Who's Saving Whom from What and Why?: Placing the National Florence Crittenton Mission in Its Social and Legal Context, Illinois 1883-1933

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Summary

This paper examines the reform efforts of the National Florence Crittenton Mission (NFCM) in the context of legal and social changes in Illinois from the late nineteenth to early twentieth centuries. The NFCM is now best known for its efforts in offering anonymous maternity and adoptive services to pregnant teens during the mid twentieth century, however, a look at its origins and the motivations behind its founding reveal that it came to occupy this space after a great deal of political and social change. Specifically, the NFCM shifted its efforts in three distinct ways: first, the original rescue missions offered homes for prostitutes who were seeking to change their lives through religious conversion (which proved to be a difficult market) but later began to primarily provide services to unwed mothers; second, the mission changed from a very strong belief that the unwed mother should maintain custody of her baby in almost every circumstance to the belief that the two should be separated (by placing the baby in and adoptive home) so that each could have a better life; and third, the early religious and evangelical motivations that permeated the early rescue efforts began to fade and be replaced by scientific, social work models based on more modern beliefs about efficiency and problem-solving.

This movement took place amidst a time of real change and revolution in America, a time known as the Progressive period. The NFCM was not unaffected by these changes and work together with other social reformers such as the Women's Christian Temperance Union and the United States Children's Bureau. The NFCM was also affected by changes in Illinois law, including the establishment of juvenile courts, changes and amendments to adoptions laws, protective legislation regarding child welfare and a host of legislation related to morality. In sum, this paper explores a changing mission in changing times.

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"If ye have tears, prepare to shed them now. . . Listen, dear friends, while we tell to you the stories which have been whispered to used by these poor girls, as with arms about them, and heart throbbing with pity for them, they have with tear-stained faces and faltering lips, confided to us the way by which they fell into the abyss of shame and sin."[1]

"In the following pages we are to tell the story of the beginning of this work and how it has been shaped and extended decade after decade. But such a story would be impossible to appreciate without at least an elementary perception of its background. That background is the lurid one of the social evil, its many ramifications, the measures taken to control it, the endless war upon it by decent society and the varying fortunes of such war. Vice, commercialized and organized as it once was or practiced voluntarily by the girl herself for her own profit, constitutes a dark region from which our girls are rescued, either after they have traversed its miry areas or while it is still merely an imminent danger. Let us see what were the conditions out of which the Florence Crittenton work arose, and how those conditions have progressively changed over our eventful half-century."[2]

I. Introduction

When Charles Crittenton opened his first rescue home in New York City in 1882, the Florence Crittenton Night Mission, he hoped to take downtrodden, victimized prostitutes off the mean city streets and give them a chance to redeem themselves through religion.[3] Undoubtedly, he had little idea of the way the beginnings of his rescue efforts would transform and grow over the next few decades. The growth happened first, allowed in large part by the financial backing Crittenton was personally able to provide and the generous contributions his speeches inspired. By 1893, 19 Crittenton homes had sprung up across the country in such cities as Atlanta and

[1] CHARLTON EDHOLM, TRAFFIC IN GIRLS AND THE FLORENCE CRITTENTON MISSIONS 127 (1893).
[2] OTTO WILSON, FIFTY YEARS' WORK WITH GIRLS, 1883-1933: A STORY OF THE FLORENCE CRITTENTON HOMES 16 (1933).
[3] Crittenton had his own conversion just prior to his involvement in rescue work, stemming from the death of his four year-old daughter, Florence (for whom his homes and later efforts were named). He was a self-made, wealthy man who found little satisfaction in the joy of his money after losing a second child to illness. For a further discussion of Crittenton's life and background, *see* KATHERINE G. AIKEN, HARNESSING THE POWER OF MOTHERHOOD: THE NATIONAL FLORENCE CRITTENTON MISSION, 1993-1925 1-32 (1998).

Denver. By 1895, Crittenton had joined forces with Kate Waller Barrett,[4] a fellow evangelical who also happened to be a medical doctor, to found the National Florence Crittenton Mission (NFCM). And by 1906, 73 Crittenton homes could be found throughout the country.[5]

The changes happened second. The NFCM was designed as a "loose federation" with independently run homes instead of a centralized control system that dictated how individual homes should be run.[6] The NFCM received a charter by and Act of Congress in 1898, the first ever granted to a philanthropic organization.[7] The mission still continued to grow as a unit (up to 78 homes in 1909)[8], and as it did, its purpose began to shift. Indeed, within just a few decades, the NFCM underwent three dramatic shifts in the way it approached its mission. First, the subject of rescue efforts began to change from prostitutes to young, unwed mothers (or single, pregnant women). Second, the intended effects on these young women changed from a deep concern for making it possible for these unwed mothers to live in society with their children to a feeling that it was best if the child went to a new, adoptive family. Finally, to a large extent the most profound tenet of Crittenton's original belief system, saving the souls of fallen young women through conversion to Christianity, faded out of the work as the religious, evangelical aspirations were exchanged for scientific, efficiency models offered by the emerging social work movement. In this paper, I will look at the path of these rescue and maternity homes in Illinois to see how the legal and social forces in play during the late nineteenth and early twentieth centuries helped to

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[4] Kate Waller Barrett was a traditional, Southern woman who was married to a prominent minister, and she functioned as a pivotal member in the Crittenton mission. An interesting mix of progressivism and conservatism, she worked tirelessly to make the NFCM a national force. Most of her work in the NFCM came after the death of her husband in 1896, no doubt freeing her from many of what would otherwise have been her wifely duties. *See id.* at 35-39. She had attended medical school for three years and had taken graduate courses in nursing. She received this education in order to inform her rescue efforts and never practiced in either field. *Id.* at 205.

[5] *Id.* at 67.

[6] MARIAN J. MORTON, AND SIN NO MORE: SOCIAL POLICY AND UNWED MOTHERS IN CLEVELAND, 1855-1990 57 (1993). To remain affiliated with the national mission in the early days, local homes had to abide by the Constitution, adopted in 1895. The Constitution stated that the government of the home should be Christian, the home should incur no debts, the home should make efforts to keep mother and baby together, and the mother and baby should be able to stay for six months after the birth. Wilson, *supra* note 2, at 41.

[7] *Id.* at 45.

[8] During the first few years after the turn of the century, the NFCM also moved abroad, setting up homes in Marseilles, Mexico City, Shanghai, and in Japan. None of these units were able to sustain themselves for long, however. *Id.* at 48.

foster these dramatic changes.[9] These shifts did not happen sequentially but often overlapped, one facilitating the other.

A. General background

During this time period, women were generally limited to roles that were assigned to them, popularly known in Victorian times as the doctrine of separate spheres and the cult of true womanhood.[10] The woman's sphere was properly concerned with family and traditional, feminine values. In keeping with that model, a woman would marry, have children, and live out her life caring for that family. She found her highest calling as a mother and a wife. Therefore, both prostitutes and unwed mothers had engaged in behavior that took them outside the moral sphere that had been set for them. They were stuck outside the social boundaries, and Charles Crittenton expressed his desire to help them live better lives in society by starting his rescue homes. His religious convictions moved him to reach out to these outcast women. The motto proclaimed on literature produced by the mission was "Go and sin no more," the idea being that Crittenton homes gave these girls a place to do just that.[11] How could they be kept from their sin if they had nowhere to go within the society?

Illinois, and Chicago in particular, was a place where many people were looking for a home and a place to go. Between 1880 and 1890 the population of Chicago more than doubled and was becoming increasingly diverse because of the influx of immigrants at the time.[12] After the great fire in 1871, most of the city had been rebuilt, but these efforts reinforced and exacerbated the class disparities that had already existed.[13] Chicago was a place of excitement: from the 1893 world's fair to skyscrapers and fashionable department stores to jazz clubs and

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[9] Rescue and maternity homes abounded during this period and were not limited to the NFCM by any means. The Salvation Army, for example, ran many maternity homes across the country, as did other private religious and non-religious entities. However, due to the more limited scope of this paper, my discussion will focus primarily on the Crittenton homes.

[10] ROBYN MUNCY, CREATING A FEMALE DOMINION IN AMERICAN REFORM 1890-1935 36 (1991).

[11] Morton, *supra* note 6, at 57.

[12] Muncy, *supra* note 10, at 11.

[13] VICTORIA GETIS, THE JUVENILE COURT AND THE PROGRESSIVES 10 (2000).

public parks.[14] It was also a place where sinners were easy to find. Much vice was tolerated within Chicago due to popular beliefs of the time that regarded vice as inevitable because of the flawed nature of humanity.[15] Even so, the majority of people in Chicago were unwilling to tolerate prostitution. The reform movement was alive, well, and ready to work in the state of Illinois.

The mission to rescue to fallen women was certainly not unprecedented in Chicago before Charles Crittenton arrived. In fact, the facility that would later become the Chicago Crittenton Anchorage rescue home was founded by the Women's Christian Temperance Union (WCTU) in 1886. The WCTU entered the business of rescue mission work because it wanted to broaden its focus to include not only men who needed to be reclaimed from the vices of alcohol but also the women who were consequently victimized by alcohol's effects.[16] In its first form, the Anchorage was called Rehoboth ("there is room"), a place where "poor creatures—victims of vice and sorrow—could come. . . for sympathy and advice, for prayer and hope."[17] When Rehoboth outgrew its first quarters,[18] the WCTU looked for a home (which became the Anchorage) "in darkest Chicago, in the very midst of villainous dens, saloons and dancehouses" where it would be of most use to the women who needed it.[19] The Anchorage transferred hands and became a Crittenton home in 1893, in large part due to the close association of Crittenton with the WCTU and also because of the financial donation pledged by Crittenton at the time.[20] Estimates indicate that as many as 4,500 women and girls received some kind of services there in

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[14] *See* ANNE MEIS KNUPFER, REFORM AND RESISTANCE: GENDER, DELINQUENCY, AND AMERICA'S FIRST JUVENILE COURT 68 (2001). "By 1912, Chicago had over 325 dance halls, 240 of which sold liquor." *Id.* at 71.
[15] *Crime—Police, Criminals and Vice*, Chicago in 1900—A Millennium Bibliography, available at http://www.chipublib.org/004chicago/1900/crime.html (last viewed May 31, 2003).
[16] Edholm, *supra* note 1, at 279.
[17] *Id.*
[18] Wilson attributes the lack of space to cold weather and lodging needs of patrons, *supra* note 2, at 249.
[19] Edholm at 280. A Miss Ames "of sainted memory" suggested that the home should always have a lily, the emblem of purity, on display in the window so that the girls "would instinctively read the mute invitation to come in and lead a better life." Such a practice was continued from that point at the Anchorage.
[20] Regina G. Kunzel, FALLEN WOMEN, PROBLEM GIRLS: UNMARRIED MOTHERS AND THE PROFESSIONALIZATION OF SOCIAL WORK 1890-1945 14(1993). Charles Crittenton was present to dedicate the Anchorage as a Crittenton Home on September 15, 1893, where he "talked to the girls with the tenderness of a father" and spoke of the repentant Mary Magdalene as the "first evangelist" who went to tell Christ's disciples that he had risen. Edholm, *supra* note 1, at 282.

the early years with approximately 400 being admitted each year.[21] Katherine Aiken sees the transfer of the Anchorage from WCTU to Crittenton hands as a significant one because where the WCTU motives were more for a young woman to find a place to rest (before she went out to the next saloon), the Crittenton goals were much loftier.[22] Crittenton workers wanted young women to enter the Anchorage and find salvation.

Predating the WCTU rescue home by quite a few years was the Chicago Erring Woman's Refuge, founded in 1863.[23] This home initially embraced the idea of separating the mother from her child and placing the bastard child in an orphanage and asylum (although records indicate that few children were born in the institution during the 1860s).[24] By 1873, however, this home and others like it enforced strict policies about what should happen to pregnant young women: they should maintain guardianship of their child in order to ensure that they would conduct themselves more responsibly once they left the homes and rejoined society.[25] Motherhood, therefore, was thought to be a curative for future sexual misconduct—the same philosophy that the Crittenton mission would embrace several years later and reject a few decades after that.

During the same decade when the Refuge got its start, attitude changes were being reflected in public policies as well. Illinois outlawed abortion in 1867 by the use of instruments and in 1871 broadened the scope of criminal behavior to include the use of drugs to induce miscarriage (without a prescription).[26] The courts were also starting to send young women to the

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[21] Wilson, *supra* note 2, at 150. For the space of a few short years, a second Crittenton home existed in Chicago, the "Beulah Home" on Fullerton Avenue, but this home ceased its affiliation with the NFCM in 1901. *Id.* at 251-252.
[22] Aiken, *supra* note 3, at 28.
[23] Michael W. Sedlak, *Young Women and the City: Adolescent Deviance and the Transformation of Educational Policy, 1870-1960*, 23 HISTORY OF EDUC. QUARTERLY 1, 9 (Spring, 1983). . The Erring Woman's Refuge began when seven or eight women, representing various Protestant churches throughout the city, banded together and agreed to start home for prostitutes; Helen D. Haseltine, *A History of the Chicago Home for Girls Founded in 1863 as the Chicago Erring Woman's Refuge for Reform*, dissertation for M.A. at the School of Social Service Administration at the University of Chicago, 12 (June, 1934). Specifically, the Refuge got its start when a pregnant and unwed young girl showed up at a Chicago minister's doorstep. The minister turned the matter over to his wife who joined forces with other sympathetic religious women to meet the needs of these erring women. *See* Knupfer, *supra* note 14, at 122.
[24] Haseltine 50.
[25] Sedlak, *supra* note 23, at 11.
[26] *Ill. Session Laws* 89 (1867) (a conviction under this law would require an abortionist to be sentences to prison for 2-10 years, unless the abortion caused death, in which case a murder statute would apply; this law also included an exception for "*bona fide* medical or surgical purposes"); *Ill. Session Laws* 369 (1871) The prescription for an abortificant had to come from "some well known and respectable practicing physician" and included a more moderate

Erring Woman's Refuge by court order, and the girls who were sent there tended to be younger than the original placements who had come there on a strictly voluntary basis.[27] Younger supposedly meant a greater chance of rehabilitation.

Media attention in Chicago focused its prurient eye on problems associated with rescue work. Newspaper reports abounded with stories of prostitution and red light districts in the city, and "conditions appeared to be especially serious" the year the Erring Woman's Refuge was founded.[28] An 1870 front page story in *The Sunday Times* (headline: "Social Leprosy, Prostitution"), estimated that 7,000 prostitutes lived in Chicago in 250 houses.[29] Similarly, for years after abortion was outlawed, any trial associated with the prosecution of that crime would receive the most coverage with respect to the young woman who sought the abortion and any humiliating details about her sex life.[30] For example, in 1916, the *Chicago Tribune* published the love letters a young woman wrote to a medical student during the time that he was on trial for her abortion-related death, and two years later the *Chicago Examiner* ran a series of excerpts from coroners' reports regarding unwed women "killed" by abortions.[31] Such stories sent a clear message of warning that "those who strayed from marriage and motherhood would suffer death and shameful publicity."[32]

The middle part of the nineteenth century also witnessed the development of adoption as a statutory construction. During colonial times, Americans placed far less emphasis on the importance of biological relationships and practiced some forms of adoption without the state's

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penalty: a fine of $50-$500 and or/ a sentence in the county jail of 30 day to six months. In spite of the fact that most women in Illinois who procured abortions were wealthy and married, the state focused its prosecutions of abortionists on the unwed, middle-class "victims." *See* Leslie J. Reagan, *"About to Meet Her Maker": Women, Doctors, Dying Declarations, and the State's Investigation of Abortion, Chicago, 1867-1940*, 77 THE JOURNAL OF AMERICAN HISTORY 1242 (March 1991). A "visible and vocal" group of physicians helped to urge the passage of this legislation, and the American Medical Association, which was headquartered in Chicago, collected data on abortionists. *Id.* at 1250.

[27] Haseltine, *supra* note 23, at 33.

[28] *Id.* at 11.

[29] *Id.* at 12.

[30] *See* Reagan, supra note 26, at 1244.

[31] *Id.* at 1257.

[32] *Id.* at 1244.

explicit involvement.[33] Over time, states became involved by passing private bills for adoption in their legislatures.[34] Massachusetts passed the first statute endorsing what we consider to be modern adoption in 1851,[35] and Illinois was not far behind, enacting its first adoption law in 1867.[36] This law provided that "any person desirous of adopting a child" could petition the court for permission to adopt. Its premise was based almost entirely on inheritance rights, although it included a provision for a name change and required the consent of any biological parents, if alive.[37]

B. Cooperative and Counter-movements

The NFCM recognized that it was part of a larger social context, and saw this fact as a strength. The mission was responding to the needs of the times because "no such movement can exist by itself. It must ride on the currents of its times, modifying and being modified by the ever-changing tendencies within the society of which it is part."[38] In other words, the NFCM was not afraid to work with other groups to accomplish its goals and was not afraid to change with the times.

The Chicago area was a perfect place for reformers to work and a stronghold for evangelicals like the WCTU or for non-religious reformers like Jane Addams, who founded the Hull House there in 1889. The WCTU concerned itself with woman's suffrage as a way to "exterminate the liquor traffic and therefore the social evil."[39] The connections of the WCTU's mission to the Crittenton mission were parallel in many ways, both using a religious baseline as a way to redeem society from the immoral effects of an urban and modern culture. For example, the issue of suffrage was viewed as intimately connected with protecting women's purity: "It is a

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[33] E. WAYNE CARP, FAMILY MATTERS: SECRECY AND DISCLOSURE IN THE HISTORY OF ADOPTION 5 (1998).
[34] *Id.* at 7. These bills were often primarily concerned with name changes. Massachusetts, for example, passed 101 such acts between 1781 and 1851.
[35] *Id.* at 7. Most states had enacted similar legislation by the end of the century. JULIE BEREBITSKY, LIKE OUR VERY OWN: ADOPTION AND THE CHANGING CULTURE OF MOTHERHOOD, 1851-1950, 21 (2000).
[36] Minors, *Illinois Session Laws, 1867, p. 133-134.*
[37] *Id.*
[38] Wilson, *supra* note 2, at 5.
[39] Edholm, *supra* note 1, at 287

significant fact that in the only two states where women have full suffrage, Wyoming and Kansas, there the 'age of consent' is eighteen years."[40] These women sought temperance through a Christian perspective because of similar motives: "Every man who votes for license of the saloon, high or law, votes to send thousands of girls to the horrors of the brothel."[41] Indeed, Charles Crittenton was the first man offered a position as an officer in the national WCTU organization,[42] and WCTU members functioned as workers in Crittenton homes well into the twentieth century.[43]

Another faction was growing based on the needs of "the child," also known as child welfare or child rescue, and Illinois was on the cusp of this movement. Illinois established the first juvenile court (JC) in the country in 1899.[44] Congress authorized the U.S. Children's Bureau (USCB) in 1912, three years after President Roosevelt hosted a White House Conference on the needs of dependent children.[45] The Chief of this new federal agency, the USCB, was none other than the prominent Hull House resident and Illinois JC agitator, Julia Lathrop.[46] Policies spawned at this movement's outset were first concerned with rescuing children from institutional care (orphanages) and finding suitable care in a home environment (foster care).[47] Chicago also became home to the highly influential Juvenile Protective Association. These reformers were concerned with children of all ages, and were connected with the fallen women rescue efforts in

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[40] *Id.* The age of consent in Illinois in 1893 was 14.
[41] Edholm, *supra* note 1, at 153.
[42] Aiken, *supra* note 3, at 29.
[43] Charles Crittenton and Francis Willard, the head of the WCTU regarded each other as "kindred spirits" from the time they first met at a WCTU convention in 1892. Crittenton had been a candidate for mayor of New York City on the Prohibition ticket in 1883. *See* Wilson, *supra* note 2, at 38.
[44] The gender story of the passage of the first JC act is an interesting one that is beyond the scope of this paper. Suffice it to say that the Chicago Women's Club (CWC) joined forces with the male-dominated Illinois State Conference of Charities and Corrections and the all-male Chicago Bar Association, which in turn garnered the support of the *Chicago Tribune's* editorials. The CWC used the male counterparts that they needed to get the law passed, and while the bills were being debated in the legislature, the CWC made sure that its appointed delegates were present to "look after" the bill. Getis, *supra* note 13, at 33-41.
[45] BARBARA MELOSH, STRANGERS AND KIN: THE AMERICAN WAY OF ADOPTION 3 (2002).
[46] Carp at 22.
[47] Melosh, supra note 45, at 3. Of course, when the USCB started abolishing orphanages, the children who had been housed there would need somewhere to go, and most people would have expected adoption to be a natural solution. Therefore, adoption gained some momentum in society in general, though the dispute over adoptive homes for infants was still a few years down the road.

two ways: first, many fallen women were young enough to fall into the category of juveniles, and second, where the young woman delivered a child, a new juvenile entered the picture.[48]

The Cradle Society stood in opposition to many of the Crittenton policies and goals. As Chicago's first adoption agency, The Cradle responded to neither the child's needs nor the needs of the unwed mother. Rather, The Cradle was staffed by "upper-class female amateurs" who "vigorously recommended adoption for children born out of wedlock."[49] The focus of The Cradle, unfortunately, was selling infants to wealthy childless patrons, with no other religious or reform ideals in mind.[50] The Cradle's workers made no efforts to use professional social work methods or to learn about adoptive parents suitability.[51] The Cradle took children in and passed them along, neglecting to keep records because the process was "superfluous and too costly."[52] Such institutions came to be known as "baby farms" and had the effect of harming perceptions about adoption.[53] Given these two competing philosophies on adoption, the state legislatures had to be ready to respond.[54]

C. Who were the rescuers?

Individuals who founded and staffed Crittenton maternity homes were predominantly white, female, middle-class, Protestants who came to the homes to do God's work on earth.[55] "Work" is the operative and interesting word. The vast majority of Crittenton workers would

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[48] "What may we think of punishment or even of neglect of the unmarried mother when we contemplate the essential fact that, whereas most infraction of laws coincides with destructive results, here we have a law-breaker as a constructive agent, giving as concrete evidence of her 'misbehavior' nature's highest product, a human being. She becomes truly an object of great concern for us." PERCY GAMBLE KAMMERER, THE UNMARRIED MOTHER, A STUDY OF 500 CASES x (1918) (from the introduction by William Healy) (reprinted in 1969 by Patterson Smith). Interestingly, William Healy was instrumental as a psychologist in forming aspects of the JC in Illinois. Julia Lathrop brought him into that project in 1908. Getis, *supra* note 13, at 2.

[49] Carp, *supra* note 33, at 20.

[50] *See Id.*

[51] *Id.* at 26.

[52] *Id.* at 68.

[53] *See* Berebitsky, *supra* note 35, at 32.

[54] The 1915 amendments to the Illinois adoption law appear to have been motivated in part by reaction to the JPA exposé on baby farms, *The Care of Illegitimate Children in Chicago*, which reported that most children sent to such institutions died instead of being placed with adoptive families, and that these intuitions took advantage of mothers in difficult situations. Howard Moore, *The Care of Illegitimate Children in Chicago,* 10-11 (December, 1912). The 1915 adoption amendments required the appointment of a guardian *ad litem* if the mother is a minor. The situation described by Howard Moore also likely contributed to the 1916 enactment of the Vital Statistics Act, which required the registration of all birth records with the department of public health.

[55] Kunzel, *supra* note 20, at 10.

have been Protestant women who believed that their work in the missions was an extension of their religious beliefs and their duties as women (in keeping with the separate spheres doctrine).[56] In fact, workers in the early Crittenton homes did not profess to have any special skills or training that a social worker may have had, but rather they were present in the homes because they were "called" to the work.[57] These were "mother-hearted women"[58] who took the larger community into their lives to care for it as a mother would.

What they were doing was "work" more in the sense of fulfilling a religious service than it was work in the sense of being hired to do a job. In 1903, Kate Waller Barrett wrote *Some Practical Suggestions on the Conduct of a Rescue Home.*[59] This book contains valuable insights into Barrett's approach to her work and her ideas about the individuals who should serve as workers in the Crittenton homes.[60] In short, she expected that anyone who worked in the mission would be there because of a total commitment to the work as a whole, having an interest that "does not belong to the individual, but to the work."[61] If these workers did not have a firmly-rooted belief in their work, it was not likely that they would stay with the organization. Crittenton workers were often unpopular among society at large because they were in such close contact with the unsavory members of society. Neighbors opposed their presence, and in Los Angeles, residents went so far as to get a temporary injunction against the opening of a Crittenton home based on the theory that its presence would bring down property values.[62]

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[56] Morton, *supra* note 6, at 39.
[57] *Id.* at 54. Morton's research is based in Ohio, not Illinois, and reveals that the transfer of power from religious to social work models did not happen in Cleveland till the 1940s—something that was not true of the main Chicago Crittenton home where the transfer occurred in the 1930s. Kate Waller Barrett would certainly have been an exception because she did have special training of a scientific and medical nature, and that training was geared toward her maternity work.
[58] Edholm, *supra* note 1, at 280.
[59] KATE WALLER BARRETT, SOME PRACTICAL SUGGESTIONS ON THE CONDUCT OF A RESCUE HOME (1903).
[60] The roots of Barrett's interest in redemptive maternity work stemmed from an experience in the early years of her marriage to a minister. She had recently given birth to a child, and one evening a needy, unwed mother came to the door of the minister's home seeking assistance. Barrett was moved by the similarities between them and despaired over the different path their lives would take because one was married and the other was not. She felt that each of them ought to be on equal footing, at least as far as their roles as mothers were concerned. *See* Aiken, *supra* note 3, at 34-35.
[61] Barrett, *supra* note 59, at 67.
[62] Aiken, *supra* note 3, at 104.

Commitment to the work was not enough, however, and people working within the mission were expected to adhere to the governmental system that had been set up. A board of treasurers (male) governed the finances. A board of managers (female) determined the overall policies and hired the matron, who would manage the activities of an individual home and oversee her staff of female workers.[63] Even though women were predominantly in charge of the homes' management, they did not view this fact as a deviation from their sphere. The theory was that this sort of mission was best accomplished by women because of the delicate nature of the work with these erring girls. Even the physicians kept on staff within the home were expected to be female according to NFCM guidelines as late as 1907.[64] Barrett maintained that men could have a general interest in the work but they ought not to become personally involved because "every time a woman discusses this subject with a new man, she lowers her dignity and the standard of purity."[65] A matron could not afford to lower any standards. She was expected to be the epitome of self-sacrifice, and by so doing, she would pass her attitude on to the lower ranks. [66] Workers at the lowest levels would have to be self-sacrificing because they likely would be unpaid volunteers.[67] In keeping with the rhetoric of the time, these were sisters helping sisters and women doing womanly work.[68]

The fact that these women were involved in this reform movement meant more than confining their work to the proper Victorian sphere. As Robyn Muncy explains, the motivations were more complicated, and women became reformers because first, the home was the female dominion, and the community was viewed as an extension of the home; second, unwed motherhood was appropriate for women reformers because it concerned women and children;

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[63] Barrett 72-73.
[64] Morton, *supra* note 6, at 60. *See also* Aiken, supra note 3. Female physicians were on staff whenever possible because they were supposedly more sympathetic to the fallen woman, and it was more appropriate to discuss the delicate matters with other women.
[65] *Id.* at 75.
[66] Barrett, *supra* note 59, at 12. Note that a worker of lower ranks was described as "a trim girl whose badge of authority is a neat white apron and muslin cap." *Id.* at 15.
[67] *Id.* at 60.
[68] Kunzel, *supra* note 20, at 11.

third, their middle class status allowed them to function as "mediators between the classes;" and finally, the women would not have been able to devote themselves to professions that were not available to them.[69] In fact, this final factor may have been most prominent for the social work movement workers as opposed to evangelicals. During the growth of the social work movement, women educated as social workers were becoming an increasingly professionalized and cohesive group—and in that respect began to gain a status that religious reformers neither sought nor could have obtained. Moreover, Crittenton work can be characterized as feminist in at least two specific ways. Charles Crittenton preached unceasingly about the need for equal sexual purity for both sexes. Second, Kate Waller Barrett's efforts were often concerned with elevating the level of medical care that women received.

To say that all Crittenton workers were female would be an overstatement. With a male at the head of the mission, and given men's relationship to women's sexual promiscuity, male workers did emerge to work for the mission at lower levels from time to time. Charlton Edholm tells the story of one male worker who was called to the work as follows: "A man who called himself a gentleman, though he frequented houses of shame" requested "a 'fresh' article" from the brothel keeper. This keeper in turn developed a plan to "trap" a young school girl she had frequently seen walking by on her way to school. Using a ruse and "an old colored woman," she lured the girl into the house and locked her in. The patron was informed of the new girl that had been obtained for him: "hurriedly he went, and as he opened the door of the bedchamber, the girl rushed and threw herself sobbing on his bosom, with the words 'Oh, papa! I'm so glad you've come. They've locked me in here for something—I don't know what—and I was so afraid. How *did* you find me papa?'"[70] This kind of rhetoric depicts the innocence of the victimized girl in context with the reform needed for men as well. The juxtaposition draws sympathy for the helpless schoolgirl and shame to the immoral male. The father, upon his conversion to the

[69] Muncy, supra note 10, at 36.
[70] Edholm, *supra* note 1, at 144.

movement, would still likely place the most emphasis on helping young girls instead of preaching against sin among the male patrons of local brothels.

Reform was not, of course, limited to white members of society. Although far fewer in number, maternity homes did exist for African-Americans. Such maternity homes typically operated as segregated versions of the white maternity homes.[71] Interpretations of purpose may have varied,[72] but the emphasis was the same: sexual purity meant confining sexual relations and childbearing to marriage.[73] The NFCM had a maternity home in Alexandria, Virginia staffed by African-American workers and dedicated to serving African-American women by 1901, and by 1908 there were at least eight such homes across the country (though not all were Crittenton homes).[74] Sarah Malone, an African-American rescue worker who later worked for the NFCM, founded a Topeka rescue home in 1904 to serve non-whites.[75] Kate Waller Barrett was from a Southern, slave-owning family herself and her attitude regarding race was ambivalent. While she struggled to overcome prejudices of her own, she did help the NFCM's efforts to serve non-white victims.[76] Even so, evidence suggests that opportunities to take advantage of maternity home services were severely restricted for non-white patrons.[77]

D. Who were the rescuees?

Barrett's instructive manual likewise illuminates the discussion of who these mothers were: diverse but not *that* diverse. Barrett's book referred to women from a more upper-class background who would need to be taught how to work hard as well as those women who were

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[71] Laws in Southern states, for example, would have prevented segregated homes altogether.
[72] Maternity work among African-Americans was inextricably intertwined with efforts to improve racial status in a way that predominantly white efforts were not.
[73] Kunzel, *supra* note 20, at 13.
[74] *Id at 13.*
[75] The Topeka Home did not become a Crittenton home until several years later. Aiken, *supra* note 3, at 133.
[76] *See id.* at 130-131. Aiken explains that Barrett had literally owned her own slave, having "received a slave as a birthday present" when she was a girl. Upon later reflection, Barrett came to understand the cruelty and degradation of slavery in her own terms. She saw the way that slavery resulted in a loss of self-esteem and independence , and explicitly compared that to the white-slave victims she would later help.
[77] Those institutions that accepted non-white usually limited those admissions to 10 percent. Sedlak, *supra* note 23, at 7. Furthermore, if a facility like the Chicago Home for Girls cared for a pregnant young woman of color, as reports indicate happened from time to time, she would not deliver her baby in the same facility as white women. Rather, she would be sent to Cook County or (the African American) Provident Hospital. Knupfer, *supra* note 14, at 125-126.

from poorer backgrounds where crude manners and conversation was supposedly more common. Plus, increasing proportions of the inmates were likely immigrants or the children of foreign-born parents.[78] In other words, a typical Crittenton home would cross class lines. However, these young women were likely to share the characteristics of being young, white, and first-time offenders (i.e. pregnant for the first time). The poorer classes were likely to be represented in higher numbers, if only because they would have had less access to contraceptives and abortion.[79] On the other hand, poorer women would have been less able to commit six months of their lives to redemption in a Crittenton home—they needed to work. While the backgrounds of these individuals may have been different in many ways, they would have shared one important, common trait: "their marketability as respectable wives had been diminished."[80]

Because of the nature of the issues surrounding unwed pregnancy, records regarding the decision to enter a maternity home are sketchy at best.[81] Primary sources by unmarried mothers are virtually non-existent.[82] It is therefore difficult to say how much choice a young woman may have had (or thought she had), how much her parents may have been involved, or what other factors may have entered into the minds of decision-makers.[83] Furthermore, many of the women ended up in the homes because they were recruited by workers who roved the streets looking for erring girls who may be in need of the services they could offer. [84]

Literature from this period depicts an alternative ending should a woman choose to go it alone in having a bastard child. A 1912 text concerned with informing the Chicago public about

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[78] Sedlak, *supra* note 23, at 7.
[79] Morton, *supra* note 6 , at 124.
[80] Sedlak , supra note 23, at 4.
[81] Staff members would not have spoken extensively with the young women about their situations, and they typically only used first names or nicknames. *Id.* at 7.
[82] Kunzel, *supra* note 20, at 6.
[83] In fact, not all girls sent to Crittenton homes would have had any choice in the matter at all. Some of them were sent to the homes by courts that used the homes either as holding places for juvenile offenders who were in detention while awaiting trial or who were "sentenced" to the homes. A 1914 estimate by the president of the NFCM specified that one quarter of girls present in the homes at that time were referred by the court. She viewed these referrals as a way of expanding the mission's work, and notably it was also a way for the mission to expand its financial means. Kunzel, *supra* note 20, at 15-16.
[84] *Id.* at 15-16. Such recruiting efforts were particularly true in the early days of the mission when the target clientele was prostitutes.

the evils of dance halls and white slavery, tells the "true story" of "The Tragedy of the Young Mother."[85] This story takes an innocent young woman quickly through the ropes of dance hall, pregnancy, abandonment by the child's father, prostitution (because she can't otherwise afford to keep the child), and finally to suicide. If such a narrative was perpetuated and believed, it makes sense that a pregnant woman would at least consider the maternity home as a viable intervener between her and prostitution or suicide. Kate Waller Barrett recognized and accepted the fact that Crittenton homes were often a last resort for those who entered.

While the entering girl may or may not have been interested in finding religion within the maternity home, she would have to at least be willing to submit to a prescripted lifestyle within the home. The Crittenton workers, after all, were set to redeem them, and in order to make sure that this redemption was able to take place, Crittenton homes expected "entire control" of the young women who entered.[86] As such, the girls became part of a strictly run Crittenton family where their time was regulated from morning till night. They shared household chores in a managed fashion, engaged in Bible study regularly, and took educational or vocational courses with increasing frequency. Over time, vocational courses in the homes offered other alternatives such as clerical or nursing work.

For girls who did not "fall" in the city but who came from rural areas, the big city rescue homes offered a perfect solution. These women, if pregnant and unmarried, would come to Chicago from surrounding small towns in search of an anonymous way to protect themselves and their families from shame.[87] Ironically, the city therefore became a refuge from vice in and of itself, contrary to popular beliefs at the time, which blamed supposed problems of indecency and degradation on urbanization.[88] This confusion about the origin of the unwed mothers in city

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[85] H.W. LYTLE AND JOHN DILLON, FROM DANCE HALL TO WHITE SLAVERY: THE WORLD'S GREATEST TRAGEDY 52-66 (Chicago, 1912).
[86] Barrett, *supra* note 59, at 40.
[87] Sedlak, *supra* note 23, at 4.
[88] *See Id.* at 5. Crusaders at the time blamed most social misconduct on the "amusements" that the big cities offered: dance halls, saloons, public theaters, parks. Such locations offered temptations in the form of un-chaperoned mixing of the sexes and freedom from close scrutiny that would have been present in smaller communities.

homes contributed to the belief that the city was responsible, and the USCB, for example, tracked data about illegitimate births only to find that "in most cases, the city rate is higher than the rate for the state in which it is located," without considering this alternative explanation:[89] more illegitimate births in the city does not necessarily mean more illegitimate conception took place there.

These women were hampered by the lack of available employment opportunities in more ways than one. Many of the women who would end up in a rescue home would have previously been employed in domestic service, where unwanted pregnancies were "the principal occupational hazard."[90] In other words, while not many jobs were available to single young women, the jobs that were available were likely to result in consequences that would further decrease their employability down the road (in the event that the young woman became a mother). Either way, the Crittenton workers looked to "the large and constantly increasing army of working girls, living away from home without responsible guardians to look after there welfare" as a reason to urge that the state should fill this void "so far as strict laws can protect them."[91]

The USCB also weighed in with its opinions on which girls were likely to be unwed mothers. According to the USCB, they could "be divided into the following types: (a) the mentally subnormal girl. . . (b) the young, susceptible girl, unprotected from dangers. . . (c) the more mature young woman of good character who is led by false promises or who weakly or

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[89] U.S. Children's Bureau, *Proceedings of the Third Annual Conference of State Directors in Charge of the Local Administration of the Maternity and Infancy Act, Bureau Publication No. 157* 5 (1926). In 1922 and 1923, Illinois reported that 13.2 and 12.7 per 1000 live births were illegitimate, and Chicago failed to keep such statistics. Even so, as the USCB and other sources freely admit, such rates are hugely unreliable. *Id.*

[90] Sedlak at 6, citing figures that indicate that "virtually all of the shelters for fallen women listed some variety of household service following the names of 50 percent of the women they admitted and four-fifths of those whose occupations could be determined."

[91] CHARLTON EDHOLM, TRAFFIC IN GIRLS AND FLORENCE CRITTENTON MISSIONS 77 (1893).

rashly follows instincts. . . [and] (d) the really delinquent girl or woman who knowingly chooses antisocial conduct.[92]

It is worth mentioning that the issue of rape[93] was likely to have been involved in many cases that ended up in maternity homes. Once a girl turned 14, she was legally responsible for consenting to intercourse, making a charge of statutory rape impossible unless the pregnancy occurred before a girl turned 14.[94] There would be cases, then, where a girl may consent to intercourse (setting the argument of coercion aside), but still receive some legal protection from the rape laws, as happened in a case before the Illinois Supreme Court, People v. Duncan.[95] In Duncan, the court goes into a great deal of detail about the situation of a young, white girl sent to work as live-in help for a family where she engages in intercourse with her employer, gets pregnant, and ends up in a Chicago maternity home. This case is on the records because of her age, 13, and the ensuing statutory rape charges brought (and upheld) against the employer. More often, however, the descriptions of what brought the women to maternity homes bordered on a more subtle kind of rape. Put another way, those who ran maternity homes would cling to the idea that young women really were pure, innocent and vulnerable, and if they lost their virtue it was because some unscrupulous fellow took advantage of them. Therefore one of the interesting paradoxes that surrounds the theories on which evangelical maternity homes were based was the idea that they had to be redeemed from their fallen state, although according to the same rhetoric, they would not generally have been responsible for it.

II. Shift 1: From rescuing prostitutes to rescuing unwed mothers

Although Charles Crittenton did not open his first rescue home till 1882, homes to rescue prostitutes from the streets had already been around for decades (if not longer). In Cleveland, for

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[92] U.S. Children's Bureau, *Proceedings of the Third Annual Conference of State Directors in Charge of the Local Administration of the Maternity and Infancy Act, Bureau Publication No. 157* 12 (1926).
[93] Reformers at this time were reluctant to use rape because it reflected a girl's supposed desire to "excuse" herself from her sin—another example of the Victorian paradox of the fallen woman as simultaneous victim and sinner.
[94] Revised Statutes of Illinois, Chapter 38, Section 237 (1899)
[95] 103 N.E. 1043 (Ill. 1913)

example, the Women's Christian Association had been operating such shelters beginning in the 1830s, [96] and places like the Erring Woman's Refuge had been functioning in Chicago for a couple of decades. These rescue efforts paired well with religious motives because the initial efforts did not focus their concern on pregnancy and childbirth. The goal was to offer religion to women who had gone astray and redeem them through the ministry. Social effects were important but secondary to the religious message that Crittenton held dear at the time he founded his first mission.

Society in general was becoming increasingly concerned about the effects of prostitution on its young daughters, and the Illinois and U.S. legislatures were responding with statutory interpretations of the moral concerns of society. In 1874, Illinois passed a bill that outlawed the abduction of women for immoral purposes,[97] and in 1887, Illinois put two new laws on the books specifically related to prostitution's reach to the innocents: first, Illinois criminalized the act of inducing a female to enter a brothel,[98] and second, it became criminal to detain a woman in a brothel.[99] By 1899, Illinois stepped even further into morality by criminalizing the seduction of unmarried females.[100] Legislation passed in 1907 forbid the admission of minors to dance halls where liquor was served.[101] Chicago organized a Vice Commission to investigate the problems in the city associated with alcohol, gambling, prostitution and organized crime. Even so, the concerns about trafficking in women (i.e. trapping women into prostitution against their will) continued to escalate until the Illinois congressman, James R. Mann, introduced the Mann Act in the U.S. House in 1909, which prohibited the transfer of women across state lines for an "immoral purpose."[102] This legislation passed the next year without much dissention because no

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[96] Morton, *supra* note 6, at 41.
[97] Abduction, Illinois Session Laws, 352 (1874) (making it criminal to take "any unmarried female of a chaste life and conversation from the parent's house or wherever she may be found, for the purposes of prostitution and concubinage").
[98] Annotated Statutes of Illinois, 339 (1887).
[99] *Id.*
[100] *Illinois Session Laws* 305 (1899).
[101] *Illinois Session Laws* 305 (1907).
[102] Bernard A. Weisberger, *Morals, Mobility and the Law*, 24 REVIEWS IN AMERICAN HISTORY 471 (1996).

one wanted to take a stand against the evils of "white slavery."[103] In short, the country—and Illinois in particular—was ready and willing to legislate moral issues connected with prostitution. A 1911 report issued by the Chicago Vice Commission, *The Social Evil in Chicago*, recommend the establishment of a Morals Court (which became a reality shortly thereafter), and by 1914, the city of Chicago had a specialized Morals Commission as well.[104] The Vice Commission's report persuaded the mayor of Chicago (reluctantly) to move away from policies that segregated the red light districts and move toward eradication policies.[105]

With respect to the Crittenton homes, the shift from rescuing prostitutes to rescuing unmarried mothers began when Crittenton joined forces with Kate Waller Barrett in 1893. Barrett had been operating a maternity home in Atlanta prior to their meeting. The two had similar religious goals, prompting Barrett to ask Crittenton for funds,[106] and shortly thereafter they created a partnership.[107] Reform for prostitutes and maternity work came together as dual goals for the Crittenton homes from 1893 until the death of Charles Crittenton in 1909, when Barrett became sole president of the NFCM. At that point, Barrett chose to make maternity care the primary focus of the mission's work, and most of this shift transpired between 1910 and 1920.[108]

That this shift took place during this decade is also undoubtedly connected to the passage of many of the bills listed above. In addition, in 1907, Illinois amended the adoption law to include a provision that allowed single mothers to consent to the adoption of illegitimate children without the father's consent. The NFCM was able to look to the state's involvement and declare victory in the war against the evils of prostitution. Looking back, the NFCM claimed that "the

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[103] *Id.* at 473.
[104] The Morals Court was established to hear cases connected with prostitution, brothels and obscenity. *See* Juvenile Protective Association of Chicago, *Illinois Manual of Laws affecting Women and Children* 174 (1922). Due to the reports by the JPA and the Vice Commission, the JC saw in steep increase to female delinquency based on immorality between 1909-1912. Knupfer, *supra* note 14, at 91.
[105] *See* Wilson, supra note 2, at 26.
[106] Crittenton had made his fortune prior to his religious conversion and was thereafter known as the "millionaire evangelist" or the "merchant evangelist."
[107] Kunzel, *supra* note 20, at 16-17.
[108] *Id. at 16-17*

conduct of prostitution as an organized business, protected by and paying tribute to the police, is largely a matter of the past."[109] This transition therefore reflects more than just a personal preference on the part of Barrett. World War I, for example, offered fuel to the fire against prostitutes, and rescue workers were not immune to the fear of the "specter of the syphilitic prostitute."[110] Furthermore, rescue workers could justify these changes with respect to the social mission of their work because saving unmarried mothers in a religious sense would have beneficial social repercussions. Those mothers who received Crittenton homes' services could likely be spared from prostitution, as in the tale, "The Tragedy of the Young Mother" described above. Hence, the slogan of the Chicago Anchorage was "Every girl saved is a public asset. Every girl lost is a public menace." Instead of saving prostitutes, reformers were saving girls *from* prostitution and benefiting society to boot.

The NFCM's concerns did center on women's interests in general, and the mission tried to tailor itself to helping women in general. Prostitutes were often a less willing clientele because they didn't have the same kind of immediate need for services as would a pregnant young woman. Therefore, shifting the rescue mission to the unwed mother could arguably have allowed the NFCM to save more young women by engaging them in redemptive maternity efforts—because of a unique need, the unwed mother would be more likely to volunteer to play the role of rescuee. In 1933, Otto Wilson published a retrospective on behalf of the NFCM and characterized this shift as a realization by the mission that "the effort and money involved [in rescuing prostitutes] were out of all proportion with the tangible results achieved."[111] They hoped to get better results from preventive efforts.

Moreover, the NFCM did not shy away from arguments about gender and how a woman's status (and inability to vote) would make her an easy target. The 1893 work, *Traffic in Girls and Florence Crittenton Missions*, repeatedly calls attention to injustices against women,

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[109] Wilson, *supra* note 2, at 11.
[110] *Kunzel* at 18.
[111] Wilson, *supra* note 2, at 8.

most particularly asking "why does the punishment fall so heavily upon the woman and so lightly upon the man? *Perhaps if women had something to do with making the laws justice would be done to womanhood*" (emphasis original).[112] This argument has more force with respect to the burdens of pregnancy and childcare than it does with respect to prostitution.

Around the turn of the century, many other groups of reformers were shifting and tailoring their own missions. Long before World War I, one group of reformers had been working to bring about legislation that would protect minors as a distinct class: this protection came, in part, in the form of the JCs.[113] In 1899, Illinois enacted a statute that would form the first JC in the nation, "an act to regulate the treatment and control of dependent, neglected and delinquent children."[114] This Act defined delinquency as "any child under the age of 16 years who violates any law of this State or any city or village ordinance."[115] Shortly thereafter, groups like the Juvenile Protective Association of Chicago and the Juvenile Psychopathic Institute sprang up.[116] In 1907 the JC act underwent several shifts as it was amended to include a wider group of minors.[117] In a similar and related vein, the Erring Women's Refuge was changing from a home for fallen women to a reform school for girls. Each group continued to find its own niche in the changing times of the Progressives.

Even though female offenders could and did break many different sorts of laws, early JCs made no distinction between the pregnant young women and the other offenders—both groups would be sent to the same institutions by the same branch of the court.[118] For young women who lived in urban areas, delinquency generally was thought to take the form of sexual misconduct. All types of young women were treated alike, but they were not treated the same as their male

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[112] Edholm, *supra* note 1, at 78.
[113] VICTORIA GETIS, THE JUVENILE COURT AND THE PROGRESSIVES 33-36 (2000).
[114] Il sessions laws, 1899, p. 131. The act applied "only to children under the age of 16 years" and established special courts to hear juvenile cases in counties with at least 500,000 residents.
[115] *Id.* at 132.
[116] Haseltine at 54-55.
[117] Ill. Session laws (1907). The JC Act claimed jurisdiction over anyone under the age of 21, and it specifically expandedd the definition of delinquency to include young women 18 and under and young men 17 and under.
[118] Michael W. Sedlak, *Young Women and the City: Adolescent Deviance and the Transformation of Educational Policy, 1870-1960*, 23 HISTORY OF EDUC. QUARTERLY 1, 2 (Spring, 1983).

counterparts.[119] Mary Bartelme, the first female judge appointed to the JC in Chicago, believed that she and other women judges were needed to hear the "special" problems of girls because they would have a unique understanding of the problems girls faced in trying to garner male attention.[120] In fact, if an unwed mother entered the system for sexual misconduct, she would end up back in the juvenile court again if she chose to pursue a bastardy claim against the father of her child; In 1922, an Illinois Appeals Court held that bastardy claims must be confined to juvenile courts, and county courts would have no jurisdiction.[121] This decision is consistent with the growing powers of the JC and the growing movement to protect illegitimate children for their own sake.

The courts had the power to commit (if not convict) the young women who came into its chambers. Because the JC relied on private institutions to subsidize the care of its wards, a symbiotic relationship developed between the court and places like a Crittenton home: the homes were able to collect limited fees from the county for the cost of housing the charge,[122] and they were able to take charge of an individual's "treatment" without much interference from local authorities.[123] Typical commitment lengths in the homes were around 2 years, due partly to the fact that "the process of reclamation was slow."[124] During that two years, every aspect of the girl's life would be closely scrutinized and monitored. She would spend time learning how to be a mother, a domestic servant, a Christian, and a citizen. As the age of admissions decreased, the importance of general educational courses increased.[125] In these ways, the courts and the private reformers worker in tandem based on shared beliefs about helping society and children.

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[119] *Id.* Also, after a conducting a three year study, Sophonisba Breckinridge and Edith Abbott released a 1912 study noting that 80 percent of girls in the JC faced charges on immorality, compared to 2 percent of boys. Knupfer, *supra* note 14, at 92.
[120] Sedlak at 5-6.
[121] *Florke v. Fenelon*, 224 Ill. App. 213, 214 (1922).
[122] After 1900, in Illinois the counties paid a per diem for each young woman it committed to a private facility. Sedlak at 12.
[123] *Id.* at 3.
[124] *Id.* at 7.
[125] *See id.* at 8. The average age fell from 22 to 15 toward the end of the 19th century.

Other Chicago rescue homes were also seeing a shift in the kinds of girls they took in as charges. The Chicago Erring Woman's Refuge superintendent noted in an annual report for 1894 (some 31 years after the refuge's opening and five years before the establishment of the JC) that their shelter had transformed from a place to reclaim the fallen woman to "an industrial school for delinquent girls,"[126] complete with its own probation officer.[127] In keeping with this shift, the Refuge changed its name to the Chicago Refuge for Girls. In 1910, the Refuge had three public school teachers, employed by the city at its service offering instruction to residents.[128] In 1914, it became the Chicago Home for Girls. Because female delinquency continued to take many forms, the Home for Girls would still take charges that were similar to those found in Crittenton homes. But given the closer relationship the Home took to the courts, it began to see the court intervening on behalf of the child (i.e. making determinations about separating the mother and child).[129] Crittenton homes would have been able to resist these interventions for many years to come.

III. Shift 2: From keeping mother and child together to separation by adoption

In the early days of the maternity homes, the Crittenton method engaged a six-month rule. Young women were expected to stay living in the home for six months after giving birth, as they continued their religious training and secular training that would enable them to return to the world and support themselves along with their new child in a respectable way. [130] In fact, Barrett explains in her manual that she knows some young women may come to these homes expecting to give up their children, the matron and workers should not consent to such an eventuality because it is the act of becoming and living as mothers that gives these girls the best opportunity

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[126] *Id.* at 9, quoting records from the Refuge.
[127] Haseltine at 54. In fact, a member of the board of managers of the Refuge attended every session of the JC during the first two years of its existence.
[128] Sedlak at 9-10.
[129] The court hearings would happen typically when the probation officer was concerned about the effects of the girl's home once she was released. The state intervention could be severe. At the hearing, the court would hear a nurse's statement and devise a plan for the mother and child—the mother "has generally not been informed as to the details of this plan, as she usually takes no part in making it." Haseltine at 142.
[130] Barrett at 44.

to truly reform themselves.[131] Indeed, during this six-month period, the young women attend religious services inside the home in order to create an isolation from the outside influences of the world.[132] Even given this time and effort, however, the girls' erring ways were not always mended permanently. Should these girls become pregnant again after time in a Crittenton maternity home, Barrett would expect them to have "the grace to go where no one knew they were ever an inmate of [the] Home."[133] Recidivists be warned. After all, the only price the girls had to pay for their time in the home was measured in their submission to the religious doctrine: "all the recompense which we desire is to see her saved and taking place on the side of right."[134]

Even so, there would be prices to pay upon returning to society—namely costs of food and housing and childcare, and the mother would typically be expected to pay them alone. Laws did exist in Illinois throughout the period that were designed to financially protect the child of an unwed mother: a bastard child. These laws operated as a civil remedy for the mothers, who could sue the father of her child in hopes of gaining access to some financial support.[135] However, such suits were difficult to win, and an attorney might advise a young woman that she would be more likely to collect if her parents (i.e. her *father* and not her mother) sued for the loss of the daughter's services.[136] Given these sorts of limitations, it made sense economically as well as socially for mothers to look for other solutions to the problems of offering the best care to their babies besides seeking the father out for a lawsuit.

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[131] *Id.*
[132] *Id.* p. 34
[133] *Id.* p. 89
[134] *Id.* p. 17 Note, however, that maternity homes did collect fees from their residents, a practice that became routine by the 1920s. Kunzel at 70.
[135] And thankfully, bastardy laws did exist, at least in theory. The first bastardy statute was enacted in Illinois in ____. Mothers of illegitimate children had no such remedy at common law. *See Vetten v. Wallace*, 39 Ill. App. 390 (Ill. App. 1891).
[136] *See* CATHARINE WAUGH MCCULLOCH, MR. LEX, OR THE LEGAL STATUS OF MOTHER AND CHILD 30-33 (Chicago, 1899). for a discussion of the legal rights of women in Illinois regarding unwed motherhood. Waugh uses the fictional Lex family to describe the rights of women in general at the time. A real family, the Murtlands, brought such a suit against a man (Mr. White) who impregnated Mr. Murtland's 12 year-old daughter. When the daughter was induced by Mr. White to get an abortion and was subsequently made ill, the Supreme Court of Illinois held that Mr. White owed Mr. Murtland damages for the loss of her services, the loss of her society and the dishonor to the family. *White v. Murtland*, 71 Ill. 250 (1874).

Adoption was a natural alternative for women who truly wanted to return to society with their sins wiped away without the badge of a child in tow *and* for mothers who may have simply been looking for a release from the difficult financial problems that awaited a mother with a child and no husband. By turning to a maternity home, an unwed mother who chose to place her baby with adoptive parents could spend the latter part of her pregnancy out of sight of her social circle and return after giving birth without her community necessarily knowing exactly why. In this sense, adoption offered a second chance for the fallen woman to pick herself back up again, and maternity homes became the place for this rehabilitation to happen.[137]

Of course, for the adoption emphasis to change, the social construction about biological families would have to change. At the turn of the century, the growing emphasis on the child's welfare was also leading to an emphasis on biological ties.[138] The decade between 1910 to 1920 represents a "transitional moment" in the history of adoption.[139] Ideas from the nineteenth century about child exchange (i.e. taking in an older child that was not biologically related to one's family, primarily because of the value of his or her labor)[140] were being replaced by desires for babies who could fulfill emotional needs for parents who wanted children to raise and love. In Illinois, the movement surrounding the protection of juveniles (as evidenced by the juvenile court, for example) meant that the legislature was being forced to find ways to protect children better. During a three-week period of May and June, 1907, the legislature amended the Juvenile Court Act to include more minors,[141] amended the Adoption Act,[142] amended the Bastardy Act,[143]

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[137] *See* RICKIE SOLINGER, WAKE UP LITTLE SUSIE: SINGLE PREGNANCY AND RACE BEFORE ROE V. WADE 17 (1992).
[138] *See* Carp, *supra* note 33, at 16.
[139] Melosh at 12.
[140] Such as happened with the orphan trains that shipped poor, urban children to work on Midwestern farms during the mid nineteenth century.
[141] Juvenile Court—Revision, *Illinois Session Laws*, 70-78 (1907).
[142] Adoption of Children, *Illinois Session Laws*, 3-5 (1907) (requiring that a person who wanted to adopt a child must be "reputable" and only the mother of an illegitimate child need consent (as opposed to both parents). Furthermore, this amendment included a provision whereby the court can consider the mother to be unfit and terminate her parental rights involuntarily—"the grounds of unfitness being (a) depravity; (b) open and notorious adultery or fornication; (c) habitual drunkenness. . .; (d) extreme or repeated cruelty to the child; (e) abandonment of the child; or (f) desertion of the child. . ."
[143] Bastardry, *Illinois Session Laws* 56-57 (1907) (broadening the jurisdiction of bastardy cases to courts instead of less formal proceedings in front of justices of the peace).

passed a new "Ace to define and punish crimes against children,"[144] and outlawed the admission of minors to dance halls where liquor was served.[145]

This policy shift regarding adoption and the protection of children represented a delicate balance for many reformers. At the same time that child welfare reformers were concerned with protecting innocent children, they believed that an infants' health (and life!) often depended on maintaining a relationship with the biological mother, something that could be attributed to adequate nutrition that came from nursing the infant.[146] Child rescuers were therefore reluctant to move infants, even bastard ones, into institutional or adoptive homes because of high infant mortality rates, though they would likely have seen the advantages of adoption for older children. Illinois responded to the argument against separation of mothers from their children by enacting the first mother's pension law in the nation in 1911.[147] Also, the USCB specifically looked to the example of maternity homes in keeping mother and child together as a good model for the child's well being.[148] On the other hand, the NFCM agreed with the policy for reasons that affected the *mother*: her "life" depended, to some extent, on her opportunity to care for her child because at the very least motherhood forced her to be more practical, more careful, and more responsible—if not more faithful. Barbara Melosh sees the prescription of motherhood as a punitive one because caring for the child was restitution for sin.[149] Kate Waller Barrett would have disagreed

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[144] This act was passed because an "emergency exist[ed" Illinois Session Laws, p.266 (1907) and made it a crime for any person age 17 or older to "attempt to take any immoral, improper or indecent liberties with any child of either sex, under the age of 15 years, with the intent of arousing, appealing to or gratifying the lust or passions or sexual desires, either of such person or of the child. . ." This crime carried a penalty of 1-20 years in prison and was separate from sodomy, incest, rape or seduction charges. The Journals of the legislatures do not indicate the nature of the "emergency" but rather indicate the congressmen were universally in favor of such protective action.

[145] Dance Halls Where Liquor Is Sold—Admission of Minors, *Illinois Session Laws*, 305 (1907).

[146] U.S. Children's Bureau, *Proceedings of the Third Annual Conference of State Directors in Charge of the Local Administration of the Maternity and Infancy Act, Bureau Publication No. 157* 8(1926). The child welfare cause of keeping mother and baby together was so strong from 1910-1920 that three states enacted legislation mandating that mother and child be kept together for a time after birth. In 1916, Maryland enacted the first of such laws, requiring *all* mothers and babies to be kept together for six months unless 1) the mother got certified permission from two practicing physicians (who had been practicing in Maryland for at least 2 years), 2) a court order was granted or 3) the state board of aid and charities granted permission. North Carolina passed a similar statute in 1917, and South Carolina followed in 1923. Minnesota and Wisconsin also passed "nursing laws" designed to combat the problem of malnutrition in infants. See Berebitsky, supra note 35, at 32.

[147] *See* Carp, *supra* note 33, at 16.

[148] *Id.*

[149] at 18.

wholeheartedly because she saw motherhood as the highest, most privileged experience a woman could have.[150]

Determining who was trying to rescue whom explains much of the confusion about the goals of policies related to keeping together or separating the unwed mother and her child. Each side—the child rescuers and the fallen woman rescuers—had their own problem-centered focus, and they relied on each other's arguments to support their own during this transitional period. Federal legislation, at the same time, recognized that these two problems were related, and enacted a grant program for states that needed money to develop programs for mothers and children, the Maternity and Infancy Act of 1921 (the Sheppard-Towner Act). By the time the USCB issued a report on the progress of the act in 1926, all but five states were "cooperating" with the act—and one of these uncooperative five was Illinois.[151] By 1929, in accordance with the shifting philosophies regarding these interest groups, the Sheppard-Towner Act had lapsed.[152]

Because the NFCM gave general guidelines to the maternity homes that were independently run within their own communities, the ideas of the national mission were not always consistently practiced from home to home. Such was the case with the idea of adoption. The national mission remained committed to the idea of keeping mother and baby together, at the very least until the death of Kate Waller Barrett in 1925. The idea that maternity homes would function as adoption homes was inconsistent with the Crittenton mission, it was argued by Barrett and her followers.[153] Nevertheless, pressure from caseworkers in addition to growing desires among the mothers themselves made the push for adoption within the Crittenton homes stronger.[154]

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[150] In fact, Barrett's ideas would put all mothers on equal footing, regardless of marital status. Her views were so radical on this point that she advocated the title of Mrs. for women by virtue of their status as *mother*, not as wife.
[151] U.S. Children's Bureau, *Proceedings of the Third Annual Conference of State Directors in Charge of the Local Administration of the Maternity and Infancy Act, Bureau Publication No. 157* 1(1926).
[152] University of Illinois Chicago, Division of Specialized Care for Children, Timeline, 1900-1940, http://internet.dscc.uic.edu/forms/dscctimeline.pdf (last visited 6 June 2003).
[153] Kunzel, p. 89
[154] *Id.* Kunzel at 89

Also, a black market for babies[155] was growing as the social pressures regarding motherhood woman's highest calling extended to women who were unable to have their own children, and these same women had new support for their desires in the form of "child rescue" literature. When these same women were wealthy, they were able to sway doctors and lawyers into helping them find newborns to take home. Not long after the movement against traffic in women had reached its highest pitch level, George Walker released the results of his "shocking" investigation of two Baltimore "baby farms," *The Traffic in Babies: An Analysis of the Conditions Discovered during an Investigation Conducted in the Year 1914.*[156] Similarly, the Illinois legislature was concerned with what was happening to babies who were left with private maternity hospitals, and upon investigation concluded that "the demand for the children has been greater than the supply."[157] Taken together with the aforementioned JPA report, *The Care of Illegitimate Children in Chicago,*[158] Illinois was likely swayed by public sentiment, and the legislature moved to protect the mother-child relationship before adoption could take place in the 1915 amendments to the adoption law.[159]

The case of "Josephine X," a Chicago Anchorage resident, also illustrates this point. Josephine was pressured by doctors in a local hospital to give up her baby before returning to the Anchorage, and outraged Crittenton workers consequently accused the hospital of "conspiring to steal their girls' children and turn them over to clients who regularly approached physicians about the possibility of adopting illegitimate infants."[160] In the early days of Crittenton work, such a scheme was particularly offensive because it took the power to mother away from the woman

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[155] Sedlak at 12.
[156] This work, released in 1918, reported that "baby farms" took in unwanted babies for a fee. Given the combination of the deplorable conditions in these institutions and the unreliability of bottle-feeding as an adequate substitute for breastfeeding, Walker revealed a death rate of 80 percent among admitted babies. Melosh, *supra* note 45, at 18.
[157] *Journal of the House of Representatives of the 48th General Assembly of the State of Illinois*, 13 (1913).
[158] This report claims that one institution (likely The Cradle) followed this sinister protocol when placing infants: "Anyone wishing a child may take it 'on trial' for two weeks to see if disease develops; then, if decision is made to keep the infant, the family is advised that they must adopt it within six months under penalty of—nothing." Moore, *supra* note 34, at 8.
[159] Adoption of Children, *Illinois Session Laws*, 1-2 (1915) (providing a guardian *ad litem* to represent the mother of an illegitimate child in adoption proceedings).
[160] Sedlak, *supra* note 23, at 12.

who should have naturally possessed it. The core desire and competition to be mother was part of what fueled the demand for babies in the first place. This situation, where outcast unwed mothers were pitted against married but childless women was featured prominently in the literature of the day describing the need to registration of vital statistics and more closely supervised adoption.[161]

Such a black market did not exist, however, for black babies, which explains one social reason for the lack of services to African American unwed mothers as maternity homes began to turn increasingly to adoptive placements.[162] While social workers argued that these members of society needed the same services, especially in the face of increasing illegitimacy among Chicago's African American population and an associated cycle of poverty, matrons of these institutions resisted on the grounds that integrated systems would cause problems with workers who might treat minority charges unfairly.[163] In Chicago, at least, the Urban League managed to set up a program for these unwed mothers that could fill the gap where places like the Anchorage left off.[164] Also, adoption may or may not have been regarded as necessary for a single, pregnant black female. Some argue that social ideas within black society did not require the expulsion of an unwed mother in the same way as white society did.[165] The NFCM specifically rejected this theory, which was why it made the efforts—limited though they were—to provide rescue homes for young women of color.[166]

Still, the case for adoption was growing along with the Progressive movement's ideas about child welfare and the best interests of the child. The idea was that the children ought not to be punished for the sins of their parents. Adoption offered the child a chance to have the full rights of a child born into an intact, nuclear family instead of the limitations that would be placed

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[161] The JPA literature described the situation this way: "To this bureau could resort those mothers cruelly burdened with physical weakness and social stain, and no longer able to carry the load, knowing that suitable provisions would be made for their babies. Here could go those barren women, child hungry, who nowadays shop among the midwives, hospitals and doctors for a child on which to lavish their affection." Moore, *supra* note 34, at 18.
[162] Sedlak at 21. Sedlak cites a study by the Chicago Council of Social Agencies' Committee on Illegitimacy during the 1920s showing that virtually all such mothers kept their babies and that they received their care from hospitals or midwives, as opposed to the specialized intuitions for unwed mothers.
[163] Sedlak at 21.
[164] *Id.*
[165] Solinger, *supra* note 137, at 17.
[166] Aiken, *supra* note 3, 131-132.

on him or her under the label of illegitimacy. In fact, the cloak of secrecy surrounding birth records of adopted children were legislated for the purpose of protecting the child from the badge of illegitimacy and not to protect the mother from the stigma of bearing a child out of wedlock.[167]

While the USCB was developing the tenets of the Uniform Illegitimacy Act in 1921, which urged states to free children from the stigma of illegitimacy by erasing references to this fact on birth records, it was also urging the maintenance of biological relationships. However, by the end of the decade, courts began to favor adoption in order to preserve that same secrecy.[168] The USCB believed that in some cases this secrecy was being taken too far because no information about parentage in the case of illegitimacy was considered to be detrimental to the child who would suffer later because of lack of information.[169] Even so, Illinois legislation was ready to follow suit, and in 1933 the next amendments to the adoption legislation were enacted: "the word illegitimate, or any words referring to the illegitimacy of the child to be adopted, shall not be used in the petition for adoption or the decree of adoption."[170] The Adoption statute was reworded to reflect that policy.[171] While the word changes seem insubstantial, the signal is certainly a substantial one: illegitimate children need to be protected in a way that supercedes the importance of the relationship to their mothers.

IV. Shift 3: Evangelical models give way to social workers' scientific methods

Toward the end of the nineteenth century, two competing models for dealing with the social ills of the world were developing and providing opportunities for women to work for social

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[167] Carp, *supra* note 33, at 39.
[168] *Id.* at 38-39.
[169] Carp at 52.
[170] Adoption, *Illinois Session Laws*, 8-10 (1933). IT is also interesting to note that these amendments were proposed in the state legislature by Senator Barr at the same time as other protective legislation, including a bill to help handicapped children, appropriations for juvenile probation work, licensing of child welfare agencies and others (some of which passed and some of which did not). *Journal of the Senate of Illinois,* 72-73, (Jan. 10, 1933). The record indicates that the adoption amendments saw little discussion and was passed unanimously. *Journal of the Senate of Illinois,* 1739 (June 30, 1933).
[171] Many of the wording changes were a little ridiculous because the word "illegitimate" had simply been stricken where it existed before, so now the law would read, for example, "if it shall appear to the court that the mother or the parents of a child is or are dead" where it formerly said "if it shall appear to the court that the mother of an illegitimate child or the parents of a legitimate child is or are dead."

causes: evangelical Christians who wanted to save the souls of those who had erred and members of the Progressive social work movement. Each had similar goals but very different means. Evangelicals saw conversion as a solution to social problems such as unwed motherhood and would not offer social programs without simultaneous missionary-style efforts.[172] Likewise, the origins of the social work movement grew out of beliefs that charity work could be made better by being treated like a science. Social workers therefore tried to apply educated, systematic methods focused on efficiency and the professional nature of the work.[173] Neither the evangelicals nor the social workers could be said to have unified approaches to the social problems they set out to tackle,[174] but each could loosely be said to aim for reforms of similar effect.

Increasing emphasis on adoption over keeping mother and child together reflected some aspects of a growing reliance on science and social science. The Sociology Department at the University of Chicago[175] was beginning to publish studies about urban ecology and the influence of a social environment (for shaping character more than hereditarian models), and anthropologists such as Margaret Mead published similar findings with respect to culture's influence on human characteristics.[176] Similarly, increasing use of birth control contributed to the concept that a family could be "chosen" in the way that adoptions were chosen. Furthermore, as social workers began to see unwed motherhood as a psychiatric problem that required treatment instead of religion, they could cite these beliefs as reasons why mother and baby should be separated—unwed mothers were too "neurotic, emotionally immature and irresponsible" to care for their babies.[177] In short, society in general was becoming ready to accept adoption as science a science as a guiding principle (in place of or in conjunction with religion).

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[172] Morton, *supra* note 6, at 39.
[173] *Id.* at 55.
[174] Muncy, *supra* note 10, at 28
[175] This was the first Sociology Department in the nation. Getis, *supra* note 13, at 54.
[176] Melosh, *supra* note 45, at 16
[177] Carp, *supra* note 33, at 115. Ironically, social workers used this reasoning against the mothers who *most* wanted to keep their babies because these mothers were supposedly too immature to realize that they would not be able to care for

The shift seemed bound to happen if only due to the passage of time. Evangelicals based their reform goals on the Victorian "fallen woman" theory which was falling out of favor along with the Victorian Era, and the social workers tried continually to point to science just as scientific evidence was growing in a variety of areas. Regina G. Kunzel describes this shift as a move from saving fallen women to treating problem girls.[178] In other words, reformers who were focused on fixing a social problem through the most efficient means had little need for the religious rhetoric that surrounded the redemption of the fallen woman. Discussions of unwed pregnancy and adoption alternatives for these mothers were becoming more mainstream, as is evidenced by the Supreme Court decision, *Dysart v. United States*.[179] The *Dysart* Court reversed an obscenity conviction against a Texas maternity home that advertised its confidential confinement and adoption services for "unfortunate women," most likely signaling a growing societal acceptance of such programs.[180]

As early as the 1910s, social workers began to openly and specifically challenge the ability of Crittenton homes to handle the nature of this work because they worked without caseworkers, the efficiency experts.[181] Such criticism reflected a sort of aggression for power over the field. After all, social workers had been organizing themselves as professionals in part because they wanted to transform social work into a field on par with the professional status attributed to law and medicine.[182] Specifically, the Chicago School of Civics and Philanthropy, the precursor of the University of Chicago's School of Social Service Administration, has been accused of being founded out of gender frustration.[183]

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their children. On the flip side, the mothers who were ready to relinquish parental rights without a struggle were praised as heroes who knew to surrender the baby for the baby's sake. *See* Berebitsky, *supra* note 35, at 56.

[178] Kunzel, supra note 20, at 2.

[179] 272 U.S. 635 (1926).

[180] The maternity home in question mailed cards and letters as advertisements stating that the home would provide a private place for women who "prefer to be away from home" during pregnancy "until the time when they may return to their homes and friends, free from the burden of their mistake, to become useful members of society. . . we find homes for infants by adoption when desired, or provide board for them at reasonable rates." *Id.* at 656.

[181] Morton, *supra* note 6, at 62. This criticism is not without some irony because the NFCM was headed by a medical doctor with scientific training whereas social workers had knowledge limited to softer science.

[182] Muncy *supra* note 10, at 76.

[183] *Id.* After all, men wouldn't be able to bar women from a profession that hadn't existed before.

These women wanted to have the power to make policy and chose to craft their own ways of fulfilling that goal. While it was difficult for women to gain that kind of power over men, it was less difficult to take power from other women, making competing female reformers a great target for control. In other words, the fact that maternity homes were changing hands from religious reformers to social workers happened not so much as a shift over time but as a battle for power over the field.[184] There had to be a battle because there was so much overlap in the goals and often even the motives. For example, the JC probation officers were hired based on their high moral character and not on their expertise or training until well into the 1920s.[185]

The maternity home was one of the last fields on which social workers placed their professional stamp of approval. Julie Berebitsky sees maternity homes as a less desirable field for social work because they offered smaller returns to those who wanted professional status. In order to feel a sense of power, individual social workers would have wanted to feel authority, an authority that typically came from poor, needy clients.[186] For that reason, social workers attached to this particular branch of work needed to develop policies of expertise: 1) social workers could inspect the heredity of a child for adoption to address fears of some taint, 2) they could try to "match" a given child with a given couple, based on physical traits, religion, or ethnicity, and 3) they could assure adoptive parents that the child was completely free to be adopted legally.[187] On the other hand, Michael Sedlak sees the movement toward professionalization happening "latest and with least intensity" in residential maternity homes because the unique nature of the clientele (interested chiefly in anonymity) allowed these homes to resist some pressure to conform to certain professional standards until the 1940s.[188]

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[184] Kunzel, *supra* note 20, at 3.
[185] The USCB officially recommended morality be the primary criterion for hiring probation officers until 1923. Knupfer, *supra* note 14, at 49.
[186] Berebitsky, *supra* note 35, at 136. Furthermore, clients who were seeking children to adopt may have been needy in some sense (the shortage of adoptive babies), but they were certainly not poor, nor were they generally uneducated as were the more typical objects of social work.
[187] *Id.* at 137.
[188] 13.

Regardless, the Chicago Anchorage provides a specific example of the way the power struggle played out. This particular maternity home had been an "evangelical stronghold" that continued to be dominated by a heavily-WCTU board for many years after becoming part of the Crittenton chain.[189] By continuing to maintain its religious heritage, the home was perfect fodder for the social scientists. The Chicago Anchorage would not bow down to the criticism it faced from the Chicago Council of Social Agencies by hiring the caseworkers that were deemed necessary by the council. The NFCM staunchly opposed the idea that rescue work could "be reduced to a mere science."[190] In fact, the Council found the Chicago Anchorage to be deficient in almost every aspect of its program after the council performed comprehensive evaluations of this and similar facilities in the city.[191] Specifically, the Council raised concerns about the matron, who had more than a decade of experience as a public health nurse but who was *not* trained as a social worker. The battle grew so public that the Chicago Anchorage ended up being criticized by the national mission for the way they had handled the matter. The Council, meanwhile, had exerted its power by instructing social agencies to stop referring girls to the Anchorage. The result was empty beds at the home to such an extent that the Chicago anchorage was forced to acquiesce and hire social workers, as instructed by the Council.[192] Furthermore, the Anchorage suffered financial problems during World War II while simultaneously struggling to lease suitable premises. These problems forced the Anchorage to close for the space of a few years and while it was closed, the matron was replaced.[193] The power of the social workers had grown, and the power of the evangelicals had diminished.

The transition of power was also reflected in the general philosophies that the two competing models embraced. The religious conversion approach encourages the young woman to forget her past, leave her sin behind, and trust that motherhood—or at least faith if the mother

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[189] Kunzel, *supra* note 20, at 121.
[190] Wilson, *supra* note 2, at 16.
[191] Sedlak at 15.
[192] Kunzel at 122.
[193] Sedlak at 15.

chose to place her baby with someone else—would be the key to a better future. This approach was universal for the evangelicals. The social work model alternatively stressed the importance of a case by case analysis that required expertise for forming a therapy that would be unique to each girl.[194]

Given the decline of domestic services jobs available after the 1920s, coupled with the increased understanding about how such jobs tended to create unwed mothers, social workers opposed placing their charges in domestic service arenas.[195] As adoptions increased, the young women were more easily able to go to work in offices, factories and restaurants.[196]

The 1930s brought the Great Depression, and along with it an increase in abortions.[197] At the same time, police and prosecutors "stepped up raids on abortionists offices."[198]

V. Crittenton homes into the 20th century and Conclusions

Private maternity homes persisted and thrived under the new model up until the legalization of abortion. In many ways, the religious tenets of the founding maternity homes remained strong. Most homes depended on private funding and leadership, and they often were linked to religion. At the same time, even religious ideas began to keep pace with what was considered "best" for the women and the children in these situations. As a result, even religious maternity homes were able to shift over to the idea that social workers, caseworkers, and adoption were appropriate solutions to saving the girls who needed help. Illegitimacy rates soared, but the demand for healthy infants increased even more.[199] As numbers of applicants for admission to Crittenton homes began to increase, Crittenton workers were able to be more selective about the

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[194] *Id.* at 17.
[195] *Id.* at 18.
[196] *Id.* at 19.
[197] Reagan at 1262.
[198] Id.
[199] Carp, *supra* note 33, at 28.

young women they placed, and tended to select the candidates who wanted to keep their pregnancy secret and place their children for adoption.[200]

The white women continued to be viewed as victims in postwar America.[201] Social scientific evidence began to suggest that these young women were mentally ill, otherwise they would no have deviated from the social mores, or so the explanation and desire to treat and redeem went in this period.[202] Whereas in earlier years, the young women had been simply viewed as less intelligent, they could now be seen as intelligent but mentally disturbed in some way. Mental illness functioned as a clear idea of a problem to be treated by scientific means. The NFCM, even under Kate Waller Barrett, had used mental incapacity as an exception to the policy of keeping mother and child together. This new take on the problem of unwed mothers made it easier for the Crittenton homes to become adoption homes with impunity. In Chicago, the Official Anchorage policy statement of 1951 followed this logic: "the baby must be given in for adoption for [the] protection of himself and [the mother]"[203] To this end, the Anchorage even experimented with the idea of closing its nursery entirely.[204] Indeed, the result was that "adoption reached its apex" during the 50s and 60s.[205]

By the 1960s, society grew increasingly tolerant of unwed mothers, birth control methods had become more effective and available, and maternity homes had become prohibitively expensive. The natural consequence was a decline in the availability of these services.[206] While the NFCM and its workers seemed resistant to some of the shifts along the way, for the most part, it chose to view these changes as signs of strength. When policies were not in accordance with

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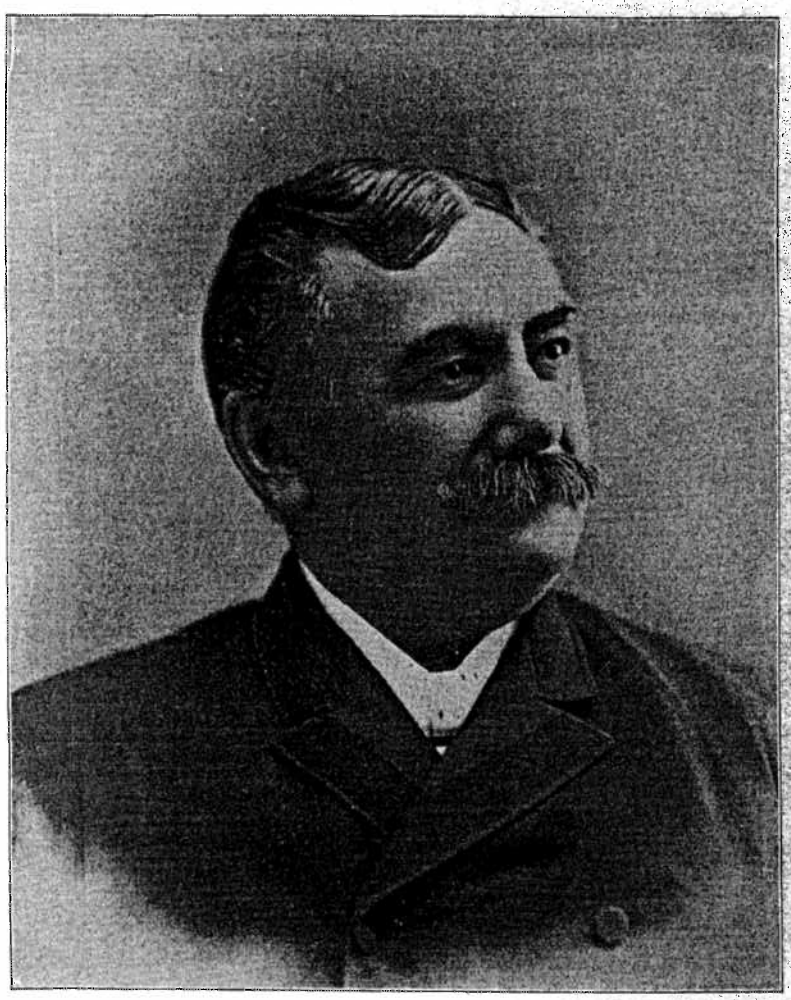
[200] Melosh, *supra* note 45, at 124.
[201] During the post-World War II years, the maternity home options for black women were sparse, particularly in Chicago where three of the four homes in operation would not admit blacks at all, and the remaining home would only do so in limited numbers. Solinger, *supra* note 137, at 68.
[202] *Id.* at. 87. Not surprisingly, this theory had its roots in the scientific theories being proffered by the Progressive Era social workers who termed the problem a "mental deficiency" instead of a mental illness.
[203] Sedlak at 18.
[204] *Id.* at 19.
[205] Melosh at 4.
[206] Sedlak, supra note at 22.

original goals (or even in accordance with the Constitution of the NFCM), Otto Wilson described the transformations as "diverse lines of usefulness and in response to local needs."[207]

In 1950, the National Florence Crittenton Homes Association splintered off from the NFCM and set up headquarters in Chicago.[208] Ten years later, this new organization changed its name again to the Florence Crittenton Association of America, which worked extensively on an agenda of social work and services for unwed mothers. It received a large grant from the USCB and began a project to collect data on agencies serving these women, and in 1966 it administered "the first major project in which a national private charity worked with local, state, and federal agencies to serve unmarried mothers."[209] This project happened in. . . (pause for emphasis). . . Chicago.

[207] Wilson, *supra* note 2, at 56.
[208] Aiken, supra note 4, at 211.
[209] *Id.* at 212.



EVANGELIST CHARLES N. CRITTENTON.
Founder Florence Crittenton Missions.



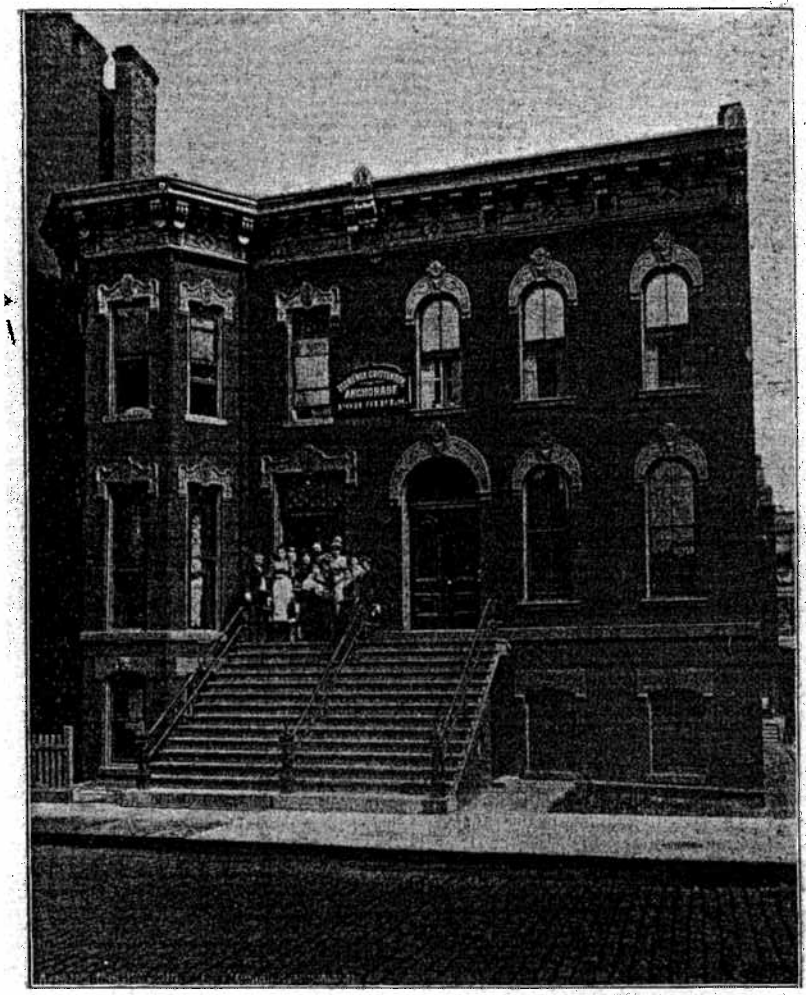
A domestic science class, c. 1915. From the Annual Report of the Florence Crittenton League of Compassion, Inc., 1915.



DR. KATE WALLER BARRETT

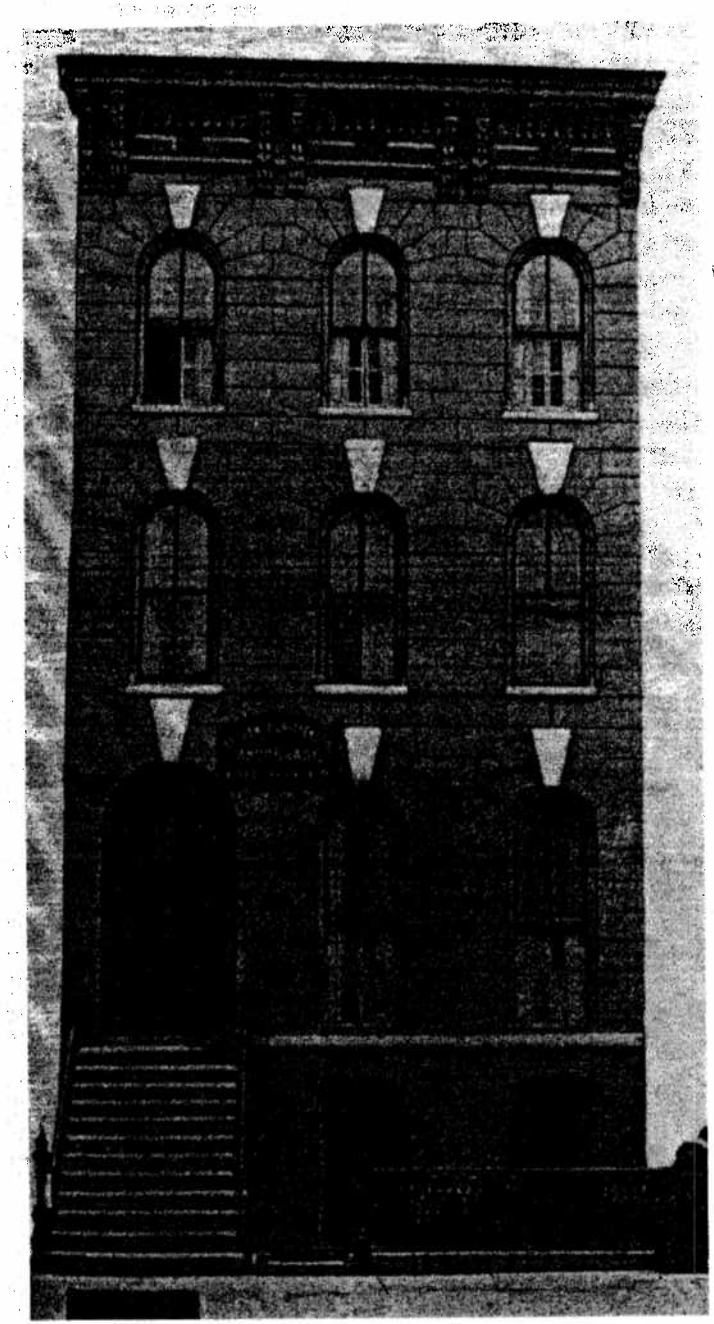


Dr. Kate Waller Barrett, c. 1914. Courtesy of the National Florence Crittenton Mission.



FLORENCE CRITTENTON ANCHORAGE, CHICAGO, ILL. (1893)

The Chicago Anchorage, at two locations.



The Chicago Florence Crittenton Anchorage. Courtesy of the National Florence Crittenton Mission. (1933)



Sarah Malone, president of the Topeka, Kansas, home. Courtesy of the Kansas State Historical Society, Topeka.



The Topeka, Kansas, "Colored" Florence Crittenton home. Courtesy of the National Florence Crittenton Mission.