

2023

Elizabeth Packard's Fight for Women's Medical Rightsy

Alexandria Olson

Southern Illinois University Carbondale

Follow this and additional works at: <https://opensiuc.lib.siu.edu/legacy>

Recommended Citation

Olson, Alexandria (2023) "Elizabeth Packard's Fight for Women's Medical Rightsy," *Legacy*. Vol. 23: Iss. 1, Article 2.

Available at: <https://opensiuc.lib.siu.edu/legacy/vol23/iss1/2>

This Article is brought to you for free and open access by OpenSIUC. It has been accepted for inclusion in Legacy by an authorized administrator of OpenSIUC. For more information, please contact opensiuc@lib.siu.edu.

Alexandria Olson

Elizabeth Packard's Fight for Women's Medical Rights

Introduction

Men and women entered asylums at similar rates, yet women experienced the most abuse from asylums during the early 19th century in the United States. This changed in the second half of the 19th century. The United States passed many bills restricting married women's rights to a trial to prove sanity after 1860. These bills led to many asylums seeing an increase in the population of women. Treatments based on moral values and gender norms rather than scientific knowledge also led to a rise in individuals diagnosed as insane for deviating from societal standards and expectations. The medicalization of human behavior primarily targeted women. Many diagnoses afflicted only women, which included hysteria, puerperal mania, and nymphomania.¹ Doctors blamed female-only diseases on uterine disorders, while psychiatrists accepted women as patients even if they were sane. Disobedient women and those defying traditional gender roles were at risk of being diagnosed as insane. Husbands paid psychiatrists to admit their healthy and sane wives into their care. This medical system prioritized moralistic values over the health of the patients, allowed corruption to grow, and doctors often went unchallenged.

While the development of the field of psychology had improved the care of mentally ill patients, it was used as a tool for social control. The medicalization of human behavior resulted in anyone deviating from the dominant forms of Christianity being at risk of being deemed mentally ill. Women, in particular, were accused of insanity for trying to expand or exercise their rights outside of the home. Women who rebelled against their assigned roles as mothers and wives were frequently accused of insanity. Doctors believed the reproductive organs of women were connected to overall health. Asylums hired gynecologists because of the links doctors made between the mental health of female patients and pelvic diseases. Women had little say in their treatment and were being removed from medical positions by male doctors. Male doctors removed women's voices from healthcare and asserted medical

1 Elaine Showalter, "Victorian Women and Insanity," *Victorian Studies* 23, no. 2 (Winter, 1980): 157-181.

modals that revolved around women's reproduction.² These practices were meant to reinforce traditional values of motherhood and reduce women's presence in their autonomy. In attempts to reverse progress in women's rights, men attempted to control women using biological determination theories, which suggest that behavior is based on the biology of a person. Women defying the roles of a quiet, obedient wife and mother were determined to be insane. Those who argued for some authority in their lives or held different religious principles from their husbands would also be accused of insanity. Women were charged with insanity for speaking out for their rights or about topics of religion. Women who continued to speak out risked removal from their homes and being moved into asylums. Within asylums, women received treatments focused on assimilating them into the preferred docile and quiet women expected by the dominant patriarchal system of the United States. If the treatments or gynecological surgeries did not seem to cause much change in the women, these women remained in asylums and were considered incurable.³

However, asylums benefitted communities before the 1860s. They were the only medical facilities to take in patients afflicted with syphilis or other illnesses that family members could no longer care for. They provided an alternative to almshouses and a better standard of living for patients.⁴ Moral treatment became the dominant therapy in asylums during this period. These treatments were based on the religious morals of doctors, and treatments were based on assimilating the patient to those values. They were the first attempts at curative therapy. Psychiatric patients had previously been left untreated as doctors believed God had abandoned them. They were often chained to a wall and stripped of their clothing, where they would have few interactions with other people. The advent of moralistic treatments sought to eliminate this perspective and return patients to society. Doctors attempted to rehabilitate patients using treatments and providing routines to instill good morality. Moral theories suggested a return to nature was one of the most beneficial elements of psychiatric care. These ideas influenced the architecture of asylums. Asylum architecture focused on creating large grounds for gardens and wards that stretched out in long wings from the center of the building.⁵

2 John D'Emilio and Estelle B. Freedman, *Sexual Politics, Intimate Matters* (Chicago: The University of Chicago Press, 2012), 139-167.

3 Nancy Theriot, "Diagnosing Unnatural Motherhood: Nineteenth-Century Physicians and "Puerperal Insanity," in Judith Walzer Leavitt, ed., *Women and Health in America* (Madison: The University of Wisconsin Press, 1999), 405.

4 Constance M. McGovern, "The Community, The Hospital, and the Working-Class Patient: The Multiple Uses of Asylum in Nineteenth-Century America," *Pennsylvania History: A Journal of Mid-Atlantic Studies* 54, no. 1 (January, 1987): 17-33.

5 Carla Yanni, "The Linear Plan for Insane Asylums in the United States before 1866," *Journal of the Society of Architectural Historians* 62, no. 1 (March, 2003): 24-49.

Although the new system of moral treatments saw great curative results, the system soon became strained. The 1850s and 1860s saw a rapid increase in patients due to the Civil War and an influx of immigrants.⁶ Asylums could not keep up with the massive influx of patients. Conditions soon became very crowded. Overpopulation led to more violence and patients living in dirty conditions. Many patients coexisted with pests, such as bugs or rats.⁷ Due to these conditions, curative therapy became very difficult to provide. Doctors and attendants frequently turned to harsh treatments in the absence of proper regulations.

Reform efforts attempted to eliminate or change the policies of asylums to improve the conditions and treatment of patients. Doctors primarily led the reform efforts, and patients rarely started movements. The controlling policies restricted patients' voices and limited information to the public, making it much harder for patients to organize against them. Medical abuse went largely unnoticed by the public. Women were frequent targets of medical abuse and received harsher treatment and punishments. Any attempts to discuss treatments with anyone outside of an asylum would get shut down by the staff. It was not until unignorable cases of medical abuse began circulating that the public became aware of the issues. Women's voices spread in the United States about the abuse they received from doctors.

History of Women in Asylums

By the 1870s, women made up most of the population in asylums. An accumulation of female patients considered to be incurable caused an increase in women in asylums. Many of these women were brought to asylums by their husbands who wanted them treated or punished and would have long stays in asylums. Female patients averagely remained in asylums longer than men. Men's average stay lasted for three to seven years, while women averagely stayed for six years. Other reasons for women remaining in asylums longer included women having lower rates of death from disease and violence.⁸ Violent patients might attack and kill their fellow patients with little provocation, which occurred more frequently among male patients.⁹ The rate of women entering asylums was also influenced by the economic class

6 Gilles Vandal, "Curing the Insane in New Orleans: The Failure of the 'Temporary Insane Asylum,' 1852-1882," *Louisiana History: The Journal of the Louisiana Historical Association* 46, no. 2 (Spring, 2005), 156.

7 "A Tomb for the Living: Judge Prendergast's Decision on the Insane Asylum Case. There is No Insane Asylum," *The Chicago Daily Tribune*, June 20, 1889, 9.

8 Showalter, "Victorian Women and Insanity," 161.

9 "Northwest News: Murder of a Patient Confined in the Insane Asylum at Indianapolis. Fatal Fall from a Bridge -- Wedding at Aurora -- Decapitated by a Train. A Jury Disagree -- A Boy Hurt by Leaping from a Train -- Fat Stock -- and Other Matters," *The Chicago Tribune*, October 23, 1884, 9.

women were in. Asylum facilities expanded for the poor and increased the number of female patients. Between 1844 and 1890, the female pauper lunatic inmate population quadrupled. Doctors and reformers believed poverty and economic anxiety could cause insanity in women.¹⁰ Female healthcare was affected by cultural ideas of women's nature.

Women's diagnoses were often diseases that only afflicted women. Biological models of sex differences and associations with disorders of the uterus and reproduction system were used to interpret female psychiatric symptoms. Doctors viewed expressions of unhappiness, anger, and aggression as morbid deviations from the typical female personality.¹¹ Gynecologists and psychologists prescribed nearly all female diseases to uterine malfunction. Causes of malfunction included abandonment or mistreatment by husbands, becoming pregnant while unmarried, being overburdened by too many children and household chores, or emotional drainage from grief or fear.¹² Doctors used treatments that included religious and moral principles to strengthen patients' minds. However, these treatments did not always match the intent. Mrs. Caroline E. Lake described the treatments patients received at the Jacksonville State Asylum, "the patients get no course of treatment for insanity at that Institution, that I could find, but restraint and imprisonment, the loss of their natural rights, and in some cases, great abuse."¹³ Female patients received belts, injections, and internal appliances for treatments.¹⁴ More humane treatments for mental illness would be confinement to rooms, denying the company of family and friends, and forced rest with tranquilizers.¹⁵ Women rarely got access to the outside world and received punishment if they attempted to leave.

Punishments were often harsh and cruel. Patients received punishment for various infractions, no matter how small. In one incident, a patient recalled, "I once saw Miss Conkling held under the water, until almost dead . . . and handfuls of hair were pulled from her head . . . simply because she would not eat when she was not hungry."¹⁶ Another patient, Mrs. Yates, described the reaction from the attendants when she protested the removal of her jewelry, "... they then threw me down upon my back on the floor, and jumped upon

10 Showalter, "Victorian Women and Insanity," 162.

11 Katherine Pouba and Ashley Tianan, "Lunacy in the 19th Century: Women's Admission to Asylums in the United States of America," *Oshkosh Scholar* 1 (April, 2006), 100.

12 Ibid.

13 Elizabeth Packard and Sophia N.B. Olsen, "*The Prisoners' Hidden Life, or, Insane Asylums Unveiled: As Demonstrated by the Report of the Investigating Committee of the Legislature of Illinois, Together with Mrs. Packard's Coadjutors' Testimony*," (Chicago: A.B. Case, 1868), 136.

14 Theriot, "Diagnosing Unnatural Motherhood," 415.

15 Showalter, "Victorian Women and Insanity," 159-160.

16 Packard and Olsen, *The Prisoners' Hidden Life, or, Insane Asylums Unveiled*, 132.

my stomach with their knees, so violently, that it is a wonder, in my weak state, they did not kill me."¹⁷ Physical punishments were frequent, and the staff hid the worst punishments and implements, like straitjackets, from visiting families.¹⁸ Patients lived in fear of discipline if they spoke about their experiences. Patients received different treatments depending on where they were and who they were.

Experiences in asylums varied enormously. Those in single-sex, private asylums encountered décor and regimes designed to remind them of home or school. Asylums hosting male and female patients were separate but not equal in treatment. Based on cultural expectations, women received substantially lower dietary allotments and less recreation time than men. Within mixed asylums, female patients shocked male doctors and patients with rowdiness, obscenity, and restlessness.¹⁹ Many reports of women's bad behavior came from the expectations and wishes of male observers that women should be quiet, virtuous, and immobile. Women received fewer opportunities than men for outdoor activity, active recreation, or movement within the building.²⁰ Men had access to leisure activities, while women spent most of their time in asylums at work. The staff put women to work performing cleaning, cooking, laundry, and needlework most of the day. The laundry room was well-kept and filled with seemingly happy women. With little to do except work or rest, idleness among female patients led to complaining, vehement declarations, and quarreling.²¹ Cultural values about women's roles also led to higher rates of surveillance. All patients were under surveillance, but the attendants watched the women closer. Mail was censored for all patients, but especially for female patients. Doctors and attendants lied to patients about them not receiving mail and hid letters from friends and family.²² The Lunatics Friends Society protested the censorship of patients' mail, except for women's mail. They believed women required protection against possible indecorous self-revelation.

The Life of Elizabeth Packard

Elizabeth Packard was the daughter of a minister from Massachusetts. Her father, Samuel Ware, provided her with a good education. She was a brilliant student with a caring nature. Her peers competed to sit with her during French lessons, and struggling students knew she was always willing

17 Ibid., 134.

18 Ibid., 126-131.

19 Showalter, "Victorian Women and Insanity," 166-7.

20 Ibid., 167-9.

21 "The Insane Asylum: An Illustrated Account of the Inaccessible Cook County Fire-trap," *The Chicago Daily Tribune*, January 11, 1885, 12.

22 Packard and Olsen, *The Prisoners' Hidden Life, or, Insane Asylums Unveiled*, 74.

to help them. After Elizabeth finished her schooling, she pursued a teaching career, which was short-lived.²³ She was forced to end her career after she fell ill with brain fever, an outdated disease characterized by delirium. Samuel had her hospitalized, hoping the doctors could save her. When treatments of purging and bleeding failed to improve Elizabeth's condition, he took her to an asylum for better treatment. She remained there for six weeks before being released. Shortly after Elizabeth's release, her father sought to marry her off.

Elizabeth married Theophilus Packard in 1839. He was fourteen years older than her and known to be a cold and stern man. Theophilus was a long-time acquaintance of her father. During the early years of their marriage, they seemed to be peaceful with each other. Elizabeth believed Theophilus knew best and trusted him to be a good husband. Pressure from her father, husband, and history of brain fever caused Elizabeth to give up her teaching career to pursue a role as a mother. Over several years, Elizabeth gave birth to four sons and two daughters. Despite her love for education, her duties as a mother and wife prevented her from pursuing her passions. These passions were reawakened by the first Women's Rights Convention in 1848 at Seneca Falls, New York. The Women's Rights Convention was the beginning of Elizabeth's and Theophilus's marriage falling apart. Elizabeth argued against Theophilus's worldviews. She first began to argue that wives were a part of society and should have their rights as humans respected. Theophilus argued otherwise, stating that no man should obey women's rights.

The argument turned into years of fights. The Women's Rights Movement had gotten her thinking hard again. Before her bible study classes, she wrote essays that she presented to the class. Elizabeth used her past education and experience as a teacher to discuss topics on women's rights and abolition.²⁴ She formed her reasonings using biblical study and knowledge from as many religions as possible.²⁵ All of Elizabeth's teachings went against Theophilus's teachings. He felt like she was publicly humiliating him by teaching her beliefs. The people around Elizabeth encouraged her teachings, much to her husband's ire. Theophilus responded by isolating her and demanding an end to her discussions.

Regardless of Theophilus's efforts, Elizabeth continued to push back and expressed her change in beliefs and desire to leave Theophilus's church. She traveled on her own and performed missionary work. Theophilus was furious over his wife's independence and sought any way he could control her. He

23 Elizabeth Packard, *The Great Drama, Or, the Millennial Harbinger* (self-pub., 1878), 94-95.

24 Linda V. Carlisle, *Elizabeth Packard: A Noble Fight* (Urbana-Champaign, IL: University of Illinois Press, 2010), 24-25.

25 Packard, *Modern persecution, or, Insane Asylums Unveiled*, 120-125.

accused her of neglecting their children and duties as a wife.²⁶ He tried to shame her, but Elizabeth remained stubborn and outspoken. Frustrating him more, she publicly expressed opinions contrary to his outside bible study classes. Meanwhile, the deacons at Theophilus's church expressed their outrage over Elizabeth's behavior. She was speaking too freely about women's rights and abolition. Deacon Smith complained to Theophilus about the topics Elizabeth discussed during class. He demanded an end to Elizabeth's teachings and for Theophilus to get control over his wife.

The Rebellion of Elizabeth Packard

Elizabeth's fate changed when Theophilus brought her into his study. He wrapped his arms around Elizabeth, and he gently spoke to her. Lulling her into a sense of security, he told her she needed to end her discussions. Upset at his words, Elizabeth said that she would step down and stop teaching at bible classes if she was allowed to explain that Deacon Smith and Mr. Packard requested that she stop. There was no honor in stepping down without being able to explain to the class why she stepped down. Elizabeth's conditions were, "I do not like to yield a natural right to the dictation of bigotry and intolerance . . . not from any desire to shrink from investigation on my part, but for the sake of peace, as they view it."²⁷ Pleas to defend her from Deacon Smith were brushed aside. She believed she should have the same right as a man to present and defend her beliefs. Angered by her response, Theophilus withdrew from her, physically shoving her away. There was no hope in him being her protector; instead, he became her persecutor. Theophilus cut her off from her community and did not allow her to have any visitors. He was determined to give the impression that she was insane so he could defend the cause of Christ.²⁸ Rumors circulated in Manteno that his wife was insane, all started by Theophilus. He openly spoke about her time in an asylum when she suffered from brain fever. Many Manteno residents began doubting Elizabeth's sanity.²⁹ People turned against Elizabeth, and she began fearing for her safety. In the home, Theophilus threatened to send her to an asylum if she did not correct her behavior.

No longer trusting her husband, Elizabeth sought out Mr. Comstock, who claimed he was a lawyer. She knew him from her bible study classes and believed he could give her knowledge to protect herself. She needed to legally protect herself and her children from her husband as she thought Theophilus

26 Mariana Brandmand, "Elizabeth Packard," *National Women's History Museum*, accessed November 2, 2023, <https://www.womenshistory.org/education-resources/biographies/elizabeth-packard>.

27 Packard and Olsen, *The Prisoners' Hidden Life, or, Insane Asylums Unveiled*, 17.

28 *Ibid.*, 18.

29 Brandmand, "Elizabeth Packard."

would no longer let her stay in their home. Mr. Comstock explained that Theophilus could not force her into an asylum against her wishes. All residents of Illinois were entitled to a trial before being forced into an asylum. She had protection by the law and did not have anything to worry about. His advice soothed her fears for some time. However, Mr. Comstock skipped over a crucial detail of Illinois law, and it is unclear if he was aware of it. There was an exclusion of married women from the law. Husbands could request asylums to admit their wives without requiring a trial to take place. Elizabeth took Mr. Comstock's advice and returned home confident she could fight against Theophilus when he tried to have her admitted to an asylum.

Any day, Theophilus would try to have Elizabeth admitted to an asylum. Theophilus did not hide that he wanted her out of the house and openly threatened to remove her. They spent most of their time arguing. Most of their arguments revolved around their religious beliefs. They spent over a year arguing about religious convictions.³⁰ Theophilus believed in a God who was angry and punished the sins of humanity. In contrast, Elizabeth believed in an all-loving God. Theophilus's resentment grew from Elizabeth's public opposition to his teachings.³¹ Eventually, she left Theophilus's Calvinist Church to join a Presbyterian church. They also argued about raising children, which bled into their differences of opinion on the nature of humankind. Theophilus believed his children were deeply flawed due to the nature of humanity. They needed to change to gain forgiveness from God. The children were driven to tears by their father, describing the hellish torment they would receive. Their mother attempted to quell their fears. Elizabeth believed her children were perfect as they were and not sinful from birth. Children needed love and kindness while growing up. Their arguments worsened until Theophilus locked her in their nursery with their youngest son. He boarded up the window to prevent anyone from communicating with her. Elizabeth could only wait until Theophilus acted on his promise to commit her to an asylum.

On June 18th, 1860, Elizabeth Packard woke to the sound of four men outside the nursery; two of them were doctors. Among these men was Theophilus. The temporary imprisonment in the nursery lasted for months. Now, doctors were present to determine her sanity. Elizabeth rushed to dress herself. By the time they reached the door, she was still in a state of undress. They demanded entrance into the nursery, but Elizabeth refused to open the door. To her horror, Theophilus would not relent. The men disappeared only for an axe to break through the window shortly after. Theophilus made short work of the boards and forced his way inside. The doctors closely followed

30 Packard, *The Great Drama, Or, the Millennial Harbinger*, 20-22.

31 Poubia and Tianan, "Lunacy in the 19th Century," 98.

behind him. The doctors only took her pulse before declaring her insane.³² They announced she must be removed from her home immediately. Despite her terror, Elizabeth tried to protest.

There needed to be a trial before they could admit her. Elizabeth demanded to have her trial. However, Theophilus revealed information she did not know. The Illinois law changed in 1860 to exclude married women from protection to a jury trial if accused of insanity. Asylums could receive a woman at the request of her husband. The state did not require evidence for married women, only testimony from their husbands. In all other cases, the court required proof of insanity.³³ The medical superintendent controlled married women's fates, and his decision led to their admittance, regardless of their sanity.³⁴ The law viewed women as part of the legal identity of their husbands. Revisions to Illinois law, such as the Act of April 18th, 1851, struck married women from protections against unwilling institutionalization in asylums, which influenced these legal decisions. In the eyes of Illinois law, the husband and wife are one, and that one is the husband. The husband had the right to think for the wife and do what he wanted with her.³⁵ Men possessed the legal right to deprive their wives of liberty and administer chastisement.

Aware of her inability to escape being sent to an asylum, Elizabeth refused to walk. Any step she took would only help Theophilus, so she was determined to make the process as difficult for him as possible. The men carried Elizabeth to the train station. Elizabeth took meticulous care of her appearance because she was aware of the medical notes on insanity in women. She asked Officer Burgess to help her ensure nothing was out of place as the two doctors carried her.³⁶ During the trip, Elizabeth begged Theophilus to let her see her children one last time, but he refused. All six of their children were sent away on various tasks to prevent their interference. According to Elizabeth, their father abducted the children to prevent them from seeing the abduction of their mother.³⁷ Theophilus claimed what he was doing to her was for her benefit and that he would save her soul.³⁸ He thought he was doing the best thing for his family and had the upper hand until they reached the crowded train station.

32 Elizabeth Packard, *Marital power exemplified in Mrs. Packard's Trial, and Self-Defence from the Charge of Insanity, or Three years' imprisonment for Religious Belief, by the Arbitrary Will of a Husband, with an Appeal to the Government to so Change the Laws as to Afford Legal Protection to Married Women* (Chicago: Clarke, 1870), 10.

33 Brandmand, "Elizabeth Packard."

34 Packard, *Marital power exemplified in Mrs. Packard's Trial*, 46-48.

35 Elizabeth Packard, *Mrs. Packard's Address to the Illinois Legislature, on the passage of the Personal Liberty Bill* (Hartford: Case, Lockwood, and Company, 1867), 3-7.

36 Packard and Olsen, *The Prisoners' Hidden Life, or, Insane Asylums Unveiled*, 46-7.

37 *Ibid.*, 44.

38 Packard, *Marital power exemplified in Mrs. Packard's Trial*, 2-3.

People supporting Elizabeth packed the passenger depot. The crowd watched the men carrying Elizabeth. Theophilus begged her to walk, but she responded that he must be the one to show them what he was doing to her. He would get no help from her in any way to put herself in the asylum.³⁹ Despite the show of support for Elizabeth, the cluster of people was ineffective in helping her. Sheriff Burgess threatened the crowd with arrest if anyone interfered. He had a warrant to bring Elizabeth Packard to the Jacksonville State Hospital. Soon, the only support came from whispered encouragement from her friends, who promised she would only be there for a few days and would be liberated quickly under the Habeas Corpus Act. This writ requires a person under arrest to be brought into court or before a judge. It is essential for releasing a person under unlawful detention or arrest. Elizabeth could not use the Habeas Corpus Act as no one would fight for Elizabeth or intervene on her behalf. One of those among the masses, Mr. Blessing, later stated he did not like to interfere between man and wife.⁴⁰ One woman attempted to stand up for Elizabeth. Rebecca Blessing challenged the crowd, asking if there were no men in this gathering who would protect this woman. She would seize hold of this woman if she were a man. All Rebecca could do was call upon a few men for help, as she had no power as a woman.⁴¹

Packard in Jacksonville and on Trial

Dr. McFarland brought Elizabeth into the Jacksonville State Asylum based on testimony from Theophilus. He initially apologized to her for admitting her. For four months, Dr. McFarland treated her himself. He showed Elizabeth respect and even trusted her to care for a group of patients. Elizabeth had permission to leave the asylum during the day to go to the fairgrounds or cemetery, and her residence was in the first ward, which had the best patient care and was the cleanest. However, Dr. McFarland's initial respect for Elizabeth was short-lived. Much to Dr. McFarland's ire, Elizabeth cared deeply for her fellow patients. She held discussions and loaned out books to patients in every ward. Dr. McFarland quickly shut this down and ordered an immediate end to all discourses and books returned. Patients in other asylum sections were forbidden to access books and had to remain on the grounds. Some patients lived in tight quarters, which included harmless patients among violent patients.⁴² When she later presented Dr. McFarland with a written reproof of his abuses of his patients, he removed Elizabeth from the best ward to the worst. She threatened to expose him when she got out of the asylum unless he began to treat his patients with justice.

39 Packard and Olsen, *The Prisoners' Hidden Life, or, Insane Asylums Unveiled*, 44-6.

40 Packard, *Marital power exemplified in Mrs. Packard's Trial*, 34.

41 Packard and Olsen, *The Prisoners' Hidden Life, or, Insane Asylums Unveiled*, 59.

42 *Ibid.*, 74-5.

Dr. McFarland retaliated by sending Elizabeth to live among the most dangerous patients. It was one of the dirtiest wards. Elizabeth described it as "the accumulation of this defilement about their persons, their beds, their rooms, and the unfragrant puddles of water through which they would delight to wade and wallow in, rendered the exhalations in every part of the hall, almost intolerable."⁴³ The ward was an indecent place to live in until Elizabeth cleaned the ward with her own hands. The dormitory she now lived in held three to six patients at a time, and she could not leave the ward at any time. There was no room for her to flee to safety from attacks from other patients. Various patients dragged Elizabeth around by her hair. She received blows from them that almost killed her. Patients threw knives, forks, and chairs at her head. In one incident where an attendant caught her feeding a patient, "She has threatened me with the screen room, and this threat has been accompanied with the flourish of a butcher knife over my head, for simply passing a piece of Johnny cake through a crack under my door, to a hungry patient. . ."⁴⁴ Elizabeth asked the matron, Mrs. Waldo, to intervene on behalf of another woman who was deprived of water all day for annoying her attendant. Another attendant threatened Elizabeth with a straight jacket for talking to another patient when seated at a table. The asylum staff cut Elizabeth from written communication with the outside world, except under strict censorship. The attendants turned away all visitors.⁴⁵ Elizabeth remained in this ward for two years and eight months. Dr. McFarland only allowed her to leave for the trial she successfully petitioned for.

The trial took place three years after she first demanded one. Elizabeth successfully challenged Theophilus's accusation of insanity. The crowd witnessing the hearing met most of Theophilus's statements with hissing from the spectators. Dr. McFarland and Theophilus insisted Elizabeth was insane during the trial and presented essays and a letter Elizabeth had written to Dr. McFarland. While the love letter hurt Elizabeth's character, the paper helped prove that she was an intelligent woman. An examination by another doctor, Dr. Duncanson, helped her win her case. He told the court that while he and Elizabeth would disagree on many things, he would not call someone insane for differing from him. *Packard vs. Packard* resulted in her release from the Jacksonville State Asylum. The court declared her to be perfectly sane after seven minutes of deliberation. The crowd erupted into cheers, and the clerk could only read the rest of the verdict after the spectators settled down. Elizabeth was allowed to leave the Jacksonville State Asylum and return home.

After returning home, desperate to see her children, she discovered

43 *Ibid.*, 90-1.

44 *Ibid.*, 107.

45 *Packard, Mrs. Packard's Address to the Illinois Legislature*, 4-5.

a different family in her home. Elizabeth was faced with a situation many women newly released from asylums experienced. Theophilus sold her house and took her children and belongings. Men put their wives in asylums to make it easier for them to sell their wives' property. After discovering Theophilus had relocated to Massachusetts and took their children with him, Elizabeth successfully lobbied for custody of her three youngest children.⁴⁶ She never reconciled or lived with Theophilus again. They never divorced because she did not wish to be divorced from her home; she only wanted protection from issues within it. In her eyes, divorce was evil.⁴⁷ When discussing her relationship with Theophilus, Elizabeth commented she believed Theophilus did not think she was insane. He was only trying to alleviate his guilty conscience.⁴⁸ They parted ways after the trial and never lived with each other again.

The Significance of Elizabeth Packard

Over several years, states changed their laws to accommodate married women. Elizabeth successfully lobbied for legislation in several states to pass laws she wrote. In 1851, Illinois revised an 1823 law to deprive married women accused of insanity the right to a jury trial. In 1867, Elizabeth Packard successfully changed this law and gave married women the right to a trial if accused of insanity. Mrs. Packard's Personal Liberty Law focused on protecting everyone's liberty. It ensured everyone accused of insanity, including married women, would receive a jury trial. Elizabeth provided women a way to get their voices heard and their pain listened to.

However, her fight to change legislation was not unhindered. Dr. McFarland followed Elizabeth around the country, resisting her changes. He opposed changes to new regulations and regular inspections of asylums. Dr. McFarland carefully controlled the checks that did occur. They inspected areas in perfect condition, such as the kitchens and laundry rooms. Inspectors rarely spoke to or addressed the patients during inspections. Asylum staff told patients to lie and threatened them with punishment if they revealed information about their treatment.⁴⁹ Dr. McFarland's attempts to stop Elizabeth's efforts resulted in his downfall. In 1867, the courts set up an investigation into Mrs. Packard's allegations against Doctor McFarland. Inquiries discovered his support of treatments that were similar in nature to waterboarding. A patient would be wrapped in a straitjacket and dumped into water over and over until they nearly passed out.⁵⁰ Investigations forced

46 Packard, *Marital power exemplified in Mrs. Packard's Trial*, 44.

47 Packard, *The Great Drama*, 111-16.

48 Packard, *Modern persecution, or, Insane Asylums Unveiled*, 120-125.

49 Packard and Olsen, *The Prisoners' Hidden Life, or, Insane Asylums Unveiled*, 117-8.

50 "Andrew McFarland," *Sangamon County History* (August, 2023), accessed Novem-

Dr. McFarland to leave his position as superintendent at the Jacksonville State Asylum.⁵¹ His opposition to regulations and inspections unintentionally helped Elizabeth's goals. Other opposition primarily came from voices trying to keep control over women. Critics of Elizabeth condemned her for being too independent and outspoken.

Despite Dr. McFarland's efforts and attacks on her character, Elizabeth influenced 34 bills in various state legislatures and achieved massive success on the national stage.⁵² In 1875, Elizabeth passed a law allowing asylum patients access to mail and made it illegal for asylum officials to intercept the mail of patients. In four states, Packard won cases about commitment, and she protected the property of married women. She also helped win the fight in several states for regularly monitoring asylums and their conditions.⁵³

Conclusion

Women were vulnerable to a system that allowed them to be removed from their homes and forced into asylums by their husbands. The 1850s and 1860s saw a rise in the medicalization of women's behavior. Insanity accusations frequently resulted from any deviations from perceived natural womanly behavior. Diseases only seen in women brought more sane women into asylums and crowded the wards. Overburdened asylums resulted in higher rates of medical abuse. Women received treatments that were often painful or isolating. Creating change was extremely difficult. Women needed strength to advocate for legislation and get a say in medical treatments.

It took many women, like Elizabeth Packard, to reverse legislation that expunged married women's autonomy in legal matters. She ensured married women could have a say in their medical treatments. Women in the United States gained the ability to oppose accusations of insanity and better access to more say in medical treatments. Patients and women in asylums began the push for regulation and regular inspections of medical facilities. The abuses Elizabeth experienced and witnessed fueled her drive to fight for medical rights.

ber 2, 2023, <https://sangamoncountyhistory.org/wp/?p=14864>.

51 "The Illinois Insane Asylum: Important Report of the Legislative Investigating Committee" *The Chicago Tribune*, December 7, 1867, 2.

52 Samuel Wheeler, "Illinois Supreme Elizabeth Packard and Mental Health Laws," Supreme Court Preservation Commission.

53 Brandmand, "Elizabeth Packard."

