

The management of the minority under the Social Service of Assistance and Protection for Minors of São Paulo (1930-1940): a crossroads of knowledge¹

A gestão da menoridade sob o Serviço Social de Assistência e Proteção aos Menores de São Paulo (1930-1940): encruzilhada de saberes

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Abstract

This article presents some results of a study carried out from the medical records of minors inserted in the Social Service of Assistance and Protection for Minors of São Paulo between 1930 and 1940. This Service was responsible for the management of both abandoned children and adolescents and those considered offenders. The custody tasks provided the intervention of many professionals, such as physicians, psychiatrists, social workers and psychologists, who triggered different kinds of knowledge. The main objective of the research was to investigate how the institutional documentation categorized the minors from a perspective marked by the concepts of legal ideology, criminology, and mental hygiene present in the first decades of the 20th century in Brazil. From the analysis of this documentation, it was possible to identify the knowledge (legal, medical, psychiatric, criminological), its presence and composition acting in the government of minors, besides the ground that such knowledge provided

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for state interventions concerning minors and also their relatives or guardians.

Keywords: Social Service of Assistance and Protection to Minors of São Paulo; Minors; Crime; Mental Hygiene; Brazil.

Resumo

Este artigo apresenta alguns resultados de uma pesquisa realizada a partir dos prontuários dos menores inseridos no Serviço Social de Assistência e Proteção aos Menores de São Paulo entre os anos 1930 e 1940. Este serviço era o responsável pela gestão tanto de crianças e adolescentes abandonados como daqueles considerados infratores. As tarefas de tutela do abandono e da infração proporcionaram a intervenção de vários profissionais, como médicos, psiquiatras, assistentes sociais e psicólogos, que acionaram um variado repertório de saberes. O principal objetivo da pesquisa foi investigar de que forma a documentação institucional categorizava os menores a partir de uma perspectiva marcada pelo ideário jurídico, pela criminologia e pela concepção de higiene mental presentes nas primeiras décadas do século XX no Brasil. A partir da análise dessa documentação foi possível identificar os saberes (jurídicos, médicos, psiquiátricos, criminológicos) que atuavam no governo dos menores, além da fundamentação que proporcionavam para as intervenções estatais em relação aos menores e, ainda, em relação aos seus familiares ou responsáveis.

Palavras-chave: Serviço Social de Assistência e Proteção aos Menores de São Paulo; Menores; Criminalidade; Higiene Mental; Brasil.

Introduction

In 1935, the state government of São Paulo created the Social Assistance Department, which provided several services of assistance and protection to families, defenseless population, workers, and former inmates from reformatories and penal, correctional and hospital facilities. From this initiative, the Department also created the Social Service of Assistance and Protection to Minors of São Paulo, whose main attributions was to distribute minors entrusted to the State into public and private institutions. For the management of these minors, the Social Service of Assistance and Protection to Minors started medical records, main source of this reflection. We present some results from a survey performed with medical records from the Social Service of Assistance and Protection to Minors. One of the objectives was to investigate how the institutional documentation categorized the minors from a perspective marked by the concepts of legal ideology, criminology, and mental hygiene present in the first decades of the 20th century in Brazil. The information produced on children and adolescents entered into the network of institutions of social control resorted to social, economic, affective, and educational aspects - which were added to constitutional and organic reasons - to classify them as abandoned, criminal, perverted, and degenerated minors. Such classifications merged categories from the legal and psychiatric fields and acted directly on the treatment given to boys and girls in conflict with the law, abandoned, or considered degenerated.²

Initially, we shall deal with the institutionalization of Social Services intended for minors in Brazil, analyzing the confluence of concerns of legal, moral, and psychiatric character that aligned to a progressive assembling of a legal and institutional apparatus to the government of minors in the state of São Paulo. In this process, we shall identify a series of perceptions related to degeneration and the control of offender and/or abandoned minors.

² For a more detailed reflection on the use of medical records from confinement institutions in human sciences studies, see Salla and Borges (2017).

Secondly, we shall examine the role of the *Instituto de Pesquisas Juvenis* [Youth Research Institute] (IPJ), provided for in article 74 of Law no. 2,497 (São Paulo, 1935), as an observation unit regarding minors, which provided essential information and diagnostics for judges and even to the institutes' administrators.

Finally, we shall examine some individual cases that exemplify the role of this institutional web and the role of IPJ in the constitution of the characteristics assigned to minors considered deviant. We shall problematize cases of boys and girls who passed by the Institute, focusing on how they were described, analyzed, and classified, giving prominence to cases involving girls, the lack of studies on the subject, and indicating, in the conclusion, possibilities for a new research agenda.

Social Service for Minors

The State's concern with the management of children and adolescents considered abandoned, dangerous, and perverted began in Brazil in the late 19th and early 20th centuries, led by doctors and jurists who pointed out the necessity of creation of a legal and institutional apparatus aimed at that segment of society.³

Even before the Minors Code (Brazil, 1927) came into force, juvenile courts were established in two Brazilian cities, Rio de Janeiro and São Paulo, which somehow initiated the judicialization process of questions concerning the abandonment and delinquency of children and adolescents. The promulgation of the Minors Code of 1927 was a milestone in the history of childhood and adolescence in Brazil. Soon after, with the creation of specific legislation and a network of custodial institutions to comply to it, the State assumed the function of taking care of abandoned and deviant children, establishing a series of institutional practices aimed at social insertion, especially through work. The major concern was to keep minors away from disorder, perversion, and bad habits, making them useful citizens, since, from

the image of these individuals, the potentiality for criminality and being a bad citizen and a bad worker began to be recognized. In this sense, even before the 1920s, agricultural patronages, created in 1918 and belonging to the Ministry of Agriculture, had the clear intention of hosting and preparing the minors who were sent there (often by the police) for agricultural work, within a logic of countryside settlement (Vianna, 1999).

Childhood care also appears in the activities of the *Liga Brasileira de Higiene Mental* [Brazilian League for Mental Hygiene] (LBHM), created in 1923. Among the League members we can cite physicians and jurists who were interested in the theme of childhood, connected to the government or public institutions, such as Lemos Britto (lawyer, journalist and director of the School 15 de Novembro between 1926 and 1930), Mello Mattos (judge of minors, author of the project that gave rise to the Minors Code), and Moncorvo Filho (Vice-President of LBHM, director of the Institute for Protection and Assistance for Childhood, creator and director of the Children Department in Brazil, in 1919, and organizer of the first Brazilian Congress for Childhood Protection, in 1922). The "free psychoanalysis practice", which worked regularly until the early months of 1927, was an attempt by LBHM to act along with schools and the Juvenile Court, aiming to correct the childhood in conflict with the law.

The confluence of these concerns and the progressive development of a legal and institutional apparatus for the government of minority became more structured, therefore, in the 1920s, having as a structuring element the Minors Code. In São Paulo, in 1935, a significant change in the patterns of State intervention occurred regarding minority with the State social service organization provided by Law No. 2,497, of December 24, 1935. This law created the Social Service of Assistance and Protection for Minor, which belonged to the Social Assistance Department of the State of São Paulo. The Service worked along with the institutional network that gathered the Juvenile Court and the

³ Regarding the history of childhood and adolescence, see Vianna (1999), Brites (1999), Marcón (2008), Arend (2011), Alvarez (1989), and Rizzini (2011).

locations to where children and adolescents were sent due to abandonment or infringement. Among these locations were the Capital Disciplinary Institute, the Disciplinary Institute of Mogi-Mirim, the Professional Reform School of Taubaté, and a wide range of religious institutions for sheltering orphaned and abandoned children mediated by the League of Catholic Ladies (Alvarez; Salla; Lourenço, 2016).⁴ These institutions had disciplinary character, seeking in work and education elements that would provide the social insertion and regeneration of these minors.

In accordance with article 10 of Law No. 2,497 (São Paulo, 1935), the Service of Assistance for Minors was composed as follows:

- a) Juvenile Court;
- b) Provisional Shelters for Minors, in the Capital and Countryside;
- c) Juvenile Research Institute, annexed to the Capital Shelter;
- d) Commissariat of Minors;
- e) official or auxiliary establishments of reeducation, preservation, and reform.

Of particular interest to this discussion is the creation of the IPJ (subparagraph c), which would work alongside the Provisional Shelter for Minors and had the assignment of conducting medical examinations and diagnostics of minors to forward them to the custodial institutions. IPJ played a key role in the guiding of the decisions of Juvenile Judges and even of administrative decisions, made by directors of institutes that sheltered children and adolescents.⁵ This is a technical instance in

which several professionals acted, and constitutes itself as a *locus* for the observation of criminology, psychiatry, and mental hygiene conceptions at that time.

In addition to the Institute, which was structured virtually only in the capital of São Paulo (despite the creation of similar units having been contemplated at the state's countryside), at the created institutions (then called reform schools or disciplinary institutes) there was also a growing presence of professionals (psychologists, social workers, and educators) who began to play an important role in the production of information on the legal background of the minors, their past, family, psychological characteristics, sociability, and potential to work. These professionals contributed not only to the conformation of the institutions, but also to organize the internal dynamics of these spaces and the circulation of minors within them.

The Juvenile Research Institute

As we previously mentioned, the São Paulo Juvenile Court integrated the Social Services for Minors, which possessed a research laboratory (IPJ), also created in 1935, with the purpose of carrying out research and analyses concerning the teaching and reeducation problems of children and adolescents, regarding biological and social aspects.⁶ According to article 75 of Law no. 2,497, IPJ had the following attributions:

- a) to perform the medical-pedagogical examination of the minor (physical and mental state),

4 The League of Catholic Ladies, created in 1923, "served as an intermediary between the Juvenile Court, Social services for Minors [SSM], and religious institutions that maintained shelters and orphanages in the capital and countryside. The League of Catholic Ladies kept the House of Childhood and the Educandário Dom Duarte (EDD), but placed abandoned children at the request of the judge or director of SSM in different institutions: Santa Maria Shelter; Santa Marta Home or Shelter; Divina Providência nursing home; Bom Pastor nursing home; São José do Belém nursing home; Vicentine Assistance to Beggars - Sanatorium for Poor People with Tuberculosis; Pious House S. Vicente de Paula; Expostos nursing home; São Paulo Home; Patrocínio de São José School (of Lorena); Vila Mascote nursing home (kept by the Vicentine Assistance to Beggars of the S. Vicente de Paulo Society)" (Alvarez; Salla; Lourenço, 2016, p. 6).

5 It is certain that IPJ did not emit medical reports for all minors who entered the Service. Research in the records indicates that IPJ made its opinions at the judge's specific request or when there was doubt on the part of the administrators regarding where to allocate a child. Commonly, reports were made for children who presented disciplinary problems in custodial institutions, for those who were admitted due to repeated infractions, practiced in the cities in which they resided, to those who were considered demented, to assess the age of those who had no birth certificate, and also for girls in case of physical integrity verification when there was suspicion of rape.

6 At that same year, the Child Biology Laboratory was created in Rio de Janeiro, aiming at caring for children classified as abandoned and delinquent (Silva, 2011).

at the moment of admission, psychobiogram, complementary clinical history, annexes to the psychobiogram, social investigation (carried out through the Minors Commission), and eventual complementary psychiatric studies;

[...]

c) to guide and assist the activities of the Service, referring to the reeducation of minors, following the development of the corrective measures in practice at the Service's establishments and, eventually, at private ones, if requested;

[...]

f) draw opinions on medical-pedagogical matters. (Brasil, 1935)

IPJ worked along with the Provisional Shelters for Minors, to where all minors were sent to and kept at the disposal of the judge. It was the observation unit that provided the main information and diagnostics for the judges and even to the administrators of the institutes. Initially, it was composed by a clinical examination room, a psychology practice, a social research service, and a "biogenetics service" (in accordance with Article 76). However, when the Social Service was reformed by Decree no. 9,744 (São Paulo, 1938), its structure was further diversified. Although IPJ's prerogatives have not been much extended by the reorganization, the Institute began to have, according to the sole paragraph of Article 6, the following services:

- a) Psychopatology Service;
- b) Neuropediatrics Service;
- c) Biotipology and Constitutional Pathology Service;
- d) Psychopedagogy Service;
- e) Experimental Psychology Service;
- f) Research Service;
- g) Archive and Statistics Service;
- h) Translation and Biblioteconomy Service;
- i) Design Service;
- j) Identification Service. (São Paulo, 1938)

The Minors Code of 1927, at the same time that it sought to protect the minors, also contributed to fostering stereotypes about them: vagabonds, beggars, libertines, *capoeiras*,

perverts, and delinquents are categories present in the legislation and that can also be found in institutional records. In this regard, a fundamental document, which integrated most of the researched records, was named "medical-pedagogical synthesis". It presented the results of the performed examinations, in both boys and girls, by the chief physician of IPJ, by request of the director of the Social Service for Minors. In this assessment, it is possible to observe the mechanisms used by the institution to produce information about the minors.

The document had the following categories: (1) hereditary history; (2) social conditions (subdivided into "family" and "environment"); (3) personal history (with subfields called "instincts", "social attitude", and "temperament and character"); (4) current state (including constitution, "synthetic anthropometric indexes", sensory sensitivity, "clinical data", "psychological data" - intelligence, "speed of mental processes" -, "temperament and character"); (5) social attitude; (6) aptitude and vocation; (7) educational level; (8) psychiatric data; (9) diagnosis; (10) imputability; (11) dangerousness; and (12) indications.

The examination of IPJ worked in a relational form with all other documents present on the records. Many decisions made by judges regarding the permanence or not of an adolescent in a unit, their placement or not under payment, and discharge, were based on the examinations performed by IPJ, which determined the fate of the minors on the institutional network. The idea of degeneration gained prominence in these registers. Discussions regarding madness have a fundamental role in the development of the concept of degeneration and theories related to it, however, it is important to highlight that this concept entered other fields. In addition to being a doctrine, the notion of degeneration can be understood as a justification that allows for the adaptation to various situations, in addition to support forms of control as well as condition behaviors (Vianna, 1999).

The minors were understood at this time as poor or abandoned children who roamed the cities, and the institutions were responsible for taking them

away or freeing them from delinquency, of conflict with the law, avoiding the “abandoned childhood to be contaminated by the environment of the streets or by the contact with people of criminal nature” (Motta, 1897, p. 23 apud Fonseca, 2008, p. 2).

The danger of the medium where the individual develops, bypassing the ideas of physicians and lawyers of the late 19th and early 20th century is fundamental to assess the presence or absence of disease (Engel, 1999). According to Engel (1999, p. 4), generally, “from the mid-19th century, the degenerations and deviations came to be seen not just as a product of heredity, but also as a result of social disorder”. These two aspects, heredity and social disorder, appear as central concerns on the analyzed records.

Maria Aparecida,⁷ aged 17 years old, was collected to the Reform School Modelo in São Paulo for four years for murdering her husband with the help of her mother, poisoning him with “wheat flour cakes mixed with an arsenical substance”. The judge’s sentence, entirely based on the tests conducted by IPJ, reinforces that her regeneration would only happen if she was removed from the environment in which she lived:

The punishment of [Aparecida] did no matter for the collectivity; what awakes society’s interests was her moral regeneration, outside the petty and confined environment where she grew up and was raised, without any education, without ever having attended a school, delivered to her instincts and without the strength to master them. [Aparecida] requires reeducation so that, free from the ignorance and from the environment where she lived, she would be able to, one day, consciously distinguish between the licit and the illicit and be of service to herself and her family. (Record 7078, 1938)

The concern with the hereditary background and social conditions is a constant in the evaluations by IPJ, pointing out aspects such as “malevolent influence due to a poor moral

tendency, moral abandonment, and disharmony between parents and children”. “Presence of alcohol at the table is common”, as Record 3883, of Ana Carolina, states. In the document “medical-psychopedagogical synthesis”, item 3 lists “instincts”, with characterizations such as “liar”, “dissimulative”, “undisciplined”, “rebel”, and “impulsive”. And that she should “learn how to control her impulses” as part of her regeneration process.

To identify the degeneration was an exercise of observation and record of traits that were not always clear and evident. It was a process of seeking not only the abandoned and perverted, but also the ones who were “likely to be”, as established by the Minors Code (Brasil, 1927).

According to Cândido Motta (1909), idealizer of the Disciplinary Institute of São Paulo, not even the committed crime could be understood as a sufficient criterion for the classification of minors, since it should be based on an individual, constant and careful observation. He believed all minors should be sent to the same institutions, regardless of offence or conviction, and, once admitted, they could be sorted according to an accurate diagnosis. Regeneration would depend on this classification, thus it was necessary to “classify the children, but not from a legal standpoint, because there was a risk of seeing a beggar who was more degenerated than a murderer. It was necessary to classify according to the degree of degeneration” (Motta, 1909, p. 70-71). Those responsible for this diagnosis were physicians and teachers, and the physician “would supply the necessary competence judges lacked, as they were unable to perform an accurate study of every child” (Zuquim, 2001, p. 116).

Moral causes such as “bad habits” and “weakening of family authority” were added to “physical and psychic disorders and heredity”. Documents signed by social workers, pedagogues, and psychologists corroborated with medical theories of the time that gathered such conceptions. In this sense, it is possible to find classifications and diagnoses that highlight, for example, girls

7 Record 7078. All the names of minors presented in this study are fictitious. We only refer to the number of their record, retrieved from research in the documents of the Social Service for Minors (see note 3).

and boys under the label of “mentally weak”, “hysterical”, “sexual pervert” etc. As noted by Vianna (1999, p. 142), “more than act in the sense of an accurate diagnosis of any situation [...] these notions turned into explanatory principles exportable to several fields of knowledge”.

In line with the medical and legal thinking of the epoch, alcoholism and syphilis were regarded as predominant factors in the heredity of degeneration. This can be seen on the sentence of the minor Aroldo, aged 17 years old (Record 085), convicted for theft: “despite the health examination consider him physically normal, he can be a pervert, descendant of an alcoholic father who killed himself ingesting creolin”.

In addition to alcoholism, there was also concern regarding syphilis. The request for syphilis examination is a constant on the records. Although we have not found the attached exams, there was always a recommendation by IPJ for them to be performed. Those who had syphilis would have a physical appearance that mixed involution and degradation, affecting their physical and moral characteristics. Thus, “those who had will diseases, the lazy ones, the sexual perverts began to be seen as the result of syphilis” (Carrara, 1996, p. 65).

The idea of “regenerating through work”, as suggested by the Minors Code, is constant in the documentation. In item 5, “social attitude”, of the examination performed by IPJ, information on whether the minor likes to work or not are presented, as well as regarding street behavior and preference of leisure and fun over work and discipline. Still at the mentioned “medical-psychopedagogical synthesis”, another item appears: “aptitude and vocation”. Although a whole rhetoric of regeneration through work existed, which the custodial institutes offered, in fact, it was an extremely basic education, accompanied by preparation for the job market, focused on simple tasks, of low qualification, especially linked to agricultural activities and, in the case of girls, housework. The diagnostics made by IPJ, in this sense, only reinforced the fate of minors for activities previously identified as suitable for them, who generally came from poor layers of the population and from families whose members had low professional qualification.

A selected focus

The study field on the history of childhood has been consolidated in Brazil since the 1990s, with studies dedicated to understand the mechanisms created by the State to ensure the “regeneration” of minors. These studies allow us to glimpse institutional practices and their interpellations regarding the legislation. However, it is easy to see that there is a lack of studies concerned with the presence of girls, both for abandonment and infraction, in the spaces of custody and imprisonment. Only from the 1990s we see studies, of feminist influence, focused on girls in conflict with the law, even if the difficulties to access questions such as treatment and intervention in the analysis of these cases still remained (Burman; Batchelor; Brown, 2001; Chesney-Lind, 1997; Chesney-Lind; Shelden, 1992; Miller, 2001; Steffensmeier; Allan, 1996).

Given the scarcity of studies on minors, some studies ended up reinforcing stereotypes that give women a criminal “inability”, characterizing women and girls only as victims of their social environment, their past, and their womanhood, repeating the thought defended by physicians and jurists of the time. This point of view does not seem to take into account the complexity of the justice system, of individual trajectories and its relationship with the social question, permeated by gender issues (Duarte, 2012; Duarte; Cunha, 2014). To insert these girls in history allows for the resignification of what is traditionally studied when the subject is imprisonment institutions, a predominantly male space, enabling to reach the complexity that involves historical and social phenomena.

One of the difficulties of expanding the knowledge on the living conditions of girls, in the period studied here, and their journey of permanence in custodial institutions is due partly to the documentation itself. The research of records from 1925 to 1934 of the Social Service for minors (Alvarez; Salla; Lourenço, 2016), for example, indicated the existence of 299 records in the first volume of the *Inventário de Prontuários de ex-internos 1925-1934* [Inventory of Medical Records of former inmates 1925-1934], developed by the Research and Documentation Center of the School of Professional Education and Training of the Casa Foundation. This research found that the medical

records of boys totaled 259 (86.6%), while there were 40 for girls (13.4%). However, the inconstancy of production of these documents, its discontinuities, does not allow us to properly evaluate the extent of confinement of girls in institutions between 1920 and 1940 in São Paulo.

Regardless, concerning the admitted girls, the reports present in the records between 1930 and 1940 were particularly careful in addressing issues related to sexual behavior involving the prostitution circuit. The observations drawn up by physicians or other professionals were generally synthetic, but enough to determine the fate of these girls.

Neusa (Record 14153), for example, was admitted at the request of a Minors Commissioner in 1944, who requested her hospitalization due to a “venereal disease”. A female physician made a report about her in the hospital Service of Shelter and Triage: she had syphilis. Diagnosis: “Acquired syphilis. Sufficient intellectual ability. Delayed in school and regarding social skills. Emotional, accusing some psychomotor instability and psychastenic and depressive tendencies. Week will and tendency to prostitution”. “Intense moral and social education at the Labortherapy of the Feminine Model Institute” were recommended. However, she was never sent to any Institute because she ran away in February 1945.

Often, these girls, who had a history of connection with prostitution or who were labeled as presenting a tendency for prostitution, were referred to the Bom Pastor nursing home, an institution run by Catholic nuns of an order famous for their “correction” of girls and woman with behavioral deviations or who had effectively committed crimes.⁸

Another case is that of Iolanda (Record 5860), “brown”, 16 years old. Here, moral and legal categories are combined, which are confirmed by physicians of IPJ and which meant an intense control over Iolanda. The judge of Botucatu, since November 1937, asked the director of the Social Service for Minors to hospitalize Iolanda, resorting to the “special conditions of abandonment” and as to the fact she was not a normal person. In the sentence, it was registered that her father was deceased and no one knew where her mother was.

It also mentioned that she had been “victim of a crime of rape”, would have lived in “houses of tolerance”, gotten pregnant, and gave birth to a stillborn son. Still, according to the judge, she was abandoned, in the legal sense, and was at the “edge of moral downfall”. She came to São Paulo, to the Provisional Shelters for Minors, where a report was made by IPJ. That report stated that the mother should have been misconducted and negligent. “There were also pernicious influence of bad companies and movies”. One of the indications, at the end of the report, is for “Labortherapy on a State Reform Establishment”. However, she was conducted to the Bom Pastor nursing home. There, it was possible that Iolanda would be forwarded to work at a family home as a servant or housekeeper, i.e., gaining a small remuneration. This procedure involved the authorization of the judge of Botucatu, responsible for her custody. The judge did not authorize her delivery to a paid position, claiming that she was perverted and presented a “positive index of dangerousness”.

In March 1941, the Bom Pastor nursing home returned the girl to the Social Service for Minors because “she was giving signs of being abnormal”. She stayed in the Service of Shelter and Triage and once again the request for referral to a family home was denied by the judge. The responsible person for IPJ reiterates the terms of the previous report (of 1938) and also adds that she presented a serious “danger of moral contagion” to the other inmates. He took the opportunity to express his desire to built a pavilion for the “abnormal” ones, obviously referring to girls and young women who were considered sexually perverted. Even being aged over 20 years, in May 1941, the judge of Botucatu reiterates that she should remain committed at a “preservation or reform school”. In November of that year, she escaped from the Service of Shelter and Triage where was staying.

The case of Doralina (Record 5035) exemplifies the condition to which the girls were subjected when it came to prostitution. Her admission documents (of November 1937) do not present the reasons for her custody (if abandonment or if she committed an infraction). According to this document, she had brown skin and claimed to be aged 18 years old, but

⁸ In São Paulo, Rio de Janeiro, and other capitals, the religious order of our Nossa Senhora da Caridade do Bom Pastor de Angers took responsibility, since the 1940s, of the first women’s prisons in Brazil (Angotti, 2012; Arthur, 2016).

throughout her stay in the custody of the Social Service for Minors, her age was investigated. By all indications, her internment was associated with prostitution. The following are excerpts from the sentence, ruled by the Capital judge, which illustrate the condition of the minor, as well as the arguments deployed to justify her internment:

I see fit to declare her in state of abandonment according to the legal parameters. The referred minor, as registered in the process, does not have anyone to take care of her and ignores the whereabouts of her parents, as stated. It is, in this case, a minor who due to her state and past, in accordance with the related searches, cannot remain in conviviality with other inmates [she was then at the Provisional Shelters for Minors]. The minor, booked as a prostitute in Barretos, worked as a prostitute in several places, as she declares. By her conduct and by the contact misery naturally had, it is possible to access her morals. The case offers danger to the inmates. [...] Her moral went so far as to notion [*sic*] her own name and when questioned she acts evasively or ignorantly. A very common habit among women such as this minor. We do not know if she managed to save some of her state of mind, because the modification that shall be operated will be costly and arduous. Under the protection of the State and in accordance with art. 26 n. I, V, VI, the minor referred to should be imprisoned indefinitely, through DASPM [Department of Social Services and Protection for Minors], which shall designate the convenient place for her. (Record 5035)

It can be inferred that the penalty imposed was aimed at the habits and customs of the minor. The poverty in which she lived appears as responsible for her moral, referred to as dangerous to the other inmates, since her misconduct could influence the others, given her involvement with prostitution.

The fact that she lied about the name (her record has two different names, informed by the minor herself) is pointed out pejoratively as a “common habit for this type of women”. Certainly, this assessment referred to the evidence of the minor “being booked as prostitute by the Barretos police”.

In December 1937, she went to the Bom Pastor nursing home. However, in May 1940, a group of seven young women from this nursing home were returned to Social Services for Minors, because they could no longer “continue to be at the custody of that nursing home for not adapting to the regime”.

In the case of Doralina, her rebel character also showed itself in the Hospital-Sanitarium Leonor Mendes de Barros (then in Mandaqui), where she was sent after presenting a health problem. An official statement of August 1940, from the Hospital director to the director of the Commissariat of the Minors Court, reported that her permanence there was “becoming inconvenient for the total lack of respect to the order of the Hospital-Sanatorium Leonor Mendes de Barros. Not wishing to stay here, she convinced herself that, by disrespecting and failing to comply with the regulations she would be able to achieve her goal”. The director also informed that many measures had been taken, to no avail. The problem is brought to the attention of the judge of minors for forwarding. The director of the Social Service for Minors addressed the director of the Hospital-Sanatorium stating that he did not possess an “adequate establishment” for the minor and that he could “act with the greatest severity to the minors at his custody, when they refused to follow the discipline of the establishment”. It is reported that she died on January 9, 1941, at the Hospital.⁹

Another aspect that was consensual in the medical, legal, and, by extension, criminal field was the reading of the social place for the insertion of

⁹ The absence of a place considered adequate for girls also appears registered in other records. For a girl sentenced to four years of stay in the Reform School Modelo, the minors judge himself stated that the “Reform School Modelo is destined to abandoned and delinquent minors aged from 10 to 14 years, and that no place existed, in the State, for female delinquent minors”. The Minors Code provided for the creation of “a school of preservation for female minors, who were under the protection of the public authority” (Brazil, 1927, art. 198). However, in the case of São Paulo, the locations for custody of girls were improvised, wards of other institutions, as can be seen in the absence of reference to any institute exclusively for girls in the administrative reform of the Social Service for Minors undertaken in 1938, with Decree No. 9,744 (São Paulo, 1938).

girls, either if they were abandoned or offenders. This is reflected in the proposal of organization of places for internment that the Minors Code provided for girls: “To the minors will be taught the following crafts: sewing and needlework; laundry; ironing; kitchen; manufacture of hats; typing; gardening, horticulture, pomiculture, and creation of birds” (Brazil, 1927 art. 202).

This perspective of socially inserting the girls in housework revealed itself not only in the internal organization of the institutes that sheltered them, but also in their placing in family homes under payment. In the report of IPJ, when it came to girls, the field of skills was almost always kept empty, or it was registered that the minor had no “professional vocation”, indicating, at the same time, she was adaptable to “domestic services”. In only one record among the studied ones the ability of “maid” was reported.

The placement of girls under payment in family homes meant that she was under the responsibility of a person of this family, she would do housework and would receive a sum of money, a part for her and another to be deposited in an account administered by the Social Services for Minors. The placement of the girl in a family home was in general supported by the signature of a responsibility term. The minors judge, in principle, should always be informed and allow these procedures, as they involved the placement of a girl outside of an (public) institution, which had been the destination decided by the judge. Various records indicate friction between the girls and the families, that often “returned” them. This return was not always justified by those responsible, often simply justifying that “they did not adapt” to a paid work. In short, the placement of girls in family homes for domestic work was the only destination given to them. Even when they did not adapt to these tasks, after several attempts, the measure taken by the custodial institutions was always the same: trust the girl to a family under payment.

Final considerations

From the presentation of some preliminary results of the research, we sought to contribute to a broader understanding of the social controls of

offender or abandoned minors since the creation of the Minors Code in 1927. The form of organization of the services focused on the management of minority since 1935 in São Paulo indicates that, in addition to legal knowledge, the specialized knowledge of physicians, psychiatrists, psychologists, and social workers made up a complex framework of references to diagnose the social conditions of minors, their personality profile, pathologies, disabilities of any kind, inferences about their families, and the trajectories of those minors regarding abandonment and offenses. Diagnoses and classifications that ended up being instrumental in the form of insertion of minors in institutional life, as well as for attempts of insertion into the work life, even before they were released from the institutions. The moral guidelines and punitive perceptions that cross these knowledge explain many of the prescriptions determined for the tutelage of the State over minors, as well as the type of treatment imposed to them.

In this sense, we sought to emphasize cases that involved girls and the presumption of deviant behaviors, especially those involving prostitution, as well as aspects of social integration of minors through work. These two trends clearly point out to the moral guidelines that support the legal sentences, the reports of IPJ, for the treatment of minors, either if they were abandoned or offenders.

It is necessary to recognize that there is still much to be discovered about the management of minority in the period studied here. Despite the considerable advances in specific literature about minority in recent decades, studies focusing on the management practices of girls are still scarce. Our intention was to bring some reflections on these mechanisms of control and management of minority and outline some clues to be deepened, regarding social representations available in the period about the condition of girls in abandonment and of offenders, as well as how they were treated by the public and private institutions in which they were interned. The documentation used here, the records of the Social Service of Assistance and Protection for Minors, can even provide further significant advances in understanding this chapter of the history of childhood and adolescence in Brazil.

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