

*(“College Day in the Picket Line, Feb. 1917,” National Women’s Party Records, Library of Congress, Washington, D.C., LC-USZ62-31799. See Katherine H. Adams and Michael L. Keene*, Alice Paul and the American Suffrage Campaign *[Urbana, 2007], and the documentary film by Ruth Pollak for the American Experience and WGBH*, One Woman, One Vote *[PBS Home Video, 1995; reissued on DVD, 2006], especially the closing episodes.)*

In his second successful campaign for the presidency, Woodrow Wilson promised—vaguely—to support woman suffrage. In January 1917, Alice Paul and the National Woman’s Party undertook a permanent demonstration—a picket line—in front of the White House, near the gates, to hold the president to his promise. Their silent protest was modeled on the campaigns of British suffragists and may have been the first use of this political strategy in the United States. To provoke continued press attention and to represent the widespread support for the cause, Paul ingeniously arranged for themed days. First came State days—Maryland was first—in which the pickets came exclusively from the given state. On College Day, the one represented in this photograph, thirteen women wore sashes announcing their alma maters. On the afternoon of Wilson’s second inaugural, March 4, one thousand women, in a freezing rain, encircled the White House in one long, marching line, with the pictures and story generating unprecedented press coverage.

In April, with Congress about to declare war and the pickets’ banners offering sharp political jibes, the strategy proved divisive among women’s rights advocates. Some called the tactic indecorous, insulting to the president, and close to treasonous. Press commentary grew shrill, and the crowds gathered to heckle the “silent sentinels” grew violent; banners were torn to shreds. Arrests followed, in April and on into the fall—not of the attackers but of the pickets for “obstructing sidewalk traffic.” These women accepted jail or workhouse terms rather than pay the twenty-five dollar fine; and on release, they returned defiantly to the picket line.

The cycle of peaceful protest and violent response intensified in August, when the picketers provocatively carried banners mocking “Kaiser Wilson” and highlighting the contradiction between the US policies of criticizing the kaiser for denying democracy in Germany and denying the vote to the half of the US population. In the fall, jailed picketers, including Alice Paul, went on hunger strikes because they had asked for and been denied political prisoner status. Like British suffragists, they were force-fed—an intrusive act that was painful and medically dangerous. All were released in late November, when local officials anticipated (rightly) that the arrests and detentions would be ruled unconstitutional on appeal.

Meanwhile, the pickets of 1917, the private letters that Wilson received from feminists such as Jane Addams and Carrie Chapman Catt, and the exigencies of war led to a presidential change of mind: in early January 1918, Wilson announced his support for the federal woman suffrage amendment then making its way through Congress. In September, he went to the Senate to urge passage there, presenting the matter as critical to the war effort. However, it would take new elections and a newly constituted Senate for the bill to pass and another year until ratification.

When the Fourteenth and Fifteenth Amendments failed to provide for universal suffrage, a federal amendment was introduced into the Senate by S. C. Pomeroy of Kansas in 1868 and into the House by George W. Julian of Indiana in March 1869. Historian Ellen DuBois has observed, “Previously the case for suffrage had consistently been put in terms of the individual rights of all persons, regardless of their sex and race. Angered by their exclusion from the Fifteenth Amendment, women’s rights advocates began to develop fundamentally different arguments for their cause. They claimed their right to the ballot not as individuals but as a sex.… The reason women should vote was not that they were the same as men but that they were different. That made for a rather thorough reversal of classic women’s rights premises.”[\*](https://jigsaw.vitalsource.com/books/9780190945763/epub/OEBPS/Chap14.xhtml?favre=brett#fn60-1)

Arguing for the vote on the basis of women’s *difference* from men could be effective in strengthening women’s sense of group consciousness, but it also was compatible with racist and nativist arguments that white women needed the vote to counteract the suffrage of black and immigrant men. The old alliance of woman suffrage and abolitionist activism eroded, even though voting rights for black men were under siege after Reconstruction. The suffrage efforts of 1870 to 1920 continued to display arguments on the basis of equality, but younger generations of activists were increasingly likely to emphasize difference—what one activist called “the mother instinct for government.”

Woman suffrage was not accomplished easily. One scholar has counted 480 suffrage campaigns waged at the state level between 1870 and 1910, but in the end only seventeen referenda were held, with only two successes (in Colorado and Idaho).[\*\*](https://jigsaw.vitalsource.com/books/9780190945763/epub/OEBPS/Chap14.xhtml?favre=brett#fn60-2) Stanton died in 1902; Anthony in 1906. But a new, younger generation adopted new strategies. Americans were inspired by the militancy of the British suffrage movement. In 1902 Carrie Chapman Catt was simultaneously president of the International Woman Suffrage Alliance and the National American Woman Suffrage Association (NAWSA). By 1910 it was clear that a reinvigorated movement was under way, using door-to-door campaigns, street-corner speakers, and poll watchers on Election Day. For the first time, cross-class suffrage organizations, like New York’s Equality League of Independent Women, were mobilizing support for suffrage. Suffragists staged public parades that attracted tens of thousands of supporters.

Although many suffragists had claimed that when women got the vote, there would be no more American endorsements of war, Catt swung NAWSA behind Woodrow Wilson, American support for the allies, and, eventually, the nation’s entry into World War I in April 1917. The more radical National Women’s Party (NWP), under the leadership of Alice Paul, staked out a very public position protesting Wilson’s failure to explicitly endorse a federal guarantee for women’s suffrage. Putting aside his states’ rights approach, the president publicly endorsed a constitutional amendment in early 1918. One day later, the House of Representatives passed the suffrage amendment, barely achieving the required two-thirds majority. But despite a personal appearance from Wilson, it failed by only two votes to carry the Senate.

As state after state enacted woman suffrage for statewide elections, the number of members of Congress dependent on women’s votes increased. With the federal suffrage amendment slated to come before Congress again and again, these men were likely to believe that they had no choice but to support it. In the fall 1918 elections, NAWSA targeted four senators for defeat; two of them failed to be reelected. Moreover, energetic campaigns in the states to elect prosuffrage candidates to Congress worked. When the amendment came up in the new Congress, according to Anne F. Scott and Andrew Scott, “224 of those voting yes came from suffrage states, and eighty from nonsuffrage states.”[†](https://jigsaw.vitalsource.com/books/9780190945763/epub/OEBPS/Chap14.xhtml?favre=brett#fn60-3) It squeaked by in the Senate. It was ratified by thirty-five states by August 1920; the final state was Tennessee, where, after a bitter struggle, it was ratified by a single vote, just in time to permit women to vote in the elections of 1920.

When Puerto Rican women attempted to register to vote in 1920, however, the U.S. Bureau of Insular Affairs decided that the Nineteenth Amendment did not automatically apply to U.S. territories. Suffragist groups mobilized in Puerto Rico, lobbying throughout the next decade both on the island and in Washington, D.C., with support from the NWP. In 1929 the territorial legislature granted suffrage to women restricted by a literacy requirement; not until 1935 was universal suffrage established in Puerto Rico.

Many southern states had excluded African American men from voting by using literacy tests, poll taxes, and intimidation; in those states black women could vote no more easily than black men, and suffrage was an empty victory. The state of Georgia effectively discouraged white women from voting as well by providing that any woman who did not choose to register to vote did not have to pay the poll tax. This law, which encouraged women—and their husbands—to see voting as an expensive extravagance, was upheld by the U.S. Supreme Court in 1937 (*Breedlove v. Suttles*, 302 U.S. 277).

After the battle for the vote concluded, former suffragists turned their attention to sex-based discrimination in the law. Led by Alice Paul’s National Woman’s Party, some former suffragists advocated for another constitutional amendment, this time to affirm rights for men and women as equals and as individuals. The proposed Equal Rights Amendment (ERA) was modeled after the Thirteenth Amendment, offering that “Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction.”

However, not all former suffragists believed that it was wise to enshrine sex equality into the Constitution. Florence Kelley and many of her Women’s Trade Union League colleagues had struggled to pass sex-specific labor legislation in the 1910s. These labor activists worried that the ERA would threaten the new labor regulations, which restricted the number of hours a woman could work and improved working conditions for women in industry. The Supreme Court had affirmed that these laws were constitutional because it regarded women as a special class of workers in need of governmental protection because of their childbearing role. An ERA would invalidate sex-based labor laws, they feared, since comparable protection would not be extended to men. The ensuing debate—often waged between two sides that cared deeply about women’s legal, economic, and social status—created deep and lasting divisions. Unable to agree on a unified agenda for four decades, veterans of the first women’s movement expended energy in internal conflict, thereby diluting their political effectiveness. Not surprisingly, women’s issues made little headway on a national scale until the 1960s.

The first debate over the ERA was critical not only because of its long-term consequences, but also because it highlighted that feminists could hold different opinions about the social significance of gender and the meaning of equality. Do you think that equality requires that men and women have the same rights and be subject to the same treatment, or does equality require different treatment? How should the law treat differences created by biology, especially with regard to pregnancy? How might workplaces be reimagined to permit men and women to have similar opportunities despite their biological differences?

Text of the first proposed ERA amendment, September 25, 1921:

“Section 1. No political, civil, or legal disabilities or inequalities on account of sex or on account of marriage, unless applying equally to both sexes, shall exist within the United States or any territory subject to the jurisdiction thereof.

“Section 2. Congress shall have no power to enforce this article by appropriate legislation.”

This “Act for the Suppression of Trade in, and Circulation of Obscene Literature and Articles of Immoral Use” was passed in 1873 at the urging of Anthony Comstock, the head of the New York Society for the Suppression of Vice. The first section prohibited the sale of the described materials in the District of Columbia and the territories; subsequent sections prohibited the sending of these materials through the mails or their importation into the United States. Enforcement, as historian Helen Horowitz has explained, was placed in the hands of a newly created “special agent in the United States Post Office with power to confiscate immoral matter in the mails and arrest those sending it.” In the 1870s, many states passed their own versions of the federal law.

The link of “obscene literature and articles of immoral use” reflected contemporary practice. Erotic literature and pornography were often sold in the same shops that sold condoms and other birth control devices; these devices, and substances offering to induce abortion, were often advertised in the pages of pornographic literature. Anthony Comstock included in this category writings on sexual reform and free love. The law reflected a belief that both contraception and abortion were acts of interference with the natural order and with God’s intentions. No distinction was made between drugs used for abortion and materials used for contraception or, indeed, pornographic pictures that encouraged masturbation; all were treated in the same terms. The law may have begun “as a measure to protect children against erotica,” but it included “contraceptive information and materials and advertisements for abortion.… it was possible to construe this law as banning printed advocacy of free love.”[\*](https://jigsaw.vitalsource.com/books/9780190945763/epub/OEBPS/Chap16.xhtml?favre=brett#fn67-1) Note the heavy penalties provided.

Be it enacted… That whoever, within the District of Columbia or any of the Territories of the United States… shall sell… or shall offer to sell, or to lend, or to give away, or in any manner to exhibit, or shall otherwise publish or offer to publish in any manner, or shall have in his possession, for any such purpose or purposes, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion, or shall advertize the same for sale, or shall write or print, or cause to be written or printed, any card, circular, book, pamphlet, advertisement, or notice of any kind, stating when, where, how, or of whom, or by what means, any of the articles in this section… can be purchased or obtained, or shall manufacture, draw, or print, or in any wise make any of such articles, shall be deemed guilty of a misdemeanor, and on conviction thereof in any court of the United States… he shall be imprisoned at hard labor in the penitentiary for not less than six months nor more than five years for each offense, or fined not less than one hundred dollars nor more than two thousand dollars, with costs of court.…

[\*](https://jigsaw.vitalsource.com/books/9780190945763/epub/OEBPS/Chap16.xhtml?favre=brett#fni67-1) Helen Lefkowitz Horowitz, *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth-Century America* (New York, 2002), 381, 385.

*Public Laws of the United States of America, Passed at the Third Session of the Forty-Second Congress* (Boston, 1873), 598.

[*Emma Goldman’s Mugshot, 1901*](https://jigsaw.vitalsource.com/books/9780190945763/epub/OEBPS/Contents.xhtml#ts68)



This infamous 1901 mug shot of Emma Goldman, a prominent anarchist, was taken after she was arrested on suspicion of having organized the assassination of president William McKinley; she was released two weeks later, when authorities failed to find any evidence linking her to the crime. Fifteen years later, in 1916, Goldman, a Russian émigré (from present-day Lithuania), was arrested again, this time for distributing a pamphlet titled *Family Limitation* and delivering speeches about how to practice birth control. She was imprisoned for two weeks on charges that she had violated the Comstock Act by distributing obscene literature. Goldman understood contraception in political terms: it offered a means of liberating women by enabling them to control their own bodies and reduce their economic dependence on men. In 1919, Goldman was among nearly 250 émigrés deported to Russia as part of a purge of activist immigrants after the First World War. (Photograph from the Bain Collection, Library of Congress Prints and Photographs Division.)

[*Margaret Sanger*, Contraception for All Women](https://jigsaw.vitalsource.com/books/9780190945763/epub/OEBPS/Contents.xhtml#ts69)

Around the turn of the twentieth century, the contrast between the high fertility of newly arriving immigrants and the low birth rate among old-stock Americans prompted such leaders as Theodore Roosevelt to lament “race suicide” and to exhort women of the “proper sort” to selflessly perform their traditional, maternal functions. Viewed through women’s eyes, however, these population trends looked different, as the following selection on the beginnings of the birth control movement illustrates. Although a few radicals such as Emma Goldman saw contraception as a means of liberating women by restoring to them control over their own bodies and thereby lessening their economic dependence on men, it was Margaret Higgins Sanger whose name would become most closely linked with the crusade for birth control.

Many factors propelled Sanger—a complex personality—to leadership. One of eleven children, she helped bury her mother, who died of tuberculosis. Young Margaret believed that her father’s sexual demands had caused her mother’s death. A nursing career also shaped Sanger’s thinking. Arrested under the Comstock Act for printing a newspaper advocating contraception, she fled in 1914 to England with her husband and three children. There she met the famous British psychologist and sex expert, Havelock Ellis, who further convinced her that sexual experience should be separated from reproduction, enabling couples to enhance the quality of their sexual relationship. Returning to New York, the Sangers continued their activities on behalf of birth control. The opening of the Brownsville clinic in 1916, recounted here, resulted in still further confrontation with authorities, including arrests. The hunger strike of Sanger’s sister, Ethel Byrne, a nurse at the clinic, was followed by Sanger’s trial. Convicted of “maintaining a public nuisance,” she was sentenced to thirty days in prison. When her lawyer asked for a suspended sentence in exchange for her promise not to break the law again, she announced, “I cannot promise to obey a law I do not respect.” In January 1918, the New York Court of Appeals upheld her conviction, but interpreted the law in question broadly, allowing physicians to provide contraceptives to *married* women “to cure or prevent [venereal] disease.” Sanger appealed unsuccessfully for the right of nurses to also provide contraceptives. Still, establishing the right of physicians to deliver birth control was a breakthrough; it was the foundation of the birth control movement in the twentieth century and would be a central element in the decision in *Roe v. Wade*.



**Margaret Sanger, following her conviction by the New York Court of Appeals in 1918.**

*She and her supporters treated the outcome as a victory because the court allowed physicians to provide contraceptives to married women “to cure or prevent [venereal] disease.” (Photograph reprinted by permission of Planned Parenthood Federation of America.)*

After she divorced William Sanger in 1920, Sanger founded the American Birth Control League in 1921 (in 1942 it was transformed into the Planned Parenthood Federation of America). She soon married William Slee, a wealthy oil man whose resources would be an important source of support for her causes. These included the first doctor-staffed birth control clinic in the United States. Long before medical schools routinely taught the fitting of diaphragms, these clinics, staffed by physicians, made reliable contraceptive services widely available. In 1936 Sanger and her colleagues forced the courts to revisit the Comstock Act: a woman physician in New York ordered a package of diaphragms from Japan; the Customs Bureau seized them as obscene articles.

Years later, in the early 1950s, the wealthy feminist Katharine McCormick provided funds for experiments in endocrinology that led to the development of the birth control pill. At a time when few scientists thought an oral contraceptive was possible, Sanger and McCormick’s insistence that every woman had the right to control her own body helped bring about a major breakthrough in medical technology. In 1960, the year of Sanger’s death, “the pill” became available to the public. The timing was propitious, for it coincided with a period of sexual liberation that, while proving in some respects to be a mixed blessing for women, also coincided with new recognition of the intensity of their sexual drive and capacity for sexual pleasure.

Although Sanger saw the development of an oral contraceptive as another victory in a long and difficult struggle for reproductive freedom, others viewed the birth control movement differently. Some feared that birth control would contribute to promiscuity; others worried it would deny women the dignity that was theirs by virtue of motherhood. The Roman Catholic Church was unrelenting in its opposition, maintaining that the use of contraceptives is a sin. Sanger is still angrily attacked; her contribution to the lives of modern American women remains a matter of political debate. Birth control is not only a technical way of spacing and limiting children so as to benefit both mother and child but also part of a larger debate about the extent to which women should be able to control their own reproductive lives.

**AWAKENING AND REVOLT**

Early in the year 1912 I came to a sudden realization that my work as a nurse and my activities in social service were entirely palliative and consequently futile and useless to relieve the misery I saw all about me.…

Ignorance and neglect go on day by day; children born to breathe but a few hours and pass out of life; pregnant women toiling early and late to give food to four or five children, always hungry; boarders taken into homes where there is not sufficient room for the family; little girls eight and ten years of age sleeping in the same room with dirty, foul smelling, loathsome men; women whose weary, pregnant, shapeless bodies refuse to accommodate themselves to the husbands’ desires find husbands looking with lustful eyes upon other women, sometimes upon their own little daughters, six and seven years of age.

In this atmosphere abortions and birth become the main theme of conversation. On Saturday nights I have seen groups of fifty to one hundred women going into questionable offices well known in the community for cheap abortions. I asked several women what took place there, and they all gave the same reply: a quick examination, a probe inserted into the uterus and turned a few times to disturb the fertilized ovum, and then the woman was sent home. Usually the flow began the next day and often continued four or five weeks. Sometimes an ambulance carried the victim to the hospital for a curettage, and if she returned home at all she was looked upon as a lucky woman.

This state of things became a nightmare with me. There seemed no sense to it all, no reason for such waste of mother life, no right to exhaust women’s vitality and to throw them on the scrap-heap before the age of thirty-five.

Everywhere I looked, misery and fear stalked—men fearful of losing their jobs, women fearful that even worse conditions might come upon them. The menace of another pregnancy hung like a sword over the head of every poor woman I came in contact with that year. The question which met me was always the same: What can I do to keep from it? or, What can I do to get out of this? Sometimes they talked among themselves bitterly.

“It’s the rich that know the tricks,” they’d say, “while we have all the kids.” Then, if the women were Roman Catholics, they talked about “Yankee tricks,” and asked me if I knew what the Protestants did to keep their families down. When I said that I didn’t believe that the rich knew much more than they did I was laughed at and suspected of holding back information for money. They would nudge each other and say something about paying me before I left the case if I would reveal the “secret.”…

I heard over and over again of their desperate efforts at bringing themselves “around”—drinking various herb-teas, taking drops of turpentine on sugar, steaming over a chamber of boiling coffee or of turpentine water, rolling down stairs, and finally inserting slippery-elm sticks, or knitting needles, or shoe hooks into the uterus. I used to shudder with horror as I heard the details and, worse yet, learned of the conditions *behind the reason* for such desperate actions.

… Each time I returned it was to hear that Mrs. Cohen had been carried to a hospital but had never come back, that Mrs. Kelly had sent the children to a neighbor’s and had put her head into the gas oven to end her misery. Many of the women had consulted midwives, social workers and doctors at the dispensary and asked a way to limit their families, but they were denied this help, sometimes indignantly or gruffly, sometimes jokingly; but always knowledge was denied them. Life for them had but one choice: either to abandon themselves to incessant childbearing, or to terminate their pregnancies through abortions. Is it any wonder they resigned themselves hopelessly, as the Jewish and Italian mothers, or fell into drunkenness, as the Irish and Scotch? The latter were often beaten by husbands, as well as by their sons and daughters. They were driven and cowed, and only as beasts of burden were allowed to exist.…

Finally the thing began to shape itself, to become accumulative during the three weeks I spent in the home of a desperately sick woman living on Grand Street, a lower section of New York’s East Side.

Mrs. Sacks was only twenty-eight years old; her husband, an unskilled worker, thirty-two. Three children, aged five, three and one, were none too strong nor sturdy, and it took all the earnings of the father and the ingenuity of the mother to keep them clean, provide them with air and proper food, and give them a chance to grow into decent manhood and womanhood.

Both parents were devoted to these children and to each other. The woman had become pregnant and had taken various drugs and purgatives, as advised by her neighbors. Then, in desperation, she had used some instrument lent to her by a friend. She was found prostrate on the floor amidst the crying children when her husband returned from work. Neighbors advised against the ambulance, and a friendly doctor was called. The husband would not hear of her going to a hospital, and as a little money had been saved in the bank a nurse was called and the battle for that precious life began.

… The three-room apartment was turned into a hospital for the dying patient. Never had I worked so fast, so concentratedly as I did to keep alive that little mother.…

… Day after day, night after night, I slept only in brief snatches, ever too anxious about the condition of that feeble heart bravely carrying on, to stay long from the bedside of the patient. With but one toilet for the building and that on the floor below, everything had to be carried down for disposal, while ice, food and other necessities had to be carried three flights up. It was one of those old airshaft buildings of which there were several thousands then standing in New York City.

At the end of two weeks recovery was in sight, and at the end of three weeks I was preparing to leave the fragile patient to take up the ordinary duties of her life, including those, of wifehood and motherhood.…

But as the hour for my departure came nearer, her anxiety increased, and finally with trembling voice she said: “Another baby will finish me, I suppose.”

“It’s too early to talk about that,” I said, and resolved that I would turn the question over to the doctor for his advice. When he came I said: “Mrs. Sacks is worried about having another baby.”

“She well might be,” replied the doctor, and then he stood before her and said: “Any more such capers, young woman, and there will be no need to call me.”

“Yes, yes—I know, Doctor,” said the patient with trembling voice, “but,” and she hesitated as if it took all of her courage to say it, “what can I do to prevent getting that way again?”

“Oh ho!” laughed the doctor good naturedly, “You want your cake while you eat it too, do you? Well, it can’t be done.” Then, familiarly slapping her on the back and picking up his hat and bag to depart, he said: “I’ll tell you the only sure thing to do. Tell Jake to sleep on the roof!”

With those words he closed the door and went down the stairs, leaving us both petrified and stunned.

Tears sprang to my eyes, and a lump came in my throat as I looked at that face before me. It was stamped with sheer horror. I thought for a moment she might have gone insane, but she conquered her feelings, whatever they may have been, and turning to me in desperation said: “He can’t understand, can he?—he’s a man after all—but you do, don’t you? You’re a woman and you’ll tell me the secret and I’ll never tell it to a soul.”…

I had to turn away from that imploring face. I could not answer her then. I quieted her as best I could.… I promised that I would come back in a few days and tell her what she wanted to know. The few simple means of limiting the family like *coitus interruptus* or the condom were laughed at by the neighboring women when told these were the means used by men in the well-to-do families. That was not believed, and I knew such an answer would be swept aside as useless were I to tell her this at such a time.…

The intelligent reasoning of the young mother—how to prevent getting that way again—how sensible, how just she had been—yes, I promised myself I’d go back and have a long talk with her and tell her more, and perhaps she would not laugh but would believe that those methods were all that were really known.…

I was about to retire one night three months later when the telephone rang and an agitated man’s voice begged me to come at once to help his wife who was sick again. It was the husband of Mrs. Sacks, and I intuitively knew before I left the telephone that it was almost useless to go.

… I arrived a few minutes after the doctor, the same one who had given her such noble advice. The woman… died within ten minutes after my arrival. It was the same result, the same story told a thousand times before—death from abortion. She had become pregnant, had used drugs, had then consulted a five-dollar professional abortionist, and death followed.

The doctor shook his head as he rose from listening for the heart beat.… The gentle woman, the devoted mother, the loving wife had passed on leaving behind her a frantic husband, helpless in his loneliness, bewildered in his helplessness as he paced up and down the room, hands clenching his head, moaning “My God! My God! My God!”

The Revolution came—but not as it has been pictured nor as history relates that revolutions have come.…

After I left that desolate house I walked and walked and walked… bag in hand, thinking, regretting, dreading to stop; fearful of my conscience, dreading to face my own accusing soul. At three in the morning I arrived home still clutching a heavy load the weight of which I was quite unconscious.

… As I stood at the window and looked out, the miseries and problems of that sleeping city arose before me in a clear vision like a panorama: crowded homes, too many children; babies dying in infancy; mothers overworked; baby nurseries; children neglected and hungry—mothers so nervously wrought they could not give the little things the comfort nor care they needed; mothers half sick most of their lives—”always ailing, never failing”; women made into drudges; children working in cellars; children aged six and seven pushed into the labor market to help earn a living; another baby on the way; still another; yet another; a baby born dead—great relief; an older child dies—sorrow, but nevertheless relief—insurance helps; a mother’s death—children scattered into institutions; the father, desperate, drunken; he slinks away to become an outcast in a society which has trapped him.

… There was only one thing to be done: call out, start the alarm, set the heather on fire! Awaken the womanhood of America to free the motherhood of the world! I released from my almost paralyzed hand the nursing bag which unconsciously I had clutched, threw it across the room, tore the uniform from my body, flung it into a corner, and renounced all palliative work forever.

I would never go back again to nurse women’s ailing bodies while their miseries were as vast as the stars. I was now finished with superficial cures, with doctors and nurses and social workers who were brought face to face with this overwhelming truth of women’s needs and yet turned to pass on the other side. They must be made to see these facts. I resolved that women should have knowledge of contraception. They have every right to know about their own bodies. I would strike out—I would scream from the housetops. I would tell the world what was going on in the lives of these poor women. *I would* be heard. No matter what it should cost. *I would be heard*.…

I announced to my family the following day that I had finished nursing, that I would never go on another case—and I never have.

I asked doctors what one could do and was told I’d better keep off that subject or Anthony Comstock would get me. I was told that there were laws against that sort of thing. This was the reply from every medical man and woman I approached.…

**A “PUBLIC NUISANCE”**

The selection of a place for the first birth control clinic was of the greatest importance. No one could actually tell how it would be received in any neighborhood. I thought of all the possible difficulties: The indifference of women’s organizations, the ignorance of the workers themselves, the resentment of social agencies, the opposition of the medical profession. Then there was the law—the law of New York State.

Section 1142 was definite. It stated that *no one* could give information to prevent conception to *anyone* for any reason. There was, however, Section 1145, which distinctly stated that physicians (*only*) could give advice to prevent conception for the cure or prevention of disease. I inquired about the section and was told by two attorneys and several physicians that this clause was an exception to 1142 referring only to venereal disease. But anyway, as I was not a physician, it could not protect me. Dared I risk it?

I began to think of the doctors I knew. Several who had previously promised now refused. I wrote, telephoned, asked friends to ask other friends to help me find a woman doctor to help me demonstrate the need of a birth control clinic in New York. None could be found. No one wanted to go to jail. No one cared to test out the law. Perhaps it would have to be done without a doctor. But it had to be done; that I knew.

Fania Mindell, an enthusiastic young worker in the cause, had come on from Chicago to help me. Together we tramped the streets on that dreary day in early October, through a driving rainstorm, to find the best location at the cheapest terms possible…

Finally at 46 Amboy Street, in the Brownsville Section of Brooklyn, we found a friendly landlord with a good place vacant at fifty dollars a month rental.… It was one of the most thickly populated sections. It had a large population of working-class Jews, always interested in health measures, always tolerant of new ideas, willing to listen and to accept advice whenever the health of mother or children was involved. I knew that here there would at least be no breaking of windows, no hurling of insults into our teeth; but I was scarcely prepared for the popular support, the sympathy and friendly help given us in that neighborhood from that day to this.…

With a small bundle of handbills and a large amount of zeal, we fared forth each morning in a house-to-house canvass of the district in which the clinic was located. Every family in that great district received a “dodger” printed in English, Yiddish and Italian.…

Women of every race and creed flocked to the clinic with the determination not to have any more children than their health could stand or their husbands could support. Jews and Christians, Protestants and Roman Catholics alike made their confessions to us, whatever they may have professed at home or in the church. Some did not dare talk this over with their husbands; and some came urged on by their husbands. Men themselves came after work; and some brought timid, embarrassed wives, apologetically dragging a string of little children.…

When I asked a bright little Roman Catholic woman what she would say to the priest when he learned that she had been to the Clinic, she answered indignantly: “It’s none of his business. My husband has a weak heart and works only four days a week. He gets twelve dollars, and we can barely live on it now. We have enough children.”…

As I walked home that night, I made a mental calculation of fifteen baptismal fees, nine funeral expenses, masses and candles for the repose of nine little souls, the physical suffering of the mother, and the emotional suffering of both parents; and I asked myself, “Was it fair? Is this the price of Christianity?”…

Ethel Byrne, who is my sister and a trained nurse, assisted me in advising, explaining, and demonstrating to the women how to prevent conception. As all of our 488 records were confiscated by the detectives who later arrested us for violation of the New York State law, it is difficult to tell exactly how many more women came in those days to seek advice; but we estimate that it was far more than five hundred. As in any new enterprise, false reports were maliciously spread about the clinic; weird stories without the slightest foundation of truth. We talked plain talk and gave plain facts to the women who came there. We kept a record of every applicant. All were mothers; most of them had large families.

It was whispered about that the police were to raid the place for abortions. We had no fear of that accusation. We were trying to spare mothers the necessity of that ordeal by giving them proper contraceptive information.…

The arrest and raid on the Brooklyn clinic was spectacular. There was no need of a large force of plain clothes men to drag off a trio of decent, serious women who were testing out a law on a fundamental principle.… We were not surprised at being arrested, but the shock and horror of it was that a *woman*, with a squad of five plain clothes men, conducted the raid and made the arrest. A woman—the irony of it!

I refused to close down the clinic, hoping that a court decision would allow us to continue such necessary work. I was to be disappointed. Pressure was brought upon the landlord, and we were dispossessed by the law as a “public nuisance.”…

When the policewoman entered the clinic with her squad of plain clothes men and announced the arrest of Miss Mindell and myself… the room was crowded to suffocation.… The police began bullying these mothers, asking them questions, writing down their names in order to subpoena them to testify against us at the trial. These women, always afraid of trouble which the very presence of a policeman signifies, screamed and cried aloud.… I assured them that nothing could happen to them, that I was under arrest but they would be allowed to return home in a few minutes. That quieted them. The men were blocking the door to prevent anyone from leaving, but I finally persuaded them to allow these women to return to their homes, unmolested though terribly frightened by it all.…

**HUNGER STRIKE**

Out of that spectacular raid, which resulted in an avalanche of nation-wide publicity in the daily press, four separate and distinct cases resulted:

Mrs. Ethel Byrne, my sister, was charged with violating Section 1142 of the Penal Code, designed to prevent dissemination of birth control information.

Miss Fania Mindell was charged with having sold an allegedly indecent book entitled “What Every Girl Should Know” written by Margaret Sanger.

I was charged with having conducted a clinic at 46 Amboy Street, Brooklyn, in violation of the same section of the Penal Code.

Having re-opened the clinic, I was arrested on a charge of “maintaining a public nuisance,” in violation of Section 1530 of the Penal Code.

The three of us were held for trial in the Court of Special Sessions, with bail fixed at $500 each. This meant that our cases would be decided by three judges appointed by the Mayor and not by a jury.…

My sister was found guilty, and on January 22 she was sentenced to thirty days in the Workhouse.… [She] promptly declared a hunger strike. I knew that she would not flinch. Quiet, taciturn, with a will of steel hidden by a diffident air, schooled by her long training as a professional nurse, she announced briefly that she would neither eat, drink, nor work until her release. Commissioner of Correction Burdette G. Lewis promptly announced that she would be permitted to see no one but her attorney.

While the newspapers were reporting—always on the front page—the condition of the hunger striker, plans were hastened for a monster mass meeting of protest, to be held in Carnegie Hall. Helen Todd acted as chairman, and Dr. Mary Halton was an additional speaker. The hall was crowded by a huge audience of all classes. The women patients of the Brownsville clinic were given places of honor on the platform. The salvos of applause which greeted me showed that intelligent opinion was strongly behind us and did much to give me the courage to fight with renewed strength for the immediate release of Ethel Byrne.

This meeting was acclaimed by the press as a “triumph of women, for women, by women.” The meeting was said to have struck the right note—that of being instructive and persuasive, instead of agitational.

In the meantime, Ethel Byrne’s refusal to eat and drink was crowding all other news off the front pages of the New York papers. Her defiance was sharpening the issue between self-respecting citizens and the existing law, which was denounced on every street corner as hypocritical. In the subway crowds, on street-corners, everywhere people gathered, the case was discussed. “They are imprisoning a woman for teaching physiological facts!” I heard one man exclaim.…

“It makes little difference whether I starve or not,” she replied, through her attorney, “so long as this outrageous arrest calls attention to the archaic laws which would prevent our telling the truth about the facts of life. With eight thousand deaths a year in New York State from illegal operations on women, one more death won’t make much difference.”

All this served to convince [a] panic-stricken Mr. Lewis [Commissioner of Correction in charge of Blackwell’s Island]…. When she had gone 103 hours without food, he established a precedent in American prison annals. He ordered her forcibly fed. She was the first woman so treated in this country.…

The truth was that Mrs. Byrne was in a critical condition after being rolled in a blanket and having milk, eggs and a stimulant forced into her stomach through a rubber tube. I realized this as soon as I heard that she was “passive under the feeding.” Nothing but loss of strength could have lessened the power of her resistance to such authority. Nothing but brutality could have reduced her fiery spirit to acquiescence. I was desperate; torn between admiration for what she was doing and misery over what I feared might be the result.

On January 31st, a committee headed by Mrs. Amos Pinchot, Jessie Ashley and myself went to Albany for the purpose of asking Governor Whitman to appoint a commission to investigate birth control and make a report to the state legislature. Governor Whitman, a wise, fair, intelligent executive and statesman, received us, and listened to our exposition of the economic and moral necessity for birth control; the medical theory behind its justification. He promised to consider appointing the commission. During the interview Miss Jessie Ashley introduced the subject of Mrs. Byrne’s treatment on Blackwell’s Island and the anxiety we felt about her condition. We tried to make him see the outrage committed by the state in making anyone suffer for so just a cause. The Governor offered Mrs. Byrne a pardon on condition that she would not continue to disseminate birth control information.…

When we left Albany that day, I had the promise of a provisional pardon for Mrs. Byrne, but best of all I had in my purse a letter from the Governor to the authorities at Blackwell’s Island authorizing me to see her. I was shocked and horrified when, in the late afternoon of February 1st, I saw my sister. She was lying semi-conscious on a cot in a dark corner of the prison cell.…

There was not time to inform her of the conditions of her pardon, and moreover she was too ill to face the question. I still believe that I was right in accepting the conditions which the Governor imposed. There was no other course. I saw that she was dangerously ill, that nothing further was to be gained by her keeping on, and that her death would have been a terrible calamity. Her life was what mattered to me, regardless of her future activities.…

At any rate, by the time she was released the subject was a burning issue. Newspapers which previously had ignored the case, had to mention a matter important enough to bring the Governor of the State from Albany to New York.

Excerpted from “Awakening and Revolt,” “A ‘Public Nuisance,’” and “Hunger Strike,” chs. 3, 12, and 13 of *My Fight for Birth Control* by Margaret Sanger (New York: Farrar & Reinhart, 1931). Copyright © 1931 by Margaret Sanger. Reprinted by permission of Grant Sanger.