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Coercing the archives: ethics and approach in historical fiction

Abstract:

In 1909 Rebecca Sinclair and her husband Donald Sinclair were found guilty of manslaughter in Sydney's Central Criminal Court. They had been performing illegal abortions out of their home when their patient – a mother of three children – died. Rebecca Sinclair was given a three-year sentence and incarcerated in Long Bay Women's Reformatory. After six months in prison, Rebecca Sinclair gave birth to a daughter, who remained with her in gaol. I came across this case in the archives of the Western Sydney Records Centre and wrote the novel *Long Bay* as the re-imagining of how Rebecca Sinclair was drawn into Donald Sinclair's world and became involved in the burgeoning illegal abortion business, yet eventually managed to create a new life for herself and her two daughters. My paper examines the ethical weight of re-interpreting an event from history in fiction, and the question of who owns the stories the archives hold, and at what stage the past becomes public rather than privately held. This latter question became particularly important in the writing of *Long Bay* when I located Rebecca Sinclair's living relatives. Her granddaughter, Christine Jensen, is the wife of the former Anglican Archbishop of Sydney, Peter Jensen, who is an outspoken abortion critic. I met with Christine Jensen and she has read *Long Bay* and given me permission to re-interpret her grandmother's story, but despite the symmetry I have chosen not to include the present reverberations in the fiction. This paper examines the reasons for that decision, and argues that close and vivid re-interpretation of the past can show experiential truths which transcend temporal boundaries.

Biographical note:

Dr Eleanor Limprecht is a Sydney-based writer. Her most recent novel, *Long Bay*, was published in August 2015 by Sleepers Publishing. Her previous novel, *What Was Left*, came out in 2013 and was shortlisted for the Australian Literature Society Gold Medal. She is the recipient of a Varuna Residential Fellowship. She also writes short stories, book reviews and teaches writing at UTS. Her short story 'On Ice' was chosen for *Best Australian Stories 2015*.

Keywords:

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My mind is now on the next book and the next lot of mistakes I have the capacity to make; and I begin to think of the delights, too, of another plot, another chance, another shot at getting it right. I am bowling along in a cab, on my way to a clinic to have a blood test and my mind starts moving towards the later Henry VIII, and his poor health, and I wonder what it was like for his advisers to roll in for the morning strategy meeting and find him surrounded by his doctors. I take out my notebook and write: “Basin of blood. Urine flask. Holy Grail?” Then it comes to me that if the cab crashes, and I’m found dead in the wreckage, people will think it is my shopping list.
– Hilary Mantel, 2008

I wanted to begin with this quote from Booker-Prize winning historical fiction author Hilary Mantel because it represents, with humour, what role imagination plays in historical fiction. The lives we write about and the choices made by our characters become newly relevant in contemporary times. I think that a close and vivid re-interpretation of the past can show experiential truths that transcend temporal boundaries: why we fall in love with the wrong person, how the desire for power can blind us. I want to emphasise the importance which historical fiction plays in communicating these truths.

In order to do this I will focus on fiction’s ability to ‘engender empathy’, a phrase used by Natasha Alden in ‘Rewriting Rivers: Ethics and Aesthetics’ about novelist Pat Barker’s use of the past in the *Regeneration Trilogy* (2012). Alden writes ‘...fiction has a particular power in engendering empathy; its comparative freedom, in contrast to historical discourse...allows it to show what it might have been like, not what it was like...’ (190). Historical fiction allows an author to interpret the past – writers of fiction are not strictly beholden to accepted history or accountable to historians. The author might use fragments from the historical records but then fills gaps in the archives with imaginative storytelling. This is a delicate and complicated process, however; the ethics of using a real character’s name and past becomes fraught when you are using fiction. For me, the passage of time, permission from the subject’s descendants and the (what seemed to me) necessity of the story being told were what convinced me to use Rebecca Sinclair’s real name and the known fragments of her story in my novel *Long Bay*.

An archive is defined as a place where public records or historical materials (such as documents) are kept (Merriam-Webster 2015). Jacques Derrida wrote at length about the origin and makeup of the archive in relation to Freud in *Archive Fever*, saying that it induces us to forget (that which is not included) as much as to remember – it results in the breakdown of memory (Derrida 1995: 14). An archive is put together in the hopes it will be used in the future, and is defined as much by what is included as by what is left out – the records are by nature incomplete. As researchers we frequently use the archive to find the answers we desire: in a sense we coerce it. The archive was very important to me in discovering Rebecca Sinclair’s story, specifically the NSW State Archives at the Western Sydney Records Centre in Kingswood. But it was as important for what it did not tell me as what it did.

In 2010 I had just finished my first novel, *What Was Left*, and was fossicking around for ideas for my next book. I live in Maroubra, which is only a few kilometres from Long Bay Correctional Centre, where my brother-in-law teaches art to prisoners. He mentioned to me that the prison used to be a women's reformatory, which piqued my curiosity. I began reading what I could find about the reformatory, and eventually saw that some of the old prison log books and records of prisoners and letters were held at the NSW State Archives at the Western Sydney Records Centre. I drove there one day, hoping to find a treasure trove of first-person documents – letters to family and so forth – but instead found that the letters sent and received were from the prison authorities to other government offices. Most were of mundane topics such as electrical failures, construction bills and tram line repairs, but there were occasional glimpses of what life contained for the women imprisoned there. One prisoner was put on basic rations (bread and water) for ripping apart her cell. Many were diagnosed with syphilis. Letters were sent to relatives requesting they provide a place to live when their daughter, niece or sister (a reformed inebriate; a former prostitute) was released. Most of these sentences were short and the crimes hardly criminal: public drunkenness, soliciting, and coarse language were common reasons for incarceration.

Then I came across the mention of a prisoner named Rebecca Sinclair. She was being sent to the Royal Hospital for Women for her 'confinement', to be returned afterwards to the gaol. One month later, there was another letter mentioning that she had returned to prison, with a fourteen-day-old infant in her care (Copies of Letters Sent, 1909-1911).

I was immediately drawn to learn more about Rebecca: what was her crime? How did she keep her baby in gaol? What was her life like? What would happen upon her release? The letters were faint and barely legible; I was struck by the fragility and impermanence of the source. I began searching in other places for any information I could find about Rebecca Sinclair. She was born Rebecca McDowall in Paddington in 1885, the fourth of six children (NSW Historical Index of Births, Deaths and Marriage). When she was three, her father died ('Deaths' 1888). Two years later her sister died. Rebecca's mother would have struggled to keep her children fed, for there was no government assistance and little help from charities. In 1905 Rebecca was nineteen and at the roller skating rink at Prince Alfred Park when she met a dark-haired young man named Donald Sinclair. He was dapper and silver-tongued and proposed marriage after just three weeks ('Police Courts: Charged with Bigamy' 1906).

She agreed to meet him at his house in Glenmore Road to be married in front of his mother and stepfather. But when she arrived late, Donald Sinclair told her that his mother and stepfather had gone to the theatre and that the clergyman couldn't wait either. Instead, he said the clergyman had left a document for them to sign ('Police Courts: Charged with Bigamy' 1906). She signed it, and he hastily took it away; she may have believed they were then legally married.

I gleaned this information from newspaper articles about the bigamy case, which reported what was said in court at the time. There were articles in the *Sydney Morning*

Herald and the tabloid *The Truth* on this case. None of the information is completely reliable because it is a journalist's record of their testimonies at the time.

Donald and Rebecca Sinclair began living as man and wife, but before long, gossip reached Rebecca Sinclair that her marriage was a sham. On 12 December 1905, she confronted Donald Sinclair, and he said she was foolish to believe other people's tales. But a few days later, he admitted that he wrote the marriage certificate himself. Two days later they were married again, on 16 December 1905, in the Pitt Street Congregational Church ('Police Courts: Charged with Bigamy' 1906).

In coming months, Rebecca Sinclair claims to have discovered another unpleasant surprise. Donald Sinclair had been already married when he married her – to a Jewish woman named Zara Wolinski. Zara had been living in Townsville with her sister for the past year. It emerged that Donald and Zara married secretly in Sydney in 1903, when he was 20 and she was 21, although they claimed that they never lived together ('Divorce Court: Sinclair v Sinclair' 1906). Zara only returned to Sydney from Townsville in December 1905, and saw her husband occasionally up until April. Donald was still living with Rebecca. In April, Rebecca confronted Zara, who did not know Donald had married another woman, and then moved out of their shared home ('Police Courts: Charged with Bigamy' 1906).

In August Donald Sinclair was charged with bigamy in the Water Police Court. He was found guilty in October 1906 and sentenced to six months' hard labour at Goulburn Gaol ('Quarter Sessions: Sentences' 1906). The sentence was suspended because he was a first time offender. In December 1906 Zara Wolinski was granted a divorce ('Divorce Court: Sinclair v Sinclair' 1906).

Rebecca Sinclair might have forgiven Donald Sinclair to some extent, because in 1907 she gave birth to his daughter, Ellen Lillian Daphne Sinclair (NSW Historical index of Births, Deaths and Marriage), in the Benevolent Society's Thomas Street Asylum for 'destitute and homeless mothers nursing their children' (Benevolent Society Thomas Street Asylum). Notes from the Thomas Street Asylum Inmates Journals from Mitchell Library show that Donald Sinclair was listed as her husband when she was admitted, with the word 'emergency' beside her record (Inmates Journals, Thomas Street Asylum 1907-1909). Other records show the word 'destitute' beside a patient's name so it could be inferred that perhaps she was ill-prepared for the birth rather than in completely dire straits, but certainly the young couple were struggling financially. In April of the following year, 1908, Donald Sinclair appeared in court on an unrelated blackmail charge, and was sentenced to 12 months' prison ('Metropolitan Quarter Sessions' 1908).

He couldn't have served the full sentence because he was at home on 26 April 1909 when a doctor was called after Lucy Edith Smith, aged 38, suddenly collapsed at Rebecca and Donald Sinclair's home. When the doctor arrived Lucy Smith was lying on a couch, dead. She lived in North Sydney and had three children, aged seven, six and four. She was three months' pregnant and her husband Andrew Smith, a linotype operator at the *Sydney Morning Herald* said in court that he did not know why she would visit 486 Old South Head Road (Coronial inquest 1909). He learned of her death as it came through the *Herald* newsroom.

From the inquest Lucy was found to have died as the result of an illegal operation ('Charge of murder: two persons committed for trial' 1909). Rebecca and Donald Sinclair were charged with her wilful murder (NSW Police Gazette 1909).

Rebecca and Donald Sinclair had only been in business for a few weeks, performing abortions from their home with a syringe and Epsom Salts. (Evidence from Criminal Court Case 1909). At the age of 26, Donald was sentenced to five years penal servitude and 23-year-old Rebecca to three years imprisonment with hard labour. In January of 1910, six months into her sentence at Long Bay, Rebecca gave birth to her second daughter, Freda Hope McDowell. (Her first daughter, Ellen, was in the care of Rebecca's mother.) It is worth noting that she no longer used her husband's surname. She kept this daughter with her at Long Bay. On 14 February 1910 in the inspection book for the State Reformatory is a note that a cradle is needed from Darlinghurst Gaol for 'Prisoner Sinclair's infant' (Inspection Book, Long Bay Women's Reformatory). In 11 August of 1910 is a note in the Inspection Book that they were to be transferred to Shaftesbury Institution at Watson's Bay, a halfway house which mostly held inebriates.

I became obsessed with Rebecca and Donald Sinclair's story. I found these small scraps of information in the archives and from old newspaper articles. From the archives I found the papers from the manslaughter case and the divorce case between Donald and Zara Wolinski. With each new scrap of information I saw the story in a different light, but each scrap brought as many questions as it did answers.

I began looking for living relatives in the hope they could tell me more. I joined an online genealogy site and made contact with a woman who had Rebecca Sinclair on her family tree. Her identity was hidden initially but when we began emailing she told me that she was Rebecca's granddaughter. Her name is Christine Jensen, and she is the wife of the former Anglican Archbishop of Sydney, Peter Jensen, an outspoken anti-abortion advocate.

Christine met with me in a Sydney café and we talked about Rebecca. Christine's mother was Freda, the daughter born in prison, but Christine had not known that until after her mother's death two years before. Her mother never talked much about her childhood and had been a distant, unhappy woman. When she died, Christine requested her birth certificate and was shocked to discover that her mother had been born in Long Bay. She read a few newspaper articles about the court case, but did not realise that Rebecca's crime had been abortion. It was a difficult piece of news for her to hear, but she was graceful and generous to me.

Christine said it was something of a revelation to learn about her past, because she could understand why her mother acted the way that she did, harbouring such a secret. It was a time when shameful incidents in one's past were not mentioned, even to the closest family members. Christine said that she wanted to honour her mother, who never felt she could share the story of her birth with anyone. She gave me permission to use her grandmother's name and story for the novel.

These conversations with Christine occurred before I began the Doctorate of Creative Arts during which I wrote the novel *Long Bay*, so I did not have to go through the university's ethics committee while studying at UTS. Though I was not bound by the

university's code of ethics in these conversations, I still felt it was my responsibility to consider Christine's connection to the story and tell it in a respectful way.

Christine told me that her grandmother's grave was in Waverley Cemetery, and I went to find it one day. At the cemetery office they gave me a map and a grave number. After her release from prison Rebecca married Christopher Willis and changed her name to Willis. She died at the age of fifty-two (NSW Historical Index of Births Deaths and Marriages). The daughter she left when she went to prison, Ellen, became estranged from her. The daughter who was born in prison, Freda, remained close to her mother for the rest of her life. At the foot of Rebecca Willis's grave in Waverley cemetery is a polished granite plaque which reads: 'MUMMY'. The headstone bears the inscription:

A beautiful memory
of my dear mother
Rebecca Irvin Willis
passed away 18 Jan 1940
Aged 52 years
A tribute from her loving daughter Freda.

If not for Rebecca's time in the courts and in gaol, we would know nothing about her life, living as she did in poverty and obscurity. As it is, we only have official records to rely upon and no letters or documents written by Rebecca exist that I can find. The records that do exist, the ones that are kept by the NSW State Archives and the State Library of NSW – such as her entry from the gaol photograph description book that is on the cover of *Long Bay* – are a rich source of information about lives that would otherwise be completely forgotten, stories that were hidden because of the shame that they carried.

In her article about Suchen Christine Lim's novel *A Bit of Earth*, Angelia Poon writes about how authors of historical fiction can give voice to subjects silenced by the archive, saying:

On one level, situated in opposition to the archive as much as alongside it, the writer of historical fiction imagines other alternatives and possibilities in the past frequently by giving voice to subjects who have traditionally been silenced or marginalized by the archive (2008: 26).

But I found the archive did the opposite, it gave me the fragments of a story in order to imagine it – the scant details of lives which otherwise would have gone unrecorded.

Stories are how we navigate the world around us, and when those stories are not told, the world shrinks. In her book of essays *The Faraway Nearby* Rebecca Solnit writes: 'We think we tell stories, but stories often tell us, tell us to love or to hate, to see or to be blind' (2013: 4). I did not want Rebecca's story to disappear with time, buried beneath layers of secrecy. Perhaps I am coercing the archives to show me what I want to see, but her story told me to look deeper, to understand bad choices, and to see beyond the razor wire, to the messy, real truth that fiction can reveal.

By truth I want to emphasise that I mean experiential truth – the kind that can come from a combination of imaginative empathy and carefully wrought historical detail.

Authenticity of a story in which we recognize a character's motivations and behavior from our own lived experience. In 'The Anxiety of Authenticity', Maria Margaronis writes that in Toni Morrison's novel *Beloved* the truth is found through the subjective lenses of particular characters.

Morrison makes us imagine slavery in a way that is inaccessible to discursive history because it involves us as readers in the process of making meaning, so that we gradually understand how and why Sethe chose to kill her baby girl, and beyond that, what it might mean to live with such a past (2008: 156).

She allows us – in other words – to engender empathy for those characters, even the mother who kills her own child, by showing how she came to that decision, by involving the reader in the events which brought her there.

Truth has a different relationship to fiction than it does history. In her essay 'Almost believing: the ethics of historical imagination' Penny Russell writes:

Whether Truth is seen to reside in the archives themselves, in the shadowy world that produced them, in the heart of the writer or the integrity of the interpretation, it constrains, directs and inspires historical writing. However creative, literary, imaginative, moral and politicized history may be, it establishes a relationship of trust and responsibility between writer and reader. In that implied contract, history is not fiction: historians make stories, but they do not make them up (2004: 109).

Historical fiction, meanwhile, gives authors more power. We can be inspired by what actually happened in the past but not bound by it – able to bend it in the process of making meaning. Often actual events are the foundation of these stories but not the content.

What right do we have to represent the past like this – and does the research alone give us the authority to represent it in a certain way? Does the mere passage of time make it more permissible to rifle in private lives, uncover scandals and use them as literary fodder?

Because of the symmetries between past and present – Rebecca being an abortionist, her granddaughter married to a prominent clergyman and anti-abortion advocate – I did consider bringing the present reverberations into the story of the past that I drew from for *Long Bay*. In many ways it makes Rebecca's story more compelling: to show how what happened to her did not just affect her, but changed the lives of her daughter and granddaughter as well. Christine did not grow up knowing her grandmother's crimes, but the secret her mother kept made their relationship all the more difficult to navigate. I thought long and hard about whether to include these stories within the novel, but in the end decided that they were not my stories to tell. I know that other writers would have come to different conclusions here, but there was a line I did not wish to cross, a life that was still being lived, and a relationship between mother and daughter still so fresh and unresolved that it felt as though it were not my place to reimagine it.

Here lies my line between public and private lives. The number for the NSW State Archives is 30 years before they release records from most public offices for public access, but this varies to numbers as high as 70 and 100 years for records that might

hold sensitive information (prison records, etc.). It all seems fairly arbitrary – how does one decide how long until the private becomes public? What gives me the right to take these records and reimagine the stories behind them? Is 100 years enough time to calcify a wound – to peel the ancient scabs away and shake the shame from those drawers of secrets people kept? Does it help that we view these secrets now in a different light – with more understanding of limitations, fewer restrictions on women, less distinction of class?

Authors of historical fiction require a certain arrogance, to pretend to know how people lived, what they thought and how they made choices. In ‘The Ethics of Fiction Writing’, Ron Hansen writes of this arrogance and says that it is mitigated by extensive research, in which authors are careful not to vary from the ‘factual or probable’ (2007: n.p.). Not all historical fiction writers stick to what might be factual or probable, but many emphasise the accuracy of their research. Hilary Mantel says that she never falsifies a date or place or any item of information from what is available to her, but that she does operate in the ‘vast area of interpretation’ (in Attar 2015: n.p.). Geraldine Brooks says that she tries to follow the line of fact as far as she can. ‘I feel a duty to the facts. Why would you change them? They are often so remarkable’ (2015: n.p.).

The joy of writing historical fiction is that it creates a certain distance which makes this research plausible, it makes it excusable, for we are not just poking in people’s underwear drawers and medicine cabinets but ‘researching’, we are no longer nosy, simply curious about a shared past. It becomes plausible to imagine ourselves in that past, to transport to a different time and place, consider whether we would have done things differently to the characters we inhabit.

In a David Free’s review of James Wood’s new book of essays *The Nearest Thing to Life*, Free writes about how Wood finds the answers to life’s dilemmas more present in fiction than in religious texts where we have been traditionally encouraged to find them. Free writes:

Reading fiction, we’re permitted to observe the failings of others, but we’re not encouraged to condemn them. This is because the others are products of the imagination – our imagination as well as the author’s. So instead of deploring their shortcomings we tend to experience ‘proximity, fellow-feeling, compassion, communion. We have the uncanny powers of the monitoring Jesus, but the humane insight of the forgiving Jesus (2015: 17).

Perhaps with this feeling of proximity, fiction about the past helps us find our place in the present – more than pure history does because it engenders empathy for the characters and enables us to see ourselves in their shoes. We are given their interior lives. A hundred years seems like a blink of an eye – and we are there suddenly – cranking sheets through the mangle, buttoning the ankles of our boots, smelling boiled mutton in the house and creosote in the gutters. Hearing the squeaking wheels of the pie man’s cart, the shout of the paper boy, the splash of a bucket spilled in the lane. Watching the cloudy salts dissolve in the water we are *paying attention* – something we forget so often to do in our rushing, multi-tasking, wi-fi connected, social media

updating world. Paying attention when the needle slips, when blood blossoms on starched sheets. Paying attention because a life depends on it. Hers and ours.

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