
Youth Truth



Official 'Zine of Americans for a Society Free from Age Restrictions www.asfar.org

Volume 2, Issue 2 March/April 2001

Crime and Punishment

Lisa Freeman

Actions have consequences. Our laws forbid people from performing certain actions like theft or assault, and impose legal sanctions. Our laws also limit what the consequences of our actions may be, by providing due process procedures, forbidding vigilantism, and prohibiting “cruel and unusual” punishment.

Like all citizens, children in America must obey all the laws that apply to adults—plus several more that don’t—and are subject to legal punishment if they do not. In 1997, over 2,800,000 people under the age of 18 were arrested by police. Most were arrested for violent or property crimes, but a large percentage were for offenses such as “disorderly conduct” or “vagrancy”. Because of vague categories such as “liquor laws”, “offenses against family and children”, and “other offenses”, it is unclear how many could not have been arrested if they had been over 18, but the two categories of “curfew and loitering law violations” and “runaways” alone account for over 13% of these arrests.¹

About 25% of these 1997 arrests resulted in no legal action beyond a warning and release to parents; about 1% were referred to a social service agency. The others proceeded to *court intake*, from which the vast majority were referred to the juvenile court; less than 10% were transferred to the adult criminal court system.²

In ten states, if charges are filed against 17-year-olds, referral to the adult court is automatic, because juvenile court jurisdiction does not include people over the

age of 16. And in three states (Connecticut, New York, and North Carolina), the juvenile court jurisdiction does not include people over the age of 15!³ (Whether 16-year-olds in these three states who are out after curfew or run away from home are ignored by law enforcement or tried as adults for actions which are not even crimes for adults is a question worthy of further investigation!)

Most states also have *statutory exclusion* provisions for certain serious offenses which require trials in adult courts; most apply only to minors over a certain age, and some apply only if the minor has a prior record of felony convictions. Four states (Florida, Nevada, Pennsylvania, and Wisconsin) have no minimum age for exclusion from juvenile court jurisdiction for certain felony charges; five other states (Georgia, Illinois, Mississippi, New York, and Oklahoma) have set the minimum age as low as 13.⁴

Why is it preferable for a minor to get a hearing in juvenile court, instead of a trial in adult court? First, because in case of conviction, sentences imposed by adult criminal courts tend to be much longer than the average stay in a juvenile facility. Of the kids sent to juvenile detention centers, over half were released within six

months, and less than a quarter remained longer than a year.⁵ Sentences handed down by adult courts are seldom shorter than three years, for any criminal offense. And juveniles transferred to adult courts frequently receive longer sentences than adults charged with the same offenses—3½ years longer, on average (not to mention the possibility of a life sentence, or the death penalty, to which 164 juvenile offenders tried as adults have been sentenced since 1973).⁶ Although new “blended sentencing” options now available to juvenile courts can extend sentences beyond the age of majority, these options are usually applied only to violent or serious repeat offenders, for whom the sentences resulting from an adult trial might have been at least as harsh.⁷

Second, if pretrial detention is ordered by the judge, it tends to last much longer for those awaiting adult court proceedings. Half of all detained minors awaiting adult court dates were held for over two months prior to their trials; only 10% of those awaiting juvenile court dates were detained for that long.⁸

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**— CHILDREN ...
MUST OBEY ALL THE
LAWS THAT APPLY TO ADULTS
— PLUS SEVERAL MORE THAT DON'T —**

Letters

Opinions expressed may not reflect the views of ASFAR.

Products

[In response to the “teens & taxes” features at <http://www.irs.gov/>]:

They should have a section that show a 16-year-old filling out his return and a caption that says:

While Franky’s only 16 and can’t yet vote on things, we still take taxes out of his paycheck for the good of the community—the voting community, that is. The community really benefits from Franky not voting. After all, if he voted they would have to spend his tax dollars and GASP! some of *theirs* fulfilling some of *his* needs on top of all of their own. This would be disastrous for politicians, as they could no longer support ineffective cheap heavy-handed feel-good policies aimed at young people.

Thank goodness he doesn’t vote and the community can take his money and support their projects with it, while Franky is safe and sound in his little bed every night at 10, and 12 on the weekends. (After paying taxes like everyone else and supporting the same roads and everything else, Franky isn’t “mature” enough, however, to do anything after 10p/12a.) He can spend his money when the community says so, and only on the things the community gives him permission to. Taxation is like wonderful; it works out for the entire community (except, of course, Franky).
Pedro P.

Promote youth rights! In addition to ball-point pens (which will be available again as soon as we can afford to produce them), leaflets, and copies of *Youth Truth*, ASFAR has also been producing metal pin-back buttons.

Three designs are shown below (although the actual buttons are in color, and a bit larger than depicted here). There is also a plain design with slogans such as “Lower the Voting Age” and “Repeal the Curfew” along with ASFAR’s web site address.

Quantities may be limited, so inquire for availability. Inquiries may be sent to the post office box address below or to swishnets@aol.com. Suggested donation is \$1.00 for three buttons.



Button #1: White background, full-color flag.



Button #2: Light blue-grey background.



Button #3: pink background, blue designs.

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Questions regarding the electronic version may be directed to [<editor@asfar.org>](mailto:editor@asfar.org). Questions about or requests for subscriptions to the print version may be directed to [<swishnets@aol.com>](mailto:swishnets@aol.com) or to *Youth Truth*, P.O. Box 11358, Chicago, Illinois 60611-0358.

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Keep Smiling

One knows that one has hit the bottom of the creativity barrel when one has to mine hate-filled e-mail rants for writing material. However, I feel that these particular rants may actually have some relevance to our little movement, that they may actually offer something to learn: how to be an effective communicator in the face of irrational opposition.

Dealing with Hate Mail (and other forms of vitriol), or: How to annoy the hell out of people with the usage of smileys, and help the cause to boot!

So I'm checking my e-mail the other day when I come across this lovely message directed at my inbox (ah, the joys of having the much sought-after president@asfar.org email address!):

“you people are a bunch of nut jobs!!! no minimum driving age? that's the most idiotic thing I've ever heard. You people really need to get your lobotomies reversed”

To which I responded:

“Ironically, that is perhaps the least controversial and most easy-to-implement thing in the entire ASFAR platform, since there already *is* a test for driving ability.

Oh and, as to your lobotomies comment: thank you. It's comments like that which help get me through the day; nothing helps me keep hope better than someone from 'the opposition' who has to resort to ad hominem attacks, because it reminds me that we're winning the argument. So again, thanks! :-)”

Note the smiley at the end of the paragraph, for this is the key to driving one's opposition insane. So goes it in life (“meatspace”), so goes it in e-mail. Think for a moment: who comes across better to the crowd: the person with the snarl on their face, shouting things such as “You people need to get your lobotomies reversed!”, or the person with a warm smile

The President's Pen

George Justin Mallone
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and rational, caring manner, who addresses all questions from truly interested onlookers, no matter how obvious the answer or how often he hit on the point before, as though they are the most ponderous and profound question they have ever been asked, worthy of a book in their own right. Reflect on how this frustrates the opposition; they were attempting to draw you into a verbal (or written) sparring match, and then after they've got you snarling, they fling some half-true statistic or out-of-context fact your way, catching you off guard, and then running for the calm, “rational” moral high-ground while you're dazed, trying to recover from their diabolical attack.

Following my method though, it is they who are caught off-guard; banging helplessly upon the impenetrable walls of your serenity, trying anything and everything to get you to counterattack, to lower the gates and fight ad hominem to ad hominem (frequently the only level of verbal combat they grasp with any degree of proficiency), making fools of themselves, and finally, weary from their ill-fated attack, forced to retreat, shamed, as they stumble back towards the barbarian Hoard of the Non-Intellectuals, searching for easier prey.

Admittedly, as far as promotion of the movement goes, my method generally has limited utility when it comes to private e-mails (except in situations when an editor in a somewhat malevolent mood chooses to make such e-mails public for the purpose of making an example out of someone, teeheehee), but its usefulness in more public forums cannot be understated.

For, my friends, it is interesting to note how frequently the calmer, friendlier-seeming fellow will win the crowd, irrespective of the truth of his arguments. Perhaps it's biological? For I know otherwise rational people who become soft when it comes to a certain smarmy, super-corrupt politician

whose name shall go (*cough*...linton) unstated, merely because of his “sympathetic” manner when dealing with people.

A false dichotomy that often crops up in radical political circles is that we must reject not only the ideology of the opposition, but any and all methods they use to win over the public, including fundamental techniques for representing one's case effectively. The method often used by people buying into this BS is to repeat the proposition they support over and over again in a variety of different ways, and anyone who challenges them on their proposition and doesn't “get it” within a 60-second interval of “discussion” is an idiot who deserves to be chastised and shouted at, a blight on human civilization who should be ostracized and expunged from civil society if possible. This is hardly a productive way of going about things, and fuels the stereotype that people outside of the political mainstream are at best mean-spirited wackos, and at worst sociopathic “nut jobs” in need of radical forms of brain surgery.

This is not to say that you can win over everyone just by being nice. Naturally, there are some people who will persist in their mean-spirited irrationality until they die or they have an epiphany entirely unrelated to anything you'll ever write or say to them. But, even if it's a private conversation, it's still best to not descend into that murky sewer of irrationality, if only to deny them the satisfaction, and to keep your mental skills sharp. In front of others, these skills take on an epic importance: they grant you the potential to win the argument, and bring new blood into our tiny movement—the importance of which can't be understated, for each member today is a potential leader tomorrow.

Sue's Review

Susan Wishnetsky

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Nightmare upon nightmare. *An American Gulag* is the horror story of the private institutions which have come to be known as “gulag schools”, which call themselves treatment centers for “troubled teens”. The type of institution may vary, from residential boarding schools to “wilderness survival” boot camps. Many are religious in orientation, but they may be secular as well. What they generally have in common is the following:

–They are not regulated by any government agency. Some are outside of the U.S.; others sidestep regulations by joining with other, similar institutions to form regulatory associations and gaining their “accreditation” through these associations—that is, becoming self-regulated. Health and safety codes that apply to most private businesses are often unenforceable against these facilities. And self-regulation enables them to utilize “treatment” methods—severe corporal punishment, verbal harassment and humiliation techniques, prolonged restraint and isolation, forced physical labor or exertion with no required rest periods, or other inhumane tactics—which would be not be permitted in prisons or reform schools.

Students' Web Sites Winning

Some students whose personal web sites are critical of their school teachers or administrators have been prevailing in court cases, which have found the sites to be constitutionally protected as free speech, as long as they do not contain threats of violence. More on this trend can be found at <<http://www.latimes.com/news/asection/20010306/t000019818.html>>.

–They use “escorts”—burly strongmen, sometimes armed—to transport kids without warning or explanation from their school grounds, homes, or even their own beds, to the facility. The victims of such abductions may be drugged, restrained, or blindfolded during the trip.

–They use isolation to break the spirits of their charges. Newcomers are generally allowed no phone calls or visits for several months after their arrival, and may spend their first days in actual isolation rooms. Incoming and outgoing mail is intercepted by staff and routinely censored. Radios and television sets are generally not present at all. Conversations between inmates, or any speaking by inmates, may be prohibited. No outsiders are allowed in for inspections.

–Supervision is constant and privacy is denied, even in bathrooms. All personal items are usually confiscated upon arrival. Cameras or motion detectors may be used to monitor residents. Newcomers may be paired with a “buddy” who gains staff approval or privileges by watching the new arrival at all times and reporting all “misbehavior”.

Bar Association Takes Stand

The American Bar Association has approved a resolution opposing the “zero tolerance” policies adopted by many schools, calling the policies “unfair and inappropriate”. Two articles on the resolution are at <http://www.boston.com/dailyglobe2/051/nation/ABA_decries_school_zero_tolerance_.shtml> and <<http://fyi.cnn.com/virtual/editions/europe/2000/roof/change.pop/frameset.exclude.html>>.

–There is no maximum length of stay. Residents are released when they are deemed “reformed” by the school’s staff (which may mean that they are so thoroughly intimidated that they will not threaten the school by complaining about it publicly). Once parents enroll their child, they may discover that the agreement they signed is designed to impede even their own ability to get their child released.

In a rather confusing style of flashbacks, personal recollections, and occasional political and philosophical musings, *An American Gulag* tells the story of the author’s failed attempts to help her niece, placed in a Christian Fundamentalist boarding school by her mother. The author describes her attempts to visit her niece, and her own sense of peril as school staff chased her physically from the grounds and reported her to the local police for attempted kidnapping! She tells of the lawyers she hired and their helplessness and inability to fight the school, as her bank account dwindled and her own family abandoned her in the fight. And

Censorship Down Under

A bill in the South Australia Parliament would prevent their citizens from posting anything “offensive to children” anywhere on the Internet. The bill provides for fines of up to \$10,000 and permits police to arrest those they believe are in violation of the law. Naturally, the bill cannot deter “offensive” material which originates outside of the law’s jurisdiction. Details may be seen at <<http://www.theregister.co.uk/content/6/17303.html>> and <<http://australianit.news.com.au/common/storyPage/0,3811,1751598%5E501,00.html>>.

Editor's note: Content of reviewed books is not necessarily the opinion of ASFAR.

Parks, Alexia. *An American gulag : secret P.O.W. camps for teens.* Eldorado Springs, Colo. : The Education Exchange, 2000.

sprinkled throughout this personal tale are plenty of stories: memories of “survivors” of these institutions, and newspaper reports of gruesome tortures and deaths that have occasionally come to light, which probably only represent the tip of the iceberg.

Yet there are very few facts and figures, and this book did not answer even the most basic questions. How many of these schools exist in the United States? How many kids are in them? How much does it cost for a year's enrollment? Do parents pay for a specific period of enrollment, or are they billed monthly or on another basis? Do insurance companies pay for these private, unregulated “treatment programs”? Do church-run programs subsidize the enrollment of some students? Do they dispense medications, and are they required to have a licensed physician on their staff, at least?

(This occurred to me as a possible angle for fighting the schools—if drugs are dispensed improperly, whether by physicians or others.) And what happens to the “graduates” of gulag schools—do they remain permanently cowed and intimidated, or do they express anger at some point in the future, or suffer any other psychological consequences? The author was not even able to tell what happened to her own niece, since she was still bound by a restraining order preventing contact between them at the time this book was written.

I hate to criticize such an emotionally-charged, well-intentioned effort for something so trivial as spelling, but the errors in this book are so omnipresent, so glaring, and so outrageous that it truly makes this publication look like an amateur production. The trouble begins, not in the first chapter, not on the first page, but on the

cover, appropriately decorated with a barbed wire pattern and the names of various methods of torture and restraint—except that “straight jackets” and “sensory deprivation” are both misspelled. At the beginning of chapter two, the first words of the chapter are all in capital letters: “MY DECENT INTO THE UNDERWORLD...” —“decent”, instead of “descent”. Some of the typographical errors and misspellings are so extreme as to obscure the meanings of some passages. One might imagine that the author's agitation as she was writing contributed to this problem—but if she was so disturbed that she couldn't write properly, one could also speculate that she wasn't thinking straight either! Where were the proofreaders?

If *An American Gulag* has deterred any parents from sending their kids to these awful places—and it probably has—it was a worthwhile effort. But I was expecting more information, better organization, and better quality from this book.

News Links

Ritalin Required By Schools

School officials in Albany, New York recently reported two families to their local Protective Services agency, alleging that the parents' decision not to medicate their children with a drug for Attention Deficit Hyperactivity Disorder amounted to parental neglect. Other schools have threatened expulsion of children from school if they are not given the drug. More information on this trend and recently filed lawsuits to fight it appears at <http://www.wnd.com/frame/direct.asp?SITE=www.msnbc.com/news/534034.asp?bt=ms>.

New Game Regulations in the Works?

It appears that the Interactive Digital Software Association may have been working with the Federal Trade Commission to develop new, specific regulations which would limit the advertising of video and computer games in print, broadcast, and online media where certain percentages of the audience are believed to be under 17. The report, which is admittedly unconfirmed, appears at <http://www.gamecenter.com/News/Item/0,3,0-5225,00.html>.

Flaws Found in Filters

According to *Consumer Reports* testing, internet filter programs intended to prevent access to “objectionable material” do a poor job, allowing access to many sites with x-rated or violent content, but blocking many inoffensive sites. America Online's parental controls, critiqued in two previous issues of *Youth Truth*, received the *highest* rating. More details may be seen at <http://www.usatoday.com/life/cyber/tech/2001-02-15-filter.htm>.

Editorial

Editor's note: Opinions expressed may not represent the views of ASFAR.

Downward Spiral Into a Dictatorship

*Cole Munson
ASFAR Member*

My town's curfew should be abolished. Curfews put a huge restriction on freedom. Just because other towns have curfews, doesn't mean that the law is in the right or that my town should blindly follow suit. The law doesn't do anything for the juvenile crime rate and it is completely unconstitutional.

Why should we get rid of the curfew? Why should good kids, doing nothing more than hanging out, be prosecuted? Laws like this, that defecate on the very principles of freedom, will lead to a future with far fewer choices, a life where everything is already planned out for you because nothing else is allowed. The law is unconstitutional. If you ask *how* it is unconstitutional, you don't have to look far. It is only in violation of the First Amendment. I'm thinking that our forefathers probably wouldn't have made it the First Amendment unless it was important. The amendment states "Congress shall make no law prohibiting the right of the people peaceably to assemble."

Translated into modern language it says "No laws can be passed that say people can't hang out together." I don't see anything about "before midnight" or "unless they're under 18". The Fourth Amendment states "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." The law enforcement of my home town violates this amendment on a regular basis.

My uncle owns a pool hall. He sells no alcohol and allows none in his building. It is a place for kids to go and meet on the weekends. The building is on private property, but the police feel that they can walk in for no reason after midnight and tell 17-year-olds to go home, or write them a ticket. It should be my right to stay and talk to my uncle on his property as late as I want.

You might say that since I'm not an adult, I don't have full constitutional rights. This is obviously untrue. In the case of *Tinker vs. State of Iowa* it was ruled that youths have full First Amendment rights.

Age-biased laws like this should not exist in the first place. Some people think that freedom should be sacrificed to lower juvenile crime rates. This sacrifice goes against everything this country stands for, plus it *doesn't* even lower juvenile crime rates. An analysis of the curfews' effectiveness in California was conducted in '97 and found that the overall juvenile crime and arrests (not counting curfew arrests) actually went up once the curfews were in place. Of the 30 cities included in the analysis, the juvenile crime rates of 4 went up, 26 had no significant change, and none went down.

We should all be ashamed for sitting idly by while such "dictator-esque" laws have been passed. Now, all we can do is fight to remove them. It is the right thing to do. If you value your freedom at all, you will not mutter under your breath, but unleash the full fury of your voice against this tool of evil that is the way to enslavement. You will not be alone. The voice of truth spreads like wildfire and awakens the souls of those who have been put into a trance by the orderly robot-like direction in which our civilization is headed.

News Links

DARE to Change Its Tactics

On February 15, the Drug Abuse Resistance Education Program (DARE), popular in many schools since the 1980s, announced its plans to revamp the program and admitted that its strategy for reducing drug use may have been ineffective (after dismissing independent studies questioning the program's effectiveness for the past decade). This story appears at <http://more.abcnews.go.com/sections/wnt/worldnewstonight/wnt010215_dare_feature.html>.

Life Sentence for Florida "Wrestler"

Lionel Tate, the Florida boy who, at the age of 12, admitted to causing the death of a 6-year-old girl by imitating professional wrestling moves with her, has now at the age of 14 been sentenced to life in prison without possibility of parole. The victim's parents, as well as the prosecutor, expressed their dismay at the harshness of the sentence. An appeal is expected. See <<http://www.suntimes.com/output/news/teen10.html>> for one of many articles on this story.

Another Florida Teen Gets "Life"

Less than a week after the verdict in Lionel Tate's trial as an adult, another Florida teenager, 15-year-old John Silva, received the identical sentence for causing the death of a 12-year-old by suffocation. This story may be found at <http://abcnews.go.com/sections/us/DailyNews/septic_kill010315.html>.

The Final Prejudice

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Originally published in *Taking Children Seriously*, issue 18 <<http://www.tcs.ac/>>
<<http://www.webleyweb.com/tle/le970401-10.html>>

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Suppose you suddenly found yourself in the body of a twelve-year-old child. Suppose that despite this physical transformation, your personality, your knowledge and every other aspect of your mind remained unchanged. How might this affect your life?

This was the theme of an episode of *Star Trek: The Next Generation* (entitled "Rascals"). A transporter malfunction physically rejuvenates four of the Starship Enterprise's crew, including Captain Jean-Luc Picard.

The Ship's Doctor, Beverly Crusher, runs some tests and determines that the bodies of the Captain and the others are the bodies of twelve-year-olds, but their minds are entirely unaffected. She explains the results of her tests to the First Officer, Commander William Riker. The striking thing about this scene is that the Captain is right there, next to her, but she is not reporting to him. She is talking about him, but over him, as though he were not present at all. This sort of casual discourtesy towards children is familiar enough. But this is not a child. It is the Captain of the Enterprise. Her commanding officer.

The Captain gives Riker an order. When Riker replies, we immediately see that there is something embarrassed and tentative about his manner. He hesitates before adding the word "sir".

What is going on here? The Captain of a Starship is not being taken seriously by his own subordinates. Why? Whatever the reason is, it must be very powerful if it takes precedence over these people's loyalty, their training, their personal respect and admiration for Picard—to say nothing of elementary decency and

commonsense! For when it comes down to it, nothing of any significance has really changed.

The Captain has merely changed shape. Now, admittedly, that sort of thing is a rarity in our mundane 20th-century world. But to the Enterprise crew, coping with shape-changes, in oneself and in others, is all in a day's work. When the crew of the first Starship Enterprise found themselves ageing at several years per day, everyone naturally began to worry about how long Captain James T. Kirk would remain up to the job. But what they were worrying about was his mind, not his shape. His face became very wrinkled, but he was still the undisputed Captain. Even when his personality did seem to change, Kirk was given every possible benefit of the doubt.

Captain Picard himself was once kidnapped by the Borg, who transformed him into one of themselves (which involved surgically altering one side of his head) and assimilated his mind into their collective consciousness. He began to collaborate with them in their plan to conquer the galaxy. He ceased to be Captain Picard and became Locutus of Borg. Yet there again, it was his mind that counted. It was not his shape-change but his robotic mouthing of Borg slogans that told the crew, and the audience, that he was no longer the Captain. Later in the same episode, Lieutenant Commander Data managed to weaken the link between Picard and the Borg collective. Picard only needed to say one word ("sleep"), in what was clearly his old character, for him to be accepted as himself again. He still looked like a Borg.

In every other Star Trek episode that deals with shape changes, or with unusually-shaped sentient beings, the overriding

consideration is: it's the mind that counts. A person is a mind, not a body. That is the attitude we have come to expect from those good people of the 24th century, to whom racism and all similar prejudices are incomprehensible historical aberrations.

Yet when it becomes clear that Captain Picard intends to get on with his job of running the Enterprise, Dr Crusher immediately tries to stop him, on the pretext of needing to conduct further tests. He tells her that she can continue testing the other three, and leaves the Sick Bay, whereupon Dr Crusher and Counsellor Deanna Troi exchange glances, like worried parents.

When the Captain reaches the Bridge and issues orders, Lieutenant Worf and the others can barely bring themselves to comply. The Captain reminds them that he is still the Captain. Still they hesitate, until Riker's nod of confirmation pushes them into uneasy obedience. The crew know that the Captain's mind is unaffected, but they are simply unable to take him seriously in a child's body.

Dr Crusher arrives on the bridge and asks, in a worried voice, to see the Captain privately in his ready-room. He accompanies her there and orders his usual Earl Grey tea—just to remind the audience that his personality is unaffected by the physical change. At this point, the strain seems to be getting to him, but nevertheless, he tries to brazen it out by talking about work. Dr Crusher, looking every bit the concerned parent, won't let him. Outrageously, she wants to persuade him to relinquish command. She cobbles together the excuse that his condition could possibly at some time in the future affect his mind.

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Redirect

The Final Prejudice

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“You have no evidence for that,” is the Captain’s last defence. Indeed not. Not only is there no evidence for this possibility, it would not remotely justify his stepping down even if it were a known risk. Dr Crusher would merely have to repeat her tests regularly to check that there was no sign of mental deterioration. After all, there is a possibility that the Captain will at any moment contract a rare brain disease, or suffer a flashback to his Locutus of Borg days, or drop dead.

There is no case for stepping down. Yet the Captain is beaten. Not only does he transfer command to Riker, he retires to his cabin and plays no further part in the ship’s officers’ deliberations about this and other emergencies that are facing the Enterprise. Why? What has suddenly made his opinions worthless even as advice?

Captain Picard gives up his command so easily because he himself is just as susceptible as the rest of the crew to the sinister force that this episode is really about. He too finds it difficult to conceive of himself as Captain of a Starship in a child’s body.

Later, in his cabin, the Captain looks at himself in a mirror. Three expressions cross his face in rapid succession. First, he is worried, trying to come to terms with his situation; then he feels his chin, and finds no stubble: he is no longer a man; finally, he feels his hair, and a faint smile crosses his lips, as though he is thinking “ah well, there is one consolation—hair!” (Before rejuvenation he was bald.)

The Captain is putting on his adult-size jacket as Counsellor Troi enters. “This is so ridiculous,” he says. “I can’t take myself seriously like this. If Dr Crusher can’t find a cure—if I have to stay this way—nobody is going to take me seriously, are they?” Counsellor Troi answers carefully that

people who know him well will eventually make the adjustment, but that there will be some who will never be able to accept a twelve-year-old captain.

She is right—but think about it: they can take seriously an android like Data as a Starfleet officer (though he had to fight a court case to establish this right); they accept aliens, such as Vulcans, as Starship Captains; they take alien beings of pure energy, or silicon life forms, or what have you, seriously as first-class citizens. They are not shape-prejudiced. But there is one shape—one shape only—that disqualifies a person from receiving the respect of his fellow human beings. And that is the shape of a human child.

Why? Something in our culture powerfully compels it (and it is our culture that this is really all about—we must hope that such irrationality will be forgotten long before the real 24th century).

Captain Picard concludes that he will have to give up his captaincy for the next ten to fifteen years, and wonders what to do in the meantime. Troi suggests that he can go back to the Academy. Back to school, as it were. Just the sort of thing adults advise young people to do in lieu of taking genuine forward steps in their lives. Naturally, he rejects the idea. Then Troi suggests the right thing—that he could spend the time exploring other interests. She says he could go and crawl through caves and do archaeology (which he is passionate about) and still have time to become the youngest admiral in Starfleet history. This last idea is false, of course: he would be the oldest admiral perhaps; certainly not the youngest.

Keiko O’Brien is another of the changed crew members. In their quarters, her husband Chief Miles O’Brien is having great difficulty coming to terms with her shape. When she tries to be close to him physically, an expression of revulsion crosses his face. When she brings him some coffee, he nervously tells her “Careful! That’s hot!”

Meanwhile the superhuman Guinan, who runs 10-Forward, the ship’s bar, relaxation area, and alternative counselling service, is taking her rejuvenation in her stride. She too has been relieved of her duties. (Why, by the way? Is she now too young to be allowed in the bar?) She views this as an opportunity to live without adult responsibilities and engage in some childlike fun. The remaining rejuvenated officer, Ensign Ro Laren, sees nothing good in the change and feels terribly dislocated by it. She tells Guinan that she just wants to get back to normal as soon as possible. Guinan tries to cheer her up but she huffily replies that she is going to her room. Guinan accuses her of “pouting”, to which she responds: “I am not twelve years old. If I want to go back to my room and contemplate my situation, that does not mean I am ‘pouting’.”

She is right. We call the same behaviour “pouting” when it is done by a twelve-year-old, and “contemplating one’s situation” when it is done by an adult. Shame on us!

Later, the Doctor is discussing the Captain’s medical condition. But again, not with the Captain—with the First Officer, in loco parentis! It seems that even in the 24th century, children still have no right to elementary privacy, and a doctor’s primary duty is still not to the patient, but to the patient’s parent (or in this case, ‘guardian’).

The story moves on, and the Enterprise is hijacked by a band of renegade Ferengi. All the adults are taken off the ship to work as temporary slaves in the Ferengis’ mines. The children, including the four adults in children’s bodies, are confined to the ship’s school. (Yes. They still have schools in this imaginary 24th century—and no doubt their starships are powered by rubber bands.) Captain Picard decides to try to take over the ship from the children’s computer terminal. He is greeted by a cartoon fish saying in a patronising voice: “Hello, what can I do for you today?”

“Computer, display internal security grid,” orders Picard.

But this computer is not accustomed to taking orders from its users. "I'm sorry," it says, "but I can't do that. Would you like to play a game?"

Picard is exasperated. "No I would not. Computer, display an internal schematic diagram."

"I'm sorry, but I can't do that. Would you like to see some interesting plants or animals?"

Arrrgh!

Guinan knows how to get blood out of a stone. She says: "Computer, can you show me a picture of the Enterprise?"

Finally, it complies. "Yes I can," it says, showing an inadequate, simplified map of the ship. And then: "The Enterprise is a Galaxy Class Starship. Do you know how to spell 'Enterprise'?"

Because it is running an 'educational' program, the computer is stubbornly disregarding what the Captain is asking for, denying him the knowledge that he so desperately needs to save the ship. Instead it tries to foist upon him the information that it thinks he needs. We can guess how infuriated and humiliated the Captain feels. Why do we not sympathise quite so readily with children in our culture, to whom exactly the same thing is done every day?

So far I have been discussing this story as if it were about a 'shape-prejudice'. But that is not really so. It is about something much deeper and more horrible. After all, no one in the story, or in real life, is fundamentally prejudiced against adults in child-shaped bodies. If such transformations were to become a common phenomenon, people would soon modify their disrespectful behaviour. Transformed adults would be re-admitted to the world. Perhaps they would have to wear special badges to identify them, with draconian penalties for lending one to a real child. (There would be no need to introduce any penalty for not wearing the badge. No

badge-holder would dream of going anywhere without it.) At any rate, effective measures would soon be taken to ensure that transformed adults would be listened to and afforded ordinary respect and dignity. Only the genuine children would continue to be sidelined, overridden and humiliated as they always have been.

The real prejudice, then, is against children as people; not against their shapes but against their minds. And of course we are all familiar with the myriad supposed justifications of that prejudice, and of the consequent mistreatment of children, that are everywhere cited: justifications in terms of the children's own good, or society's good; in terms of parental rights or duties; in terms of supposed necessity, or God's will, or whatever.

But which comes first? Are people first driven, by weighty (if ultimately flawed) arguments, reluctantly to the conclusion that it is right and necessary to treat children as second-class human beings? Or do people have the prejudice first, and only afterwards compile, or unconsciously invent, their rationalisations?

This story ingeniously sets up a fictional situation—a thought-experiment—that answers this question. It is carefully designed so that not one of the rationalisations applies. For instance, it is stressed from the outset that the rejuvenated people's minds are unaffected; moreover they are adult minds, and not just any adult minds but extremely valuable minds of the highest competence. There are no 'parental rights' involved, and the bible contains no special injunction to chastise starship captains. In short, there is strictly nothing in the usual justifications that could support downgrading these people's status. On the contrary, everything points to any such downgrading being an appalling injustice. Indisputably the right and proper thing would be to continue to treat Picard and the others as the people they are. The crew know this perfectly well—intellectually. Yet when it comes to action,

they cannot help themselves. The prejudice does indeed come first. The rationalisations (such as Dr Crusher's, described above) are indeed invented afterwards to justify it.

Back to the story. Eventually, with the help of the Enterprise's real children, and despite the computer's attempts to 'educate' him, the Captain manages to outwit and capture the Ferengi hijackers and regain control of the ship.

At the end of the story, Dr Crusher has developed a "cure".

But why exactly is this condition a disease? No one in the story seems to notice that, prejudice aside, the change is objectively for the better. Why aren't they working on ways to reproduce the "malfunction" so that everyone can get this "disease"? For it amounts, in essence, to several decades of extra life. Troi had consoled the Captain by saying that he has "an opportunity here that others only dream of". What opportunity did she mean? To live longer? To have a long holiday doing archaeology? No. She tells him it is an opportunity "to have a second childhood without the pain of growing up."

But is it growing up that is painful, or childhood? Given the choice, the characters certainly behave as if it were the latter.

At the end, the four transformed individuals are "cured". It is taken for granted that no one in their right mind would choose to be in a child's body—in our culture, anyway. And who can argue with that?

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Third, juvenile facilities *may* impose fewer restrictions on liberty than adult prisons. Nearly 15% of public juvenile detention facilities and about 70% of private ones are not locked facilities. Over a third of all kids sentenced by juvenile courts to “do time” are sent to one of these more “open” places. It seems likely that even the locked facilities are less oppressive than prisons.⁹

Fourth, juvenile court records are generally confidential, or at least more so than adult court records. While recent court decisions and changes in laws have made juvenile proceedings more open to public and media scrutiny (which can sometimes be beneficial for a juvenile whose rights were violated), most states still require that juvenile records be sealed or destroyed after a certain period of time, after which the former “delinquent” is entitled to deny, even on forms and applications, that the arrest ever occurred.¹⁰ This is not the case for those tried in adult courts, even if they are acquitted!

The down side of the juvenile court is the absence of some of the due process procedures—one must face a single judge, instead of a carefully screened jury, and the opportunity to present evidence or witnesses on one’s behalf is often absent. Also, to a greater extent than the adult court, the juvenile court is often stacked against poor kids and kids from unstable or uncaring families. When parents hire good lawyers to defend their kids vigorously, and appear in court to plead for leniency, a juvenile court judge is likely to feel safe in simply releasing the child with probation or some court-ordered restriction or restitution.

The perceived stability of parents and home life often has an impact on the length of stay in juvenile detention facilities. If parents show up when their child’s case is reviewed and indicate their desire for their child to come home, release is more likely. If the agency feels that the child will

be returned to an unstable environment or uncaring parents, they are more likely to keep the child longer. This is probably why status offenders (those charged with truancy, curfew violations, running away, or “ungovernability”) tend to spend somewhat longer terms¹¹ in juvenile detention than kids committed for property crimes or “technical” violations (like violations of probation or court orders)—kids charged with status offenses are not generally committed to juvenile facilities at all, and when they are, it is often because the home environment is considered poor, or the parents have stated that they cannot cope with or manage their child’s behavior.



To end up in the juvenile court, a child does not even have to be arrested at all. Parents, schools, and other agencies can request juvenile court intervention. The majority of criminal and underage drinking cases in juvenile court result from arrests by police, but few status offense cases do: in 1996, 63% of runaways, 88% of “ungovernable” kids, and 90% of truants who ended up in juvenile court were brought to the court’s attention by someone other than the police.¹²

While it may seem rather extreme for schools and parents to discipline kids by turning them over to the juvenile court, this

avenue does at least entitle the minors to some degree of due process—a hearing, with a lawyer, before a judge—and the institutions to which they may be sent must comply with state regulations which generally prohibit corporal punishment and the use of drugs and isolation for the purposes of restraint or punishment.¹³ Residents must be allowed outside contact, at least with parents and lawyers, and have access to news and information. These minimal rights of kids in the juvenile justice system are *not* guaranteed to those outside of it!

Legal action by the court system is only one type of consequence to which people may be subjected. We all know that, even if we don’t break the law, when we fail to please the people around us, we risk the consequences of their displeasure. If we insult our friends, they may not remain friends. If we fail to do what is required on our jobs, we may be fired. Conforming to social rules and norms and pleasing those in authority is, to some extent, a necessity for adults as well as children.

But pleasing those in authority is an especially serious business for any child. An adult who loses a job can hope to do better in a different job. An adult who cannot get along with a spouse or other family members can divorce or otherwise cut off ties. Even an adult who manages to alienate an entire town can move away and make a fresh start. But a child, trapped in the same home and school for many years—as long as the parents wish to stay and keep the child there—had better get along, or else.

For children, there are practically no limits to what can be considered violations of *their* social rules and norms. In addition to obeying all laws which apply to adults, children must also attend school, follow curfew laws by getting off the street before a certain hour, live in the home of their legal guardians and never leave that home without permission, refrain from sexual activity with others, refrain from

possessing or using alcohol or tobacco products ... *and* do whatever the adult in charge wants them to do, which can be practically anything! Parents or teachers may require children to do things they may view as dangerous (such as gymnastic or swimming stunts), say things they believe to be false (such as “I like reading”, “I love Aunt Bertha”, or “I believe in God”), or do things they may not morally approve of (such as report on other kids, perform assigned volunteer work as a school requirement, or participate in political marches or rallies). Refusal by the child is considered disobedience.

While teachers are usually limited by their schools or the wishes of parents in what they may demand of students, there is only one such limitation on parents: they may not require their child to do something illegal.¹⁴ For example, asking a 13-year-old to pretend to be 12 for the sake of a “children’s discount” price—a minor fraud—would be an illegal request by a parent. But even if the child exposed this attempted fraud and the parent’s attempt to involve the child in it, it is unlikely that the parent would face any greater consequence than embarrassment, while the child could face other consequences for having displeased the parent, and would probably have no recourse.

This extreme latitude in parental control over children can often serve the purpose of “socializing” young children, who, upon entering the world as infants, have no idea of what is expected of them or how to behave with others. When the consequences of a child’s actions are instructive, brief, and not overly punitive, parental guidance can be helpful. Most parents do try not to exercise their power in excessive or capricious ways, even though there is little preventing them from doing so!

Just as there is practically no limit to the behaviors that can be punished, there is also virtually no limit to the ways a parent may respond to those behaviors. Short of actions that can cause severe physical

harm to the child (which would include kicking the child out of the house without providing another place to stay), or verbal abuse so serious that it is believed to cause lasting psychological harm, parents may “discipline” or “correct” their children as they see fit.¹⁵ They may, like most parents, yell or lecture, reduce or deny allowance money, confiscate valued items, or require extra chores. They can demand that the child quit a job, or cut off communication with a friend. Or they may resort to more serious measures.



“Grounding”. For most kids, this means that they cannot be outside the house except for school (parents do not have the right to keep a child from attending school unless they get certification to provide home-schooling themselves).¹⁶ There is usually a time period of weeks or months in which the child is “grounded”, but since kids must always have permission to leave their home, some kids can be “grounded” for their entire childhoods, until they reach the age of adulthood. Kids may also be denied telephone, television, or computer privileges; while this may not seem unreasonable, it can have the effect of isolating the child from the outside world.

Surveillance and deprivation of privacy. Parents—and schools, to some extent¹⁷—may legally search children’s belongings and require kids to submit to drug testing. They can install cameras and listening devices to monitor kids’ activities, without their knowledge. They can install software on computers to record how the computer is used by the children.

Corporal punishment. Inflicting pain for the purpose of punishment is never legally permitted against adults in the United States, and it is prohibited in children’s psychiatric wards and juvenile detention facilities, but it is legal for public school teachers and administrators in 23 states, and for private schools and parents in all 50 states.¹⁸ As long as the child is not seriously harmed, parents may deprive a child of food, tie up or restrain a child, require long periods of standing, or impose other forms of discomfort which would be considered “cruel and unusual” punishment if imposed upon any adult.

Psychiatric intervention or commitment. Getting a doctor to prescribe a drug for what a parent describes as a “problem” behavior is a fairly simple matter nowadays; unlike other psychiatric patients, children are not permitted to refuse their medications, if parents want them to take them. And with a single doctor’s recommendation a child may be committed to a mental hospital, for if the parents consent to the hospitalization, the admission is considered “voluntary”, and no formal commitment hearing is necessary.¹⁹ While some such hospitals are humane, with early releases common, others are no better than dumping grounds for unwanted kids, who end up spending their entire childhoods, or even the rest of their lives, institutionalized and heavily drugged.

Other “placements” outside the home. Sending a child to a camp or boarding school may not be a punishment at all; the child may want to go and benefit from a change of scenery, and both children and parents may enjoy a break from one

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another. But sending a child away *can* be a punitive response to undesired behavior. As previously mentioned, a parent may refer a child to the juvenile court, declaring the child “incorrigible” or “ungovernable”. But by paying a fee, parents can bypass the juvenile court and send a child to a private residential “treatment” facility of their own choosing. While some boarding schools, camps, and even military schools are well-run, humane places, some are far worse than prisons—unregulated locked facilities where prohibitions against even severely abusive practices do not apply (see the book review in this issue for more on these private “treatment” facilities).

Age Is Not A Cage

by George Justin Mallone

“Your mind too young, your thoughts too old,
how dare you be so brave and bold
to challenge wisemen of your day,
why not go outside and play?”
This is what is often heard,
profoundly false, the spoken word
of those who seek, plan, and engage
their time in making age a cage.
Young minds bang on Knowledge Gate,
to stoke their mind’s hunger, they wait,
yet all they get is scorn and hate.
“Begone, hoodlums, you’re out too late!”
The bars, they cage all the bold,
no matter whether young or old,
for young minds strangled now, today,
will get old along the way.
And so it falls to us, tonight,
to free these young minds, show them light,
and break the bars that make their plight,
for age is not a cage,
age is not a cage,
age is not a cage,
or at least,
it should not be.

It is especially tragic that parents are often encouraged or expected to utilize such heavy-handed methods of discipline. Reports of schools, social service agencies, and juvenile courts using the threat of expulsion from school or removal of the child from the home if parents do not force their children to take psychotropic medications have recently begun to appear in the news. Lack of “proper” supervision, long a valid reason for intervention by child protection agencies, has come to include children who are left alone even for a period of a few hours. Even parents who *want* to respect their children and encourage their independence may feel pressured to impose greater discipline by the prevailing atmosphere of fear and mistrust of children.

When the people who are supposed to care for kids and claim to be serving their best interests are permitted and encouraged to punish them—using methods that would, if done to any adult, be considered assault, invasion of privacy, kidnapping, theft, or involuntary servitude—it is surprising that *more* kids don’t end up in trouble.

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