

Chapter 3

Feminist or Feminine? The Establishment of Separate Women's Prisons, 1870–1900

Sympathy for the fallen woman as victim and faith in her capacity for redemption characterized the nineteenth-century feminist approach to women prisoners. When women who shared these sentiments approached local and state correctional institutions, they found the American prison system severely deficient. Ameliorative efforts such as prison visiting and homes for discharged women prisoners seemed inadequate to correct the problems exposed by postwar reformers. After the 1860s, women who now had a foothold in public charities and corrections demanded changes in state policies. During the last third of the century they articulated an alternative model of feminine prison reform to replace the neglect of women in men's prisons. Three principles guided them: the separation of women prisoners from men; the provision of differential, feminine care; and control over women's prisons by female staff and management.

By the end of the nineteenth century reformers had succeeded in incorporating these principles into separate women's prisons in the three states in which they were most active—Indiana, Massachusetts, and New York. The Indiana Woman's Prison opened in Indianapolis in 1874. In the same year the Massachusetts legislature established a Reformatory Prison for Women that began to admit inmates in 1877. The first New York House of Refuge for women opened at Hudson in 1887, followed by the opening of the Western House of Refuge at Albion in 1893. A third New York institution, the Bedford Hills Reformatory, was completed in 1901.

The establishment of separate women's prisons contributed to the larger process of female institution-building in the late nineteenth century. Prison reformers and other social feminists drew upon the ideology of women's separate sphere and gradually expanded its boundaries from the private to the public realm. By creating extradomestic female institutions—colleges, clubs, reform organizations, and even prisons—middle-class American

women gained both valuable personal skills and greater public authority.¹

Like the “separate but equal” racial ideology, however, social feminist strategy rested on a contradictory definition of equality. The nineteenth-century prison reformers did seek to expand women’s rights when they argued for greater authority over public policy and improved treatment for women prisoners. But at the heart of their program was the principle of innate sexual difference, not sexual equality. Their femininity, reformers asserted, qualified them to control women’s prisons. Moreover, they acted on a faith that simply strengthening the feminine elements in institutions would improve them. Thus, in their three major arguments for separate women’s prisons, reformers combined feminist goals of preventing men’s exploitation of women with feminine methods of extending women’s sphere to encompass correctional institutions.

Separation of Female Prisoners

Since their first visits to prisons, reformers of both sexes had objected to the intermingling of male and female inmates. As early as 1826 the “promiscuous and unrestricted intercourse” and “universal riot and debauchery” in the Philadelphia jails inspired the separation of the sexes there. Officials elsewhere decried communication between inmates and passed statutes requiring jail keepers to maintain separate areas for the women in their charge. These regulations prevented sexual contact, but at the same time they usually forced all female inmates into the most uncomfortable quarters within penal institutions.²

Elizabeth Fry first articulated the importance of separating female inmates for purposes other than merely preventing sexual contact. In her *Observations*, the British prison reformer expressed fears that sexually mixed quarters undermined women’s rehabilitation. Separate facilities, she argued, would allow the classification of women into categories by age and offense, rather than simply by sex, and would facilitate instruction and training in feminine pursuits.³

New impetus for separating women prisoners came from nineteenth-century penologists who favored the classification of inmates into age, sex, and offender groups. Both male and female reformers, notably Dorothea Dix, urged separate housing of the insane, juvenile criminals, and first offenders. By mid-century

most states had provided facilities for the first two of these groups, and over the next fifty years they established specialized adult reformatories, asylums for alcoholics, and institutions for the mentally ill. These facilities were often designed with separate departments or buildings for female inmates that were an improvement over women's earlier, makeshift quarters.⁴

The first separate women's prison building opened at the Sing Sing, New York, state penitentiary in June 1839. Male staff administered the women's department but matrons served in it. Before long, overcrowding, inadequate hospital and nursery facilities, and disciplinary problems, which culminated in an 1843 riot, plagued the institution. A brief redemption occurred after 1844 with the appointment of Eliza W. Farnham—sometimes feminist, atheist, and phrenologist—as matron.⁵

Farnham believed in rehabilitation instead of punishment. She ended the silence rule, set up a library and a school, classified prisoners, offered incentives for good behavior, and used music, handicrafts, and entertainment to discourage criminal instincts. Instead of the Bible she read the women Dickens's *Oliver Twist*; Margaret Fuller came to speak to inmates at Farnham's request. Unfortunately, her secular methods provoked state officials. They complained that there was "nothing masculine" in the prison routine and forced her to retract her programs and impose silence, work, and strict discipline. Farnham left Sing Sing in 1848. Thereafter, although it remained the only separate state prison for women until the 1870s, it never really furthered the principles of women's prison reform.⁶

Several states continued to house female inmates apart from men within the same institutions, but no new women's prisons were constructed in the antebellum years. By the 1860s, however, when the mounting number of female commitments taxed existing facilities, several new women's quarters were constructed.⁷ At the same time, women active in charities and corrections who visited sexually mixed institutions began criticizing the discriminatory treatment of female inmates and revived the issue of separate prisons. Elizabeth Chace, for instance, discovered in her visits to Rhode Island institutions that prisons held classes for men but not for women and that female inmates were offered neither exercise nor mental occupation while incarcerated.⁸ Refusal to attempt the reformation of women bothered Josephine Shaw Lowell as well. She told the New York State Board of Charities in 1879 that the "visible links" in the chain of poverty and criminality were

“women who from early girlhood have been tossed from poorhouse to jail, and from jail to poorhouse, until the last trace of womanhood in them has been destroyed.” Neither in “jail, poorhouse nor penitentiary,” she charged, “will they find anything to help them turn back; on the contrary, all the surroundings will force them lower.” Lowell concluded that only separate women’s institutions would prevent this cycle.⁹

Women joined other critics of American prisons in calling for change. A revival of interest in prison reform, evidenced by the founding of the American Prison Association in 1870, led to renewed debate about penal methods in general. By this date, American penitentiaries had declined into complacent, overcrowded, custodial institutions. Although many states continued to rely on penitentiaries, the newly organized charity and corrections workers brought several alternatives to public attention. They were particularly impressed by experiments in the British prison system and by the innovations of the reformatory prison.

The British system had instituted policies of commutation of sentences for good behavior, the merit marking-system, and progressive reentry into society. Under the influence of American reformers Enoch C. Wines, Zebulon Brockway, and Franklin Sanborn, these methods were incorporated into reformatory prisons for youthful, male first offenders at Elmira, New York (1876) and Concord, Massachusetts (1884). Brockway, the first superintendent of the Elmira Reformatory, instituted prison reforms that rewarded inmates for internalizing many of the controls formerly imposed by the external discipline of the penitentiary. Incentive systems offered greater privileges for good behavior and the indeterminate sentence allowed prisoners’ actions to influence their date of release.¹⁰

For women, the most significant innovation of the British system was demonstrated by the Mount Joy Female Convict prison in Ireland. In 1862 British prison reformer Mary Carpenter observed the separate women’s reformatory at Mount Joy and became convinced of its efficacy in rehabilitating women criminals. Like her American counterparts, Carpenter explained that women only seemed unreformable because of the “injudicious treatment” they usually received as convicts. In her 1864 book, *Our Convicts*, Carpenter recommended that women prisoners should be gathered into one institution where a merit system would determine progression to various stages of treatment and privilege. Female staff would provide “considerable intellectual and cultural

development" for inmates, while the use of male guards would be avoided.¹¹

Americans were intrigued by the British plan of a separate, reformatory women's prison. As early as 1865 the Massachusetts Board of State Charities reported favorably on separation and the merit system for women in England. When the first International Penitentiary Congress convened in London in 1872, a session on women's work enabled Julia Ward Howe and Elizabeth Buffum Chace to meet Mary Carpenter and discuss the principle of separate female institutions.¹² Several male reformers were impressed by the fact that the superintendent, subordinate officers, and teachers at Mount Joy were all women.¹³ Charles and Rhoda Coffin visited Mount Joy and praised its approximation of family life, the placement of released women in private homes, and particularly the self-respect engendered by the trust placed in upper-grade prisoners. All of these advantages had been unavailable to women dispersed throughout the predominantly male prisons.¹⁴

At the same time that Mount Joy presented a model for American reformers, the establishment of sexually segregated juvenile reformatories helped pave the way for separate adult prisons. Several reform schools for boys were founded after 1847 and the first State Industrial School for Girls, at Lancaster, Massachusetts, opened in 1856. In Connecticut legislators considered establishing a women's prison in the 1860s, but instead they chartered an industrial school for girls that classified inmates within a cottage system of residence and offered instruction, employment, indeterminate sentences, and conditional pardon and release.¹⁵

In 1867 a visit to the Lancaster, Massachusetts, girls' reform school inspired Zebulon Brockway, then superintendent of the Detroit House of Correction, to experiment with separate "reformatory" treatment for the women under his care. Brockway had been impressed with the methods of the girls' school, and so he helped establish a women's "House of Shelter." From 1869 to 1874, Emma Hall, a Detroit public school teacher, served as matron. Hall formed "a little society" with thirty female inmates living as a family in "commodious and well furnished" surroundings. She instituted a merit system, offered training for remunerative employment, and fostered "strong social bonds" among inmates. Although the House of Shelter was not technically a prison, it was the first penal institution where women had complete authority over female inmates. According to a historian of Michigan's

prisons, "The House of Shelter was America's first women's reformatory."¹⁶

By 1870 other separate institutions were being established in Indiana. The Home for the Friendless in Richmond had just become the official city prison. Its female managers, deputized as sheriffs who "paroled" their prisoners to the home, attempted to achieve reformation through prayer, music, Bible study, and work. Meanwhile, Indiana Friends Sarah Smith and Rhoda Coffin led a campaign to end the sexual abuse of women in the state prison. Their lobbying efforts succeeded in 1869 when a bill creating a "Female Prison and Reformatory Institution for Girls and Women" passed the Indiana legislature. The prison, which opened in Indianapolis in 1874, was the first completely separate state women's penal institution in America.¹⁷

Even as the Indiana Woman's Prison was under construction, reformers in other states were adopting the model of sexually separate prisons. The three women and three men on the Massachusetts Prison Commission decided in 1870 that "a classification of the prisoners, according to sex, age, and degree of crime, was absolutely necessary before any satisfactory progress toward reformation could be expected."¹⁸ In their first annual report they argued for sexual separation on several grounds. "In our county prisons, as a general rule, the poorest and most unfavorable quarters are assigned to women," they wrote. But separation would not help only one sex. "By separating the women from the men, both are benefitted," through the removal of sexual distractions and the possibility of improving the present system which, they felt, "does not tend to the reformation of men or women."¹⁹

Implementing the recommendation of sexual separation took a four-year campaign on the part of the commissioners and private reformers. First the commissioners tried to centralize all women prisoners into one county jail, but a hostile sheriff undermined that strategy by refusing to remove the male inmates.²⁰ The commissioners then decided that a new prison should be built. Two of them, Hannah Chickering of the Dedham Asylum for Discharged Female Prisoners and Clara Leonard of the Springfield Home for the Friendless, convened a public meeting in Boston and gathered hundreds of signatures on petitions to the legislature. When lawmakers, reluctant to appropriate money for a women's prison, rejected the bill in 1873, the prison commissioners argued that a women's prison would save money by reducing female crime.²¹

They insisted further that “for this State to say, by its Legislature, that it cannot afford to build a new prison . . . would be absurd. It did not say so last year when the necessity appeared for a new state prison for men.”²²

In June 1873 private reformers organized “a League to secure the establishment of a Separate Prison for the Female Convicts of Massachusetts.” They publicized their cause in “secular and religious” newspapers and, borrowing a technique from the temperance movement, they asked for signatures to “The Pledge” of approval of a separate prison.²³ Drawing on local women’s networks throughout the state, members held parlor meetings, wrote letters, and distributed new petitions. Over 7,000 signatures reached the Massachusetts legislature between January and March 1874. In June the legislation passed both House and Senate, and the second women’s prison in America—the first statewide *reformatory* institution for adult women—was signed into law.²⁴

By 1874, then, the principle of separating female convicts, not merely within existing prisons, but in specially constructed women’s institutions, had been adopted in Indiana and Massachusetts. The logic of sexual separation was clear. First, it encouraged efficient management by collecting female inmates under one roof. Secondly, it expunged the malevolent male influences which had impeded women’s reformation in mixed prisons. But in both states, and soon in New York as well, two additional arguments supported the reformers’ commitment to separate institutions: the necessity for differential, feminine, treatment and the unique ability of women to supply that need.

Differential Treatment

Sexually mixed prison facilities in the nineteenth century, far from catering to uniquely feminine needs, usually stripped women inmates of the privileges normally extended to the “fairer sex” and gave them little or no hope of returning to society as restored women. Failure to provide feminine care was in no way egalitarian; rather, it rested on the belief that criminal women were more hardened than men.

Critics of American prisons in the 1870s took issue with the view that fallen women could not be reformed. They charged the correctional system with perpetuating a self-fulfilling prophecy of hopelessness for female offenders. Elizabeth Chace, for instance,

complained of the discouraging treatment offered by male correctional officers, since even "good men regard a fallen woman as so much worse than a fallen man that they involuntarily shrink from association with her" and therefore do little toward her redemption. In a letter to the first national prison congress she amplified her argument:

The public sentiment which condemns a woman to imprisonment and entire loss of reputation, and then pronounces her reformation hopeless, . . . fills our penal institutions with women of this class. . . . While men are constantly influenced by the expectation . . . [of becoming] virtuous and useful members of society, it is impossible to bring the influence of such a hope upon the women, when there is no belief in the possibility of such a change for *them*. The result is, the women go out hopeless for themselves.²⁵

Similarly, the Massachusetts prison commissioners concluded that one evil of the existing system was having female prisoners under the "immediate and entire control of men" who had "little or no faith in the possibility of their reformation." Naturally, if "looked upon as incapable of reformation" in prison, the commissioners reasoned, inmates would lose heart and go back to "the life" after they were released.²⁶

Thus the reformers argued that women would remain incurably criminal unless they received a new form of treatment within the correctional system. "We do not say or think more lenient," they pointed out, "but different. And at present the most prominent difference discernible is that they have for the most part poorer and less desirable quarters, and are employed virtually as servants for the men."²⁷ The alternative treatment reformers proposed represented an almost complete reversal of the patterns they were criticizing. Rather than differential treatment which condemned women, reformers called for greater help and better training to convert the fallen into respectable women.

Reformers wanted not only to alter the traditional belief that female criminals were more hardened than male offenders, they wanted to portray imprisoned women as untapped resources who had within them the cherished qualities of piety and purity. Only the chrysalis of a degrading environment concealed their natural womanhood. Healthier surroundings, both within and after prison, would permit the metamorphosis from depravity to "true womanhood." As the WPA wrote:

We believe that woman in her deepest degradation
Holds something sacred, something undefiled;
And like the diamond in the dark, retains
Some quenchless gleam of the celestial light.²⁸

Their vision of training derived from the ideal of female behavior that had evolved during the nineteenth century. The virtues of "true womanhood"—purity, piety, domesticity, and submissiveness—appealed to middle-class reformers. Their own socialization had been accomplished by ladies' magazines, domestic guides, and academy or seminary courses in moral philosophy and domestic economy. But those who were not exposed to this curriculum, or who simply resisted it, were deviant women who required retraining. Instructing them for feminine roles meant treating women prisoners *qua* women, recognizing their innate femininity and then encouraging it to blossom under the influences of womanly sympathy and nurture. In essence, it meant extending the middle-class woman's socialization to fallen women.

Although male criminals might be reformed as well, their progress required a form of retraining suitable to masculine ideals of work and discipline, like that found in the factory or military model of penitentiaries. Consequently, even the new reformatories for young men prided themselves on industrial arts classes, physical culture, and military drill.

Women, like children with whom they were often compared, were more impressionable and called forth a special approach. Their innocence could be restored by appealing to intuition, to heart. "I think for women—I will not say for men—God's clear sunlight softens the human heart," one APA member remarked. Or, as Massachusetts officials wrote, "Women need different management from men; they are more emotional and more susceptible; they are far less likely to be influenced by general appeals or force of discipline, and are more open to personal treatment and the influence of kindness."²⁹

One of the staunchest advocates of differential treatment, prison superintendent Ellen Cheney Johnson, recommended such "softening" influences on women prisoners as flowers, farm animals, music, and visits to the infant nursery. Johnson speculated that women's "different physical organization and consequent greater nervous sensitiveness" made them "as a class more difficult to deal with" and necessitated kinder treatment. Each woman retained

"the germ of goodness in the heart" which Johnson hoped to "seek out and develop and establish."³⁰

Once again, references to women criminals as a class apart from their male counterparts indicated the primacy of gender identity for nineteenth-century women. To reach the "true woman" within each fallen shell, reformers sought feminine methods of corrections. As Josephine Shaw Lowell and others saw their task, female criminals were "first of all, to be taught to be women." Hence, "they must be induced to love that which is good and pure, and to wish to resemble it." Not incidentally, "they must learn all household duties."³¹ What better structure in which to carry out this task of socialization for womanhood than in the home, the center of the middle-class female sphere? Domesticity, then, provided a focal point for female corrections and a means of restoring femininity to the fallen.

The "home" had been an important response to female criminality since the 1840s when shelters were used as intermediate lodgings for released women prisoners. The Women's Prison Association of New York, for instance, employed domestic routines to regularize inmates' lives and to train them for proper womanly roles. "A Home," they explained, "is the very heart of the undertaking in behalf of female convicts."³²

As the number of homes for released female convicts multiplied over the next decades, domestic structure became a requirement for women's reformation. In 1852 the Female Prison Association of Philadelphia sought a refuge for penitent women: ". . . we seem to want a stepping stone between the Prison, and the wide world. . . . —Yes! we want a *Home*; where they may begin anew to tread the path of life."³³ In Dedham and Springfield, Massachusetts, Richmond, Indiana, and other cities, dozens of homes opened between the 1870s and the 1890s.³⁴

Not only as shelters, but also as retraining centers for fallen women, the homes catered to uniquely feminine needs. Through evangelical religion, education, and discipline, the matrons and managers offered courses to restore the womanhood of residents. Daily lessons in reading, writing, sewing, "and other feminine employments" supplemented the prayers, Bible study, and religious services, thus ensuring both domesticity and piety. Discipline included the banning of profanity, tobacco, alcohol, and coarse behavior, plus a routine of early rising, regular work (sewing, laundry, cleaning), and habits of neatness and industry at all times. In

spite of the regimentation imposed, the managers of the homes insisted that the key to discipline lay in the familial patterns which they adopted. As the Crittenton Homes' regulations explained: "Inmates when admitted are adopted into the family and are expected to give the loving obedience of dutiful children towards their parents."³⁵

The analogy with youth echoed another model upon which reformers of fallen women relied. In the mid-nineteenth century, juvenile reformatories adopted the "family system" to cure delinquency. Domestic training had been applied to female orphans and delinquents as early as 1800, but the introduction of the European cottage plan for juvenile institutions in the late 1850s further encouraged family-model care. In 1856 the Lancaster girls' school in Massachusetts became the first reformatory in the United States designed with small buildings known as cottages instead of dormitories or cell blocks. Boys' schools soon adopted the family plan as well, and increasingly groups such as the Massachusetts Board of Charities were recommending that "in providing for the poor, the dependent, and the vicious, especially for the young, we must take the ordinary family for our model." By the 1870s a number of institutions had adopted the domestic model, or cottage system, for their designs.³⁶

Separate women's prisons were established just when the domestic model was gaining popularity. The Detroit House of Shelter, as Emma Hall made clear, approximated in design and routine the patterns of domestic life. A private room, "flowers, pictures, music and home industries" would "create a desire for a permanent home."³⁷ In New York, Josephine Lowell rejected the silence and hard labor of penitentiaries: "The reformatories must not be prisons, which would crush out the life from those unfortunate enough to be cast into them; they must be *homes*,—homes where a tender care shall surround the weak and fallen creatures who are placed under their shelter."³⁸

According to Lowell the ideal reformatory would be set on a large tract of land (from 250 to 500 acres) in order to prevent communication with the outer world. Inmates would be classified and housed in several small buildings, with fifteen to twenty-five women in each, under the charge of female officers. Training would include traditional women's work: cooking, washing and ironing, gardening, and milking cows. Lowell stressed that due attention should be given to "mental and moral faculties" and to the