

SEPTEMBER 25. 1968CAMPBELL CROCKETT

Not long ago, I was having a discussion with a lawyer and he mentioned an incident involving a juvenile court judge. This reminded me of some encounters that I had with various juvenile courts over a period of three years. Let me hasten to say that this account is not autobiographical in the sense that you might anticipate. I was never diagnosed as a recidivist. Only once did I appear before a juvenile court judge as an accused violator of the law. I was fifteen at the time and the place was Louisville, Kentucky. I was accused of reckless driving, speeding, operating without a license and delinquency. The arresting officer was initially convinced that I was intoxicated, but could find no evidence in the automobile, in my behavior, or on my breath to justify this charge. The officer was perfectly correct in presenting the first three charges listed above. I did not then, and do not now, know the meaning of the word "delinquency" and so could not and cannot react to the legitimacy of this accusation. When I appeared in court the next morning, I was accompanied by my uncle, a Methodist minister in Louisville, Kentucky; my father, a Methodist minister in Danville, Kentucky; and a close family friend, the President of the Baptist Seminary in Louisville, Kentucky. The charges were erased. At some other time, and in some other mood, I might puzzle over the question of what might have been my fate at that time and in later life had I not had such a convincing cast of supporters. And convincing they were. At one point, the President of the Baptist Seminary, who was a large man with a deep, intimidating voice, addressed the judge in these terms: "Your Honor, that car would not go over forty miles per hour and to think that this poor innocent boy was exposed to the un-Christian profanity and obscenity of this policeman!"

Approximately three years ago the National Council of Juvenile Court Judges obtained a grant of several hundred thousand dollars from the National Institute of Mental Health and sub-

contracted most of these funds to the National Training Laboratories, an organization of which I am a member. I was one of the staff involved in preparing the proposal for the grant and subsequently over a period of two to three years worked with a few hundred juvenile court judges, chief probation officers, and some other members of their staffs in the United States and Puerto Rico. Prior to this work, I attempted to obtain an appropriate and relevant education. I read several articles and books about this judiciary system written by judges, professors of law, professors of sociology, and others in diverse professions and positions. I also visited, and examined as carefully as I could, juvenile court systems in such cities as Dayton, Ohio; Chicago, Illinois; Cincinnati, Ohio; and Atlanta, Georgia. I interviewed boys and girls who were at various points of being processed within the system, their parents, their ministers, county commissioners, social workers, police officers, lawyers, probation officers, psychiatrists, psychologists, reporters, and others.

I wish I could say that this work led me to an understanding of the system. It did not. On the contrary, I have a strong conviction at this point that to speak of a "system" is careless.

The purpose of our program, stated very generally, was to increase the professional effectiveness of the judges. There were two ways in which we attempted to accomplish this task. First, we provided information in the areas of child and adolescent psychology, law, and sociology. Some judges possessed very little knowledge about the puzzling and complex phase of life that we call adolescence. Many of them had extremely little valid information about the subcultures out of which came the boys and girls who appeared before them.

Second, we attempted to increase the sensitivity of these judges by face-to-face encounters. Most of us do not have systematic ways of testing the effects that the expressions of

our ideas and feelings have upon others. This is as true of professors, clergymen, and doctors as it is of judges and governmental officials. The dramatic growth of sensitivity training in this country has been publicized recently in several popular magazines. Often, when we think we are being clear, we are mystifying our listeners; and when we think that we are being sympathetic, we are seen as being cold or hostile. If we have the opportunity to discover, in a face-to-face encounter group, how, in fact, we are being perceived, we have the opportunity to plan strategies for change in our inter-personal relations. Without this knowledge, we do not know our way about.

We held many 5-day workshops in different regions of the country; Chicago, New York City, Columbus, Atlanta, Tulsa, and others. Approximately 40 judges from a few adjoining states would attend each workshop.

The staff members were predominately psychologists, sociologists, psychiatrists, and professors of law. I am not going to attempt to give a systematic analysis of our work or its results. I am going to relate several events from some of these workshops. In view of the events that I have chosen, I should express my belief that there are some excellent juvenile court judges in this country. As will become obvious, I would search for other adjectives to describe or evaluate a few of them.

One of the judges I will never forget was an elderly gentleman who came to each workshop session with his Bible under his arm. He would sit down, open it, and read silently throughout the sessions, regardless of the proceedings. From time to time, he would raise his right arm and the discussion would stop. He would then read aloud one or more verses from the Scriptures and then go back to his silent reading. No one commented upon this behavior throughout the week. The only inference that I felt qualified to make concerning his activities was that he apparently preferred the Old Testament to the New.

One of the most interesting discoveries that we made at one of these workshops is probably generalizable to most of us. We had one session during a given week when we divided the judges up into pairs. We called the activity "giving and receiving help." Each judge in each pair was to spend half of the allotted time formulating and explaining some problem that he had in his back-home court situation in which he needed help and where he felt that he could improve. The other judge in the pair was to be the consultant, listen, and then make suggestions. After approximately one hour of this procedure, the roles in each pair were reversed, and the person who received help gave it, and the one who gave it received it. At the end of the workshop, the judges ranked this session as one of the most important in the week's activities. Of the thirty judges, twenty-eight stated that they had given help but had received none, and only two stated that they had received help. The generalization that I am suggesting is that most male adults in our society shun dependency of any sort and need to feel that they are independent and autonomous. How many of us will cry "Help" to a professional peer? In this essay, I shall not explore this prevalent form of psychopathology, but simply note that it is a distressing feature of middle-class western culture.

At one workshop, we asked each judge to bring his chief probation officer with him. In the group that I was leading, the following incident occurred. There was a judge in the group who was young, likeable, aggressive, and talked freely about the recent political campaign through which he gained his position. His chief probation officer was considerably older, restrained, and talked very little. About the third day, the judge in question completed a rather long monologue which illustrated his clever political strategy in the campaign. His chief probation officer then spoke up softly and said, "Judge, I think there is something that you should know. I voted for your opponent in the last election." The judge was astounded and speechless, and his speechlessness was obviously a new experience for him.

What I don't know, and do not particularly care to know, is what happened to their relationship when they returned to the court after the workshop. At the risk of generalizing upon each incident, permit me to say that this judge and his chief probation officer had worked side by side, day by day, for a period of six years, and this was the first time the chief probation officer had given the judge this information. I wonder how well we know each other and how many hidden agenda there are. My wonderment is not only applicable to professional relationships among colleagues but to personal relationships among us and among ourselves and those at our homes.

At one workshop, the focal point became story-telling, and I was unsuccessful in my attempts to direct their energies to the design that the staff had prepared. One judge would tell a story, generally off-color and occasionally humorous, and then attention would shift to the next one. Perhaps this is not quite the way to describe it. It became obvious to me that the judges not telling the story in a given instance were not listening, but were intent upon the preparation of their own stories when their turns came. At the end of one session, I suggested that the judges remain and play the tape back, so that they could listen to the stories of the others and thus add to their repertoire.

At another workshop, we discovered that we had encountered a judicial drinking problem. The schedule that we had designed called for three hours of work in the morning, two hours of work from 1:30 to 3:30 in the afternoon, a free period, and then work from 7:30 until 10:00 in the evening. The free period in the afternoon was intended for rest and relaxation, reading, reflection, golf, a walk in the country, a visit to the neighborhood stores, or sleep. Staff members either worked or took a nap. Not the judges! The evening sessions were a spectacular failure. Attendance was poor and those who attended were glassy-eyed, and in no condition to learn. We then shrewdly shifted the schedule so that the free period came

after lunch and we worked from 4:00 to 6:00 P.M., at which time dinner was served. This maneuver was thwarted when the judges arrived at the 4:00 o'clock session completely stoned. As we were checking out at the end of the week, the manager informed us that his staff had noted that the accumulation of empty liquor bottles in the collection bins reached a new height that week.

At the beginning of one workshop, a judge indicated with emphasis that he thought highly of the psychiatrist who was a member of his court team. A couple of days later, we had a role-playing sequence of a court session, and by coincidence this judge played the role of a psychiatrist. His performance was such heavy-handed burlesque and ridicule that even he recognized that his official patter about psychiatry, and his feelings about it, were at total dissonance.

It is difficult for most of us to role-play. Some regard it as appropriate exclusively for children, and they are probably right in a sense that they overlook. Children have enough looseness, flexibility, imagination, and senses of humor and tragedy to undertake genuinely the persons of others. They have not mastered completely our formula of drying our personalities up into tight little kernels and sealing them with thick coats of concrete that protect us from exposure to one another. Indeed, these coats frequently render significant interaction and learning with one another totally impossible.

These gloomy thoughts bring me to another workshop episode. We chose our cast for a court scene and, at random, selected a judge who was to play the part of a judge with the instruction that he was to be authoritarian, relentless, and premature in judgement. The man was mild-looking, appeared shy, and yet put on a magnificent performance. Or so we thought. After the play, he was being congratulated by his peers and by us. He seemed bewildered and stammered, "But that's what I always do on the bench." We were stunned

and embarrassed. We drifted away. We held a staff meeting after the role-playing episode, which was our custom, and it was not marked by the usual facetious banter. At the time, I felt that an individual with meager resources might have been irreparably damaged and had some silent doubts about my professional competence and responsibility. I was relieved to see him show up the next morning wearing a confident face.

As I think back to these and other experiences, perhaps the most overwhelming memory is that of exposure to an infinite variety of human types. At one extreme, I recall a highly sophisticated, dedicated lawyer who was in his judicial post by appointment and intended to make this work his life career. This he has done and his performance is magnificent. There are few for whom I have more respect and affection. At the other extreme, I see the judge who was a senile retired minister who was incapable of helping himself or anyone else. Many of the intervening types are characterized by mammoth role confusion. Some people, including juvenile court judges, think of the juvenile court judge as occupying the lowest rung on the judiciary ladder. Some of the judges see themselves as social workers in thin disguise, but the trained social workers will not accept them as professional companions. On the other hand, some juvenile court judges attempt futilely to identify with other kinds of judges. These other judges frequently, and not without reason, regard them as incompetent social workers who with saccharine emotions saturate their courts and communities. The slogan shifts from "Laugh, clown, laugh!" to "Cry, all ye present, cry!" and the bailiff mops up with a generous supply of Kleenex. Then there are those who attempt the "in loco parentis" function. In one visit to a court, I saw a lall, stern, distinguished-looking judge in his sixties, and with a Boston accent, attempt in 15 minutes to be the father of an 11-year-old urchin from the slums that he had never seen before. Were I to choose a paradigm of total failure in communication of ideas or feelings, this scene wins without any contenders in sight. As many of us

have discovered, it is difficult enough to feel like parents with the children of whom we are parents. In another excruciatingly painful scene I witnessed a black-robed, middle-class young adult attempt in a few minutes to be a father to an underprivileged, defiant fourteen-year-old boy from another cultural world, with his prostitute mother slouching behind him chewing gum, and the unidentifiable father absent.

This citation of individual scenes and types could go on and on, but to what purpose. I have tried to be anecdotal, but it is extremely difficult for a philosopher to perform this job authentically. I empathize intensely with many of these judges, some of whom I have alluded to in this essay. They are given tremendous power and do not know what to do with it. They frequently choose or inherit staff members who are professionally qualified, but the judges do not know how to use their talents. Do not forget that some, indeed a significantly statistical portion, of the judges remain in their positions by reappointments and election decade after decade after decade. In this intolerable situation, some of them do what most of us would do. They become extremely authoritarian, dictatorial, and autocratic, about as good a defense as one can muster against the inescapable fact of inadequacy. I have reacted, probably over-reacted, to this phase of the story, and it is only one phase. Nonetheless, one of my persisting reactions is anger toward a society, of which I am a part, that could create and sustain such a bleak condition.

It is not necessary, fortunately, to end on such a somber note. The National Council of Juvenile Court Judges did ask for and undergo a three-year training grant. What are the consequences of this program? The research design was prepared and executed by the Social Science Institute of George Washington University. It is gratifying to report that constructive changes are being made in several areas of the country. But we have a long way to go. When I say "we", I am not referring exclusively, or even predominantly,

to juvenile court judges and their staffs. I am referring to any of us who have contact with and potential influence upon boys and girls, and that includes most of us. Observe that I do not say "culturally deprived" or "educationally disadvantaged" boys and girls. These are our middle-class slogans, and not infrequently the deprived and disadvantaged are our own products.

Probably as many people today have strong opinions on what is wrong with the younger generation as on the familiar question of whether Red China should enter the United Nations. In the midst of these formidable experts, I want to make a few comments that are the joint outcome of my work described above with juvenile court systems and my professional activities in institutions of higher learning.

I suggest that the "lecture-sponge" model of counselling is highly ineffective with young people. That blight upon our culture, the quiz programs, stimulated the dissemination of this view of learning. The tragedy of the Van Doren episode is not that his memory turned out to be finite, nor the pathos of a crippled life. The tragedy was and is that for many people the ability to recall items upon stimulation is the paradigm of education. Pavlov's dogs learned to salivate upon the ringing of a bell, but happily were not given diplomas.

The transmission theory of learning, the model that John Locke had of the mind as a tabula rasa, a blank tablet upon which marks are to be inscribed, is grossly ineffective. An indispensable condition for the teaching-learning transaction is empathic understanding.

Perhaps you have seen or certainly read about the young people on Calhoun Street above the University of Cincinnati. Some of them have long hair, some are dirty, and some apparently are taking drugs. And the drugs that some of them apparently are taking are not the socially and legally sanctioned ones that we and our friends partake of in Southern Ohio.

Some of the reactions to these boys and girls have a distinct ring of hysteria, even though they be uttered by councilmen. One even begins to wonder who needs help the most. Surely we need to understand, if we can, the environmental conditions out of which appear daily the thousands of boys and girls in our juvenile courts. Possibly this understanding will assist those (who are so inclined) to help.

More generally, what I think some of us need to do is to be less well-adjusted. The "well-adjusted" man is stereotyped and homogenized. He, in his hollowness, security, and rigidity, is comfortable in an uncreative society. We need to permit, if not encourage, idiosyncratic individuals and organizations. This club is such an organization. There are many young people around us with creative feelings and ideas. They make the conformists vine omf or table. We must learn to understand what they are feeling and saying if we wish to be helpful to them and to ourselves. It will be a start, if we somehow can allow them as much individuality and eccentricity as we indulge in ourselves.

Campbell Crockett

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