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A World Apart

Women, Prison, and Life Behind Bars

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MIRIAM VAN WATERS

THE ABORTIONIST'S GRAY, marble headstone stands at the very edge of the untended cemetery where prisoners who died in Framingham during the first half of the twentieth century lie buried. Her name was Dr. Caroline Tinning, and she'd stayed in the reformatory voluntarily for years after her sentence expired because she had no place else to go.

The prison superintendent of the time, Dr. Miriam Van Waters, allowed many women to do this. Maintaining ties with former inmates, both inside and out of Framingham, was one of the cornerstones of her approach. Of all her charges, however, perhaps none grew closer to her than Caroline Tinning. Born in 1866 in Staffordshire, England, to a father whom prison records describe as "a man of adequate means and some education," Tinning displayed intelligence early on. She was educated, on scholarships, at local private schools, studied nursing in London, and ultimately immigrated to Boston, where she enrolled in the Boston School of Medicine in the hope of becoming a doctor. Tinning was an excellent student, consistently one of the best in her class, and shortly after graduating, she opened her own practice.

As was the case with most female doctors of the time, however, her practice soon floundered. People didn't trust women to be their doc-

tors, and Tinning quickly discovered that the only way she could earn a reliable living was by performing abortions. The result was her first arrest in 1911. Though the procedures themselves were of course illegal at the time, there was never any intimation of medical wrongdoing on her part. Her operations were sanitary in nature and humane in their intent. She herself rationalized her actions by insisting that she had "sufficient medical knowledge to prevent the women who come to me from suffering any serious physical harm." But the arrests continued apace with her work, and in 1923 she was finally committed to Framingham. There, despite having her medical license revoked, she assisted in the infirmary. Miriam Van Waters was so impressed by her there that she recorded the following description of her in her diary in 1932: "She is quite immovable during the post mortem, never taking her eyes from the baby. Her lips are gray colored, full, tightly compressed. There is no trace of life, or thought, or feeling in her face—but something formidable. She is a study in sculpture. She has been cast and the pressure of the material into which she has been formed (if ever she was fluid) is all about her firm wrinkled flesh."

When Caroline was released, then rearrested for continuing to perform abortions, prison records note that her "behavior was as far from reproach during her second commitment as it had been during her first." Now she gave English lessons to foreign-born inmates, and provided classes in painting and history to whoever was interested.

After four years she was granted parole. But, like many elderly inmates, she had nowhere to go. Van Waters hired her to care for her own ailing father, and after his death, Dr. Tinning returned to the prison, where she was granted free room and board in exchange for office work.

"Caroline's natural dignity made an arrangement which might easily have proved difficult, very successful," prison records tell.

"She . . . is saving money so that when she is too old to work she may still be able to provide for herself here." The friendship between Van Waters and Tinning deepened as months of voluntary residence at Framingham turned to years. They corresponded copiously, and it seems likely that when Caroline finally died, free and from natural causes at the age of eighty-six, it was Van Waters herself who paid for the doctor's grave.

It is a simple memorial. In the tight, still-semicleared space that serves as the graveyard's center, a large boulder glistens. IN MEMOR it reads. Behind it, half buried under rotten leaves, is the doctor's grave. Standing just six inches tall, the polished tablet reads: CAROLINE K. TIN-NING M.D. 1866–1952.

IT WAS 1932 when Dr. Miriam Van Waters first took control of what then was called the Women's Reformatory at Sherborn. "Bars off . . . curtains in . . . Will bring the outside world in," she wrote in a letter to her parents. "I have to go slow inside. Staff thinks I'm crazy to be crazy about pictures, colors, curtains, flowers and not morals!"

Despite her determination to "go slow," Van Waters's first three months at the prison were a whirlwind of activity. She spent the first two weeks meeting, individually, with every woman incarcerated in the facility and insisted on calling them students instead of inmates. Then, just as Eliza Farnham had done almost one hundred years before in Mount Pleasant, New York, she set about improving the physical appearance of the place. She had curtains hung on the windows and repainted the walls. She allowed women to decorate their rooms as they liked, to choose from a variety of printed cloths for their dresses, and to wear their hair as they pleased. Letter-writing privileges were instituted, and free use of the library was encouraged. Movement between one area of the facility and another was allowed to proceed more or less unimpeded.

Above all, Van Waters insisted on the primacy of education and training at Framingham. Always a great believer in the reformatory strength of education, Dr. Van Waters had created one of the first schools for delinquent girls run by student self-government and was a recognized leader in the field by the time she took over at Framingham. Rigorously educated and a dedicated professional social worker, she stressed hard work, personal responsibility, and the importance of psychological insight to the women in her care. As the eldest of five surviving children of an Episcopalian minister, Van Waters also saw the reformation of women and girls as her "ministry," and it was her dedication to a Christian-based notion of unconditional love that lay at the heart of her work. Believing every inmate was as capable of learning and emotional growth as herself, she refused, ever, to subscribe to the notion of the incurable, "fallen" woman.

By the time she took over Framingham, in fact, and despite her measured public stance, her private opinions had become almost radical. "The institution is old and still terrible," she wrote candidly to a friend soon after her arrival. "In saying this I should explain that I am not one who believes there are good and bad prisons. I think all prisons bad. But I think they can be vanquished from within at the same time we are transforming people's ideas about human bondage in community life."

Declaring Framingham a "child-centered institution," she was determined to create adequate facilities for mothers and their children. Shocked by conditions in the nursery when she first arrived, she applied for and won (despite the Depression) funds to build a separate residence for the young mothers in her care. Wilson Cottage, as it came to be known, stood about a quarter of a mile away from the main

prison building and possessed not a single locked door or barred window. Between twenty-five and thirty mothers lived there with their children as well as ten officers and several volunteer child-care interns. When a reporter for a local newspaper, the *Worcester Telegram*, paid a visit, she noted, in an article entitled "Babies Are Babies, Even in Prison," that "there are no restrictions within the building, no sense of imprisonment . . . for the children there were remarkable play areas such as are available only in some of the more progressive schools and wealthier homes."

Women without small children also benefited from Van Waters's approach. Drawing on her large circle of friends and acquaintances, the superintendent was able to gather a hitherto unimaginably large group of teachers and staff, both professional and volunteer, with which to develop a range of extracurricular clubs and activities for the women. A newspaper was started, as well as a racially and politically focused theatrical troupe, a gymnastics club, a public-speaking quorum, a choir, an occupational-therapy department, and even something called "the Happy Circle" for women who were shy or depressed. Intended to increase women's professional and emotional skills alike, these activities were combined with complementary classes. There were classes in singing, parenting, physical education, poetry, literature, playwriting, English as a second language, cooking, dressmaking, handicrafts, sketching, and painting. In 1936 a course on current events was offered. Also, woodcarving, hiking, and rug making. For those who were able, Van Waters also made college-level courses available, taught, via correspondence, through the university extension system. By 1944, 178 women—more than half the prison population—were enrolled in this program alone.

Many of these activities would take years to become fully established at Framingham. As early as Easter of 1932, however, just three months after Van Waters took control, the reformatory was already

being transformed. Women were leaving the prison sober and, in most cases, employed. Attempts at escape had been reduced to "practically zero." As well, production of sewn garments and farm produce had been increased by 6 percent, despite the fact that the workday had been shortened by two hours in order to allow time for classes and other activities. In addition, the prison's solitary-confinement holes, or "dungeons" as they were then called, were no longer used, and the length of time spent in general punitive confinement had been reduced by 90 percent. Within a year, Framingham had once again moved to the forefront of progressive political reform, becoming, in the words of one of Van Waters's contemporaries, "an admired showpiece in the eyes of modern penologists."

Van Waters could never have effected this transformation without support. Her predecessor, Jessie Hodder, had already begun the process of converting the prison from the increasingly discipline-oriented institution of the bronze-medal-winning Ellen Cheney Johnson to a more holistic place of reform. One of Hodder's first acts as superintendent had been to strike the word *prison* from the name of the institution. She also broadened the professional training available at the reformatory, extended the school, and built a gym.

In addition, Van Waters was in a position to access help, both political and financial, from her wide circle of powerful and influential friends. Both money and manpower flowed to Framingham as a result of these connections. As a woman held to great account in the public sphere, she had a social status that protected her, to a degree, from political attack, and for a time she was able to enjoy a level of autonomy unimaginable in the Department of Correction today. Ironically, it was the blurring, not the heightening, of such social distinctions that lay at the heart of her work.

Throughout her tenure, celebrities were continually invited to visit the institution. When Robert Frost gave a reading at Harvard, for ex-

ample, Van Waters sent him an invitation signed by every one of her students, and he visited the prison to give a reading the very next day. More frequently, however, it was the women themselves who visited the superintendent, unescorted, for dinner, lunch, or tea. Parties were thrown at the reformatory and attended by all. Parades were organized, concerts performed, and great celebratory picnics held out on the lawn—all, Van Waters maintained, with a mind to get the women of Framingham in touch with their own valuable humanity. This was what rested at the heart of her approach: belief that every woman sent to her was a full, potentially viable human being. As she so often said: "Every child is a child of God."

That many inmates internalized Van Waters's message is clear. One wrote "Dr. Van Waters is our saver" in pebbles on the lawn outside the reformatory, and many stayed in touch with her long after they had been released.

"Some day I hope to have the opportunity to talk to the student body," wrote one ex-student. "I would like to tell them, en masse, what Framingham means to me and why I insist that it spells opportunity to anyone who goes there for any cause whatsoever. I would like to tell them how I found *freedom* while imprisoned and how real freedom and real imprisonment are conditions within our self and not a matter of locks and keys."

Women inside the facility also wrote to Van Waters frequently. One addressed her—in a neat, pencil-written note—as "Mom" ("I don't like being mush, but I do believe in letting a person know I like them and appreciate them and I do you. I love you like I love my mother."). On another scrap of paper, no more than two inches square, another student wrote: "Doctor Van Waters, I want you known [*sic*] my birthday on July 4th. Will be 50 year old and I will dance—I may be dead by next fourth anyhow. Want to known [*sic*] I love you."

Improbably, many of these notes from prisoner to warden read like love letters. In fact, their tone is often so intimate that at first I assumed that that is what they must have been. But there are too many of them for that. In the Schlesinger, a library dedicated to women's history in Cambridge, there are literally thousands of them—boxes and boxes of carefully filed notes and postcards and envelopes that stretch on, page after page, stack after stack, for a period of twenty-five years or more. Each reads as if the author's relationship with Van Waters was an exception, but I came to see that they were in fact the rule. Somehow Miriam Van Waters had the ability to connect and, through that connection, to redeem.

One ex-student wrote:

December 25, 1945. Dear Doctor, Christmas night,

Tonight I am very humble in the face of your unfailing kindness and thoughtfulness. The sweater—yours—will do for me physically what you have done for me spiritually—the warmth of understanding and guiding sympathy. . . . You have given me so much—so many, many things. You have given me—Cordelia—the girl I might have been, the girl I might still be. You have given back the faith I had as a little child, the cloak of faith that was torn from me and trampled in the mud by a man that didn't know nor care what it was. . . . You have given me protection and security. Courage to face the future—not with the courage I would have had—the doing it because it had to be done—but the triumphant march of faith, belief that I was right with my world . . .

Not all of the women who passed through Van Waters's Framingham became so fully reformed, of course. Though many ex-students

did go on to live engaged and productive lives, the world remained rife with difficulty for the poor, often single women who came out of Framingham in the 1930s and '40s. Many faltered. On January 22, 1944, one drug-addicted ex-student, Lucy Rutherford, wrote:

> Dear Dr. Van Waters, . . . I am in my dear, clean cozy little room as you described it. It is high up isn't it? Near the sky. I can reach out almost and take in a cloud—then I am sure it would elude my grasp. How sad, we never can hold beauty so fragile long, sometimes never, but some are always on the watch for it and one does find it in the strangest places. . . . Your visit was a happy memory—kind lady—knowing all your work and responsibilities. I am honored and hope you can manage another. . . . As you say I do not need "medicine." It is an escape, I guess—and a little part of me dies each time I realize I have been weak enough to take any. Do not trouble about my loneliness—it is a natural part of me—a deep thing—more of a longing than anything for things beyond my reach. . . . Thank you again for your visit and encouragement. . . . I shall be all right and you must be too.
>
> Ever Lucy

Prior to receiving this letter, Van Waters had sent Lucy a winter jacket. Two weeks later, when things were still not going well, she asked her secretary to send Lucy ten dollars. As she did with so many others, Van Waters also kept in close contact with Lucy's parole officer and quietly sent letters to her doctors requesting that they send bills for their services directly to Framingham. "I have a small fund which can be dipped into for such purposes from time to time," she wrote.

Despite these interventions, however, Lucy continued to struggle.

Sliding in and out of a series of depressions, she voluntarily admitted herself to the New York House of Detention for their forty-day detoxification program or "cure" ("It was forty days of horror suffering and filth . . . I left there deeply wounded, spiritually, mentally and physically") and ultimately checked herself into Bellevue. Tellingly, Lucy gave Miriam Van Waters as the name of her nearest relative or friend on the intake form there. Writing to thank her for the "lovely daffodil and narcissus card," she told Van Waters that she'd been diagnosed as suffering from emotional fatigue and psychosis. Nonetheless, she had "been taking nothing in the drug line except those little sedative pills," she wrote. Her letter ends: "I need you more than ever. Pray for me. Ever Lucy."

EVERYTHING, OF COURSE, was not perfect at Framingham. When Van Waters first arrived, almost 40 percent of the women incarcerated there were serving time for crimes that would never have led to prison for men. By the end of the 1930s, almost every woman sent to her—over 90 percent—had been sentenced for nonviolent "crimes against the public order." As a pivotal figure on Harvard's ambitious National Crime Survey of 1928, Van Waters was well aware of how arbitrarily certain gender-specific behaviors had become criminalized for women. Worse, many of her charges were serving lengthy, "indeterminate" sentences for these behaviors. Reserved exclusively for women, indeterminate sentences were based on the idea that there was no telling just how long it would take to reform a female convict. In part because of Ellen Cheney Johnson's passionate requests for longer sentences, these were, often, outrageously long. Their "up to" format allowed, however, for the possibility of parole well before the maximum time had elapsed. In this way, women serving "up to two years" for

drunkenness could be paroled after eleven months, and those serving "up to five years" for adultery could be paroled after fourteen months.

Under her predecessor, Jessie Hodder, parole had been recommended only rarely. Like Johnson before her, Hodder believed that true reform required substantial time in a reformatory. Van Waters, in contrast, proposed parole as frequently as possible, far exceeding the willingness of the parole board to grant early release. As she recorded in her journal after one such parole-board hearing in October 1935, "6 out of 45 get it. I take a beating and am wretched."

Despite the increasingly blurred distinctions between the incarcerated and the free, the institution at Framingham was still a prison, of course. No matter how enlightened, it had certain fundamental rules that could not be overlooked, and throughout Van Waters's tenure there were women who chafed at the restrictions. Prisoners acted up. They broke the rules, got drunk, started fights. Once, after the transfer of fifty women from a state hospital made Framingham seriously overcrowded, Van Waters was confronted by a near-riotous mob demanding better food. Even then, however, she refused to fall back on coercion. After suggesting that they all gather in the chapel, she listened closely to their complaints and then created a new committee to handle further grievances, selecting one of the ringleaders to become chairperson. The crisis dissolved without further incident.

DESPITE HER UNRIVALED success at reform (or perhaps because of it), Van Waters always sparked her fair share of controversy. As early as 1932 she made headlines for taking members of the newly formed parole club downtown ("Women prisoners let out to do Xmas shopping," one newspaper exclaimed). Large groups of students often accompanied her to church in town, and Van Waters also sent them—in

an early experiment with what came to be known as modern-day furloughs—on unaccompanied visits with their families. This disturbed even the most liberal penologists of the time, especially when, in later years, staff began to escort students to the movies.

The truth was that Van Waters always cared more about the women in her care than the rules that were supposed to govern them. Throughout her tenure she overlooked regulations forbidding released inmates from visiting those still incarcerated, encouraged released mothers to visit whenever they needed medical or psychiatric help for their children, and in an attempt to maintain open communication between women still incarcerated and those released to the community, she threw annual parties for released women and their families on prison grounds. Believing that "only delinquents can solve the problems of delinquents," she also hired released inmates to work in the prison as therapists, educators, and members of her administration. Alongside Dr. Caroline Tinning, she appointed a former larcenist to be the choir director, and even her deputy superintendent, Peg O'Keefe, had been a juvenile offender.

It was the process of indenture, or professional work outside the prison, however, that caused most outrage in the community at large. The system had always been controversial. Unions complained about the sudden availability of an uncompetitive labor force, and, as still happens today, students occasionally abused their newfound freedoms. The sudden need for labor prompted by the outbreak of World War II, however, enabled Van Waters to dramatically enlarge the program. Now she was able to send Framingham students to work in restaurants and factories as well as in private homes. Believing the experience to be essential to her students, Van Waters insisted on publicizing the program's benefits. Despite mounting political pressure, she was also able to maintain the commissioner's support with a constant reiteration of

the facts: 97 percent of the 120 indentured women between 1932 and 1935 had remained self-supporting upon release from Framingham.

Still the practice rankled. When a change of personnel at the Department of Correction brought Eliot McDowell, a conservative former woodworker, to the commissionership, it was used as an excuse to investigate the institution as a whole. Fundamentally opposed to Van Waters's independent and reform-minded practices, McDowell resented the autonomy she had always enjoyed. His ensuing report, a 364-page document compiled by his assistant, Frank Dwyer, clearly revealed this antipathy. In it, everything from the indenture system to the sense of community at Framingham was criticized. The flexibility of the treatment programs, the fact that former inmates were allowed to visit and were hired as staff, as well as the cleanliness of the kitchen, the state of the filing system, and the policing of the grounds, were all catalogued. Most damaging, however, were Dwyer's allegations that homosexual activity—"the doll racket," he called it—ran rampant at the prison. Unsupported by witnesses (despite the fact that Dwyer visited both jails and mental asylums seeking women to support his claims), complaints of this kind took up a full half of the report. When the report was leaked to the press, it was, needless to say, these allegations that the tabloids ran with.

As they had done in Eliza Farnham's New York almost one hundred years before, the tabloids spun a series of front-page sensations on the alleged misconduct in Van Waters's institution. Criticism of the superintendent grew increasingly personal. Within weeks reporters were erecting ladders against the side of her house in an attempt to see into her bedroom. In the first week of January 1949, Commissioner McDowell summarily fired Van Waters. She had been superintendent of the prison for seventeen years and was seventy years old at the time.

It seemed as if another period of reform was being brought to an end. Unlike Eliza Farnham in New York, however, Van Waters refused

to leave without a fight. She challenged her dismissal and insisted on a public hearing to clear her name. Chaired by the commissioner himself, the hearing lasted eighteen days.

Six days into the hearing, Dwyer questioned the legitimacy of addressing Van Waters's charges as "students" instead of "prisoners." "I find that . . . the statement 'Here you are a student, not a prisoner' is a misstatement of facts," he had written in his report. "The legal status of a person sentenced by the courts of the Commonwealth is that of prisoner."

By way of rebuttal, Van Waters read from the handbook she herself had written for the use of reformatory newcomers. "To you it may seem a tough break and Framingham nothing but a lockup. However you have it in your power to build your own future both here and in the world to which you will return. Nothing you have done in the past will determine your future here. We hold no prejudices. . . . It is true the court punished you when you were sent here but that is in the past. . . . What matters now is education for the future. Here you are a student not a prisoner. If you will, you can help make this a better place. In making your contribution to help others who are sharing this experience with you, you will find this time worthwhile."

To the commissioner's dismay, the passage was greeted with long applause. Newspapers began coming out in favor of Van Waters, many of them conceding that the letter of the law might have been broken by the superintendent. "However, in our view," they wrote: "The offenses in this realm were so strongly overbalanced by the general good which was achieved by . . . Dr. Van Waters's rehabilitation work that the idea of their being the mainstay of a removal proceeding is ludicrous. The more serious charges of undue perversion running unchecked through the reformatory have been so discredited that we wonder how they gained credence in the beginning."

Ultimately, Van Waters would win the legal battle as decisively as

she had the public relations one, though it would take several months and a second hearing to do so. Upon her return to the reformatory, more than four hundred women voluntarily gathered in the chapel to celebrate, and according to newspaper reports, ecstatic inmates greeted her with "a sustained ringing of the institution bells and with wild and uncontrolled cheering." As a member of her administration pinned an orchid on Van Waters's lapel, one of the inmates, aged and hunch-backed, ran up and embraced her. More than half the women were crying by the time they "knelt to offer thanksgiving to God, who has sent us back our angel." They then sang the national anthem and listened, in thanks, to their own choir perform the *Te Deum.*

"Each one of you knows," Van Waters said after the impromptu concert, "what it's like to have to be alone and face a judge." "You ain't kidding!" an inmate cried out. "I thought of that, too [during the hearing]," Van Waters continued. "I thought of you, often friendless and alone in a strange city and place. The knowledge that after that experience you could come here and face life all over again and be cheerful and kind to one another, and come to church to sing and pray, gave me a great deal of courage."

VAN WATERS CONTINUED to run Framingham until 1957, when she finally retired after twenty-five years of service. During that time Framingham grew in strength, and her opinions with it. Two years before she left she spoke in a radio broadcast entitled "Should All Penal Systems Be Abolished?" Van Waters was of the opinion that they should be. When asked to clarify her position, she explained simply: "My statement that prisons must go applies to all penal institutions. They are as obsolete as the 'Pest House.' "

By 1957, however, such opinions were no longer in sync with the times. Headlines reminiscent of those ten years earlier were appearing in the press after an escaped inmate tried to fight her return to Framingham by declaring that the institution's "low moral standards" frightened her. Van Waters had always suspected that her work would not be sustained after her departure. Now her political enemies had an excuse to move in. Almost as soon as she left, an investigative committee comprising mostly police and FBI was sent into Framingham. Their report, made public the following year, produced fourteen recommendations for change. Many, including the recommendation to isolate "aggressive homosexuals and belligerent non-conformists," were effected immediately. Others, like the creation of a punitive maximum-security program, and the removal of children from the prison "as soon as possible," would be implemented over the next few years.

Having suffered both a brain aneurysm and a stroke, Van Waters was less and less able to communicate effectively. She had moved to the town of Framingham, where she lived with two ex-students in a semi-detached house near the church. Despite her attempts to keep working to "do away with public apathy and indifference as to the fate of those in captivity," more "reforms" soon added barbed wire to the tops of Framingham's walls, shut down the farm, and closed most of her cherished educational classes and activity groups. Friendships between inmates and staff, as well as those between inmates still in the facility and those in the community, were made illegal. Social gatherings such as picnics and barbecues were banned, and outside visits from volunteers reduced. In this way, politicians argued, Framingham would once again return to the disciplinary norms of the state correctional system. Once again, an era of openness, and of hope, had been brought to an end.