

Beyond Grace

Criminal Lunatic Women

BY KATHLEEN KENDALL

Convict women were perceived as either more morally corrupt than criminal men because they violated natural law, or as innocent victims of circumstance.

Dans la foulée du roman historique "Alias Grace" de Margaret Atwood, cet article se veut un examen préliminaire des femmes jugées "criminellement folles" du début à la première moitié du 19^e siècle au Canada.

I think of all the things that have been written about me—that I am an inhuman female demon, that I am an innocent victim of a blackguard forced against my will and in danger of my own life, that I was too ignorant to know how to act and that to hang me would be judicial murder ... that I am a good girl with a pliable nature and no harm is told of me, that I am cunning and devious, that I am soft in the head and little better than an idiot. And I wonder, how can I be all of these different things at once? (Atwood 25)

The above excerpt is taken from

Margaret Atwood's historical novel, *Alias Grace*. Although fictionalized, the book is based upon the true story of Grace Marks, a prisoner of the Kingston Penitentiary between 1843 and 1872. Grace served time for murdering her employer and his housekeeper. While both she and her accomplice were found guilty, only Grace escaped the hangman's noose through a commutation of her sentence. Approximately eight-and-one-half years into her sentence, Grace began to exhibit signs of insanity. According to the medical register kept by the prison surgeon, the insanity manifested itself in the following way:

From being quiet [sic] well behaved and industrious she all at once became noisy ... and excitable. For several days displaying the highest state of exaltation by singing, laughing and rapid talking, which would be followed for a shorter period of gloom and despair. She has daily illusions imagining she sees strange figures invading her. She sleeps badly and wanders about her room for most part of the night in search often of the subject of her false visions. (Kingston Penitentiary Medical Registry 290)

The prisoner was soon removed to the Provincial Lunatic Asylum in Toronto where she spent almost 16 months before returning to the Penitentiary. Following a pardon in 1872, Grace Marks finally left confinement.

Grace Marks was one of the first among a small number of nineteenth-century Canadian prisoners to be

labelled "criminal lunatics." In the early 1800s, criminal lunatics did not pose a problem because they were not an identifiable group. Criminals and lunatics, along with the poor, were kept together in district gaols. Ernst suggests that each of these groups were equally regarded as morally reprehensible and therefore deserving of penal discipline and punishment. Crime, poverty, and insanity were accepted, albeit undesired, aspects of settlement life (Brown). However, as the century wore on, there was growing concern about the overcrowded and filthy conditions of gaols as well as a more generalized anxiety about social decay. Early Canadians were experiencing social changes and turbulence associated with nineteenth-century immigration, urbanization, and industrialization.

As a means of restoring order and control, scientific principles of calculation, categorization, and rationalization were soon adopted (Lupton; Hannah-Moffat; Ruemper). Following the Enlightenment, it was maintained that progress and order were achievable through the application of scientific principles. Fundamentally, reformists believed that there was an underlying pattern or law to social life discoverable through measurement and calculation. Once quantified, the social world could be predicted, contained, and controlled.

Separating paupers, lunatics, and criminals was part of an attempt to regain order and control. This division was achieved in Upper Canada through the creation of a penitentiary and an asylum. Kingston Penitentiary was opened June 1, 1835. An imposing and formidable lime-

in Victorian Canada

stone structure with high towers and thick walls, the Penitentiary was run on the silent or congregate system of discipline. This method demanded that the prisoners spent the day working silently together in hard labour, and their evenings alone in solitary confinement. Corporal punishment was also employed and included: bread and water rations, floggings with cat-of-nine-tails or raw-hide, irons, closure in a box or dark cell, solitary confinement, and hair cutting. Submission, in association with moral and religious instruction, was considered central to the moral reform of criminals. Criminality, it was believed, stemmed from immorality. Therefore, the aim of the penitentiary was to morally purify its population (Calder; Curtis, Graham, Kelly, and Patterson; Beattie).

Female prisoners undermined this aim because the sexual ideology of the day dictated that women were naturally morally pure. Female criminals paradoxically appeared to embody both innocence and guilt, good and evil. To reconcile this contradiction, attempts were made to fit the women into one or the other category. Thus, convict women were perceived as either more morally corrupt than criminal men because they violated natural law, or as innocent victims of circumstance. If placed in the first group, the women had not simply fallen from grace, they were beyond it. If in the second group, their virtue could remain. This philosophical ambiguity toward female prisoners meant that they were treated with both neglect and paternalism within the penitentiary (Boritch; Faith; Cooper).

Although the original design plans

included a separate female prison and yard within the Penitentiary grounds, there were no facilities built specifically for women by the time Kingston opened. Consequently, when the first women arrived, the warden was taken by surprise. Since morality and order dictated that females be strictly segregated from male prisoners, the women were temporarily placed in the hospital (Carrigan). Such makeshift accommodation was to become standard for female prisoners, as they were continually moved from one temporary location to another. Each place was hugely inadequate and soon became overcrowded. Additionally, there was insufficient room for exercise or recreation and the women were allowed little time outdoors. Given this, the regular rules and discipline were difficult to enforce. Nonetheless, female prisoners were subjected to the same types of corporal punishment as the males. They were also expected to make and mend the institutional clothing and bedding (Cooper; Carrigan).

Insane or lunatic prisoners were similarly marginalized within the penitentiary. The asylum reform movement effectively advanced the view that insanity was a loss of reason which could be regained through moral treatment. This treatment essentially involved placing the patient within a calm environment of routine and order. Intrinsic to this philosophy and practice was the belief that because the insane had lost their reason, they were not held responsible for their actions, including criminal ones. This conviction countered the penal philosophy presupposing that criminals were accountable for

their actions. Indeed, the harsh penitentiary discipline was the antithesis of the tranquillity which was central to moral treatment. (Edginton; Ernst; Brown).

As with the female convicts, plans were developed for the provision of separate cells for lunatics, but none were initially built (Jolliffe). Additionally, the criminal lunatics were continually moved between various deficient locations. Along with the contradictory position criminal lunatics occupied regarding responsibility for their actions, this group offered other unique challenges to the penitentiary. First, they disrupted the silent regime through their verbal and physical outbursts. Second, many of the insane prisoners were unable or unwilling to work and therefore were viewed as economically redundant. Prison officials were also concerned that convicts feigned insanity in order to benefit from a regime that was supposedly less severe. In fact, much controversy sur-

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rounded this last issue and led to serious disagreements between the prison surgeon, the Board of Inspectors, the warden, and prison staff.

Conflict over the issue of criminal lunacy surrounded one female crimi-

that she would "destroy herself sooner than be thought such a beast." The matron had, in fact, reported that Reveille was using deceitful means to feign illness. The surgeon, Dr. Sampson, diagnosed Reveille as suffering

challenged Dr. Sampson, accusing him of being unduly familiar with Reveille (*Reports of the Commissioners Appointed to Inquire into the Conduct, Discipline, and Management of the Provincial Penitentiary at Kingston*).

These disputes were part of a larger controversy resulting in a Commission of Inquiry (the Brown Commission) into the Penitentiary between 1848 and 1849. The Commission dismissed Warden Smith and found him guilty of a number of offences including: cruel, indiscriminate, and ineffective punishment; the flogging of women; failing to remove bugs from the women's cells; appropriating prison property for personal use; serving deficient food to the prisoners; and barbarity toward children. Smith was also found culpable of goading four prisoners, through excessive punishment, into a state of insanity or aggravating the malady under which they laboured. The Commission found that insane convicts were severely punished, often for minor infractions. They also found that penitentiary staff believed them to be feigning insanity. One of these prisoners was Reveille. While the Commissioners were convinced of Reveille's status as an insane criminal, they also regarded her as a categorical aberration, calling her "the freak of a mad woman" (*Reports of the Commissioners Appointed to Inquire into the Conduct, Discipline, and Management of the Provincial Penitentiary at Kingston* 271).

During the Commission, the matron testified that her charge against Dr. Sampson of undue familiarity with Reveille was encouraged by the Warden and his wife. Finally, the Commission recommended that a new, separate unit be built for the women and that apartments be constructed specifically for the insane.

The inquiry occurred at a time when alienists—physicians who specialized in the treatment of insanity—were beginning to establish themselves as professionals. Criminal lunatics provided this medical



Lilian Broca, "Lilith's Sanctuary," graphite, spackle on panel, 36" x 40", 1999.
Photo: Weekes Photo

nal lunatic in particular, Charlotte Reveille. Reveille arrived at the Penitentiary in 1846 serving a three-year sentence for larceny. She soon began to act in an unruly and uncontrollable fashion: swearing, destroying her bedding and clothing, refusing medication, smashing windows, attempting suicide, and hitting staff. The medical register describes her actions as outrageous as well as obscene and indicates that she suffered from "mental illusions" (Kingston Penitentiary Medical Registry 206).

One wonders, however, the degree to which such illusions were in fact unreal. For example, in March 1848, Reveille demanded that the matron be removed from her sight because she had been telling lies about her: "She has tried to make you think I am a beast." Seizing a knife, Reveille went on to remark

from irregular uterine bleeding. The matron claimed that Reveille had concocted phoney uterine discharge by preparing a mixture of blood, vomit, and gravel (Kingston Penitentiary Medical Registry 205; *Reports of the Commissioners Appointed to Inquire into the Conduct, Discipline, and Management of the Provincial Penitentiary at Kingston*).

Dr. Sampson did not believe the matron. However, he did associate Reveille's uterine bleeding with her emotional outbursts and stated that "the moral effect of the confinement is a chief cause of the physical symptoms" (Kingston Penitentiary Medical Registry 226). He also believed that Reveille was insane, and asked to have her removed from the penitentiary, but the warden and Board of Inspectors refused to accept his diagnosis. The assistant matron also

elite with a unique class of patients with which to gain legitimacy and professional dominance. Nonetheless, the number of criminal lunatics was quite small. Moran states that between the opening of the Penitentiary in 1836 and 1849 there were only five entries in the medical records concerning insanity. By 1850, however, the number of criminal lunatics had grown to ten. The Board of Inspectors was quick to deny that the penitentiary environment was responsible for these new instances of insanity, but was concerned about the consequences of a growing insane population (Moran). One of the earliest prisoners to be recognized as insane was Bridget Cain, serving three years for larceny (stealing money) (Kingston Penitentiary Medical Registry 271). Upon expiry of her sentence, she was sent to the temporary lunatic asylum at Toronto (opened in 1941) rather than be discharged, because she was "in such a state of disordered mind as to be rendered incapable of properly governing her actions and conduct if let loose on the world and left to her own resources" (Warden's Letterbook, Kingston Penitentiary, 16 November, 1850). According to the Provincial Lunatic Asylum's General Register, the alleged cause of Bridget's disorder was "disappointed affection."

The problem appeared to be solved by the passage of *An Act for the Better Management of the Provincial Penitentiary* in August 1851. Informed by the Inquiry, this *Act* allowed for the removal of criminal lunatics to the new Provincial Lunatic Asylum (PLA), opened in January 1851. The procedure required three physicians, including the Penitentiary surgeon, to certify that the convict was insane. While there had previously been provision through a Governor General's warrant, which allowed for the removal of lunatic prisoners to the temporary asylum in Toronto, it was used only rarely. This was likely due both to the small numbers of inmates considered to be insane by the

prison surgeon and because of the refusal of prison officials to acknowledge the very existence of criminal lunatics. (Jolliffe; Moran).

The new *Act* was the first official recognition that criminal lunatics were a separate class. By making physician involvement mandatory in the procedures, the *Act* also implicitly expanded the jurisdiction of physicians over lunacy. Dr. Sampson was quick to make use of the new *Act*, and transferred seven patients to PLA in November 1851. Only one of these prisoners was a woman. Rose Bradley was serving a four-year sentence for larceny. Records indicate that at the time of admission to the PLA she was 56 years old, Irish, widowed, uneducated, and intemperate (General Register, Provincial Lunatic Asylum, 1128).

In May 1852, two more women were transferred to the PLA, Grace Marks and Bridget Maloney. The new Penitentiary warden, D. E. MacDonell, wrote to the Provincial Secretary that "Both these unfortunate females are destructive of the order which must be maintained in the institution" and "therefore it is important that they be sent to the Lunatic Asylum with the least possible delay" (Warden's Letterbook, 16 April 1852). Maloney, serving a three-year sentence for larceny was described in the PLA register as Irish, Roman Catholic, and working as a domestic (General Register, Provincial Lunatic Asylum, 1183). Following Marks and Maloney, Ann Little arrived from the Penitentiary in October 1852. According to the asylum register she was 32 years old, serving a seven-year sentence for the stabbing death of her paramour, was of Irish descent, single, worked as a domestic, and belonged to the Church of England (General Register, Provincial Lunatic Asylum, 1254).

In January 1853 Joseph Workman became the new Medical Superintendent of the PLA. His disdain for criminal lunatics was evident in his first annual report:

An evil of inconceivable magnitude, and distressing results, in the working and present condition of this Institution, has been the introduction into it, of criminal Lunatics from the Provincial Penitentiary, and the County Jails. It is an outrage against public benevolence, and an indignity to human affliction, to cast into the same house of refuge with the harmless, feeble, kind-hearted and truthful victims or ordinary insanity, those moral monsters, which nature sometimes seems to have formed.... (Journals of the Legislative Assembly of the Province of Canada 6)

Not only did Workman believe that criminals were not amenable to moral treatment because of their evil natures, he was unable to segregate them due to a lack of space. This destroyed his system of classification, order, and control, which underpinned the therapeutic philosophy. To rid himself of the criminal lunatics, Workman simply reported that their sanity had returned and shipped them back to the penitentiary (Moran). This situation led to a standstill between the Penitentiary and the Asylum, neither of whom wanted the criminal lunatics. Further problems were created by an act of 1851 which provided for the confinement

"Both these unfortunate females are destructive of the order which must be maintained in the institution" and "therefore it is important that they be sent to the Lunatic Asylum."

in the PLA of people deemed to be dangerous. The passage of this law resulted in serious overcrowding.

The impasse and Workman's consternation were not broken until 1855 when a temporary lunatic asylum was constructed inside the Penitentiary. However, this asylum admitted only men. In a letter to the inspector on March 21, 1855, the Penitentiary warden indicated that there was no space for the females. The women had to wait until 1857 when they became the first admissions to the only purpose-built asylum for criminal lunatics in Canada. The Criminal Lunatic Asylum was situated outside of Kingston on the Rockwood estate. However, the new building was not yet constructed and the women were kept in converted horse stables. While the women eventually occupied grander quarters, they were to follow the same fate as their predecessors. Even within an institution constructed specifically for them, criminal lunatics continued to be the focus of scorn and rejection. Despite pretensions as a laboratory for studying criminal insanity the Criminal Lunatic Asylum stopped admitting criminals in 1877. After this time, those who remained were sent back to the Penitentiary unless their warrants had expired.

Despite the fact that criminal lunatics were few in number, they were a source of great bewilderment, frustration, and fascination to both prison and asylum officials. Unwanted by either institution, this group was shuffled back and forth between different locations and kept in overcrowded, inadequate, makeshift conditions. Reactions toward and the treatment of criminal lunatics were not grounded in any real danger they presented. A preliminary examination of casebooks and other primary sources indicate that female criminal lunatics were no more violent than others (Casebooks, 1857–1904, Kingston Psychiatric Hospital). They were, however, troublesome because they disrupted systems of classification and techniques of governance.

Neither "lunatics" nor "criminals," they could not be easily categorized nor contained at a time in which classification and containment were growing in significance.

Criminal lunatics were unwelcome in the penitentiary because they upset the silent system of governance, were not responsive to physical punishments, and were economically unproductive. Asylum officials were outright hostile and loathing toward criminal lunatics. Regarded as "moral monsters" because of their illegal actions, criminal lunatics were thought to be unfit candidates for the regime's principle therapeutic and operational method, moral treatment. Females within this categorical anomaly were even further marginalized because sexual ideology insisted that real women were innocent and pure.

As suggested by the opening extract from Atwood's novel, the blending all at once of femininity, insanity, and criminality, appeared incongruous. In blurring the boundaries of categorical oppositions, criminal lunatic women defied attempts to be contained, both physically and metaphorically, and thus threatened the social order. As such, they became repositories for a host of contemporary social anxieties and fears.

Questions posed to Grace Marks upon her liberation from the Penitentiary:

What in your opinion is the best means of reforming criminals?

Answer: Kind treatment.

Do you think that your imprisonment in the Penitentiary has been beneficial to you in a moral and religious point of view and that you are better qualified to earn a livelihood now than before you entered the institution?

Answer: Doubtful.

(Kingston Penitentiary, Convicts Liberation Book 305).

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'No Car, No Radio, No Liquor Permit' The Moral Regulation of Single Mothers in Ontario, 1920-1997

MARGARET HILLYARD LITTLE, *Queen's University*

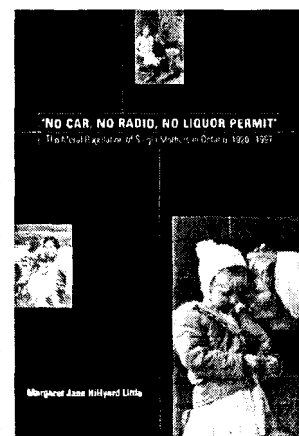
Fourteen years ago the author volunteered at Bridge House, a shelter for women, many of whom were single mothers on welfare. Social workers and neighbours intruded into their lives in minute ways. These women even self-censored their days and nights, all in an attempt to guarantee the welfare cheque, a cheque that did not even begin to meet their subsistence needs. This led the author to ask questions about the nature of our welfare state and its impact on poor single mothers' lives.

'No Car, No Radio, No Liquor Permit' examines the history of single mothers on welfare in Ontario, from the establishment of the Ontario Mothers' Allowance in 1920 to the elimination of the policy under the Harris government in 1997. Through the use of government documents, case files, and oral interviews, the book shows how single mothers throughout history have opened their homes and their lives to intrusive investigations to prove themselves financially and morally worthy.

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