

序 言

中美学者于1986年5月和1987年6月，先后在美国圣迭戈大学法学院和中国烟台大学法律系，举行了两次关于青少年犯罪问题的学术讨论会。

第一次讨论会是在1986年5月26日至6月2日在美国举行的。参加这次会议的中国法学会专家代表团由烟台大学副校长杨春洗教授（团长）、北京市关心青少年教育学会副会长王洛生、司法部预防犯罪与劳动改造研究所副所长项钟愚、中国政法大学青少年犯罪研究室主任、副研究员郭翔、中国法学会研究部调研处处长甘功仁和华东政法学院教师陈锦亚（兼翻译）等组成。美方参加会议的是：圣迭戈大学法学院院长希尔顿·克朗兹教授（团长）、明尼苏达大学法学院贝利·菲尔德教授、波士顿大学法学院桑福德·福克斯教授、圣迭戈大学法学院约翰·罗奇教授等。此外还有美国其他大学和墨西哥的一些著名法学家、人文学家和教授听取了双方的论文报告。

会议期间，双方代表宣读了各自的论文，进行了讨论，交流了学术资料。中方代表应邀参观了圣迭戈中学、少年法院、少年监管中心、社会教养设施，同法官、教师、社会工作者、学生、违法青少年进行了座谈。代表团还访问了墨西哥梯瓦那城的法庭、少年监狱。《洛杉矶时报》、当地电视台对会议情况作了较详细报道。

第二次会议于1987年6月26日至29日在烟台大学举行，由中国法学会主持。中国法学会常务副会长朱剑明以及山东省和烟台

市有关领导出席了会议。中方代表有来自全国各地的专家、学者40余人。在会上宣读论文的有烟台大学杨春洗教授、北京大学法律系储槐植副教授、西北政法学院法学所张少侠副研究员、北京朝阳区工读学校刘瑞峰校长、烟台大学杨殿升副教授、华东政法学院徐建副教授；美方代表在会上宣读论文的有圣迭戈大学法学院克朗兹教授、明尼苏达大学法学院菲尔德教授和利维教授、波士顿大学法学院福克斯教授、圣迭戈高级法院约瑟夫法官以及圣迭戈少年法院首席法官朱迪斯·D·麦克耐尔女士。

参加烟台会议的美方代表于6月22日到达北京。他们在京期间受到中国法学会领导的会见，并参观了北京的监狱和朝阳区工读学校。在烟台期间美方代表旁听了芝罘区法院对一名少年犯的开庭审判。烟台会议结束后，美方代表由华东政法学院院长史焕章陪同在上海进行了为期两天的学术访问活动。《中国日报》、《中国法制报》、《大众日报》、香港《大公报》、《文汇报》、《烟台日报》和电视台等作了大量报道。

在两次会议上美方代表对中国“综合治理”青少年犯罪的理论与实践十分关注。我国的“综合治理”，即动员全社会的力量，运用司法、行政、教育、经济、福利等多种手段来治理青少年违法犯罪。特别是以“教育预防”为目的，通过缩小司法干预，扩大社会教育，以社会帮教、工读教育、人民调解等形式加强对青少年违法犯罪的早期干预，在劳改工作中贯彻“教育、感化、挽救”的政策，有效地控制青少年的犯罪率和重新犯罪率，都给美方朋友留下了很深的印象。美国专家认为，中国把犯错误的学生送到工读学校，针对其小小的违法倾向，抓紧教育挽救，避免犯大罪，经过劳动和学习，他们还可以升学、就业，这是很明智的做法。上诉法院华莱斯法官讲，他去年访问中国时最重要的体会 有两点：一是人民调解，二是对犯罪青少年的教育挽救。他说，中国人很聪明，分布在广大城乡的人民调解委员会，通过非诉讼程序

把许多民间的矛盾和纠纷解决了，避免和减少了犯罪，这是了不起的经验。圣迭戈市法律中心社区调解规划负责人霍尔斯特姆过去曾经访问过中国，在中国学习了调解制度，正在圣迭戈市主持调解工作的试验。她说，如果获得成就，要归功于中国。他们认为，中国稳定的家庭起到了减少青少年犯罪的中心作用。相比之下，美国的家庭大约有50%以上解体，这是青少年犯罪增加的重要因素。有的美国学者提出，在美国需要强化家庭关系，但又无能为力。中国《上海市青少年保护条例》的制定，也引起了美国朋友的极大兴趣。该《条例》在1987年4月由上海市八届人大全体会议原则通过，现已正式公布。中方代表徐建副教授介绍说，该《条例》的指导思想是：积极保护——保护青少年与保护整个社会相统一；分工负责——部门负责与社会整体负责相统一；综合治理——治标与治本，预防与治理相统一。该《条例》系统地规定了青少年保护机构、国家机关保护、家庭保护、学校保护、社会保护、青少年自我保护、对女青年和有生理缺陷的青少年的特殊保护，以及控告、检举与违反条例的处理方法。美国朋友围绕这一条例，就青少年保护机构、青少年保护的基本力量和基本内容，以及中国是否设置少年法院等问题做了详细询问。他们对《条例》着眼于教育保护（而不是惩罚）青少年表示赞赏。

在会议内外，美国代表并不隐讳美国青少年犯罪的严重性。多纳·圣克雷姆博士在发言中讲到，美国现有10—18岁的青少年三千二百万人，每年约有4%左右的人因违法犯罪而在少年法院受审。据圣迭戈市少年监管中心负责人介绍，该市10—17岁的青少年有二十一万三千人，约有8%的人即一万五千到一万六千人犯罪。

美国青少年犯罪案件最多的是侵犯财产的盗窃和抢劫犯罪。此外是性犯罪（强奸）、暴力犯罪（凶杀、伤害）等。美方代表讲，他们最棘手的是青少年吸毒和逃学。根据加州调查材料，初

中一年级学生就有三分之一的人吸过毒（一次或一次以上）。到初三，就有四分之三的人吸过毒，吸毒成瘾者占青少年四分之一。吸毒不仅助长了贩卖毒品的犯罪活动，而且导致了抢劫、盗窃、卖淫等犯罪活动的增加。

美国法律规定，每个学生必须读书到十八岁。但许多学生对学习感到厌烦，又为社会上形形色色的东西所吸引，经常完不成作业。有20%的学生逃学、流浪街头，称之为街头不良少年。据统计，美国大约有一百万儿童逃夜。其中有许多孩子长久逃夜，甚至组成逃夜集团。由于他们生活无着，便去偷、抢、贩毒、卖淫等，进行各种违法犯罪活动。

关于青少年犯罪的原因，会议上也作了初步探讨。明尼苏达大学法学院菲尔德教授说：“中国注重对不良青少年进行道德教育、改造，这与美国的作法明显不同。他们对教育自己的人民颇具信心，而在我们国家里，无论成年人或青少年都过于强调个人主义和个人权利，都没有稳定的文化价值观。”美方代表还认为，家庭不稳定，家庭对孩子的虐待，包括性虐待，是孩子逃学、逃夜，走向违法犯罪的重要原因。在逃夜儿童中，约有50%是出自不稳定家庭或离婚后重新组合的家庭中的孩子。几位专家都谈到，美国的家庭失去了防止青少年犯罪的中心作用。

美国著名的人文学家纽约大学教授阿金斯基博士在第一次会议上发表了演说。他特别强调文化环境对青少年成长的影响。他说，中美两国各有各的文化传统。他通过对世界五十个国家的调查发现，各国的孩子之间有惊人的相似之处。他提出了“空房文化”的命题。他认为“空房文化”，即父亲或母亲在外工作，不在家，孩子在家里会遇到各种各样的问题。这种文化环境对孩子成长非常不利。他说，空房文化在某些国家还是个潜在问题。因此，要完善文化环境，减少不良文化对青少年身心健康的影响。

美国是最早制定青少年法和建立青少年司法制度的

国家，他们在青少年司法制度和法律措施方面的某些措施和经验，是值得我们研究和借鉴的。在两次会议上，美国少年法院的运行机制受到了中方代表的特别注目。美国少年法院是高级法院中民事和刑事法院之外的特别法院的一种。它审理的案件主要有三种类型，即少年犯罪案件、抚养案件（未成年人被其父母或其他监护人虐待、性折磨或遗弃的案件）、亲权的终止和收养案件。因而其职能是多方面的。法官在处理案件时有多种矫正措施选择适用。如对少年犯罪案件，可以将少年犯遣送回家，由其父母监管；或者为少年犯规定一个有条件的考察期；或者将少年犯迁出自己的家庭而安置于法官认为有利于该少年身心健康的其他地方；或者将少年犯监禁于某种特别监狱等等。对少年抚养案件，则可以指令孩子的父母接受某种心理指导；或者从法律上使受害的未成年人脱离其家庭。美国少年法院设置的目的，一是保护未成年人，使其免受其父母或其他监护人的侵害；二是设法消除促使未成年人违法犯罪的种种因素。为此，不论在少年犯罪案件还是在少年抚养案件中，少年法院的任务都是为有关的未成年人提供特殊的保护。少年法院不实行陪审制度，其诉讼活动不对社会公开。对少年犯的审判不是为了惩罚，而是为了使其“痛改前非，重新做人”，因而对改造较好的少年就不再保留刑事犯罪记录。

美国法学界对少年法院的作用和前途的评价有很大分歧。在前来参加烟台会议的6名美国代表中就有两种观点。他们大部分认为少年法院在矫正、保护少年犯和受害青年方面是有成效的，它是在履行“改造人”这一重要使命。而波士顿大学法学院的福克斯教授却认为，从历史上看，少年法院的产生并不是基于显而易见的社会需要；从现实看，少年法院在法律内容上适用的是与普通刑事法院所适用的同一的实体刑法；在程序上适用的是与普通刑事法院所适用的相仿的诉讼程序，而且也在逐步贯彻“罪行

相适应”的原则，也就是说，少年法院中适用的原则、法律和遵循的程序都不是专为未成年人制定的。这就使人们对少年法院是否有必要作为一个特别法院存在下去发生怀疑。而且事实上，未成年人犯重罪的已经在普通刑事法院里受审。因此他预言，已有百年历史的美国少年法院将会“寿终正寝”。

美国学校的早期干预和某些教育保护措施也是值得我们研究的问题。为了了解美国学校的早期干预、教育防范性措施，在第一次会议期间我们参观了圣迭戈中学，同师生进行了交谈。为了防范青少年犯罪，美国学校的早期干预和教育保护性措施有：

1、实行教师指导员制度。在圣迭戈市的中学平均每400个学生设一个指导员，负责对孩子进行个别辅导和咨询，从逃学到自杀都要管。

2、经常进行不吸毒教育和性知识教育。该校的做法是：在初中一年级集中五天时间进行上述教育。方式多种多样，可以正面讲吸毒和乱搞两性关系的危害，也可以回答学生提出的问题。学校当局说，初中一年级学生正是12—13岁的孩子，对他们必须及时进行教育；如果到初中二年级进行教育就晚了。性知识的教育，早在小学五、六年级就进行了，不过是初步的、温和的。加州法律规定，父母要配合学校对孩子进行性教育。到八年级要用八九天的时间再次进行教育。到九年级还要进行性知识教育。在八年级是男女分班进行；九年级，男女合班进行。

3、为生孩子的女生提供帮助，使其继续就读。由于性解放的影响，中学生乱搞两性关系的现象十分严重，有的十五六岁的女生就已是两个孩子的母亲了。可是州法律规定，学生在校读书必须到十八岁。为了使不满十八岁而生了孩子的女生继续就读，学校每年提供一定的补贴，请人照管幼儿，条件是该生必须保证继续在校读书。加州有三千多所中学，其中有53所学校提供这种帮助。他们认为，如果不提供这种帮助，生了孩子的学生可能流浪

街头，情况会更糟。

4、建立报到卡片制度，防止学生逃学。一旦逃学，学校要求在逃学一小时内将其找回，避免发生意外。寻找逃学学生时，学校一方面和家长取得联系，另方面和警察取得联系。必要时，可以请求警察协助。如果学生提出保证到校，警察可以不采取措施。如果该生经常逃学，警察可以非正式拘留，也可以正式拘留，直至提交少年法院处理。

鉴于家庭解体从而失去了防止青少年犯罪的中心作用，美国十分重视学校这道防线的作用。据学校当局讲，这种早期干预、教育保护性措施，对避免和减少学生犯罪是有效的。

在会议内外，美方代表向中方代表经常提到一些问题，中方代表都在论文中或平时交谈中一一作了回答，美方代表感到满意，有些问题，他们还希望作进一步探讨。

总的来看，两次会议都是较为成功的，是有收获的，不仅增进了中美两国人民之间的友谊和相互了解，也增进和发展的两国法学界的相互了解，交流了学术观点，宣传了中国的经验，同时双方还就今后建立联系交换了意见。

经过这两次会议，我们进一步体会到青少年犯罪问题不只是一个国家的问题，而是一个世界性的问题。我们一方面需要进一步加强对我国青少年的犯罪和治理对策的研究，认真总结我们的成功经验，诸如综合治理、早期预防、对犯罪青少年教育挽救以及调解等措施。这些问题已经引起国外法学界的普遍重视，他们正在加强对我国这些经验的研究和借鉴。另一方面，要进一步了解外国青少年犯罪的情况和治理对策，扩大与加强国际间的学术交流。我们把两次会议的论文汇集成册，并把中英文本同时发表，目的就在于此。

编 者

一九八七年十月

PREFACE

Two bilateral academic conferences on juvenile delinquency were held by Chinese and American scholars, one in the Law School of San Diego University, U. S. A. in May, 1986 and the other at the Law Department of Yantai University, P. R. C. in June 1987.

The first conference was held in the U. S. A. from May 26 to June 2, 1986, attended by, on the Chinese side, Professor Yang Chunxi, vice-president of Yantai University and head of the Expert Delegation of China Law Society, Mr. Wang Luosheng, deputy president of Care for Juvenile Education Association in Beijing, Mr. Xiang Zhongyu, deputy director of the Research Institute on Crime Prevention and Reform through Labour under the Ministry of Justice PRC, Mr. Guo Xiang, associate research fellow and director of Juvenile Delinquency Research Office of China University of Political Science and Law, Mr. Gan Gongren, director of the Investigation and Research Department of the Research Office of China Law Society and Mr. Chen Jinya (as the interpreter), teacher of the East China Institute of Political Science and Law. American scholars present at the conference were Professor Sheldon Krantz (as head of the American Delegation), dean of the Law School of San Diego University, Professor Barry Feld of the University of Minnesota, Professor Sanford J. Fox of Boston Collego Law School, Professor John Lodge of the Law School of San Diego University. Other famous jurists and experts

in human studies from other American universities and Mexico listened to the reports delivered by the Chinese and American scholars.

At the conference, the Chinese and American scholars read their papers, had wide-ranging discussions and exchanged academic information. The Chinese Delegation was invited to visit San Diego High School, juvenile courts, a Juvenile Supervision Center, and Social Rehabilitation Institutes in San Diego. The Chinese scholars held free talks with judges, teachers, social workers, students and juvenile delinquents. The Chinese Delegation also paid a visit to the courts and youth prisons in Tijuana, Mexico. The activities of the Chinese Delegation were reported in detail in Los Angeles Times and by local TV stations.

The second bilateral conference presided over by China Law Society took place in Yantai University, P. R. C. from June 26 to 29, 1987. Present at the conference were Mr. Zhu Jianming, standing deputy president of China Law Society and other high officials concerned from the governments of both Shandong Province and Yantai City. Over forty Chinese experts and scholars from various places all over China attended the conference. Six of them read their papers, namely Professor Yang Chunxi of Yantai University, Associate Professor Chu Huaizhi of the Law School of Beijing University, Associate Professor Zhang Shaoxia of the North-west Institute of Political Science and Law, Mr. Liu Ruifeng, headmaster of the Work-study School of Chaoyang District of Beijing, Associate Professor Yang Diansheng of Yantai University and Associate Professor Xu Jian of the East China Institute of Political Science and Law. The American Expert Delegation consisted of six members all of whom presented papers at the

conference, Professor Sheldon Krantz of the Law School of San Diego University, Professor Robert J. Levy and Professor Barry Feld of the University of Minnesota, Professor Sanford J. Fox of Boston College Law School, Judge Anthony C. Joseph of the Superior Court of San Diego County, California and Mrs Judith D. McConnell, Presiding Judge of the Juvenile Court of San Diego County, California.

The American Expert Delegation arrived in Beijing four days before they attended the Yantai Conference. Members of the delegation were met in Beijing by the leaders of China Law Society and visited prisons and the Work-study School of Chaoyang District of Beijing. During their stay in Yantai, the American scholars were invited to share the bench with judges hearing a juvenile delinquent case in the Basic People's Court of Zhifu District. After the Yantai Conference, the American Scholars paid a two-day academic visit to Shanghai, accompanied by Shi Huanzhang, President of the East China Institute of Political Science and Law. News about the Yantai Conference occupied much space in China Daily, Zhongguo Fazhi Bao, Dazhong Daily, Da Gong Bao and Wen Hui Bao in Hongkong, Yantai Daily and reported by TV stations.

At the two bilateral conferences, the American scholars attached much of their attention to the theory and practice of the comprehensive treatment for juvenile delinquents in China. China's comprehensive treatment is of such a policy as involves various measures in judicature, administration, education, economics and social welfare to control and prevent juvenile delinquency on the basis of mobilizing all social forces. The American scholars were deeply impressed by China's effective control and prevention of juvenile delinquency by adopting the policy aimed at edu-

cation and prevention, limiting judicial intervening, expanding social education, early preventing juvenile delinquency through social help and education, work-study school and people's mediation and implementing the policy of education, persuasion and redemption in the reform of juvenile delinquents through labour. In China, it is a wise approach, according to American scholars' opinion, to send the erring students to work-study school. They can go to school of a higher grade or obtain employment when they finish work-study school. Because of prompt education and redemption of those students who have the tendency to violate the law, serious crimes are avoided. Judge Clifford Wallace of the United States Court of Appeal once expressed his impression of China. What impressed him most during his visit to China last year were two things; people's mediation and the education and redemption of juvenile delinquents. It is very clever of the Chinese and an amazing experiment, according to Wallace, that crimes have been avoided or reduced because the people's mediation commissions spreading all over the country have settled a great number of neighbourhood contradictions and issues by non-judicial procedure. Carol Rogoff Hallstrom, executive director of Community Mediation Programs of the San Diego Law Center, who once visited China, said that she was carrying out an experiment with the mediation system learned from China in San Diego and if the experiment proved successful, the success should be attributed to China. American scholars believe that stable families in China play an important role in the reduction of juvenile delinquency while in the United States fifty per cent of the families have been broken. This is an important factor that is responsible for the increase of juvenile delinquency. In America, as some American scholars pointed out,

they prove helpless in consolidating family relation although it is very important to the country. Besides, the enactment of Regulations of Juvenile Protection in Shanghai (hereafter refers to the Regulations) which was adopted at the People's Congress of Shanghai and now has been promulgated, aroused the great interest of the American scholars. Mr. Xu Jian, associate professor and one of the members of the Expert Delegation of China, clarified the guiding ideology reflected in the Regulations: (1) Active protection—unity of protection of the juvenile and the protection of the whole society, (2) Division of work—unity of department responsibility and social responsibility, (3) Comprehensive treatment—unity of intensive control and extensive control, prevention and correction. It stipulates in a systematic way the juvenile protective agencies, protection of State organs, the family protection, the school protection, the social protection, self-protection of the juveniles, the special protection of girls and physically disabled juveniles and methods dealing with charging, exposing and punishing of violators of the Regulations. American scholars expressed appreciation for the focus of the Regulations on the protection and education (not punishment) of juvenile delinquents. Then, they raise some questions about the protective agencies, the basic forces and contents of juvenile protection and whether juvenile court would be set up in China etc.

During the two bilateral conferences, the American scholars didn't avoid mentioning the serious problem with juvenile delinquency in their country. The total of the juveniles aged between ten and eighteen in the United States, according to Donna D. Schram's speech, is thirty-two millions, and about four per cent of juveniles are tried in courts each

year because of violation of laws and committing crimes. A director of San Diego Supervision Center told us that there are two hundred and thirteen thousand juveniles aged between ten and seventeen in San Diego and about eight per cent of them, i. e., fifteen or sixteen thousand juveniles are tried in courts each year for the crimes they committed.

Theft and robbery infringing upon other's property comprise most proportion of all juvenile crimes in the United States. Besides, sexual assault(rape), crimes with violence (murder, injury) etc. are also very serious problems in the United States. According to the American scholars, they are haunted by the knotty problems with drug-taking and truanting of juveniles. The statistics announced in California indicates that one third of the junior students in grade one have taken drugs(once or more) and the number becomes three fourths in grade three. One fourth of the juveniles are drug addictives. Drug-taking has not only encouraged drug offences but also led to the increase in crimes of robbery, theft and harlotry etc.

According to American law, the young must receive education until eighteen. But many students, influenced by unhealthy tendencies of every hue of the society are tired of going to school, often don't finish their assignments. Twenty per cent of the students truant from school and roam about in the street, who are called "delinquents in the street." According to the statistics, about one million of children flee from home at night, many of them have fallen into the habit of fleeing from home and they often flee in groups. In order to earn their own living, they commit various crimes such as theft, robbery, drug offences and harlotry etc.

Reasons of juvenile delinquency have also been

discussed at the conferences. "The Chinese's focus on the moral redemption of youngsters who have taken the wrong path is a marked contrast to American practice," said Mr Feld at the first bilateral conference, professor of law of the University of Minnesota, "They have a much greater confidence in what they're trying to produce in their people. We in this country have an extraordinary emphasis on individualism and the rights of individuals, both adults and juveniles, and an insecurity about our cultural values." The American scholars believe that the unstability of the family and the maltreat (including sexually-molesting) of children by the family members are responsible for truanting and running away from home at night. About fifty per cent of the children running from home at night are from unstable families or realigned families after divorce. According to some of the American scholars, the traditional social compact that undergirds family-centered values has been upset.

B. W. Aginsky, famous social scientist of New York University, emphasized in his speech at the first bilateral conference the effect of the cultural environment on the development of juveniles. He has come to the conclusion from investigation into fifty countries that there is surpring similarity among the children of each country. According to the proposition of empty-house culture put forward by Mr. Aginsky, in which the children will come accross various problems because of their parents' working away from home, empty-house culture is detrimental to the development of children though it is only a potential problem in some countries. Nevertheless, Mr Aginsky thought it an urgent task to improve cultural environment and prevent juveniles from being physically injured and mentally

affected by the harmful culture.

The United States was the first in the world to enact the juvenile protection law and institute juvenile justice systems. There are some results in their juvenile justice systems and some experiences in taking legal measures that are worth studying and we can make use of. At the two bilateral conferences, the working mechanism of juvenile court of the United States is spectacular to the Chinese scholars. In the United States, Superior Courts include, in addition to civil and criminal trial courts, a series of specialized courts and juvenile court is one of them. There are three main types of cases handled by juvenile court: delinquency, dependency (cases are those in which a child has been abused, sexually molested or neglected by their parents or other care-takers) and termination of parental rights and adoption. Because of manifold functions of juvenile court, juvenile court judges have a great deal of flexibility in choosing from a broad range of sanctions and treatment programs. For example, in delinquency cases, the judge may decide to send the child home to be supervised by their parents, or order formal probation with some requirements, or remove the delinquent offender from their home and place them where the judge believes the situation will be better for child's behavior, or for the most severe offenders, the judge can place the delinquent in a special youth prison etc. In dependency cases, the Court usually orders that the parents undergo some kind of psychological counseling or the judge may decide to remove the harmed child from the family legally. The basic philosophy of juvenile court is to attempt to protect children, either from their parents or guardians, or to solve problems that may have caused children to perform criminal actions. For this

reason, juvenile court provides special protection for all children that come before it, both in delinquency and dependency cases. Juries are not used in juvenile court and court proceedings are closed to the public. The purpose in all delinquency cases is to reform, rehabilitate them rather than to punish them. For this reason, juvenile delinquents who have reformed themselves do not acquire a permanent criminal record.

There is an obvious divergency in the American legal circle with regard to the role and future of juvenile court. The six American scholars present at the Yantai Conference have two sharply contrasting viewpoints concerning these questions. Most of them believe that juvenile court has achieved remarkable success in rehabilitation of juvenile delinquents and protection of harmed children and is attempting to meet an important purpose to rehabilitate people. On the contrary, Professor Fox of Boston College Law School thinks that the creation of juvenile court, historically, served not perceived need. As a matter of fact, the penal law enforced in the juvenile court is the same body of prohibitions applied in the criminal courts and also juvenile courts in the United States follow much the same procedures as criminal courts follow in the trial of criminal cases. Besides, juvenile courts come to apply the principle of proportionality. That is to say, neither legal principle and the law that are applied nor the procedures that are followed in juvenile court are unique for children. Whether there is presently a need for a specialized court is questionable. In fact, serious juvenile offenders have been tried in criminal courts. Mr. Fox predicts, therefore, that the century of the juvenile court in America may be drawing to a close.