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Young female delinquents in court

Paper

Girls Gone Wild Criminality among Young Girls in Nineteenth-Century America

Amy Jacobs

THEY RADIATE AND DIFFUSE VICE AND EVIL AROUND THEM.”¹ Samuel Gridley Howe, a resident of Massachusetts and education reformer made this claim about young female criminals in an 1854 letter to the commissioners of a Massachusetts reform school for girls. Howe wrote to give his opinions on the construction and administration of the new school, with specific requests geared to the feminine nature of the inmates. While his statement was an assumption about the actions of female juvenile delinquents, some girls did spread what would have been considered an evil, as they continually rebelled against social expectations. Girls, usually ages eight to eighteen, were often sent to reform schools under the charge of “incurability,” which meant they could not be controlled. The institution supposedly brought wayward girls back to a moral and chaste life.

This sort of reformation facility was not always available to young girls. Correctional institutions for children were still new in American society when Samuel Howe wrote his letter. State governments started building Reform schools in 1788 as child-saving institutions, following the actions of the London

1. Samuel Gridley Howe, letter to J. H. Wilkins, H. B. Rogers, and F. B. Fay, Commissioners of Massachusetts for the State Reform School for Girls, (Boston; Ticknor and Fields, 1854), 18.

Philanthropic Society.² Prior to this, children were placed in adult institutions with both male and female inmates,³ but reform laws later prohibited the imprisonment of children with adults.⁴ Steven Schlossman details the emergence of child reformatories in a brief history of the reform school. He argues that modern juvenile delinquency institutions have abandoned the idea of rehabilitation that surrounded their establishment.⁵ It may be the case that in the nineteenth century, reformation was not the primary objective for institutionalizing a young girl. Reformation for girls took a very different shape than reformation for young boys.

Young girls received their own institutions after penal reform movements brought about the separation of the sexes within the prison system.⁶ Estelle Freedman presents the history of American segregation of the sexes within the prison system. She argues that female prison reforms during the progressive era improved the condition of female inmates but did not promote an egalitarian system. The “Cult of True Womanhood,” which was the belief that women were passionless in their love and could, therefore, guide society back to virtue and Christ,⁷ motivated women to rectify society’s ills, one being the current prison system. She describes how prisons scrutinized female actions more harshly than their male counterparts because women were supposed to be morally superior, and therefore, any action of immorality was a “greater fall to sin.”⁸ One of the most obvious ways a woman could fall to sin was exposing herself as a sexual being.

Michel Foucault provides a history of sexuality starting in the seventeenth century. His work also acts as a study in the relationship between sexuality and power. He defines power as both a productive and restrictive force produced by multiple sources, and this definition will be used to view power as it relates to

2. Steven Schlossman, “Delinquent Children: The Juvenile Reform School,” in *The Oxford History of the Prison: The Practice of Punishment in Western Society*, ed. Norval Morris and David J. Rothman (New York: Oxford University Press: 1998), 326–27.

3. Schlossman, “Delinquent Children,” 326.

4. *The Legal Condition of Girls and Women in Michigan* (H. D. Reppogle & Co., 1894), 11, <http://tinyurl.galegroup.com/tinyurl/7CMQEO>.

5. Schlossman, “Delinquent Children,” 326.

6. Estelle Freedman, “Their Sisters’ Keepers: An Historical Perspective on Female Correctional Institutions in the United States: 1870–1900,” *Feminist Studies* 2, no. 1 (1974): 78.

7. Barbara Welter, “The Cult of True Womanhood: 1820–1860,” *American Quarterly* 18, no. 2 (Summer, 1966): 153.

8. Freedman, “Their Sister’s Keepers,” 77.

criminality for young girls in America during the second half of the nineteenth century, and briefly into the twentieth.⁹ The twentieth century has been studied in depth by Anne Knupfer, who uses a Foucauldian lens to argue that sexuality saturated the issue of female delinquency, finding its way into the first juvenile court and The State Industrial School for Delinquent Girls at Geneva, Illinois.¹⁰ She presents sexual acts as declarations of independence and autonomy within the institution. These actions were not limited to the twentieth century.

Girls in the second half of the nineteenth century used deviant acts as declarations of autonomy. This was true both in and outside of the institution. While this was not the case for every girl in America, it was the case for some who recognized they had desires outside of the prescribed roles laid out for them within the “Cult of True Womanhood.” There were girls throughout the United States trying to break out of the same tiny boxes¹¹ using similar tactics. They created power for themselves by disobeying moral expectations linked to both their identities, as women and children, based on Christian ideals pushed by the government through vague policy that allowed for arbitrary classifications of crimes. In committing these crimes, girls face a consequence—institutionalization—that restricted their already limited power; so they continued to rebel. At every stage, this rebellion was political because it went up against the philosophy of the government and current power structure.

The Code and Construction of Power

American society constructed a new position for children in the power structure during the nineteenth century, making it a good time for children to act. For the first time, children were considered in conversations regarding rights. An 1877 published history of American child-saving showcased this transition. An instance of child abuse was reported to the Illinois Society for the Prevention of Cruelty to Animals, which caused a re-evaluation of the current lack of protection given to

9. Michel Foucault, “An Introduction,” in *The History of Sexuality*, vol. 1, trans. Robert Hurley (New York: Random House, 1978), 94.

10. Anne Meis Knupfer, *Reform and Resistance: Gender, Delinquency, and America's First Juvenile Court* (New York: Routledge, 2001), 2.

11. Drawing from Japanese theorist Kishida Toshiko's “Daughters in Boxes,” noting the harsh expectations on women in Japanese society. Kishida Toshiko, “Daughters in Boxes,” in *The Essential Feminist Reader*, ed. Estelle Freedman (New York: The Modern Library, 2007), 99.

children: “seeing no reason that a child should not be entitled to as much protection under the law as a dumb animal . . .”¹² Children gained the right to protection from the government. Although children were granted some rights, they were still considered property. The difference is that male children grew out of their status as a belonging, while female children belonged to their parents, then their husband, which established a limited citizenship for girls.

The citizenship of young boys and girls differed greatly. The government put a harsher positive liberty on girls than on boys. Positive liberty is forcing a person to reach an ideal version of themselves.¹³ A great debate surrounding this sort of liberty is that someone has to decide what is ideal for an individual. In this case, the ideal version of a woman was virtuous and useful.

This idea of positive liberty was repugnant to some in the nineteenth century. John Stuart Mill wrote in 1869 that the only justified use of power over individuals is to prevent them from harming others.¹⁴ According to Mill, the state does not have authority to prevent harm someone might do to themselves, which was often the motivation behind the child-saving movements. It is unlikely that young delinquents were reading Mill, but the rebellious ones were acting out against what they felt was an unfair use of power against them. They received the kind of protection the government offered, but they also suffered from the kind of abuse of power through the policing of morality Mill condemns.

The influences behind the positive liberty enforced on all children were based upon a common notion that children were more susceptible to immorality. One woman who spoke to a moral reform group in 1839 warned, “Panders

12. National Conference of Charities and Correction Session: Committee on the History of Child-Saving Work. *History of Child Saving in the United States: At the Twentieth National Conference of Charities and Correction in Chicago, June, 1893: Report of the Committee on the History of Child-Saving Work*; C. D. Randall, Coldwater, Mich.; C. L. Brace, New York; Chas. W. Birtwell, Boston; Mrs. M. R. W. Wallace, Chicago; Homer Folks, Philadelphia; Francis Wayland, New Haven; Mrs. C. E. Dickinson, Denver; Mrs. Sarah B. Cooper, San Francisco; S. J. Hathaway, Marietta, Ohio; Mrs. Samuel Cushman, Deadwood, So. Dakota; D. Solis Cohen, Portland, Ore.; Charles Martindale, Indianapolis; Mrs. Virginia T. Smith, Hartford, Conn.; H. W. Lewis, Owatonna, Minn. (Geo H. Ellis, 1893).

13. George H. Sabine, review of *Two Concepts of Liberty: An Inaugural Lecture Delivered before the University of Oxford on October 31, 1958* by Isaiah Berlin, 2.

14. Tierney O'Rourke, “Coolies, White Slaves, and Purity Crusades: The Rise of Morality in U.S. Prostitution Legislation from Reconstruction to the Progressive Era,” *Penn Undergraduate L.J.* 85 (2013): 85.

of this vice [licentiousness] are secretly watching whom to destroy, and many are the youth that are taken in their snares.”¹⁵ This type of rhetoric stayed with reformers throughout the century. As children, girls were deemed wild and uncontrollable. They were a “dominion of animal passions . . . stimulated by the hot blood of youth.”¹⁶ These claims about the nature of children fit within Foucault’s term *scientia sexualis*, which means the science of sexuality. He explains that during the nineteenth century those in positions of power framed conversations on sexuality around scientific claims. These claims were not always based in truth. They were usually political opinions, oral statements, or traditional fears framed as facts.¹⁷ The “aim of such a discourse was not to state the truth but to prevent its very emergence.”¹⁸

Beliefs on the nature of womanhood were also affected by *scientia sexualis*, and this meant more positive liberty enforced upon young girls. The female body was analyzed in terms of sexuality, and therefore female nature was deemed sexual.”¹⁹ This rhetoric found its way into ideas on reform. In a document published by the Mt. Auburn Presbyterian Church, the ecclesiastical leader stated, “Reform in behalf of women must be in two directions—anticipations of evils, and deliverance from evils.”²⁰ The first part of his plan for reform is extremely interesting. If religious leaders anticipated evil actions from women, it meant they believed women to be evil inherently.

Progressive women refuted this belief. They promoted the moral superiority of the female sex and pushed the “Cult of True Womanhood.” This had been a growing sentiment among women in the years leading up to the Progressive Era, as demonstrated by an address delivered to a group of female reformers in 1838. Mary Ann B. Brown asked the women to consider the hypothetical agony of a heartbroken mother bent over the “dishonored grave of her once virtuous daughter. . . .”²¹ Women who acted against their nature were considered dead in a sense; their fall from morality so great that it killed some part of them. This

15. Mary Ann B. Brown, et al, *An Address on Moral Reform: Delivered before the Worcester Female Moral Reform Society, October 22, 1839* (T. W. & J. Butterfield, 1839).

16. Howe, *A Letter*, 19.

17. Foucault, “An Introduction,” 55.

18. Foucault, “An Introduction,” 55.

19. Foucault, “An Introduction,” 104.

20. Archibald Alexander Edward Taylor. *The Social Problem: Seest Thou This Woman? A Discourse: by Rev. A. A. E. Taylor, Mt. Auburn Presbyterian Church: Published by Request.* (Robert Clarke & Co., 1871.

21. Brown, *An Address on Moral Reform*, 6.

meant it must be controlled and prevented, which brought about heavy restrictions and legal action. Laws, or written codes, and unwritten social codes boxed girls into the Christian idea of a virtuous and useful woman. Reformatories used those two words to describe a woman successfully reformed.²² She was useful, like property, and virtuous, referring to the correct character of her being according to the standards set by the authorities acting over her.

The standards were arbitrary and capricious, set and administered by men. In 1878, *Woman's Exponent*, a women's magazine on political issues, stated, ". . . the men of the United States, are largely responsible for the moral and social atmosphere and condition of the capital of the nation."²³ Men were responsible for setting the standards for women, who had no representation within the government. Susan B. Anthony expressed her agreement with the previous statement and also frustration in the man-run system: "They, alone, decide who are guilty of violating these laws and what shall be their punishment, with judge, jury and advocate all men, with no women's voice heard . . ."²⁴ She detested the lack of female representation in the policy-making and the practice of the legal system. She realized that lack of representation made for an unequal system against women, with decisions left entirely up to the men.

The arbitrary nature of policies can be seen in the admittance process of The Connecticut Industrial School for Girls, which admitted girls who refused to obey authority, committed a crime, begged, or "found in circumstances of manifest danger of falling into the habits of vice and immorality."²⁵ These dangerous circumstances were arbitrarily decided by authoritative persons. It only took two respectable members of a community to file a complaint against a girl and send her to an institution until age 18.²⁶ This meant that any person was a possible informant against the girls. They were always watched, and even if they were not being watched, the possibility was always there, which made a

22. Connecticut Industrial School for Girls, *Fourth Report of the Directors of the Connecticut Industrial School for Girls Presented April 1st, 1874*, (Hartford: The Case, Lockwood and Brainard, 1874), 7.

23. J. M. Thompson, "Memorial of the Board of Trustees of the District of Columbia Girls' Reform School, and of Officers and Citizens of Washington," *Woman's Exponent*, 1 March 1878.

24. Susan B. Anthony, "Social Purity," in *The Essential Feminist Reader*, ed. Estelle B. Freedman (New York: The Modern Library, 2007), 90.

25. Connecticut Industrial School for Girls, *Fourth Report*, 17.

26. Connecticut Industrial School for Girls, *Fourth Report*, 19.

panopticon out of everyday life.²⁷ It was even more psychologically torturous for the girls because of the arbitrary nature of the laws. There was no description of which specific acts were outlawed. The circumstances of manifest danger as mentioned previously included things like wandering around streets, being in a public place without lawful business, not attending school, etc.²⁸ In an effort to reduce the chance of immorality, seemingly innocent activities were also outlawed to produce an ideal citizen under the standards set by men.

Breaking the Code

Girls were sent to institutions for rebelling against these standards. Their actions were usually targeted towards whatever authority had an overbearing guardianship over them, be it their parents acting underneath the social pressures discussed above and representing the views of the government, or the state institutions taking over the role of parents under the *Parens Patriae* Act.²⁹

It could be argued that girls were just acting out against their parents and not against some higher governmental power. A police report in 1898 recounts the tale of a young girl committed to a reformatory by her father, who said his daughter was incorrigible. He stated she “continually ran away from home and consorted with improper persons.”³⁰ When Bella, the young delinquent, was placed before the magistrate, she explained that would accept any punishment, but she did not want to go home. She did not have to go home since she was housed in an institution where she was able to consort with other “improper persons.” She exercised power by denying the authority of her father and received exactly what she wanted. Her actions were political by denying her father’s governance over her, therefore denying the terms of her citizenship in the eyes of the government. Political rebellion might not have been her intention, but she denied the authority that had direct governance over her, denying her position in governmental structure that relies on parents to govern over their children.

27. The term “panopticon” refers to the penitentiary built so that prisoners could not tell when they were being watched. Foucault claimed this was a corporal punishment of the mind in his book *Discipline and Punish*.

28. Connecticut Industrial School for girls, *Fourth Report*, 27.

29. Schlossman, “Delinquent Children,” 328.

30. “Artist Says His Daughter Is Incorrigible.” *Illustrated Police News*, 5 November 1898, 7.

Denying the structure looked different to other girls. Mary Madeline took a stab at the philosophy behind the morality laws when she mocked religion in her acts of rebellion. Mary Madeline was sent to the House of Refuge after confessing to her guardian, Mr. George Mulford, that she had been pretending to be possessed by the devil.³¹ After objects were thrown around the house, Mr. Mulford was urged by several members of the town to question Mary. He chastised her, speaking of someone else who was possessed: “She had seven devils in her; you seem to be poses of at least some of them to do all this mischief; tell me all about it; you must confess and forsake the evil.”³² Mary confessed, but in her confession, she stated it was not the devil, but her own doing. Playing the role of the devil was a great act of dissent from expectations of piety for young women. She was charged with “incorrigibly vicious conduct,” and sent to the house of refuge.³³

Confession brings up another Foucauldian concept of power. With confession, there is always some sort of power differential. There would be no confession if power were not involved. The one who is confessing believes that the one who is hearing the confession holds some sort of power to save this person from their actions.³⁴ This can be liberating, but it can also be constricting if a confession is needed for liberation. In Mary’s case, her guardian demanded a confession from her and therefore demonstrated a power structure favoring the guardian, a man quite older than her.

She was not acting out against her guardian in the same way as Bella. Mary’s guardian, Mr. Mulford, was a member of the Third Baptist Church.³⁵ Mary could have been rebelling against a religious household. Her confession was itself a mockery of religion and a rebellion against it. She made light of evil, which dominated the discourse regarding her nature as a woman. She loosened the fastenings on hanging objects and positioned others to fall to feign the presence of a spirit in the house.³⁶ Her confession brought forth a scary thought for a lot of people: she was not afraid of spirits and the devil. Faking their presence could have been a way of telling the world that its narratives regarding her being

31. “The Confession of the Girl: Committed to the House of Refuge.” *Chicago Tribune*, 17 February 1866.

32. “The Confession of the Girl.”

33. “The Confession of the Girl.”

34. Foucault, “An Introduction,” 61–62.

35. “The Confession of the Girl.”

36. “The Confession of the Girl.”

were also fake. She took away the power that religion had over her when she made a mockery of its greatest enemy and used it for her entertainment. Her joy in her rebellion showed that she did not care that “female irreligion is the most revolting feature in human character.”³⁷

Amelia Dorrington also found joy and liberation in her rebellion. Her previous classmate, Mrs. Graves, wrote a tale of caution to young women in 1844, using Amelia as the example. Amelia, also referred to as “The lost one,” rebelled against expectations regarding sexuality. Mrs. Graves wrote, “She appeared to take delight in violating all the rule of prudence.”³⁸ Mrs. Graves also quoted Amelia, remembering that she said, “I will do as I please, and people may think what they please.”³⁹ This was a huge statement during a time when moral standards were the legal standards, and repercussions for acting out against them was not merely gossip around the lunch table. Amelia had a past with the criminal court and knew talking would be the least of her concerns as a reaction to her actions. She framed the government as an entity producing thoughts, and not actions, therefore limiting their power. Although internally she believed her actions were acceptable and refused to be brought down by the law, she was not above it. Her story was used as a tale of caution because it did not end well. She had her child taken from her, was incarcerated for theft, and Mrs. Graves hints at Amelia having to turn to prostitution out of economic necessity.⁴⁰

Prostitution was one of the greatest enemies of a virtuous society, often used as the most extreme example of immorality. If benefiting economically from a sexual encounter can be counted as enjoying the action, prostitution confronted the idea that women were supposed to remain passionless about sexuality.⁴¹ It is likely that survival, not enjoyment, was the main reason women participated in prostitution. Susan B. Anthony wrote in 1875 that prostitutes were led to the devil’s occupation out of “extreme poverty, in many instances verging on starvation.”⁴² She also explained that prostitution was perpetuated by the fact that women did not have equal chances to gain employment.⁴³

37. Welter, “The Cult of True Womanhood,” 154

38. A. J. Graves, *Girlhood and Womanhood: or Sketches of my Schoolmates*, (Boston: T.H. Carter, 1844), 147.

39. Graves, *Girlhood and Womanhood*, 147.

40. Graves, *Girlhood and Womanhood*, 149.

41. Welter, “The Cult of True Womanhood”

42. Anthony, “Social Purity,” 88.

43. Anthony, “Social Purity,” 89.

Although there were abuses in the field, prostitution was an option when girls had none.

Economic gains provide more power in a capitalistic society, so prostitution produced power. There may have been other outside forces influencing girls' decisions to engage in sex work, however, a bank teller from New York City stated in 1839 that one half of all money coming into the bank came from a house of prostitution. She claimed, "This establishment is of the first respectability in the city."⁴⁴ The teller's statements expose an economic need for the establishment and a sentiment of respect. This sentiment rejected the moral norms. The epitome of immorality labeled as respectable confronted the normative status of prostitution. This could be true on an individual level as well. Prostitution brought girls of low economic status out of their economic class. In caring more about money than about the social expectations placed upon her, she put herself beyond the power of the moral claims of the time. She decided she did not care about the social implications of her actions. This was an individual way of claiming freedom and provides an explanation for the unabashed advertisement of prostitution in the streets during the nineteenth century by young girls.⁴⁵ If a girl entered sex work, she owned her vicious identity for economic salvation, and owning her identity gave her immediate power.

It was not just for pecuniary reasons that girls broke the law in such a manner. Nettie Smith chose prostitution because she wanted to be a prostitute. The sixteen-year-old girl ran away from home and entered a house of prostitution after a messy break up with a young man. Nettie was found by her male cousin who recognized her and begged her to leave.⁴⁶ She refused: "She had tasted of sin and its pleasures, and that she intended to lead the life of a courtesan."⁴⁷ She was from a wealthy family and was therefore not driven by economic necessity. She found liberation in engaging in restricted action. She wanted the freedom to choose something outside the positive liberty ideal the state wanted from her.

Sociologists Brian Donovan and Tori Barnes state that, "laws against prostitution are created and used in specific cultural contexts to serve agendas that have less to do with illegal sex and more to do with maintaining social hierarchies marked by gender, race, and ethnicity."⁴⁸ The same statement could be

44. Brown, *An Address on Moral Reform*, 4.

45. Brown, *An Address on Moral Reform*, 4.

46. "Nettie's Choice," *National Police Gazette*, 4 September 1880.

47. "Nettie's Choice."

48. O'Rourke, "Coolies, White Slaves, and Purity Crusades," 86.

used to speak on any law regarding sexuality in the nineteenth century. The laws based on pseudo-scientific and religious claims on the nature of womanhood were established to maintain stability in a post–Civil War era.⁴⁹ Reconstruction influencing morality laws is an idea shared in Tierney O’Rourke’s article on prostitution legislation.

Some girls did not commit any sort of crime like prostitution but voluntarily submitted themselves into reformatories. The Girls Industrial Home of Suffolk County took in a set number of voluntary cases of girls who were not convicted of any crime, but still wished to be reformed.⁵⁰ Entering the institution was one way for a girl to take control of her life. She could take away the uncertainty of the near future, including the possibility of being incarcerated. By choosing a fate before it was unfairly dealt to her through unjust laws that applied only to young women, she was declaring her autonomy. Although she was admitting herself to a place of presumed limited freedom, she chose it, and in making that choice exercised power.

Institutions—New Codes and Rebellion

Entering the institution was only empowering for a few. These girls met a new power structure when they entered the institution. One of the goals of reformatories, as outlined by the Connecticut Industrial School for Girls, was to remove them from all vagrant associations and keep them from contaminating others.⁵¹ Some believed that keeping a large number of incorrigible girls together was a bad idea. Samuel Howe expressed this worry: “They radiate and diffuse vice and evil around them.”⁵² He wrote this fear into a letter to the commissioners of a Massachusetts State Reform School for Girls. According to the schools themselves, this was not a valid fear, as most recorded girls were most always reformed successfully without incident.⁵³ This was not always the case, however.

In an annual report to the directors of the Connecticut Industrial School for Girls in 1874, it was stated that the school was very satisfactory, “notwithstanding

49. O’Rourke, “Coolies, White Slaves, and Purity Crusades,” 86.

50. “Girls’ Industrial Home.” *Suffolk County Handbook and Official Directory*, 1896.

51. Connecticut Industrial School for Girls, *Fourth Report*, 6.

52. Howe, *Letter*, 18.

53. Connecticut Industrial School for Girls, *Fourth Report*, 6.

the disturbing influences growing out of a change in the superintendency, and most of the subordinate officers.”⁵⁴ It then reads: “All of these influences are now removed.” It is hard to tell from this source because it was written to make the school appear infallible, but disturbing influences could have been the expression of some sort of opposition to the school. Disturbing influences from the superintendent were no small matter. That office had direct control of the inmates and oversaw instruction and carried out the rules and interests of the institution. It was the highest office under the matron.⁵⁵

Girls did not leave behind their opposition to forces that limited their ability to act once they were in the institution. This was the case for Daisy Cole. Her mother sent her to the Baltimore House of Refuge for incorrigibility. In this instance, incorrigibility meant she rebelled against her mother’s demands.⁵⁶ Daisy and another girl, Gertrude Stalcup, who was also in the house at the request of her parents, staged a large act of rebellion. The girls, ages sixteen and eighteen,⁵⁷ broke into the matron’s office, removed their uniforms, and donned the clothing of the woman who had authority over them. They then left via the fire escape and climbed over a barbed wire fence to freedom.⁵⁸ They made sure their freedom from the institution held by obtaining husbands soon after their escape.⁵⁹ Daisy told her story to Captain William Wyatt, and he proposed on the spot.⁶⁰ This launched a debate on who had a claim on the girl: the state or the husband. Daisy was aware of her ongoing status as property and recognized how different entities competed for her as their belonging. She found liberation in a seemingly oppressive marriage as it was her ticket out of the institution, a *more* oppressive institution. The day after her marriage, she gave herself up to the state, but claimed it had “no further jurisdiction, as she was a wife.”⁶¹ Habeas corpus was issued, and the state dropped the case. Gertrude had a similar experience with her marriage to Edward Apt.⁶²

54. Connecticut Industrial School for Girls, *Fourth Report*, 5.

55. Connecticut Industrial School for Girls, *Fourth Report*, 30.

56. “Incorrigible Girl’s Romance.” *Illustrated Police News*, 30 January 1897, 7.

57. “Are Married After Their Escape: Two Girls Who Got Out of the Baltimore House of Refuge Find Husbands,” *Chicago Daily Tribune*, 19 January 1897.

58. “Incorrigible Girl’s Romance.”

59. “Are Married After Their Escape.”

60. “Are Married After Their Escape.”

61. “Are Married After Their Escape.”

62. “Are Married After Their Escape.”

The collusion between Daisey and Gertrude was important. It gave the fear on the congregation of vagrants radiating and diffusing evil some sort of validity. Organizing rebellion within the institution after unjust laws led to their imprisonment made them political prisoners. Padraic Kenney writes on the emergence of the political prisoner. His writing demands that in order to be a political prisoner, the prisoner had to use the institution for a political cause.⁶³ Some girls, like Bella, protested their guardian's right to them by preferring the institution. Voicing acceptance to imprisonment over current conditions was harsh criticism towards her current condition deemed acceptable by the government. Another qualification of political prisoners is that they must band together underneath an ideological framework against the government. There are almost no documents from the girls inside the institutions. It is hard to determine the rhetoric among the girls regarding their political philosophies.

The fact that there are limited records on what girls were saying within institutions is also because girls were not allowed to express any sort of dissenting opinions. The Connecticut Industrial School for Girls' code required that "The manners and conversations of the girls must be strictly observed, and boisterous, rude and uncivil acts, or loud and angry talking, must not be permitted."⁶⁴ Strictly observing conversations brings about another Foucauldian principle of power: a monopoly on the conversation of sex. He argues that if sex is repressed, and silence is enforced with respect to sexuality, the entity that demanded the silence enacted power over all those who were silenced. The reformatories enacted power over young girls by limiting their conversations. The speaker's benefit is one way to limit this power: "A person who holds forth in such language places himself to a certain extent outside the reach of power."⁶⁵ There is no evidence of any girls in the nineteenth century who used colloquial efforts to employ the speaker's benefit as it referred to sexuality. There is evidence of girls continually committing prohibited actions that took away the power of the authority who placed the prohibition, and not just in terms of sexuality.

Recorded instances of their continued rebellion against certain expectations on their nature after admittance serve as descriptions of their political opinions. Daisey and Gertrude banded together to commit such an act of rebellion. Mary

63. Padraic Kenney, "I felt a kind of pleasure in seeing them treat us brutally': The Emergence of the Political Prisoner, 1865–1910," *Comparative Studies in Society and History*, (2012): 867.

64. Connecticut Industrial School for Girls, *Fourth Report*, 34.

65. Foucault, "An Introduction," 6.

Madeline, the young devil impersonator, continued her disruptive behavior at the institution. She “was very saucy to the matron and used obscene language.”⁶⁶ These rebellions were much smaller than the one that got her admitted, but there were more factors acting against her in the institution. Institutional barriers added upon the already existing social and political barriers, so her actions could not retain their previous level of outright rebellion.⁶⁷

A group of girls at the Indiana State Woman’s Prison and Reform School for Girls also demonstrated this continued rebellious spirit as they banded together in 1892 to set their school on fire in hopes of escape.⁶⁸ Imogene Thompson, Mary Stevens, and Lydia Kinseley were credited by other girls to have started the fire after conspiring to escape in such a manner.⁶⁹ The connected women’s prison and reform school were both evacuated. A newspaper article on the event shared, “so far as known none of the prisoners made any attempt to escape, though some of the reform girls were discovered during the evening roaming about the city . . .”⁷⁰ The three girls successfully planned and executed an escape, although they were eventually captured and turned into authorities. Their rebellion was an act against the limitations of their freedom. They wanted to be free, so they set fire to the institution which held them from that freedom.

These three girls who set the fire were political prisoners because they were banded together underneath an ideological framework against their oppression. They are also political prisoners because they used the prison to support their cause. These girls literally burned down a physical manifestation of their oppression. This is not what Kenney intended when he claimed that in order to be a political prisoner, one must use the prison for the enhancement of the political goal. He meant the prison must become a marker of martyrdom for the movement.

A few years after the fire, another attempted escape was recorded in the *New York Times*, but the tone of this article was very different. The article detailed a mutiny in 1905, started when a girl tried to escape through a door left open. She was seized by a school official, which caused a great commotion, drawing the attention of the other girls who quickly seized improvised weapons, “Pokers,

66. “The Confession of the Girl.”

67. Schlossman, “Delinquent Children,” 328.

68. “Women Incendiaries: Prisoners in the Indiana Reform School Destroy the Building,” *New York Times*, 2 March 1892.

69. “Women Incendiaries.”

70. “Women Incendiaries.”

sticks, and other articles came into play and the mutineers had almost succeeded in subduing the authorities.” The police arrived and quieted the insurrection.⁷¹

This tells of the active rebellion at the reform school, the girls acting upon any opportunity they receive to escape. It might seem like there was no collaboration in this attempted escape, although the commotion caused by the initial attempt might be a signal to the other girls. Even if there was no collusion, the individual rebellion is still valid. If a chance provides itself, a girl cannot wait for all the others.

The article is framed as if the desired outcome of the reader was an escape for the girls. The writer encouraged the mutineers as he said, “The mutineers almost won their way to liberty.”⁷² It seems the writer had sympathy for the girls trying to escape the institution, perhaps, due to previous attempts of girls at other institutions, like Imogene Thompson, Mary Stevens, and Lydia Kinsey. Even if he was not moved by this specific instance, it is clear he has some level of sympathy for the girls at the institution.

Sympathy in writings on the experiences of girls in the prison systems can also be found in a political piece by Brad Whitlock, a political novelist. Whitlock published a work in the *Red Book Magazine*, a popular women’s magazine in 1908 on double standards regarding the criminality of prostitution. He tells the fictional story of two women who have been charged with loitering, which was a vague legal definition that indicated prostitution. A new, benevolent judge asks the man who arrested the women, “Within your knowledge or belief, there were always men doing the same thing, no less and no more, were there not? . . . Then why did you not bring the men in also.”⁷³ The man answered saying he had only done what society had expected from him,⁷⁴ which highlights the relationship between moral codes of society and the legal code.

As the judge questions the man who arrested these two women, he calls him out on “vouching for their bad character with perhaps a little more satisfaction than men oftentimes vouch for the good characters of others.”⁷⁵ which echo the words Susan B. Anthony said in years previous about the double standards facing women when it comes to sexuality. As this conversation takes place, the

71. “Mutineers in Petticoats: Washington Police Called Out to Protect Girls’ Reform School Officers,” *New York Times*, 24 July 1905.

72. “Mutineers in Petticoats.”

73. Brad Whitlock, “The Girl That’s Down.” *Redbook Magazine*, 1908.

74. Whitlock, “The Girl That’s Down,” 61.

75. Whitlock, “The Girl That’s Down,” 56.

woman on trial re-evaluates the laws to which she is bound. Whitlock portrays this woman becoming enlightened to the injustice of her situation after a man has demonstrated it to her, which does not give enough credit to girls like Daisey and Gertrude who understood the inequalities well enough to use them to their advantage. The fictional story continues, with the judge dismissing the case of the two girls. The girls leave the courthouse with a desire to change.⁷⁶

While a bit naïve in assuming that one dismissal from a court would turn the economic circumstances around and remove the motivating factors that drew girls to crime, this writing is important to consider because it shows that girls have gained sympathy from outside of the institution, and not just from women. There are people who do not think girls deserve to be institutionalized, or at least not unless the men are too.

Conclusion

Gaining sympathy was not the main goal of the girls as they rebelled against standards of civility and morality. Sympathy is important for political causes, but in this case, it did not cause a social revolution in the next century. Lisa Pasko explains in her research on the history of female juvenile delinquency that the state's criminalization of female sexuality in the 1800s carried through to the modern juvenile justice system with the condemnation of sexual promiscuity among girls and the policing of non-heteronormative sexuality among inmates.⁷⁷ The few young girls who rebelled against the harsh social standards did not have enough impact to change the whole system, but this was not their goal. Some political movements offer an alternative, while some just reject what is already in place. The rebellious girls were of the second thread. Their political attacks were very personal. They were interested in expanding their existence and refusing to give in to pressures which demanded they perform their femaleness a certain way while rejecting certain claims about their inherent nature. The girls who rebelled gave no deference to authorities they did not feel deserved it. They rejected the positive liberty framework saturated with morality. In this rejection, they created and claimed power. They wanted to shatter the boxes that held them, and they did. They were doing it at the same

76. Whitlock, "The Girl That's Down," 62.

77. Lisa Pasko, "Damaged Daughters: The History of Girls' Sexuality and the Juvenile Justice System," *The Journal of Criminal Law and Criminology* 100 no. 3 (Summer 2010): 1100.

time Japanese writer and feminist theorist Kishida Toshiko gave subversive talks called “Daughters in Boxes” around 1883. She passionately claimed: “If we enclose them in boxes; if we capture them when they try to escape and bind them in place, then just as the petals of the bound flower will scatter and fall, so too the bounty of the human mind will wither.”⁷⁸ We see patterns of bound women in boxes, but they can be shattered. Young girls, starting at the age of eight in America were shattering their boxes.

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78. Toshiko, “Daughters in Boxes,” 103.