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Educating the Korean Juvenile Delinquent for Democracy

Harold Dwight Eastman

College of William & Mary - School of Education

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EDUCATING THE KOREAN JUVENILE DELINQUENT

FOR

DEMOCRACY

by

HAROLD DWIGHT EASTMAN
SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS
OF
THE COLLEGE OF WILLIAM AND MARY
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MASTER OF ARTS
1947
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APPENDIX
CHAPTER I

THE PROBLEM AND IT'S SCOPE

Introduction

From earliest times, victor nations and their military and political administrators have had two major problems confronting them in dealing with the "vanquished" nation. One of these problems has been the subjugation of the vanquished nation, economically and politically; the other, more a long range problem, that of gaining the support of the vanquished nation as an economic and political ally.

The problem of subjugation has been met universally in almost the same way: destruction of the military machine with its economic support and the elimination of the principal military leaders and their political supporters.

The second of the major problems, that of securing the support of the vanquished nation as a possible ally, has been one taxing the resourcefulness of military and political administrators of victor nations since the beginning of armed conflict. It has been met in two principal ways: continued subjugation of the conquered nation by military occupation over long periods of time, and conscription of the eligible population in time of war into the armies or war industries of the subjugating nation. A more democratic means has been used often
in conjunction with military occupation, that of inculcating in the minds of the vanquished the political ideology held by a majority of the population of the victor nation. Attempts at such programs of re-education have, in the beginning, been based on force. Today, the United States as a victor nation is confronted with these same problems.

America is seeking a solution to these problems by occupying conquered countries with military forces which at the same time, are carrying on programs designed to reshape the social and political thinking of the subjugated peoples.

One of the first considerations of any occupying force in an early stage of occupation is the control of criminal activity in the native population. The criminal activity referred to here is not confined to anti-occupation movements but to activity of any sort which is not condoned in a civilized society.

Severe and often chaotic unrest results in civilian populations of conquered countries immediately upon cessation of hostilities and the collapse of military power. (1) This unrest is more than often followed by a sharp rise in crimes against society in general. Such chaos and lawlessness on the part of individuals may and has developed into virtual civil war between various factions of the civilian population seeking control of the government. (2) & (3). These forces, if allowed
to run their course, affect the occupying nation and its occupation aims in several ways.

First, such lawlessness contributes to economic disorganization to such an extent that the victor nation may be forced to support the conquered nation economically at great expense at a time when the conquering nation's home reserves and supplies are greatly depleted by war. In addition, the economic disorganization may prolong the period of time during which the conquered nation may be unable to pay tribute to her conqueror.

Secondly, widespread lawlessness, if not checked or if overlooked by the occupying forces, may be regarded by the civilian population as an indication of weakness on the part of the conquerors. When and if the population is called upon to accept through propaganda or other more persuasive measures, the political ideologies of the dominant nation, the people may be more than unwilling to accept an ideology or a form of government which in the beginning of its tenure in that country permitted or condoned or, perhaps, was unable to cope with crime or to protect society from it.

A third aspect in the control of criminal activity in line with re-shaping political thought is the aspect of rehabilitating the institutionalized criminal. Social and economic rehabilitation through the processes of education reduce
recidivism, and at the same time may add converts in the general mass of society being subjected to the over-all program of political rehabilitation.

The Problem

This study will have to do with the policies and practices of the American occupation forces in Korea. It is in essence a critical appraisal of the democratic nature of the American program to rehabilitate, through a supervised educational program, the Korean juvenile delinquent, socially, politically, and economically. The study has been titled, EDUCATING THE KOREAN JUVENILE DELINQUENT FOR DEMOCRACY.

The method of research used has been the Normative-Survey Method combined with the Historical Method and field observation.

The study is divided into four parts. The first includes an historical survey of juvenile delinquency in Korea. The second involves the development of a basis for a critical appraisal of the American program. The third part of the study is the critical appraisal of the American program. Conclusions and recommendations conclude the study.

Limitations Of The Problem

The study is restricted in time to the period from November 30, 1945, to and including April 31, 1946. It is based
on the work and experience of the author in Korea during that period as a Military Government officer assigned and attached to the Department of Justice, Headquarters, United States Army Military Government in Korea, Seoul, Korea.

Statistics, particularly those having to do with juvenile delinquency under strict Korean control were not to be found. Several agencies in Korea as well as in the United States were consulted in the course of this study. They could offer no more than general statements of opinion. Records and statistics compiled by the Japanese were to a great extent unavailable in as much as many such records, at the time of this study, had not been located. Such material as was available has been used. Japanese official publications in the form of widely circulated year books and commercial reports were available to the author only through the year 1942. In the author's experience in working with these publications and reports in Korea they were found to be misleading if not altogether fallacious. The same may be said for Japanese law as it appeared in code form. This study will, in part, have to do with the Japanese law governing the treatment of the Korean juvenile delinquent. This law taken on its face value appears to be relatively democratic in character, as democratic as the law after which it was patterned; i.e., the laws governing the treatment of the juvenile delinquent in the United States. In practice the Japanese law for delinquents was almost completely
foreign to its implications. This study does not pretend to discuss the aspects of Japanese law or customs as they were applied on the basis of their codification. However, it may well be pointed out that throughout this study, what the Japanese recognized and officially asserted to be policy or fact, in no way indicates Japanese action.

One of the most obvious limitations will be found to be the author's attempts to translate, with the assistance of an interpreter, documents and letters. The originals were first written in Japanese by Korean or Japanese officials concerned with them. In that form, they came into the hands of the author. They were then translated into English by a Korean interpreter employed specifically for the purpose of acting as oral interpreter for the author. For the most part, they appear in this study in the form of their first draft, as the final documents, on being revised and put into correct English, became permanent records of the Military Government.

In preparation for occupation duty, the author was assigned for training to the Far Eastern Civil Affairs Training School, Stanford University, Palo Alto, California. The material offered there, in the several courses of study, have been used as extensively as possible under the restriction that much of that material had been classified by the army as "Confidential".
Significance Of The Problem

For the second time in a quarter of a century the United States has been involved in a major conflict at enormous expense in both life and material wealth of the nation. At the close of the recent conflict, military science had so developed as to bring the world, in the minds of many of its inhabitants, to the very brink of almost complete annihilation of known civilization, if the world were once again asked to face a two-hemisphere, all-encompassing war for power.

We of the United States feel that our form of government, our ideology, our democracy, if practiced by all nations of the earth as we practice it among our several states, would reduce the possibility of war. Today we are endeavoring to plant in the minds of the Koreans, as well as in the minds of the peoples of other conquered countries, our political ideology. We are trying to educate these people for democracy through our military forces occupying conquered countries.

Juvenile delinquency is one of the many problems facing Military Government and the occupation forces. It represents a part of the greater problem of combating crime. It is a vital part, particularly to those interested in youth and their place in the society of a free and democratic nation, as it is hoped Korea will be as the result of American occupation.
The democratic character of the American program to rehabilitate the Korean juvenile delinquent is as important to the whole picture of our present day endeavors to establish lasting world peace as are our attempts to be democratic in maintaining internal peace at home.

Our success in educating the Korean juvenile delinquent for democracy may well be a vital factor in establishing the permanent world peace for which we hope so much.

Definitions

For the sake of clarity it seems desirable to define certain of the terms used frequently in this study.

Curriculum

The curriculum may be defined as covering all the experiences that are planned and conducted by teachers or others working directly under the supervision of the school staff for the purpose of guiding learning experience that contributes to well-defined educational goals. It includes arts and crafts, science, home life, garden or farm experience, shop work, health and recreation. The functional curriculum will not follow slavishly the State, county, or local courses of study, but will use it as a guide to the essentials that may aid the pupil in his present adjustment and that may benefit him on his return to school and community.(5)

Juvenile Delinquency

The anti-social acts of children or persons under age. Such acts are either specifically forbidden by law or may be lawfully interpreted as constituting delinquency.(6)

Juvenile Delinquent

A child who is not defective, psychotic, or physically disabled, although he presents problems of
maladjustment so extreme that he needs to be removed from the community for his own protection, for the protection of persons and property in the community.(7)

Democracy

A philosophy or social system that stresses participation in, and proportionate control of, the affairs of the community by the individual member, on the basis of his personal selfhood as a human being regardless of his qualities, rank, status or his possessions.(6)

The essence of democracy as a way of life is the regard for personality in its emphasis on the value of the individual.(6)

... .. . . predicted on the assumption that human beings are capable of reason and choice and that as reasonable human beings, individuals are the vital and all important elements of society . . . the society, the government and the state exist for the benefit of the individual.(5)

Training School

A training school is a specialized boarding school established for the purpose of understanding, re-educating, and retraining the child who is in conflict with accepted standards of social living, but who is not defective, psychotic, or physically disabled, although he presents problems of maladjustment so extreme that he needs to be removed from the community for his own protection, or for the protection of persons and property in the community.(7)

Treatment

Giving the child an opportunity to meet and experience life in a controlled environment which will assist him in redirecting behavior into channels that will be satisfying to the individual and acceptable to others.(10)
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CHAPTER II

BASIC HISTORICAL CONSIDERATIONS INVOLVED
IN THE SOLUTION OF THE PROBLEM

The Land and the People of Korea

The peninsula of Korea, reaching from the Asiatic continent down toward southwest Japan, is a country about the size of Idaho or Minnesota, with a population of about 25,000,000 people. (See appendix A for map)

Korea as a nation is about 2,000 years old, antedating the civilization of Japan by approximately 700 years. Buddhism, and much of Chinese culture that went with it, reached Japan by way of Korea.

Racially, the Koreans are distinct from both the Chinese and the Japanese, but perhaps more closely allied to the latter than the former, since northern Korea was most certainly settled by a people akin to the early non-aboriginal settlers in Japan.

The laws and customs of the Korean people are based on a form of the patriarchal family system in which the oldest male member of the family is the head of the house and is responsible for the conduct of all members of the household. Any misconduct on the part of any member of that family may bring disgrace upon the entire family, one and all alike, and
especially upon the family name. So strong a hold over the legal system of the country does the family system have, that if a blood relative is responsible in any way for the escape or release of an incarcerated member of the household, in many instances, the relative responsible for an escape may not be criminally charged under the law and the escapee may not be taken again but may be punished by the family.

The Early History of Korea (II)

The country was a vassal of China from perhaps the 5th century until the end of the 19th, but Chinese suzerainty sat lightly upon the people almost throughout this long period. Immigration of alien people was never on a large scale, but there has been steady Chinese infiltration into the country through the centuries.

Korea owes much of her culture to China. Lying adjacent to the great Chinese Empire, Korea has had almost constant relations with her, and Chinese influence has been strong in art, literature, and religion. Korea adopted the Chinese calendar, the Chinese Civil Service system and the cult of Confucious.

Korea's relation with Japan has never been peaceful. Several times during her history she has been invaded by the Japanese. From the pre-historic and probably mythical Empress Jingu down to modern times, the Japanese have attempted
to conquer her. The last and most successful attempt came about approximately 35 years before World War II, when, for a quarter of a century, Japan, successfully, by occupation and in exercising ruthless police control, isolated Korea from the outside world. This conquest of Korea began for Japan in 1590 when the great military dictator of Japan, Hideyoshi, after securing his conquests in his own country, turned his attention to rich China. Korea refused passage to his armies through that country; so in 1592 he invaded her with a quarter of a million well-equipped men. They swept up the peninsula with the inevitability of a tidal wave, conquering every city in the country, but when Chinese reinforcements arrived they were gradually driven back. Their eventual disaster was sealed by the brilliant strategy of a Korean admiral named Yi, who converted his largest boat into an ironclad and armed it with a large metal ram projecting from its bow. With this he placed a blockade on the Korean coast, ramming and sinking all Japanese ships that tried to run the blockade. Thwarted in his first attempt, Hideyoshi tried again. He died during the second invasion, and the remnants of his exhausted armies withdrew.

During the occupation the Japanese took home thousands of Korean artisans and scholars, as well as rich loot from palaces, temples, libraries, and private homes. So, unwillingly,
the Koreans had again an influence on Japanese culture, as they had had in 552 when they sent the first image of Buddha and first sutras to Japan.

After the Japanese invasion and a Mongol invasion twenty-eight years later, in 1627 Korea closed her doors, as did Japan at about the same time. She became a "hermit nation", rejecting all would-be visitors to her shores. The shores themselves, uncharted and unexplored, were a menace to shipping until 1876. Then, just as Commodore Perry had opened the doors of Japan, the Japanese forced open the doors of Korea and won a treaty of commerce and friendship with her. This was soon followed by treaties between Korea and the United States (1882) and other powers. In these treaties Korea was dealt with as an independent, sovereign country. But China did not intend to give up her rights over Korea, and eventually rivalry with Japan over control of the corrupt Korean court led to the Sino-Japanese War of 1894-5.

The monarchy was weakened by internal decay and by the impact of Western power then sweeping the Far East. The country was governed by a corrupt bureaucracy; the people oppressed; the army undisciplined; the law was out of date and ineffective. Under the influence of Western ideas, a reform movement started among the upper classes. The government tried to suppress it and the revolutionary leaders appealed to Japan for help. They
discovered, however, that the Japanese government was less interested in reform than in domination. The Sino-Japanese War was ostensibly fought for the independence of Korea, but at the end of the war the King found himself virtually a prisoner of the Japanese. At this point Russia began to show a special interest in Korea. In 1896 the King of Korea escaped from his Japanese guards to the Russian legation, and for a year he ruled the country from there.

The Japanese Occupation of Korea

The Japanese, who kept insisting that Korea was an independent state, were stopped for the time being, but they began immediate preparations for a war with Russia. Once again Korea was the pawn between two imperialist powers. Japan won, and made Korea a protectorate despite Korean protests and in disregard of all Japanese promises and treaty obligations. Several rebellions against the Japanese broke out in Korea, but all were suppressed by Japan's superior forces and in 1910 Korea was annexed outright by the Japanese. The Koreans were promised by the Japanese Emperor "growing prosperity and welfare", and assured that Japan would "so far as circumstances permit, employ in the public service of Japan in Korea those Koreans who accept the new regime loyally and in good faith, and who are duly qualified for such service."
These promises were not kept. Though the Japanese developed the country, the Koreans themselves got no increase of prosperity and welfare. The Military Governors-General and their gendarmerie ruled the country with an iron hand. Korean independence organizations were dissolved and reformers who did not escape abroad were imprisoned or killed.

But Korean nationalism was not killed. In 1919 the funeral of the old Korean emperor was made the occasion for a tremendous popular demonstration. Korean leaders prepared a declaration of independence (See Appendix B) that was read in every city and village. Crowds broke out the old Korean flag and paraded under it shouting "Long live Korea". The Japanese administration was completely taken by surprise and, frightened, drowned the peaceful uprising in blood. The massacre of Lidice was duplicated several times over. This policy, however, failed, and the Japanese made half-hearted attempts to win over the upper groups of Koreans by concessions. This too failed and the country continued to be ruled by force. There were more policemen than teachers. Nationalists were hunted down, arrested, and tortured by the Japanese police. This was still ineffective and the Japanese swung back again to a "conciliatory policy".
During the liberal rule of Admiral Saito men of property were given the right to participate in the election of advisory bodies in cities and provinces, and the official propaganda line was that the Koreans were "junior brothers" of the Japanese. But the 600,000 Japanese in the country held all the good administrative jobs, and skimmed off the cream of the country's economy. Little wonder, then, that the majority of the Koreans remained unreconstructed, and have continued down through the years to agitate for independence.

Gradually, Korean economy became geared to that of Japan, until at the outset of the war just concluded, it was an important part of the Japanese war machine. Korea had been developed, but the Koreans had profited little from that development. The masses remained illiterate, superstitious, and poverty-stricken. The educated, and especially the ones who had come under the liberalizing influence of the highly successful Christian missions, refused to be assimilated by the Japanese. They cherished the traditions of their country's freedom and independence. They hoped and prayed for the defeat of Japan.

The basic policy of the Japanese colonial administration had been increasingly to prepare Korea not for independence, which had so long been the desire of the majority of the Koreans, but for eventual amalgamation of Korea into the Japanese nation. Various administrative reforms were inaugurated partly to fulfill
the desire of the Koreans for more representation in government but more especially to educate the more prosperous Koreans for their responsibilities as Japanese subjects within the Japanese Empire.

The most modern representation of the Japanese desire for the amalgamation of Korea into the Japanese Empire and nation was first expressed in 1935 when Japan publicized her aim of a New Order in the Far East, based on the slogan, "Asia for the Asiatics." Japanese propagandists outlined an economic pattern in which Japan would become the industrial base of a vast area supplying raw materials and markets, of which Korea was already and increasingly an important part. This was not only a threat against western interests in the Far East, but in a sense the closing of the last door which might lead to Korean independence. This was the first indirect declaration of war against Western powers, which would eventually lead Korea into open conflict with the United States and China. China had, in the meantime, seen fit to harbor in Shanghai, Korea's Provisional Government.

The final establishment by Japan of the Greater East Asia Ministry on November 1, 1942, and the simultaneous reduction in personnel in other branches of the government had far-reaching effects upon the administration of Korea. The new Ministry was authorized to administer all affairs, except purely diplomatic
relations, in Greater East Asia exclusive of Japan, Korea, Formosa, and southern Sakhalin. This authorization meant that Korea henceforth would be considered an integral part of Japan. The Governor-General was the governor no longer of a colony but of one of Japan's outlying "prefectures"; he administered political affairs under the supervision of the Japanese Home Ministry. Furthermore, the Governor-General was appointed by the Premier on the recommendation of the Home Ministry, not, as previously, directly by the Emperor. The appropriate Minister of State or Premier within Japan was to supervise the various aspects of life in Korea.(12)

Such a profound shift in administration necessarily meant a conspicuous shift in the personnel of the office of the Governor-General and the inauguration of new policies. At a conference of governors of prefectures, held November 13 - 14, 1942, the Governor-General of Korea attended for the first time as a head of a prefecture. In December 1942, the Japanese Cabinet approved the inauguration of compulsory education in the peninsula by 1946. This program required the training of additional teachers, the construction of more schools, and the gradual increase in student enrollment. Bills passed the Diet early in 1943 included two which provided for conscription within Korea. Registration for males of military age was inaugurated in the spring of 1944. A limited number of Korean conscripts had
already been called to the colors. With the inauguration of compulsory education and conscription, the final stage of the effort to Japaneseize Korea was reached, and Korea existed no longer as a colony but became another "prefecture" and an integral part of Japan proper.

Education For Koreans Under The Japanese

The educational system in Korea was used as much as possible to foster and develop Japanese nationalism. (13, 14, 15) The primary concern of this system was for the education of the Japanese living in Korea; therefore, only a limited number of Koreans were given a basic primary education. This condition was the result, as well, of the fact that a limited portion of the budget was devoted to education (about two percent of the regular and one percent of the total budget in 1939) and the limitations of local funds available for educational purposes. Although a total of 1,572,000 pupils were reported for 1939, nearly twice that many children of school age had no adequate school facilities. The total enrollment in 1941 was reported to be 2,266,800, a material increase over the year 1939. The following is an excerpt taken from the September 12, 1944, issue of the Voice of Korea, the official publication of the Korean Affairs Institute, Washington, D. C.

Secondary education in Korea today is almost non-existent, and this is one of the gravest accusations
that can be levelled against the Japanese regime.

The following statistics give a picture of the conditions existing in the secondary school system in Korea in 1937.

**NUMBER OF STUDENTS IN SECONDARY SCHOOLS**  
(In Thousands)

- A. Middle Schools (for Japanese boys) 7.8
- B. Higher Common Schools (for Korean & Japanese) 15.6
- C. Girls' High Schools (for Japanese girls) 11.9
- D. Girls' Higher Common Schools (for Korean and Japanese Girls) 7.1

In the middle and high schools (lines A. and C.) there are practically no Korean boys and girls. In the higher common schools (lines B. and D.) there are some Japanese boys and girls but their number is small and we may consider that these schools are for Koreans. Thus in the schools for the Japanese there are more than 16,000 students, while in the Korean schools the number of students is less than 23,000. These figures are more startling when it is realized that the Japanese in Korea constitute less than three per cent of the total population.

There are more than 1,200,000 Korean students attending primary schools in Korea. Yet there are less than 23,000 attending secondary schools. This means that out of each 100 students attending primary schools, only two have a chance to enter the secondary schools.

Although distinct school systems were adopted for Koreans and Japanese prior to 1938, a uniform system for all, based on the education system of Japan proper, was used. Koreans and Japanese, however, usually attended separate schools. The adoption of similar instruction for both Koreans and Japanese was inaugurated to facilitate the "clarification of the national policy". In 1939 Japanese students comprised about eight percent
of the total student population. The school texts gave only a few carefully selected examples from Korean history; they referred to Jimmu Tennō (the founder of the Japanese Imperial line) and Heiji Tennō (grandfather of the puppet Korean sovereign) as "Emperors of our country". Shrines to the Japanese Imperial ancestors were erected in all schools, and a conscious attempt was made to instill into the student the concept that there was nothing purely Korean as such and that Korea was only a part of Japan.

In contrast to the lack of instruction in the Korean language, a minimum of nine hours weekly was required in Japanese, which was the medium of instruction for practically all institutions. A limited number of higher schools, special industrial and trade schools, and agricultural experimental centers made it possible for a few Koreans to improve their skills. Five thousand Korean students were said to be studying each year in Japanese schools of higher learning.

The following is an excerpt taken from a speech by Mr. John Z. Williams, Korea Desk Officer, Department of State, delivered before a Far Eastern Seminar, held under the auspices of the Institute of Pacific Relations at Wilson College, Washington, D. C., January 11, 1947, as reported in the January 28th issue of The Voice of Korea, Korean Affairs Institute, Washington, D. C.
Schedule for the 6 year course provided in Korean primary schools under the Japanese.

<table>
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<th>Subjects</th>
<th>Hours per week</th>
<th>Percent of total</th>
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<tr>
<td>Japanese Language</td>
<td>6h</td>
<td>39%</td>
</tr>
<tr>
<td>Korean Language (dropped in 1940)</td>
<td>20</td>
<td>12%</td>
</tr>
<tr>
<td>Arithmetic</td>
<td>30</td>
<td>18%</td>
</tr>
<tr>
<td>Japanese History</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td>Geography (chiefly of Japan)</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td>Natural Science</td>
<td>6</td>
<td>4%</td>
</tr>
<tr>
<td>Drawing</td>
<td>5</td>
<td>3%</td>
</tr>
<tr>
<td>Singing</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td>Morals</td>
<td>6</td>
<td>4%</td>
</tr>
<tr>
<td>Drill</td>
<td>15</td>
<td>9%</td>
</tr>
<tr>
<td>Manual work</td>
<td>7</td>
<td>5%</td>
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Emphasis was placed on "social education" for the promotion of the national spirit. To arouse loyalty and patriotism for Japan, officials and the people, labor and capital, were urged to cooperate to assure the prosperity of the imperial throne. On every ceremonial occasion the schools, government offices, banks, companies, factories, shops, and all social bodies were required to repeat the Oath of Imperial Subjects: "We are Imperial Subjects, we pledge our allegiance to the Empire. We, the Imperial Subjects, by mutual faith, love and cooperation, will strengthen our union. We, the Imperial Subjects, by perseverance and training, will cultivate strength to exalt the Imperial Way."

The whole educational system was set up with the express purpose of making the Koreans loyal Japanese subjects, with the hope of obliterating all vestiges of Korean opposition.
and culture. Dr. Horace H. Underwood, American Missionary Educator, who has served in Korea continuously for twenty-five years and is at present advisor to the Commanding Officer of all United States forces in Korea, writes as follows regarding the obstruction of education in Korea by the Japanese:

As war drew closer and then burst out in China, hours and even days were taken from the curriculum for propaganda lectures by naval and military men and by special propaganda agents. Other hours and days went into parades, welcome and farewell to soldiers, celebration of victories and, later still, into "patriotic work", street cleaning, digging air raid shelters, cleaning public buildings, victory gardening and the like. All this, of course, was directed and compulsory.

The strangling of private education and the complete domination of such schools as managed to continue was another hindrance to education.

Lastly and chiefly, the whole system and attitude of the Japanese totalitarian authorities was not only a hindrance but death to all that democratic countries cherish as education in contrast to indoctrination.

The spirit of the Korean people and the courage of a few missionary and Korean private schools has kept alive both the concept and the spirit of true liberal education. They struggled on, working on the theory that one-half, one-quarter, one-fraction of a loaf, even a few crumbs conserved were better than the closing of the schools under pressure and the resultant turning over of boys and girls completely to unmitigated Japanization.

The above article appeared under the title, "Japan Obstructs Education Progress in Korea", in The Voice of Korea, Korean Affairs Institute, Washington, D. C., February 6, 1945.
The Juvenile Delinquent Under The Japanese

With the expansion of Japanese imperialism, particularly in the late thirties and early forties in Korea and the ever-increasing control over the Korean people, came the increase in orphaned children and the rise in the delinquent conduct of these children. In most cases their delinquency was due to their economic status, namely that of being homeless as the result of the conscription of ever-increasing numbers of Korean fathers to supply the Japanese need for hand labor in various parts of their far-flung empire. (16)

Family groups were broken up and individual family units dispersed throughout Korea as well as over the Japanese empire. As the family controls were broken down, it became apparent to the Japanese that there was need for some form of control over the rising rate of juvenile delinquency which seemed to be the natural result of the release upon society of hundred of homeless, unattached or unsupervised children. With the dispersion of single family units and the severance of connections with large well-organized families, there arose a general laxity on the part of parents of these single family units in the control of their children, which in its own measure, also contributed to the general rise of juvenile delinquency in Korea during this period. (16)
A juvenile court system was established in Korea to meet these conditions, a system of which relatively few Korean adults had knowledge or interest, it being no more than another Japanese means and method of control over them. Moreover, the system dealt with a heterogeneous group of more or less unattached youths whose conduct could not or did not generally cause loss of face or bring disgrace to a large family group.

Juvenile courts were established in Korea on or about the first week in March of the year 1942. The courts were patterned after Japanese juvenile courts. In both courts, the procedure and personnel were somewhat similar to those of the American juvenile court system, from which the Japanese system was derived. A single judge heard the trial, but was assisted by probation officers in gathering evidence and investigating the case. Probation officers were usually private individuals commissioned by the Ministry of Justice because of their interest in and experience with juveniles. The punishment meted out to the offender varied from a simple admonition to imprisonment in a reformatory. A very common device was to put the juvenile offender in the custody of relatives, friends, temples, churches, or other civic organizations.

Briefly, the Japanese system of control operated as follows. The delinquent, assuming that he was apprehended by the police, was taken into custody at a local police station where
he remained in custody until such time as the public procurator might decide upon his case. The procurator might release him; send him to the criminal court; send him to a military court; or refer him to the juvenile court. While the juvenile awaited the public procurator's decision, which might and often did take from four to six weeks, the juvenile was taken from the local lock-up and placed in the most convenient prison. Upon completing his investigation and making his decision, the procurator turned the offender over to the court in terms of the nature of the offense. If the juvenile's crime was of a serious nature, he was tried and sentenced as an adult criminal. If, on the other hand, his offense was of a minor nature, more likely than not he would be turned over to the Juvenile court.

This system is described in the following excerpts taken from a letter written by Chief Judge Kim Young-pul, Seoul Juvenile Court on January 21, 1946. (See Appendix C)

It goes without saying that boys perform the most important role of function, irrespectively of any country of the world, further, the prosperity and decay of a country, fully, are depended on the merits of them.

Well, it is a matter of deep regret that our valuable boys were neglected by the society of Korea, in the past year, may up to now, in spite of the facts. (the American occupation of Korea) It may be certified that their (Japanese) attitudes towards boys, culprits, girls involved, suspected boys, in the treatment of them in the judicial sections, were nearly the same as in their cases of treatment of the common culprits.
For instances, in police stations, our public procurator's office and in the court of justice our juvenile boys were treated by un-merciful, and cruel treatments, and so infringed their humanism as boys by the fearful policies.

Circumstances being thus, if our boys were arrested, investigated, or detained to the cell, by the police station, they (were) much feared (by) the authorities concerned, because, the boys were cruelly treated as if they were adults.

If they were sent to the procurator's office, there the public procurator treated them with the same method, and they were much surprised to find that they were to be sent to the vicious prison.

When they were sent to prison, they were treated just like adult culprits in their daily lives, and moreover they could not attend on the public procurator's office with the criminal mask over their faces and handcuffs on their both wrists and criminal ropes around their fragile bodies so as to be questioned by the public procurator.

After then lucky boys were emancipated from the hell, and sent to the Boys' House of Justice accompanied by Protecting staffs for boys, and disposed with protection. But those unlucky boys who were prosecuted by the public procurator, were cruelly treated in the court of Justice, and so, as they were treated badly by the unmerciful judges, and it took about one month for the judges to sentence to the boys, they fragile boys felt aversion for the worl with the following reasons:

1. Their fragile minds were disturbed by the great building of discontent in prison, and their senses perplexed.

2. They were to be infected with the evil nature of the world, because they kept company with the vicious rascals and other culprits at the prison.

3. Their self importance was infringed, and their sense of shame forgotten, thinking that they may become desperate, since they attend on the court of justice with criminal ropes and hand-cuffs on their wrists and bodies, and criminal masks (Yong Soo in Korea) on their faces.
In the lock-up, majority of them were infected by the disease such as cutaneous disease, and eruptive typhoid fever and other infective diseases, and in consequence of it, they were very badly affected.

The author then goes on to tell why these things were true under the Japanese regime.

Owing to the insufficient equipments of educational organs, and enlightenment organs, scarcity of money, and circumstances of their homes, they (juveniles) have ever been entices by the crime, and they have strolled on the verge of the hell-like routine of criminal affairs.

These excerpts were taken from the original letter and represent the exact words of their author.

**The Japanese Law Governing The Treatment of Korean Juveniles**

Juvenile delinquency, under the Japanese regime was considered an offense against the state. The control of delinquency was the duty and function of the National government. All juvenile courts and institutions operated under National governmental supervision.

The basis for control lay in a separate and special law applicable only to juveniles. It provided for the Juvenile court, correctional institutions, an elaborate system for the probation of juvenile delinquents, and, in short, provided rules and regulations governing the entire field of possible treatment of the juvenile delinquent. The following are some of the provisions of that law.
Under the juvenile court system, a juvenile who had committed a crime normally punishable by the death penalty or penal servitude for life might be punished by penal servitude or imprisonment for ten to fifteen years. Indeterminate sentences were authorized for juveniles who had committed crimes calling for penal servitude or imprisonment for more than three years. Juveniles sentenced to penal servitude or imprisonment might be released provisionally (paroled) after serving seven years of a life sentence, three years of a ten to fifteen year sentence, or one-third of a sentence for a shorter period. Juveniles could not be sent to workhouses. Should a juvenile commit an offense for which a penalty lighter than capital punishment or life imprisonment is imposed, his status and privileges as a citizen were not affected once the sentence had been carried out. After juveniles had been placed by the Court, the probation officer was charged with the responsibility of visiting them periodically. This officer received reports on their status from individuals or institutions to whom the juvenile had been entrusted. The probation officer in turn was required to make a monthly report to the juvenile court. Court supervision might continue until the juvenile had reached the age of 25 and during that time the court might cancel or alter its decision.
With the establishment of the Juvenile Court in Korea came the establishment of the Juvenile House of Correction. This institution was set up to correct the character and conduct of the older and more dangerous juveniles. The staff was composed of a superintendent, instructors, and an attending city welfare doctor. There were, in addition, clerks and directors of work attached to the institution. The House of Correction was specifically charged with the mental and moral rehabilitation of the juvenile through an educational program which was to teach trades. Discipline within the institution was to be maintained under the law by a system which provided the more well-behaved inmates with more freedom than those who gave trouble, or than new arrivals. The law further provided that those in the highest class under this system were to be permitted to leave the House and learn a trade in places approved by the authorities. They might also be released on parole under the supervision of a probation officer. They were then finally to be released if their behavior warranted such treatment. The release on parole and the final release were granted by the Juvenile Court.

The Institutionalised Delinquent Under Japanese Control

While the Japanese Reformatory Act of 1900 directed that every prefecture was to establish and supervise a reformatory which would be under the supervision of the prefecture and financed from the national treasury, no such institution
existed in Korea at the time of American occupation. In the absence of reformatories, juveniles not sent to the House of Correction were confined in juvenile prisons of which there were three in Korea. However, this did not prevent the Japanese from confining juveniles in adult prisons, regardless of their crime or the judicial procedure used to arrive at conviction. In some cases these prisons were referred to as reformatories by the Japanese.

The educational program provided for the delinquent in any and all of the afore-mentioned institutions consisted of approximately one to three hours a week of scholastic training. This training was centered around a course of Ethics. There was little similarity between the Western idea of "Ethics" and the Japanese idea. Japanese "Ethics" provided for no ethical training as we know it, but taught the superiority of manhood, obeisance to the Emperor, and Japanese mythology.

Vocational training in juvenile institutions and penal institutions housing juvenile delinquents occupied a good portion of the day-light hours. This training, if it could be called that, meant long hours of shop work for war and industrial production, an important phase in the Japanese-controlled Korean economy.

As the Japanese became more and more pressed by the war and the scarcity of manufactured materials grew with each bombing at home, her attention became more keenly centered on
Korea, which had throughout the war, remained relatively untouched by Allied bombs. Every available man in Korea was put to work, including delinquents confined in institutions of correction. Every social, penal, economic and political institution was put to war use. This followed closely the pattern set in the home land particularly as it applied to institutionalised delinquents. In Japan, in March 1944, the establishment of a Youths' Training Hall in Okasaki City, to replace the Okasaki Juvenile Prison was announced. This Training Hall, which was the forerunner of similar developments elsewhere in Japan and Korea, was officially described as having two functions: the bringing about of an increase in the fighting strength of the country, and the creation of a class of special "Industrial Fighters" through spiritual discipline. Designed to accommodate three hundred delinquents, the Training Hall was to receive an initial group of fifty selected by the juvenile courts of Tokyo, Osaka, Nagoya, Sendai, Fukuoka, Hiroshima, and Sapporo, to be mobilized for ditch drainage and cableway projects in Okasaki City. Delinquents of Korea were used in the same fashion in and near industrial centers, and around such a program were their educational activities centered.

The Chosen Judicial Protecting Enterprise

Release from the juvenile delinquent institution did not mean freedom from state or governmental control. The juvenile
was kept under close surveillance by several governmental agencies. The most vicious of these agencies as it affected the welfare of the juvenile delinquent was the Chosen Judicial Protecting Enterprise, which organization was charged with the responsibility of securing "slave" labor for Japan's tottering war industry, both in Japan and Korea. This agency functioned under a special law similar to the law for boys. (see page 26) The objectives of the Chosen Judicial Protecting Enterprise are clearly stated in the law governing the organization. More apparent than the objectives are the implications for juvenile delinquents. In the following extract, it is also interesting to note that even as early as 1944, the war was becoming the almost exclusive concern of Japanese colonial administrators.

REGULATIONS FOR THE CHOSEN JUDICIAL PROTECTING ENTERPRISE
(dated, October, 1944)

Notification from the Minister of Judicial (Justice)

To: Each Chief of Judicial Protecting Association,
September 8, 1944.

The Great Oriental War has been come to the final step, and the rise and fall of our country are to be decided by this final important battle.

At this juncture, it goes without saying that the mission given to the Judicial Protecting Organs (procuring labor from penal institutions) are so great that they should exert themselves to maintain the Public Peace Preservation (law) and the practical use and training of national resources (Korean men) behind the gun. Accordingly, the success or failure of this important
matter are due to the practical performance of the committee-men of the Judicial Protecting Association in administrating their given missions . . . . . . in this purport of realizing the mission, we are going to establish the Branch offices of Judicial Protecting Association, in every district located in the sphere of Branch-office of local courts, so that we may exert to make our system perfect and suit the requirements of our country. . . . .

To Every Chief of Prison, June 1, 1944

In case that you want to make the public party attached to your prison, work in the private factories and mines by letting them lodge in the dormitories there, and letting them have their temporary emancipation, you are requested that you should make them, the emancipated, have the opportunity to serve the employers so that they may culture their consolidative spirit of patriotism by way of nurturing their tasteful spirit for the enterprises of national policy.

We feel the necessity of performing the practice of Labor Mobilization for those who are protected by the rule of the Judicial Protection, in consequence of the impending emergency which has been made by the Great Oriental War. . . . . . .

To Each Chief of Judicial Protecting Committee, March 13, 1944.

Those whose bodies and minds are sound, and who can endure their labor, in other words, exconvicts protected by the protecting organs, should be protected by the authorities concerned with their intensive protection, and on one hand they should be employed in the necessary industrial plants so as to let them produce over productions of necessary materials in this emergency so that their second offenses may be prevented in the future. We are going to practice the above subject, for those who are protected by the Judicial Protecting Organs in every plant, for the purpose of cultivating them with laboring spirits by way of protecting and training and making them employees in every Industrial Organ. (they should be trained in groups) . . . . . .

From the participators of Laboring Mobilization, the Judicial Protecting Meeting should dispatch 6,500 members for the time being according to the following table, as soon as possible.
Quite frequently the delinquent's return to the community meant a labor assignment in a strange community or even a strange country. There he would live under worse conditions than existed in the institution from which he had been released. The author participated in the release of some thirty Chinese and Korean boys from a Japanese army slave labor camp in the jungles of Bougainville. The conditions under which they lived and worked was reflected in their physical condition.

The Implications Of The Japanese System

The implications of the Japanese program for the legal processing and rehabilitation of the juvenile delinquent have already been pointed out. The boy or girl; the delinquent became a subject of the state with little or no hope or opportunity of reprieve until completely satisfying the demands of the state, or until reaching the legal age of maturity. The parent or the family was in little or no better position. The Japanese law provided that while a son or daughter remained in the custody of the state, the family must make periodic, financial contributions to the state for the support of the member of their family held in custody. If they failed to contribute to the satisfaction of the state, they could be legally held liable under the same law regulating the collection of taxes. The relation to the state of the delinquent and his
family was similar to the relation between vassal and serf to
the mediaeval lord of feudal times, truly "carriers of water
and holders of wood", as the Koreans were referred to by their
Japanese masters.
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(Chapter II)


CHAPTER III

THE AMERICAN OCCUPATION OF KOREA

The American occupation of Korea took place on September 8, 1945. General Hodge was designated by General MacArthur as commanding officer of all American occupation forces in Korea.

The initial function of this force was to complete the instruments of surrender of the Japanese army in Korea and to repatriate as soon as possible both the Japanese army and the Japanese civilian population of Korea. There were approximately 180,000 Japanese troops and well over one-half million Japanese civilians in Korea at this time. Allied with this function was the necessity of providing immediate administrative and governmental leadership for the now defunct Japanese colonial government of Korea; filling with American officers governmental offices vacated by the surrendering Japanese officials with the end in view of bringing into responsible positions as soon as possible qualified Korean administrators. This need and function of the Military forces led to the establishment of the United States Army Military Government in Korea.
American Objectives In Korea As Expressed By The Department Of State, The United States Of America

The first statement of foreign policy which was to be followed in Korea by the American forces was made on December 27, 1945, by the Department of State, in press release number 965. The statement was based on agreements reached by the Foreign Ministers of the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America, as they met in conference in Moscow, from December 16th to December 26, 1945, in accordance with the decision of the Crimea Conference, confirmed at the Berlin Conference. This statement of policy was as follows:

III. Korea

1. With a view to the re-establishment of Korea as an independent state, the creation of conditions for developing the country on democratic principles and the earliest possible liquidation of the disastrous results of the protracted Japanese domination in Korea, there shall be set up a provisional Korean democratic government which shall take all the necessary steps for developing the industry, transport and agriculture of Korea and the national culture of the Korean people.

2. In order to assist the formation of a provisional Korean Government and with a view to the preliminary elaboration of the appropriate measures there shall be established a joint commission consisting of representatives of the United States command in southern Korea and the Soviet command in northern Korea. In preparing their proposals the Commission shall consult the Korean democratic parties and social organizations. The recommendations worked out by the Commission shall be presented for the consideration of the Governments of the Union of the Soviet Socialists Republics, China, the United Kingdom and the
United States prior to the final decision by the two Governments represented on the Joint Commission.

3. It shall be the task of the Joint Commission, with the participation of the Provisional Korean Democratic Government and the Korean democratic organizations to work out measures also for helping and assisting (trusteeship) the political, economic, and social progress of the Korean people, the development of democratic self-government and the establishment of the national independence of Korea.

This statement of policy was followed by considerable civilian unrest in Korea, (20-21) based upon the desire of the Koreans for complete, immediate independence and upon their misunderstanding of the intentions of the United States and Russia in Korea. The United States sought to clarify its position again on August 30, 1946. On this date the Department of State released to the press, this statement:

The United States wishes to see a united, independent and democratic Korean government established as early as possible and has made solemn commitments to aid the Korean people achieve their independence. This is the sole reason why Americans are in Korea.

The communique went on to point out the exact duties and functions of Military Government in Korea, emphasizing the fact that, "The United States has no imperialistic aims in Korea: Military Government was established to take over when the Japanese rule collapsed; it is temporary in nature."
Major Problems Confronting Military Government

One of the major problems confronting Military Government, as was evidenced in the unrest necessitating the reiteration of American foreign policy, was social disorganization. One of the contributing factors to social disorganization was the collapse in Korea of the Japanese industrial enterprises which had employed large numbers of Koreans, both adult and juvenile. These enterprises were shut down immediately after Japanese surrender. Their cash assets were liquidated and their employees discharged. As these industries collapsed, inflation soared. Manufactured articles and food became increasingly scarce. Many of the families, dependent upon these industries for livelihood either as forced or voluntary laborers in southern Korea, had come or had been brought from northern Korea - that part of Korea north of the 38th parallel. As the result of the Russian occupation of that area, they were now unable to return to their former homes and family groups. They remained in southern Korea, unemployed and destitute.

Juvenile Delinquency As The Result of Social Disorganization

Juveniles, formerly employed, now could but forage for themselves. Children from the families which had formerly been employed became in a sense, the breadwinners of the family through their forays into the markets and the streets in search of food
or money to support those at home.

To add to social confusion and disorganization, prisons and jails were thrown open by wandering bands of Korean patriots, releasing upon society criminals of all types.

Another of the principal contributing factors in the rise of the delinquent rate was the return to southern Korea of displaced persons. Immediately after the Japanese surrender those Koreans living in other countries as the result of the Japanese domination of Korea began to return to their homeland. By May of 1946, some two hundred and fifty thousand had returned to Korea. Normal facilities for housing and feeding these peoples were non-existent. They wandered in bands from city to city. Many of them were juveniles who were parentless, or who were unaccompanied by their parents.

Thus, in the early months of the American occupation, Korean youth who could be termed delinquent were, for the most part, children who had come from broken or scattered family units and who were in many cases delinquent as the direct result of being homeless or parentless or unattached to large controlling family units.

Evidences of similar disastrous results of Japanese domination of the Korean people were apparent in the manner and demeanor of the newly appointed Korean police. In making arrests and handling suspects, third degree methods were open and public.
Severe treatment of juvenile delinquents became an established policy, all quite in order with Japanese ways.

The Initial Step Taken By Military Government To Improve The Lot of The Delinquent

Military Government interest in and supervision of a program for improving the lot of the juvenile delinquent was based on an interest in the earliest possible "liquidation of the disastrous results of the protracted Japanese domination in Korea". (see statement of foreign policy, page 35)

The initial step in planning a more adequate juvenile delinquent program for South Korea, was a survey covering the nine provinces occupied by the American forces. The survey was designed to point out the most immediate and important problems facing the occupation forces in dealing with delinquency. The survey was made by a joint committee of American and Korean officers, directed by the Department of Justice, Headquarters, United States Army Military Government in Korea, Seoul, Korea.

The survey was carried out in part through the nine district courts and their respective branch courts throughout southern Korea. These district courts reported periodically, both through Korean and Military Government channels, on juvenile cases and the disposition of each case appearing before them for trial or disposition. In addition, Military Government officers made periodic inspections of penal institutions throughout
the provinces. Their reports on the institutions inspected were made available to the survey committee. (See Appendix D)

The activity of the survey committee was centered in Seoul, the capital city of Korea. The committee studied every aspect of juvenile delinquency in Seoul and in the province in which the city was located with the intent to establish in Seoul a rehabilitation program. It was hoped that each province and principal city might, at such time as they were able, adopt a similar program. (See Appendix E)

Although the survey did not end on a specific day nor accomplish everything which it was hoped it might accomplish, it revealed certain facts which seemed to be universally true throughout the provinces and of such prime importance as to make corrective measures immediately necessary.

The survey disclosed that, (1) juvenile delinquents were being handled as adult offenders in the American zone of occupation and were being sentenced and confined in adult penal institutions; (2) in these institutions, little or no special attention was being given the juvenile and in all institutions there was no educational program in evidence; (3) in none of the provinces in the American occupation zone were there any facilities for confining female delinquents or for rehabilitating them in any way; (4) the juvenile prisons were packed to capacity and were overflowing into some of the provincial adult prisons;
(5) juvenile penal institutions did not differ basically from adult penal institutions in their attempts at rehabilitation; (6) rehabilitation was neglected by penal officials, who on the whole seemed to have little or no conception of the democratic concept of reform or rehabilitation as it applied to juvenile delinquents; (7) officials handling juveniles in institutions and courts had had very little if any experience in juvenile work; (3) there was no evidence throughout the American zone of occupation of any concerted attempt by courts handling juveniles to offer them re-employment after release from the jurisdiction of the court; (9) the rate of juvenile delinquency was high and seemed to be increasing throughout the American zone of occupation.

In the city of Seoul, the survey revealed the rise in delinquency rate from one case in August of 1945 to one hundred and eighty nine in April of 1946. These were only the cases appearing before the Seoul Juvenile Court. (See Appendix F)

The survey pointed out the need for the following corrective measures: (1) additional juvenile delinquent confinement centers; (2) extension of the juvenile court system; (3) female juvenile delinquent confinement centers; (4) democratic educational programs in existing juvenile institutions and in other penal institutions housing delinquents; (5) a Military Government supervised training program for juvenile officials and administrators; and, (6) a program for caring for the
delinquent after release from the jurisdiction of the juvenile court.

The Creation of The Bureau of Juvenile Affairs (See Appendix G)

The building of a program to meet these needs centered itself around the creation of the Bureau of Juvenile Affairs under the Department of Justice, Headquarters, United States Army Military Government in Korea. This bureau was to have supervisory power over all juvenile delinquent affairs in southern Korea, both judicial and penal, and to act as a policy-making body. The bureau was to head the new reform movement and to direct its activity. It consisted of some fifty Korean officials and office personnel, and American Military Government officials.

Reforms Under the Bureau of Juvenile Affairs

A reform schedule was set up by the Planning Section of the Department of General Affairs of the Bureau of Juvenile Affairs. High on the schedule for consideration came the Juvenile House of Correction which was operating under the Juvenile Court in Seoul, a pitifully small and over-crowded institution on the outskirts of the city. The first basic reforms to be later elaborated on, were made here in the form of increased financial allotments, additional rations of food and clothing and provisions for educating the boys confined there.
In the city of Seoul proper, specific portions of the police stations were set aside for juveniles so that they would not have to be confined, as of old, with adult criminals in a small cell in a local police station while waiting for transfer to juvenile courts or criminal courts. Inspecting officers, both Korean and American, prior to this time had pointed out the urgent need for this reform at the earliest possible date.

In Seoul, the juvenile court was asked to function as a collecting agency for apprehended delinquents over the entire city. They were first to be confined in special cells in local police stations until preliminary police investigations had been made. The period of their confinement in police stations was not to exceed a twenty-four hour period. From local police stations, juveniles were to be taken to the larger and more carefully supervised detention center which was a part of the juvenile court building, directly under the court's supervision. The period of confinement in the juvenile court detention rooms was not to exceed seventy-two hours before trial, except in special cases where the period of investigation had to be prolonged due to the seriousness of the case.

Two adult prisons were located in the city of Seoul. The Bureau of Juvenile Affairs, by directive, asked that they be removed and turned over to authorities having jurisdiction over juvenile prisons and institutions. Directives to all
wardens of penal institutions in the American zone of occupation were sent out to accomplish the same end in this further step to separate juvenile offenders from adult offenders, wherever possible.

Food and money were generally provided to institutions for the more benevolent care of confined juvenile delinquents. Contacts with local welfare agencies were made in an endeavor to secure cooperation among all agencies dealing with juvenile delinquents. Under one of these agencies in the city of Seoul provision was made for a "home" for delinquent women.

As the last step in the preliminary stages of reform, wardens and deputy wardens of all penal institutions in the American zone of occupation were called to the city of Seoul for a conference. The immediate measures of reform being carried out in the city were discussed with them in the light of the over-all picture of the proposed juvenile program under the new Bureau of Juvenile Affairs. Their cooperation and assistance was sought in making the program a success, particularly as it might have to do with juvenile delinquents confined in their institutions.

The Rehabilitation Center For Juvenile Delinquents

Concurrently with the reforms mentioned above, planning began under the Bureau of Juvenile Affairs to establish in the city of Seoul, as a model to be followed in all provinces, a
rehabilitation center for juvenile delinquents. The outstanding feature of this institution was to be a democratic educational program. This program will be discussed and criticized in a later chapter. (See Appendix H)

A sixteen-acre site was found for this center on which there were approximately thirty relatively new and modern buildings: an administration building, a school building, two large dormitories, a combination dining hall - bath house - gymnasium, and many more out-buildings such as work shops, storage houses, barns, stables, and dwelling houses. All of these facilities seemed well-suited to this purpose. The site had been used formerly as a Japanese boarding school for the sons of government officials and so met the fundamental requirements as a "boarding school" for juvenile delinquents.

The site and property were made available for use by the Department of Justice and the Bureau of Juvenile Affairs through the Department of Education and the National Property Custodian of the Military Government.

Work began immediately preparing the property for habitation. Delinquents were to be taken from the three boys' prisons in the outlying provinces and from the Seoul House of Correction. It was estimated that the total population of the center, when filled to capacity, would be three hundred boys.
As work progressed on the establishment of this center, the Bureau of Juvenile Affairs began the search for similar sites in the outlying provinces where might be established at least two similar rehabilitation centers.

The Revision of The Japanese Law For Boys (See Appendix I)

Korean juvenile judges and their assistants began the task of rewriting the old Japanese law for Korean boys, thus providing a legal basis for the new program under American Military Government.

It was the intention of these men to place all jurisdiction of juvenile affairs, under the Bureau of Juvenile Affairs. Under the Japanese, the jurisdiction had rested in the hands of the Japanese public procurator who in turn might, if he saw fit, delegate his powers to the juvenile court. Under this system several policies might be invoked in the treatment of the delinquent. It was hoped to legally establish a single policy of treatment and to administer that policy through the National government. The National government, through the Bureau of Juvenile Affairs might then supervise all treatment. It could, legally, assist local communities in handling their juvenile delinquent problems. At the same time, it could insist that juvenile delinquents be treated with the regard they warranted as juveniles rather than as adult cases as had been the policy under the Japanese.
This work progressed very slowly. Suggested revision had to meet Military Government approval. Such approval was more than often slow in coming or did not come at all.

Provisions For Training Korean Officials

The initial survey had disclosed a need for some type of training program for juvenile delinquent officers and officials administering juvenile delinquent programs. The Bureau of Juvenile Affairs suggested the establishment of a permanent school for the purpose of instructing these men in the methods and procedures of administration, to be followed by an in-service training program in their respective institutions as an extension of the basic course. It was further suggested that Korean officials having to do with the institutionalized delinquent be allowed to make an inspection tour of the American juvenile penal institutions.

A suitable site was found for such a school by the Bureau of Juvenile Affairs. An American officer inspected the site and recommended that it be put to that use. In the event the school was approved by Military Government, interested civilians were recruited for possible training and service as juvenile delinquent officials. For the most part these men came relatively untrained to apply. Selection of these men was made and a waiting list established with the hope that the school would be approved and opened in the near future. It is interesting
to note that one woman was recruited. Unquestionably, she would have been the first Korean woman to hold a governmental position as an administrator.

Summary

This history of the treatment of the juvenile delinquent had lead to a consideration of his position under three governments: Korean, Japanese, and American. Under Korean treatment the juvenile delinquent presented no real problem to society. As Korean social organization was changed under pressure of Japanese rule, juvenile delinquency appeared as a major problem and represented social disorganization. The Japanese recognised the problem and dealt with it, following general patterns of treatment as were in practice in the United States. As the result of war, they were forced to abandon any form of democratic treatment implied by the system which had been copied. American occupation forces found that the Japanese system did not meet the aims and objectives which had been set for occupation forces. To meet these objectives certain measures for immediate reforms were taken which followed the general pattern of the total endeavors of the Occupation Force in Korea.

These reforms are now a part of history. The re-educational program which followed the reforms is to be presented in the following chapter with a critical appraisal based on criteria set up by the author.
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CHAPTER IV

THE BASIS FOR A CRITICAL APPRAISAL OF THE AMERICAN EDUCATIONAL PROGRAM FOR KOREAN JUVENILE DELINQUENTS

Problems To Be Met In Establishing Criteria

It is the purpose of this chapter to present what may be considered a democratic pattern of treatment for Korean juvenile delinquents such as might ideally exist under a democratic form of government. This pattern is then to be used as the basis for an appraisal of the actual program of treatment as it was put into effect under the Bureau of Juvenile Affairs, Department of Justice, United States Military Government in Korea.

For a critical appraisal of the American program for the education of the Korean juvenile delinquent, it is necessary to establish criteria. They should be selected in terms of a democratic educational program in general with particular emphasis on the problem of educating the juvenile delinquent. In addition to the basic considerations of democratic education and treatment for the juvenile delinquent, it is necessary to take into account the fact that the problem is set in Korea. Thus criteria to be established must take into consideration the Korean juvenile delinquent, who at the time of this study, had little or no formal school experience, had little or no homelife experience, and in many cases had
no knowledge of the whereabouts of their parents or family. Many of them, because of their previous status under the Japanese as slave laborers possessed few culture traits peculiar to either the Japanese or the Korean people.

Sources From Which Criteria Have Been Drawn And Criteria

Democratic education has been dealt with extensively by many writers and authorities. The selection of a few out-standing sources from which to draw criteria has been met in this study by considering four basic factors which are involved in the solution of this problem.

The first of these factors is democratic education. The guiding principles of all schools in a Democracy as established by the Educational Policies Commission in "Education For All American Youth", National Education Association, Washington, D. C., 1941, have been used as a source of criteria. This choice was based on the fact that the National Education Association represented so many authorities and leaders in the field of "democratic education".

The second underlying factor is Far Eastern culture and the educational "discipline" fostering this culture. The objectives set for educational programs under American occupation forces in Japan and Korea by the United States Education Mission to Japan have been accepted and used by the author as a basis for establishing certain criteria. This choice was
based on the consideration given by the Mission to Far Eastern culture, the educational discipline fostering this culture and how democratic educational practices might most effectively be applied.\(^{(22)}\) (See Appendix J)

The third factor is the "mission" of the American forces in Korea. The Department of State, as has been noted in the preceding chapter, indicated the policy to be followed by all occupation forces in Korea. These policies have been translated into criteria. The acceptance of these policies as the basis for criteria rested on the asserted democratic nature of the mission.\(^{(23-24)}\)

The fourth underlying factor is the responsibility of government, or the state, to provide for the maximum happiness of the people it represents. Therefore the author developed criteria which in his opinion would eventually, through a state supervised educational program, provide the Korean juvenile delinquent a measure of happiness and personal satisfaction as an accepted member of a democratic society.

We are concerned then, with the criteria for a democratic educational program for juvenile delinquents set in an environment of Far Eastern culture, administered by a military occupation force whose mission is democratisation.

The leaders and authorities in the field of democratic education as represented by the Educational Policies Commission,
emphasized education for all American youth. The word "all", implies a common belief held by democratic peoples that each individual has a right to believe that his own worth to society is equal to that of any other individual. On the basis of this belief, all should be afforded equal opportunity to develop potential abilities to the fullest, whether these abilities be great or limited. Improvement of the individual, in a democracy, implies a strengthening of the whole fabric of the society of which he is a member. The juvenile delinquent presents a problem of maladjustment to society. This condition, however, does not exclude him, under democracy, from an opportunity to improve himself equal to that enjoyed by adjusted individuals. This condition does mean that probably improvement will be more difficult for him and that special measures must be taken in the school to assist him. These considerations suggest this criterion:

Criterion #1

The educational program should be founded on a belief in the improvability of all, with respect for the personality of every individual, based on an understanding of the nature and causes of his delinquent behavior.

The United States Education Mission to Japan, after careful study, criticized Japanese educational discipline. The twenty-seven members of the Commission, all acknowledged authorities in the field of Education, jointly recommended
discontinuance of Japanese policies which had, in the past, fostered "submissiveness". They further suggested practices and procedures which characterize "the democratic school". It was suggested that such practices and procedures would lead to a feeling of "equality" among students. Reliance upon reason to attain desired outcomes in education rather than the use of compulsion was advocated. These suggestions might have been excluded in this selection of criteria as long as a democratic educational program was held in mind. However, because the United States Education Mission came to the Far East by request of the Military Government for the specific purpose of studying the nature of the educational program in Japan and Korea and to make suggestions particularly applicable to them, the suggestions made have been of particular value to this study. In the light of the recommendations of this mission the second and third criteria are set up as follows:

Criterion #2

The educational program should be based on an appeal to reason rather than force, providing an opportunity for each individual to make the best of such natural gifts as he has, and encouraging him to do so.

Criterion #3

The educational program should aim toward the development of each unique personality by providing a stimulating curriculum for such development; a curriculum which attempts a general diffusion of knowledge and the development of an understanding and acceptance of the ideas and standards of conduct which promote a sense of equality.
Democratization can be accomplished most effectively through an appropriate type of educational program, whether that program is developed in terms of the needs of the Korean people as a whole, or is concerned specifically with the Korean juvenile delinquent. A part of the democratization process involves instilling a sense of belonging in each individual, since democracy exists on the basis of individual participation in democratic relationships. In the democratization of the Korean juvenile delinquent, emphasis must be placed on instilling a sense of belonging because he has not had the opportunity to experience this feeling either as a member of society or as a member of a smaller more intimate social group, such as the family. The fourth criterion, therefore, in light of the expressed purposes of Military Government to undertake the democratization of the Koreans, and in consideration of the importance of participation in cooperative social activity as a means of coming to understand and accept the basic concepts of democracy, is Criterion #4.

The educational program as a means of developing a sense of belonging, should provide opportunity for the individual to share actively in making decisions affecting the welfare of all.

The fifth criterion grows out of a recognition of the fact that student government has played an important part in the development of democratic concepts among institutionalized
juvenile delinquents in the United States. The actual
democratic procedures of self-rule among students
should not be overlooked in planning an educational program
for Korean juvenile delinquents.

Criterion #5

The educational program should induce a willingness
to sacrifice personal desires for the recognized general
welfare of the group. Therefore, democratic measures for
the exercise of self-restraint should be provided.

Ideally, the American Military Government, in educating
the Korean juvenile delinquent for democracy, may be expected to
follow these criteria as they reflect educational procedures
peculiar to the "democratic way of life".

The criteria applied to an educational program for
juvenile delinquents serve the function of providing a set of
values by which the American program may more readily be appraised.
In the appraisal, these criteria will be applied to three aspects
of the program, namely: (a) the purpose of the educational program
for Korean juvenile delinquents; (b) the discovery of individual
differences and planning to meet the indicated needs in the
educational program; (c) and, the selection and utilization of
teacher and administrative personnel.
The Purpose Of The Educational Program For Korean Juvenile Delinquents

The basic purpose of the educational program for Korean juvenile delinquents, as supervised by the American Military Government, is the democratization of the juvenile.

This democratization implies a specific type of program, such a program or school as may be found in the United States. The Educational Policies Commission in its publication, "Education For All American Youth", Washington, D. C., National Education Association, 1944, outlines the purpose of American schools as follows:

Schools should be dedicated to the proposition that every youth in the United States - regardless of sex, economic status, geographic location, or race - should experience a broad and balanced education which will (1) equip him to enter an occupation suited to his abilities and offering reasonable opportunity for personal growth and social usefulness; (2) prepare him to assume the full responsibilities of American citizenship; (3) give him a fair chance to exercise his right to the pursuit of happiness; (4) stimulate intellectual curiosity, engender satisfaction in intellectual achievements, and cultivate the ability to think rationally; and (5) help him to develop an appreciation of the ethical values which should undergird all life in a democratic society.

The appraisal of the program for Korean juvenile delinquents under American Military Government in terms of these purposes is of prime importance in determining whether or not the program in question may be expected to accomplish its avowed purpose of democratizing the youth with which it is concerned. It is the function of the educational program
moreover, to fulfill specific needs of the child as revealed in the causes of his delinquent behavior. A particular case may include any one or several of the following: (1) the need of a feeling of satisfaction and well-being; (2) the need to experience success; (3) the need to receive recognition and approval from both the youth around him and from adults; (4) the need for affection and the need for giving affection; (5) the need for the feeling of belonging to a closely knit social group; (6) the need for security to replace fear and apprehension of insecurity and authority; (7) the need for an opportunity to develop along constructive, socially accepted paths his native creative abilities; (8) the need for the realization of his true place in society and, specifically for the Korean youth, the need for an opportunity to live and learn in his youth without the total responsibility of supporting himself unassisted. The early training of the Korean youth normally included instruction in the home in the matter of boy and girl relationships, the acceptance of family traditions, training for the responsibility of the men for the family group, and training to fit the youth for family "headship", involving the control of the economic and social life of the family, not as a unit of three or four but as a unit of twenty, thirty, or more. Since for most Korean delinquents the influence of a home and family no longer exists, the institution must attempt to
provide that influence in desirable aspects such as those to which reference has just been made.

If these needs were to be met, it was important for the teacher and the school administrator to possess a knowledge of the child's history and problems, and to understand as fully as possible the child's present behavior.

**Discovering Individual Differences**

The purpose of the educational program referred to in the preceding section have had to do with serving the juvenile, and this service is based on an understanding of the behavior of the child.

The establishing of a common understanding of child behavior, on the part of the staff, is of vital importance for those having to do with the "treatment" of the juvenile delinquent. This undertaking in its first stage is simplified by the condition that all training school pupils have one common characteristic: their behavior has been termed delinquent. If it is accepted that the function of the school is to educate or treat such children, rather than merely to withdraw them temporarily from society, such treatment cannot be effective without an understanding of the nature and the causes of each delinquent behavior problem. In addition it is necessary to understand the unique character of each child who needs treatment. Such an understanding must be based upon the characteristic
reactions of Korean youth in general, and, upon the social and emotional characteristics which have a profound effect upon the child's adjustment to life - his acceptance of self, his responsibility to social groups, and his understanding of ideals of family life and citizenship.

To adjust each child and to fit his unique character to some part or to the whole of the educational program based on his particular needs, means a definite recognition by the staff of the child's differences. The recognition of these differences is the essence of the democratic character of the program and the real basis of any attempt at understanding individual behavior. Without recognition of these differences and making educational provision for them, the training school, particularly in Korea, swings back into line with the Japanese policy of attempting to stamp out with machine-like precision a subservient serfdom from which to draw nothing more democratic in character than slave laborers.

Attempts to discover individual differences and to understand "problem" behavior on a scientific basis involve the "case study" method of research. This method is a means by which facts are gathered regarding total social situations or combinations of interrelated factors, by which are described the social processes or sequences of events in which human experience occurs, or by which is studied individual behavior in its social setting.
In short it is a process for studying the life history of a person, or the "inner" life of a person, his social wishes, interests, and motives. (28) & (29)

A study of this kind must begin at the earliest opportunity and must be contributed to by all agencies and persons who come into responsible contact with the delinquent. The availability to training school teachers and staff members of the complete history of the child in question facilitates an early and comprehensive understanding of his behavior, his problems, and his needs. If such a study has not been made prior to the confinement of the child in a corrective institution, it should be the duty of the staff to initiate such a study as soon as it is possible to do so, and in particular, it is each teacher's duty to continue the study as long as the child remains under his or her guidance. Once the study has been initiated, it behooves all to become acquainted with it and to consider the child in the light of it. Teacher guidance in behavior and learning experiences can be effective only as it is developed consistently by all staff members upon the basis of shared understanding. When common objectives are accepted as desirable by all who deal with the pupil and all practice consistent procedures in dealing with the pupil the most effective treatment possible is the result.
Program Planning To Meet Pupil Needs

The program planned to meet pupil needs must be based on an understanding of the pupil and his needs. Grouping of the children and assignment for activities should take into consideration, among other items, chronological age, general learning capacity, physical, social and emotional maturity, and interests. The Korean training school needs to plan particularly for pupils who will go to work. As has already been noted, a majority of them have no family groups to which they may return or upon which they may depend for support. In a program planned on this basis, grades and subjects may not be overlooked, but neither should they constitute the single pattern to which every pupil must conform. Rather, they afford one means through which the school program may be adjusted to the needs of the majority of the children.

Another consideration in planning the program to meet pupil needs is that of determining and studying the character of the pupil population of the school. This should be a continuing study particularly in the Korean situation where at the present time the main characteristic is homelessness. It is not unreasonable to assume that in the years to come these homeless boys and girls will be absorbed into society and a more normal social situation will develop in Korea. As this process takes place, because the uniform effect of the current most influential cause of delinquent behavior, namely, "homelessness", will not be
generally operative, the training school population may be characterized by even more numerous variants of delinquent behavior than now is the case. If the program of the school is to be maintained and its democratic character preserved, this development must be watched and thorough and careful study made of it.

The outstanding present problem in the determination of the character of the student population is not the determination of the overall general characteristics of the population but is rather the discovery of abilities and interests, especially among those students who have little cultural and educational background. Aptitude, intelligence, and interests tests as a whole are unknown in Korea. Such tests for specialized groups such as delinquents have not as yet been developed; consequently, guidance is based on supposition and generalizations drawn from case studies and interviews. Yet, only when these interests and latent abilities of the juvenile are at last discovered and recognized, can placement in the school and planning of a suitable program for each student be accomplished.

The development of a general plan for school organization without adequate means of discovering pupils potentialities would of necessity seem to rest on the most apparent need of the total school population, a thorough program of general education
which would prepare the pupils for citizenship and for employment.

To supplement the general institutional program, especially for those students judged "capable" by whatever means may be available to school administrators, provision may be made for their enrollment in local public schools, now open and operated under the supervision of Military Government. These schools include in their curriculum subjects emphasizing culture and citizenship, designed to meet the needs of the non-delinquent juvenile and at the same time promote his democratization.

The Functional Curriculum

The term "general" program as it has been discussed to this point, now, in a discussion of curriculum, assumes a more definite character and the term "functional" is applied to the curriculum which is best suited to the treatment of the Korean juvenile delinquent. By functional curriculum is meant that program in which all services of the training school work together to bring about for each pupil the integration of experiences that are vital and meaningful to him and will carry over to the life situations he will most likely meet upon discharge from the school. The curriculum is the means of accomplishing the established aims and goals of such a functional program. As already intimated, the curriculum may be roughly
divided into these divisions; educational experiences planned for the retarded pupil, capitalizing on first hand and concrete experience as the basis for all learning; experiences planned for the normal pupil, including mastery of basic skills, acquaintance with concepts of citizenship and democracy; and the experiences afforded by the local public schools for pupils showing aptitude and interest in a more thorough cultural education. Throughout all phases of the curriculum should run a positive emphasis on vocational training.

How much the success of the functional program may be dependent on individual instruction, especially for retarded pupils, and so far as it is possible for all other pupils, has been pointed out many times here in our own country especially as individual instruction has been combined with group activity. It may suffice to say here that all educational programs which are organized on this basis secure certain academic results through the use of individual instruction and it has come to be an integral part of the functional program here in the United States. In this light, it is logical to recommend individual instruction as a means of imparting knowledge in the treatment of the Korean juvenile delinquent.

The realization of the school's objectives through the functional program depends not only on the methods to be used in teaching but also upon the subjects taught as well. If it is the
objective of the school to teach citizenship and the fundamental concepts of democracy as a way of life, the place of social studies such as history, geography, current events, economics, and social problems is apparent. The teaching of these subjects and the correlation of these teachings with instruction offered in vocational skills against some background of self-government on the part of the pupil population would constitute a program which could be characterized as democratic, functional, and in line with the major objectives of the occupation for the whole of the Korean people.

**Vocational Training Under the Functional Program**

Korean training schools and penal institutions generally, as a part of the plant, have farms of sufficient size to produce a substantial quantity of the vegetable and cereal foods consumed by the inmate population. Many such institutions have industrial shops as well, for the manufacture of items such as newsprint, fish nets, clothing, shoes, home furniture, and various items of metal and porcelain for general household use. Around these shops may be developed a program to foster the development of skills in the production of these items, or items of a like nature both agricultural and industrial. Korea's basic economy is agricultural - supplemented by fishing - while her greatest economic needs are industrial. On the basis of these broad aspects of her economy, the curriculum of the training school
should include courses in both agriculture and industry, for the general welfare of the pupils and the future good of the nation. However, it may well be pointed out that agricultural and industrial training, to be educational, require the same class-room procedures as does training for arts and culture.

The vocational training program should include certain creative skills such as drawing and handicraft skills of various kinds. Here, particularly for the Korean delinquent, can be an opportunity for self-realization and the development of interests and skills purely native to each student. The value of this training may lie in the amount of self-dependence and responsibility which the juvenile develops within himself under minimum tutelage and direction by school authorities. The absence of this form of self-development and self-realization has been one of the outstanding deficiencies of the Japanese program. The Korean way of life included many small-craft groups, with a particular group or family specializing in products of peculiar design. Under Japanese domination, this system was broken down or used to the advantage of the Japanese war industry. There is now in Korea a great need for the youth of the nation to recapture some of the old and almost forgotten skills, particularly those having to do with pottery, brass-working and general metal smithing. Training schools have the opportunity of rejuvenating to a certain extent this type of industry and the
hobby shop of the school may well be used as one means toward this end.

**Student Self-Government**

It should be remembered that the ultimate aim of democratic procedures is more than assuring the pupil of the knowledge of "how" and "what", but of "Why" as well. Some form of student self-government providing opportunities for self-discipline and self-restraint for the recognized welfare of the total group, is one democratic procedure which can be used effectively in providing a common knowledge of the "whys" of democratic behavior and good citizenship.

**The Time Factor**

Time is one of the controlling factors in the treatment of the Korean juvenile delinquent. Confinement to juvenile institutions may vary slightly but the law seldom provides for sentences of no more than a few months except in the rarest of instances. Consequently, the institutional school may only have the opportunity to introduce the student to a particular field of interest or vocation. What has been said concerning curriculum and the functional program has not included discussion of such subjects as general science, literature, or physical training. There is a place in the training school for such subjects even if the school has only the opportunity of introducing some of these subjects. Physical training above all should
not be omitted. Many Korean juvenile delinquents are unaware of the nature or the purpose of soap. Among them, cigarette paper, along with sugar, is credited with medicinal powers. Contagion and disease are often accredited to evil spirits. The delinquent comes to the institution, or under the care and guidance of the juvenile court, lacking even the most elementary knowledge of personal hygiene and sanitation, to say nothing of knowledge pertaining to sex or venereal disease. Part of the functional program, to be truly functional and democratic, must include in the curriculum instruction and guidance in subjects of such a nature.

The Return Of The Juvenile To Society (31)

The school's role in the return of the juvenile to society is as important to the welfare of the juvenile and the state as is the training program in the juvenile institution. If the discharged juvenile delinquent cannot find a place in society as a citizen, is not accepted on an equal basis with his fellow citizens, or is unable to find work suited to his vocational interests or aptitudes, the work of the training school may have been for naught and society may become equally delinquent with the boy who then may return to his old ways in self-defense against starvation. In Korea, rice is the staple food of the whole population. It is rationed. Rice is sold in food stores at government-specified prices, which are high. Rice may also
be purchased in the black market at a much higher price. A citizen not in good standing in the community, often finds it impossible to obtain this food which constitutes the major portion of his diet. The juvenile, without family, without work, without even a permanent address, may have difficulty in procuring for himself enough food to eat, to say nothing of clothing, shoes and the other minimum essentials of normal existence.

The responsibility for the successful assimilation of the juvenile into society may be divided into four parts. As has already been pointed out, the school is responsible for the delinquent's training and subsequent placement in civil life. The family, if a family is concerned, is responsible for providing the returning juvenile with an atmosphere of understanding and acceptance. Society as a whole is responsible not only for providing an atmosphere of understanding and acceptance, but also a means, if one is needed, by which the juvenile may support himself in a socially acceptable manner fitting his interests and abilities. The "state" is responsible as an agent of society to coordinate all efforts in behalf of the juvenile both while in the institution and upon his release.

The greatest portion of the total responsibility lies with the school or institution. The school cannot bring about successful assimilation without working toward that goal.
constantly as it attempts to readjust the delinquent. It therefore behooves the school or a related welfare agency to maintain liaison between the outside world and the more or less isolated juvenile delinquent. The pupil should be gradually reintroduced to society and in the process receive some measure of reward and recognition from society for school achievements. It may also be the duty of the school to seek out and secure for its graduates positions which they can successfully fill. This means that the school must remain in constant touch with the various community employment agencies, or establish such an agency of its own to meet the needs of the pupils. To prepare the parents for the return of the juvenile to the home, the school has the responsibility of keeping the parents informed as to the progress being made by the juvenile in school, new interests he may have developed there and the juvenile's aims and ambitions for his new life to come. As the school prepares the family for the child's return, so too must it prepare the community and society. The efforts of the school in this regard on behalf of the juveniles in training may well indicate the democratic character of the institution as well as of the teachers and administrators.

**Personnel**

Training school administrators and teachers, because of the highly specialized nature of their work, should be trained for the positions which they occupy. Korea has few if any
trained workers, either teachers or administrators in the field of child welfare. Opposing this lack of skilled personnel, Korea's institutions for the confinement of juvenile delinquents are full and indications point to an ever-increasing rate of juvenile delinquency. In the universities there are a few students who out of interest alone might qualify for such positions. The greatest source of leadership lies in the American occupation forces. Korea can expect some help from this source although it should be pointed out that officially such forces can do no more than supervise Korean endeavors. The real answer then to this problem lies in the training of Korean administrators and teachers under Military Government supervision for positions now open in the field of child welfare.

Summary

The proposed pattern of treatment for the Korean juvenile delinquent, based on the democratic principles as suggested by The Educational Policies Commission, The Education Mission to Japan, American Foreign Policy, and the demands of the problems of occupation on Military Government, resolves itself in a functional program in which the curriculum consisting of academic and vocational subjects, supplemented by guidance in arts and crafts and by local school programs serves as the means of readjusting and democratizing the institutionalized delinquent.
Treatment extends beyond the institution into social life until such time as the juvenile delinquent is successfully assimilated into society.

The whole educational program to be successful must be administered by trained personnel. To supplement the lack of such personnel, a training program under the supervision of Military Government would eventually supply personnel to fill positions now open.
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CHAPTER V

A CRITICAL APPRAISAL OF THE AMERICAN PROGRAM

The preceding chapter dealt with general considerations of the democratic treatment of the institutionalized juvenile delinquent, in the form of criteria for such treatment. Around these criteria was then developed a pattern for the treatment of the institutionalized juvenile delinquent. The point has now been reached where it will be possible to appraise the American program in the light of the standards established. Criticism will be based on the actual accomplishments and procedures of Military Government. It will point out the extent of recognition and accomplishment on the part of the American occupation forces of the aims set for these forces by the American people and the Department of State, to wit: the democratization of the Korean people. It will point out, also, the success or failure of the program to educate the Korean juvenile delinquent for democracy.

The appraisal will be divided into two parts, general criticism of American Military Government, and criticism of the educational program for juvenile delinquents under Military Government.

General Criticism of American Military Government

In all statements of American foreign policy, the juvenile delinquent was necessarily included as one group which
could not be overlooked in any effort to reshape the thinking of the Korean people. Not only was this group important as a part of the total social structure of the country, but was particularly important for the success of the mission of occupation because of the age of the group, their number, the social disorganization of the whole society, and the unrest which this group in so many ways represented. Military Government in meeting this problem and discharging its occupation obligations to the Korean people, from the first days of its tenure in Korea until June 1946, waited five months before recognizing the problem and from then until June, 1946, assigned one junior officer to administer and supervise the total program for treating the problem on a national level. It was the duty of this officer to assist in the establishment of a democratic program of treatment for juvenile delinquents under Korean officials already appointed whose only concept of democratic treatment had been gained under Japanese domination. Only one of these Korean officers had been trained for the position he held as judge and he alone had previously served in an administrative capacity as a juvenile officer.

In spite of the recommendations of the Bureau of Juvenile Affairs, until June, 1946, juvenile offenders were, throughout the nine occupied provinces of Korea, being tried for offenses against the occupation forces regardless of the
nature or extent of their crimes in provost and criminal courts. Little or no effort was expended to segregate them from the common run of adult offenders.

In June, 1946, despite repeated requests from Korean officials and recommendations from within Military Government, that is, the Bureau of Juvenile Affairs, for the appointment of additional juvenile court judges throughout Korea's nine American occupied provinces, there remained in Korea one juvenile court with a staff of less than five juvenile judges, even though it was pointed out that there were available Korean officials who were in some measure capable of administering such a court.

The educational program in the Military Government supervised Boy's Prison at Kumchon, Korea, which was under the Penal Department of the Department of Justice, reflects the attitude of occupation officials and their Korean counterparts toward the problem of educating the institutionalised delinquent. On March 29, 1946, seven months after the American occupation of Korea, boys in that prison were allowed to devote less than three hours a week to school work. They were required to work in the so-called "very busy" prison industries from early morning until late in the afternoon, daily, except Sundays. One half hour per day was set aside for recreation in the prison yard. In feeding these boys being reeducated for democracy, two and one-half
handfuls of German millet and two and one-half handfuls of rice, along with fish and vegetables in season, were provided daily. At the time of the inspection of this institution, there was on hand for use no liquid antiseptic, a little B.D.T., and no soap of any kind. (See Appendix K)

Criticism of the Educational Program for Juvenile Delinquents

Under The Bureau of Juvenile Affairs

In the appraisal to follow, "program" may be construed to mean all action taken by juvenile officials from the time of the juvenile delinquent's arrest to and including his re-entry into society. The juvenile court referred to in all cases is the Seoul Juvenile Court which operated under the supervision of the Bureau of Juvenile Affairs.

The Purposes of The Educational Program for Juvenile Delinquents

Under Military Government

The official purpose of the educational program was to provide each boy in the institution with a general knowledge of the Korean language, the history of Korea, elementary mathematics, and some concept of democratic behavior based on good citizenship in a democratic society. In addition the program should provide vocational training in such skills as might be employed as a means of livelihood.
Basically, these purposes meet the requirements of a democratic educational program. They also provided for the teaching of democratic concepts thus meeting the aims of the occupation forces to democratise the Korean people as outlined by the Department of State.

The aims of the program however may be criticised for lack of detail in outlining procedure based on a recognition of individual differences. If these differences are recognised as the program develops, the basis for this criticism disappears. Yet, if the program is to be democratic and further, is to democratise, the recognition of individual differences should not be overlooked even in a broad statement of purpose.

Procedures Used In Understanding Individual Differences

The importance of understanding individual child behavior and delinquent behavior was recognised in the program in Seoul. Each case brought before the juvenile court was as thoroughly investigated as possible by a special investigating corps. These men were attached to the juvenile court and acted under its supervision. They compiled as complete a case history as it was possible to do. These records were then retained in the court and were added to through the reports of court officers and probation officers. If the child were institutionalised, these records were made available to the officials of the House of Correction. In many cases the
Superintendent of the House of Correction sat in trial of the child, if it appeared that the disposition of the case might bring the child under his supervision. The case history represented the only means of understanding the behavior of the child. Physical examinations were given only in the event a child appeared before the court in ill health. Mental examinations, tests for aptitude, interest or other types of mental tests were not given as such tests were not available. The only means used for determining such potentialities and attitudes came through trial and error methods within the institution if the child were confined.

Military Government was unable to supply either the juvenile court or the institutional school with the personnel or the material needed as they worked with the problem of discovering individual differences or causes for delinquent behavior. Time had not permitted a thorough study of juvenile delinquency in Korea. Of the juvenile officials working with the problem, all but a few had been appointed after American occupation. None of them had previously, under the Japanese, worked in the field of juvenile delinquency. Occupation forces knew little of the Korean way of life and less about the Korean people. Occupation forces had not been provided with specialized materials such as tests and measuring devices necessary for solving this problem. The Koreans, never having been given the opportunity to develop such devices, could not help themselves. Trained Military
Government leaders were not available or at least were not assigned to develop or work in such projects.

Koreans were thus left to their own devices, yet bound to do what they did not have the facilities to do. Their accomplishments are commendable. The case studies which they did make of each case were carefully made, and accurate records were kept of such information as they were able to gather. Of Military Government, little can be said, other than the fact that Korean officials were allowed to solve this particular problem as best they could without interference. This non-interference policy on the part of Military Government was identified by the Koreans as a lack of interest and while welcomed on one hand was criticized on the other.

Program Planning to Meet Pupil Needs

The recognition of needs through the discovery of some of the causes of delinquent behavior was developed through the use of prepared schedules used in interviewing each child by court and school officials. The interview and schedule constituted the sole basis for assignment to vocational training and academic projects in the school, or the placement of the child in society. The primary purpose of the schedule, however, was to place the child according to his abilities and previous training, rather than to discover his needs.
The institutional educational program was planned to meet the basic need of the majority of the student population. This need as has already been pointed out in the discussion of hopelessness was for skills which would enable the juvenile to support himself in a manner acceptable to society. His need for skill by which to support himself took precedence over his need for cultural and social training. Because the need for social training was not completely recognised, the institutionalized juvenile was withdrawn as completely as possible from all contacts with the outside world. He was, moreover, kept in complete ignorance of the course of events in the outside world. Program planning did not include provisions for sending capable students to local public schools.

In all schools the use of Japanese texts was prohibited. No provision was made for supplying juvenile delinquent institutions with new equipment of any kind, leaving the institutional school without text books, teaching aids, visual or audio, or any other material with which to conduct or to plan an educational program.

Academic training was accomplished by means of the lecture method. Individual instruction was provided for in program planning, but was not practiced due to the lack of teachers and the lack of appreciation on the part of the administration of the value of this type of instruction. This attitude was recognized by the officials of the Bureau of Juvenile Affairs.
and recommendations were made to the Department of Justice for a training school for juvenile officials and teachers to instruct them in methods of administration and planning for the most effective treatment of the students under them. Until June, 1946 these recommendations went unheeded. Individual teachers were open to suggestion and were especially cooperative in utilizing the suggestions offered. The question was raised as to the best method of instructing a large group of pupils from a sole source of information; to wit: one available text book. A monitor system was suggested and developed whereby monitors copied materials by hand and passed them down to smaller groups.

Korean officials expected Military Government to supply school materials such as text books, particularly of a democratic character. The Japanese had supplied books and even motion pictures setting forth the aims, goals, and ambitions of the average Japanese citizen as they should have been ideally held by the average Japanized citizen. Such materials formed the background for program planning in the institutional school. Similar text books and devices having to do with democracy were expected and hoped for by school administrators. They were not forthcoming from Military Government.

Program planning was thus curtailed in almost all aspects. Again, Korean administrators were left to such devices as they might conceive under the most difficult circumstances.
The lack of program planning was not only apparent in the institutional school, but was apparent as well in the attitudes of the general mass of Korean people. The ordinary citizen was at a loss to know just what the concepts were which constituted democratic citizenship. The curriculum which had been set up by the Bureau of Juvenile Affairs, called for the study of citizenship. Because of the general lack of knowledge of what should constitute such a course, subjects under this title included those outlining Korea's struggle for independence from aggressor nations. The United States with her ally, Russia, had assumed control of the government, seemingly for the same purpose as that of the Japanese. Although repeated statements were officially made to emphasize the position of the United States in Korea as a freedom giver, very little freedom seemed to be in evidence and the citizenry along with the juvenile delinquent continued to remain in ignorance of the motives behind the occupation or the course of study.

What had once appeared to be excellent program planning to democratize the juvenile delinquent, now appeared in practice as wasted time, as there were no materials to use in putting the program into effect.

In summary it may be said that the dearth of teaching aids in Korea in institutional schools was one of the limiting aspects in the development of the educational program for
delinquents. There had been few under the Japanese and now, fewer still under Military Government. With the banning of such Japanese materials as were in existence there remained for use in the school nothing with which to conduct the program which had been planned. Without maps, unbiased materials having to do with world neighbors, information and facts concerning Korean history, the educational program in the delinquent institution could not progress. The growth of understanding of the meaning of democratic citizenship was at a complete standstill academically. In this institution, the juvenile delinquent confinement center, perhaps above all others, such courses of instruction and growth in understanding should have received particular attention and encouragement.

The academic program, on the basis of what has just been said, consisted of instruction for three hours daily in mathematics, the Korean language, and Korean history. This was supplemented by an half-hour early morning period of instruction in physical education. Three hours in the afternoon was devoted to a vocational training program.

The average student's day was divided into two major parts, the morning for inside academic work, and the afternoon for vocational training, maintenance work around the school, or work in the hobby shop. Included in the vocational training program were those subjects which lead to skills in the production
of food stuffs for use in the institution, and in the maintenance of the plant itself. Where a pupil seemed to be incapable of absorbing the academic work in the class room, he was assigned more practical work in the doing of which he might learn practical methods of truck gardening, poultry raising, or be encouraged in the development of some handicraft. The lack of teachers in vocational subjects was the greatest handicap of the program.

A real effort was made to balance the vocational training offered with academic training. This balance was maintained by schedule under which the student was required to appear regularly for instruction in both academic and vocational subjects. The choice of vocational subjects was, however, left to the discretion of the student. He was allowed a choice between agricultural courses and shop courses. If he showed aptitude for some handicraft, he was allowed to specialize in that work, particularly if it led to the production of some article which might be of use to the institution or to the general mass of students. The balance that was maintained between vocational training and academic training gave the program as a whole some of the aspects of being functional. The school administrators maintained that proficiency in vocational skills must be accompanied by proficiency in the academic skills of reading and writing. The retarded student for example who found it difficult to participate in regular class-room procedures in
academic subjects found that he had not escaped from academic work in these subjects completely. He in turn was provided instruction in reading and writing as it applied to his particular interest in the vocational training program. If he participated in garden work, instruction in reading and writing came with the requirement that he make lists of the seeds that he would require for next year's planting. His interest in his work in a measure tended to overcome his inabilities and in time he was able to work with the language peculiar to his vocation. The same sort of academic training was applied to all students working in specific vocations. Without consciously recognizing individual differences and intentionally providing students who did not fit into the regular program with special measures for learning, the school did provide a functional program for all. The few students who remained outside the program in spite of all efforts on the part of the school to provide for them were transferred to one of the Boys Prisons.

**Student Government**

The educational program was planned to include provision for the establishment within the institution of a governing body of students. As far as possible this group was to hold office by general election. This body was to practice political democracy. Students were to be instructed in the methods of election by ballot and procedures of democratic administration.
The attempt to meet this requirement by school adminis-
trators was the only real effort made to democratise the juvenile
delinquent in the institution. A form of student government was
established under the supervision of the staff. Balloting was
encouraged although neither student nor administrator seemed to
possess any real knowledge of the reason or the purpose of this
procedure. The staff selected candidates for office as opposed
to the idea of their selection by popular vote. Students
selected by the staff were then voted into office. The elected
members then acted in the capacity of monitors in the school
rooms and shops, supervised dormitory life, and were responsible
for the general conduct of students assigned to them. Contrary
to the planned purpose of student government, these monitors in
no way influenced the administration of the school nor partici-
pated in determining school policies. These monitors did not
represent student opinion. As students, however, and juvenile
delinquents they became a part of the administration as they
aided instructors and administrators in the work assigned to
them.

Recognition Of The Time Factor

The educational program within the institution did
not recognize the time factor. Sentence and confinement to the
juvenile penal institution during this period was not defined
in terms of months or years. If the juvenile was convicted of
delinquency he was confined without mention of a particular length
of confinement. This was particularly true in cases which involved juveniles who were parentless or homeless. The juvenile institution assumed its responsibility to be that of providing the juvenile with skills and knowledge within no specified time limit. It also assumed the responsibility of providing the delinquent with a home until such time as he was able to provide one for himself or one could be found for him. If officers of the juvenile court could find a home for confined juveniles, boys were released to foster parents under probation. The nature of their crime was considered only in exceptional cases. On the other hand if the juvenile presented a peculiar problem in his demeanor he might expect to remain in the institution indefinitely, or until he reached the age of legal maturity. The effect of this procedure on the educational program was two-fold. Program planning was on a long-term basis which was to the advantage of juveniles who would be confined for long periods of time. The juvenile who would leave the institution in weeks or months seemed to gain very little from the program. He could expect to gain little more than a change of clothing, shelter, and an introduction to subjects in the curriculum.

**Personnel: Administrative Practices**

The relation between school administrators and teacher was that of co-workers. Lack of teachers made it necessary for administrators to act as instructors and in that capacity they
shared common problems and in this sharing, worked on common ground in the solution of them.

Relation between teachers and pupils developed into a combination father, counselor, teacher relationship. The selection of these teachers and the basis for selection was a matter solely in the hands of the Koreans. Little, if any, screening of personnel was done at this time by Military Government.

The teachers shared with their pupils every aspect of every-day living. They slept under the same roof, ate the same food, worked together with their pupils in the fields and shops, withdrawing only as the necessity for maintaining the respect of their pupils compelled them to do. This feeling between teacher and pupils, even though the pupil had previously had no formal education, was an integral part of the oriental culture. The sensei (teacher) held a high position in Korean society. He was beloved by all people as long as he continued to prove himself worthy of the name. Centuries under the patriarchal family system with its adoration and respect for manhood have added to the intensity of this feeling. Korean teachers who rose to meet the crisis which resulted as Japanese teachers were withdrawn from Korea were accorded respect and gratitude. In the institutional school no less regard for the sensei was evidenced. The Korean teacher and administrator
seemed to feel a deep sense of responsibility and love for the boys under them. The boys in turn responded, feeling for the first time in many cases, affection for an adult supervisor. The result was remarkable. Where Japanese armed guards had stood or walked on the grounds, flowers and vegetables were planted. Weapons and guards disappeared along with the use of solitary confinement cells and beatings.

The spirit displayed by the Korean authorities and the juvenile delinquent as he came into contact with this spirit, represented to the Bureau of Juvenile Affairs and to other responsible Korean and American officials, the basis from which might have developed an understanding of more specific democratic concepts through text books and leadership supplied by Military Government, and if such had been the desire, the ability or perhaps the will of the democratisers.

**Appraisal Of Post-Institutional Treatment**

The appraisal of the program for the treatment of the Korean delinquent has been divided into three parts: the pre-institutional, institutional, and post-institutional treatment.

This latter phase of the program was administered under the Japanese by the Chosen Judicial Protecting Enterprise, and by the Probation officers of the Juvenile Court. Under American Military Government, the "Protecting Enterprise" was
disbanded and this work was administered and supervised by the Juvenile Court. The institution representing the activities of the Juvenile Court in the post-institutional treatment of the juvenile delinquent was the "Rehabilitation Factory", established under the Japanese and allowed to remain intact under the American program. This institution under Military Government provided gainful employment for discharged, homeless juveniles and at the same time provided them with a home, food, clothing, and guidance until they might be absorbed into society. They were encouraged to seek other employment but were allowed to remain under the protection of the institution for an indefinite period of time. In the meantime, probation officers were charged with finding suitable homes or jobs for them.

This institution represented one of the greatest democratic self-achievements of the Korean people in the treatment of the juvenile delinquent. In this institution came the more or less gradual transition of the institutionalized delinquent to free and self-respecting citizenship. Here he worked gainfully; produced for the welfare of society; could mingle with society; was provided for materially, and when in his own mind he was ready to enter society as a citizen, he could do so with or without the aid of the state. At the same time, if he did not prove himself to be worthy of the trust placed in him while under the supervision of this institution,
he might be returned to the training school for further treatment.

Summary

Criticism of the program for the treatment of the Korean juvenile delinquent under Military Government has been, in pre-institutional treatment, nor of the program itself, but of the failure of Military Government to supply leadership and a general lack of interest in the problem of juvenile delinquency and its effect on the social disorganization of the country. In institutional treatment, the criticism centered again on the failure of Military Government to supply leadership but there was also failure to provide Korean agents of the Military Government with the actual tools such as books and teaching aids for the democratization of the juvenile delinquent. In the post-institutional phase, the democratic character of the treatment was commendable and in harmony with the general aims and goals of the occupation forces.

The burden of the criticism seems finally to rest on the shoulders of Military Government in being unprepared to administer an occupied territory under the obligation to re-educate its people for democracy. Much may be said for being caught by surprise by the suddenness of the Japanese surrender. However, for a country to avow that it's sole purpose in occupation is to bring democracy and to democratize and then to be so
weak in one of the least of its attempts to impart democracy through the medium of education of a strictly controlled minority group, seems to point out unpreparedness and a general lack of understanding of the role which must be assumed in such an undertaking. Allied with this lack of understanding has been the failure to recognize the fact that the Korean people as a whole have little conception of the meaning of democracy and have had no way of learning it's meaning or coming into contact with it.

The treatment in effect, under the supervision of the Korean officials, has included a majority of the basic democratic concepts of the outlined "pattern". The Koreans through their efforts in the treatment of the juvenile delinquent, have in many ways, shown their desire to be democratic and their ability to be so, even after their long subjugation by the Japanese. This infinitesimal part of the total picture of the occupation offers hope and foundation for faith in the success of the mission of the American occupation, i.e., the democratization of the Korean people.

The failure of the mission of American occupation may be reflected in a small way in the Korean juvenile delinquent institution. It has for it's goal, not merely the return of the delinquent to society as a democratic citizen but as a leader in his community. To accomplish this, it has neither money,
equipment, trained personnel or adequate leadership. The leadership available comes from an alien race toward which Koreans feel distrust and fear.
CHAPTER VI

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

America, as a victor nation, has social, political, and economic responsibilities for those nations which have fallen before her as the result of armed conflict. If these responsibilities are met, America insures her victory by convincing the common mass of people who have been conquered that the motives behind her participation in war with them were not solely imperialistic, but were concerned also with securing the peace of the world. If America fails on the civilian "occupation" front, in the second and closing phase of the war, to provide for the exercise of democratic government for conquered peoples, she has secured only a temporary armistice between wars of aggression.

The Korean juvenile delinquent is an element in the social life of one country for which America has assumed responsibility as a victor nation. Because America is a democratic nation and because she has avowed it to be the right of the people of Korea to establish for themselves a free and independent government, America is obliged to provide the juvenile delinquent, as one factor in Korean society, with the knowledges and skills necessary for his eventual participation in the democratic growth of his country.

Through the period covered by this study, America failed
to provide adequately for the education of the Korean juvenile
delinquent. America's unpreparedness to provide this educational
program was in large measure due to the fact that the majority of
American forces assigned to occupation duty in Korea immediately
after Japanese surrender, were combat units. They were units of
the Tenth Army which had been fighting the Japanese on Okinawa.
These forces came to Korea with only such equipment as was needed
to conduct a military campaign. Moreover, these forces had
received no training for the duty which they were asked to perform,
because, the democratization of the Korean people. Assigned and
attached to this group were Military Government units representing
only about one-tenth of the total occupation force. The officers
of these Military Government Units had received training for
occupation duty. These officers and men constituted the Military
Government of Korea. Further, while it would appear that adequate
provision in terms of organization and personnel had been made, the
failure of these provisions to eventuate in a program of democratic
education for juvenile delinquents was due in large measure to the
point of view from which these resources were utilized. The
influential considerations were those having to do with successful
military occupation and control rather than education for citizen-
ship. The sources of supply for these Military Government Units
were the same army supply depots serving the combat units. These
depots supplied Military Government only with such materials as
were available to all forces. Late in the period covered by this study, Military Government was able to supplement this source of supply by establishing a supply depot of its own.

The conclusion to be drawn in regard to the unpreparedness of Military Government is that supplies necessary for the education and democratization of the Korean juvenile delinquent remained unavailable. On the other hand, school supplies were made available to public schools throughout the nine American occupied provinces of Korea. The distribution of these school supplies was controlled entirely by Military Government. Since these supplies were not distributed to institutions dealing with juvenile delinquents, it would appear that Military Government did not fully recognize juvenile delinquency in Korea as an important aspect of the total problem of civil unrest and social disorganization, which was to be arrested as Korean self-government was attained. Korean officials, however, working as agents of the Military Government recognized juvenile delinquency as a problem and to the best of their abilities, working with limited amounts of materials and with only such knowledge and understanding as they had, planned and executed a program of treatment for the juvenile delinquent. As pointed out in this study, this plan and program was democratic and if encouraged and supported might have afforded more significant assistance to Military Government in the achievement of its mission in Korea.
As the result of a misunderstanding of American purposes and the lack of leadership and materials, there is among Korean juvenile officials a feeling of apprehension toward Military Government and its objectives. The program for re-education of the juvenile delinquent is thus left in uncertainty between democratic treatment and treatment of some other nature as may result from the failure of Military Government to provide Korean administrators of programs for delinquents with the necessary school supplies and leadership. Koreans, speaking for themselves in the publication of the Korean Affairs Institute, The Voice of Korea, Washington, D. C., September 8, 1946, say,

Since allied powers are unable to render their promised assistance, Koreans want to guide their own destiny, even though they may make some mistakes. Their own mistakes would not be any more serious for Korea than the ones the Soviet and American commands are making in Korea today.

Complete success of the mission of occupation as it is related to the treatment of the juvenile delinquent depends upon greater cooperation and assistance from Military Government through the provision of leadership and materials essential to any educational program.

Recommendations

In light of the conditions pointed out in the foregoing conclusions, certain specific recommendations appear to be indicated:

1. The first recommendation to be made is that prompt
and through dissemination to the people of America of the purposes of the occupation of Korea and the implications of both success and failure of the American mission there be undertaken.

2. Closely allied to this recommendation is a second, namely, that all military and civilian occupation personnel now stationed in Korea be made fully aware of the nature of their mission there, not only as they represent the will of the American people, but also as their individual conduct represents the concept of human relationships which they are trying to establish in Korea.

3. With regard specifically to the problem of juvenile delinquency in Korea, it is recommended that specialists be employed by the Military Government, at the earliest possible date, to advise Korean officials in the most acceptable, democratic methods of solving their problems. With the supplying of leadership, should come materials in the form of books, training aids, and other equipment necessary to carry out a specialized program, such as that of the institutions for juvenile delinquents.

4. Training schools and in-service training programs should be instituted in the immediate future for the
purpose of furnishing Korean child-welfare officers with a knowledge of the concepts of democratic methods of treatment. This training should be planned in light of recognition of the need of all Koreans for knowledge of democracy, and, particularly, the need of the Korean agents of Military Government for a more complete understanding of democracy and how it works.

5. It is recommended that in all institutions housing juvenile delinquents, there be established a school whose curriculum is planned in terms of the characteristics and demonstrable needs of juvenile delinquents. Provision should be made, also, for the enrollment of selected institutionalized juvenile delinquents in local public schools.

6. Juvenile courts should be established in each of the provinces of Korea now occupied by American forces.

7. Permits should be granted to Korean officials and to students interested in or working with social problems to travel abroad for the purpose of study. Financial aid should be provided for such travel in cases where the need is apparent.

8. Information pertinent to the study of social disorganization and of the problems and methods used in social reorganization should be made available by the Military
Government to all those interested in the study of
government.

9. Finally, it is recommended that there be established
in the colleges and universities of the United States
programs designed to meet the needs of the Federal
government and the Department of State, in supplying
occupation forces with civilian personnel, trained
in the specialized fields of occupation duty. If
we as a nation have set out to contribute to the
democratization of the world, success will depend
in large measure upon having at our disposal trained
personnel at the least in sufficient numbers to
carry out the requirements of our present program
in occupied countries.
APPENDIX B
THE DECLARATION OF KOREAN INDEPENDENCE

(That following Proclamation was made in Korea twenty-five years ago, on March 1, 1919. Today, after a quarter of a century of Japanese oppression, the declarations made therein still hold true. It is a living document for every Korean heart. But through its brutality, the Japanese Government has forced Korea to abandon one principle set forth in the document. That is the principle of non-violence expressed in the second sentence of the paragraph one of the above-mentioned Government in China declared war on Japan in 1941 and the people of Korea, when the time is ripe, will take up arms against their enemy.)

"We herewith proclaim the independence of Korea and the liberty of the Korean people. We tell it to the world in witness of the equality of all nations, and we pass it on to our posterity as their inherent right."

"We make this proclamation, having lack of us a history, of forty-three centuries and 20,000,000 united, loyal people. We take this step to assure our children for all time to come, life and liberty in accord with the awakening consciousness of this new era. This is the clear leading of God, the just claim of the whole human race. It is something that cannot be stamped out, or stifled, or gagged, or suppressed by any means.

"Victims of an older age, when brute force and the spirit of plunder ruled, we have come after these long thousands of years to experience the agony of ten years of foreign oppression, with every loss to the right to live, every restriction of the freedom of thought, every damage done to the dignity of life, every opportunity lost for a share in the intelligent advance of the age in which we live.

"Assuredly, if the defects of the past are to be rectified, if the wrongs of the present are to be righted, if future oppression is to be avoided, it thought to be set free, if right of action is to be given a place, if we are to attain to any way of progress, if we are to deliver our children from the painful heritage of shame, if we are to live blessing and happiness, smart for those who succeed us, the first of all necessary things is the complete independence of our people. What cannot our twenty millions do, every man with a sword in his heart, in this day when human nature and conscience are making a stand for truth and right? What barrier can we not break, what purpose can we not accomplish?

"We have no desire to accuse Japan of breaking many solemn treaties since 1876, nor to single out specially the people, in the schools or the Government officials who treat the heritage of our ancestors as a colony of their own, and our pasts, and our civilization as a nation of savages, and who delight only in beating us down and bringing us under their heel.

"We have no wish to find special fault with Japan's lack of fairness or her contempt for our civilization and the principles on which her state rests; we, who have greater cause to reprimand ourselves, need not spend time in finding fault with others; neither need we, who require so urgent a build for progress, if we are to deliver our children from the painful heritage of shame, if we are to live blessing and happiness, smart for those who succeed us, the first of all necessary things is the complete independence of our people. What cannot our twenty millions do, every man with a sword in his heart, in this day when human nature and conscience are making a stand for truth and right? What barrier can we not break, what purpose can we not accomplish?

"Out of the experience and travail of the old world arises this light on the affairs of life. Insects stifled by their toe, the snows of winter, are also awakened at this time of the year by the breezes of spring and the warm light of the sun upon them.

"It is the day of the restoration of all things, on the full side of which we set forth without delay or fear. We desire a full measure of satisfaction in the way of life, liberty and the pursuit of happiness, and an opportunity to develop what is in us for the glory of our people.

"A new era awakes before our eyes, the world of force is gone, and the world of righteousness and truth is here. That is the day of the restoration of all things, on the full tide of which we set forth without delay or fear. We desire a full measure of satisfaction in the way of life, liberty and the pursuit of happiness, and an opportunity to develop what is in us for the glory of our people.

"We awake now from the old world with its darkened conditions in full determination and one mind, with right on our side, along with the forces of nature, to a new life. May all the ancestors to the thousands and ten thousand generations aid us from within and all the force of the world around us be without, and let the day we take hold be the day of our attainment. In this hope we go forward.

"WE PLEDGE THREE ITEMS OF AGREEMENT

"1. This work of ours is in behalf of truth, justice and life, undertaken at the request of our people, in order to make known their desire for liberty. Let no violence be done to any one.

"2. Let those who follow us show every hour with gladness this same spirit.

"3. Let all things be done with singleness of purpose, so that our behaviour to the very end may be honourable and upright.

The 425th year of the Kingdom of Korea, 3d Month, 1st day.

Representatives of the people.

The signatures attached to the document are:

Son Byung Hi, Kil Sin Chun, Yi Pil Chu, Paik Long Sung, Kim Won Koo, Kim Pyung Cho, Kim Chang Choon, Kwon Dong Chun, Kwon Byung Duk, Na Yong Whan, Na In Hyo, Yoon Chang Paik, Yang Han Mook, Lew Yer Dai, Yi Kup Sung, Yi Myung Yong, Yi Seung Hoon, Yi Chang Hoon, Yi Chang Il, Lim Ye Wey, Pak Choon Seung, Pak Hi Do, Pak Tong Wun, Sin Hong Sik, Sin Suk Koo, Oh Sei Chung, Oh Wha Young, Chong Choon Sin, Choi Sung Mo, Choi In, Han Yong Woon, Hong Byung Ki, Hong Ki Cho.
APPENDIX C
SUBJECT: Matter concerning Revision of a part of Chosen LAW for Boys.

Dear sir,

I am going to revise our LAW for Korean Boys, whose rules are now enforced up to now in Korea, as follows, from now on, for the purpose of nurturing our dear boys and youths in the form of justness, sincere love so that they may culture their bodies and minds, by way of enforcing such an honorable protecting system as moderate and sound law for boys, making themselves have their emancipation from the yoke of the former Japanese law which was Japan typed, too formal too tepid, too unmerciful for the innocent boys.

References:

1. The public procurator should file his decision of prosecution, and protecting disposal with regard to the boy's criminal affairs, to the Boy's House of Justice.
2. Judges of the Boy's House of Justice can file their opinions on matters of the public procurator's prosecution, among other affairs sent to the Boy's House of Justice according to the former article, to the effect that they can settle the matters or judgments of criminal punishment or protecting disposition, in a accordance with the protecting spirits of law for the boy's future. Concerning the opinion of protection for boys expressed by the public procurator, they judges can take their procedure of judgment, Principally, but if the matter be special ones, they may deliver their judgments to boys, after taking the procurator's opinion into their consideration.
3. When judgments are made according to the rules of former articles, the court of judgment should be organized by judges, and clerks of the boy's House of Justice, and the presence of the public procurator. Other procedures can be ruled by the common rules of the code of criminal procedure, and Chosen Law for boys. Protecting staffs for boys can attend on the Court.
4. Exercises of the public procurator's rights of appeal or complaint against judgments decided by judges of the House of Justice, can be treated as the former rules for the criminal affairs of boys.
5. The public procurator should send those records of affairs of Non-prosecution (The suspension of prosecution excluded) to the Boy's house of Justice, as documents of information.

REASON:

Taking an instance from Rules of boys, I can say that the sphere of boys is limited to boy's in the age of less than 20.
It goes without saying that boys perform the most important role of function, irrespectively of any country of the world, furthermore, the prosperity and decay of a country,fully, are depended on the merits of them.
Well, it is a matter of deep regret that our valuable boys were neglected by the society of Korea, in the past year, nay up to now, in spite of the facts. It may be certified that their attitudes towards boys 'culprits (Girls involved), suspected boys in the treatment of them (boys), in the judicial sections, were nearly the same as in their cases of treatment of the common culprits (Adults).
For instance, in police stations, the public procurator's office, and in the court of Justice, our juvenile boys were treated by un-merciful, and cruel treatments, infringed their humanism as boys, by the fearful policies.
Circumstances being thus, if our boys were arrested, investigated, or detained to the cell, by the police station, they were much feared by the authorities concerned, because, the boys were cruelly treated as if they were adults.
And if they were sent to the procurator's office, there the public procurator treated them with the same method, and they were much surprised to find that they were to be sent to the vicious prison.
When they were sent to the prison, they were treated just like adult culprits in their
daily lives, and moreover they could not but attend on the public procurator's office
with the criminal mask over their faces and hand-cuffs on their both wrists and
criminal ropes around their fragile bodies so as to be questioned by the public
procurator.

After then lucky boys were emancipated from the hell, and sent to the Boys House of
Justice accompanied with protecting staffs for Boys, and disposed with protection.
But those unlucky boys who were prosecuted by the public procurator, were cruelly
tried in the court of Justice, and so, as they were treated badly by the unmerciful
judges, and it took about one month for the judges to sentence to the boys, they
fragile boys felt aversion for the world with the following reasons.

1. They fragile minds were much disturbed by the great building of discontent prison,
and their senses were perplexed.
2. They were to be infected with the evil nature of the world, because they kept
company with vicious rascals, and other culprits, at the prison.
3. Their self importance were infringed, and their sense of shame were forgotten,
thinking that they may become desperate, since they attend on court of Justice, with
criminal ropes, and handcuffs on their wrists and bodies, and criminal masks ( Yong
Soo in Korea ) on their faces.
4. In the lock-up, majority of them were infected by the diseases such as cutaneous
disease, and eruptive typhoid fever and other infective diseases, and in consequence of
it, they were very badly affected.

As above mentioned, the future of punished boys were beyond expression, and there a
great obstacles laid in the instruction and protection for the boys sent to the Boys'
House of Justice. When I recollect what's passed in the past year, I think there were
a great inconsistence in the method of treatment for the boys, for they treated the
fragile boys with their insults and contempts, notwithstanding that they are valuable
characters who have a great future before them, and who will exert themselves on
behalf of their dear fatherland. It is sure that when we take the nature of their crime, separately, we can find they
did their crimes from their avarice or vanity, temporarily, or their adversity made
by their homes, or their predispositions or other reasons.

However, I herewith can point out the reasons of it. Owing to the insufficient
equipments of educational organs, and enlightenment organs, scarcity of money, and
circumstances of their homes, they have ever been enticed by the crime, and they have
strolled on the verry of the hell-like routine of criminal affairs.

Since there were a great responsibility in the society, how can it be denied that we
are impossible to put our boys to the hands of judicial authorities that mis-treated
them in the past as I have stated above.

Accordingly, I think that we should revise a part of Boy's LAW, in accordance with the
following facts:

In the whole countries where civilizations are developed, the whole judges of
criminal affairs for boys have their rights for the treatment of them, independently
of other court of Justice, by establishing the court of Justice for boys (Boys'
House of Justice) an organ of correction and prevention of boy's culprits, and they
can make an excellent result of it, to say nothing of our affectionate America whose
history for the protection of boys is developed to the highest point.

We Koreans should display their patriotism in this turning point, yet they are
separated, and are disorganized, and have no self-examination.

In this critical time, in the present, we intend to promote our boys who are the
foundationstone of our county in the future, essentially so that they may be cultured
with, the positive protection organs.

From this point of view, we are going to realize the superior system of protection for
our boys basing on the excellent system which our advanced nations have practiced,
and so, we intend to perform our duty, by judging the whole matters concerning boy's
criminal affairs, whether it be punishment, or protecting dispositions for them by
ourselves.
In the event of our being able to have the honorable opportunity of revising the regulations of law of boys in such way as I have expressed in the above paragraph, I am sure that whole of the suspected boys cannot be confined to the prison, but be sent to the Boys' House of Justice directly as soon as the public procurator's office receive their (boy's) affairs.

In this way, when the public procurator finish his examination on the matters, he can file his documents of the given matters to the Boys' House of Justice, and on arrival of these documents, The Boys' House of Justice will make speciality of the following matters:

1. Connection of the matters.
2. Cause or motive of the matters.
3. Characters and behaviours of the boys.
5. Degree of education.
6. Personal experiences.
7. Circumstances of home.

With regard to the above mentioned seven matters, The Boys' House of Justice will do its best and above all, for the condition of their health, we will make physical Doctors examine them, and after then, we will judge them whether it be criminal punishment or protection treatment for them.

They who are sentenced to be guilty, shall be carried to the Boys' prison as before in the epoch of the Japanese Imperialism, and on one hand, those who are sentenced to be suitable enough to be favoured judgment of the protecting disposition can be protected, according to the character of judgments so that they may get rid of the vicious influence for which I have mentioned above.

By doing so, we not only can protect the boys, but also we can judge them impartially, by making a clear distinction of the matters, between that suitable to be treated by protection & that suitable to be sentenced by punishment, because we staffs of the Boys' House of Justice specially treat them with parental affection, by ourselves.

Therefore, we wish to plan the above enforcement, for the purpose of execution our business of both parts, punishment and protection, distinctly, making no stragglers on the part of punishment and no omission on the part of protection.

And when we take an instance of offices through which the said affairs were sent to the Boys' House of Justice, for the past, we can point out the following defects:

From the public procurator's office to the Boys' House of Justice: From public procurator's office to the court of Justice: And once more from the court of Justice to the public procurator's office: From the public procurator's office to the prison: And from the prison to the Boys' House of Justice.

As above, many days were spent until the boys and the documents on their affairs had been sent to the Boys' House of Justice.

Sometimes, the communications with above mentioned offices were so incomplete that there were many many obstacles in managing business, and so, the poor and fragile boys in the lock-up spent their absurd days with tears.

But, according to our revision this time, we are conscious that we can make a clear sweep of such complicated communications of business as from the public procurator's office, prison, and the court of Justice to The Boys' House Of Justice.

By revision in this way only, we can make our business unique, that is to say, only from the public procurator's office (Public procurator) directly to the Boys' House of Justice.

In this way, our business in the Boys' House of Justice can be transacted, most effectively, and most ideally, wasting little time, from everlasting to everlasting.

Yours ever,

Chief of The Boys' House of Justice.
APPENDIX D
HEADQUARTERS
UNITED STATES ARMY MILITARY GOVERNMENT IN KOREA
Department of Justice
Seoul, Korea

12 April 1946

SUBJECT: Inspection of Kumchon Reformatory.

TO: Dr. Kim.

1. Kumchon Reformatory was inspected on 29 March 46. At that time 359 inmates were confined. There were 48 guards.

2. The principal security problem here is the complete lack of guard towers. Three guards armed with rifles guard the wall. It is not good practice to have armed guards inside a prison in the daytime, however, it would be dangerous to disarm these guards unless their numbers were at least doubled. There is no great danger of these guards being rushed as long as they are backed up against the walls. It is strongly recommended that wall towers be built here. At least four are needed. The warden plans to build them as soon as he can get the money and the materials.

3. The ration fed the boys appears to be adequate, however, the warden says the boys are fed in the shops except on Sunday. It is recommended that this practice be discontinued unless there is a good reason for it. It would seem that the boys would rather eat in their rooms and rest.

4. The Reformatory was fairly clean, and much repair work was in progress.

5. There were thirty adult prisoners and 270 boys. The warden plans to return the men to Taegu Prison, which should be done. The adult prisoners not act as shop instructors for the boys.

6. The Reformatory has three class-rooms which are used on Sunday mornings only. This suggests that it is could be arranged, several periods per week would be more effective. Many delinquent boys in this age group (16-22) are backward and lacking in education.

7. There is no regular hospital in the Reformatory, part of a corridor is set aside. These are small, two inmate rooms and three and ever four boys are confined in each. This is not necessary. There is a corridor of very large rooms which is used to store supplies. It is recommended that these supplies be stored elsewhere and that these rooms be used as the hospital section.

8. The Reformatory has a yard for exercise similar to those in most American prisons. The boys are permitted one-half hour per day for exercise. In most American prisons it is customary to allow from two to four hours of yard time on Saturdays and Sundays plus a daily period which may vary from one-half hour to one hour per day. Perhaps some change here would be beneficial.

9. Kumchon Reformatory creates a very favorable impression, it is one of the newer institutions. It was built in 1926. The prison farm is adjacent to the prison, another good feature.
10. The matter of discipline for juveniles was discussed. The Warden said that he had three boys in punishment at the time for plotting to kill a guard and escape. He had sentenced them to five days reduced diet and thirty days in a dark room. He says the law will not permit more than five days of reduced diet for a boy under 18 years of age, but that a month in a dark room was permissible. It would appear that a month of such punishment is excessive by American standards. Such cases in America might receive the reduced rations and ten days maximum in a dark room. However, an indefinite period of ordinary solitary confinement might be added. In the case of boys, prolonged solitary confinement is avoided, and deprivation of privileges including reduction to a lower grade is often employed in such cases.

11. While it is not recommended that the American system be adopted altogether, it is suggested that if this institution were operated less with the primary purpose of industrial output, and more with the purpose of reforming, educating, and building up the boys, besides teaching them trades, that the net result would be much more beneficial both to the boys and to the future of Korea.

12. More detailed information will be found in attached check-list.

Signed

Captain, Inf.
APPENDIX E
SUBJECT : The Juvenile Delinquent Program

TO : Director, Bureau of Justice. (through channels)

1. This letter should be considered as a report.

2. To date, the Juvenile program has been in the form of Proposals and suggestions which have been as follows:

   (a) to establish a Juvenile Court under each of the nine district courts which do not have a Juvenile Court as such; the primary reason for this proposal, to keep juveniles out of the adult prisons by providing all juvenile delinquents the protective measures which the Juvenile Law provides.

   (b) to change the existing Juvenile Law as set up by the Japanese; the purpose, to transfer the unlimited power of the Public Prosecutor over Juveniles in deciding their disposition, to the Juvenile Courts, thereby channeling through the Juvenile Courts, all juvenile cases.

   (c) to establish on the premises of the former Ko Ryo English School, a Juvenile Delinquent Rehabilitation Center; the purpose, to provide juvenile delinquents a training center where they may attain an education both scholastic and vocational; the center to be a model for several such centers which may be established in the future.

   (d) to set up, under the Bureau of Justice, a Juvenile Section; the purpose, to coordinate on a National Level, an efficient program for handling juveniles in each of the provinces.

3. These have been the basic proposals and suggestions made by this officer. They have been made in the light of the instructions given this officer by the Director of the Bureau; to act only in an advisory capacity. All of these proposals have been forwarded through channels.
4. These proposals were elementary and basic in nature. They present no great problems and to this officer, seen to be essential, before an efficient Juvenile Program is evolved.

5. These proposals should be acted upon as soon as practicable; the extenuating circumstances concerning them are these;

(a) there are at the present time in each District Court, judges who might act, in addition to their other duties, as Juvenile Judges, appointed as such, who by appointment would be forced to handle juvenile cases as the Juvenile Law provides.

(b) the proposed changes in the Juvenile Law have been in the hands had in the minds of the Korean officials concerned a sufficient length of time of them to write a complete law; since 21 Jan. 1946.

(c) the building and site for the Rehabilitation Center is standing idle and vacant in need of only superficial repair before occupancy; vitally necessary even if for no other reason than to provide some means of care and confinement for juvenile women, a need which has been evident to the Korean Officials concerned for months.

(d) there is on the pay roll of the Juvenile Court and the Juvenile House of Correction, fifty-one (51) employees, in addition there are two (2) Juvenile Probation Officers in the Penal Section. It seemed possible to this officer that some of the above mentioned employees might well be reassigned and a section set up without need of further appointments.

6. Action should be requested or suggested to all Korean Officials concerned.

Signed

Captain, CMP
APPENDIX F
The following table shows the increase in the number of cases of juvenile delinquency appearing before the Seoul Juvenile Court over a nine months period of time.

<table>
<thead>
<tr>
<th>Month</th>
<th>Year</th>
<th>Number of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>August</td>
<td>1945</td>
<td>1</td>
</tr>
<tr>
<td>September</td>
<td>1945</td>
<td>8</td>
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<tr>
<td>October</td>
<td>1945</td>
<td>28</td>
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<td>November</td>
<td>1945</td>
<td>42</td>
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<tr>
<td>December</td>
<td>1946</td>
<td>69</td>
</tr>
<tr>
<td>January</td>
<td>1946</td>
<td>48</td>
</tr>
<tr>
<td>February</td>
<td>1946</td>
<td>73</td>
</tr>
<tr>
<td>March</td>
<td>1946</td>
<td>118</td>
</tr>
<tr>
<td>April</td>
<td>1946</td>
<td>189</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>576</strong></td>
</tr>
</tbody>
</table>

JAPANESE SURRENDER

AMERICAN OCCUPATION
APPENDIX G
SUBJECT: Proposed Juvenile Bureau.

TO : Director, Dept of Justice (thru channels).

1. It is recommended that here be established within the Dept of Justice a Juvenile Bureau; to include in this Bureau all Juvenile Institutions, Court, Houses of Correction, Prisons, and Probation Organizations; the purpose to take away from Juvenile procedures the criminal aspects of criminal court trial and handling of prisoners and to replace the time worn procedures now used in dealing with juveniles in Provost and Criminal Courts with a system based on the policy of Rehabilitation rather than punishment.

2. The personnel for this proposed Bureau is already employed in the various Sections of the Seoul Juvenile Court and House of Correction. To establish such a bureau would mean only reassignment of these personnel with the possible employment of only a few additional personnel. The chief of the Seoul Juvenile Court has submitted the attached table of organization.

3. It is recommended that there be established under this proposed bureau in the vicinity of each District Court (as outlined in the attached T/O) a Juvenile Court to handle juvenile cases in each of the outlying eight (8) judicial districts. To date, juveniles in the outlying provinces are being tried by ordinary criminal courts, and are being confined in local prisons as ordinary criminals. Under the present system, juveniles are being mistreated and altogether cruelly handled in almost all courts. This treatment is in accord with policies long existing in criminal courts and police "lockups". The establishment of a Juvenile Court would, in time, assure Juveniles of a fair and more humane treatment. Another factor in establishing the additional courts is, that Seoul has, today, the only existing Juvenile Court in the American Zone of Occupation.

4. These recommendations have come, for the most part, from Korean Juvenile Officials concerned. The establishment of this bureau would replace with an efficient system, a system now in operation which is so disintegrated that it is all but impossible to trace, to say nothing of controlling from a single source or under a single set of policies.

5. The bureau would put all Juvenile Affairs on the same governmental level throughout the provinces and would eliminate the jurisdiction of Criminal, Provost and Police Courts over juveniles as well as the discretionary power of the public prosecutors who now singly decide the disposition of more than 50% of all juvenile cases brought to trial.
Proposed Juvenile Bureau (cont'd)

6. The bureau would also put all institutions detaining juveniles under a single jurisdiction and set of governing policies. To date, juveniles are confined in Prisons under Penal policies on a National level, in Juvenile Court Institutions under its policies, in city institutions, under city policies, and in welfare institutions under their policies. The Juvenile Court as such, having authority over only its one institution.

7. It is further recommended to remodify the existing Juvenile Law to make possible legally, these proposals.

Signed

Captain, CMP
APPENDIX H
SUBJECT : The Juvenile Delinquent Rehabilitation Center, Seoul.

TO : Director, Bureau of Justice. (through channels)

1. The aims and purposes of the Center are proposed to be:

a. Scholastically, to offer a basic liberal education on a primary school level for juveniles who have not completed their primary school education.

b. To offer juveniles who have completed the primary school course, a basic secondary school education for the duration of their confinement.

c. Vocationally, to offer all juveniles, for the duration of their confinement, a vocational training program designed to teach them useful skills for their use as future citizens, such skill might include, carpentry, metal smithing, black-smithing, book-binding, printing, tailoring, horticulture, animal husbandry, poultry raising, general farm practices, silk production, and weaving.

2. The possible sources of Inmates may be as follows:

a. The Juvenile Court, Seoul, Korea.

b. The Criminal Courts, Seoul, now trying Juvenile cases.

c. Additional Juvenile Courts, established under District Courts designed to handle only Juvenile cases.

It may well be pointed out here that although the Seoul Reformatory has only forty some odd inmates to date, within this month, 58 juveniles were removed from the Seoul Prison and sent to Kaesong Boy's Prison. The 58 juveniles sent to Seoul Prison were under sentences imposed by public prosecutors and the local criminal courts, not under the jurisdiction of the Juvenile Court, although the offenders were juveniles. The basic fault lying in the old Japanese law, which for the sake of the juveniles and an efficient system of juvenile law, should by all means be changed. The Juvenile judge here has requested such a change, has drawn up what he considers to be the necessary changes and his proposals have been forwarded to the
Korean Director of the Bureau of Justice for action. On the basis of
the proposed change in the Juvenile Law, it can be estimated that from
this area alone, the average inmate population of the Center will be ap-
proximately one hundred juveniles, about 95% of them being boys and the
remaining 5% girls. It may also be estimated that from the districts
designated to serve this center another two hundred juveniles may be ex-
pected, bringing the total expected inmate population of the Center to
an average of three hundred.

It is not anticipated that all juvenile delinquents in Korea be
sentenced to the Seoul Center, only those eligible under the existing
laws. Those who are not eligible either by law or distance from Seoul,
to be confined in similar centers which exist in Taegu and Kwangju or
in any other place of confinement designated by the juvenile judge im-
posing sentence.

3. The Teaching Staff and Curriculum.

a. The teaching staff to be drawn from the local accredited
   schools with the cooperation of the Bureau of Education.

b. The curriculum to be based on the existing juvenile law
   and worked out by the Bureau of Justice with the cooperation
   of the Bureau of Education.

The officers charged with planning and formulating curricula in
the Bureau of Education have been contacted and have expressed interest
and a willingness to cooperate in any way possible, in developing a
suitable curriculum.

It is planned to put the actual school on an academic standard as
to make credits earned by the juveniles acceptable in any Korean school,
so that upon completion of their sentences, the juvenile may enter
schools in their home locals.

4. The Center should be operated on the basis of a Rehabilitation
Center rather than a Penal Institution. Its governing policy should be
those of a school, created to serve its students rather than to punish
them. Its aims should be to prepare the juveniles for a future life,
based on good citizenship in a democratic society.

Signed

Captain, CMP
APPENDIX I

(Same as Appendix C)
SUMMARY OF THE REPORT OF THE UNITED STATES EDUCATION
MISSION TO JAPAN

"The United States Education Mission, consisting of twenty-seven representatives of American education under the chairmanship of Dr. George D. Stoddard, in the process of preparing this report, spent the month of March (1946) in Japan, consulting with the officers of the Education Division of the Civil Information and Education Section, General Headquarters, SCAP, with a committee of Japanese educators appointed by the Minister of Education of Japan, and with other representatives of the schools and of various walks of life in Japan. This report to the Supreme Commander for the Allied Powers is presented upon the basis of the deliberations by the members of the Mission."

"Decentralization is necessary in order that teacher may be freed to develop professionally under guidance, without regimentation. They, in turn, may then do their part in the development of free Japanese citizens.

To this end, knowledge must be acquired that is broader than any available in a single prescribed textbook or manual, and deeper than can be tested by stereotyped examinations. A curriculum consists not merely of an accepted body of knowledge, but of the pupils' physical and mental activities; it takes into account their differing backgrounds and abilities. It should therefore be set up through cooperative action involving teachers, calling on their experience and releasing their creative talents.

Morals, which in Japanese education occupy a separate place, and have tended to promote submissiveness, should be differently construed and should interpenetrate all phases of a free people's life. Manners that encourage equality, the give-and-take of democratic government, the ideal of good workmanship in daily life - all these morals in the wider sense. They should be developed and practiced in the varied program and activities of the democratic school.

Books in the fields of geography and history will have to be rewritten to recognize mythology for what it is, and to embody a more objective viewpoint in textbooks and reference materials. On the lower levels more use should be made of the community and local resources; at the higher levels competent scholarship and research should be encouraged in various ways.

To program in health instruction and physical education is basic to the educational program as a whole. Medical examinations instruction in nutrition and public health, the extension of the physical education and recreation program to the university level, and the replacement of equipment as rapidly as possible are recommended.
At all levels vocational education should be emphasized. A variety of vocational experience is needed under well trained staff members, with an emphasis on technology and its supporting acts and sciences. The contributions of artisans and workers should find a place in the social studies program, and opportunities for originality and creativity should be provided."

"There is proposed an upward revision of compulsory education in school to be tax-supported, coeducational and tuition-free, such education to cover nine years of schooling, or until the boy or girl reaches the age of sixteen. It is further proposed that the first six years be spent in primary school as at present, and the next three years in a "lower secondary school" to be developed through merging and modifying the many kinds of schools which those completing primary school may now enter. These schools should provide general education for all, including vocational and educational guidance, and should be flexible enough to meet individual differences in the abilities of the pupils. It is proposed further that a three-year "upper secondary school" be established, free of tuition costs, in time to be coeducational and providing varied opportunities for all who wish to continue their education.

Private schools under the proposal would retain full freedom, except that they would be expected to conform to the minimum standards necessary to assure ready transfer by the pupils from one school to another, whether public or private."

"TEACHING AND THE EDUCATION OF TEACHERS.

In order that the newer aims of education may be achieved, teaching methods emphasizing memorization, conformity and a vertical system of duties and loyalties should be modified to encourage independent thinking, the development of personality, and the rights and responsibilities of democratic citizenship. The teaching of morals, for example, should be less by precept than by instruction deriving from experiences in concrete situations in school and community.

A program for the reeducation of teachers should be set up to further the adoption of democratic methods in the transitional period. Suggestions are made for a program which will gradually merge into one of in-service education.

School administrators and supervisors should have a professional education equivalent to that for teachers and should have, in addition, such special preparation as will fit them for their assigned duties."
This summary was taken from Department of State Publication 2579, Far Eastern Series 11. It does not represent the whole of the summary, but only that part of it which seemed applicable to educating the Korean juvenile delinquent.
PRISON INSPECTION CHECK

Kumchon Boys' Prison 29 March 1946

(a) SECURITY

1. Walls, general condition?
   Cement wall, in very good condition.

2. Wall gates, double locked and locked on both sides when not in use?
   Small gates not provided with outside locks, but will be.

3. Cell houses, roofs, windows. Are gates double locked at night?
   Cell house skylights need glass and bars or screens. Gates have inside locks only. Outside locks planned.


5. Coordination and coverage of the guard system, by day—by night? Enough guards? 359 prisoners, 54 pending. Forty-eight guards, 8 of whom work nights. Warden satisfied, but it seems that more guards will have to be hired soon because of farm and prison industries.

6. Is alarm system effective? Reasons if not?
   Has standard button alarm system. Appears to be planned properly in location of alarm points.

7. Cooperation and arrangements with local police for emergency aid in case of riot, break, or fire?
   Complete arrangements have been made.

8. Does the Warden make a personal inspection of the whole prison at least once a month?
   Yes, much more often than that.

9. Are guards duty hours too long to maintain alertness, especially the night shift? Not evident. Night guards work from 1830 to 0630 and relieved every hour, one on and one off.

10. Are arms and ammunition safely double locked and under 24-hour guard in a strong room not readily accessible to the inmates?
    Yes.

11. Are fire-arms carried inside the prison during the day? 3 guards with rifles guard the wall from inside. Towers must be built.

12. Are the areas inside the walls, and the yards patrolled at night?
    Yes.

13. Are there flood-lights on walls, near gates and at vantage points?
    No.

14. Are prisoners searched for stolen tools and contraband, and shop checks made of tools used by prisoners?
    Yes in both instances.

15. Are eating vessels and utensils left in prisoners' rooms overnight?
    No.

16. Are regular inspections made of all cells in the daytime, for damage by inmates?
    Yes.

17. Fire equipment—condition?
    Has 3 fire hand pumps and hose in fair condition.

18. Fire hazards in shops etc? Inspections made? Much inflammable material in all the shops because of nature of the industries. Daily inspections are made.

19. Water for fire-fighting, quantity, pressure?
    City hydrant, 4 wells and 2 cisterns.

20. Arrangements with local fire department in case of fire?
    Yes.

21. Have plans been made for control of prisoners in case of fire?
    Yes.
(b) FOOD

1. Sufficient in quantity and variety?
   Average 5.4 hpp per day. Standard prison diet.
2. Preparation - properly prepared?
   Yes, apparently.
3. Served hot when supposed to be hot?
   Do not plan that it will still be hot by the time it is eaten.
4. Ration fed the prisoners, composition, and percentages of rice and other components. Ration at present is about 50% german millet and 50% rice.

5. Supplies on hand - quantities - enough for how long?
   Enough till 10 April only. Supplies are secured for short periods only now because of food shortages.

   Food handlers will have white clothing shortly.
7. Do food handlers have physical examinations?
   Yes.
8. Is the water tested? What method of distribution?
   City water has been tested and is used for drinking. Wells for other purposes.

(e) CLEANLINESS

1. Cells, cell houses, corridors, shops?
   Cells, need repairs and painting, houses and corridors clean shops reasonable clean.
2. Regular system of cleaning?
   Yes.
3. How often are the inmates bathed?
   Once a week.
4. Are creosol or other antiseptics used?
   Do not have any at present.
5. Is there enough soap available?
   No.
6. Laundering facilities for inmates clothing?
   Yes.
7. Is L D T used?
   Yes.
8. Is sewage disposal regular and complete?
   Yes.

(d) HEALTH AND MEDICAL FACILITIES

1. Hospital capacity? Sufficient for the size of prison? No regular hospital. One side of a wing is reserved. Should have one. 31 sick boys.
2. Is medical equipment needed?
   Yes, badly.
3. Are drugs, medicines, and antiseptics needed?
   Yes. Sulphur for itch treatment is among urgent needs.
4. What is done about serious surgical operations?
   Prison is not equipped for such. There is a hospital in the city, however.
5. Is an isolation ward provided for contagious diseases?
   Such cases are isolated in separate rooms.
6. Are inmates treated immediately when ill?
   Yes, if urgent, otherwise sick call every other day.
7. Are the doctors capable? Are they permanently assigned or on call?
   Doctor is young, apparently able, and assigned.

(e) EDUCATION AND RELIGION

1. Is a chaplain assigned and active?
   Yes.
2. Are services held for all the major faiths?
   Christian only.
3. Is educational training available to the inmates and encouraged?
   Yes, but classes are held Sunday mornings only. Advise schedule of at least 3 hours per week.
EXERCISE AND REGULATION

1. What, if anything, is done about this?
   Boys are put in the prison yard every day.arden plans to
   employ various sorts

FINDINGS

1. Are prisoners entered on the records immediately upon arrival?
   Yes
2. Are prisoners accepted without proper commitment orders, either from a
   civilian or a provost court?
   No
3. What disposition is made of juveniles?
   This is a Juvenile prison, as is 16-22
4. Are periodical reports sent to Penal Department Headquarters in Seoul?
   Yes weekly
5. Are fingerprints taken, and are prints forwarded to the National Fingerprint
   Record Section, Police Bureau, National Government, in Seoul, at least
   monthly?
   Yes

DISCIPLINE

1. Are prisoners punished according to a uniform code of punishments?
   Yes, 3 boys are being punished by confinement in a dark room for 30 days and 5
2. Are cruel and unusual punishments practiced? Days short rations. Planned to kill
   guard and escape.
3. Are prisoners provided with copies of, or informed of, the prison rules and
   regulations and also of religious and educational opportunities?
   Rules will posted on cell walls.
4. Is there any system of "credits" or "good time" as a reward for good behavior?
   For only, andarden wishes to revive it soon.

INDUSTRIES

1. What industries are operating, to what degree?
   Carpentry & Furniture, very busy; Shoes, busy; Tailor shop, busy; Printing
   fairly busy; Building and repairs, very busy;
2. Is all industrial and other income forwarded to Seoul, either through the
   local Disbursing Officer to the Bureau of Finance, or directly, to be de-
   posited in the credit of the Prison, in this fund? K. G. of Korea, Justice,
   Income from Prison Industries, MARSHAL Prison?
  arden knows of this arrangement, but has not yet set in any money.
   will do so
3. Reasons for any idle industries
   Strawaving, no straw available. Another furniture repair shop could be
   opened but it is in poor condition. More tools are needed
4. What raw materials are necessary?
   Wood for furniture making. greatest shortage. Woodworking tools are needed.
   Need 1 trunk for saving baskets for room is needed. Trunks for all the prisons

FINANCES

1. Are funds properly used?
   As far as could be learned
2. Is cash belonging to prisoners safeguarded?
3. Amount of cash on hand, and on deposit.
   About 2,000 won on hand
4. Is an efficient accounting system in operation?
   Unknown

THE SITUATION NOW

1. Is it operating, and to what extent?
   One exists, but is not operating at all.
2. Is it fulfilling its purpose, or is it merely a workshop run by cheap labor?
3. Does it operate a farm?
1. How many prison vehicles are in running order?  
   Two trucks, one car
2. Is sufficient gasoline obtainable?  
   Yes
3. Enough electric light bulbs? Is prison properly lighted?
4. Does the prison have enough arms and ammunition?  
   Additional rifles are at Taejon for Sumchow Prison
5. Are the guards properly uniformed and equipped?  
   Yes
6. Are guards being sent to the Guards' Training School?  
   No
7. Area of the prison farm, and crops to be planted this year. Total crop last year?  
   12,600 pyung. Variety of grains and vegetables. prison can very near feed itself
8. Capacity of Women's Section.  
   No Women's Section
9. Special problems of the Warden.  
   1. wished to return 50 men prisoners to Taegu who have been acting as shop instructors and shop instructors  
   2. procurement of food  
   3. Procurement of medicines  
   4. Wished to construct 4 guard towers, but needs both money and materials. These should be constructed at once, and armed guards taken out of the prison in the daytime