Chapter 6

The New Criminology of Women, 1900–1920

By the close of the nineteenth century, women’s prison reform had reached a point of stagnation. As the first spate of institution building ended, reformers increasingly defended rather than improved upon their past accomplishments. Between 1890 and 1910, the original activists who had lived long enough to influence the separate prisons—Abby Hopper Gibbons, Rhoda Coffin, Elizabeth Buffum Chace, and Josephine Shaw Lowell—all died.¹ Women entering prison reform as paid administrators during the 1880s and 1890s did not share the missionary spirit that had motivated these founders.

Within a decade, however, new life reinvigorated the movement. A generation of reformers came of age in a time of educational and occupational expansion for middle-class women. They did not have to argue for the right to work in prisons for they had inherited these institutions from the previous generation. These “new women,” however, did not necessarily accept their predecessors’ sexual ideology or penal methods. A small vanguard of educated, middle-class criminologists and reformers questioned the biological basis of the separate spheres and elaborated an environmental analysis of women’s crime.

The different personal experiences of nineteenth- and twentieth-century reformers help to explain the new direction of women’s criminology (see table 2, chap. 2). The earlier generation had shared backgrounds of religious training, education at a female academy, benevolent reform, marriage, and child rearing. Even as they entered the public sphere as volunteers and later as professional reformers, they continued to value domesticity and female moral superiority. Politically they fell into the category of social feminists; a few eventually supported women’s rights.

In contrast, a majority of the Progressive-era reformers were single, divorced, or separated.² Like their generation as a whole, those who did marry had fewer children than their predecessors.
Unlike most American women they were highly educated. Several attended the eastern women's colleges that had opened in the late nineteenth century. When research universities, such as the University of Chicago, admitted women graduate students in the 1890s, several of these women earned advanced degrees. Almost all members of the latter generation of prison reformers worked for pay. Some lived for a time in settlement houses in New York, Philadelphia, and Chicago. Half of them actively supported the suffrage movement and none publicly opposed it. A few engaged in partisan politics during their lives.

Twentieth-century women had both different reasons for entering prison reform and a different approach to women prisoners than had the earlier generation. Although still concerned about attitudes toward prostitutes, fewer of the Progressives had a religious impulse to convert fallen women. Those trained in social work, law, medicine, and the social sciences approached female prisoners as professional clients or subjects of research. Reflecting their own personal experiences, the Progressives found problematic the arguments that woman's nature confined her to maternal and domestic tasks. Increasingly they dropped the principle of female moral superiority and questioned the implications of "biology is destiny."

The criminology developed by Progressive-era women was in part a response to a movement known as the "new penology." From 1900 to 1920 male and female prison reformers sought innovative methods to replace those used in the discredited nineteenth-century prisons. They instituted preventive social services, probation, and specialized courts for juveniles and women. To inform their work, many Progressives called for scientific investigations of the causes of crime.

In the recently established social sciences, which provided much of this research, the debate over hereditary and environmental determinants of crime moved into the laboratory. Criminal anthropologists carefully measured prisoners' bodies, psychologists tested mental skills, and sociologists studied criminals' backgrounds. Until World War I, most investigators stressed physical traits and mental ability as determining an individual's propensity for crime. They based their conclusions on new discoveries in biology and, after 1906, on intelligence tests, which provided a tool for correlating mentality and crime.

Hereditarian explanations of crime appealed to a conservative strain of American social thought. Nativism and racism flourished
at the beginning of the century in reaction to the new immigration from southern and eastern Europe and the black northern migration, and in support of American overseas imperialism. These themes influenced the eugenics movement, which used scientific theories of Anglo-Saxon superiority to justify immigration restriction and population control. Hereditary criminology used similar theories to support the view that criminals formed a separate biological class that had to be controlled.\(^5\)

Despite the popularity of biological determinism in both pure science and crude propaganda, influential social scientists criticized hereditary theories.\(^6\) A growing number of criminologists questioned the validity of correlating crime with physiological and mental traits. After 1915 a new “multi-factor” approach, pioneered by the staff of the Juvenile Psychopathic Institute in Chicago, forced American criminologists to study criminals’ family lives, educations, and economic conditions.\(^7\) Nevertheless, the concept of the defective delinquent remained powerful, and hardcore biological determinism waned only after the 1920s.

Women prison reformers joined in this Progressive-era debate over the causes of crime. Many of the first women social scientists worked within separate women’s prisons, where they found, literally, captive populations to use as subjects for testing criminological theories. Although women were as susceptible as other Progressives to nativist fears, they often remained more suspicious of biological determinism. Three types of studies by women researchers questioned prevailing theories and contributed to an environmental, or social, explanation of crime. First, at the opening of the century, Frances Kellor, a young sociologist, attacked Cesare Lombroso’s concept of the physiological criminal type. Then, between 1910 and 1920, researchers at the New York women’s reformatory grappled with the relationship of mental ability to crime. During the same period women social scientists’ quantitative studies of female crime, along with Progressive social reformers’ writings on prostitution, argued for an economic interpretation of women’s crime.

**Biology and Crime**

Frances Kellor was representative of the unique group of women who combined academic inquiry with social action during the Progressive era. Kellor received a law degree from Cornell University in 1897 and then began graduate school in sociology at the
recently established University of Chicago. There she studied “criminal sociology,” a topic on which she elaborated in her 1901 textbook, *Experimental Sociology*. She later wrote on unemployment, prostitution, and immigration. In 1910 Kellor became chief investigator for the New York State Bureau of Industries and Immigration and two years later she directed the Progressive Service, the social welfare branch of the national Progressive party. Her feminist concerns included suffrage, women’s athletics, the rights of Negro women, and the prevention of prostitution. During the 1920s and 1930s she specialized in labor arbitration. Kellor began this notable career by being the first woman and one of the earliest Americans to attack Cesare Lombroso’s biological interpretation of crime.

Lombroso, the Italian physician who popularized the idea of a physiological criminal type, had for many years commanded the respect of criminologists. In *The Female Criminal*, published in English in 1895, Lombroso applied his theory of biological atavism, which held that primitive physical traits indicated criminal tendencies, to women prisoners. He concluded that female offenders differed from normal women by the greater frequency of pathological anomalies of their skulls. They physically resembled more closely either normal or criminal males than they did normal women. Moreover, his anthropometric measurements showed that women who committed different types of crimes varied by weight; that all female offenders were shorter than the norm; that they had an abundance of hair, often gray or (with the exception of prostitutes) dark. Sensory tests indicated these women had notable dullness of vision, hearing, smell, and taste, but normal perception of touch. The female criminal type was akin to the savage woman, he explained. She had an excess of male characteristics—eroticism, dominance and violence—and a paucity of female attributes, such as maternal feeling and morality.

The criminal type was rarer among women than among men, Lombroso held, because of women’s congenital disinclination to crime. But that small percentage who were “born criminal” had propensities “more intense and more perverse than those of their male prototypes.” They were more greedy, more vengeful, more cruel, and more deficient in moral senses: “Women are big children; their evil tendencies are more numerous and more varied than men’s but generally remain latent. When they are awakened and excited they produce results proportionately greater.” Thus,
like earlier American moralists who believed in woman’s greater fall, Lombroso reasoned that when a woman committed a crime in the face of countervailing social forces, “we may conclude that her wickedness must have been enormous before it could triumph over so many obstacles.”

Lombroso’s tone was somewhat anomalous itself in the 1890s, when scientific terms were replacing moral ones in the language of criminologists. That the concept of women’s greater fall persisted, even though cloaked in biological theories, endangered whatever progress women reformers had made toward removing the greater stigma of female crime. Few critics appreciated this implication of Lombroso’s conclusions. At least one, however, Frances Kellor, saw clearly both the flaws in Lombroso’s methods and the dangers for women in his conclusions.

Several scholars had questioned Lombroso’s studies during the 1890s, but Frances Kellor first replicated his experiments and used sociological evidence to refute them. The results of her research, reported in 1900 in both the American Journal of Sociology and the Arena, showed that the physiology of female criminals did not differ significantly from noncriminal women and that biology was less important than environment in encouraging deviant behavior. She insisted as well that women criminals were no more depraved than male criminals.

Kellor began her articles with a general critique of anatomical studies which ignored the social, mental, and emotional determinants of crime. “Workers in criminal sociology have become too accustomed to accuse heredity of all the results for which no other cause can be found,” she wrote in the Arena. Kellor made a point of denying any “socialistic or anarchist tendencies” on her part, although she emphasized class and culture rather than heredity as the root of crime. First she faulted Lombroso, in particular, both for ignoring the “tremendous forces of social and economic environment” and for using inadequate methods to test his narrow theories. His sampling technique included too few noncriminals for valid comparison and his generalizations were based on “doubtful documentation.” She also pointed out that Lombroso’s methods could easily confuse ethnic and national traits with criminal ones. Only tests of normal and criminal women of comparable nationality would avoid this pitfall, a particularly significant one for the diverse American criminal population.

In an effort to overcome these methodological flaws, Kellor com-
pared sixty-one female prisoners and fifty-five female students. At the end of a lengthy series of anthropometric tests she was “unable to verify” Lombroso’s results. The bone structure, weight, strength, facial characteristics, handwriting, and other traits of the criminals did not differ significantly from those of the students. The imprisoned women were no heavier, nor more frequently left-handed, no longer-lived, nor more masculine in appearance. In fact, when “the classes from which these people come, who are not criminal, but who have the same cultural and educational acquirements, are observed, it is difficult to determine any marked difference.” Kellor attributed the differences in tests of touch, taste, vision, and smell to the poor health and frequent injuries of prisoners.

To further her goal of “a closer union of psychology and sociology,” Kellor investigated prisoners’ social backgrounds. She studied institutional records and prison matrons’ reports, interviewed prisoners and visited their homes. Her report emphasized that women from large, lower-class families, whether married or single, committed crimes mainly through a combination of economic need and lack of economic opportunity.

Married women’s entry into prostitution, for instance, resulted from the influence of men or economic want. Kellor echoed nineteenth-century prison reformers when she suggested that immoral women “often marry men who continue or induce their depravity.” For others, frequently “the dissipated habits are traceable to domestic troubles and to the struggle for existence,” especially if the wife was supporting the family. Married women had fewer economic opportunities than did single women or men. The only skill which many of them could market was domestic service, a poorly paid job and one which, she believed, was an “easy route to seduction in the home or through phony employment bureaus who procure prostitutes.”

Kellor detected social origins of female crime in other evidence from her case studies. The parental homes from which the prisoners had come were usually poor, and had family sizes averaging over five children. Many women had run away from these homes to support themselves, but they found few remunerative positions open to them. One-half of the prisoners had been unemployed when convicted. Furthermore, after visiting their homes, Kellor concluded that many came from “crime-breeding” districts, those with poor sanitation and overcrowded housing.

Unlike earlier women reformers, Kellor did not single out
women as the victims of social conditions. She recognized that male prisoners came from similar backgrounds and reasoned that the so-called criminal traits which had been attributed to offenders of both sexes were in fact the products of environment. Kellor perceived a danger in regarding women criminals as separate and more degraded, and she blamed the double standard for this phenomenon. "We say that a woman is worse, but we judge her so by comparison with the ideal of woman, not with a common ideal." Under a similar standard and given equal opportunities, she believed, members of both sexes would commit the same crimes. Kellor seemed to believe that class was more important than sex in the making of a criminal. She found, for example, that in workhouses, women and men "come from similar environments, possess the same moral standards, and the life of both sexes within the group is upon the same plane." Although she minimized sex differences, Kellor did add that women were tempted to prostitution because of their more limited economic resources and their physical incapacity to commit crimes of force.

In these pioneering studies of female criminality, Frances Kellor laid the groundwork for the environmental analysis which would eventually replace Lombroso’s biological categories. Her work encompassed both the strengths and weaknesses of environmentalism. She did expand the parameters of criminology by emphasizing careful methodology and well-researched case histories. Her discussions of women’s marital, sexual, and work experiences usually avoided the moralism of earlier reformers’ writings. Kellor’s ideas, however, were limited by individualistic environmentalism. She opposed biological categories, yet like Lombroso she focused on individual behavior. Although she constantly pointed out both flaws in the social structure and economic causes of crime, she failed to acknowledge any systematic injustice based on economic class or on sex. Like other Progressives at the time and other liberals since, Kellor believed in reducing crime by ameliorating the symptoms of class or sex exploitation, rather than by attacking the source of the problem.

Despite these limitations, Frances Kellor deserves credit for waging one of the first scientific battles in the ongoing struggle against biological determinism. If theorists can now develop alternatives to both biology-as-destiny and to Kellor’s individualistic reforms, it is because innovators like her made their work possible.
Mentality and Crime

Despite recurrent fascination with the idea of a physiological criminal type, most social scientists did reject Lombroso’s crude biological determinism by 1920. In the meantime, however, a new argument for a distinctive, hereditary criminal type—the defective delinquent—became extremely influential in America. Eugenics popularized the idea that mental deficiency, or feeblemindedness, caused crime, prostitution, and vagrancy. Even respectable social scientists presented data to support this relationship. As Frank Tannenbaum later observed, “A new species of Lombrosianism came to plague criminological theory just about the time that the older and simpler ‘criminal anthropology’ was being repudiated. . . . We had returned once more to the Lombrosian theory of the ‘born criminal’ except that now our evidence was derived from the measuring of intellectual capacity.” Until the results of the mental tests of World War I draftees discredited some of the uses made of IQ tests, low intelligence scores became associated with potential deviancy. The defective delinquent joined the insane and the epileptic as the object of stigmatization, institutional segregation, and sterilization.

During the heyday of the mental testing of criminals, the women’s prisons were becoming centers for research on female criminality. Administrators called for mental tests of inmates and presented the results along with other research findings, sometimes accepting the dominant opinion about defective delinquents and sometimes raising serious questions about it. In general, environmentalism, so well represented in Frances Kellor’s earlier work, characterized women’s approach to the subject. The studies produced at the New York Reformatory for Women at Bedford Hills, under the direction of Katharine Bement Davis, illustrate how the environmental theme persisted.

While Kellor had provided a direction for female criminology, the career of another woman trained at the University of Chicago fostered it within the women’s prisons. Katharine Bement Davis had taught high school for ten years before she entered Vassar College in 1890. After receiving her bachelor’s degree two years later, she studied nutrition at Columbia University; directed a model workingman’s tenement at the World’s Columbian Exposition in Chicago; and worked at a settlement house in Philadelphia. In 1897 she began her doctoral work at Chicago, where she studied
with Thorstein Veblen. When she received her Ph.D. in 1900, the third New York State reformatory for women was about to open. Marion Talbot, a dean at Chicago, recommended Davis as superintendent, and with the support of Josephine Shaw Lowell, she got the job. Davis would eventually hire a number of women trained at her alma mater to aid her effort to make the women’s reformatory a model of Progressive penology. Later, in 1914, she would leave Bedford Hills to become commissioner of corrections for the City of New York, its first woman cabinet member, and would go on to chair the city’s parole board. An active suffrage leader, Davis is perhaps best known today for her 1929 study of female sexual behavior, *Factors in the Sex Life of Twenty-Two Hundred Women.*

When Davis had been at Bedford Hills for several years, she began a social survey of inmates in order to determine a basis for treatment. She studied the records of the first 1,000 commitments (between 1901 and 1909) and subsequently investigated over 600 prostitutes at the reformatory to identify their common problems. The results showed, among other things, that 15 percent appeared to be feebleminded and that “degenerate strains” appeared in the heredity of 20 percent of the cases. At the same time Davis pointed out that one-half of the women were not fully literate and that most came from large, urban families.

Although her preliminary impression was that “environment and heredity are so closely related that it is difficult to draw a line,” Davis did initially classify on these grounds. On one hand, she wrote, were “congenital defectives,” those women who were susceptible to delinquency because they were feebleminded or mentally imbalanced. The other group she singled out were criminals created by the environment, “through lack of moral, mental or physical training.” “For this class,” Davis wrote, “society is directly responsible.” Urban crowding, unsanitary housing, insufficient public education, unjust economic conditions, and “the low moral standard among men which prevails in our cities” were at fault.

Davis encouraged outside experts to investigate the Bedford Hills inmates. In 1910, Reed College psychologist Dr. Eleanor Rowland conducted psychological tests on inmates. A third of her subjects had subnormal scores, but Rowland hesitated to draw conclusions because of complications presented by both immigrant and illiterate prisoners. Meanwhile, Katharine Davis, possibly alarmed by these findings, sought a more systematic evaluation
of incoming prisoners. She successfully applied to the New York Foundation for funds to hire a psychologist and in July 1911, Jean Weidensall filled the position.\textsuperscript{31}

In addition to hiring women social scientists, Davis was responsible for establishing a psychological clinic at Bedford Hills, thanks to a chance association with John D. Rockefeller, Jr. In 1910, during the “white slave scare” that had been created partly by New York City politicians, Rockefeller chaired a grand jury investigating prostitution. The millionaire moralist wanted to eliminate the social evil and decided to create an Institute, the Bureau of Social Hygiene, to study the problem. Impressed by a pamphlet Davis wrote in 1911, Rockefeller invited her to join the board of his bureau.\textsuperscript{32}

At Davis’s suggestion Rockefeller chose Bedford Hills as the home of the Bureau’s Laboratory of Social Hygiene. He purchased eighty-one acres of farmland adjacent to the reformatory at a cost of $75,000 and leased the land and its buildings to the reformatory managers at a nominal rent for five years, hoping that at the end of the lease the state would take over the facility. During those years the laboratory employed a staff of up to twenty women social scientists. They observed incoming prisoners at the Elizabeth Fry Reception House, conducted mental and clinical tests, and reported their findings in numerous bureau publications. The official purposes of the laboratory were to determine a proper sentence for each woman; to furnish a diagnosis for treatment; to collect data “which shall throw light on the causes of prostitution and crime”; and to suggest “a basis of remedial measure to prevent crime.”\textsuperscript{33}

Jean Weidensall became the chief psychologist at the laboratory. Like Davis, Weidensall had attended Vassar and the University of Chicago, where she had completed her doctorate under James Angell in 1910. She had taught at Bryn Mawr for a year and had worked at the Juvenile Psychopathic Institute in Chicago.\textsuperscript{34}

Weidensall first undertook an investigation of feeblemindedness. Both she and Davis were skeptical of prisoners’ low IQ scores because the normal distribution for standard scores was based on college students’ performances. After comparing inmates, students, and a group of working women, Weidensall concluded that the tests may have measured mental training, but they did not measure mental capacity. She carefully avoided linking a prisoner’s mentality with her delinquency and called for “a more
Massachusetts Reformatory Prison for Women, Framingham (Sherborn), Massachusetts.

Rhoda Johnson Coffin, 1826–1909. Prison visitor and member of the board of managers, Indiana Woman’s Prison. (Courtesy of the Indiana Yearly Meeting of Friends.)
Dr. Eliza Maria Mosher, 1846–1928. Physician, educator, and superintendent of the Massachusetts Reformatory Prison for Women, 1881–83. (Courtesy of the Bentley Historical Collections, Bentley Historical Library.)

Room for inmate, Massachusetts Reformatory for Women, ca. 1920. The ideal of domesticity in women's prisons encouraged inmates to decorate their rooms; at the same time it helped mask the reality of their imprisonment. (Courtesy of Massachusetts Correctional Institution, Framingham.)

Room for inmate and infant, Massachusetts Reformatory Prison for Women. (Courtesy of Massachusetts Correctional Institution, Framingham.)
“Our Babies,” Massachusetts Reformatory for Women, 1916. The early women’s prisons allowed infants under the age of two years to remain with their mothers in prison. Both mothers and other inmates visited the nurseries, which, reformers hoped, would encourage maternal feelings in prisoners. (Courtesy of Massachusetts Correctional Institution, Framingham.)

Recreation, Massachusetts Reformatory for Women, 1920. (Courtesy of Massachusetts Correctional Institution, Framingham.)
Keystone Kops, inmate performance, Massachusetts Reformatory for Women, ca. 1920. For an evening’s entertainment, prisoners dressed as male police, offering comic relief from the usual gender and social roles. (Courtesy of Massachusetts Correctional Institution, Framingham.)

Recreation, Massachusetts Reformatory for Women, 1920. (Courtesy of Massachusetts Correctional Institution, Framingham.)
Farm labor, Massachusetts Reformatory for Women, 1911. (Courtesy of Massachusetts Correctional Institution, Framingham.)

Harvesting berries, Massachusetts Reformatory for Women, ca. 1911. Outdoor labor was characteristic at both the Massachusetts and New York reformatories for women after 1910. (Courtesy of Massachusetts Correctional Institution, Framingham.)
Farm labor, Massachusetts Reformatory for Women, 1911. As part of the "Fresh Air Treatment" advocated by Progressive era prison reformers, inmates worked on the farm land surrounding the Massachusetts reformatory. (Courtesy of Massachusetts Correctional Institution, Framingham.)
exact understanding of her family conditions, her social and industrial history, her physical conditions, and her mentality.”

Over the next few years, the Laboratory of Social Hygiene attempted to fulfill Weidensall’s call for more social data. In _The Mentality of the Criminal Woman_, inmate histories were compared to groups of working women and students. Prisoners at Bedford Hills had less formal education, more conflicts while in school, and fewer motivations to work than the other groups tested. No “unusual gift or impelling sex impulse” had made those who engaged in prostitution enter their trade. The most interesting result of intelligence tests, Weidensall found, was the bimodal, rather than bell-shaped, distributions of prisoners’ IQ scores. Weidensall suggested that “inmates constitute two pretty distinct groups.” The significant minority who were mentally impaired might require separate treatment from the majority, who had average or above average intelligence.

The idea that defective or disturbed prisoners might benefit from special treatment reappeared in the reformatory literature. One study at the Laboratory of Social Hygiene, for instance, showed that two-thirds of the disciplinary cases at Bedford Hills involved psychopathic or psychotic women. Reports by institutional superintendents had long noted such problems, but few prisons could afford to provide separate care for those cases. Bedford Hills, however, had the resources to do so through the Bureau of Social Hygiene. In September 1916 a hospital for psychopathic delinquent women opened at the reformatory.

Dr. Edith Spaulding directed the Psychopathic Hospital. Another former staff member of the Chicago Psychopathic Institute, she had served as resident physician at the Framingham, Massachusetts, women’s reformatory since 1913. In an article co-authored with psychologist William Healy, Spaulding rejected the principle of direct inheritance of criminality; Spaulding and Healy also wrote that “indirect” inheritance, including mental ability, could have an influence on deviant behavior. Although her own studies of Framingham inmates showed a high proportion (two-thirds) to be of subnormal mentality, Spaulding agreed with Weidensall that low intelligence alone did not cause crime.

Spaulding’s book on the psychopathic hospital included a chapter on etiologic factors in crime. In it she emphasized that antisocial behavior resulted from a “network of causes and effects, mental, physical and social, interwoven and interactive.” Rather than
investigate the inheritance of criminal traits, she explained, her study viewed "unfavorable inheritance" such as disease and insanity in the family history as "handicaps with which our patients may have begun life." More than half of the case studies did show significant hereditary handicaps. Environmental factors, including poverty, parental death, incest, and either prostitution or alcoholism at home appeared in 45 percent of the cases. Lack of parental supervision was noted frequently.\(^{41}\)

The intellectual status of the psychopathic group was not uniformly low. In fact, mental tests tended "to substantiate the belief that the 'defective delinquents' as a class include individuals with superior as well as inferior intellectual capacity." When compared to the test scores of United States Army draftees, the scores suggested that a mental defect "is not necessarily of primary importance as an etiologic factor."\(^{42}\)

A follow-up study conducted four to five years after the inmate's release indicated that one-third of Spaulding's former patients were doing well outside of prison. But her prognosis for psychopathic criminals in general was not encouraging. In evaluating the hospital experiment, she noted that disciplinary action had taken more time and energy than the staff had anticipated, cutting into their therapeutic work. Furthermore, the New York experiment was isolated and unique; it could do little to relieve the reformatory there or prisons elsewhere of difficult cases. Spaulding called for more wide-ranging responses to the psychopathic delinquent, including early detection of troubled children, special schools for the feebleminded, and more separate institutions like the hospital she directed.\(^{43}\)

Davis, Weidensall, Spaulding, and their colleagues at Bedford Hills asked many of the same questions that other Progressive Era criminologists asked. Sometimes they accepted the standard solutions, such as segregation of seriously disturbed inmates. However their research on female criminality differed significantly from the mainstream of writing on the issue of mental deficiency. At a time when eugenicists claimed that segregation or sterilization of mental defectives would eliminate most deviancy, and at least one psychologist explained that female criminals, even more than male, were the products of feeblemindedness,\(^{44}\) the Laboratory of Social Hygiene publications seem impressive for their moderation. They adopted neither biological nor psychological nor economic determinism. They followed the lead of Katharine Bement Davis in concentrating on the individual case and its com-
plexities. Like Frances Kellor, however, the New York researchers made no systematic analysis of crime, despite the existence by 1910 of a radical critique of prostitution.⁴⁵

The training of the women social scientists who questioned mental testing certainly influenced their conclusions. Experience at the University of Chicago and the Juvenile Psychopathic Institute may have inclined them toward an environmental or "multi-factor" criminology. In addition, these women shared the experience of working at Bedford Hills. Brought together as a group by Katharine Bement Davis, they worked in a separate female institution, with access not only to women inmates but also to women colleagues who supported their critique of the established literature. Indeed, the fact that they were outsiders in the profession and were themselves breaking with tradition simply by becoming criminologists may help account for their willingness to question the prevailing theories about the nature of women's crime.

Economics and Crime

The studies published by the Laboratory of Social Hygiene and those of Frances Kellor shared the common themes that there was no female criminal type and that social forces had a large part in shaping female crime. In new theoretical works published after 1912, both European and American criminologists who supported this view began to focus on the relationship of economics and crime.⁴⁶ At the same time, feminist theorists like Charlotte Perkins Gilman and Emma Goldman were arguing that the economic system channeled women into prostitution.⁴⁷ Both women criminologists and social reformers echoed these concerns as they investigated the relationship between women's work and women's crime.

Occupation commanded the attention of a number of Progressives. Some claimed that women's entry into traditional male jobs led to more female crime.⁴⁸ To this charge the women social scientists, themselves participants in the trend toward new careers for women, responded in character. Not only did they refute the claim, but they did so with finesse, piling statistical proofs upon their own argument that traditional "women's work" was in fact an incentive to crime. Of a slightly different character were the writings of charities and corrections workers that cited women's poor wages and working conditions as the causes of prostitution. Both sources shared the environmentalism of earlier women's writings.
While other social scientists, including Weidensall and Spaulding, had pointed out the high percentage of domestic workers who became prison inmates, it was Mary Conyngton who provided the major critique of the view that entry into the paid work force led women to crime. In a study prepared for the United States Department of Commerce and Labor’s Report on the Conditions of Women and Child Wage Earners in the United States, Conyngton studied 3,229 adult female offenders in six manufacturing states. Her results appeared in a 1911 volume, Relationship between Occupation and Criminality of Women.

Conyngton found that in 78 percent of the cases studied women had been employed in domestic or personal service—four times the frequency with which all women held such positions. After analyzing the occupational histories by region, Conyngton concluded that women’s entry into new, industrial, clerical, and professional jobs did not result in more female crime. Rather, traditional “women’s work” more often led to delinquency.

Like Kellor, Davis, and Weidensall, Mary Conyngton found no one “criminal type.” She suggested instead that a combination of hereditary handicaps, lack of early training, and poor environment produced three categories of women’s delinquency. A small group of antisocial women of normal intelligence committed crimes against chastity; some women criminals had subnormal intelligence and required custodial care; but the “great masses of female offenders” were “victims of poor birth, poor environment, poor training, and bad association.”

Conyngton’s main purpose, though, clearly was to defend women’s entry into nontraditional occupations. Her study suggested, both in its tone and in specific conclusions, that women committed crimes when they could not fit into the new industrial order. Thus, to prevent crime or to rehabilitate female offenders, women should be trained not for domestic tasks but for skilled labor and trades. She wrote that the “newer occupations” offered a woman “interest in her work and the hope of advancement” which could help produce “right living.”

Occupation was just one of the concerns of the authors of A Study of Women Delinquents in New York State, but they, too, offered new insight into the relationship between work and women’s crime. Their ambitious project, undertaken between 1915 and 1917, produced a lengthy, statistics-packed testament to the Progressive criminologists’ penchant for quantification. It classified, averaged, correlated, and analyzed variables ranging from age, re-
ligion, marital status, nativity, and criminal offense to degree of sexual irregularity, IQ score, wages at first and subsequent jobs, and the use of tobacco, alcohol, and drugs.

Mabel Ruth Fernald, a Chicago-trained psychologist who became director of the Laboratory of Social Hygiene, conducted the New York study, along with psychologist Mary Hayes and sociologist Almena Dawley. Their staff gathered data on 580 women, including inmates from a state penitentiary, the women's reformatory, a county penitentiary, the New York City workhouse, a Magdalen home, and a group of women on probation from the courts. The study compared women of various ages, offenses, and criminal records as well as male inmates in Sing Sing prison and the Elmira reformatory.

The Fernald study dismissed Lombroso at the outset and rejected the concept of a predetermined female criminal type. Their data, the authors wrote, "fail absolutely to justify the view expressed recently by certain propagandists that delinquency and defective intelligence are practically synonymous." Of greater interest to the researchers were the quality of offenders' homes, educations, and "the economic stress to which they have been subjected." They found that "less than ten percent came from homes considered better than mediocre in respect to economic status, moral standards and parental supervision." Although unskilled, with less than a fifth grade education, 97 percent of the women studied had had to earn a living. Most had worked in domestic service or factories, and half were unemployed when convicted. The Fernald study suggested that "the greater probable lucraviveness of prostitution, shoplifting, or other forms of delinquency" explained women's crimes "in at least a fair proportion of the cases."

Like Conyngton's study, Women Delinquents in New York State implied that women's crime could be prevented by expanding occupational opportunities for women. In contrast to nineteenth-century reformers who stressed the need for differential, feminine care in reformatories, the new studies suggested that women, and particularly women prisoners, could benefit from training which prepared them for the formerly male world of paid labor.

A similar critique of women's economic plight can be found in the writings about prostitution that proliferated during the Progressive era. Reformers and radicals, ranging from Jane Addams to Emma Goldman, pointed to societal responsibility for the "social evil." Even more than their predecessors of the nineteenth
century, Progressive-era charity and corrections workers pointed to low wages and menial jobs as sources of vice.

A sampling of comments on the roots of prostitution suggests that reformers had an economic analysis of crime. For instance, one 1911 survey of prostitution noted that “the barometer of crime rises as that of prosperity falls, and this is particularly true as regards the crimes of women.” Mary Boyle O’Reilly, a prison commissioner in Massachusetts, claimed that women criminals there were “almost entirely the victims of the parasitic season-trades that by piece work and starvation wages drain the workers of life, liberty and happiness.” Kate Richards O’Hare, who spent over a year in prison herself, stressed the “vicious results of women’s economic dependency.”

Other reformers blamed female crime not on simple economic exploitation, but on the dreariness of life for working girls, particularly the immigrants. Louise de Koven Bowen, active in the Chicago Women’s Club and the Juvenile Protection Association, wrote pamphlets like the Temptations of the Shop Girl which blamed long working hours and lack of vacations and sick leave for young women’s discontent. As one pamphlet, A Girl Starving for Pleasure is an Easy Prey, concluded, “Is it any wonder that she sometimes chooses the easiest way?” New York reformer Alice Davis Menken also wrote that young girls desired “unhealthy excitement” to release them from the daily grind of shop and factory, making them easy prey for procurers. Maude Miner, Secretary of the New York Probation Association, claimed that the lack of healthy recreation was one cause of prostitution. Working girls in search of entertainment frequented dance halls where they might meet prostitutes, or even worse, male procurers.

The reports of vice-commission investigations in dozens of cities repeated these explanations of prostitution and recommended higher wages and better working conditions, as well as supervised recreation, to destroy the flesh trade. In their writings, women like Miner, O’Hare, and Menken made similar suggestions. To help “Our Unfortunate Sister,” Menken advised the study of housing and working conditions. Improve home life, the factory, and recreation, Miner recommended, while giving wise sex instruction and waging a “constant war against the procurers.”

Although they often concentrated on wages and the workplace, these reformers actually explained prostitution by a generalized environmentalism akin to that of the women criminologists. Both groups, for instance, wanted to expand opportunities for working
women and to improve family life, especially in the cities. But like others of their generation, they failed to appreciate the difficulties women faced in trying to gain some measure of economic security without the restructuring of both work and family roles. If women were to enter the labor force as anything but low-paid menials with the added burden of household responsibilities, inequalities based on sex, class, and race would have to be eliminated. That task, however, was not the goal of the Progressives. Rather, reformers and social scientists alike hoped to improve working conditions, wages, education, and recreation until women would no longer be tempted to the more profitable and exciting life of crime.

A criminology of women had emerged by 1920 that consistently rejected the physiological or mental criminal type and looked instead to home environment and economic causality to explain women's delinquency. Although an environmental analysis of crime was not unique to women social scientists, the writers discussed above were in the vanguard of their profession; American criminologists did not generally adopt the multifactor or environmental approach until the 1920s. Most historians have explained the shift to environmentalism as due to either the general intellectual climate of pragmatism or the self-interest of professionals who needed to believe in the possibility of curing deviancy. For women criminologists, however, other factors may have influenced their ideas. In particular, their personal experiences as educated career women who had themselves rejected the separate female sphere may have made them more critical of biological determinism. Collaboration with women like themselves may have encouraged them to undertake the investigations that questioned dominant theories of hereditary and mental defect.

The women criminologists of the Progressive era drew upon and refined the environmentalism of earlier prison reformers. They continued to focus on the effects of social conditions on the individual but still did not question the sexual definition of women's crime. However, the Progressives applied new scientific methods to support environmental theories. In addition, they began to reject sexual difference in favor of sexual equality, both in their lives and in their work. They not only contributed to the transition from biological to sociological criminology, but at the same time they helped redirect the goals of women's prison reform.