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Nicole Hahn Rafter

Prisons for Women, 1790–1980

ABSTRACT

Until recently, women's institutions and their inmates have received little attention in the literature on prisons. This neglect in part stems from the fact that over time women have comprised but a small fraction of the total prisoner population. Yet it is also the product of two common assumptions: that the development of the women's prison system and experiences of its inmates closely resemble those of men; or that, if different, the evolution of the women's prison system and female experience of incarceration are irrelevant to mainstream penology just because they can shed little light on the nature of the prison system as a whole. Neither assumption is correct. During the first stage in the development of the women's prison system (1790–1870), female penal units outwardly resembled male penitentiaries, but in some respects their inmates received inferior care. During the second stage (1870–1935), strenuous and often successful efforts were made to establish an entirely new type of prison, the women's reformatory, in which women would receive care more appropriate to their "feminine" nature. Yet by institutionalizing differential treatment, the reformatories legitimated a tradition of providing care that, from our current perspective, was inherently unequal. In the third stage (1935 to the present), the women's prison system continued to evolve in ways which perpetuated the older traditions of differential treatment. The women's prison system is not, then, merely a miniature version of

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> that for men. Nor is the history of the incarceration of women irrelevant to understanding of the prison system as a whole. The older, questionable generalizations, however, may be safely replaced with another: despite variations in its causes and character, the fact of differential care of female prisoners has remained a constant across time in this country.

Until the early 1970s, women's prisons and their inmates were for the most part ignored by historians, sociologists, and specialists in criminal justice. Some writers evidently assumed that women's prisons and experience of incarceration were comparable to those of men and hence not areas which called for much separate investigation (e.g., Barnes 1930/1972). Others recognized major differences between men's and women's prisons but considered the latter irrelevant to mainstream penology because they had so little in common with the former (e.g., Robinson 1921, p. 126). In part, this neglect of women's institutions and their inmates flowed from the fact that women comprised but a small proportion of the total prison population. In 1978, only 4 percent of all state prisoners were women (Hindelang, Gottfredson, and Flanagan 1981, p. 492), and at times in the past the proportion has been even smaller. In part, the neglect has also been a result of the fact that until recently, most students of the prison system were male and hence more attuned to male than female experiences and issues.[1]

Since the early 1970s, however, the women's prison literature has expanded rapidly and in many directions. Flynn's 1971 discussion of special problems of female offenders, a harbinger of what was to come, was soon followed by a burst of publications. Singer (1973) protested bitterly against the inferior treatment accorded to female prisoners and against the criminal justice system's refusal at times to even recognize the existence of these women. Arditi and colleagues (1973) compiled a sobering catalog of patterns of sex discrimination in prisons throughout the country. Gibson's (1973) article of the same year, focused on the Wisconsin reformatory, took a first (if tentative) step toward historical research on women's prisons, and the year also saw publication of one of the first works in the area written for a broad audience (Burkhart 1973). Since then the literature has continued to thrive. It now includes a national survey of contemporary women's correctional programs (Glick and Neto 1977) and studies of such specialized aspects of female incarceration as utilization of legal aid (e.g., Alpert and Wiorkowski 1977),

1. There are exceptions: see, e.g., McKelvey (1936/1972); Lewis (1961); Ward and Kassebaum (1965); Giallombardo (1966).

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relationships between inmate mothers and their children (e.g., Haley 1977), and biases in the delivery of health care to female inmates (Resnick and Shaw 1980). Hearings have been held at the federal level (U.S. House of Representatives 1979), and the General Accounting Office has published two devastating reviews of deficiencies in women's prisons (U.S. General Accounting Office 1979; U.S. Comptroller General 1980). In addition, we now have a detailed history of an important branch of the women's prison system, Estelle B. Freedman's *Their Sisters' Keepers: Women's Prison Reform in America, 1830–1930* (1981). Although Freedman's work deals for the most part with only one type of women's prison (the reformatory), it is the first study of the origins of women's prisons to appear in fifty years.[2]

This recent demonstration of interest in women's prisons and their inmates reflects the reawakening of feminism in recent years, especially the perception that the experiences of men and women may be quite different even when their structural positions are similar. The new interest is also a function of the fact that today there are simply more female researchers trained and available to investigate women's issues. Furthermore, social scientists are now aware that focus on low-rate groups (such as female or rural populations) may shed as much light on phenomena like the causes of crime and inmate social structures as did the traditional focus on high-rate (e.g., male, urban) groups (Hindelang 1979, p. 154; Laub 1980, p. 14).

Even though female prisoners comprise but a small proportion of the total prison population, arguably they compel attention through the sheer magnitude of their numbers: as of June 1982, over 17,000 women were under jurisdiction of state and federal correctional authorities (U.S. Department of Justice 1982, p. 2). A count of February 1978 had found yet another 10,000 women in jails (Hindelang et al. 1981, p. 482). Incarcerated women are not only numerous, they are becoming increasingly aware of inequities in their treatment and ready to litigate such matters (Potter 1978; U.S. Comptroller General 1980), a situation which suggests that we will see ferment in the management of women's prisons in the decades ahead.

Incarcerated women and the institutions which hold them command yet further attention because over time the women's prison system has differed in many respects from that for men. This system is not merely

2. For earlier versions, see Freedman (1974, 1976); the only other book-length treatment is Lekkerkerker (1931).

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a small-scale replica of the male prison system. It differs radically along a number of key dimensions, including its historical development, administrative structures, some of its disciplinary techniques, and the experiences of its inmates. These contrasts contradict the usual view of "the" prison system as a monolith with a single history. The differences also have policy implications, demonstrating as they do the possibility of alternative approaches to punishment and reformation. Finally, they indicate a fruitful area for research into the history of women, particularly those working-class women most likely to become involved with the justice system.

This essay sketches the history of the incarceration of women, concentrating on the first two of three stages in the development of the women's prison system in the continental United States. During the first stage, spanning the years 1790–1870, separate penal units for women evolved as adjuncts to men's prisons and the *custodial model* of women's prison emerged, similar in many ways to penitentiaries for men. During the second stage, 1870–1935, there developed an entirely new type of women's prison, the *reformatory model*, and institutions of this type were established throughout the country. In contrast to the "masculine" custodial model, the reformatory had many "feminine" aspects, designed as it was around beliefs about fundamental differences between the sexes. During the third stage, extending from 1935 into the present, the custodial and reformatory models merged; this period also saw creation of a network of women's prisons in the South and West.

Space and time constraints force me to ignore local jails, federal prisons for women, and so-called coed prisons. Throughout I distinguish between *units* and *prisons*. I reserve *unit* to refer to quarters for women which, though to some degree separate from the main quarters of a male prison, were nonetheless geographically close to and administratively dependent on the latter. I use *prison* to refer to penal institutions for women which existed as separate and relatively independent entities. Some women's prisons remained physically close to a men's prison, with which they sometimes shared resources; others were geographically separate. I use *institution* to refer to either a penal unit or a prison. By *model*, I mean an ideal type, one to which no particular institution necessarily corresponded in all details.

As I discuss the development of the women's prison system, I refer to available secondary sources on women's prison history. However, this literature is scant, and most of it pertains to the reformatories established during the second stage. In large part, then, I perforce rely

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on original sources—annual reports of prisons and departments of correction, eyewitness accounts, studies by prison investigatory committees, and so on. Sections I, II, and III discuss the three stages in the development of women's prisons; Section IV identifies key areas for further research and suggests ways in which women's prison history may affect theory and policy.

While my primary purpose is to trace the development of the women's prison system, particularly during its first two stages, I am also interested in several comparative issues. The most important of these concerns male-female differences: occasionally I pause to ask, How did conditions for women differ from those of men? I am also able to make some within-group comparisons. Because the essay covers an extensive period of time, I am able to ask how the incarceration of women differed from one stage to the next in the development of the women's prison system. Because the essay covers the entire continental United States, I am also able to ask whether the incarceration experiences of women differed by region of the country. These within-group comparisons are given less emphasis than the exploration of male-female differences, and in no case am I able to discuss comparative issues in depth. They are worth raising, however, for they sensitize us to differences which traditional prison histories have often glossed over.

I. Origins of the Custodial Model: From 1790 to 1870

The period from 1790 to 1870 was characterized by the gradual establishment, within primarily male prisons, of separate quarters for female convicts. During this period, moreover, the first independent prison for women was founded—New York's Mount Pleasant Female Prison, an institution with its own enabling legislation and staff. And during this stage there developed the custodial model of women's prison unit that continues to affect the nature of women's prisons today.

A. The First Step: Physical Isolation of Female Prisoners

In the late eighteenth century, city lockups made little or no effort to separate prisoners by sex or according to the other criteria (such as age, race, and offense seriousness) by which prisoners have been classified and segregated in more recent times. For instance, the jail operated by Philadelphia at the corner of High and Third streets in the 1780s was reputed to have been an "abode of guilt and wretchedness" that

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held "in one common herd . . . , by day and by night, prisoners of all ages, colours, and sexes!" (Vaux 1826, p. 13). Discipline was poor to nonexistent in these Revolutionary War era city jails, a situation which led those who founded the first state prisons in the late eighteenth and early nineteenth centuries to insist on segregation of the sexes.

The earliest institutions for state prisoners consisted of large rooms in which a number of inmates were held together. They accomplished rudimentary classification by sex by isolating female prisoners in one or more rooms of their own. At Newgate, New York's first state prison, the rooms measured about twelve by eighteen feet and were considered "sufficient for the accommodation of eight persons." Women were held in rooms in the north wing "on the ground floor, and [had] a courtyard entirely distinct from that of the men" (New York Inspectors of State Prisons 1801, p. 18). In these first state prisons, then, women were separated from men. Their care seems to have been similar to that given to males, but this relative equality was not to remain the rule for long.

By the 1820s, penologists in the more populous states had grown dissatisfied with the large-room design. The arrangement did not prevent that communication between prisoners which reformers were coming to regard as a source of moral contamination, and it posed disciplinary and security problems. By the mid-1820s, the Walnut Street Jail in Philadelphia was said to have "become a school of corruption" due to "the contracted scale of its apartments and yards" and "the number of prisoners necessarily crowded together by day and by night" (Vaux 1826, p. 52). Thus states began to replace their earliest prisons with penitentiaries, larger and more secure institutions which consisted mainly of individual cells. As the penitentiaries opened, both men and women were transferred to them from the older structures. However, whereas men were now locked in individual cells, women usually continued to be held in a large-room type of arrangement for a number of years longer. In several states female convicts were sent to a large room on the second or third floor of the central, tower-like structure which served, on its ground floor, as entrance and administrative headquarters. At this point—when state penitentiaries began to open—for the first time sharp differences developed between the incarceration experiences of men and women.

New York's Auburn prison, first of the new Bastille-like penitentiaries to receive prisoners, illustrates the marked differences in the care of male and female convicts in such institutions. At Auburn, men were locked in separate cells at night, while during the day, after being marched to the yard to wash, they labored together in total silence. Work was interrupted

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twice a day by meals in a mess hall. Guards supervised the men closely and punished them harshly for rule violations (Beaumont and de Tocqueville 1833/1964, chap. 2). Female prisoners, on the other hand, were confined together in a single attic room above the institution's kitchen. For a number of years they had no matron but rather were "supervised" by the head of the kitchen below. Food was sent up to them once a day, and once a day the slops were removed. No provision was made for privacy or exercise, and although the women were assigned some sewing work, for the most part they were left to their own devices in the "tainted and sickly atmosphere" (New York Committee on State Prisons 1832, p. 9) of their crowded quarters. The wretchedness of their lot came briefly to public attention when one Rachel Welch, impregnated while in prison and severely flogged when she was about five months pregnant, later died (Lewis 1965, pp. 94–95). With the ensuing scandal, conditions improved somewhat, in part through the hiring of a matron. But when Harriet Martineau visited Auburn in the mid-1830s, conditions for the prison's women were still "extremely bad" (1838, p. 124). So long as women convicts continued to be herded into large rooms off in corners of mainly male penitentiaries, imprisonment was for them not only different from but also in many ways worse than for their male counterparts—more crowded, less sanitary, weaker in personnel and other resources. As Auburn's chaplain observed in 1833, "To be a *male* convict in this prison would be quite tolerable; but to be a *female* convict, for any protracted period, would be worse than death" (New York Auburn State Prison 1833, p. 17).

Eventually, women too came to be locked into individual cells, and as this happened the incarceration of women changed considerably in character. By the late 1830s a number of states, including New York, Ohio, and Pennsylvania, had abandoned the old, large-room plan and removed their female convicts to cells. With the change, care of women came once again to resemble that of men, especially in its physical aspects. From the point of view of the women who experienced the change, it probably had both advantages and disadvantages. Crowding was reduced (at least initially), and in their single cells the women now had somewhat more privacy. On the other hand, the shift to cellular housing in this period ordinarily brought higher security, greater isolation, more intense regimentation, and stricter discipline. The care of women was now more equitable, corresponding as it did more closely to that of men. However, in many respects it remained inferior.

Conditions for female convicts held in Ohio's penitentiary in the mid-nineteenth century illustrate ways in which the incarceration ex-

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perience of women held in cells at this time approximated that of males while falling short of the latter in quality. Ohio was one of the first states to build a separate structure for its female convicts: in 1837 it erected a women's annex which backed onto the front wall of the state penitentiary in Columbus. The annex had its own yard, which meant that the women could get some exercise and fresh air. But now the women were isolated from whatever services (health, religious, educational) were available to the men in the main penitentiary. Little attention was paid to upkeep of their building, which deteriorated badly over time. Furthermore, as its population increased, the annex became overcrowded, for there was no way to enlarge the structure. Occasionally a compassionate and able woman was hired as matron, but the state's practice of awarding prison positions as political spoils frequently led, in the women's annex as in the adjacent penitentiary, to incompetent administrators (Victor 1887; Resch 1972). For the most part, then, Ohio's female prisoners endured very poor conditions. These generally resembled those of men held on the other side of the dividing wall; yet, because the women were more isolated and more easily ignored, their conditions tended to be even grimmer.

In rare cases, women held in cells of the early penitentiaries did not suffer such neglect. Pennsylvania's Eastern Penitentiary, at which women were held starting in 1836, provides a case in point. There good order seems to have prevailed in the female quarters at mid-century. In 1845 Dorothea Dix reported: "The Eastern Penitentiary has 20 women-convicts. This department I have often visited, and always found in order; neatness and good behavior appear to be the rule and practice of the prison; the exceptions being very rare. The matron is vigilant, and fills her station in a manner to secure respect and confidence. The women are chiefly employed in making and repairing apparel, and have full time for the use of books, and lessons which are assigned weekly by the ladies who visit the prison to give instruction" (1845/1967, p. 107).

The few such instances of relatively adequate care for female prisoners in the mid-nineteenth century were usually associated, as at Eastern, with the lady-visitor phenomenon. Prison visiting by middle-class women seems to have begun in England about 1815 when Elizabeth Fry first investigated and later undertook to improve the physical and moral condition of female prisoners. Fry and her circle managed to bring order and discipline to a previously disordered situation, arranging, for example, for the appointment of a matron at England's Newgate, for provision of employment and instruction of women con-

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victs, and for a system of prisoner self-monitoring (Fry 1847). At about the same time, middle-class women in the United States similarly began to concern themselves with the plight of female prisoners. In Philadelphia, a group of eleven Quakers regularly visited the female convicts incarcerated at Eastern Penitentiary. According to Dorothea Dix's account, "They make stated visits every Monday afternoon throughout the year; and you may see them there seriously and perseveringly engaged in their merciful vocation. Their care extends to the convicts after the expiration of sentences. The ladies read the scriptures, furnish suitable books for the prisoners, give instruction in reading, writing, and arithmetic; and, what is of great value, because reaching them through a direct influence, instruct them by conversation, suited to their capacity" (1845/1967, pp. 61–62). From such mid-nineteenth-century efforts, there developed a tradition of middle-class women's involving themselves in the care of female prisoners, a tradition which blossomed in the late nineteenth-century women's reformatory movement.

At this point, we should pause in our inquiry into the nature of female incarceration in the period 1790–1870 to ask another question: Why, during this period, were women increasingly separated from males, first in their own large rooms, later in large rooms on the peripheries of mainly male penitentiaries, and later still in their cellblocks? What encouraged this mitotic process whereby female convicts were gradually isolated into quarters of their own?

The answer lies in part with practical considerations and partly with the nineteenth-century passion for classification (be it of flora or convicts) into subcategories. Practically, isolation of female prisoners was an administrative convenience: it improved discipline and helped avoid sexual scandals. Segregation of women did not prove to be a foolproof method of birth control—male guards continued to carry keys to women's quarters (see, e.g., Indiana Senate 1869, p. 653). It did, however, reduce the opportunity for communication between male and female prisoners and, as matrons were hired, also reduced access to the women by male guards. In a larger context, isolation of female convicts was part of the broad process of differentiation and segregation of prisoners into types that occurred throughout the nineteenth century (Barnes 1930/1972, chap. 8), beginning with delinquent children at the start of the century (Schlossman 1977) and concluding, toward its end, with the separation and differential treatment of prisoners considered mentally abnormal (Currie 1973, chap. 6).

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That the treatment of criminal women followed and, later, to some degree paralleled that of delinquent children is a significant pattern in the development of the women's prison system, one that we shall have occasion to note again. At this point, however, it is important to observe that in the pre-1870 period, although women were separated from the general population of prisoners as children had been before them, the rationale did *not* lie (as it did toward the century's end) with an assumption that women were similar to children in their nature and needs. Quite the contrary: in the early and mid-nineteenth century the general opinion was that the female criminal was more depraved and hardened than the male. As Francis Lieber put it in 1833, "A woman, when she commits a crime, acts more in contradiction to her whole moral organization, i.e., must be more depraved, must have sunk already deeper than a man" (1833/1964, p. 11). Women were viewed as the moral force in society; once they fell into immorality, they were thought to jeopardize the very foundations of society. Thus Lieber claimed "that the injury done to society by a criminal woman, is in most cases much greater than that suffered from a male criminal" (1833/1964, p. 9). Similarly, Mary Carpenter wrote that "female convicts are, as a class, even more morally degraded than men" (1864/1969, p. 207). Connecticut officials declared themselves willing to take on an additional 450 male prisoners if they could rid themselves of five females (Rogers 1929, p. 519, n. 11; also see Lewis 1965, p. 159; Freedman 1981, pp. 18–20). Not paternalism but contempt informed the process by which female convicts were isolated into separate quarters of their own in early nineteenth-century prisons. This special disdain for—even horror of—the female criminal helps explain why, in this period, the care provided for such women was usually inferior to that of their male counterparts. Criminal women were considered even less deserving.

B. Mount Pleasant Female Prison: The First Prison for Women

The initial step toward the establishment of a system of separate prisons for women was taken in 1835, when New York founded the Mount Pleasant Female Prison. This was the first and only penal institution for women established before the great era of prison construction that commenced in the late nineteenth century. Mount Pleasant is important in yet two other respects. First, several key years of its operation, during which it was managed by two remarkable women, exemplify the phenomenon mentioned earlier: when women from out-

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side the walls actively involved themselves in the operation of penal units for women, conditions there often improved, sometimes dramatically. Second, Mount Pleasant provides a rather pure example of the custodial model of women's prison analyzed in the next section.

Like other women's prisons of the custodial type, Mount Pleasant was established primarily for practical reasons: New York ran out of other places to hold its female convicts. As we have seen, after the opening of Auburn, in 1817, some women were confined in its attic room. This space filled rapidly, however, and visitors publicized its many inadequacies. Meanwhile, the rest of the state's female convicts were held at the Bellevue Penitentiary in New York City.[3] There conditions were nearly as dreadful as at Auburn. Though separated at night, during the day the Bellevue women were herded together in a common room to sew and wash clothing for New York City convicts (New York Committee on State Prisons 1832, p. 9). Seldom (if ever) was a matron brought in to maintain order or tend to their needs. Technically these women were in the custody of Sing Sing, the new prison for men at Ossining. Sing Sing's inspectors visited Bellevue from time to time, finding the women's food inadequate, their accommodations unsanitary, and classification impossible (e.g., New York Mount Pleasant State Prison 1836, p. 5). Even these conditions might have been tolerated indefinitely had it not become clear that Bellevue officials would soon refuse to take any state women whatsoever. Faced with this prospect, the legislature initiated construction of a separate prison for women. Establishment of the Mount Pleasant Female Prison, then, was inspired more by practical considerations than by desire to uplift and reform.

Situated on the hill behind Sing Sing, overlooking the Hudson River, Mount Pleasant opened in 1839. According to a description of the late 1860s, it was "a handsome building, two stories high. . . . It has a front of fifty feet, with a Doric portico of imposing proportions, and a depth of one hundred and fifty feet" (Wines and Dwight 1867, p. 107). Its interior contained three tiers of cells with twenty-four cells in each tier. At the western end of the building, which had the best view, quarters for the matron were located. At the eastern end, within the inmates' area, was an elevated platform used for chapel services and

3. When New York's first prison at Newgate was closed in 1828, its men were sent to the new prison at Ossining and its women to the Bellevue Penitentiary (Young 1932, pp. 6, 15).

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lectures. Below it was a nursery. In addition to the main building, the plant included a workshop and two separate punishment cells, each with its own yard. The women's complex was surrounded by a high wall. Mount Pleasant's cellblock plan and high level of security became typical of women's units of the custodial type.

Discipline quickly became a major problem at Mount Pleasant, due largely to overcrowding. Throughout much of 1843, when nearly eighty-five prisoners were being held in cells designed for seventy, the prison experienced a protracted riot. "Violent battles are frequent," according to a report for that year, "and knives have been known to be drawn among them [female prisoners]." The matron found it impossible to enforce the silent rule or prevent women from making contact with male prisoners at work in the nearby quarry (New York Mount Pleasant State Prison 1844, pp. 29–30, 202).

Punishments for disobedient convicts at Mount Pleasant, as at other women's units of the custodial type, were often severe, including strait-jacketing, solitary confinement, extended bread-and-water diets, and the "shower bath" that bombarded prisoners with water until they were close to drowning. Dorothea Dix was appalled by the punishment of gagging, "which seems to me shocking and extremely objectionable." One of Sing Sing's inspectors informed her that " 'the gag has been sometimes applied, but it has been only among the females that it has been rendered *absolutely* necessary!' " On the other hand, she learned that " 'in the women's prison, the lash is never used. There the punishments are confinement to their own cells in the main dormitory, or in separate cells, with reduction of food' " and, of course, gagging (Dix 1845/1967, pp. 13–14). Custodial women's prisons operated at later points in time abandoned some of these disciplinary mechanisms, but harsh discipline was frequently the rule—just as in many prisons for men.

Ultimate authority for management of Mount Pleasant lay with the Board of Inspectors of Sing Sing, but daily administration was left to the matron. Most of Mount Pleasant's matrons were unremarkable. Under them, the institution operated in the monotonous routine that became typical of custodial women's prisons. Inmates worked the entire day, mainly at sewing. Otherwise their program was minimal or non-existent, consisting at best of a Sabbath school.

One of Mount Pleasant's matrons, however, was outstanding—Eliza Farnham, supervisor of the institution from 1844 to 1847. She was aided by Georgina Bruce, assistant matron during part of Farnham's

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tenure. Together these two broke with many of the traditions of custodialism, demonstrating that care of female prisoners tended to improve when outside women involved themselves in penal affairs.

Farnham's experiments with methods to strengthen criminals morally were the most ambitious and innovative of their time, anticipating reforms of the late nineteenth century. A phrenologist, Farnham was convinced that if she could stimulate her prisoners with positive influences, their criminal tendencies would be overcome (Farnham 1846; also see Lewis 1965, 1971). To this end she introduced a program of education, personally instructed the women each morning, and provided books which they could take to their cells. Although she was a strict disciplinarian, Farnham rejected some of the harshest physical punishments of her day, tried to keep rules to a minimum, and abolished the rule of silence. In another departure from contemporary practice, she attempted to alleviate the grimness of the prison environment by introducing flowers, music, and visitors from the outside. Farnham also developed a system of prisoner classification. As a result of such efforts, women confined at Mount Pleasant during the Farnham-Bruce administration experienced conditions superior to those of males held at Sing Sing at the same time.

Farnham's reforms, however, were too radical for her contemporaries. Conservatives like Sing Sing's chaplain considered novel reading irreligious. Moreover, Farnham's abolition of the silent rule sowed dissension at the neighboring men's prison, where the rule still prevailed. Critics were also annoyed because, by providing time for instruction, Farnham did not keep her charges constantly at work; the effect, they argued, was to lower prison profits. (No doubt they were further irritated when she retorted that the profits of Mount Pleasant's Female Prison were low because its inmates, like women outside the walls, were paid less than men [New York Mount Pleasant State Prison 1847, p. 88].) Farnham's opponents publicly attacked her and her reforms (e.g., New York Mount Pleasant State Prison 1848). She fought back but eventually lost the struggle; in 1847 she resigned.

After Farnham's departure, the Mount Pleasant Female Prison reverted to patterns more typical of women's units within predominantly male institutions, even though it was relatively independent. The remainder of its history was one of decline. By 1859, overcrowding necessitated addition of another twenty-eight cells. This stopgap measure hardly sufficed, however, and by 1865, with a population of about two hundred, the prison's population was nearly double its capacity.

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Overcrowding eventually led to a decision to close the women's prison entirely. In 1865 the legislature ruled that women from two judicial districts should be sent to local penitentiaries rather than to Mount Pleasant (Young 1932, p. 13), and about a decade later the institution's remaining prisoners were transferred to the King's County Penitentiary. So ended the first attempt to operate a separate prison for women. But while Mount Pleasant did not itself survive, it helped establish the custodial model of women's prison which outlived it by a century and is still a dominant type in female corrections.

C. The Custodial Model

To this point I have been describing both the incarceration of women in the pre-1870 period and the emergence of a particular type of penal unit for women. In what follows I analyze the custodial model in more detail, identifying key traits along five dimensions: (1) physical aspects and operating costs; (2) inmate characteristics; (3) administration; (4) discipline; and (5) programs.

1. *Physical Aspects and Operating Costs.* Custodial prisons for women originated as units within the walls of state prisons for men. But in several respects, women's units departed from the architectural and custody practices of men's prisons. Little if any extra room was allotted for exercise or work: women were thought to have less need for recreation and less capacity for industrial labor; and their quarters, usually crammed into corners of men's institutions, could not be expanded. The burden of separation of the sexes, moreover, fell on the female departments. As Wines and Dwight explained, "Where prisoners of different sexes are confined in the same building or enclosure it is often necessary to impede light and ventilation by half closing windows, and by putting doors across passages which would otherwise be left open" (1867, p. 71). Such obstructions were placed on the smaller, usually women's units.

To cost-conscious officials, female convicts appeared to be a greater drain on resources than the men. Because they were few in number, their per capita costs were higher, especially when matrons were hired for their supervision. Chaplains, physicians, and other officials considered it bothersome to visit female departments after making their usual rounds (e.g., Indiana State Prison South 1874, p. 11). And because women were assigned to less productive labor (often to making and washing clothing for the men), their work was less profitable than that of male convicts (e.g., Dix 1845/1967, p. 108).

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2. *Inmate Characteristics.* Custodial institutions for women received mainly felons. Women sentenced to New York's Newgate prison between 1797 and 1801 had been convicted of property offenses such as arson, burglary, forgery, and larceny (New York Inspectors of State Prisons 1801, p. 78). Most held at the Mount Pleasant Female Prison in the 1840s and 1850s had been convicted of property offenses, a few of crimes of violence (see, e.g., New York Mount Pleasant State Prison 1845, p. 26; New York Inspectors of State Prisons 1852, p. 230). Of the thirty-two women sentenced to the Tennessee State Penitentiary between 1840 and 1865, eighteen had been convicted of property offenses, nine of crimes of violence, and the rest of other felonies such as bigamy and perjury (Tennessee State Library and Archives, *Convict Record Book 1831–74*, Record Group 25, ser. 12, vol. 86). Vaux's Pennsylvania statistics cover both misdemeanants and felons, but even they show that in the period 1817–24 the overwhelming majority of women sent to Philadelphia's prison had been convicted of larceny; some others of violent crimes such as arson, assault and battery, and infanticide; very few had been sentenced for prostitution or other public order offenses (1826, pp. 70–75). Throughout the country in the pre-1870 period, when women were imprisoned for misdemeanors such as petty property crime and public order offenses, they (like male misdemeanants) were usually sent to local jails.

Although few data on female prisoners in this pre-1870 period have as yet been collected, those that are available give an idea of two other characteristics of women sent to custodial institutions: their age and race. The majority of such women were between twenty and thirty years old at the time of conviction, most of the others in their thirties.[4] The average age of women held in custodial institutions at any time tended to be high (relative to that of women in the reformatory prisons described in Sec. II), for those convicted of crimes of violence often served long terms.[5] As for race, there were sharp regional differences.

4. Some data on age are given by Vaux (1826, pp. 72–75). For the most part, however, this statement is based on my survey of published records pertaining to all independent prisons for women and the women's units which immediately preceded them and on a study of original prisoner registries from Ohio, New York, and Tennessee.

5. For example, one forty-four-year-old woman transferred in 1893 to the newly established New York State Prison for Women at Auburn had already served twenty-eight years of her life sentence. In the nineteenth century, even property offenders were sometimes sentenced to very long terms. Pardons were issued more frequently in the nineteenth century than today, however, and those with long sentences often did not serve their terms in full. Whether women were pardoned as frequently as men, and blacks as frequently as whites, remain open questions.

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In the North in this period, female felons tended to be black. Even when outnumbered by whites, they were usually overrepresented in comparison to their proportion of the state's population as a whole. For instance, of the fifty-four women sent to the Philadelphia penitentiary in 1818, twenty-three were black (Vaux 1826, p. 71); and of thirty-eight women at New York's Bellevue Penitentiary in 1830, twenty-five were black (New York Mount Pleasant State Prison 1831, App. H, p. 34). A similar pattern did not prevail in the South in the pre–Civil War period, for slaves usually were punished by their owners. After the Civil War, however, prison populations became predominantly black in southern custodial units for women.[6]

3. *Administration.* From about 1850 onward, daily operations at women's custodial institutions were supervised by matrons, women who lived within the walls and worked long hours for low wages. The main responsibility for and authority over such institutions, however, lay with officials of the neighboring prisons for men. The warden of the nearby men's prison hired the head matron and often her assistants as well. The women's unit rarely had a support staff of its own but rather was dependent for services on the chaplain, head teacher, and physician of the men's branch. Ultimate administrative authority over women's custodial institutions, moreover, fell to the states' boards of prisons; in the pre-1870 period these were exclusively male in membership and hence less attuned to the problems of female than of male convicts. The matrons of custodial prisons were seldom positioned to challenge the status quo: often they were older women, widowed and poorly educated, forced by necessity to accept unpleasant and poorly paid positions.

4. *Discipline.* Women's custodial institutions approached discipline—rules, punishments, and routines—in a manner similar to that of the men's prisons with which they were associated. In general, the same standards were applied to women as to men, though with less consistency. Whether women were compelled to conform to the same rules was a function of one or more of three factors: the degree of overcrowding; the extent to which officials at the main penitentiary bothered to monitor activities in the women's unit; and the state's willingness to hire a matron.

6. Like earlier statements about age, these on race are primarily based on my survey and study of prisoner records referred to in n. 4 above.

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Without supervision by a matron, female convicts could lead a riotous and even dangerous existence in their separate quarters. According to a report of the mid-1840s on the women's annex at the Ohio penitentiary, for example, its nine women gave more trouble than the institution's five hundred males: "The women fight, scratch, pull hair, curse, swear and yell, and to bring them to order a keeper has frequently to go among them with a horsewhip" (as quoted by Lewis 1922/1967, p. 263). Similarly, Dorothea Dix observed of the Ohio penitentiary, "There was no matron in the women's wing at the time I was there, . . . and they were not slow to exercise their good and evil gifts on each other" (Dix 1845/1967, p. 48). Former prisoner Sarah Victor later reported that "the knives had all been taken from the [Ohio Penitentiary's] female department, to prevent some refractory prisoners from cutting each other, which they had done, in a terrible manner, at times" (Victor 1887, p. 317).

On the other hand, some women held in custodial institutions experienced strict discipline. Beaumont and de Tocqueville said that "the experiment made at Wethersfield [Connecticut], where the women are, like the rest of the prisoners, subject to . . . absolute silence . . . , proves that the difficulty" of requiring silence of women "is not insurmountable" (1833/1964, p. 71). One New York women's prison enforced the silent rule into the twentieth century (Rafter 1982). Moreover, these prisons at times inflicted brutal punishments on uncooperative inmates. For example, in 1880 a new matron at the Ohio women's annex alluded, with some awe, to the harsh punishment employed by her predecessor, which she hoped never to use herself (Ohio Penitentiary 1880, p. 91).

There was, then, considerable variation in the degree to which inmates of custodial women's institutions were subjected to rigid discipline. Some institutions forced inmates to adhere to standards as strict as those imposed on males. Others, overcrowded or inadequately supervised, showed little concern with order. Laxity, however, was not necessarily preferable to rigorous oversight, for it sometimes went hand in hand with chaotic, dangerous, or brutal conditions.

5. *Programs.* Custodial women's institutions seldom took much interest in any program other than work. Insofar as they offered educational training at all, they provided it in the evening. Classes were taught, not by trained teachers, but by educated inmates.[7] Recreational

7. In the late nineteenth and early twentieth centuries, custodial prisons for women sometimes did hire teachers. These women, however, were usually supervised by the head teacher of the nearby prison for men.

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programs tended to be even more impoverished. Because custodial women's institutions allocated space for little other than cells, their inmates often had no yard for exercise and no room other than the mess hall for attending religious services, meeting with visitors, or (when permitted) socializing with one another.

Work programs, in contrast, were often well developed. An industry organized along factory lines was operated by many units of the custodial type. In some, inmates produced clothing for the rest of the state's prisons; in others they caned chairs or otherwise finished off products manufactured in the neighboring prison for men. Although the tasks to which female convicts were assigned did not produce the profits of men's industries, they were expected to reduce operating costs. Women frequently labored eight or more hours a day, and they were sometimes paid a pittance for their work, money they could collect on release.[8] In all these respects, custodial institutions for women resembled prisons for men, which also ran industries, tried to defray costs with inmate labor, and paid inmates a small wage for their work.

Thus, the custodial model originated in the early penitentiaries of the northeastern and midwestern states. In the pre-1870 period, it also took hold in those southern states which, like Tennessee, built penitentiaries. By 1870, nearly every state had a female department, and New York had gone so far as to establish a separate women's prison. The treatment of inmates closely resembled that accorded to male convicts. But because there were relatively few female state prisoners and because these women were regarded as unredeemable, in important respects their care was inferior to that of males.

II. Emergence and Diffusion of the Reformatory Model, 1870–1935

As early as 1818, Elizabeth Fry conceived the idea which became the nucleus of the women's reformatory movement, the notion of a prison exclusively for women, administered by women, in which inmates would receive moral and domestic training (Fry 1847, 1:316–17). In retrospect we can detect muted notes of reformatory themes in the operation of the Mount Pleasant Female Prison during its Farnham years. Not until about 1870, however, did the reformatory concept take strong hold in this country, influencing the design of new institutions.

8. Women were however less frequently paid, and usually (perhaps always) they were paid in lesser amounts; see Rafter (1982), p. 250.

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Thereafter it spread rapidly: for the next sixty-five years the reformatory was the predominant model in female corrections in the northeastern and north central regions. The twenty reformatories founded during this period established the stereotype of what is often, though erroneously, thought of today as the women's prison.

A reformatory is defined here as a prison for women, separate from and independent of an institution for men, which took deliberate steps to reform inmates through female-specific treatments. Table 1 identifies reformatories opened between 1870 and 1935. It omits institutions—the Vermont State Prison and House of Corrections for Women, opened in 1921, and the Rhode Island State Reformatory for Women, opened in 1925—which mixed the reformatory and custodial modes but in which the latter predominated. It also omits several reformatories which closed shortly after opening.

In both theory and design, the reformatory model was influenced by previously established institutions for children. (On relevant aspects of children's reformatories, see Reeves 1929; Mennel 1973; Schlossman 1977; Schlossman and Wallach 1978; Brenzel 1980). It was also much influenced by the first national convention of penologists and prison reformers that convened in Cincinnati in 1870 (Wines 1871, pp. 541–47). The convention produced the famous Declaration of Principles that articulated the treatment (or "medical") approach that dominated corrections for the next century. On the basis of these principles, men's reformatories like Elmira were also established in the late nineteenth century. Reformatories for men and women shared some important characteristics, such as indeterminate sentencing structures, but the women's reformatory was a distinct type of institution. For example, men's reformatories like Elmira held felons, whereas women's reformatories generally aimed at the rehabilitation of misdemeanants (Lekkerkerker 1931, pp. 9–10). Men's reformatories did not break radically with prison tradition in their architecture and routines; women's reformatories were deliberately anti-institutional in their "cottage" architecture, and they dispensed female-specific types of treatment such as domestic training. Operated by and for women, female reformatories were decidedly "feminine" institutions, different from both custodial institutions for women and state prisons and reformatories for men. The women's reformatory, then, was a new phenomenon on the scene of adult corrections, an innovative effort to apply the 1870 Declaration of Principles specifically to the class of female petty offenders.

The reformatory model had a tremendous effect on the evolution of

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TABLE 1
Reformatories Established for Women
in the United States, 1870–1935

Region and State	Original Name and Location	Date Opened
Northeast:		
Massachusetts	Reformatory Prison, Sherbon	1877
New York	House of Refuge for Women, Hudson*	1887
New York	Western House of Refuge, Albion	1893
New York	State Reformatory for Women, Bedford	1901
New Jersey	State Reformatory for Women, Clinton	1913
Maine	State Reformatory for Women, Skowhegan	1916
Connecticut	State Farm for Women, Niantic	1918
Pennsylvania	State Industrial Home for Women, Muncy	1920
North Central:		
Indiana	Reformatory Institution for Women and Girls, Indianapolis	1873
Ohio	Reformatory for Women, Marysville	1916
Iowa	Women's Reformatory, Rockwell City	1918
Kansas	State Industrial Farm for Women, Lansing	1918
Minnesota	State Reformatory for Women, Shakopee	1920
Nebraska	Reformatory for Women, York	1920
Wisconsin	Industrial Home for Women, Taycheedah	1921
Illinois	State Reformatory for Women, Dwight	1930
South:		
Arkansas	State Farm for Women, Jacksonville	1920
North Carolina	Industrial Farm Colony for Women, Kinston	1929
Virginia	State Industrial Farm for Women, Goochland	1932
West:		
California	Institution for Women, Tehachapi (female department of San Quentin, 1933–36)	1933

* Later became an institution for delinquent girls.

the women's prison system, affecting such diverse aspects of incarceration as architecture and sentence length. Its greatest impact lay in the area of treatment: women's reformatories established and legitimated a tradition of deliberately providing for female prisoners treatment very different from that of males. This tradition of differential treatment persists and is the source of many of the problems which plague the women's prison system today.

There is far more literature on reformatories than on custodial institutions, for in its heyday the women's reformatory was not merely

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an institutional model but a cause, a mission for the men and, more typically, women who struggled to generate public support for separate, reformative prisons for women. Not surprisingly, the literature produced by these advocates is intensely partisan. Promoters (e.g., Coffin 1886; Barrows 1910), reformatory superintendents (e.g., Johnson 1891; Davis 1911; Monahan 1941), and enthusiastic observers (e.g., Robert 1917; Rogers 1929), all wrote in support of the reformatory plan. One of the few exceptions to this rule of partisanship in the reformatory literature is Estelle B. Freedman's *Their Sisters' Keepers: Women's Prison Reform in America, 1830–1930* (1981), the first broadly focused and analytic study of the history of female corrections.[9] As its subtitle indicates, however, Freedman is more concerned with the women's prison reform movement than with the institutional history which is of primary interest here. In what follows, I integrate some of Freedman's findings and examples of the earlier partisan commentaries on women's reformatories into an overview of the women's prison system during its second developmental stage, one which extended from about 1870 to 1935.

I begin by identifying factors which contributed to the development of the reformatory, looking first at specific institutional contexts in which the new model emerged, second at factors in the wider social context that encouraged development and diffusion of the model. Next I analyze the reformatory model in terms of the five dimensions previously used to take the measure of custodial institutions; this subsection generalizes about the characteristics of reformatories as a group. I conclude by identifying reasons for the decline of interest in and eventual demise of the reformatory model in the 1930s.

In this section on the reformatories, as in the last on custodial institutions, we find examples of unequal treatment. The matter of differential care is more complicated in the case of reformatories, however, for such institutions were established for the explicit purpose of providing women with programs *superior* to those of custodial institutions (e.g., Barrows 1910, p. 167; Davis 1911, p. 45). Training was defined in gender-specific terms—instruction tailored to what was considered

9. SchWeber (1982) has recently produced an excellent analytic history of the first federal prison for women. There are a number of other sympathetic studies of women's reformatories in addition to those cited earlier in this paragraph; see, for example, Lekkerkerker (1931), Butler (1934), and Quarles (1966).

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the childlike, domestic, and asexual nature of the true woman.[10] In the course of establishing prisons that would, proponents hoped, transform fallen women into true women, reformatory advocates institutionalized the double standard. From today's perspective, their efforts to save seem to have condemned their charges both to narrow programs and to care which, because it assumed adult women were childlike, was often infantilizing.

A. *Origins of the Reformatory Model: The Institutional Context*

Three institutional developments of about 1870 helped generate the new reformatory model of women's prison. First, a House of Shelter which opened in Detroit developed techniques that later became staples of reformatory treatment. Second, at about the same time an entirely independent, female-run prison for women was established in Indianapolis. Third, a national convention of penologists and reformers in 1870 formally endorsed the creation of separate, treatment-oriented prisons for women, thus giving a seal of approval and impetus to the nascent reformatory movement.

In the 1860s, Michigan held nearly all its state prisoners, male and female, in the fortress-like Detroit House of Correction, managed by Zebulon Brockway. There Brockway established, and operated between 1868 and 1874, a House of Shelter for women that McKelvey (1936/1972, p. 66) has quite rightly referred to as "in a sense the first women's reformatory in America." Brockway's inspiration for a separate unit in which women would receive special "feminine" care came during a visit to a school for delinquent girls. At the Lancaster, Massachusetts, institution Brockway observed two features which he later introduced into the operation of the shelter: a system of treating female delinquents as though they were members of "families" headed by motherly matrons; and the employment, as matrons, of "cultured" women who would provide role models (Brockway 1912/1969, p. 107). On his return to Detroit, Brockway built the shelter and hired, to oversee its operation, female assistants whom he hoped would "reclaim fallen women . . . through the sisterly care, counsel and sympathy of their own sex" (Detroit House of Correction 1869, p. 44). The "refined and virtuous

10. There are exceptions to this generalization. For example, some reformatories—particularly during their first years of operation—put inmates to work laying concrete walks, chopping ice for the icehouse, and farming. On the "true women," see Welter (1966).

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women" (Brockway 1912/1969, p. 107) who managed the shelter were expected to create a context of family life in which inmates would "receive intellectual, moral, domestic, and industrial training" (Detroit House of Correction 1869, p. 7).

Methods of reform introduced at the House of Shelter soon became key elements in the reformatory plan: deliberate efforts to deal with female prisoners differently from males on the grounds of inherent differences between the sexes; the "familial" treatment of adult female prisoners and use of role models; and training aimed at reform. The same was true of other innovations with which Brockway experimented at the shelter—indeterminate sentencing and supervision of prisoners released early on parole, for example; the application of special, longer sentences to prostitutes (a misdemeanant group now incorporated into the state prisoner population); and a system of grading that rewarded good behavior with greater privileges. The shelter itself was short-lived (women were removed to provide more space for males), but its influence persisted. Channeled by Brockway through the conduit of the 1870 prison congress in Cincinnati, the correctional techniques which he and his chief assistant Emma Hall initiated in Detroit became a mainstream in female corrections.

At about the same time, scandals over forced prostitution of female prisoners at Indiana's Jeffersonville prison inspired a Quaker couple, Rhoda and Charles Coffin, to lead a movement for establishment of an entirely separate prison for women in Indianapolis. The institution which materialized in 1873 was the first entirely separate prison for women in the United States. Moreover, after an initial tug-of-war with an officious male member of the Board of Managers (Indiana Reformatory Institution 1877, pp. 51–54), the women who ran the new institution achieved complete administrative independence. Each of these characteristics—physical separation from a men's prison and an independent female administration—soon became a sine qua non of the women's reformatory.

In some respects, the Indiana Reformatory Institution fell short of what were to become, when fully formulated, reformatory ideals. For a while, for instance, it held girls in an adjacent (though entirely separate) unit; its original adult population consisted of felons rather than the misdemeanants later identified as the ideal reformatory population; and architecturally it more closely resembled the traditional prison than the cottage-dotted campuses of later reformatories. But in other respects, the Indiana institution pioneered in reformatory techniques. It

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insistently dealt with inmates in gender-specific ways, dressing them in gingham (rather than old-fashioned stripes) and serving meals at which "linen covers are spread over the clean tables, simple but attractive china makes the room attractive, and a vase of flowers is not considered too good for prison life" (Barrows 1910, p. 152). Moreover, the institution stressed creation of a familial atmosphere and the rehabilitative influence "of pure womanly examples" (Indiana Reformatory Institution 1874, p. 27), and it aimed at training inmates "to occupy the position assigned them by God, viz., wives, mothers and educators of children" (Indiana Reformatory Institution 1876, p. 27).

Those who designed the Detroit House of Shelter and the Indiana Reformatory Institution were to a large extent working in the dark; they had few examples to draw on as they strove to develop an entirely new type of prison for adults.[11] But it is also true that reform was in the air, as was demonstrated by the number and enthusiasm of the penologists and prison reformers who attended the 1870 convention in Cincinnati. Significantly, Zebulon Brockway was one of the central figures at this convention. For our purposes, most important among the principles endorsed by the convention was that calling for the classification of female prisoners into institutions of their own: "[T]here shall be . . . separate establishments for women" (Wines 1871, p. 543). This meeting was a major event in the origin of women's prisons of the reformatory type. The reformatory movement had begun slightly earlier, but the Cincinnati prison congress, by stamping it with official approval, gave the movement both respectability and momentum.

B. Origins of the Reformatory Model: The Social Context

To identify the origins of the reformatory model is not to explain why it evolved and was adopted by many women's prisons founded in the late nineteenth and early twentieth centuries. Four factors were particularly influential: the desire of male wardens to rid themselves of female prisoners; the development of social feminism; the social purity movement; and the emergence of a new stereotype of the female criminal.

11. To some extent, they looked for guidance to the Irish system of prison management (Crofton 1871), which also influenced the design of men's reformatories; institutions for juvenile delinquents provided further inspiration. It is interesting to note that when Sarah Smith became first superintendent of the Reformatory Institution in Indiana, she visited the "penitentiary at Detroit [including the House of Shelter], the better to understand the workings of a model prison" (Indiana Reformatory Institution 1874, p. 15).

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In the years after 1870, as in those before, one important source of pressure to create separate institutions for women came from wardens of predominantly male prisons. These administrators wholeheartedly advocated—indeed, sometimes begged for—removal of female convicts. The presence of women sometimes precipitated scandals, and wardens regarded the labor of women as "altogether unproductive" (Indiana State Prison South 1869, p. 7). Complaining of inconvenience, wardens throughout the country called for "wide separation" of the sexes (Wisconsin State Prison 1926, p. 36).[12]

Another, more positive force nurturing development and diffusion of the reformatory model was the movement since labeled "social feminism" (O'Neill 1969; Banner 1974, chap. 3). This movement involved middle-class women who, during the late nineteenth and early twentieth centuries, participated in a variety of reforms aimed at improving the lot of "the dependent and defective classes" and other underprivileged or disenfranchised groups. Some social feminists became active in suffrage, others in the settlement house movement and "child saving" (Platt 1977), yet others in women's prison reform. In contrast to radical feminists, who posed deeper challenges to the status quo, social feminists worked to ameliorate existing social arrangements. Instead of rejecting assumptions about gender differences, social feminists clung to and even amplified gender stereotypes, attempting to introduce domestic methods and values into the sphere of public policy. Indeed, such stereotypes were the vehicle on which they rode into public life, for, as Conway has pointed out, "Intellectually they had to work within the tradition which saw women as civilizing and moralizing forces in society" (1976, p. 309).

In connection with social feminism and its effects on women's prisons, Freedman's new study is especially useful. Freedman firmly locates agitation for women's reformatories within the broader context: "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 in-

12. While the wardens' pleas for relief from care of female prisoners contributed to the pressures that produced reformatories, the wardens often failed to achieve their own immediate aim. In a number of states, the laws establishing reformatories excluded felons, or at least recidivist and older felons, from the reformatory populations; hence these women remained in custodial units attached to state prisons for men.

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stitutions—colleges, clubs, reform organizations, and even prisons—middle-class American women gained both valuable personal skills and greater public authority" (1981, pp. 46–47).

Freedman goes on to indicate the dangers intrinsic to this type of feminism: "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. . . . But at the heart of their program was the principle of innate sexual difference, not sexual equality" (p. 47). For precisely this reason, social feminism not only encouraged establishment of separate prisons for women but also ensured that these institutions would help legitimate dual standards of treatments, one for men and another, inherently more restrictive, for women.

A third factor that created the supportive culture in which the reformatory movement flowered was the so-called social purity movement, also roughly spanning the period 1870–1930. Its leaders tended to come from the ranks of elite Yankee society; they included both men and women, and some simultaneously involved themselves in several social purity activities such as temperance and prison reform. Impelled by anxieties about alcoholism, immigration, prostitution, urbanization, venereal disease, and the like, the social purity movement generally sought to reaffirm and bolster traditional Anglo-Saxon standards (Feldman 1967; Pivar 1973; Schlossman and Wallach 1978; Connelly 1980). To a considerable extent, social purity leaders provided the reformatory movement with its ideological underpinning. In particular, they encouraged incarceration of prostitutes and other "immoral" women: to remove fallen women from sexual circulation was endorsed as a eugenic measure, one which, moreover, fitted nicely with Progressive interest in social engineering. Furthermore, the social purity movement stressed middle-class, Anglo-Saxon standards of propriety—standards that became institutionalized in reformatory discipline.

Finally, the reformatory movement was sustained by emergence of a new stereotype of the criminal woman that, in turn, the movement did much to promote. In the early and mid-nineteenth century, the female criminal had been considered thoroughly depraved and even less likely to reform than her male counterpart. Near the opening of the twentieth century, a second image began to emerge. No longer was the female criminal depicted as monstrous, masculine, and hardened beyond redemption. Rather, she was described as errant, led astray by

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white slavers, the victim of poverty, poor heredity, or heartless men. In short, the female criminal became a wayward girl—or, to use the favorite term of the time, a "delinquent" (see, e.g., Fernald et al. 1920; also see Freedman 1981, chap. 6). This new image was useful to reformers pressing the claim that they and other women were indeed capable of managing criminals. Moreover, their program of reformatory care meshed well with the image of the female offender as a childlike delinquent, in need of training rather than punishment.

These four factors do much to explain why the reformatory model evolved in the late nineteenth century and went on to shape the development of the prison system. But the reformatory movement did not meet with immediate success after the important events of about 1870 in Detroit, Indianapolis, and Cincinnati. Due to legislative reluctance to fund costly new institutions and endow women with administrative authority, women's prisons of the reformatory type were established quite slowly over the remainder of the nineteenth century. Other than the Indiana institution, only three were opened by 1900, one in Massachusetts and two in New York. However, those who founded and superintended these institutions were busy experimenting, refining the new model, and polishing formulations of reformatory ideals. Although the reformatory that opened in Massachusetts in 1877 conformed in many respects to traditional prison architecture, for example, it omitted the walls and offered a vigorous program of feminine activities (including dancing beneath trees in long white gowns). The House of Refuge opened a decade later at Hudson, New York, was the first adult institution to use the cottage plan, and thereafter reformatories allocated decreasing amounts of cell space in their central prison buildings while increasing the proportion of beds in the outlying cottages where inmates lived family style.[13] By the end of the nineteenth century, reformatory ideals had been articulated (for one classic statement, see Davis [1911]); what remained was more extensive implementation. This occurred rapidly in the early twentieth century: between 1901 and 1933, sixteen reformatories for women were opened in states across the country, primarily in the northeast and north central regions.

13. Though founded as an institution which could receive women between the ages of fifteen and thirty, Hudson later became an institution for girls only.

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C. The Reformatory Model

In what follows, I describe the reformatory model in more detail, identifying its traits along the five dimensions used earlier to define the custodial model.

1. *Physical Aspects and Operating Costs.* Reformatories were usually located on large tracts of their own, sometimes several hundred acres of farmland. Most were constructed on the cottage plan, with a central administrative building. Around the administration building were grouped separate cottages, each with beds for twenty to fifty inmates. As one reformatory advocate explained in a passage applying to both adult and juvenile reformatories for females: "The idea of having small houses with little groups . . . was that each cottage should be a real home, with an intelligent, sympathetic woman at the head to act as mother. . . . It was believed that if small groups could be placed in cottages enough motherly women could be found to give them the sort of affection which would most surely help to redeem them" (Barrows 1910, p. 133).

In addition to creating the context for familial treatment, the cottage plan had other advantages which appealed to reformatory founders. It facilitated classification ("honor" inmates, for example, could be grouped together in one cottage, babies in another). Because each had its own kitchen and dining room, the cottage provided opportunities to hone inmates' domestic skills. Furthermore, the cottage symbolized the rural values held dear by the reformers, who associated the countryside and fresh air with betterment, the city with crime and corruption.

Reformatories proved costly to operate. Each cottage needed its own kitchen, dining room, and staff. Moreover, the farms often associated with reformatories required personnel and machinery. Due to such expenses, women's reformatories were usually the costliest penal institutions in their states.

Life in a women's reformatory was more comfortable than in custodial institutions for either men or women. Within the cottages, inmates sometimes had their own rooms, more spacious and homelike (though nonetheless secure) living units than traditional cells. Moreover, the reformatories were usually unwalled and in other ways low in security. Well-behaved inmates were occasionally granted freedom of movement among the buildings, and some superintendents organized picnics and nature walks over the often idyllic acreage of their institutions.

It is important not to idealize the physical advantages of the reformatories, however, or to equate these with overall improvement in the

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lot of female prisoners. Sprawling and inefficient, reformatory plants consumed funds which might otherwise have been funneled into programs. Moreover, their physical design was part and parcel of an effort that produced differential treatment. Inmates incarcerated in cottages, organized to dance on lawns in the dusk, and led on picnics and nature walks were being treated as children. They were being forced into the role of characters in a bourgeois fantasy of a bygone rural world, rather than being dealt with as adults in an industrializing, class-divided society. For their occasional advantages they paid a high price in status and, we can hypothesize, in self-image.

2. *Inmate Characteristics.* Whereas inmates of custodial institutions were mainly felons, those of reformatories were usually misdemeanants or even less serious offenders. Developers of the reformatory plan aimed at rehabilitating women who, as Katherine Bement Davis put it, "led immoral lives or 'acted on impulse' " (1911, p. 46). Reformatory populations included women convicted of petty larceny, prostitution, and vagrancy and of even less serious offenses like "being in danger of falling into vice," "lewd and lascivious carriage," and "waywardness." Davis's study of the first thousand commitments to Bedford, the New York reformatory which she superintended, showed that 51.2 percent had been committed for offenses other than felonies or misdemeanors: " 'Other offenses' means common prostitute, frequenting disorderly houses and in danger of becoming morally depraved, habitual drunkard, soliciting on the public streets, etc. It should be said that out of the one thousand the number of those who have led sexually regular lives is almost negligible" (New York Bedford State Reformatory 1911, p. 56).

Not all reformatories were able to withstand pressures also to accept more serious offenders (Bedford, in fact, had admitted selected felons from the start), and as time went on, most were forced to squeeze out misdemeanants in order to make room for felons.[14] But, particularly in the early decades of the reformatory movement, some institutions were able to maintain the ideal of receiving only those petty offenders who, according to reformatory theory, were most susceptible to rehabilitative influences.

14. Those which did not were closed. For example, the California Institution for Women at Sonoma, a reformatory for selected misdemeanants, opened in 1922 only to close about a year later, and New York's State Farm for Women at Valatie, dedicated to care of older, repeat misdemeanants, closed in 1918 after several years of operation.

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Thus women committed to reformatories, especially during these institutions' early years, often had no male counterparts in state-supported penal institutions in terms of their offenses. The state-run prisons for men which were called reformatories held young felons, not misdemeanants. Men who had committed crimes like fornication and drunkenness, if they were prosecuted at all, were at most punished with brief jail terms. Like correctional institutions for juveniles, women's reformatories brought under state control a population that previously had been ignored by the criminal justice system or else handled by cities and counties and treated more similarly to males.[15] The women who lobbied for and administered reformatories believed they were doing such offenders a service by providing for them special care. (See New York Hudson House of Refuge 1890, p. 10.) But in the course of doing good, they treated other women like children and perpetuated the double standard that required women to conform to more difficult moral rules than men and punished them if they failed to do so.

Not surprisingly, women committed to the reformatories tended to be young. During their early years, some reformatories had populations in which the majority of inmates were between sixteen and twenty-five years old. A few states went so far as to prohibit their reformatories from receving women over thirty on the theory that older women were unlikely to reform. As we have seen, inmates of custodial institutions tended to be older.

Racially, too, reformatories differed in their populations from custodial institutions for women. Whereas disproportionate numbers of blacks were incarcerated in the latter, the former held mainly whites, particularly during the institutions' early years. Evidently judges were ready to save white women by committing them to reformatories but were reluctant to similarly save women of color, deeming the latter less worthy of rehabilitative efforts. Another factor which worked to exclude blacks was racial prejudice on the part of the institutions themselves. Two southern reformatories openly refused to receive black women during their first years of operation, and there are indications in admission ledgers of at least one northern reformatory that its early

15. Those who founded women's reformatories explicitly argued that such institutions were needed to hold minor female offenders for longer terms, stressing that "it would cost the State less in the end to take these girls and women and keep them long enough to train them so that a reasonable percentage could go out as respectable and self-supporting women" (Davis 1911, p. 45, quoting Josephine Lowell, founder of several New York state prisons for women).

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administrators did not even consider the possibility of nonwhite commitments.[16] As time went on, black women were introduced into the populations of the reformatories. However, they usually remained a minority prior to 1935, and they were nearly always segregated by cottage and program.

3. *Administration.* In contrast to custodial institutions, the reformatories were run entirely by women, and these women enjoyed high degrees of administrative independence (cf. SchWeber 1982). Most states required by law that their reformatory be superintended by a woman, and some specified that she should hire mainly female staff. Thus not only the guards but also the physician and head farmer were women in some reformatories. This emphasis on female staff was in part a result of the conviction (expressed most strongly by female reformers themselves) that only other women could understand and deal with the problems of female offenders. The emphasis also flowed from the concept of role models: about 1870 reformers began to endorse the theory that, through example, proper women could encourage fallen women to mend their ways.

The all-female nature of reformatory administrations had some obvious advantages for inmates. It eliminated the possibility of sexual exploitation by male keepers, and it increased the likelihood that those who operated the institutions would be sensitive to women's needs and concerns. On the other hand, it is doubtful that such administrations were as advantageous to inmates as the reformers claimed. Wide social class differences divided the working-class women incarcerated in reformatories from the middle-class, sometimes highly educated women who superintended them.[17] It is not clear that the administrators were well prepared to understand the inmates' problems, particularly those which related to social class, work, and independence. On the contrary, it was in part the failure of the founders and administrators of reformatories to tolerate sexual and other mildly deviant behaviors of work-

16. The two southern reformatories were those of North Carolina and Virginia. The northern reformatory was the Western House of Refuge at Albion; its intake ledgers (now in the State Archives at Albany) leave space for the recording of information on a large number of variables (including mental disabilities of the inmates' grandparents) but none for race, thus indicating that only one race—the whites whom the institution did in fact exclusively receive at first—was expected at the time the ledger format was prepared. When in later years black women were received, "colored" was written at the top of the ledger page.

17. The statement about the social class of inmates is based on as yet unpublished data collected from the prisoner records of several reformatories. For information on the social class of the reformers, see Freedman (1981).

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ing-class women which led to the founding of reformatories in the first place. Moreover, the extent to which middle-class, college-educated administrators provided relevant role models for their charges (many of whom were being trained to be domestic servants) is also open to question. They encouraged propriety but certainly not upward mobility. Freedman (1976) has argued that the keepers, rather than the kept, profited from the reformatory movement's introduction of all-female administrations. Some middle-class women did benefit from the opening of positions in corrections to their sex. But for inmates the result was maternalistic care which, though well intentioned, was also morally intolerant, coercive, and condescending. Women held in custodial institutions, like male state prisoners, experienced nothing comparable to this intense moralism.

4. *Approaches to Discipline.* The innovative nature of the reformatory model was perhaps most clearly evident in its approaches to discipline. Two aspects of reformatory discipline are particularly noteworthy. First, the reformatories implemented the penology of rehabilitation in terms of gender roles, attempting to reform inmates by training them to be good wives, mothers, or domestic servants. Second, the reformatories developed a characteristic type of sentence, an indeterminate sentence of three years.

Women's institutions of the custodial type approached discipline in a manner similar to that of the men's prisons with which they were associated, albeit less consistently. Women's reformatories, in contrast, "feminized" prison discipline, stressing individualization of treatment, mildness in punishments, and a noninstitutional, homelike atmosphere. Discipline in women's reformatories was further congruent with the female gender role in its emphasis on sexual purity and its tendency to infantilize inmates. This translation of rehabilitation into feminine terms was very much influenced by the social feminist and social purity movements that themselves helped precipitate the reformatory movement.

Specific disciplinary practices within the reformatories were by and large derived from the concept of the institution as a substitute family. To the first superintendent of New York's Western House of Refuge, for example, the family system meant an "absence of rewards or penalties without any system of marking for conduct or misconduct." Like many other superintendents, she believed that the "female temperament" could not abide the "arbitrary rules" and stern punishments that characterized discipline in institutions for men (New York Western

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House of Refuge 1899, pp. 16–17). Reformatories conceived of their charges as temperamentally close to children and punished them accordingly; priding themselves on underutilization of punishment cells, some chastised difficult inmates by sending them to their rooms. Although more punitive techniques eventually crept into the discipline of even the best reformatories, the ideal was a far cry from the disciplinary techniques of custodial institutions.

Another important difference between the two models lay in the area of sentencing. Women in custodial institutions received the same type of sentence as did men convicted of similar felonies; these sentences were determinate or indeterminate, depending on the historical period, and their length was linked to the seriousness of the offense. The sexes were treated with relative equality, then, in custodial institutions, and the principle of proportionality, according to which the punishment should fit the crime, prevailed.

Sentencing practices were quite different in women's reformatories. It is somewhat difficult to generalize on this point because the reformatories developed a variety of sentencing structures. However, there was a form of sentence typical of those reformatories that did not have to compromise their ideals. This was the indeterminate three-year sentence, a type unknown in custodial women's institutions, except at the Detroit House of Correction, where Brockway had written the original "three years law" applying to prostitutes (1912/1969, chap. 8). The indeterminate three-year sentence had no minimum. Prisoners could be released on parole at any time, but they could also be held for the three-year maximum if they failed to show signs of reformation. This type of sentence ignored the ancient principle of proportionality. Like the analogous sentence of some men's reformatories, it linked time served to prisoners' current behavior rather than the seriousness of their past offenses.[18]

In general, reformatory women spent less time in prison than did their custodial counterparts, for the latter were felons with longer sentences. But although the terms served by reformatory women were

18. The "pure" women's reformatory sentence was developed by the two New York state reformatories founded in the late nineteenth century at Hudson and Albion. Originally, women sent to these institutions could be held for up to five years (New York, *Laws of 1890*, chap. 238, §8). Some judges objected to the disproportionality involved in such lengthy sentences for women convicted of petty offenses, however, and in 1899 the maximum term was reduced to three years (*Laws of 1899*, chap. 632, §1). A five-year indeterminate sentence applied at the New York State reformatory for young men at Elmira, but that was a prison for felons.

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usually briefer, they were arguably more severe in at least two senses. They were more severe in that, first, the principle of proportionality was abandoned by reformatories that adopted the three-year indeterminate (or a similar) sentence for what were often petty offenses. Some women who founded and managed reformatories argued that it was quite proper to ignore the principle of proportionality because their aim was not to punish but to treat—to retrain and reform, a process that required time (see n. 15). Other supporters of women's reformatories, those who subscribed to the principles of eugenics, argued that reformatory sentences should be totally indefinite so that genetically inferior women could be removed from sexual circulation (e.g., Glueck and Glueck 1934, pp. 309–10). No matter what the justification, up to three years (not to mention up to life) was a high price to pay for minor crimes.

The second sense in which reformatory sentences were more severe than those of custodial institutions lies in the fact that they legalized differential treatment of women. Men were sent to state prisons because they had committed felonies. Women could be committed to reformatories for misdemeanors or even lesser offenses. Similarly, men could not be required to serve up to three years for minor public order crimes. Women sent to reformatories were thus punished more harshly than men who committed the same types of offenses.

5. *Programs.* Work programs in reformatories consisted mainly of training in cleaning, cooking, sewing, and waiting on tables. Although inmates of custodial institutions were also assigned to maintenance chores, the reformatories glorified such activities, even to the point of offering courses in them. One, for instance, set up a Cooking Department with worktables, sinks, and stoves so that inmates could be instructed in food preparation (New York Western House of Refuge 1918, p. 18). Many provided instruction in different types of knitting and sewing, courses which might culminate with production of one's "parole outfit." Such elaborate training in what the reformatories liked to call domestic science could not have been found in custodial women's prisons. The reformatories developed such vocational programs because they aimed at producing proper women who would, on release, assume positions as domestic servants or marry and become good wives. A New York report of 1927 on the Western House of Refuge explained that "no industries are maintained, but every inmate is taught to cook and care for a home. This is the most important thing in the work of the institution. Most of the girls when paroled go into homes where

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this knowledge is necessary" (New York State Commission of Correction 1927, p. 87). Indeed, reformatories paroled large proportions of their inmates to positions as domestic servants. Parole could be revoked if the woman failed to perform satisfactorily.

In comparison to custodial institutions, reformatories developed strong programs in education and recreation. Women spent several hours daily in classrooms where they received instruction in such subjects as reading, penmanship, and personal health care. When not in class or on work assignments, they might be required to participate in outdoor sports, the production of a play, or choral singing. Such activities may have made reformatory life a richer (not to mention healthier) experience than that in custodial institutions. However, provision of these somewhat superior opportunities was inseparable from an institutional approach that treated women as unrefined youngsters.

The profile of "the" reformatory that I have drawn is perforce abstract, a type to which no specific institution corresponded exactly at any time. Certainly no actual reformatory continued to correspond to it as, over time, administrative realities began to temper idealism. In what follows, I qualify some of the preceding generalizations and explain why interest in the reformatory model eventually began to wane.

D. Diffusion, Decline, and Eventual Demise of the Reformatory Model

The movement to establish reformatories for women did not affect all regions of the country equally. It was strongest in the Northeast, where the social feminist and social purity movements also took strongest hold. Nearly every state in the Northeast established a reformatory, and New York founded three. Eight of the twelve states in the north central area also established reformatories. However, although the reformatory model had originated in the north central region (in the Detroit House of Shelter, the Indiana Reformatory Institution, and the 1870 Cincinnati prison convention), by the late 1870s leadership of the movement had passed to the northeastern states (see, e.g., van Wyck 1913, p. 94). Moreover, the north central institutions were seldom as successful as their eastern counterparts in achieving reformatory ideals: they tended to provide weaker programs; few made consistent use of the indeterminate sentence; only one placed an upper limit on the age of women who might be received; and several (such as the crowded, unambitious institution at Marysville, Ohio) made little effort to achieve reformatory aims.

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The South was not entirely unaffected by the reformatory movement, for three institutions of this type were established in the region (in Arkansas, North Carolina, and Virginia). But in the southern reformatory movement, indigenous women's groups were less involved. The reformatory in Arkansas, for example, was established largely through the work of Martha P. Falconer, a visitor from the Northeast (Thomas 1930, p. 505). Southern reformatories were less likely than those of the North to be entirely separate from institutions for men; only one of the three adopted the cottage plan; none placed an upper limit on the age of women who might be received; and only one, in North Carolina, excluded felons. Their programs, furthermore, were thin. Significantly, the reformatories of Arkansas and North Carolina—the two which most closely resembled northern counterparts—were finally closed. Thus the women's reformatory movement was less extensive in the South and produced relatively weak institutions.

The West was even less affected than the South by the reformatory movement. Only California established a women's prison designed along reformatory lines, and that in 1929, when the movement had nearly run out of steam. The California Institution for Women took felons from the start, and after its first few years of operation it entirely excluded misdemeanants, the traditional reformatory population (Voight 1949, pp. 7–8, 11).[19] Moreover, this institution at Techachapi was so remote that in time it was abandoned as a reformatory for women, its population being relocated to Frontera in 1952.

Thus as a rule, the more distant a state was from the northeastern heart of the movement, the less interest it showed in establishment of a reformatory. Just as there was a geographical decline, so was there a falling off of interest in reformatory ideals over time: the goals, techniques, and even characteristics of inmates held in these institutions changed considerably over the sixty-five years spanned by the reformatory movement. Freedman (1981) has identified many of these changes: the "narrowing of reformers' visions" as they confronted the realities of prison management (p. 67); the shift in techniques from "feminine solicitude" to "more orthodox methods" of prison discipline (p. 72; also see pp. 73, 97); and the reformatories' "increasingly anachronistic" adherence to rural and domestic values as the nation developed

19. It is not clear that any misdemeanants were in fact committed to CIW; certainly felons predominated in its population from the start. In the nonreformatory states of the South and West, as in those of the other regions, female felons continued to be held in custodial units associated with prisons for men.

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"an urban industrial economy" (p. 95). As time went on, moreover, the care that both women's and men's reformatories could provide declined in quality. They became overcrowded, and legislatures balked at funding expensive treatment programs. The tilt toward custodialism was encouraged by the eugenics movement, which led to demands that reformatories provide "permanent custodial care" for women with "inherent weaknesses . . . and defectiveness" (Kansas Women's Industrial Farm 1920, p. 6; also see Hahn 1980*b*). Despite their ideal of using only mild chastisements, some reformatories came to rely on harsh physical punishments (see, e.g., Kennedy [1921] and Freedman [1981], p. 99). More black women were committed as time went on, and in many states the seriousness of commitment offenses also increased as, faced with the need to deal with real offenders, judges were forced to forgo the luxury of sentencing to reformatories women guilty of offenses like being in danger of falling into vice. Actual vice came to command more attention than its mere threat.

The transformation of reformatory populations to include large proportions of felons marked the end of the reformatory movement. This transformation was in large part a product of financial need. Many reformatory states had also maintained a custodial, back-up unit for felons. As time went on, the expense of maintaining two women's institutions simply became too heavy. Significantly, it was about 1930, just after the start of a major economic crisis, that a number of states closed their custodial units, transferring their populations to reformatory grounds.[20] (Usually a new and more secure prison cottage was constructed for this group.)

Women's prisons that had begun as reformatories now changed character, perforce incorporating elements of the custodial model.[21] This debasement of the reformatory plan caused little dismay among members of the women's groups that traditionally had backed women's reformatories, however. By 1935, the women's reformatory movement had run its course, having largely achieved its objective (establishment

20. Ohio limited the population of its reformatory at Marysville to felons in 1929. In 1933, New York closed its State Prison for Women at Auburn, transferring its inmates to newly acquired property across the street from the Bedford reformatory. Similarly, Wisconsin, Nebraska, and Illinois closed the custodial units for women at their central state prisons in 1933, transferring the felons to their reformatories.

21. Of course, some reformatories had held both misdemeanants and felons from their time of opening; in these, elements of the two models had mixed from the start. However, even in these, as felons came to predominate in the population, the character of the institutions necessarily changed.

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of separate prisons run by women) in those regions of the country most involved with Progressive reforms in general. Moreover, by the 1930s alarm over prostitution and venereal disease had abated (Connelly 1980), and the attention of penologists had begun to shift from rehabilitation of individuals to efficient management of the statewide prison systems (see, e.g., New York State Prison Survey Committee 1920). Thus, around 1935, states stopped building institutions according to the reformatory model, and the reformatory movement drew to a close.

With that movement's demise, inmates of prisons that had begun as reformatories no longer received the advantages associated with such institutions—concern to keep punishments mild, for example, and efforts to individualize treatment. Gone were the days of nature hikes over the reformatories' rolling hills. Women now had less freedom within the institutions, and security measures were intensified. Whatever benefits had accrued to inmates from the reformatory movement dwindled and disappeared. But there survived the reformatory legacy of differential treatment, a legacy which continued to manifest itself in infantilization of inmates and in the severer sentences to which women were liable.

III. The Third Stage, 1935–80: A Brief Overview of Recent Developments

The third stage in the development of the women's prison system is less clear-cut in character than the previous two, in part because no distinctive model or type emerged during this period, in part because regional patterns differed greatly. In what follows, I combine the chronological with a regional approach, looking at developments in the women's prison system in, first, the northeastern and north central states, then those of the South, and finally those of the West.

This third stage is covered in less detail than the earlier two, a limitation imposed not only by space but also by the quality of sources. It is more difficult to obtain information on recently established women's prisons than on those founded in the nineteenth century. Many nineteenth-century prisons published bulky annual reports brimming with details on inmates and management, and there are a number of types of documents that can be used to supplement these annual reports and check their accuracy. In contrast, contemporary prisons and correctional bureaucracies are chary of sharing information. No in-depth discussion of recent developments in the women's prison system can

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take place until researchers discover ways to circumvent the deficiencies in the currently available data.

A. Development in the Northeastern and North Central States

In terms of institution founding, there was almost no change in the women's prison system of the northeastern and north central states between 1935 and 1980. Only one new institution was established in this period—Michigan's Huron Valley Women's Facility, which opened in 1977.[22] The reason for this stasis is clear: due to the reformatory movement, states of these regions already had women's prisons.

That the quality of care provided in recent decades by these prisons fell far below that furnished to male prisoners in the same states has been thoroughly documented, as I noted in the introduction. Recent studies have identified some of the sources of this inequity, including the greater number of male prisoners and biases of male corrections officials. Another source was the merger, in the early twentieth century, of the custodial and reformatory traditions; pooling their disadvantages, they fed these into the subsequent operation of prisons which had begun as women's reformatories.

By 1935, most northeastern and north central states were sending female felons to the institutions that had originated as reformatories, and the idealistic reformatory movement had died of exhaustion. The former reformatories naturally began to incorporate aspects of the custodial model, including its tradition of less adequate care for female than for male prisoners. Even in the heyday of the reformatory movement, legislatures had often failed to allocate funds sufficient to support the ambitious rehabilitative programs, but now that the former reformatories held mainly felons, inadequacies in their facilities, programs, and staffs were even more easily ignored. Outsiders took little interest in the plight of female felons, and prison officials devoted the bulk of attention and resources to problems in men's institutions; thus inadequacies of women's prisons took low priority, just as they had in women's custodial institutions from the early nineteenth century. Other aspects of custodialism also worked to degrade the quality of care in

22. The Missouri State Penitentiary for Women was established as an independent institution in 1955. No more was involved than a few statutory and administrative changes, however, for the "new" institution was located in the buildings of the previous Women's Branch of the State Penitentiary. Because women had been held at that location at least since the 1860s, the prison established in 1955 does not qualify as a new institution.

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the former reformatories in this post-1935 period—its more rigid approach to rules and punishments, for example, and its tradition of indifference to living conditions.

Many of the problems historically associated with the reformatory tradition, moreover, continued to affect management of institutions conceived in this tradition. Despite the growth of suburbs, the rural location of some women's prisons that had begun as reformatories remained troublesome, cutting inmates off from families and community resources. In addition, the former reformatories continued to have high overhead expenses due to their subdivision into a number of separate units. Even more significant were the original reformatories' social class prejudices and their resultant insistence on conformity to proper women's roles, biases which worked to perpetuate care which was moralistic and out of touch with the problems of working-class and minority women. For example, after 1935 as before, women's prisons attempted to cultivate inmate self-respect through encouragement of ladylike appearances; cosmetology courses and personal grooming programs played major roles in the curricula of such institutions. Lacking a tradition of industrial training, these women's prisons went on failing to prepare inmates for competitive jobs. Women continued to be called "girls" and in other ways as well were still subjected to the childlike treatment considered appropriate for female offenders. (For documentation of these and related problems, see Glick and Neto [1977] and Burkhart [1973].) It is in large part because of the tradition of differential treatment has such deep roots in the reformatory tradition that gender stereotyping remains a major problem in the administration of women's prisons (especially those which originated as reformatories) today.

Thus both the custodial and reformatory models, as they converged in the 1930s on the sites of former reformatories in the northeast and north central regions, brought to these institutions their own type of differential treatment of women.

B. Developments in the South

Seven separate prisons for women had been established in the south before 1935, and thereafter—at first glance—the development of the southern system of women's prisons seems to have been one of slow but steady growth.[23] One other institution was opened in the 1930s,

23. The seven southern prisons for women established before 1935 were Texas's Goree Farm (1910), Arkansas's State Farm for Women (1919), Alabama's Wetumpka State Penitentiary unit for women (1923, later moved to Julia Tutwiler Prison), North Carolina's

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two each in the decades of the 1940s and 1950s, four in the 1960s, and five in the 1970s. But in actuality, the development of the women's prison system in the South was neither steady nor progressive. It was characterized instead by ad hoc solutions, frequent transfers of female populations from one inadequate location to another, and an absence of legislative involvement in provision for this group that led to a lack of legal standards and of checks on the authority of prison bureaucrats.

To understand the nature of developments in the South in the post-1935 period, it is necessary to step back a moment to get a longer-term view of the evolution of women's prisons in the region. After the Civil War, many southern states established or rebuilt some sort of penal institution for men in or near which female prisoners were also held. In some states, this was a penitentiary to which a custodial unit for women was appended and maintained until overcrowding forced establishment of a separate prison for women. The latter event, with few exceptions, occurred in 1930–80. This route of maintaining women's institutions as adjuncts to men's penitentiaries was taken, for example, by North Carolina, which held felons of both sexes together at the state prison at Raleigh until lack of beds forced removal in 1933 of the women to old prison buildings on the outskirts of town; over the years new buildings were added to the plant, and the North Carolina women's prison remains at the Raleigh location today. Similarly, Tennessee held its women prisoners in a series of custodial units near its central penitentiary until, in 1965, an overflowing female population led to establishment of a separate Prison for Women (Hahn 1980*a*). Unlike North Carolina, Tennessee built an entirely new institution for its female prisoners, but the process was basically the same one of splitting off from a men's penitentiary in these two and a number of other southern states.

Not all southern states built central penitentiaries, however. Some established prison farms or plantations, and in these states a different process brought separate women's prisons into being. Some states which operated prison farms began by renting women prisoners out to local

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Industrial Farm Colony for Women (1927), Delaware's Women's Prison (1929), Virginia's State Industrial Farm for Women (1930), and North Carolina's Women's Prison (ca. 1933). However, the term "established" must be used somewhat loosely in the case of these and other southern prisons, for frequently establishment involved not legislative action but merely administrative fiat. Significantly, of the seven prisons just listed, only the three reformatories, in Arkansas, North Carolina, and Virginia, were formally established by legislative action.

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farmers on a share system, mainly to work in the fields. Even in those states, however, women prisoners eventually were located at camps on the grounds of the state prison farm. Often they were moved from camp to camp for a number of years until they ended up in barracks which, enlarged and rebuilt over time, finally became the state's official women's prison. In general outline, it was this pattern of development—from farming out prisoners to establishing prison camps to an independent prison—that resulted in the first prison for women in Texas. (This prison, Goree, was supplemented in 1975 by another, more modern, women's institution.) Arkansas similarly shifted its female prisoners about until in 1951 it established a reformatory on the grounds of Cummins Farm.[24] In 1975, women were moved out of Cummins to a new women's unit at Pine Bluff, about thirty miles away.

Despite the many variations, the women's prisons established and operated in the South since the 1930s have shared two traits. First, as in the previous period, their populations were overwhelmingly black. Second, nearly all of these institutions conformed to the custodial model—often with a vengeance. They were usually more crowded than the women's institutions of other regions, in some cases appallingly so; and their programs were even weaker. Often crammed into unsanitary dormitories without the slightest opportunity for privacy, at times brutalized sexually, either abandoned to idleness or assigned to hard and at times crippling labor, women incarcerated in southern prisons in 1935–80 generally had poorer care than women prisoners in other regions during that time (see, e.g., Murton 1969). Their treatment seems to have been inferior to that of their southern male counterparts as well (see, e.g., Wheaton 1979). Like women in custodial institutions since the prison system began, those in the South in the post-1935 period were outnumbered by male prisoners. Hence they were neglected and underprotected, and their special needs were ignored.

C. Developments in the West

Until the 1960s, provision for female prisoners in the West remained at a stage out of which eastern states had begun to move about a century earlier. Only California had established a separate institution for women, and that only after a titanic struggle between women's groups and the

24. Despite its name, the Arkansas State Reformatory for Women at Cummins Farm was a purely custodial operation; even an Arkansas penal committee referred to it as "the so-called Reformatory for Women" (Arkansas Penitentiary Study Commission 1968, p. 3.18).

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state prison bureaucracy (Monahan 1941). Other western states, having few female prisoners, continued to hold them in a central penal institution. Sometimes locked in a second-story room of the administration building, sometimes tucked away in a small annex of their own, these prisoners experienced the same disadvantages as had women held in the mid-nineteenth century in institutions like Auburn and the Ohio Penitentiary. Occasionally they were supervised by the warden's wife or a hired matron, but often they were left alone, vulnerable to each other and male staff. Because they were few in number, they did not seem to warrant the expense of special programs and equipment; yet they were isolated from the resources of the male population. As late as 1979, Montana and Utah were apparently still relying on the old solution of holding female state prisoners in small appendages to their central prisons for men.[25]

During the 1960s and 1970s, however, nearly all of the other western states created a women's prison system where none had been before by establishing seven separate institutions for women.[26] This sudden expansion was caused mainly by over-crowding and, frequently, decrepitude of the older units for women. Six of the seven new institutions (in Arizona, Colorado, Nevada, New Mexico, Oregon, and Wyoming) basically continued in the custodial tradition. They were larger than the previous custodial units for women and somewhat more independent in administration but otherwise not markedly different.

To judge from the scanty information available, the programs of these six new prisons for women were impoverished, gender stereotyped, and weaker than those offered in the same states' prisons for men. For example, in 1973 Nagel criticized neglect of industrial activities at Oregon's Women's Correctional Center: "Salem . . . has [only] small ironing and sewing rooms, the inevitable beauty shop, and the usual service activities" (p. 117). Several years later, a civil rights committee took this same women's prison to task for providing fewer educational

25. According to the American Correctional Association (1980, p. 139), in 1979 an average of eleven women were held at the Montana State Prison. However, different information on the situation of female prisoners in Montana appeared at about the same time in Potter (1978): "Montana's 12 women are divided between a separate Life Skills Center in Billings and a coed facility in Missoula" (p. 15). During the 1970s, Utah opened two work-release facilities for women. The American Correctional Association's *Directory* suggests, however, that Utah's female felons continued to be sent to the state prison until near the end of their sentences (1980, p. 233).

26. The only exception seems to be Idaho, which evidently held its few female prisoners at a coed unit opened in 1974 in Cottonwood (American Correctional Association 1980, p. 75).

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and vocational programs and "fewer meaningful job opportunities" than Oregon's prison for men (Oregon Advisory Committee 1976, p. 37). While the details differed from state to state, the general picture for these six prisons was one of dreary routines and at best a few cosmetology and high school equivalency courses. Men's prisons in the same states offered richer programs, more services, and greater opportunities for furlough and work release.

The seventh of these recently established western prisons, Washington's Purdy Treatment Center, has been hailed as "the best women's prison in the country" (Potter 1978, p. 22). When it opened in 1971, Purdy consisted of "low brick and concrete buildings [that] face a landscaped and paved inner courtyard"; its architects were said to have "captured more of a community college atmosphere than that of a prison" (Horne et al., n.d., p. 2). In program, too, Purdy was in some respects innovative, providing separate apartments for women on work release, for instance, and encouraging contacts between inmates and their children.

In the design and operation of Purdy, we can perhaps detect the emergence (albeit tentative) of a third model of women's prison, one which rejects the traditions of both custodialism and the reformatory and might be called a *campus model*. During its first years, Purdy attempted to provide rehabilitative programs and to be sensitive to the special needs of women (thus rejecting the custodial tradition) and at the same time to avoid treating its inmates as children (thus turning its back on the reformatory model). Yet it is debatable whether Purdy achieved a radical break with the women's prison system's legacy of differential treatment. Although it was more varied than the programs of the custodial prisons of other western states, Purdy's program continued to emphasize interests traditionally associated with women—arts and crafts, cosmetology, and office skills. Moreover, its behavior management program has elicited scorn from inmates who, echoing an old theme in female corrections, have damned it as belittling and juvenile (Potter 1978, p. 24). Thus this seeming exception to the type of women's prison found elsewhere in the West, and in the country as a whole, may in fact not be much of an exception after all.[27]

27. A few other recently established women's prisons seem, like Purdy, to have begun by struggling to develop a new model, one which would involve modern buildings on

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IV. Conclusion

A recent article in the *New York Times* pointed out that "the criminal justice system discriminates in two ways against women—for them and against them" (Bird 1979). In this sketch of the origins and evolution of the women's prison system, I have identified some of the historical roots of this double-edged inequity, discrimination against in the traditions of the custodial model, discrimination for in those of the reformatory model.

It will take much more research to bring the historical outlines of the women's prison system into clear focus. We need full-scale portraits of individual institutions, especially those founded since the 1930s; from these we can build toward more complete understanding of regional differences. Court records for specific cases and archives holding prisoner registries and case files can be used to establish inmate profiles and identify ways in which women reacted to incarceration. The relation between women's reformatories and institutions for juveniles calls for exploration, as does that between prisons and other institutions (such as mental hospitals) for women. Historical comparisons of the conviction offenses, sentences, and time served of men and women, and of black and white women, will shed light on issues such as offense patterns and differential treatment. More work also is needed on social factors that affected rates of female incarceration. Finally, the history of women's prisons must be better integrated with that of men's. Accounts of the penal system which ignore women distort our understanding of the evolution of women's prisons and of the prison system as a whole.

Once some of this work has been done, data on the incarceration of women can be used to test hypotheses about the functions of prisons. For example, Rothman has posited that the penitentiary was designed in response to a crisis of "disorder in the new republic," as an attempt to correct a perceived "faulty organization of the community" (1971, p. xix). Were the sources of this disorder associated mainly with men?

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a campus-type site and that would avoid gender-stereotyped programs. Examples include the St. Gabriel prison opened in Louisiana in 1961 and the Women's Correctional center opened at Hardwick, Georgia, in 1976. But like Purdy, these other efforts to develop a new type of women's prison have by and large failed to achieve their potential, a failure due to overcrowding, underfunding, and persistence of gender stereotyping in program design. The warden of one such institution complained to me that she was unable to introduce more up-to-date programs because the state's correctional bureaucracy "funds the women's prison last."

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If so, does this help explain why only one prison for women was established in Jacksonian America? If small numbers were the reason little attention was paid to female criminals during that era, we are still left with the question, Why were women in the early penitentiaries not fully subjected to the routines considered remedial for men? And why—as seems almost certainly to have been the case (Crawford 1835/1969, pp. 26–27; Lewis 1965, pp. 157–58)—were judges reluctant to sentence women to penitentiaries if these were viewed as institutions that could restore social stability? Similar questions might be asked of the revisionist historians who argue that penitentiaries and other nineteenth-century institutions were "weapons of class conflict or instruments of 'social control' " (Ignatieff 1981, p. 153). Why were women not included in this solution? And why, even when women were incarcerated and assigned to hard labor, was less effort made to exploit their work for profit?

While most such questions must wait till further information is available, enough is known of the women's reformatory movement to indicate that it, at least, will support the thesis that incarceration was economically useful to capitalism (Currie 1973; Foucault 1977). The thesis, however, will have to be restated, for where incarcerated males provided cheap labor, women's reformatories functioned to keep women *out* of the industrial labor force. On the other hand, the reformatory policies of domestic training and parole to domestic positions did help maintain a pool of cheap household help for middle-class women—the group who founded these institutions—and arguably these policies strengthened the gender-role divisions and family structure which undergirded industrial capitalism (Zaretsky 1976; Rafter, forthcoming).

Whatever other conclusions may be indicated by expansion of prison history and theory to include women, one will surely be that beliefs about gender have played a crucial role in the design of penal institutions and treatment of their inmates. Penitentiaries were designed for men. Given nineteenth-century beliefs about the nature of women (or, at least, white women), there could have been no widespread movement to subject women to the lockstep and lash. Although small numbers of female convicts were held in penitentiaries, they were treated differently in some respects just because they were women. The powerful influence of gender roles on prison design is best illustrated by the reformatory movement which, splitting into two tracks, produced very different institutions for men and women. And gender preconceptions continue to affect the nature of incarceration, contributing to a women's prison system which emphasizes role training.

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Women's prison history has implications for policy as well as theory, indicating alternatives to current practices. Today, for example, there is growing concern to preserve the ties between incarcerated women and their children (Haley 1977). Lessons can be learned from the reformatories, many of which allowed prisoners to keep their infants. The past can also instruct when it comes to so-called coed prisons. Within the last several decades, a number of states and the federal system have returned to the nineteenth-century practice of holding women and men together (Anderson 1978). These experiments have increased the range of opportunities available to women, but due to women's own hesitancy or unwitting discouragement by staff, they may not use these opportunities to full advantage. As in the outside world, moreover, women tend to get in more trouble when there is illicit contact between the sexes (SchWeber 1980). History suggests that the potential benefits of coed prisons cannot be realized unless there are equal numbers of men and women and an administrative sensitivity to forces which push women toward the end of the line.

This leads to a third policy area, the current pressure for equal treatment of male and female prisoners. Differential treatment, over time, has been a product of unequal numbers as well as of gender-role assumptions. As Beaumont and de Toqueville pointed out in the early nineteenth century, "It is because they [female prisoners] occupy little space . . . that they have been neglected" (1833/1964, p. 72). If equal treatment is to be achieved or even attempted, the implications of the "numbers" problems will have to be faced. Equal treatment will necessarily involve much greater expenditure on female prisoners since it is more costly to operate institutions for relatively few. The current economic situation and crisis of overcrowding within prisons—not to mention nearly two hundred years of differential care—suggest that equal treatment of female prisoners will not be achieved in the foreseeable future.

REFERENCES

Alpert, Geoffrey P., and John J. Wiorkowski. 1977. "Female Prisoners and Legal Services." *Quarterly Journal of Corrections* 1 (4): 28–33.

American Correctional Association. 1980. *Directory 1980*. College Park, Md.: American Correctional Association.

This content downloaded from 24.99.80.101 on Thu, 21 Jan 2016 04:37:21 UTC
All use subject to JSTOR Terms and Conditions

Anderson, David C. 1978. "Co-Corrections." *Corrections Magazine* 4 (3): 33–42.

Arditi, Ralph R., Fredrick Goldberg, Jr., M. Martha Hartle, John H. Peters, and William R. Phelps. 1973. "The Sexual Segregation of American Prisons." *Yale Law Journal* 82:1229–73.

Arkansas Penitentiary Study Commission. 1968. *Report of the Arkansas Penitentiary Study Commission*. Little Rock: Arkansas Department of Corrections.

Banner, Lois. 1974. *Women in Modern America: A Brief History*. New York: Harcourt Brace Jovanovich.

Barnes, Harry Elmer. 1972. *The Story of Punishment*. 2d ed., rev. Montclair, N.J.: Patterson Smith. Originally published 1930.

Barrows, Isabel C. 1910. "The Reformatory Treatment of Women in the United States." In *Penal and Reformatory Institutions*, edited by Charles Richmond Henderson. New York: Charities Publication Committee.

Beaumont, Gustave de, and Alexis de Tocqueville. 1964. *On the Penitentiary System in the United States, and Its Application in France*. Carbondale: Southern Illinois University Press. Originally published 1833.

Bird, Maryann. 1979. "The Women in Prison: No Escape From Stereotyping." *New York Times* (June 23).

Brenzel, Barbara. 1980. "Domestication as Reform: A Study of the Socialization of Wayward Girls, 1856–1905." *Harvard Educational Review* 50:196–213.

Brockway, Zebulon Reed. 1969. *Fifty Years of Prison Service: An Autobiography*. Montclair, N.J.: Patterson Smith. Originally published 1912.

Burkhart, Kathryn W. 1973. *Women in Prison*. Garden City, N.Y.: Doubleday & Co.

Butler, June Rainsford. 1934. "A Study of Some Reformatory Systems for Women Offenders in the United States, with Particular Reference to the Industrial Farm Colony at Kinston, North Carolina." M.A. thesis, University of North Carolina at Chapel Hill.

Carpenter, Mary. 1969. *Our Convicts*. Vol. 1. Montclair, N.J.: Patterson Smith. Originally published 1864.

Coffin, Mrs. C. F. [Rhoda]. 1886. "Women's Prisons." In National Prison Association, *Proceedings for 1885*. Boston: Geo. E. Crosby & Co.

Connelly, Mark Thomas. 1980. *The Response to Prostitution in the Progressive Era*. Chapel Hill: University of North Carolina Press.

Conway, Jill. 1976. "Women Reformers and American Culture, 1870–1930." In *Our American Sisters: Women in American Life and Thought*, edited by Jean E. Friedman and William G. Shade. 2d ed. Boston: Allyn & Bacon.

Crawford, William. 1969. *Report on the Penitentiaries of the United States*. Montclair, N.J.: Patterson Smith. Originally published 1835.

Crofton, Sir Walter. 1871. "The Irish System of Prison Discipline." In *Transactions of the National Congress on Penitentiary and Reformatory Discipline*, edited by E. C. Wines. Albany, N.Y.: Weed, Parsons.

Currie, Elliott Park. 1973. "Managing the Minds of Men: The Reformatory Movement, 1865–1920." Ph.D. dissertation, University of California, Berkeley.

Davis, Katherine Bement. 1911. "A Reformatory for Women." *Ohio Bulletin of Charities and Correction* 2:43–48.

This content downloaded from 24.99.80.101 on Thu, 21 Jan 2016 04:37:21 UTC
All use subject to JSTOR Terms and Conditions

Detroit House of Correction. 1869. *Seventh Annual Report of the Officers of the Detroit House of Correction . . . 1868*. Detroit: Free Press Book and Job Printing House.

Dix, Dorothea Lynde. 1967. *Remarks on Prisons and Prison Discipline in the United States*. 2d ed. Montclair, N.J.: Patterson Smith. Originally published 1845.

Farnham, E. W. 1846. Notes and illustrations to M. B. Sampson, *Rationale of Crime and Its Appropriate Treatment: Being a Treatise on Criminal Jurisprudence Considered in Relation to Cerebral Organization*. From the 2d ed. New York: D. Appleton.

Feldman, Egal. 1967. "Prostitution, the Alien Woman and the Progressive Imagination, 1910–1915." *American Quarterly* 19:192–206.

Fernald, Mabel Ruth, Mary H. S. Hayes, and Almena Dawley. 1920. *A Study of Women Delinquents in New York State*. New York: Century.

Flynn, Edith Elisabeth. 1971. "The Special Problems of Female Offenders." In National Conference of Corrections, *Proceedings, December 5–8, 1971*, pp. 113–17.

Foucault, Michel. 1977. *Discipline and Punish: The Birth of the Prison*. New York: Pantheon Books.

Freedman, Estelle B. 1974. "Their Sisters' Keepers: An Historical Perspective on Female Correctional Institutions in the United States: 1870–1900." *Feminist Studies* 2:77–95.

———. 1976. "Their Sisters' Keepers: The Origins of Female Corrections in America." Ph.D. dissertation, Columbia University.

———. 1981. *Their Sisters' Keepers: Women's Prison Reform in America, 1830–1930*. Ann Arbor: University of Michigan Press.

Fry, Elizabeth. 1847. *Memoir of the Life of Elizabeth Fry with Extracts from her Journal and Letters*, edited by two of her daughters, in 2 vols. Philadelphia: J. W. Moore.

Giallombardo, Rose, 1966. *Society of Women: A Study of a Women's Prison*. New York: John Wiley & Sons.

Gibson, Helen E. 1973. "Women's Prisons: Laboratories for Penal Reform." *Wisconsin Law Review* 1973, pp. 210–33.

Glick, Ruth M. and Virginia V. Neto. 1977. *National Study of Women's Correctional Programs*. Washington, D.C.: Government Printing Office.

Glueck, Sheldon, and Eleanor T. Glueck. 1934. *Five Hundred Delinquent Women*. New York: Alfred A. Knopf.

Hahn, Nicolas Fischer [Nicole H. Rafter]. 1980*a*. "Female State Prisoners in Tennessee: 1831–1979." *Tennessee Historical Quarterly* 39:485–97.

———. [Nicole H. Rafter]. 1980*b*. "Too Dumb to Know Better: Cacogenic Family Studies and the Criminology of Women." *Criminology* 18:3–25.

Haley, Kathleen. 1977. "Mothers behind Bars: A Look at the Parental Rights of Incarcerated Women." *New England Journal of Prison Law* 4:141–55.

Hindelang, Michael J. 1979. "Sex Differences in Criminal Activity." *Social Problems* 27:143–56.

Hindelang, Michael J., Michael R. Gottfredson, and Timothy J. Flanagan, eds. 1981. *Sourcebook of Criminal Justice Statistics—1980*. Washington, D.C.: Government Printing Office.

This content downloaded from 24.99.80.101 on Thu, 21 Jan 2016 04:37:21 UTC
All use subject to JSTOR Terms and Conditions

Horne, Jim, Hazel Robinson, Lora Stonefeld, and Martha Wandel. N.d. "Female Recidivism in Washington from 1966–1976." Unpublished manuscript. Seattle: University of Washington.

Ignatieff, Michael. 1981. "State, Civil Society, and Total Institutions: A Critique of Recent Social Histories of Punishment." In *Crime and Justice: An Annual Review of Research*, vol. 3, edited by Michael Tonry and Norval Morris. Chicago: University of Chicago Press.

Indiana Reformatory Institution for Women and Girls. 1874, 1876, 1877. *Report of the Indiana Reformatory Institution for Women and Girls.* Indianapolis: Sentinel Co.

Indiana Senate. 1869. *Indiana Senate Journal*, March 3, 1869. Indianapolis: Alexander H. Conner, State Printer.

Indiana State Prison South. 1869. *Annual Report of the Officers and Directors of the Indiana State Prison, South.* Indianapolis: Alexander H. Conner, State Printer.

———. 1874. *Annual Report of the Directors and Officers of the Indiana State Prison, South. December 15, 1873.* Indianapolis: Sentinel Co.

Johnson, Ellen C. 1891. "Discipline in Female Prisons." In National Prison Association, *Proceedings for 1891*, pp. 137–43.

Kansas Women's Industrial Farm. 1920. *Second Biennial Report of the Women's Industrial Farm . . . for the Two Years Ending June 30, 1920.* Topeka: State Prison.

Kennedy, John S. 1921. "Report to the Governor relative to the Investigation and Inquiry into Allegations of Cruelty to Prisoners in the New York State Reformatory for Women, Bedford Hills." In New York State Commission of Prisons, *Annual Report for 1920.* Ossining, N.Y.: Sing Sing Prison.

Laub, John. 1980. "Criminal Behavior and the Urban-Rural Dimension." Ph.D. dissertation, State University of New York at Albany.

Lekkerkerker, Eugenia Cornelia. 1931. *Reformatories for Women in the United States.* Batavia, Holland: Bij J. B. Wolters' Uitgevers-Maatschappij.

Lewis, Orlando F. 1967. *The Development of American Prisons and Prison Customs, 1776–1845.* Montclair, N.J.: Patterson Smith. Originally published 1922.

Lewis, W. David. 1961. "The Female Criminal and the Prisons of New York, 1825–1845." *New York History* 42:215–36.

———. 1965. *From Newgate to Dannemora: The Rise of the Penitentiary in New York, 1796–1848.* Ithaca, N.Y.: Cornell University Press.

———. 1971. "Eliza Wood Burhans Farnham." In *Notable American Women 1607–1950*, vol. 1, edited by Edward T. James, Janet Wilson James, and Paul S. Boyer. Cambridge, Mass.: Harvard University Press, Belknap Press.

Lieber, Francis. 1964. "Translator's Preface." In G. de Beaumont and A. de Tocqueville, *On the Penitentiary System in the United States, and Its Application in France.* Carbondale: Southern Illinois University Press. Originally published 1833.

McKelvey, Blake. 1972. *American Prisons: A Study in American Social History Prior to 1915.* Montclair, N.J.: Patterson Smith. Originally published 1936.

Martineau, Harriet. 1838. *Retrospect of Western Travel.* Vol. 1. London: Saunders & Otley.

This content downloaded from 24.99.80.101 on Thu, 21 Jan 2016 04:37:21 UTC
All use subject to JSTOR Terms and Conditions

Mennel, Robert M. 1973. *Thorns and Thistles: Juvenile Delinquents in the United States, 1825–1940*. Hanover, N.H.: University Press of New England.

Monahan, Florence. 1941. *Women in Crime*. New York: Ives Washburn.

Murton, Tom. 1969. *Accomplices to the Crime*. New York: Grove Press.

Nagel, William G. 1973. *The New Red Barn: A Critical Look at the Modern American Prison*. New York: Walker & Co.

New York Auburn State Prison. 1833. *Annual Report of the Auburn State Prison* [for 1832]. N. Y. Sen. Doc. no. 20.

New York Bedford State Reformatory. 1911. *Tenth Annual Report of the Board of Managers . . . for the year ending September 30, 1910*. N.Y. Sen. Doc no. 23.

New York Committee on State Prisons. 1832. *Report of the Committee on State Prisons*. N.Y. Sen. Doc. no. 74.

New York Hudson House of Refuge. 1890. *Annual Report of the Board of Managers . . . for Year Ending September 30, 1889*. Albany: James B. Lyon (Ass. Doc. no. 50).

New York Inspectors of State Prisons. 1801. *An Account of the State Prison or Penitentiary House, in the City of New-York*. New York: Isaac Colling & Son.

———. 1852. *Fourth Annual Report of the Inspectors of State Prisons of the State of New York*. N.Y. Sen. Doc. no. 35.

New York Mount Pleasant State Prison. Various years. *Report of the Inspectors of the Mount Pleasant State Prison*. N. Y. Sen. Docs., 1831 (no. 3), 1836 (no. 23), 1844 (no. 20), 1845 (no. 9), 1847 (no. 5).

———. 1848. *Report of the Minority of the Late Board of Inspectors of the Mount Pleasant State Prison*. N.Y. Sen. Doc. No. 17.

New York Western House of Refuge for Women. 1899, 1918. *Annual Report*. N.Y. Ass. Doc. no. 25, (1899), 20 (1918).

New York State Commission of Correction. 1927. *Annual Report for 1927*.

New York State Prison Survey Committee. 1920. *Report*. Albany: J. B. Lyon.

Ohio Penitentiary. 1880. *Annual Report of the Directors and Warden for the Year 1880*. Columbus: G. J. Brand & Co.

O'Neill, William L. 1969. *Everyone Was Brave: The Rise and Fall of Feminism in America*. Chicago: Quadrangle Books.

Oregon Advisory Committee to the U.S. Commission on Civil Rights. January 1976. *Civil and Human Rights in Oregon State Prisons*.

Pivar, David J. 1973. *Purity Crusade: Sexual Morality and Social Control, 1868–1900*. Westport, Conn.: Greenwood Press.

Platt, Anthony M. 1977. *The Child Savers: The Invention of Delinquency*. 2d ed., enlarged. Chicago: University of Chicago Press.

Potter, Joan. 1978. "In Prison, Women Are Different." *Corrections Magazine* (December), pp. 14–24.

Quarles, Mary Ann Stillman. 1966. "Organizational Analysis of the New Jersey Reformatory for Women in Relation to Stated Principles of Corrections, 1913–1963." Ph.D. dissertation, Boston University.

Rafter, Nicole Hahn. 1982. "Hard Times: Custodial Prisons for Women and the Example of the New York State Prison for Women at Auburn, 1893–1933." In *Judge, Lawyer, Victim, Thief: Women, Gender Roles, and Criminal*

This content downloaded from 24.99.80.101 on Thu, 21 Jan 2016 04:37:21 UTC
All use subject to JSTOR Terms and Conditions

Justice, edited by Nicole H. Rafter and Elizabeth A. Stanko. Boston: Northeastern University Press.

———. Forthcoming. "Chastising the Unchaste: Social Control Functions of a Women's Reformatory, 1894–1931." In *Social Control and the State: Comparative and Historical Essays*, edited by A. Scull and S. Cohen. Oxford: Martin Robertson.

Reeves, Margaret. 1929. *Training Schools for Delinquent Girls*. New York: Russell Sage Foundation.

Resch, John P. 1972. "Ohio Adult Penal System, 1850–1900: A Study in the Failure of Institutional Reform." *Ohio History* 81:236–62.

Resnik, Judith, and Nancy Shaw. 1980. "Prisoners of their Sex: Health Problems of Incarcerated Women." In *Prisoners' Rights Source Book: Theory, Litigation, and Practice*, vol. 2, edited by Ira P. Robbins. New York: Clark Boardman.

Robert, Jeanne. 1917. "The Care of Women in State Prisons." In *Prison Reform*, edited by Corrine Bacon. New York: H. W. Wilson.

Robinson, Louis N. 1921. *Penology in the United States*. Philadelphia: John C. Winston.

Rogers, Helen Worthington. 1929. "A History of the Movement to Establish a State Reformatory for Women in Connecticut." *Journal of Criminal Law and Criminology* 19:518–41.

Rothman, David J. 1971. *The Discovery of the Asylum: Social Order and Disorder in the New Republic*. Boston: Little, Brown.

Schlossman, Steven. 1977. *Love and the American Delinquent: The Theory and Practice of "Progressive" Juvenile Justice, 1825–1920*. Chicago: University of Chicago Press.

Schlossman, Steven, and Stephanie Wallach. 1978. "The Crime of Precocious Sexuality: Female Juvenile Delinquency in the Progressive Era." *Harvard Educational Review* 48:65–94.

SchWeber, Claudine. 1980. "Beauty Marks and Blemishes: The Co-ed Prison as a Microcosm of Integrated Society." Paper read at 1980 meeting of the Academy of Criminal Justice Sciences, Oklahoma.

———. 1982. " 'The Government's Unique Experiment in Salvaging Women Criminals': Cooperation and Conflict in the Administration of a Women's Prison." In *Judge, Lawyer, Victim, Thief: Women, Gender Roles and Criminal Justice*. Edited by Nicole H. Rafter and Elizabeth A. Stanko. Boston: Northeastern University Press.

Scott, Joseph F. 1910. "American Reformatories for Male Adults." In *Penal and Reformatory Institutions*, edited by Charles Richmond Henderson. New York: Russell Sage Foundation, Charities Publication Committee.

Singer, Linda R. 1973. "Women and the Correctional Process." *American Criminal Law Review* 11:295–308.

Thomas, David Y. 1930. *Arkansas and Its People: A History, 1541–1930*. Vol. 2. New York: American Historical Society.

U.S. Comptroller General. 1980. *Women in Prison: Inequitable Treatment Requires Action*. Washington, D.C.: Government Printing Office.

This content downloaded from 24.99.80.101 on Thu, 21 Jan 2016 04:37:21 UTC
All use subject to JSTOR Terms and Conditions

U.S. Department of Justice, Bureau of Justice Statistics. October–November 1982. "Prisoners at Midyear 1982," Bulletin NCJ–84875. Washington, D.C.: Department of Justice.

U.S. General Accounting Office. 1979. *Female Offenders: Who Are They and What Are the Problems Confronting Them?* Washington, D.C.: Government Printing Office.

U.S. House of Representatives, Committee on the Judiciary. 1979. *Hearings Before the Subcommittee on Courts . . .* , 96th Cong. 1st sess., pts. 1 and 2 (October 10 and 11).

Van Wyck, Mrs. Katherine. 1913. "Reformatory for Women—Wisconsin's Outstanding Need." In Wisconsin Conference on Charities and Corrections, *Proceedings, October 5–8, 1912*. Madison: Democrat Printing Co.

Vaux, Roberts. 1826. *Notices of the Original, and Successive Efforts, To Improve the Discipline of the Prison at Philadelphia and To Reform the Criminal Code of Pennsylvania: With a Few Observations on the Penitentiary System*. Philadelphia: Kimber & Sharpless.

Victor, Mrs. Sarah Maria. 1887. *The Life Story of Sarah M. Victor. . . .* Cleveland: Williams Publishing Co.

Voight, Lloyd L. 1949. *History of California Correctional Administration from 1930 to 1948*. San Francisco: n.p.

Ward, David A., and Gene G. Kassebaum. 1965. *Women's Prison: Sex and Social Structure*. Chicago: Aldine Publishing Co.

Welter, Barbara. 1966. "The Cult of True Womanhood." *American Quarterly* 18:151–74.

Wheaton, Liz. 1979. "Rewarding Neglect: A New Women's Prison." *ACLU Women's Rights Report* 1 (3): 5–6.

Wines, E. C., ed. 1871. *Transactions of the National Congress on Penitentiary and Reformatory Discipline*. Albany, N.Y.: Weed, Parsons.

Wines, E. C., and Theodore W. Dwight. 1867. *Report on the Prisons and Reformatories of the United States and Canada*. Albany, N.Y.: Van Benthuysen & Sons.

Wisconsin State Prison. 1926. *Twenty-second Biennial Report of the Wisconsin State Prison for the . . . Period ending June 30, 1926*.

Young, Clifford M. 1932. *Women's Prisons Past and Present and Other New York State Prison History*. Elmira Reformatory: Summary Press.

Zaretsky, Eli. 1976. *Capitalism, the Family, and Personal Life*. New York: Harper Colophon.

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