

# THE BIRTH CONTROL REVIEW

*Dedicated to the Principle of Intelligent and Voluntary Motherhood*

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Number One

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## SHALL WE BREAK THIS LAW?

*By MARGARET SANGER*

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# THE BIRTH CONTROL REVIEW

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Note.—We ask our friends to help us make this Directory as complete as possible.—Ed.

## IN LATER ISSUES:

Attorney J. J. Goldstein's Argument on the Unconstitutionality of Section 1142 of the Penal Code.

The Allison Case in Boston.

Trials and Tribulations. A history of the various birth control prosecutions.

A Municipal Birth Control Clinic in New York. By Dr. Morris H. Kahn, the man who conducted it.





*To the Men and Women of the United States:*

Birth control is the most vital issue before the country to-day. The people are waking to the fact that there is no need for them to bring their children into the world haphazard, but that clean and harmless means are known whereby children may come when they are desired, and not as helpless victims of blind chance.

Conscious of this fact, heretofore concealed from them by the forces of oppression, the men and women of America are demanding that this vitally needed knowledge be no longer withheld from them, that the doors to health, happiness and liberty be thrown open and they be allowed to mould their lives, not at the arbitrary command of church or state, but as their conscience and judgment may dictate.

But those to whose advantage it is that the people breed abundantly, well intrenched in our social and political order, are not going to surrender easily to the popular will. Already they are organizing their resistance and preparing their mighty engines of repression to stop the march of progress while it is yet time. The spirit of the Inquisition is abroad in the land. Its gaunt hand may even now be seen reaching out its sinewy fingers over bench and bar, making pawns of clergy and medical profession alike.

The struggle will be bitter. It may be long. All the methods known to tyranny will be used to force the people back into the darkness from which they are striving to emerge.

The time has come when those who would cast off the bondage of involuntary parenthood must have a voice, one that shall speak their protest and enforce their demands. Too long they have been silent on this most vital of all questions in human existence. The time has come for an organ devoted to the fight for birth control in America.

This Review comes into being, therefore, not as our creation, but as the herald of a new freedom. It comes into being to render articulate the aspiration of humanity toward conscious and voluntary motherhood.

It is not our property. It is yours. No one connected with it will receive any compensation for his services. It is not a money-making venture, but the forerunner of a new era, an era when men and women shall have thrown off the yoke of medieval superstition and be free!

If you welcome this Review, if you believe that it will aid you in your fight, make it yours. Its future is in your hands. It will succeed and grow strong only as you believe in it and help to develop it.

Men and women of America, write into the pages of this magazine your vision of what birth control will bring to the human race. Raise your voice, strong, clear, fearless, unconditionally pledged to the protection of womanhood, uncompromisingly opposed to those who, to serve their selfish ends, would keep her in ignorance and exploit her finest instincts.

MARGARET SANGER  
FREDERICK A. BLOSSOM  
ELIZABETH STUYVESANT



## SHALL WE BREAK THIS LAW?

Margaret Sanger

"All our liberties are due to those who, when their conscience has compelled them, have broken the law of the land."—Dr. Clifford.

If some disease were found to be undermining the health and destroying the vitality of the women of the United States, I think it is safe to say that the manhood of the whole country would rise up and strive to abolish the plague.

And yet the men of this land are to-day shielding and fostering just such a disease—a disease which sends mothers to an early grave, condemns wives to ill-health and invalidism, causes children to be born feeble in mind and body and crushes strong men under the weight of a burden they never asked to carry; a disease which eats into the very vitals of family life, tearing husband and wife asunder, crowding the divorce courts, depriving children of a mother's care and robbing maternity of its keenest joys; a disease which brings in its wake poverty, unemployment, child labor, prostitution, war; a disease sprung from ignorance of the means of preventing conception, an ignorance enforced by a law so vicious, so arrogant, so inhuman that thousands of earnest men and women are to-day asking themselves: "Shall we obey this law?"

*No law is too sacred to break!* Throughout all the ages, the beacon lights of human progress have been lit by the law-breaker. Moses, the deliverer, was a law-breaker. Christ, the carpenter, was a law-breaker and his early followers practiced their religion in defiance of the law of their time. Joan of Arc was a law-breaker. So, too, were George Washington and the heroes of the American Revolution and, in more recent times, John Brown of Ossawatimie, Henry D. Thoreau, William Lloyd Garrison, Wendell Phillips, Theodore Parker and many more whose sturdy refusal to respect an inhuman law helped to emancipate a race and set free the chattel slaves of the Old South.

The law to-day is absolute and inexorable—it has even set itself above Justice, whose instrument it was intended to be.

In earliest times, there was no elaborate code of law; there was but a simple idea of justice. As the race moved forward, its conception of justice kept pace with the changing standards and customs of the times.

As society became more complex, a caste arose whose duty it was to administer justice. In the course of time,

however, the law grew up out of their decisions and accumulated a stolid mass of outworn tradition, until to-day legality has become so encumbered with lifeless relics of the past that the courts no longer express living social standards and the ideal of Justice, but merely the dead weight of legal precedents and obsolete decisions, hoary with age.

The whole function of Justice has become petrified and encrusted with the barnacles of antiquated tradition. The people's will has been diverted into blind channels leading always further and further away from the fundamental principle that *the will of the people is the supreme law*.

Civilization is dynamic; our judicial system is static. The race has progressed, but the law has remained stationary—a senseless stumbling-block in the pathway of humanity, a self-perpetuating institution, dead to the vital needs of the people.

Humanity and justice have been displaced by a legal despotism, the chief concern of which is the protection of established interests.

Woman has always been the chief sufferer under this merciless machinery of the statutory law. Humbly she has borne the weight of man-made laws, surrendering to their tyranny even her right over her own body. For centuries she has been the helpless victim of excessive child-bearing. Meekly she has submitted to undesired motherhood.

Incoherently she has spoken in the past. Her protests have been in vain. Her supplications have fallen on the deaf ear of the administrator of law. Her petitions have lain unheeded under the cold eye of the legislator, caught in the network and quagmire of politics.

Against the State, against the Church, against the silence of the medical profession, against the whole machinery of dead institutions of the past, the woman of to-day arises.

She no longer pleads. She no longer implores. She no longer petitions. She is here to assert herself, to take back those rights which were formerly hers and hers alone.

If she must break the law to establish her right to voluntary motherhood, *then the law shall be broken*.



# DE PROFUNDIS!

—, Texas.

Mrs. Margaret Sanger:

I read about you in the paper. I am a poor man's wife. We have nothing but our little children. We have had six children and we are not able to feed and clothe them. I am in very poor health, and I think it is a sin for me to have to raise any more children. You have a pamphlet on birth control. Can you let me have one?

We are very poor and money is scarce with us, but I am sure you have some little idea how the poor has to live.

Please let me hear from you.

From a sister.

Mrs. A. J. —.

Dr. Frederick A. Blossom,  
New York Birth Control League.

Dear Doctor:—

Will you tell me where we can get information on birth control?

I married young, had what I thought was a good job, could give my dear little wife most of the necessities of life and some of the so-called luxuries. But soon the little ones came and for each it seemed that, instead of my wages increasing, they had gone down, and, with a few bad investments, all our savings for that rainy day were swept away.

For the last two years my wife has been nearer the River than I like to think, caused, I think, mostly by lack of nourishment—our last little one born dead. O God, how long, how long?

Much of this could have been avoided had we had the money to put up to the doctors for the information that the poorest man and woman should know, even more so than anyone else, for the reason that, the poorer the parents, the more reason there should be no babies. But it is the other way round.

Hoping you will answer my question,

Very truly yours,

M. M. —.

Oklahoma.

—, Ohio.

Dear Friend:—

My husband has been sick for three years, and I have to go out working to make a living for the children. I have four children. I think that is enough to support and besides have a sickly husband to work for. Please tell me how not to have any more children.

Faithfully your friend,

Anna —,

R. F. D. 2.

—, Indiana.

Dear Madam:—

There is a woman in this town who has six children and is expecting another. Directly after the birth of a child, she goes insane, a raving maniac, and they send her to the insane asylum. While she is gone, her home and children are cared for by neighbors. After about six months, they discharge her and she comes home and is in a family way again in a few months. Still the doctors will do nothing for her.

She is a well educated woman and says if she would not have any more children, she is sure she could be entirely free from these insane spells.

If you will send me one of your pamphlets, "Family Limitation," I will give it to her and several others equally deserving.

Hoping you will see fit to grant my request, I remain,

Sincerely yours,

(Mrs.) R. M. —.

## What One Woman Is Doing

St. Louis, December 5, 1916.

"Birth control work is being done here, although we have no league or other official agency as yet. In connection with my work as pre-natal instructor in an obstetrical clinic, I am giving instruction in birth control daily to those who have been my patients in the past or who are sent to me by social workers or physicians.

"I usually try to find out something about the physician to determine whether he is setting a trap, as I am the only one here who has undertaken to do this work and I do not want to be arrested for two reasons: first, because there would be no one to carry on the work and, second, because this is such a conservative community that any publicity of that sort would kill my hopes for gradually extending the work. We are at present working quietly for the repeal of the law, so that I hope we shall in the near future be able to carry on the work on a larger scale.

"Although I am, of course, working under great difficulties, I find it tremendously worth while. When I see a woman only 28 years old, mother of 8 children, the youngest barely six months old, and again in the fourth month of pregnancy, I say to myself that, after this mother is delivered of the ninth baby, I will help her not to have a tenth.

"Should a judge be so heartless as to send me to prison for that, I shall accept my lot as one who knows that he has done his duty."

No one has ever given me a good reason why we should obey unjust laws. But the reason why we should resist them is obvious. Our resistance proves our manhood and our womanhood. The dignity of human nature compels us to resist what we believe wrong and a stumbling block to our fellowmen.—Helen Keller.



# BIRTH CONTROL IN RELATION TO MORALITY

*Havelock Ellis*

Birth control can seem to be in opposition to morality only when we confuse the eternal principles of morality with their temporary applications, which are always becoming modified in adaptation to changing circumstances.

We are often in danger of doing injustice to the morality of the past, and it is important, even in order to understand the morality of the present, that we should be able to put ourselves in the place of those for whom birth control was immoral. To speak of birth control as having been immoral in the past is, indeed, to underestimate the case; it was not only immoral, it was unnatural, it was even irreligious, it was almost criminal.

We must remember that, throughout the Christian world, the divine command "Increase and multiply" has seemed to echo down the ages from the beginning. It was the authoritative command of a tribal God who was, according to the scriptural narrative, addressing a world inhabited by eight people. From such a point of view, a world's population of several thousand persons would have seemed inconceivably vast, though to-day, by even the most austere advocate of birth limitation, it would be allowed with a smile.

But the old religious command has become a tradition which has survived amid conditions totally unlike those under which it arose. In comparatively modern times, it has been re-enforced from unexpected quarters, on the one hand by all the forces that are opposed to democracy and, on the other, by all the forces of would-be patriotic militarism, both alike clamoring for plentiful and cheap men.

Even science, under primitive conditions, was opposed to birth control. Creation was regarded as a direct process in which man's will had no part, and knowledge of Nature was still too imperfect for the recognition of the fact that the whole course of the world's natural history has been an erection of barriers against wholesale and indiscriminate reproduction.

Thus it came about that under the old dispensation, which is now for ever passing away, to have as many children as possible and to have them as often as possible—provided certain ritual prescriptions were fulfilled—seemed to be a religious, moral, natural, scientific and patriotic duty.

To-day the conditions have altogether altered and even our own feelings have altered.

We no longer feel with the ancient Hebrew, who has bequeathed his ideals, though not his practices to Christendom, that to have as many wives and concubines and as large a family as possible is both natural and virtuous, as well as profitable. We realize, moreover, that the divine commands, so far as we recognize any such commands, are not external to us, but are manifested in our

own deliberate reason and will. We know that to primitive men, who lacked foresight and lived mainly in the present, only that divine command could be recognizable which sanctified the impulse of the moment, while to us, who live largely in the future, and have learned foresight, the divine command involves restraint on the impulse of the moment.

We no longer believe that we are divinely ordered to be reckless or that God commands us to have children who, as we ourselves know, are fatally condemned to disease or premature death. Providence, which was once regarded as the attribute of God, we regard as the attribute of men; providence, prudence, self-restraint, these are to us the characteristics of moral men, and those persons who lack these characteristics are condemned by our social order to be reckoned among the dregs of mankind. It is a social order which in the sphere of procreation could not be reached or maintained except by the systematic control of offspring.

We may realize the difference between the morality of to-day and the morality of the past when we come to details.

We may consider, for instance, the question of the chastity of women. According to the ideas of the old morality, which placed the whole question of procreation under the authority (after God) of men, women were in subjection to men, and had no right to freedom, no right to responsibility, no right to knowledge, for, it was believed, if entrusted with any of these, they would abuse them at once. That view prevails even to-day in some civilized countries. Middle-class Italian parents, for instance, will not allow their daughter to be conducted by a man even to Mass, for they believe that as soon as she is out of their sight she will be unchaste. That is their morality.

Our morality to-day, however, is inspired by different ideas and aims at a different practice. We are by no means disposed to rate highly the morality of a girl who is chaste only so long as she is under her parents' eyes; for us, indeed, that is much more like immorality than morality. We are to-day vigorously pursuing a totally different line of action. We wish women to be reasonably free, we wish them to be trained in the sense of responsibility for their own actions, we wish them to possess knowledge, more especially in that sphere of sex once theoretically closed to them, which we now recognize as peculiarly their own domain.

Nowadays, moreover, we are sufficiently well acquainted with human nature to know, not only that at best the "chastity" merely due to compulsion or to ignorance is a poor thing, but that at worst it is really the most degraded and injurious form of unchastity. For there are many ways of avoiding pregnancy beside the



use of contraceptives, and such ways can often only be called vicious, destructive to purity and harmful to health.

Our ideal woman to-day is not she who is deprived of freedom and knowledge in the cloister, even though only the cloister of her home, but the woman who, being instructed from early life in the facts of sexual physiology and sexual hygiene, is also trained in the exercise of freedom and self-responsibility and able to choose and follow the path which seems to her right.

That is the only kind of morality which seems to us worth while. And, in any case, we have now grown wise enough to know that no degree of compulsion and no depth of ignorance will suffice to make a girl good if she doesn't want to be good. So that, even as a matter of policy, it is better to put her in a position to know what is good and to act in accordance with that knowledge.

The relation of birth control to morality is, however, by no means a question which concerns women alone. It equally concerns men.

Here we have to recognize, not only that the exercise of control over procreation enables a man to form a union of faithful devotion with the woman of his choice at an earlier age than would otherwise be possible, but it further enables him, throughout the whole of married life, to continue such relationships under circumstances which might otherwise render them injurious or else undesirable to his wife.

All humanity, all civilization call upon us to take up our stand on this vital question of birth control. In so doing, we shall each of us be contributing, however humbly, to

"One far-off divine event  
To which the whole creation moves."

—Physical Culture, November 1915.\*

If government knew how, I should like to see it check, not multiply, the population.—Ralph Waldo Emerson.

### Arnold Bennett on Birth Control

The arguments against the use of contraceptives no longer count. In the polemics of the last few years they have been damaged beyond hope of repair. They cannot possibly survive. On the other hand, the arguments in favor of the use of contraceptives grow daily in force and persuasiveness.

The proof of these two statements is plain in the ever increasing vogue of contraceptives among all classes, but chiefly among the classes which are best educated and which, in moral sense and in the sense of the responsibilities of citizenship, are, to put it with moderation, certainly not behind the rest of the community.—Introduction to *Fecundity Versus Civilization*, by Adelyne More.

\* By kind permission of the publishers.

## CHANT OF MOTHERS

James Waldo Fawcett

We have waited too long for men to make us free:  
We have waited through useless centuries  
For Love, for Right, for Truth, to loose our bonds,  
For Night to drift away before the Day,  
For Dawn to show a free, wide path,  
Soft for the tender feet of those sweet little souls  
That grow beneath the beating of our hearts,  
Sheltered and kept by our pain-given tears,  
And calmed to rest by our own mother-song.

Oh, you, who were sons and fathers,  
Where have you met our love  
With grateful heart devotion,  
With sense for pain and loss?

Now through the land runs the glad cry  
Of womanhood intent on being free,  
Of motherhood intent on being true.

And womankind shall not be crushed  
Into the sorry dust again  
By children not the flower of love,  
By little lives for poverty to make  
Sad game of and destroy at last  
In the ruthless swirl of Fate.

We have waited too long for men to make us free!  
Now, light up the torch of Truth,  
And let its beacon flame sing  
Through the whole wide world,  
Speaking of Reason free of chains!

We have waited too long for men to make us free!

### The Rehabilitation of Sex

With the regeneration of our social ideas, the whole conception of sex as a thing covert and to be ashamed of, marketable and unclean, will have to be regenerated.

That inestimable freedom and pride which is the basis of all true manhood and womanhood will have to enter into this most intimate relation to preserve it frank and pure—pure from the damnable commercialism which buys and sells all things and from the religious hypocrisy which covers and conceals; and a healthy delight in the cultivation of the body and all its natural functions, and a determination to keep them pure and beautiful, open and sane and free, will have to become a recognized part of life.—Edward Carpenter.



## THE BIRTH CONTROL CLINIC CASES

*J. J. Goldstein, Attorney for the Defendants*

It will be the purpose of this article to set forth in simple language the successive legal phases of the cases against Margaret H. Sanger, Ethel Byrne and Fania Mindell.

There are four distinct cases:

1. Ethel Byrne is charged with violating Section 1142 of the Penal Code, designed to prevent the dissemination of information on "birth control."

2. Ethel Byrne and Fania Mindell are charged with violating the same section, not only in that they acted in concert to disseminate information relative to the prevention of conception, but that, in addition, Fania Mindell sold for twenty-five cents a supposedly indecent book by Margaret H. Sanger entitled "What Every Girl Should Know."

3. Margaret H. Sanger is charged with having conducted a clinic at 46 Amboy Street, Brooklyn, N. Y., for the dissemination of information to prevent conception in violation of the above-mentioned section of the Penal Code.

4. Margaret H. Sanger, having reopened her clinic, was arrested on the charge of "maintaining a public nuisance" in violation of Section 1530 of the Penal Code.

The hearings on cases 1, 2 and 3 were held before Magistrate Steers on October 30th, November 3rd and 6th, 1916, on which last date the magistrate held the defendants for trial in the Court of Special Sessions, fixing bail at five hundred dollars each.

The judges of the Court of Special Sessions, like the magistrates, are not elected, but appointed by the Mayor. By a schedule of rotation, three of them sit to decide cases without a jury.

On November 20th the defendants pleaded not guilty and the cases were set for trial for November 27th. Counsel for the defense objected to so short an adjournment on the ground that it did not afford him an opportunity to prepare the cases properly. Moreover, the defendants did not desire to have their cases tried before the judge presiding during the month of November, on account of opinions previously expressed by him in similar cases.

Counsel's objection was overruled.

In all parts of the State of New York except Greater New York, the defendant has a right to demand trial by jury for all offenses, no matter how insignificant. By constitutional amendment, this right was taken away from defendants charged with misdemeanors in Greater New York and a trial by jury is now granted in such cases only at the discretion of the Supreme Court or the County Court.

Accordingly, on November 22nd application was made to Judge Kelby to grant the defendants in cases 1, 2 and 3 a trial by jury. By order of the judge, pending his decision, these cases were adjourned to December 11th.

On December 4th Judge Kelby denied the application.

*NOTICE.—As we go to press, word comes that Mrs. Byrne has declared a "hunger strike" and will neither eat, drink nor work while she is in prison. Commissioner Burdette G. Lewis has announced that she will be allowed to write only one letter a month and may see no one but her attorney—this, after 140 years of republican government and a generation of "prison reform"!—Ed.*

An appeal from this decision was immediately taken to the Appellate Division. The appeal was heard on December 8th and on the 11th the court dismissed it. In the meantime, pending this decision, the cases had been adjourned to December 27th.

As a further effort to take the cases from the Court of Special Sessions to a higher court, the defendants were surrendered on December 22nd and a writ of habeas corpus, returnable before Judge Aspinall of the Supreme Court, was sued out on the ground that Section 1142 was unconstitutional and that they were therefore being unlawfully detained.

Judge Aspinall dismissed the writ.

An appeal was taken from this order to the Appellate Division, consisting of five judges of the Supreme Court selected by the Governor to hear appeals. On December 29th counsel for the defense argued before this court that the trial in Special Sessions be postponed until the appeal from Judge Aspinall's decision had been heard and decided by them.

On January 2nd the Appellate Division denied this motion.

When the cases came on for trial in Special Sessions, January 4th, counsel for the defendants urged that an adjournment be granted, in accordance with the custom, pending the decision of an appeal to a higher court.

This request was denied and the cases marked ready for trial for that day.

Ethel Byrne's case was reached that afternoon and continued on January 8th. At its close, counsel for the defense was allowed only fifteen minutes to present his argument on the unconstitutionality of Section 1142. He offered to submit a brief, so that the judges might consider the question at their leisure. The presiding justice replied that, in view of the attitude assumed in the past by the Court of Special Sessions in convicting defendants for violations of said section, the court was bound to hold that section constitutional regardless of argument.

The defendant was thereupon found guilty and, on January 22nd she was sentenced to thirty days in the workhouse. A writ of habeas corpus, as a means of suspending sentence pending appeal, was refused by Supreme Court Justice Callaghan and defendant spent the night in jail.

Cases 2 and 3 have been set for trial on January 29th.

Although Section 1142 has been on the statute books since 1887, its constitutionality has never been challenged in the courts. Mrs. Sanger intends to carry these cases up to the Supreme Court of the United States on this issue.

In case 4 a jury trial was granted by Judge Hylan and on January 24th an indictment was returned by the Grand Jury.

On the subject of birth control, the American government has contributed nothing save senseless legislation and still more senseless enforcement. The American nation might as well understand that prison never solved any biological question.—*The New Republic.*





*In our next issue:*

*The Brownsville  
Birth Control  
Clinic*

*by ELIZABETH STUYVESANT,  
social worker in the clinic,  
with illustrations—like this one—  
by William Sanger.*

SECTION 1142 OF THE PENAL CODE OF NEW YORK

*Shall eight thousand women in New York State die from abortion every year because of this LAW?*

*Shall thousands of little children be left motherless because of this LAW?*

*Shall the millions of women in this state bow their heads to the yoke of slavery imposed by this LAW?*

*Shall we sit quietly by with folded hands and wait—wait for our gentlemen LAW-makers to consider our right to voluntary motherhood?*

*Shall we not instead violate so brutal a LAW and thereby teach our LAW-makers that, if they wish women to obey their man-made LAWS, they must make such LAWS as women can respect?*

MARGARET SANGER



## WHAT THE BIRTH CONTROL LEAGUES ARE DOING

Note.—It is planned to make this department a permanent feature of the Review. Correspondence from the different centers of activity will be welcome.

**Boston**—"The prosecution—one of our speakers once unintentionally said persecution, and the meeting applauded—of Van Kleeck Allison last July for printing a theoretical discussion of family limitation by Dr. W. J. Robinson and for giving birth control information to a detective disguised as a laboring man, brought the Birth Control League of Massachusetts into being with a rush. The succeeding phases of the Allison case\* have materially helped the league to become the flourishing organization it is to-day.

"Headquarters were opened at 36 Bromfield Street and an energetic campaign was launched in Allison's defense. The league now numbers over two hundred paid-up members, including many university professors, social workers, physicians and nurses and others prominent in the community.

"A number of public meetings have been held, including an ovation to Mrs. Sanger at the Majestic Theatre, two mass meetings in Faneuil Hall and a public debate between Dr. William H. Ruddick, a prominent Catholic physician, and Dr. Frederick A. Blossom, which packed Ford Hall to the doors and did much to advance our cause. The league feels indebted to Mrs. Sanger, Dr. Blossom, Theodore Schroeder, secretary of the Free Speech League of America, Professor Ellen Hayes of Wellesley College, J. Prentice Murphy of the Boston Children's Aid Society and others who have given of their best at our call of need.

"The movement will be extended gradually throughout the State. Initial meetings have already been held at Springfield and Malden, where Mrs. Grace Anthony MacMichael, cousin of Susan B. Anthony, is actively at work.

"The following officers were chosen at our first annual meeting: President, Mrs. Oakes Ames; vice-presidents, Prescott F. Hall, Mrs. Cerise C. Jack, Dr. Mabel A. Southard; treasurer, Stuart Chase; assistant treasurer, Humphrey A. Styles; secretary, J. Chester Crandell."

**Cleveland**—After two crowded Sanger meetings on Easter Sunday, one in the Unitarian Church and the other at radical headquarters downtown, followed by two months of preliminary organization work, the Birth Control League of Ohio was formed on June 23, 1916, at a gathering of three or four hundred interested persons. Dr. Frederick A. Blossom, manager of the Cleveland Associated Charities, was elected president, officers and committees were chosen and the following statement of objects adopted:

First—The modification of existing laws in such a manner as to allow physicians, nurses and other competent persons to give information concerning methods of preventing conception.

Second—The extension, under proper auspices, of the practice of family limitation as a means of reducing poverty, immorality, crime, physical and mental defectiveness and other human ills.

\* The Allison case has been retried and the original sentence of three years reduced to sixty days. It is being appealed to a higher court and will be fought to a finish. The full story will be told in later issues of the Review.—Ed.

A vigorous campaign was at once undertaken which put birth control "on the map" and soon made it the liveliest issue in town. The official endorsement of the Cleveland Congress of Mothers was secured, as well as the support of other influential organizations.

A weekly luncheon at a downtown restaurant during the summer doubled in attendance until it reached 150 and larger quarters had to be secured. A study class in the philosophy of birth control, meeting every Tuesday afternoon under the leadership of Mrs. Ed. O. Peets, now has two hundred members. A men's group meets regularly at the home of Mr. A. W. Newman, to consider questions of policy and practical problems in the direction of the work.

The present officers of the league are: President, Professor Alfred F. Bosch of East Technical High School; vice-presidents, Dr. Thomas Adams, Rev. Dwight J. Bradley, Dr. Alice Butler, David Gibson; treasurer, H. G. Wellman; secretary, Mrs. Percy W. Cobb; assistant secretary, Miss A. G. Wasweyler.

Two regular monthly meetings, a Saturday luncheon downtown and an evening forum at the Music School Settlement, are being held during the winter, in addition to three or four public meetings a week, on the average, before various groups and organizations throughout the city.

An eight-page pamphlet, *Birth Control News*, published last summer, has reached an edition of 20,000 copies. A second number is nearly ready for publication.

In the meantime, systematic work has been done to put contraceptive information within the reach of those who need it. Fortunately, the Ohio law allows physicians to give instruction "in the regular practice of their business." A personal canvass of the physicians of the city is being carried on to urge them to take advantage of this provision and give instruction freely. This is now being done regularly in one large hospital and in several public dispensaries.

A state-wide campaign is being worked out for the coming summer. A beginning was made in Painesville at a meeting on October 25th, when a committee was named to form a local organization. A similar movement will be started in Cincinnati in connection with President Bosch's talk before the City Club of that city on February 3rd. Ravenna, where the movement already has many friends, will be tackled in the near future.

**New York**—At a meeting held December 18, 1916, The Birth Control League of New York was organized for the following objects:

1. To support Margaret Sanger in her legal fight for birth control.
2. To secure such amendment to the State and Federal Laws as will allow physicians and registered nurses to give scientific instruction in birth control.
3. To advocate and encourage birth control as a means of safeguarding the health of mothers and children and promoting the social welfare.



The officers chosen were: President, Dr. Frederick A. Blossom, managing editor of *The Birth Control Review*; vice-presidents, Rev. Sidney E. Goldstein, head of the social service department of Rabbi Stephen S. Wise's Free Synagogue, and Helen Todd, a national figure in the woman suffrage movement; treasurer, Dr. Morris H. Kahn of Mount Sinai Hospital; secretary, M. Louise Hunt; chairman of finance committee, Mrs. Augusta P. Hope.

Headquarters were opened at 104 Fifth Avenue, New York City, and an aggressive campaign in city and state was decided upon.

The first move in this campaign was the appointment of the MARGARET SANGER DEFENSE COMMITTEE, which has gone vigorously to work to raise the \$5,000.00 needed to carry the four Sanger clinic cases to the highest courts. It is organizing for this purpose a mass meeting to be held at Carnegie Hall, January 29th, and has issued an appeal to all friends of the movement to contribute to the Margaret Sanger Defense Fund.

The league is securing thousands of signatures to the following petition:

To the Governor and Legislature of the State of New York:

Whereas birth control would safeguard the health of mothers and children, check the growing evil of abortion, lessen divorce, prostitution, illegitimacy and venereal disease, decrease infant mortality and child labor, protect and strengthen the home, improve the racial stock and elevate the national character, therefore

We call upon you to enact such legislation as will allow physicians and registered nurses to give scientific instruction in birth control to the men and women of this State, as is allowed in every civilized country except the United States.

**Pittsburgh**—Following a series of nine meetings in this city addressed by Dr. Frederick A. Blossom in December, a strong nucleus was formed to organize The Birth Control League of Western Pennsylvania. Professor Roswell H. Johnson of the University of Pittsburgh, one of the leading eugenists in the country, is chairman of the committee on organization. The secretary, Mrs. Clarence Renshaw, 117 Linden Avenue, Edgewood, Pittsburgh, would like to hear from all those interested.

**Portland**—Organized in May, 1915, the Birth Control League of Portland, Oregon, has been active in stimulating an intelligent discussion of the population question as a great factor in all economic, social and moral problems. Public opinion may not yet wholly endorse the position of the League regarding the repeal of laws against dissemination of birth control information, but there are thousands of persons in Oregon who uphold its contentions and give its work moral support. Public officers are obliged to take this body of opinion into consideration and they have done so, as is evidenced by the fact that three arrests recently made for the sale of the "Family Limitation" pamphlet were indefinitely continued by Municipal Judge Langguth.

The case of Carl Rave, arrested in September on a similar charge, has been taken to the circuit court on appeal. It will probably come up for hearing next month or in January. This is a test case, the first of the kind taken into a court of record in this State.

Many thousand pieces of propaganda matter have been distributed in Oregon and nearby States by the League, setting forth the grounds for advocating the repeal of laws which treat birth control information as obscene literature. The League has helped to bring the whole subject into the light of day, as its importance warrants, instead of having it discussed shamefacedly behind

closed doors. We have had large public meetings, addressed by some of the leading physicians and social workers of Portland, such as Dr. Marie Equi, Dr. Samuel Gellert, Dr. Mae Cardwell, C. E. S. Wood, Dr. Ella K. Dearborn, Dr. Bertha Stuart of Reed College, Charles H. Chapman, Ph.D., former president of the University of Oregon, and Miriam van Waters, Ph.D., formerly of the Boston Juvenile Court.

"Where Are My Children?" a film play purporting to deal with birth control, but really exploiting abortion, played for a week in a downtown theatre in Portland. The League objected to the method of advertising the film as a "tremendous preachment on birth control." The management allowed H. C. Uthoff, president of the local league, to speak to the audience of the theatre three times daily on the difference between contraception and abortion, outlining the position of the League. Thousands were reached in this manner who had probably never given the subject of birth control serious consideration.

The League meets in the Central Library every third Wednesday in the month. Prospects are excellent for the extension of its influence.

The address of the president, H. C. Uthoff, is 652 Elliott Avenue, and of the secretary, Mrs. J. R. Oatman, 549 Fifth Street, Portland.  
H. C. U.

**Seattle**—"There is plenty of interest in birth control here. The league receives letters almost every day from different parts of the State and various points in the United States and Canada.

"Several individuals are distributing pamphlets on 'Family Limitation' in the small towns and mining camps throughout the State.

"We expect shortly to organize a league in Tacoma and are making plans for a Pacific Coast Federation of Birth Control Leagues.

"Long life to the Review!"

## The Parental Instinct

When I see to what interminable trouble and expense some men and women go in order to have children; when I see what tortures and risks, endangering her very life (I am speaking of numerous Cæsarean sections) a prospective mother will undergo in order to have a living child, I have no fear that the use of preventives will result in the dying out of the human race.

It is the height of folly to argue that, because people object to six or a dozen children, they would object to two or three.—Dr. W. J. Robinson, *The Limitation of Offspring*.

To Readers of *The Woman Rebel*:—

We are anxious to make up a complete file of *The Woman Rebel* for reference. Will any of our friends donate copies for this purpose?

THE BIRTH CONTROL REVIEW



# BIRTH CONTROL

Frederick A. Blossom

What is meant by "birth control"? What is claimed for it and what are the objections raised against it?

These are questions insistently in the public mind to-day. Amid the clamor and confusion of the present struggle, a dispassionate and comprehensive answer is needed.

Summed up in a word, by "birth control" is meant the regulation of conception by harmless means, with a view to preventing the birth of undesired children. By no stretch of the wildest imagination can it be made to spell abortion or any form of infanticide; it is not "race suicide" or any of the dire things conjured up by its overheated and not always scrupulously accurate opponents.

The most palpable justification for the rational control of pregnancy is found in the protection it would afford to the health and life of both mother and offspring. To subject a woman to the exhaustion of childbearing at too frequent intervals or at times when her general condition is not favorable, and thereby condemn children to be born into the world poorly equipped for the physical struggle of life, is neither humane nor intelligent.

Unregulated childbearing means a progressive decline in the mother's health accompanied by progressive debility in her offspring.

Ample proof of this statement—if proof were needed for such a simple truth—is furnished by the investigation conducted by Dr. Alice Hamilton\* into the child mortality among 1,600 families in the Hull House district, Chicago. It was found that, as the number of children increases, the death rate goes up, so that in families having eight or more children, for example, the mortality among them is two and one-half times as high as in homes where the number of children does not exceed four.

Similarly, tables compiled by the Children's Bureau at Washington in its "Johnstown Survey" bring out graphically the grim fact that the large families lauded with such vociferousness by the advocates of large armies only serve to fill the ranks in our hospitals and the rows in our graveyards.

But these figures have a deeper significance than merely as mortality tables. Where there is death in such abundance, there must necessarily be abundant sickness and suffering, not only for the child, but also for the parent. A high rate of infant mortality is indicative of a high rate of infant morbidity, with concomitant ill health and death among the mothers.

Birth control would give protection to woman's health and ensure greater vitality in her offspring.

Closely interwoven with these physiological considerations is "the economic urge to birth control." With the steadily increasing cost of practically all the necessities of

existence and the more rigid stratifying of our industrial system, the pressure of the large family is making itself keenly felt both among the working class and in our so-called learned professions. Faced with the blank wall of insufficient income, parents are finding themselves more and more under the stern necessity of keeping down the number of their children.

It is this more than anything else which, coupled with the official repression of contraceptive knowledge, is responsible for the widespread and steadily growing practice of abortion, an evil far more prevalent among the working class and the poor than among the rich, who to-day are very generally instructed in birth control and fortunately shielded, therefore, from the necessity of resorting to harmful methods of family limitation.

The blame for these "economic abortions," it cannot be too often repeated, rests, not upon the women who, unwilling to bring into the world children that cannot be properly provided for and whose arrival would cut down the already scant portion of the other members of the family, adopt the only means known to them to avert such a calamity, but upon those forces of church and state which insist that these women be kept in ignorance of how to prevent pregnancy and thereby forestall any need of abortion.

With the improvement in physical and economic conditions indicated above, will necessarily come similar progress along less material lines. Intelligent limitation of offspring will mean better care and longer schooling for the children, closer companionship with their parents, full, normal comradeship—"joyous and unafraid"—between husband and wife, a richer home life and a sounder citizenship. The advantages to society cannot be calculated.

It is needless to say that a movement of this nature, designed to protect the mother's health and shield her home and her children, appeals with peculiar force to those who are striving for woman's right to recognition as a human being, with the freedom of action and control over her own person which that implies. Voluntary motherhood is an essential part of woman's program to-day. It is the initial step in her forward progress, the foundation stone of her new liberty.

As in every struggle between the demand to know and the command to obey, the fight for birth control has enlisted also the sturdy defenders of free speech and an unhampered printing press. Because "birth control" involves the fundamental question of the untrammelled communication of knowledge, it necessarily receives the active support of every friend of liberty who stands true to his philosophy.

There are many arguments in favor of birth control but the one great underlying principle is the right of the individual to know all scientific truth and to use it in shaping his destiny as his judgment and conscience may dictate.

(In a later issue: *The Objections to Birth Control.*)

\* *Bulletin of The American Academy of Medicine*, May 1910.



## NEEDLESS WASTE OF LITTLE LIVES

H. G. Wells

A portion of infant and child mortality represents, no doubt, the lingering and wasteful removal from this world of beings with inherent defects, beings who for the most part ought never to have been born and need not have been born under conditions of greater foresight.

These, however, are the merest small fraction of our infant mortality. It leaves entirely untouched the fact that a vast multitude of children of untainted blood and good mental and moral possibilities, as many perhaps as one hundred in each thousand born, die yearly through lack of sufficient food, lack of sufficient good air and lack of sufficient attention.

The plain and simple truth is that they are born needlessly. There are still far too many births for our civilization to look after adequately; we are still unfit to be trusted with a rising birth rate.

These poor little souls are born amid tears and suffering; they gain such love as they may; they learn to feel and to suffer; they struggle and cry for food, for air, for the right to develop; and our civilization at present has neither the courage to kill them outright quickly, cleanly and painlessly, nor the heart and courage and ability to give them what they need.

They are overlooked and misused, they go short of food and air, they fight their pitiful little battle for life against the cruellest odds, and they are beaten. Battered, emaciated, pitiful, they are thrust out of life, borne out of our regardless world, stiff little life-soiled sacrifices to the spirit of disorder against which it is man's pre-eminent duty to battle.

There has been all the pain in their lives, there has been the radiated pain of their misery, there has been the waste of their grudging and insufficient food and all the pain and labor of their mothers, and all the world is the sadder for them, because they have lived in vain.—  
*"Mankind in the Making."*

### Blindfolded Justice

Dr. Morris H. Kahn, as he stated publicly at a meeting of the New York County Medical Society, has given instruction in birth control to 464 women patients at one of the city dispensaries.

And yet, when he was called to testify at the first birth control clinic trial, his testimony was ruled out as being *"INCOMPETENT, IRRELEVANT AND IMMATERIAL"*

The Agricultural Department of the United States distributes information on the best methods for breeding domestic animals and sends those to jail who advocate the higher stirpiculture for the sake of humanity.—  
Theodore Schroeder.

January 20, 1917.

To Jeannette Rankin,  
Member of Congress elect,  
Missoula, Montana.

My dear Miss Rankin:—

For the first time in our history, the women of this country are to be represented in the deliberations of our national legislature. This is an opportunity so rare, so rich in possibilities, that the champions of woman's freedom throughout the country are eagerly watching to see how you will use your privilege.

Will you labor in behalf of little children who must work and may not play? Will you bend your efforts toward easing the lot of the women who toil? Will you focus your activities on woman's right to a direct part in government? What will you demand for us, whose sole representative you will be?

Whatever reforms you advocate, whatever measures you secure for the women of America, they will remain to a large degree futile until woman is freed from the bondage of enforced maternity.

Will not your first demand, then, be that woman's right over her own body be recognized and written into the statute books of this country?

ELIZABETH STUYVESANT

## THE MENACE OF LARGE FAMILIES

Scott Nearing

The large family is a menace to-day because each additional child in a wage earner's family lowers the family standard and renders it less probable that the members of the family will elude the clutches of poverty.

In 1903 the United States Commissioner of Labor reported on 11,156 families of workingmen. In the families with one child, the average income per person was \$212.76; in the families with three children, the average was \$133.18; while, in the families with five children, the average income per person was \$94.97.

In the average workingman's family, each additional child means additional hardship. "It is well known among social workers that the birth of a child is a serious menace to the prosperity of the ordinary day laborer's family and that, in the case of the unskilled poor in a great city, the birth of a second or third child, even in prosperous times, often brings disaster to the home." (B. C. Marsh.)

The large family of the present day, among the small earners in cities, is a menace to family welfare, but the large families of 1800, if they had continued their then rate of increase, would have been an even greater menace to national welfare.—*Social Adjustment.*



## IN OUR MORNING MAIL

## THE WEEKLY PRESS SERVICE

OF THE SOCIAL SERVICE COMMISSION, AMERICAN FEDERATION OF CATHOLIC SOCIETIES

Peter E. Dietz, Editor, Hot Springs, N. C.

A RESOLUTION TO SECURE THE RETENTION OF ANTI-BIRTH-CONTROL LAWS, ADOPTED BY THE WHITE CROSS NURSES, DECEMBER 13, 1916

WHEREAS, There is abroad to-day an utterly inhuman tendency to violate the natural and moral law of marriage by the use of various contraceptive devices, alleging liberalist, eugenic, economic or other specious pleas in defense of this lower than beastly perversion; and

WHEREAS, This tendency, in making public opinion, has consolidated into a nation-wide movement, under the aegis of the so-called "Birth Control League," seeking a character of respectability in the name of "race-betterment, eugenics-registry, health-aristocracy," etc.; and

WHEREAS, This unnatural and utterly anti-Christian propaganda is now forced upon the American public by the parliamentary action of the New York City Woman's Club, in demanding the repeal of anti-birth-control laws; and

WHEREAS, Similar action has been taken by woman's clubs in other cities and is likely to make still further progress, abetted in part by the medical and journalistic professions; therefore be it

RESOLVED, That we call upon all Catholic women to antagonize in private life and by organized force the vicious tendencies pointed out, to sever all connection with clubs and societies already vitiated; and be it furthermore

RESOLVED, That we heartily express our approval of the laws prohibiting every unnatural and immoral birth-control propaganda, and ask all Catholic associations to so inform their legislative representatives as against any attempt to repeal such laws; and be it

RESOLVED, In conclusion, that we send copies of these resolutions to the Bishops and the Catholic press of our country and that we boycott all journals, magazines and publishers who have become partisans to the propaganda that has called forth this set of resolutions.

Anna Hourigan,  
Gladys Bronner,  
Sarah Shea,  
Ruth Norris,

Public Morality Committee, White Cross Nurses.

## "BETTER THAN BIRTH CONTROL"

"Natural and inevitable conditions, over which we can have no control, will assert themselves wherever population becomes too dense. This has been exemplified time after time in the history of the world where over-population has been corrected by manifestations of nature or by war, flood or pestilence. . . .

"Belgium may have been regarded as an over-populated country. Is it a coincidence that, during the past two years, the territory of Belgium has been devastated and its population scattered throughout the other countries of the world?"—John S. Sumner, Secretary of the New York Anti-Vice Society, speaking against birth control in a debate before the Women's City Club, New York, November 17, 1916.

Mr. Sumner has given voice to the uncritical parlor Darwinism of the "survival of the fittest" type, which is still authentic science to many people, and to the very widely held belief that nature attends to the too presumptuous races.

Ultimately, nature does attend to them. But surely the advocates of birth control are entitled to claim that what they propose is less an affront to nature than that reckless breeding which, according to Mr. Sumner himself, is always punished by the whips of flood, disease or war. Interference with these particular forms of "natural" selection has become the task of nine-tenths of the progressive and liberal people the world over.

Posing as a glib apologist for the invasion of Belgium because of one's opposition to birth control is hardly an inspiring intellectual performance. The old-fashioned religious temper which found ingenious theological uses for the wrack and pain of the world here has a curious modern parallel.—The New Republic.

## The Enemies of Birth Control

"Foxes think large families among the rabbits highly commendable. Employers who want large supplies of cheap labor, priests who want large numbers of parishioners, military leaders who want plenty of cheap food for gunpowder, and politicians who want plenty of voters, all agree in commending large families and rapid multiplication among the poorer classes."—Professor Thomas Nixon Carver, Harvard University, President of the American Economic Association.

Woman is given to us that she may bear children. Woman is our property, we are not hers, because she produces children for us—we do not yield any to her. She is, therefore, our possession, as the fruit tree is that of the gardener.—Napoleon Bonaparte.

## Notice

We are planning to publish a chronology of the birth control movement in this country and should be glad to receive items giving date and place of noteworthy events, past and current.

THE BIRTH CONTROL REVIEW.



## A WORKING BIBLIOGRAPHY ON BIRTH CONTROL

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*Freedom of the Press and "Obscene" Literature*, three essays, published by The Free Speech League.

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Dr. Evangeline Young, *Shall Parenthood Be Provident or Haphazard?* *The Medical Review of Reviews*, August 1916. Reprinted by The Birth Control League of Massachusetts. Contains a very full bibliography of current literature on birth control.

Note—We are preparing a complete bibliography on birth control and ask the readers of the Review to send in any memoranda they think might be helpful.—Ed.

Two books by Margaret Sanger:

"WHAT EVERY GIRL SHOULD KNOW"

and

"WHAT EVERY MOTHER SHOULD KNOW"

Twenty-five cents each, postpaid.

*Jailed for Birth Control*, the story of the trial and imprisonment of William Sanger, edited by James Waldo Fawcett, ten cents a copy.

## CHURCH OF THE MESSIAH

Park Avenue and Thirty-fourth Street

New York City

October 24, 1916.

*I support the Birth Control doctrine as one more step in the direction of man's full and absolute control over the destinies of his own life.*

*To mould the world of nature to the fulfillment of his own spiritual purposes, is man's unique achievement. It is this which raises him from the rank of a creature to that of a creator.*

*Birth Control marks one more extension of this achievement and is, therefore, a challenge to our wisdom and our courage.\**

JOHN HAYNES HOLMES

## AWFUL PROBABILITIES

At last we have a real argument against birth control. And, to give it more weight, it comes from a learned judge, Justice J. J. McInerney, of Special Sessions.

Justice McInerney is thus quoted in the press: "Abraham Lincoln would probably never have been born if birth control had been practiced."

Probably, mark you. Not possibly or maybe, but probably. A probable Daniel, come probably to probable judgment. And if Abraham Lincoln had never been born, how we all would probably miss him and wish that he had! Just as we now probably miss all those indispensable persons who never were born, and have to struggle along without them as best we may.

Lincoln would probably never have been born! Wonder if the same probability extends to Jefferson Davis? How would we have got along without him?

Of course, there are a number of people "that never would be missed," if they probably had never been born because of the practice of birth control. Over against Washington we may probably place George III. and Benedict Arnold. Probably we should have had no Wilson to keep us out of war and then, too, we would probably have had no Hughes, either. Probably there might have been no Kaiser, no Henry Ford, no W. J. Bryan, no Jesse Pomeroy, no Becker, Rosenthal or "Dopey Benny."

The probabilities are simply infinite. Probably we might even have had no Justice McInerney to put us next to these fearsome probabilities.—*New York Call*, December 5, 1916.

\* Part of a letter read at the birth control banquet at the Breyoort House, New York City, October 29, 1916, on the eve of the trial of Jessie Ashley for disseminating information on birth control.



# MARGARET SANGER DEFENSE COMMITTEE

of the

## BIRTH CONTROL LEAGUE OF NEW YORK

104 Fifth Ave., N. Y., Jan. 23, 1917.

To the People of the United States:—

For the past three years, Margaret Sanger has been carrying on her fight for birth control practically single-handed. She has had powerful forces arrayed against her but has not hesitated to put all she had into the cause, with no hope of return.

She is now carrying four law-suits, two against herself and two against her assistants, Ethel Byrne and Fania Mindell, for conducting a birth control clinic—to demonstrate the practical value of the clinic idea and test the constitutionality of the law.

These cases should be fought through to the highest courts, so that the legal questions involved may be settled.

Margaret Sanger cannot do this alone—she should not be asked to—it is our fight as much as hers—we must do our part.

Five thousand dollars will be needed for the legal expense of this fight. This sum can be raised quickly if everybody will do his share. What will YOU give?

Give as liberally as you can and, above all, give quickly so that we may know what we can count on.

Let us show that the people of the United States are back of Margaret Sanger in her fight for humanity.

### MARGARET SANGER DEFENSE COMMITTEE

*"The cause combatted for is yours—the efforts and sacrifices made to win it ought, therefore, to be yours."—Mazzini.*

## THE MALE DECIDES

Anita C. Block

The Manchester Guardian reports the case of a lino-type operator, the father of six children, who claimed exemption before the Morecambe Tribunal on the ground that he was doing more good by staying in his present occupation and looking after the proper training of his numerous family than by going off to war.

The following dialogue is reported to have taken place:

The Mayor: "Have you stopped at this number?"

The Applicant: "I hope so."

The Mayor: "It is of national importance, you know."

The Applicant: "I would make no promise of increasing the number with the idea of getting exemption."

"Conditional exemption," concludes the report, "was granted."

Conditional on what? Conditional, of course, on his increasing the number of his children. To read of this procedure in an English court makes one wonder whether such a person exists as the mother, or whether there is at home a mere breeding machine of which the mayor and the husband dispose at their pleasure.

The men in power want children, more children, to take the place of those they have slaughtered; the husband knows he can win safety from war's dangers by supplying them, and woman is regarded by both as nothing but their needful tool. What a picture! And what an argument for woman's mastery over her own body, so that the male, neither individually nor collectively, can traffic in her any more.—*New York Call.*

## HISTORIC DOCUMENTS

[It is our plan to publish from time to time manifestoes, letters, public statements and other documents which have played a part in the birth control movement in this country. We shall be glad to receive any such papers for publication.]

The following letter was addressed by Margaret Sanger to the gentleman then presiding over the court before which she was to be tried, her efforts to secure a jury trial having been effectively blocked by the District Attorney.

The next afternoon, Judge McInerney was reported in the press to have "made application to the District Attorney to be taken off this case."

### An Open Letter to Judge J. J. McInerney

November 26, 1916.

Sir:—

As a man, as a citizen of a democracy, as an American pledged to the principles and spirit on which this republic was founded, as a judge obligated by oath to fair and impartial judgment, do you in your deepest conscience consider yourself qualified to try my case?

In those birth control cases at which you have presided, you have shown to all thinking men and women an unflinching prejudice and exposed a mind steeped in the bigotry and intolerance of the Inquisition.

To come before you implies conviction.

Now, in all fairness, do you want a case of this character brought forcibly before you when the defendant feels and believes that you are prejudiced against her?

MARGARET SANGER

January 1, 1917.

*I am very glad to have my name used as one who believes in the educational campaign which Margaret Sanger is making.*

SCOTT NEARING

Obey the law? That is not so clear, for the law is often naught else but the will of those who impose it. The name of the law does not sanction despotism and all men have the right to resist oppressive laws.—Saint-Just.

GHB 4507A