

scriptions of legal institutions and procedures address fundamental questions concerning the rule of law and the causes and control of criminal behavior.

The sociology of the urban poor was developed through many of the landmark research efforts of this period.<sup>155</sup> Some of the immediate concerns of that time have passed, but the attention to the roots of crime and the connection between poverty, race, substance abuse and addiction, social deprivation, and crime is still relevant.<sup>156</sup> In accordance with the philosophical inclinations of the Progressives, much attention was paid to the poor, to racial issues, and to the study of urban blight and crime. Yet these reports are also very much of their times. Law enforcement and the control of crime were seen in terms of the control of the poor and the inferior classes.<sup>157</sup> The metaphors of disease and infection appear time and again.

The volatile politics of the labor movement in Chicago influenced the national progressive movement and encouraged the establishment of social service institutions and the ethnically-based community service organizations, such as the exemplary Hull House. In the arts and in the public discourse generally,<sup>158</sup> there was an out-

<sup>155</sup> See, for example, the titles of the publications of the Chicago School of Sociology and the description of the development of sociology as a discipline in MARTIN BULMER, *THE CHICAGO SCHOOL OF SOCIOLOGY: INSTITUTIONALIZATION, DIVERSITY, AND THE RISE OF SOCIOLOGICAL RESEARCH* (1984).

<sup>156</sup> A Bibliography on 'The Science of Criminology' compiled by Thorstein Sellin, editor, and published in November 1927, included 779 citations of publications, including 89 citations to publication on the subject of the police. See *The Science of Criminology* 18 J. CRIM. L. & CRIMINOLOGY 451, 451-84 (1927). Thorstein Sellin, an editor of the Journal, was at the time an Assistant Professor of Sociology at the University of Pennsylvania. *Id.*

<sup>157</sup> Monkkonen notes:

In the nineteenth century, the police acted as agents of class management, a variety of behavior that came under attack from reformers in the 1890's and that ended in World War I. The class that the police managed has, linguistically at least, disappeared—the "dangerous class." A descriptive term used throughout the last half of the nineteenth century, the "dangerous class" appropriately delineated for the larger society the faceless mass of people who made up the nation's paupers, tramps, and criminals.

Monkkonen, *supra* note 1, at 87.

<sup>158</sup> See CARL S. SMITH, *CHICAGO AND THE AMERICAN LITERARY IMAGINATION, 1880-1920*, 3 (1884). "Those who wrote about Chicago included several figures—such as Hamlin Garland, Theodore Dreiser, Henry Blake Fuller, Robert Herrick, Frank Norris, Carl Sandburg, Sherwood Anderson, and Willa Cather—who were central to the development of American literature." Smith elaborates:

This singing flame of city, this all America, this poet in chaps and buckskin, this rude raw Titan, this Burns of a city! By its shimmering lake it lay, a king of shreds and patches, a maundering yokel with an epic in its mouth, a tramp, a hobo among cities, with the grip of Caesar in its mand,

pouring of social philosophy, commentary on social conditions, and much discussion of the prevalence and intractable character of urban poverty and the associations between poverty, homelessness, idle and unemployed youth, and crime.<sup>159</sup>

This work, whose purpose was at the time to persuade academics and policymakers to address the conditions of criminality, is now valuable for its perspective on the times and those conditions, and as a corrective to our preconceptions about the lack of sophistication in that generation's analysis of social problems. Children, especially "juvenile delinquents" and poor and abandoned children, were the subject of much serious study and public concern, as evidenced by the founding of the first juvenile court in the world in Chicago in 1899.<sup>160</sup> The creation of wealth and large private fortunes, and the establishment of a proud, literate, and civic-minded middle class encouraged an atmosphere where popular culture flourished, much of it explicitly reformist or with an edge of social commentary.<sup>161</sup>

Heavily influenced by German, British, and Italian scholarship, the study of homicide and criminology generally developed and became quantitative and systematic, and the recording of statistical information on a local, state, and national level became institutional-

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the dramatic force of Euripides in its soul. A very bard of a city this, singing of high deeps and high hopes, its heavy brogans buried deep in the mire of circumstance.

*Id.* at 5 (quoting THEODORE DREISER, *THE TITAN* (1914)).

<sup>159</sup> Delinquency characterized certain neighborhoods. As new immigrants poured into such neighborhoods; their delinquency rates were high; as they moved into better neighborhoods, the delinquency rates fell, while high delinquency rates characterized the new ethnic groups that replaced them." Haller, *supra* note 75, at xiii.

<sup>160</sup> The Centennial of the founding of the Children's Court was celebrated in 1998–1999 with a lecture series sponsored by Northwestern University School of Law Children and Family Justice Center and Legal Clinic and the Child Law Center of Loyola University Chicago School of Law. Among others, the speakers included: Marian Wright Edelman, founder and President of the Children's Defense Fund; Claude Brown, author of *MANCHILD IN THE PROMISED LAND*; Gita Sereny, author of *CRIES UNHEARD: WHY CHILDREN KILL: THE STORY OF MARY BELL*; and Professor Cornel West, Department of Religion, Harvard University.

<sup>161</sup> Examples which themselves in some cases had an effect upon the conditions they criticized include: UPTON SINCLAIR, *THE JUNGLE* (1906) (revealing details about the meat-packing industry, which spurred President Roosevelt to order a national investigation and the enactment of federal legislation); FRANK NORRIS, *THE PIT* (1903) (regarding speculation on the floor of the Chicago Board of Trade); DREISER, *supra* note 158 (focusing on a central figure, a self-made capitalist and financier, who takes on many of the details of the life of the actual financier Charles Yerkes, prominent at the end of the century in ownership of Chicago's streetcars and elevated railways); and many others. See e.g. SMITH, *supra* note 158, at 57–98 (with illustrations).