualified worker: No third person is present.

The examiner has to explain to the child that the purpose both of the J. B. F. and The Juvenile Court is not punishment but help.

Staff Conference

After the examination and before the disposal of the case by the judge, a conference is held by the staff, of the clinic for the purpose of analysing and interpreting the findings of the examinations, summarizing them, and making recommendations to the court for the treatment of the offender.

The following outline shows the material usually presented on a case for summary at a staff conference and the sources from which it has been obtained:

- a. Physical findings (favorable and unfavorable)
Personal appearance, development, nutrition, and signs of disease and defect.

¹. Ibid, p. 51.

1. As reported in physical examination at the J. B. F.
2. As observed or reported by other reliable sources.

b. Mental findings:

Intelligence: statement of intelligence (I.Q. is omitted from the written summary in order to avoid a too rigid classification of mentality and the more significant test results.

1. As reported from psychological examination at the J. B. F.
2. As reported by the school.

Personality traits:

- a. As observed in interview with psychiatrist
- b. As observed in interview with psychologist
- c. As observed in interview with family
- d. As observed in interview with teacher and others

c. Statement of delinquency or other present problem: court offences and non-court offences including known anti-social behavior, past and present.

1. As reported by court or other agency
2. As reported by family
3. As reported by the child in his "own story"

d. Background (from report of court or the other agency, plus supplementary history obtained at the J. B. F. from the family.)

1. Heredity (in regard to blood relations of the child)
All known mental disease and defect, major, physical disease and defect, court and non-court delinquency, past and present, or negative findings.

2. Developmental history of the child
Ante-natal or natal defect, serious illness, seizures, operations, injury or negative findings.

3. Habits of the child—all marked habits, good and bad.

4. Home conditions (physical and social aspects, good and bad)
5. Family attitudes: relations between the child and all members of his household.

e. Causation

Statement by the directors, opinion as to the chief etiologic factors in the case, based on analysis of all the above material plus any other data that appears significant, such as school dis-satisfactions, bad companions and many other factors.

f. Outlook

1. Recommendations and plans by the directors of correction of causation or for removal of the child from his harmful environment, and for the development of his highest possibilities as shown by the examination.

2. Medical advice to meet physical needs.¹

The Judge Baker Guidance

Since 1930, the J. B. F. has carried the name of J. B. F. Center. The work has been dedicated to service for childhood and youth. It works toward the accomplishment for this fundamental purpose in four different ways.

1. Treatment Service for the Individual Child by helping children who are disabled by emotional maladjustments.

"The number of children given service in 1949 was 1446"¹

2. Cooperative Community Agency Services

The staff of the J. B. F. participate in the cooperative treatment of children with different child health and social service agency and public schools in the Greater Boston area.

1. Annual Report, 1949, Judge Baker Guidance Center, Boston, Mass., p. 1 - 3.

The staff give consultation and inservice training seminars to the staffs of some social agencies on their problem cases.

- a. Citizenship Training Group
- b. Children's aid association
- c. Church Home Society
- d. The Society for the Prevention of Cruelty to Children

3. Teaching and Training

Giving training and teaching in:

- a. Child Psychiatry
- b. Psychiatric Social Work
- c. Clinical Psychology
- d. Teaching conferences
- e. Lectures in the Community (Lectures and radio addresses)

4. Research

Clinical Research projects dealing with the problems of adolescence. The annual report of 1938 represents by pictures the aims of the J. B. F.

It says:

"Let's consult the Judge Baker Guidance Center."

- a. Said the father --- when Sue had hysterics.
- b. Said the teacher --- when Joe was a truant.
- c. Said the doctor --- when May starved herself.
- d. Said the judge --- when Ned broke into stores.
- e. Said the welfare worker --- when Tom ran away.
- f. Said the youth himself --- when he despaired.¹

THE YOUTH SERVICE BOARD

On May 13, 1948, Governor Robert F. Bradford signed into law, chapter 310 of the acts of 1948 which abolished the Board of Trustees of Massachusetts Training Schools and created the Youth Service Board and the advisory committee on service to youth.

¹. Annual Report, 1938, p. 3, Judge Baker Guidance Center, Boston, Mass.

The Youth Service Board is a new idea of justice for delinquent children started in 1940 when the American Law Institute threw its weight behind what is considered to be a "model act." John R. Ellingston, a special advisor to the Institute, helped California adopt the plan in 1941. Six years later, Minnesota and Wisconsin followed suit. Texas was in 1949. In Massachusetts, the changes in the law caused by enactment of chapter 310, were not to take full effect until January, 1949.

Heading the Youth Service Board are three leaders trained in child work with a staff totaling over 400 people. The functions and duties of the Y. S. B. can be summarized in the two following parts.

- a. To develop constructive programs to reduce and prevent delinquency and crime among youth, and to that end it shall co-operate with existing agencies and encourage the establishment of new agencies both local and state-wide, having as their object the control of delinquency and crime.
- b. To serve as the correctional agency of the commonwealth in handling all wayward and delinquent children and habitual truants, habitual absentees, and habitual school offenders, committed to the Commonwealth.

In the second capacity, the Board was vested with all the rights, powers and duties exercised and performed by the Trustees Of Massachusetts Training Schools.

Reception Centers and Detention Homes:

When the Board was founded, it was confronted with certain needs such as establishing reception centers for boys

and girls in which the study program as prescribed by the new legislation could be carried out. This was accomplished by obtaining centers on the campuses of the Lyman School for boys at Westboro and the industrial school for girls at Lancaster.

On January 3, 1949, the first children committed to the Board by the courts were received. A second mandate under Chapter 542 of the acts of 1948, was for the Board to establish, immediately upon its organization, a center in the city of Boston to serve the courts of the city as a place of detention and study of children being held by the courts for final disposition by them. Section one of this chapter (542) says: "Upon its organization the Y. S. B. established by section 64 of chapter 6 of the General Laws as inserted by section 2 of Chapter 310 of the Acts of the current year, here-in-after specified one or more places of custody which shall be completely separate from any lock-up, police-station, or house of detention in Said City, which shall be used solely for the temporary care, custody and study."

The board started its search at once for such suitable buildings and examined scores of possibilities until it found in 1951, a suitable building on South Huntington Avenue, Boston.

The Relations of the Board and other People and Agencies

As a start, the Board found it is necessary to seek consultations with social workers and well informed people and agencies. It also has been trying to lay the ground-work to fulfill its mission through speaking before groups of all kinds throughout the Commonwealth. It holds conferences on Social work in several districts of the State.

The Board has also been in close touch with the department of Probation in its regional meetings with the State Police Chiefs Association, the Supervisor of Attendance, the Administrative committee of District Court Judges, the Massachusetts Law Society and scores of other groups on local county and regional levels. Consultation services have been given to certain communities on specific prevention projects and these will be further developed under the leadership of staff personnel to be soon recruited.

With the Family Society of greater Boston, a home rehabilitation program has been initiated which is designed to help parents of children in the Board's care improve the home conditions which in measure have been responsible for the delinquency of the children. This program is now a part of the Boy's and Girl's parole divisions to be discussed later.

Some of the Board's Procedures

Some sections from Chapter 120, General Law of Massachusetts are:

Examination and study of children committed

"When a person is committed to the Board, it shall examine and study him and investigate all pertinent circumstances of his life and behavior. The board shall make periodically re-examinations of all persons within its control except those on parole or in foster homes. These exams shall be made at intervals not exceeding one year.

"The Board shall keep written records of all examinations and treatment of every person subject to its control."¹

"The Board may free or confine, etc., any person committed to it."²

"The Board may try to correct tendencies in a person committed to it by certain methods, (vocational, physical,

-
1. Section 5 of Chapter 120 General Laws of Massachusetts
 2. Section 6 Ibid

educational, correctional training and activities, medical and psychiatric treatment.)¹

"The Board may use all correctional facilities in carrying out its duties (make use of law enforcement, detention, supervisory, penal, also medical, educational, correctional, segregative and other facilities, institutions and agencies whether public or private, within the Commonwealth, provides that the Board shall not transfer custody of any person who was committed to it by a juvenile court and who is under twenty-one to a penal institution."

"The Board may use available funds to establish facilities to treat the persons committed to it."

The age of the Youth Service Board is now three years old (1952). Section 11² gives the Board the right when funds are available to

a. "Establish and operate places for detention and diagnosis of all persons committed to it."

b. "Establish and operate additional treatment and training facilities necessary to classify and segregate and handle delinquents and juvenile offenders of different ages, habits and mental and physical conditions according to their needs."

c. Establish facilities to aid persons given conditional release or discharge by the board to find employment and to lead a law abiding existence.

Placing children on Parole:

-
1. Section 6A Ibid
 2. Ibid, Section 11

"The Board may release on parole at anytime, and may place children in its custody in their usual homes or in any situation or family that has been approved by the Board, except that no child shall be returned to his own home immediately after commitment and the initial diagnosis without the approval of the committing court."¹

Escape or breach of parole:

"If a boy or a girl committed to the board and placed by it in an institution or facility has escaped therefrom, or has been released on parole and broken the conditions thereof, he may be arrested without a warrant."²

"Whenever the board is of the opinion that discharge of a person from its control at the age limit stated in Section 16 (twenty-one or twenty-three) would be physically dangerous to the public because of the person's mental or physical deficiency, disorder or abnormality, the board shall make an order directing that the person remain subject to its control beyond the period and shall make application to the committing court for a review of that order by the court."³

"Every child committed to the board as a wayward child or a delinquent child shall be discharged when he reaches his twenty-first birthday, unless a petition is filed by the board."⁴

"The board may act as guardians for a child in its

-
1. Ibid, Section 12
 2. Ibid, Section 13
 3. Ibid, Section 17
 4. Ibid, Section 16

charge under twenty-one who has neither parent living nor guardian."¹

Training schools and other facilities of the Youth Service Board

The States Training Schools are:-

Training Schools

- a. The Lyman School for Boys
- b. The Industrial School for Boys
- c. The Industrial School for Girls

Other facilities are:

Reception Centers

- d. The Industrial Reception Center for Boys
- e. The Industrial Reception Center for Girls

Parole Division

- f. The Boys Division
- g. The Girls Division

Detention Homes

h. The detention Home of the city of Boston which was established only one year back at South Huntington Avenue.

I

The State's Training Schools

A. Lyman School for Boys, established in 1846

The place is Westborough, Massachusetts, an open institution, organized on the Cottage System for boys under fifteen years of age at the time of commitment. Emphasis is placed on continuation of academic training supplement-

1. Ibid, Section 23

ed by the acquisition of tool skills.

B. Industrial School for Boys:

Established in 1908 at Shirley, Massachusetts. An open institution, organized on the cottage system for older boys. Academic and industrial training is given, the emphasis being placed on the practical teaching of trades and the acquisition of sound work habits.

C. Industrial school for Girls:

Established 1854 in Lancaster, Massachusetts. An open institution, organized on the Cottage System for girls under seventeen years of age at the time of commitment. Academic and industrial training is given, the emphasis being placed on training in the domestic arts.

Each of these three schools operates as a residential school offering:-

1. Medical examination: both physical and mental. The mental examinations include electroencephalographic studies and skull x-rays, endocrine therapy, psychiatric and psychological studies, in out-patient clinics, specific anti luetic therapy and complete medical studies of inmates complaining of somatic symptoms.

2. Academic program: Children committed to these schools have failed to make satisfactory adjustments in the most important phase of their young lives for various reasons which cannot be dwelt upon in this paper. It is worthy to say that the aim of these schools is to let children achieve as much as they are capable of. This calls for

unusual teaching skill in creating a pleasant classroom atmosphere, using original methods in motivation to arouse and maintain interest. The concentration in the program is on the content of teaching materials. There is a big library in each school. Courses in drawing, music and singing are given beside the ordinary courses of reading, English, spoken and written, arithmetic, spelling, etc.

3. Other programs: Beside the academic program, there are occupational programs, religious training, the Cottage program and recreation.

It is very important to have some idea about the number of commitments to these three schools. The following table shows commitments to these schools for ten years ending June 30, 1949.¹

TABLE NO. XXXIII

	<u>Lyman</u>	<u>Shirley</u>	<u>Lancaster</u> <u>(girl)</u>	<u>Total</u>
1940	226	287	114	627
1941	195	262	152	609
1942	310	344	189	843
1943 (seven months period year ending June 30)	191	203	107	501
1944	331	348	189	868
1945	285	338	146	769
1946	295	345	141	781
1947	221	259	142	622
1948	146	181	61	388
1949	157	180	61	398
Totals	2357	2747	1302	6406

Also the following table shows the daily average number of inmates in each school for four years ending June 30, 1950.

1. Annual Report of the Youth Service Board June 1950
Typewritten at the State House Library, Boston, Mass.

The normal capacity of each school and the number of inmates in the school on June 30, 1950:

TABLE NO. XXXIV

<u>Name of School</u>	<u>Daily Average Number of Inmates</u>				<u>Normal Capacity</u>	<u>Number in school June 30, 1950</u>
	<u>1947</u>	<u>48</u>	<u>49</u>	<u>50</u>		
Lyman School	312	261	239	238	280	195
Industrial School for Boys	207	159	127	129	195	115
Industrial School for Girls	198	123	84	59	198	64

II

Reception Centers

Chapter 310 of the acts of 1948, known as the Youth Service Board Act, made it mandatory that the Youth Service Board provide for the study and diagnosis of children committed to the Board before training and treatment were prescribed. This meant setting up reception or diagnostic centers and two temporary centers were established to receive boys and girls from the courts after January 1, 1949:

- a. For boys, a center was opened on the campus of the Lyman School for Boys at Westborough,
- b. For girls, a center was opened on the campus of Industrial School for girls at Lancaster.

III

Boys and Girls Divisions

The Boys Division is located at 14 Somerset Street, Boston, Massachusetts. Upon parole from either the Lyman School for Boys or the Industrial School for Boys, all boys

are under the supervision of the Boys Division. The Commonwealth is divided into districts, each supervised by a visitor. Central control of the districts is exercised by a supervisor of the Boys Division.

The Girls Division is located in the same place where the Boys Division is (14 Somerset Street, Boston, Mass.). When the course of training has been completed at the Industrial School for Girls, all girls are supervised by the Girls Division. A staff of social workers provides for the continuance of training begun at the school besides giving guidance and counsel.

In a word, the work of the two division can be summarized in the following:

- a. To return cases to the community either from the Industrial Schools or the reception centers.
- b. To commit to the schools for feebleminded
- c. To return cases to the industrial schools for care and training
- d. To commit for foster homes care the children who have not adjusted in their homes, who are truants from school and who are runaway and sex offenders.

SECTION II

B. In Egypt

In a previous chapter the writer pointed out the history of the juvenile courts in Egypt; the different laws already passed and the amendments which have taken place since the last century.

Here again, the writer in Part A, will discuss the procedures - the statements of the laws of the juvenile delinquents, and in Part B, the agencies which deal with juvenile delinquency. These agencies are few compared to Massachusetts. The system of foster homes is not yet used in Egypt. The lack of illegitimacy cases (none according to statistics) and deep close relations which tie the Egyptian family make putting children of one family in the care of another something very difficult.

These agencies as it will be seen later are either state or private ones, but the latter usually work in cooperation and under the supervision of the state.

I

Procedures and Statements of Laws

A. Introduction

The act of the Criminal Law concerning the juvenile delinquents was first issued in 1883 as was previously discussed. Its origin was from the French Law.

The 1883 Act cared only for the children who committed a crime or an offence; that is to say, the juvenile delinquents; but those who were vagrant, dependent and neglected - also were really in need of care and protection but

the said act left them without any consideration. So, for example, the vagrant children were out of the question. The amendment of 1904 did nothing for the vagrant children.

In 1908, a special act for the vagrant children was issued. It was amended in October 1949. The amendment has a progressive idea as will be stated later. Also the Act of 1904 was amended in 1937, but very little change occurred. The only benefit of that act is the abolishing of corporal punishment. It is very probable that it will be amended shortly.

B. The Young Offenders Act 1937

Article 64: "A child who has not completed his seventh year shall not be brought to trial."

This Article is similar to what is in the Massachusetts Laws (Section 52 of Chapter 119 of The General Laws.) This similarity will be explained in the following chapter.

Article 65: "If a child, who has completed his seventh year but is less than twelve, has been guilty of a crime or misdemeanor the judge will order his handing over to his parents who, by the exercise of their parental authority, will be responsible for his good conduct in the future; otherwise he be confined in a reform school or any other establishment designated by the government.

In case of contravention (minor offenses) the judge can either reprimand the child in the session itself or order his handing over to his parents under the fore-mentioned conditions. In case the child has no parents, the judge can

order his handing over to a person of trust. He can also send him to a charitable institution for a period of not more than one week."

Article 67: "If a child who is more than twelve and less than fifteen is guilty of any infraction against the law, the judge can, instead of pronouncing the usual sentence prescribed in law as regard misdemeanor or contravention or as stated by the preceding article as regards crim, order the handing over of the offender to his parents or to any of those who exercise parental authority over him according to Article 65. The judge can equally in matters of misdemeanor or crime order the accused to be confined in a reform school or any other institution designated by the government."

This Act (1937) followed foreign legislation. The Act of 1904 divided the delinquents into two age groups: those who were under seven years old and those whose ages were between seven to fifteen.

But the Act of 1937 subdivided those children between seven to fifteen years of age into two groups. Article 65 of this Act indicates what treatment should be used for children between seven to twelve years of age, while Article 66 deals with those whose ages are between twelve to fifteen.

In the first section the legislation obliges the judge to take treatment procedures so the child might be reformed in his early age (seven to twelve). In this period the child is more likely to be reformed and educated.

In the second section the judge is completely free to take any necessary steps towards treatment of the children (twelve to fifteen).

It is clearly understood that the Egyptian legislators' notion was not to say that children from seven to twelve are not responsible; otherwise why does he express frankly in Article 64 that children are not responsible if their ages are below seven? If he wants to make twelve the lower limit of irresponsibility, he would have plainly expressed that.

Article 68: "If the delinquent has committed several crimes or misdemeanors, he can be tried for all of them, once; in this case, the sentence listed in the preceding articles are to be applied."

Article 69: "If after having been handed over to one of the persons stated in Articles 65 and 67, the child has committed an infraction within the year of his being handed over to such persons, the latter are liable to pay a fine of not more than fifty piasters (\$1.50); if the second offense is a contravention, not more than two pounds (\$6.00); if it is a misdemeanor and not more than four pounds (\$12.00) if it is a crime."

Article 70: "A delinquent confined to a reformatory or any other similar establishment, conforming to Articles 65, 67 and 68 will be detained in the said school or establishment until his liberation be ordered by the Minister of Justice through the recommendation of the Director of the

Establishment. In any case the period of the detention cannot be prolonged for more than five years, nor after the detained has reached the age of eighteen."

Article 71: "The sentences stated against recidivists shall not be put into practice in the case of those whose age is under fifteen."

Article 72: "The penalty of death, perpetual or part time penal servitude cannot be pronounced against an accused whose age is from fifteen to seventeen. The judge in that case can determine first the ordinary sentence to be applied if no such conditions existed. If the sentence thus named is capital punishment or perpetual penal servitude it is to be changed to that of imprisonment for at least ten years. If the ordinary sentence is part time penal servitude, it should be changed to that of imprisonment."

In other words, no one under seventeen can be executed. Many have questioned the reason for placing this Article in Chapter 10 relating to Juvenile Delinquency in Egyptian Penal Code. The question raised, does that mean that children between fifteen and seventeen are juvenile delinquents in the eyes of the Egyptian Penal Code? Most authorities say no because the judge has then right to condemn such child to imprisonment for the maximum period.

This article is that it is quite shameful to execute a boy or give him life imprisonment if his age is one month after the age of fifteen. Further discussion of this point will appear in the following chapter.

Article 73: "If the age of a delinquent is uncertain, it can be determined by the judge himself."

What is interesting in this Act of 1937 is:-

a. Young offenders between fifteen and seventeen years of age, the capital punishment and penal servitude are prohibited. Therefore, no one under seventeen is executed, nor given life imprisonment.

b. The whipping of children is abolished.

c. The imprisonment for those under twelve years of age is also abolished.

d. Moreover, it differs from the old codes in that it recognizes the parents or guardians responsibility for the child's offense and to this end it provides for the imposition of penalties on them.

C. The Vagrant Children Act, No. 124, 1949

Vagrancy of adults is different in the Egyptian legislation from that of children. The former means that the offender has no permanent residence (constant home), no occupation and no means of enjoying honorable living but in the latter vagrancy means that the child generally speaking, has lost his parental family life.

Vagrancy is a misdemeanor in the Egyptian Penal Code. The first Act for Vagrant children was passed in 1908. Article I of this Act provides that a child, boy or girl who is under fifteen years old is a vagrant if he (or she) (a) begs in the streets¹, (b) has no constant home and no

1. Qui se livre a la mendicite' sur la voie publique on dans un lieu public. (The French Text)

means of livelihood and his parents are dead or imprisoned¹
 (c) is of bad behavior and beyond control of his father,
 guardian or mother (in case the father is dead, absent or
 deprived of his civil rights) or anybody who has charge of
 him.

In summary, the Act of 1908 had many shortcomings.

1. The maximum age was fifteen
2. It didn't mention children who work with the
 prostitutes as was clearly expressed in Article No. 2
 Act October 30, 1935, "Tirent leurs sources de la debanche²
 ou se livrent a le prostitution."

3. It didn't mention children who sell trivial goods or
 gambled (practice of gala gala job).

The Vagrant Children Act 1949

This act, of course is superior to the Act of 1908,
 which it amends. It was passed on August 8, 1949 contain-
 ing 15 Articles.

Article I says: "A child who is either boy or girl and
 who is under eighteen years old (instead of fifteen) is a
 vagrant if, (a) he or she begs in the streets or in public
 houses. It is considered begging if the child sells
 trivial goods, or practices "gala gala" job, (b) he or she
 gathers cigarette butts or like things or refuse, (c) he
 or she works with the prostitutes or in gambling houses or
 serves those who are involved in these jobs, (d) he or she
 joins the vagrants or those who are under police suspicion

1. The Juvenile Delinquents in The Egyptian Penal Code by
 Dr. El Trabolsy Bey (Arabic Work) 1949
 2. Ibid

or those of bad character, (e) he or she is of bad behavior and is beyond control of his father, guardian, mother (in case the father is dead, absent or deprived from his civil rights) or anybody who has charge of him, (f) he or she has no constant home or is accustomed to sleeping in the street, (g) he or she has no legal way to earn his living or no honest support and his parents are dead or imprisoned or absent."

Article II: "If a delinquent is caught engaged in any of the aforementioned activities, the police has to call on the persons in charge of the child and give them a written warning to supervise the conduct of the child in the future. In case the child repeats the offense the law is enforces the recipient to pay a fine of not more than 200 piasters (\$6.00)."

Article III: "If the delinquent repeats any of the conditions mentioned in (a), (b), (c), or (d) of Article I after the warning he received according to Article II, or also (e), (f) and (g), the judge has the right to hand him over to his parents or his guardian or any fit person who shall look after him and take care of his conduct or to any institution which is officially recognized by the Ministry of Social affairs."

Article IV: It is possible by order of the prosecutor to place a vagrant in one of the institutions especially constructed for the reform of delinquents, and recognized by the Ministry of Social Affairs, until his case is decided upon.

Article V: The sentence to be passed is based on items of Article III at the request of the public prosecutor. This request of the prosecutor is considered in a secret meeting. The vagrant cannot appeal unless there is a mistake in the application of the law. This is followed by a review of the sentence passed and the principles of appeal according to arts of misdemeanors are applied.

Article VI: The sentence shall be enforced (executed) in spite of the appeal, by order of the prosecutor according to the decisions reached by the Minister of Justice in agreement with the Minister of Social Welfare.

Article VII: According to Law, if the child is to be handed over to his parents or to anybody else, who will assume responsibility of him, he will at the same time be placed under the supervision of one of the agencies of welfare for delinquents.

Article VIII: It is possible for the public prosecutor to ask the court to reconsider the sentence passed, according to reports submitted about the child. It is up to the court in that case to be able to change the sentence to what it thinks it most fit to the delinquent, according to the items in Article III.

Article IX: In case the child is handed over to a person other than his parents or guardian, the judge has to force the parents or guardians or those who are legally supporter of the child to pay some or all of his expenses. If the child himself has an income, the judge orders the amount to be paid from the child's resources.

Article X: It is possible to set free the child after his stay in the institution for at least two years unless his case is reconsidered by the court under Article VIII. This is done by means of an order of the Minister of Justice as well as the Minister of Social affairs. In any case he is definitely set free when he reaches the age of twenty-one.

Article XI: In case of condition (e) in Article I, it is not possible for the public prosecutor to ask the court to sentence the child according to any of the items mentioned in Article III except if they have a former permission from the child's parents or guardian.

Article XII: Anybody who tries to hide a child or help him to escape from a sentence of handing over to a person or institution is to be punished by detention for a period of not more than six months or by a fine not exceeding LE 200 (\$600.00).

Article XIII: This Law is to be applied in Cairo and Alexandria and the provinces designated by order of the Minister of Social Welfare.

Article XIV: Act No. 2 of 1908 concerning vagrant children is repealed as well as all other laws opposing this one.

Article XV: It is the duty of the Minister of Social Affairs, Justice and Interior to enforce this law which shall become valid from the time of its first publication in the official journal - issued in "The El Wakaie El

Misrriah" Journal No. 106 dated August 15, 1949.

D. Recent Amendments in the New Criminal Procedures Law of Egypt which was issued only in November 1951.

This law provides in Article 343 that a court specialized for juvenile delinquents shall be held in every district court by a judge who shall be delegated to the matters of the juvenile delinquent cases. Also in the capital of each province and governorate a juvenile session shall be held in the building of the ordinary courts for the trial of the delinquents.

Article 344 of the previous law says that the juvenile court is responsible for the trial of the child whose age is below fifteen whatever the offence is, minor offense, misdemeanor or capital crime.

The same article says in case of capital crimes if there are more than one offenders in the case, one is aged twelve or above, the other over fifteen years, the former child shall either be tried before the juvenile court alone, while the latter shall be tried before the criminal court or the whole shall be tried before the criminal court. But if among the offenders children whose ages are below twelve, those should be tried alone before the juvenile court.

In cases of misdemeanor or minor offenses the offenders are more than one and one of them is below fifteen, the whole offenders should be tried before the juvenile court.

E. Juvenile Court Formation in Egypt.

The history of the Egyptian Juvenile Court has been already mentioned in the previous chapter. Still there are some points to be mentioned about the courts of juvenile delinquency in Egypt.

The Juvenile Court of Cairo is a separate court with one judge who hears only cases of juvenile delinquency.

The Juvenile Court of Alexandria is also a separate court. One of the judges of the Civil Court devotes one day a week to such cases which amount to as many as one hundred cases or more.

Familiarity with the problems relating to their work is not required of either judge nor is tenure of office protected by law, with the result that the judge may be transferred at anytime to an ordinary court.

In both cities the judge is assisted by a member of the prosecuting attorney's staff. Private prosecuting attorney's staff especially for the two courts were established in 1921. The prosecutor, as was the judge, may be transferred after a few months to an ordinary court.

Beside the prosecutor there is a clerk whose work is of clerical kind.

The judge, the prosecutor and the clerk are all civil servants. The court does not sit in public.

II

Agencies of Treatment, Control and Prevention

A. Introduction

These agencies, as was said in the preceding section,

are either governmental, that is to say, belong to the state or private agencies depending on their own funds and the assistance and supervision of the state.

As for the (a) state agencies or institutions, the writer will write about the reformatories as agencies of treatment, (b) private agencies which are very numerous, the writer will discuss in some details only the work of the social Service Bureau which works as an agency of control, protection and treatment at the same time.

B. The Reformatories of Egypt.

In Egypt there are four reformatories. One of them for the girls and the other three for the boys, one of which is for the young offenders (juvenile delinquents committed by the criminal code), the other two are for the vagrant children.

1. The Giza Reformatory for Boys

This reformatory was first established in Alexandria and transferred to Boulak (Cairo) in the year 1898 and then to Giza, 1901 where it is now.

This reformatory was the only one where the juvenile delinquents and the vagrant children (according to the Act No. 2, 1908) were sent.

This reformatory has capacity of five hundred children but in October, 1935, the number was increased to six hundred ninety-seven. In October 1940 again the number reached the total of nine hundred fourteen boys.¹

1. Juvenile Delinquency by Judge Trabolsy, Arabic Work Page 142, 1949, Cairo

The program in the reformatory is educational and vocational. Until now the modern methods of treatment, as psychotherapy, etc., are not yet used.

This reformatory follows a military system which makes the children act like machines.

2. The Marg Reformatory

Established in 1905 - The children committed to this reformatory after their sentence by the criminal code Chapter 10 (1937). These are tough boys. Here they are taught farming, education and agricultural professions. Beside this type of education the elementary education (reading, writing and arithmetic) is taught.

3. The Girls Reformatory at Giza

Founded at Helwan (Cairo) in the year 1907, then transferred to Giza in the year 1908. Girls are sent by the criminal law and vagrant law No. 2 (1908), now Act 124, year 1949.

Beside the elementary education there is the domestic education and home economics.

4. The Reformatory at Kanter

This was established as a branch to the Giza Reformatory in July 13, 1938. One hundred boys of the Giza Reformatory were transferred to this Reformatory to work in weaving.

The following table shows the total number of children in the four reformatories during the period 1941 to 1946 and recently in the year 1951:

TABLE NO. XXXV

The inmates of the four reformatories of Egypt during the period 1941 to 1946 with comparison to the inmates in the year 1951

<u>Year</u>	<u>Giza for boys</u>	<u>Giza for girls</u>	<u>Marg Re- formatory</u>	<u>Kavater reformatory</u>
1941	783	219	565	1028
1942	881	237	509	954
1943	854	243	571	925
1944	818	212	527	813
1945	772	207	422	695
1946	804	212	439	602
1951	865	153	352	300.

The increase in 1951 in the Giza for boys is due to the passing of the New Vagrant Law of 1949 which added new articles for trial and raised the maximum age to eighteen instead of fifteen.

The decrease in the girls reformatory is due to the fact that parents are reluctant to have girls sent to an institution.

As previously indicated the number of cases tried before the Cairo Juvenile Court is four thousand to six thousand yearly. It seems that these four reformatories are not enough in comparison with this great number of children who are given sentences or committed to them and are still wandering in the streets because there is no room for them.

The four reformatories are attached to the War Ministry and follow a Military order.

B. The Cairo Juvenile Court of the Social Service Bureau

In June 1940, the Egyptian Associations for Social Studies formed a branch to work as an office of Social

Service for the Juvenile Court in Cairo. It was an experiment to make psychological, medical and social studies of some juvenile delinquents who are tried before the Juvenile Court followed by advice, recommendation and supervision for adjusting the children in their home environment.

This Bureau has proved of such worth that the ministry of justice on March 22, 1941 officially recognized its work.

This Bureau, one can say, is a definite part of the Juvenile Court System. It is a psychiatric clinic as a whole.

The Bureau is, at present, composed of twenty social specialists. The writer prefers to call these specialists social workers rather than probation or parole officers because they perform the two functions together in addition to the clerical work.

Beside that number of social workers, there is the psychiatrist, the physician, the intelligence test expert and the director.

The Bureau is supervised by a national governmental committee formed of some social reform workers, the judge of the juvenile court, the prosecutor of the juvenile court, the psychiatrist and the director of the bureau.

The Work of the Bureau:

The Bureau is constantly in contact with the court. The work is carried out in the following way:

I The public prosecutor refers to the office any delinquency cases that are submitted to the court and sufficient periods of time are given for its investigation and forming an opinion about it. (usually the period is three or four weeks)

II Most of this investigation revolves around the child himself who is first given a medical examination. The medical examination is of great importance in studying the causes, for as it was clearly seen (Chapter IV), the cause of committing theft might be a tapeworm which shares the child's diet, leaving him very little nutrition and making him feel a constant hunger; therefore the child might be compelled to steal money or food to eat through the necessity to rummage for food.

After medical investigation is made and treatment applied, the child is handed over to the Social Worker who is his most important healer. The worker talks to him and finds out his past and present conditions. He investigates the condition of his people and the environment in which the child plays or works, deducting for himself the causes of perversion and prescribing proper methods of treatment.

III The child is then given an intelligence test to find out if he has any mental defect. In this case the service outside specialists is sought. If he proves to be normal the measure of his intelligence indicates the personal and social factors which will be most effective and the proper plan of treatment, especially in directing him to-

wards a useful professional career.

IV The psychiatrist will then examine the psychological side of the child subscribing whatever treatment to remedy his weakness and build up his character.

V When all these specialists have made their studies, they hold a meeting which is generally attended by the director of the Bureau to discuss the youth and every aspect of his condition. The discussion then culminates in a report that is submitted to the court. The report will finally result in determining one of the following three alternatives:

1. The Bureau may ask for acquittal after discussing its reasons. No treatment is intended where treatment is not required.

2. The Bureau may report that the case is unfit for probation and the bureau is unable to treat the child to any advantage by reason of his abnormality and the need for treatment by another class of specialists or by reason of losing all hope in obtaining any cooperation from the child's people, or because the youth is too old and beyond redemption. The Bureau's limited tentative efforts had better be turned to cases where treatment can be effective.

In hopeless cases judgment is left to the court which will either pronounce a penal sentence or send the youth to a reformatory school or hand him over to the parents, as the judge may deem fit after studying the Bureau's report. Should the one day assume a wider scope as to

cover all the cases submitted to the court, it would have then to tackle the difficult as well as the easy cases.

3. The Bureau asks for approval for submitting the cases to observation with an appeal that the youth be handed over to his people under the supervision of the Bureau. With the judge's consent, the office then proceeds to apply treatment on the child in his own environment.

In this, the greatest responsibility falls upon the social worker who will seek the assistance of the others whenever the necessity calls. He may even seek any outside help that may add to the success of the treatment. He may call upon the offices of individuals, groups, hospitals, clinics, societies, factories, businessmen, security authorities, etc., for anything useful in the way of a new remedy or shield against harmful influences.¹

"Such treatment is generally applied to the environment of the Youth itself, or he may be removed to another or committed to the care of a social institution. But I regard the last procedure as a necessary evil, although the Bureau may choose in this case an institution based on healthy social principles, giving its patients full liberty to leave whenever they wish or to contact other outside environments freely."²

The duration of this treatment is for one year as a minimum and two years as a maximum, but some cases may be

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1. Lecture by Dr. M. Salah Eddin, Original Arabic in United Nations Social Welfare Seminar For the Arab States in the Middle East, 1949
 2. Ibid

put under observation for a longer period for some specific study and private follow-up if the case interests the worker from a definite point of view. These cases are rare, comprising only one or two per cent of the total number of cases.

If the child proves success after a year's follow-up, the Bureau limits its interest to more remote contacts with the child and its people, offering advice when necessary.

"If after two years the Bureau feels that its efforts have been fruitless, it turns its attention to other cases.

"But there are occasions when the treatment is suspended for force majeure reasons such as the disappearance of the child or the removal of his family elsewhere, or sending him to a reformatory to serve a previous sentence which was held in remand for lack of room in the reform school. Here the bureau may be unable to determine the merits of the case for further observation. The case is filed by the bureau and it cannot be considered a failure on the part of the bureau."

Methods of Treatment

A. It is needless to state that treatment varies according to the causes of delinquency, but in general, the following methods of treatment are used:

1. Medical Care: for the child and his family if they are in need. Letters of recommendation are given to them to go to hospitals and clinics. In some cases the

physician of the Bureau may be able to examine any member of the child's family. This gives usually results in better acquaintance with the family for the sake of the child.

2. The worker has to employ each child in the profession to which he is best suited, thus raising his material standards. The recommendation of the staff is of great help.

3. The worker may try to return the child to his school if he was attending school before commitment. Visiting the teachers and the other members of the school is among the Social Worker's program.

4. Protecting the youth from bad company and the dominance of delinquents. In this case the help of the security police may be solicited.

5. Helping the child and his own people solve their various problems, reform their domestic environment and social life. Success in this may rely a great deal on the personality of the Social Worker and his power of persuasion and driving force.

6. Removal of the youth from his environment if it is considered hopeless. He is then committed to the care of some good relatives, or if necessary, to one of the Social Institutions. At present, the Bureau does not use the system of foster homes, as was mentioned before.

7. Supervising the instruction of the child, organizing his leisure, trying to solve his psychological problems, if any, correcting his moral tendencies, drawing

a plan for him to follow throughout life and setting before him noble aims.

These, in general, are the methods which the Bureau uses in treating delinquents.

N.B. The Bureau has the right to accept delinquency cases from parents or relatives of the children themselves or from certain Social Service bodies.

The Detention Home of the Cairo Juvenile Court

It was the repeated desire of the staff of the Bureau and the members of the Egyptian Association of Social Studies to establish a special social institution where accused children may stay during the period of investigation. In May 22, 1950, the Detention Home was opened to detain the children referred from the parquet. The prosecutor will no longer be compelled to choose one of two evils: (1) to release the child, which may prove to be a serious mistake, or (2) to detain him in a prison where he will have to mix with undesirable elements.

Since its establishment, the annual report of 1950 reported one hundred fifty-one children were referred. These children received medical examinations and were examined for parasites. It was found that the child might be subject to more than one species - the total number of species of parasites found in one hundred fifty-one children being two hundred seventy-seven.

The children, after this medical examination, receive treatment in the hospitals nearby. The Detention Home

submits reports to the Bureau describing the personality of each inmate and his behavior. These reports are of great value and usually discussed with the other social, psychological and medical reports in the Staff Conference before submitting the final report to the court.

CHAPTER VI

SIGNIFICANT CONCLUSIONS BASED UPON THE COMPARISON

After a year's study in Massachusetts and twelve years of professional work in Cairo, the writer will attempt to draw some significant conclusions.

I. The Definition of Juvenile Delinquency

No satisfactory definition is to be found in the laws of Massachusetts or in those of Egypt. The definition of the juvenile delinquent is written only in terms of age and violation of the law. In Egypt, it seems that there is no definition at all for the juvenile delinquent. But the Vagrant Children Act of 1949 defined clearly who the vagrant child is. Massachusetts laws defined the delinquent as, " a child between seven and seventeen who violates any city ordinance or town by-law or commits an offence not punishable by death. "

II. The Age RangeIn Egypt

1. The Penal Code of 1937 divides the juvenile delinquents into three categories:
 - a) Under seven years old
 - b) From seven to twelve years
 - c) From twelve to fifteen years
2. The Vagrant Law of 1949 raised the age up to eighteen years.

In Massachusetts

The age is from seven to seventeen.

The age range within which a person may be regarded as

a delinquent child either in Massachusetts or Egypt is entirely statutory. It is interesting to note that both Massachusetts and Egypt chose the age of seven as a minimum. Why is the age of seven taken as a minimum? One may say that the age of seven has no special meaning, once the delinquency idea is accepted. Another may say that a child of six and a half may also need the protection of the court, with the idea that the court is a center of protection and cure--- a clinic--not a place of punishment. Still another may ask why the minimum age is not ten or fourteen. This will be explained in the following chapter.

The age of seventeen as a maximum creates also much argument. Many states raised the age to twenty-one, such as Arkansas, California, North Dakota etc: Likewise many states reduced the age to below seventeen. The maximum is sixteen years for example in Georgia, Kansas, North Carolina, New York etc.

In Egypt there is confusion in the differentiation made between the eighteen year range for vagrant children and fifteen years for the juvenile delinquent who commits a crime, punishable by the criminal law. The difference has no meaning for both vagrant children and youthful offenders are children who need care and protection. There is under consideration an amendment which will take care of raising the age range from fifteen to eighteen years. By this measure we will be saved from the ambiguity of Article 72 which was put in the chapter pertaining to the juvenile delinquents in the Penal Code (Chapter 10, Code 1937.) This Article, as

was explained before, was enacted to save children above fifteen and below seventeen years, who are not in the eyes of the Egyptian Penal Code, juvenile delinquents from execution and life imprisonment. The Egyptian legislators are to be commended for enacting such an Article, which the Massachusetts statutes ignore. Before the Amendment of Chapter 119, the General Laws of Massachusetts 1948, any child between the ages of seven to seventeen, who committed a crime punishable by death or life imprisonment could be executed or sent to prison for life. The 1948 Amendment struck out " or by imprisonment for life." Still now in Massachusetts a child over seven can be sent to the electric chair for a crime punishable by death. Also children over fourteen may be tried in the Criminal Court at the discretion of the Juvenile Court judge (See Chapter V page)

III. Extent and Causes in the two Areas

In Chapter III the writer discussed the extent of juvenile delinquency in Egypt and Massachusetts in terms of age, sex, race and types of offenses committed. The following are the significant conclusions based on the comparison between the two areas.

1) The Age

It is not true that the age of the children when committed to the court represents the age of their first misbehavior. In most cases, children commit delinquent acts long before they appear in court.

(A) In Massachusetts

In the research of the Gluecks on matching five hundred truly non-delinquent boys with five hundred persistent

ly delinquent boys. It was found that out of the 500 juvenile delinquents, half of them showed antisociality before their eighth year and another two fifth before their eleventh year, making a total of 87.6 % whose antisociality was already unmistakable before puberty(1) Also it was noticed that out of 500 delinquents who appear in the court for the first time and of first conviction as indicated in the following table(2)

Table No

Age	First Court Appearance		First Conviction	
	No. delinquents	Percent	No. delinquents	Percent
7 yrs.	4	0.8	3	0.6
8	23	4.6	21	4.2
9	45	9.0	40	8.0
10	70	14.0	72	14.4
11	81	16.2	73	14.6
12	64	12.8	65	13.0
13	84	16.8	87	17.4
14	67	13.4	70	14.0
15	53	10.6	59	11.8
Total	500	100	500	100

But in another study showing the age distribution of delinquent boys in the Cambridge and Somerville courts, the highest percentage found was in the 16 years category (25.9% Cambridge court and 26.4% Somerville court (3)

(B) In Egypt

Out of 722 cases of juvenile delinquents investigated by the Social Services Bureau in the period from June 1940 until December 1948, it was found that the highest category was of children between the ages of eleven to thirteen years. (4). Therefore the extent of juvenile delinquency in the term of age-rate in both Massachusetts and Egypt looks quite different.

(1) P. 28 Unraveling Juvenile Delinquency by Sheldon and Eleanor Glueck
The Commonwealth Fund, New York 1950

(2) Ibid 293

(3) See Chap. III Page of this thesis; (4) See Chap. III Page

In one thousand cases of Massachusetts, the maximum rate was for children whose ages are eleven to fourteen years. In Egypt among the seven hundred and seventy-two cases, four hundred and twenty-five were between the ages of eleven to thirteen years of age.

2) Sex

(A) In Massachusetts

From the Board of Probation Report for the years ending December 31st 1940 - 1947, it can be noted that the number of girls delinquent to boys delinquent was approximately as follows:

	Boys Per cent	Girls Per cent
1940	90	10
1941	89	11
1942	88	12
1943	85	15
1944	87	13
1945	89	11
1946	90	10
1947	90	10

Therefore the average for eight years is:

Boys 88.5%

Girls 11.5%

That is to say that the average is 4 to 1 in Massachusetts.

(B) In Egypt

1. The latest report of the Cairo juvenile court for the year 1951 shows that the number of cases committed to the court in that year was: (1)

		<u>Percentage</u>
Boys	2101	86.3
Girls	335	13.7
Total	2436	100.

2. The report of the Cairo juvenile court

(1) Minor offenses are excluded

for the year 1950 shows that:

		<u>Percentage</u>
Boys	2076	85.
Girls	364	15.
Total	2440	100.

The percentage in Massachusetts of girls to boys who are delinquent was found to be 11.5 to 88.5, while in Cairo in 1951, it was approximately 14 to 86. No large difference was found, but the proportion of girls in Cairo was slightly higher than in Massachusetts. This is because of the application of the new Vagrant Law (No 124; 1949) which caused the number of girls committed under that law to increase.

3) Race and Nativity

(A) In Massachusetts

In the Harvard Law School Survey of Crime in Boston, it was found that among 976 juvenile delinquents, 845 approximately were native born (1) The above Survey pointed out that the negro delinquents had twice the incidence of negroes in the general population. (2)

(B) In Egypt

The problem of race, (negro and white) nationality and the discrimination between both is not found. Our statistics are free of these terms.

4) The Types of Offenses

(A) In Massachusetts

From the tables found in Chapter III,

(1) P. 84 One Thousand Juvenile Delinquents by Sheldon and Eleanor Glueck, Harvard University Press, Cambridge, Mass. 1934
 (2) P. 84 Ibid.,

it was seen that larceny was the most frequent offense committed by the delinquents. It was noticed that offenses against property in general (Larceny-Burglary- Robbery) are more than half of the grand totals of all offenses committed in the Commonwealth.

It is surprising, however, that in a class of offenders so young there should be so many offenses of Drunkenness among boys and even girls. Sex offenses, Violation of Automobile laws, and assaults are among the offenses in second rank of frequency.

In the Cambridge-Somerville Youth Study it was noticed that 55% of the offenses charged against boys in Cambridge were for larceny and/or breaking and entering compared to 64 % in Somerville.

In Egypt: the facts are surprising different for although the mass of children are well fed, well dressed , and well taken care of compared with their colleagues in Egypt, yet their crimes are greater in number and more serious in nature.

In Egypt, more than 50% of the cases committed are for vagrancy. Ninety- per-cent of these Vagrancy Cases are brought to the court for being beyond the control of their parents or guardians or because they have no homes and are accustomed to sleeping in the streets, considered to be begging. The majority of the cases in which the child is beyond the control are false cases. The parents or guardians being poor or unable to feed the children usually seize the benefit of the law to get rid of the children. One investigation of the Social Service Bureau of Cairo shows that usually the step-father or step-mother are the direct cause of bring the children to the juvenile court committing them for being beyond their control.

This is one of the weak points of the law as will be discussed in the following chapter. Beside Vagrancy, there are larcenies committed or attempted larceny or assault. These are second in frequency. The offenses in general are mild and easy to handle in comparison with the offenses in Massachusetts. The principal motive for the larceny or attempt to commit larceny is found in the need for food and clothes. More than 90% of our juvenile delinquents are parasitical subjects and also the same per-centage are bare-footed. Half of these are usually dressed in rags.

Now the writter comes to the delicate subject. Why do the children of Massachusetts violate the laws so frequently in relation to the children of Egypt.

The frequency of delinquency, even in peace time, needs an explanation.

Causation is found to be an unsatisfactory answer. The theory of multiple factors and the theory of "differential association" which were brought recently to the field of criminology by Prof. Edwin H. Sutherland have reflected some light on the problem., but still didn't solve it. Here in Massachusetts and specifically speaking in Boston, everyday children are brought to the court, who are nice looking, clean, well fed, healthy in general, but still have the desire to commit offenses. No one is poor in Boston, according to Egyptian standar&s. Poverty ,to the writer, means that the family has no food to eat, nor clothes to wear, nor rooms to sleep. The writer was living and studying in the South End, one of the worst districts of the city. This district is full of immigrants, is crowded and abounds in slum areas.

Sometimes one meets "guys" who ask for a nickle or a dime. None asks for money to eat because he is hungry as happens frequently in Egypt. The person may ask for a dime to have a cup of coffee or glass of beer. No one was found by the writer to barefoot. No one can give sound reasons why the child took \$5.00 to buy a pair of shoes downtown, put the money in his pocket, went to Filene's Basement Store and stole the shoes. Why did he steal while the money given to him to buy the shoes was in his pocket? No one can give a reasonable answer, nor the child himself. The boy said that he could spend the money for something else. It was not food that he wanted. An unsatisfactory life makes children violate laws. Is that why people say that the commercial culture of which the only measurement is the almighty dollar is responsible? Who knows?

Every American child has advantages ,which if compared with other children of other countries makes him feel that he is the happiest and most joyful, yet he is not satisfied. There is something psychological expressed in the frequent violations and breakings of law.

In the Commonwealth, for the welfare of the children , there are child guidance clinics, child placement agencies, homes for children. Youth agencies for recreation and neighborhood work. For example one can cite the following as but a few among the many are in Boston:

Y.M.C.A.

Y.W.C.A.

Boy Scouts of America

Girl Souts Inc. Boston, Mass.

Boy's Clubs of Boston

Y.M.H.A.

Young Men's Hebrew Association of Boston

Family Society of Boston

Catholic Charitable Bureau

Jewish Family and Children's Service

Massachusetts Division of Aid and Relief

Morgan Memorial

Community Recreation Service of Boston

Judge Baker Guidance Center

New England Home for Little Wanderers

Jewish Family and Childrens Service

Massachusetts Society for the Prevention of Cruelty to
Children

Citizenship Training Group

These agencies and centers are in addition to the Training Schools, Reformatories, the jails, the detention homes etc. And still the problem of juvenile delinquency flourishes.

The majority of boys are number one problem boys.

It is interesting to note what Judge Perkins said " What is the matter with our children? Something is. Everywhere people are talking about it. Everywhere meetings are being held to discuss it. Psychologists, Psychiatrists and educators write frequently about it, and thousands and thousands of dollars are being spent on reseach projects to learn its causes. Recreational facilites costing many millions are being added to our cities and towns in the hope that thereby we can hold back the flood of misconduct. Nevertheless the flood keeps rising.¹

Perkins, John F., Common Sense and Bad Boys, Boston, Mass. June, 1946, p.138.

One can imagine what the Bostonian Delinquent child faces?

At home there may be no satisfaction, no mutual relationship between the busy working mother, who is always in a hurry about her job and the helpless father who doesn't find any relief except in liquor. Both are involved in the rushing current of life. They believe that the state must take care of their son, if he is of bad conduct. The parents are the basis of the family. The family, the cradle of their personality-is now colored with the fear of something obscure. "My boy" the majority always says "life is difficult." The American is much happier than other peoples, but he still complains of the difficulty of life. The parents of the child may be foreign born. They still think of their previous home. In their blood still exists a different culture. Two cultures create a conflict-a dissatisfaction with life which is generally speaking reflected in the children's behavior and causes misconduct and misbehavior. At school the Bostonian child finds few racial ties among his school colleagues. Child A is a descendant of an Irish family. B of a Polish father, C of an Italian mother. E and F are born in Syria and have grown up here. G is a negro, rejected unconsciously, because of his dark skin. H is the son of a millionaire and spends \$2.00 a day on his girl friend, but boy I has only a nickle. He is well fed, well dressed, but he still wants to rent a car for he has a date. Of course in this area, Boston, there is no poverty as we understand that concept in Egypt. Perhaps this competition causes criminal behavior. In the neighborhood there are many differentiations in religion. Although this differentiation is not obvious, yet there is a deep feeling that A the Catholic appoints C, instead of B, because C is Catholic. B may be angry. He reflects his anger everywhere. His child unconsciously may dislike

Catholics.

There is no divorce among the Catholic as there is in Egypt but still the married man may have one or two girl friends. Cases of birth out of wedlock, although not frequent are tolerated. Wonderful care is given to these illegitimate children. They may be taken care of in nursery homes, foster homes or added luck may give them the chance of adoption. Thus we see some of the aspects of the life of some of the pre-delinquent or delinquent children at home, at school or in the neighborhood. In many instances a feeling of complete insecurity is felt. In many instances this creates in some of the children a kind of anxiety. (Anxiety here means the fear without an object, or apprehension of the unknown to come.) This unknown creates such tension that relief must be obtained. Aggressive reaction is the most usual method of obtaining this relief. This aggressive reaction may sometimes with the help of other factors results in crime.

This is in brief the subjective picture of the Boston juvenile delinquent, through my study and observation during my residence at the South End House. The important factor which with other factors is the feeling of insecurity which creates anxiety then aggression and results in guilt and crime. The other causes whether they are personal or environmental (are explained in Chapter 4) may help as secondary factors otherwise they are nothing but a wonderful piece of literature.

In Egypt, we also have juvenile delinquent, who commit larceny and assault, but the majority of delinquents are vagrant children, begging sleeping in the streets and sprouting into gangs or adult criminals. There is also the

feeling of insecurity, which results from a broken family life. The Egyptian family is broken when the father or mother dies or divorce takes place. Occasionally when the father marries a second wife conflicts arise between the children of the older mother and the new one. Aside from that the Egyptian family is stable because very rarely does the mother have to go to work.

Children either beg or after awhile steal because they have no money or no food to eat. They play truant because of the severe, dull teacher who understands one, his exercise book and two, arithmetical questions besides the recitation piece which he has to force the pupils to study by heart. They leave the home if the step-mother or step-father is quit tough. Still the Egyptian child is very close to his family. This perhaps is among the causes which discourage us in the founding of foster homes. The causes of misbehavior, besides what has been mentioned, maybe the intelligence of the child fails to meet the intelligence standard of the class room or the kind of job he is engaged in. The normal child may reject the job which the moron may be fond of. Physical health also plays an important part.

The Annual Statistics of the Cairo Juvenile Court indicate that the majority of cases referred to it are those of children spoiled by their domestic environment. Then lastly the personal influences. (Physical, mental and etc.)

The cultural factors are more important in Massachusetts than in Egypt, in producing delinquent behavior.

IV Agencies and Personnel

Significant conclusions based upon the comparison.

I. The Juvenile Court

The Boston Juvenile Court was established in the year 1906.

The Cairo Juvenile Court was established one year earlier.

The judge of the Juvenile Court of Boston is appointed by the governor for life.

The judge of the Cairo Juvenile Court is also appointed for life by the Minister of Justice.

The Boston Juvenile Court does not deal with all the cases of the city of Boston, but only the central parts of it. (North end, South End, West End, and Back Bay) of the city.

The Cairo Juvenile Court deals with all of the cases of Cairo.

The Number of cases tried before the Boston Juvenile Court are from 500 to 800 a year, while the cases of Cairo may rise to 6000.

The Boston Judge therefore has a lot of time to devote to the child to discuss with him and talk over his problems.

The Egyptian Judge has to see 120 to 150 cases in 3 hours. He can devote only a few seconds to each case. The present judge of the Boston Juvenile Court has a long experience in probation and social work and is permanent in his court. The Egyptian Judge of the Juvenile Court may be transferred at anytime to an ordinary court. Very few of the Egyptian judges know social work and understand Child Psychology.

The Boston Juvenile Court is noncriminal in nature. The hearing is informal and without a prosecuting attorney and usually without a defense attorney for the child here is not on trial. In Cairo, there is a prosecutor, a defense attorney and the child is on trial. However, the courtroom is an ordinary one without a cage, where the offenders are placed. The judge always complains of the huge number of cases. (In the year 1948 the grand total was 5692.

In Boston, the judge of the Boston Juvenile Court would

be able to take care of all the cases of Boston. However judges of the district courts in other parts of the city seem to hold that any judge can sentence a juvenile delinquent. The grand totals of all Massachusetts Juvenile Delinquents cases in the five years (1943 to 1947) was 31,413 . The number of juveniles tried before the Boston Juvenile Court in the same period was only 3,561. That is to say that 27,852 cases were deprived of the benefit of a special court and a special judge.

The following table shows the cases referred to the Boston Juvenile Court and all the cases of the state.

Table XXX

Year	Boston J.C.	Total Mass Courts	% of BJC to all
1943	849	6553	13%
1944	751	6729	11%
1945	759	7158	10%
1946	644	5949	11%
1947	558	5024	11%
	<hr/> 3561	<hr/> 31413	<hr/> 11%

2. THE PROBATION OFFICERS

In Massachusetts the probation officers receive respectable salaries compared with their colleauges of Egypt. The work is similar in investigating cases, submitting social reports, presence in court taking charge of the children, and supervising on probation.

In Egypt they have to be graduated from the Schools of Social Work, have enought practice in the Bureau of Social Services or similar other agencies. They work as probation officers as well as parole officers. They never arrest a child or aarry a pistol for these are acts of the police. The probation officer, or the Social Worker as it is call in Egypt, is the brother and the sincere friend to the child

He can gain the child's confidence. Never inclines to do harm to the child following the notion of preferring the welfare of society to the welfare of the child. This is a vague ridiculous philosophy.

The probation officer of Egypt is closer to his cases more than the probation officer of Boston. The active cases he should follow up, write reports. There are not more than 50 cases, while the probation officer of Boston works with 200 to 300 cases. It is difficult to believe with that high number, the probation system is carried out effectively. For probation's obligations are:

1. To make interviews and visits at regular intervals. Every two weeks for a year or more.
2. The probation officer should keep after the child.
3. He must know what the child is doing at home, at school, and at work.
4. He should make the child engage in wholesome recreation.
5. He must keep him away from bad boys and bad gangs.
6. He should give help to the family, if needed.

In the Boston Juvenile Court as well as the district courts there are probation officers who should be notified by the police, if the child is arrested. In Cairo, this procedure, is not yet in action. The prosecutor usually refers to the Bureau the cases which he feels are in need of investigation. To carry the whole case load of the juvenile court, we should need 100 probation officers.

In Massachusetts proceedings not to be deemed criminal.. " they shall be treated not as criminals, but as children in need of aid, encouragement and guidance". 1

1. Sect. 53 of Chap 119 of the General Laws of Massachusetts

Record of proceedings not to be admissible as evidence.

" Nor shall such adjudication or disposition or evidence to operate or disqualify a child in any future examination, appointment , or application for public service under the government either of the Commonwealth or of any political subdivision there of.¹

C. Adjudication Proceedings after Adjudication

" One court may commit such delinquent child to the Youth Service Board, but it shall not commit such child to a jail or house of correction, nor to the Lyman School, the Industrial School for Boys, or the Industrial School for Girls, nor any other institution supported by the Commonwealth for the custody, care and training of delinquent or wayward children or juvenile offenders.²

D. Hearings Appeal

" A child adjudged a wayward child or delinquent child may appeal to the Superior Court upon adjudication, and also may appeal to said court at the time and of the order of commitment or sentence.³

The Vagrant children in the Egyptian Act of 1949 are now prevented from the right to appeal except when there is a mistake in the application. Juvenile delinquents charged with capital offenses are not excluded for the jurisdiction of the juvenile court. In Massachusetts, they are excluded ,while in 26 states and the District of Columbia the original jurisdiction of the court is exclusive even in muder cases.

1. Chap. 119 of the General Laws of Mass. Sec. 60.

2. Ibid. Sect. 58.

3. Ibid. Sect. 56.

b. The Egyptian penal codes divide the juvenile delinquents into categories. Each category has its procedures and the ways of punishment (treatment). The categories are:

From 7 to 12 years
 " 12 to 15 "
 " 15 to 17 "

c. Vagrant children in the Egyptian Vagrant Act are similar to what is called in the Commonwealth of Massachusetts "the wayward children." The Wayward child is defined as "a child between the age of seven and seventeen who habitually associates with vicious or immoral persons, or who grows up in circumstances exposing him to an immoral, vicious or criminal life."¹

If this is true, the age range of the wayward child in Egypt is seven to eighteen while in Massachusetts it is seven to seventeen.

Some Remarks on the Egyptian Vagrant Children Act 1949

a. "It says that a child who is under 18 years old is a Vagrant when - - - - ." Does that mean that there is no minimum age which is 7 years old in the Young Offenders Act of 1937?

b. The act gives trusteeship to the unjust fathers or guardians by giving them the right to commit the children to the court of by saying that such children are beyond their control. The fact is as the investigations show that such fathers or guardians try to put the children away in an institution perhaps to get rid of their support and other expenses.

Here the legislators were wise enough to admit in the same act that the person who is legally supporter of the child must pay an amount of money to the fit person or agency which takes care

¹. Section 52 of Chapter 119 (1948) General Laws of Mass.

of the child.

c. The act does not give the right to appeal to the child or his guardians except when there is a mistaken application of the law.

d. Detention of Children

a. In Cairo

The Detention Home of the Cairo Juvenile Court was opened in May 22, 1950.

b. In Boston

The Detention Home was opened one year later than that of Cairo. The same was the case with the two juvenile courts. The Cairo Juvenile Court was established in 1905 and the Boston Juvenile Court was in 1906 as was mentioned before.

The works and aims of the two detention homes are similar in the extent of protecting the children from being put in with adult offenders and exposed to undesirable influences.

The number of agencies and centers as was mentioned before is very large. The writer chose three main ones and discussed them thoroughly in the preceding chapter. They are (1) The Citizenship Training group whose work is similar to a certain extent to the work of the Cairo Social Services Bureau of the Juvenile Court.

This agency has no short comings except that it should be enlarged and have branches in the different parts of the city of Boston so every juvenile child may have the opportunity of attending the group. The group is really a wonderful and successful group in fulfilling its mission of this thesis.

(2) The Judge Baker Guidance Center is one of the best clinics not only in Boston but throughout the country. It was founded to examine the juvenile cases referred to it by the Boston Juvenile

Court. Since 1930 it has changed its name from J.B. Foundation to Judge Baker Guidance Center and enlarged the extent of its work which is

- 1-Treatment Service for the individual child.
- 2-Cooperative community agency services.
- 3- Teaching and training.
- 4- Research.

(3)The Youth Service Board - The writer hopes faithfully to have a similar agency as that in Egypt. It was established in 1948. Juvenile court commitments according to Section 58 of chapter 119 General Laws of Mass. are now made to the Board rather than directly to the institutions.

There are five boards in this country. Beside that of Mass. there are others in California, Minnesota, Wisconsin and Texas. The Youth Service Board of Mass. consists of three full time members appointed by the Governor from a list submitted to him by one advisory committee on Service to Youth. The board here was severely criticized by some authorities. Among these was Judge Perkins who raised the argument that establishing the Youth Service Board with full authority to release one child on parole and send another (who perhaps was the partner of the first child in the same offence) to the reformatory, may create discrimination and give unfavorable results. Perkins said: "Here we have a law which not only permits discrimination between A and B without objective evidence, but also makes such discrimination mandatory, if the authority forms a favorable opinion of A and an unfavorable one of B."

Let us consider for a moment how such action would work. B sees A go home while he is sent to a reformatory and A gets off. "He was in it just as much as I was." "Oh", says the Authority, "it is not what you did that counts, it's what you are. Your act

was a mere incident. You have an unstable personality. Before it will be safe to let you be at large in the community, you need corrective treatment. The public must be protected." To which B replies: "You have no right to do this. I have learned my lesson. I will never break the law again. You say I am unstable. I say I am not unstable. I have been watching you all through your examination of me and your real reason is that you are prejudiced against Unitarians. I have as much right to say you are prejudiced as you have to say I am unstable. You cannot back up your opinion by proof of any kind. You have produced no standard of measurement to show I am different from A. What you are doing to me is absolutely unfair. You can show no evidence to justify refusing to give me the same chance that A gets." B would be right. Put this case to any set of boys or school teachers or managers of factories or officers in the army or navy and their answer would be the same, "It is unfair to B." To the writer this sounds right and has full logic. Referring to chapter 120 of the General Laws of Mass. which deals with the Youth Service Board, it is written under Section 12.

"The Board may release on parole at anytime, and may place children in its custody in their usual homes or in any situation or family that has been approved by the board."¹ This of course gives full acceptance to what Judge Perkins had declared in 1942, but the statute was careful enough to leave the whole liberty to the Board. The statute adds in the same article that the approval of the committing court should be gained before such a release is made. "Except that no child shall be returned to his own home immediately after commitment and the initial diagnosis without the approval of the committing court."²

1. Section 12 Chapter 120 General Laws of Mass.

2. Ibid Section 12

In Egypt beside the shortage in number of reform agencies and welfare centers, clubs and so forth, the economical condition cannot offer the luxurious settings and enormously progressive plans and experiments which are here in America. One will be astonished when reading only a few of these names of the countless centers and agencies which were put in the preceding pages. Yet still some one says, "We in Egypt have faith in our program. We are handicapped materially but strong one hundred percent morally. Social Service comes from the heart. The shortage of money cannot make a big difference. "Who knows?" This might be true.

The shortage is in the reformatory schools. They are only four in number. This leads to letting children remain in the streets if they have no homes. Although the court commits them to the reformatory, yet the latter may be full "no room for new comers." These new comers have to wait until some children are discharged and to make room for them. (Where and when God only knows!) These reformatories one could say are far away from the Social spirit. The guards are policemen. There are no psychiatric, or psychological clinics. The children are taught in a military spirit which lets them act like tools and machines. No parole officers are found in the reformatories nor in Egypt in general. The Parole Officers and Parole Board do not exist in Egypt yet. In practice, no one makes follow up of cases discharged from the reformatories. The writer can mention with thanks that Mass. as Ohio State were among the first to utilize the Cottage System or Cottage Plan as it is called.

Inside the reformatories in Egypt there is no formation of homogeneous groups according to age and mental development and special need.

No foster homes in Egypt, no reception centers where the child could be examined and orientated. In Egypt we need institutions for more difficult juveniles and institutions for mentally deficient and psychotic children. There is no organized services for physically handicapped children. There is no child guidance services which can give help to children, especially those whose behavior difficulties require this help.

Very few are the Volunteers. This type of person is not wide spread as is the case here in America. There are here discussion leaders and advisors for groups. There are club leaders and volunteers who act as project advisors on special subjects, such as homemaking, sex education, public affairs, vocations, etc.

Egypt is badly in need of those volunteers.

These are quick, brief conclusions based upon the five previous chapters in this thesis. In the next chapter there are a few recommendations for changes in Massachusetts and Egypt.

CHAPTER VII

RECOMMENDATIONS FOR CHANGE IN MASSACHUSETTS AND EGYPT

Such recommendations will be focused on the concepts "Definition" "Age Range." The Court and Statements of the Laws. These statements include the systems of control treatment and preservation of delinquency.

THE COMMON NEEDS OF ALL CHILDREN¹

1. Parents to provide love, security, guidance and companionship.
2. Family life which will respect the individual and help him to respect the rights of others.
3. Dwellings which are clean, safe and protective.
4. Health.
5. Protection from accident, from evil influences and from mistreatment.
6. Education and training through school, religion, play, recreation, reading and creative expression.
7. Preparation for later life -
Education in its broadest sense, education for living, for homemaking and for the performance of civic duties.

1. The White House Conference Report on Children in a Democracy, Washington, 1940

A. DEFINITION OF THE TERM

As it was mentioned in the preceding chapter no satisfactory definition is invented yet. Some students and authorities always define the juvenile delinquent in terms of age limits. Some define it in terms of age and the kind of offence the child commits. By the second concept some juveniles are denied the privilege of being treated as children needing care and protection. Such a statute as that of Massachusetts of Chapter 119 General Laws says a child is a juvenile as long as his age is between seven and seventeen, unless he commits a crime punishable by death or imprisonment for life (before one Amendment of 1948 which makes it "punishable by death.") Here Massachusetts gives the example of the states and countries which pay regard to the seriousness of the crime. The theory is that the child is a child; i.e. an immature person, and he should be tried as such regardless of the seriousness of the crime. He is too immature to be exposed to the full rigors of the criminal court procedure and its penalties. He should have the benefit of the juvenile court, the privacy of its hearings without the presence of a jury, the right of appeal and above all, the informality which is not found in the criminal courts. But Massachusetts, as well as many other states, twenty-two in number¹, exclude the juvenile delinquents from being

1. Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Mississippi, Montana, New Jersey, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont and West Virginia.

treated in the juvenile court if they commit certain offenses, that is to say that too much recognition is given to the offence, resulting in disregard for the needs of the child. Here we can say that care is concentrated on the protection of the public, even at the expense of the child.

The hope is that Massachusetts, as well as these other states, will no longer allow the criminal courts to have exclusive jurisdiction over juvenile delinquents for any offense, even if it is punishable by death. The state of Massachusetts, over a long period of time, has been leader in the correction and treatment of delinquency. Consequently, it should realize that the entire procedure against a juvenile offender should be directed toward the determination of what treatment is best for the welfare of the child.

In Egypt, the statute defined only the vagrant child as a child who is under eighteen years old who begs, etc.¹ (The Criminal Law 1937). There is no definition. With regret, this Law labeled the delinquent child as the criminal delinquent or the youth offender. But it is fitting to say that this Law may be amended shortly. A bill for this is now in the Parliament.

The Criminal Procedures Law, Article Number 344, passed only last year (1951) says in effect, "that the juvenile court is responsible for the trial of the child whose age is below fifteen, (this is the age limit for a juvenile delinquent) whether the offence be a minor offence, a misdemeanor or a capital crime."²

1. See Page 162 of this thesis

2. See Page 166 of this thesis

B. THE AGE RANGE

As it has already been explained, the States differ in regard to the age limit of the juvenile delinquent. Twenty-seven states, Alaska, Hawaii and the District of Columbia get eighteen years as the age limit. Six states get seventeen years, seven states get sixteen years and two states get twenty-one years.¹

The Standard Juvenile Court Act² suggests raising the juvenile court age to eighteen and transferring the child to other courts if his age is sixteen. It will be noted that this draft recommends all court cases of children under eighteen must be brought first to the juvenile court. Under Section 10, cases of children between sixteen and eighteen may be transferred to the criminal court if the juvenile court, after full investigation, finds it contrary to the best interest of either the child or the public to retain jurisdiction over him. In practice, such transfers are seldom made.³ In Massachusetts, the minimum age is seven and the maximum is seventeen; so the youth of seventeen here goes to the criminal court for an offense, while another boy of eighteen or twenty in another state is sent to the juvenile court. Also, it is regrettable to say that in Massachusetts children of fourteen years and over can be tried in the criminal courts at the discretion of the

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1. See Table Page 204
 2. National Probation and Parole Association
 3. A Standard Juvenile Court Act-Revised Edition 1949
National Probation and Parole Association

juvenile court judge.

In Egypt, the age range is more complicated. The minimum age is seven in the Criminal Law and the maximum age is fifteen. However, Article Number 72 refers to special procedures for those whose ages are from fifteen to seventeen years.¹ In the Vagrant Law, the minimum age was ignored. The Maximum age in the Vagrant Law is eighteen years, but as the Vagrant Law is a private Law, it should follow the Criminal Law. Therefore, Article 64 of the Criminal Law gives the minimum age as seven years and should be applied in the Vagrant Law according to the Egyptian Doctrines and jurisprudence.

Why Seven Is A Minimum Age

Teeters, in his book, *The Challenge of Delinquency*, said, "It has been the tradition since the days of the Romans to view the child under the age of seven as not being culpable for his delinquent acts. It is interesting that in the Catholic Church a child under that same age cannot take communion. Both church and state have regarded the child under seven as irresponsible and helpless."²

Consequently, there are these conflicting maximum ages of fifteen, seventeen and eighteen years in our statutes. The Massachusetts age, which is up to seventeen birthdays, is an arbitrary age limit that has no biological or other scientific basis. There is no discoverable reason for not

1. See Page 160 of this Thesis

2. *The Challenge of Delinquency* by Teeters and Reinemann-Prentice-Hall, Inc., N.Y. 1951, Page 41

including the seventeen year old children in the juvenile list.

If arrival at full maturity is the proper point for full accountability for one's acts, the case is clear for twenty-one as the proper division between juvenile and adult offenders. It is the generally accepted age for attaining majority. The point at which a person assumes control of property and is free from parental authority might be regarded as the appropriate age for him to assume full responsibility for his acts.¹

In the writer's opinion, twenty-one is a reasonable age to mark maturity. It is therefore to be recommended that:

- A. The maximum age of delinquency in Massachusetts and Egypt be raised to twenty-one; that is to say that children and adolescents below twenty-one should be tried before the juvenile courts, or
- B. A special procedure should be authorized in the ordinary courts for minors between seventeen and twenty-one years.

In New York State, there is that procedure for minors whose ages are from sixteen to nineteen. They are called "Youthful offenders." In the two Counties, (Kings and Queens) in New York City, there are adolescent courts for minors of that age (Sixteen to nineteen).

1. Juvenile Delinquency in Massachusetts as a Public Responsibility, Boston 1939, Massachusetts Child Council Pages 24-25

C. THE COURT

In the year 1906 the Massachusetts Legislature provided for one juvenile court to serve the central part of the city.¹ It was fully expected such a court would serve as an example to be duplicated by others not only in the city, but throughout the State. Boston is in need of more than one juvenile court. All the State of Massachusetts also has the same need for special juvenile courts. It was observed² that 27,852 children in five years were deprived of the benefit of all special courts and special judges.

The opinion that the district courts in Boston and throughout the state can take care of the children, and that the judges in such courts are qualified to sentence juvenile delinquents invites criticism. Professor A lectures in the graduate school and Professor B teaches in a Kindergarten. Both have worked for more than ten years and both have the same degrees. Perhaps A has more. No one can deny that B, engaged in the teaching of young children needs a special technique and understanding of this age group. He achieves by specializing in Kindergarten schools. Thus, with due respect to the judges of the district courts who believe completely that handling the juvenile cases is an easy job, we can bitterly say "no." We need specialized judges - lifelong civil court judges to work with the juvenile cases. Their experience in working with the children over a long period of time, added to personal attributes and qualifica-

1. See Page 113 of this Thesis

2. See Page 113 of this Thesis

tions for understanding child psychology, social case work and group work, etc., will make for success in helping our children.

The same case happens in Egypt. There is only one juvenile court in Cairo. This court sentences per year about four to six thousand cases, a number which seems difficult to believe. The judge of the juvenile court is a temporary judge, that is to say, he may be transferred to an ordinary court after one or two years. The majority have the notion that handling the cases of juvenile delinquents is like having a glass of coca cola. Only some ten or twenty sections in one penal code to be studied and all is o.k.

Special juvenile courts with special judges are much needed in both Massachusetts and Egypt, Juvenile courts on the model of the Boston Juvenile Court and a judge with the type of training of the Boston Juvenile Court who worked in the field of probation as director of the Citizenship Training Department under Judge Perkins long before becoming a judge.

In Egypt, the Juvenile court should be noncriminal in nature. A special room is required; one which gets away from the bench and bar and the formalities of desks and chairs - a place that is friendly and parental, but not undignified or lacking in the sense of power which the law and its administration gives. The words verdict, complaint, trial and punishment should be changed to disposition, petition, hearing and readjustment. Hearings should be in

an informal manner. Since the child is not on trial, neither the prosecutor nor lawyers (defense attorney) are needed. For this, the juvenile court should be one of the child caring agencies of the community.

D. SYSTEMS OF CONTROL

No need of repeating the agencies and centers in Massachusetts which deal with delinquency. These have been mentioned in the preceding chapters. One notion I would like to voice is that the large numbers of centers, clinics and groups may create an opposite result with the mal-adjusted children of Massachusetts to that desired. These centers, by giving endless services, may forget to distinguish between the things the agencies can do for clients and the things they must do for themselves. The children and the parents become confused. This confusion creates in the children the love of relying on society. This feeling of irresponsibility creates the desire for wrongdoing if other helping factors are bad neighborhoods or broken homes, etc.

It was the idea of some reformers to give the children liberty to express themselves freely and to get rid of complexes. The measure of liberty, the amount which should be given and at what age - all these create confusion. The living was too great and the meaning of this liberty is unfortunately misused by the children themselves and their families. The children can say what they won't do, or what

they wish in the name of freedom, which in many instances is badly misunderstood and badly used. The result is that the father or mother at home, the street car driver, the school teacher, all have lost much of the respect - in the name of liberty - which the children usually give to the older persons.

CAIRO (EGYPT)

The following are a few suggestions for carrying out some of the Massachusetts systems in controlling and treatment of juvenile delinquency:

1. The Social Service Bureau of the Cairo Juvenile Court will be extended to have the rights and responsibilities of the Youth Service Board of Massachusetts.¹ Only five boards are in this country.

2. One probation officer or two will be appointed in every police station.

3. If a child is arrested by the police, the probation officer should be informed immediately. He should get in touch with the child's parents or guardian and make a brief report. This report may show primarily whether the home is fit or unfit. The first hearing will be on the same day if the arrest is in the morning; otherwise the child will stay in the detention home until the next morning when the first hearing by the judge takes place. This necessitates having a juvenile court session every day except Friday (the official holiday in Egypt, or Sunday in America).

The judge may postpone the case for a convenient time for study and research. In this case, the boy may be left in his home if the home is fit, or in the detention home. The need is to enlarge the present detention home. Big boys may be put in a jail until the use of the detention be con-

1. See pages 144 to 156

venient. Of course, detention of a child in jail, police station or lock-up should definitely be prohibited. If the child is sixteen or over, he may be placed in a jail or other place of detention for adults, but placed in a room or ward entirely separate from them. One suggestion is to raise the age up to eighteen years in the Criminal Law as it is eighteen now in the Vagrant Law of 1949.

The judge may set the child free if he proves innocent. The judge also may turn the boy over to the Social Service Bureau. The Bureau here acts as an executive authority. That is to say, it has the right to send the boy to a reformatory, foster home, institute for mental defficients, or release him on parole. In any case, that will nothappen before (1), putting the child in a reception center. This center may be in the detention home, and (2), the acceptance of the court. In the reception center, there will be the clinic. Each child is interviewed, examined - physically and mentally - and given vocational tests, personality tests and psychometric aptitude tests.

If the case is postponed, this means the court is in need of a full report which usually covers the whole study of the boy and his family. The judge may put the child on probation for a year in his home, that is to say, the case should be handed to the father, mother or guardian under the supervision of the Bureau. If the boy is put in a foster home, the supervision of the Bureau is also necessary. What is meant here by foster home is not a family home as it is here in this country. The meaning is an institution where

children can go and work outside and come back to sleep. The place is rather said to be a dormitory, for the children if they gain money should share in the expenses just to believe that they are not in an alms house or dependent.

The child who is committed to a reformatory can be discharged at any time and put on parole if the director of the reformatory accepts, and also with the approval of the Bureau.

The Bureau will consist of

1. The Clinic¹
2. Board of Probation
 - a. for investigation and follow-up cases at home
3. Board of Parole
 - a. for children released from reformatories or in foster homes. The responsibility of this Board is to place the children in suitable jobs and take care of their future welfare.

The Probation Parole Boards of Massachusetts will be used as a guide in our work in Egypt. The Bureau in Egypt, which will be responsible for the above mentioned program, is a private agency staffed by civil servants delegated from the Government. The Bureau will be supervised as it is now by a National Governmental Committee formed of the present members, with the addition of the Director of the Reformatory or the Department of Prisons and a representative from the Ministry of Social Affairs.

The above is the main important suggestion which is the establishment of a Bureau consisting of (1) a Clinic,

1. The Judge Baker Guidance Center, Page 737 to 140 of this Thesis.

(2) Board of Probation and (3) Board of Parole.

Beside this Bureau, Cairo is in need of:

1. Another two detention homes which can be used as reception centers, one for boys and the other for girls.

2. Establishment of a home (foster home).

3. Establishment of institution for abnormal delinquents. For the time being, there is but one institution for handicapped (deaf and dumb, blind, etc.) and mental deficient children.

4. The present system carried out in the reformatories should be changed. The military system will be abolished. The Cottage System will be founded. The goal of the reformatories should be a sound preparation of children for return to a normal life in the community.¹

5. The need is also for training special police technicians to deal with delinquency cases. They must have a course in social work, how to interview the delinquent children and the psychology of the juveniles.

6. A department for identification and records should be established for the juvenile delinquent cases and the system which is mentioned in Section 21 of Chapter 120, General Laws of Massachusetts.²

What has been mentioned about the juvenile court and the Youth Service Bureau programs is among the program of controlling and treating of juvenile delinquency. But

1. See Reformatories in Massachusetts, Page 151 of this thesis.

2. See Page 157 of this Thesis.

still some other procedures deal as a matter of fact with the prevention of delinquency. These measures are among the responsibility of the state.

The welfare of the child at home and his needs should be fulfilled. His essential needs are (1) food, (2) clothing, (3) protection, and (4) love from the person who gives him the food, clothing and protection. The school must share in the problem. It should know its individual pupils. The school social worker should observe the behavior of his children. He should ask himself, "Is Ali friendly? Is he failing in school work? Does he play truant? Is he rejected and unwanted at home, the playground, and with his school mates? Does he live in a delinquency area? Does he show marks of poverty?"

We are handicapped in the club activities. Very few are clubs and settlements in Egypt. We need volunteers!! The movement of the volunteers in America is unbelievable. Every individual in this country feels that his duty is to devote some hours a week as a volunteer, in centers, agencies, hospitals, even as typists. This work is done free, only for the happiness of America. The director of one of the clubs told the writer that if there were no volunteers, four-fifths of the activities would be stopped for the budget could not cover the payments of the workers. We need volunteers in Egypt. We should make a large propaganda to have volunteers. We need them badly in many departments of activities, especially in community planning. Egypt

needs (1) Economic planning (adequate living), (2) Physical planning (parks, cleanings), (3) Social planning (health, welfare, recreation), and (4) Cultural planning (schools, religion, libraries).

We need Friday schools at schools or the Mosques, if possible. The churches and temples are not only places for praying, they are first class social centers; so our schools and mosques should be. Big and well built schools and mosques are empty the majority of the day. Let us do some activities and studies. This is very possible if it is systemized.

Does the compulsory education exist in Egypt? Officially, yes, but practically, no. The compulsory and elementary schools are equipped with teachers who receive very low salaries with which they cannot be supported. The result is that this army of teachers in cities and especially in villages, are involved in some kind of trade or the like, for they have families and they should not starve. Under this system, no hope in having educated children. More than 70% of these children prefer leaving schools either to work or to have money, for they are badly in need of food and clothing.

If the work is not suitable, they jump from one job to another until they reach their adolescent period. If they have not become vagrant or juvenile, that is only the mercy of God.

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