

## Chapter Nine

### THE WOMAN REBEL

*"Oh you daughters of the West!  
O you young and elder daughters! O you maidens and you  
women!  
Never must you be divided, in our ranks you move united,  
Pioneers! O pioneers!"*

WALT WHITMAN



**T**HE *New York* was a nice ship and it was not too wintry to walk about on deck. After the children were safely in bed I paced round and round and absorbed into my being that quiet which comes to you at sea. That it was New Year's Eve added to the poignancy of my emotions but did not obscure the faith within.

I knew something must be done to rescue those women who were voiceless, someone had to express with white hot intensity the conviction that they must be empowered to decide for themselves when they should fulfill the supreme function of motherhood. They had to be made aware of how they were being shackled, and roused to mutiny. To this end I conceived the idea of a magazine to be called the *Woman Rebel*, dedicated to the interests of working women.

Often I had thought of Vashti as the first woman rebel in history. Once when her husband, King Ahasuerus, had been showing off to his people his fine linens, his pillars of marble, his beds of gold and silver, and all his riches, he had commanded that his beautiful Queen Vashti also be put on view. But she had declined to be exhibited as a possession or chattel. Because of her disobedience, which might set a very bad example to other wives, she had been cast aside and Ahasuerus had chosen a new bride, the meek and gentle Esther.

I wanted each woman to be a rebellious Vashti, not an Esther,

was she to be merely a washboard with only one song, one song? Surely, she should be allowed to develop all her potentialities. Feminists were trying to free her from the new economic ideology but were doing nothing to free her from her biological subservience to man, which was the true cause of her enslavement.

Before gathering friends around me for that help which I must have in stirring women to sedition, before asking them to believe, I had to chart my own course. Should I bring the cause to the attention of the people by headlines and front pages? Should I follow my own compulsion regardless of extreme consequences?

I fully recognized I must refrain from acts which I could not carry through. So many movements had been issuing defiances without any ultimate goal, shooting off a popgun here, a popgun there, and finally shooting themselves to death. They had been too greatly resembling froth—too noisy with the screech of tin horns and other cheap instruments instead of the deeper sounds of an outraged, angry, serious people.

With as crystal a view as that which had come to me after the death of Mrs. Sachs when I had renounced nursing forever, I saw the path ahead in its civic, national, and even international direction—a panorama of things to be. Fired with this vision, I went into the lounge and wrote and wrote page after page until the hours of daylight.

Having settled the principles, I left the details to work themselves out. I realized that a price must be paid for honest thinking—a price for everything. Though I did not know exactly how I was to prepare myself, what turn events might take, or what I might be called upon to do, the future in its larger aspects has actually developed as I saw it that night.

The same thoughts kept repeating themselves over and over during the remainder of the otherwise uneventful voyage. As soon as possible after reaching New York, I rented an inexpensive little flat on Post Avenue near Dyckman Street, so far out on the upper end of Manhattan that even the Broadway subway trains managed to burrow their way into sunlight and fresh air. My dining room was my office, the table my desk.

A new movement was starting, and the baby had to have a name.

It did not belong to Socialism nor was it in the labor field, and it had much more to it than just the prevention of conception. As a few companions were sitting with me one evening we debated in turn voluntary parenthood, voluntary motherhood, the new motherhood, constructive generation, and new generation. The terms already in use—Neo-Malthusianism, Family Limitation, and Conscious Generation seemed stuffy and lacked popular appeal.

The word control was good, but I did not like limitation—that was too limiting. I was not advocating a one-child or two-child system as in France, nor did I wholeheartedly agree with the English Neo-Malthusians whose concern was almost entirely with limitation for economic reasons. My idea of control was bigger and freer. I wanted family in it, yet family control did not sound right. We tried population control, race control, and birth rate control. Then someone suggested, "Drop the rate." Birth control was the answer, we knew we had it. Our work for that day was done and everybody picked up his hat and went home. The baby was named.

When I first announced that I was going to publish a magazine, "Where are you going to get the money?" was volleyed at me from all sides. I did not know, but I was certain of its coming somehow. Equally important was moral support. Those same young friends and I founded a little society, grandly titled the National Birth Control League, sought aid from enthusiasts for other causes, turning first to the Feminists because they seemed our natural allies. Armed with leaflets we went to Cooper Union to tell them that in the *Woman Rebel* they would have an opportunity to express their sentiments.

Charlotte Perkins Gilman, the Feminist leader, was trying to inspire women in this country to have a deeper meaning in their lives, which to her signified more than getting the vote. Nevertheless, at that time I struck no responsive chord from her or from such intelligent co-workers as Crystal Eastman, Marie Howe, or Henrietta Rodman. It seemed unbelievable they could be serious in occupying themselves with what I regarded as trivialities when mothers within a stone's throw of their meetings were dying shocking deaths.

Who cared whether a woman kept her Christian name—Mary Smith instead of Mrs. John Jones? Who cared whether she wore

her wedding ring? Who cared about her demand for the right to work? Hundreds of thousands of laundresses, cloakmakers, scrub women, servants, telephone girls, shop workers would gladly have changed places with the Feminists in return for the right to have leisure, to be lazy a little now and then. When I suggested that the basis of Feminism might be the right to be a mother regardless of church or state, their inherited prejudices were instantly aroused. They were still subject to the age-old, masculine atmosphere compounded of protection and dominance.

Disappointed in that quarter I turned to the Socialists and trade unionists, trusting they would appreciate the importance of family limitation in the kind of civilization towards which they were stumbling. Notices were sent to *The Masses*, *Mother Earth*, *The Call*, *The Arm and Hammer*, *The Liberator*, all names echoing the spirit which had quickened them.

Shortly I had several hundred subscriptions to the *Woman Rebel*, paid up in advance at the rate of a dollar a year, the period for which I had made my plans. Proceeds were to go into a separate revolving account, scrupulously kept. Unlike so many ephemeral periodicals, mine was not to flare up and spark out before it had functioned, leaving its subscribers with only a few issues when they were entitled to more. Eventually we had a mailing list of about two thousand, but five, ten, even fifty copies often went in a bundle to be distributed without charge to some labor organization.

I was solely responsible for the magazine financially, legally, and morally, I was editor, manager, circulation department, bookkeeper, and I paid the printer's bill. But any cause that has not helpers is losing out. So many men and women secretaries, stenographers, clerks, used to come in of an evening that I could not find room for all. Some typed, some addressed envelopes, some went to libraries and looked up things for us to use, some wrote articles, though seldom signing their own names. Not one penny ever had to go for salaries, because service was given freely.

In March, 1914, appeared the first issue of the *Woman Rebel*, eight pages on cheap paper, copied from the French style, mailed first class in the city and expressed outside. My initial declaration of the right of the individual was the slogan "No Gods, No Mas-

ters" Gods, not God I wanted that word to go beyond religion and also stop turning idols, heroes, leaders into gods

I defined a woman's duty, "To look the world in the face with a go-to-hell look in the eyes, to have an idea, to speak and act in defiance of convention" It was a marvelous time to say what we wished All America was a Hyde Park corner as far as criticism and challenging thought were concerned We advocated direct action and took up the burning questions of the day With a fine sense of irony we put anti-capitalist soapbox oratory in print I do not know whether the financiers we denounced would have been tolerant or resentful of our onslaughts had they read them, or as full of passion for their cause as we for ours Perhaps they too will have forgotten that emotion now

My daily routine always started with looking over the pile of mail, and one morning my attention was caught by an unstamped official envelope from the New York Post Office I tore it open

Dear Madam, You are hereby notified that the Solicitor of the Post Office Department has decided that the *Woman Rebel* for March, 1914, is unmailable under Section 489, Postal Laws and Regulations  
E M Morgan, Postmaster

I reread the letter It was so unexpected that at first the significance did not sink in I had given no contraceptive information, I had merely announced that I intended to do so Then I began to realize that no mention was made of any special article or articles I wrote Mr Morgan and asked him to state what specifically had offended, thereby assisting me in my future course His reply simply repeated that the March issue was unmailable

I had anticipated objections from religious bodies, but believed with father, "Anything you want can be accomplished by putting a little piece of paper into the ballot box" Therefore, to have our insignificant magazine stopped by the big, strong United States Government seemed so ludicrous as almost to make us feel important

To the newspaper world this was news, but not one of the dailies picked it out as an infringement of a free press The *Sun* carried a headline, "WOMAN REBEL' BARRED FROM MAILS" And

underneath the comment, "Too bad The case should be reversed They should be barred from her and spelled differently"

Many times I studied Section 211 of the Federal Statutes, under which the Post Office was acting This penal clause of the Comstock Law had been left hanging in Washington like the dried shell of a tortoise Its grip had even been tightened on the moral side, in case the word obscene should prove too vague, its definition had been enlarged to include the prevention of conception and the causing of abortion under one and the same heading To me it was outrageous that information regarding motherhood, which was so generally called sacred, should be classed with pornography

Nevertheless, I had not broken the law, because it did not prohibit discussion of contraception—merely giving advice I harbored a burning desire to undermine that law But if I continued publication I was making myself liable to a Federal indictment and a possible prison term of five years plus a fine of five thousand dollars I had to choose between abandoning the *Woman Rebel*, changing its tone, or continuing as I had begun Though I had no wish to become a martyr, with no hesitation I followed the last-named course

I gathered our little group together At first we assumed Comstock had stopped the entire issue before delivery, but apparently he had not, because only the A to M's which had been mailed in the local post office had been confiscated We took a fresh lot downtown, slipped three into one chute, four in another, walked miles around the city so that no single box contained more than a few copies

The same procedure had to be pursued in succeeding months Sometimes daylight caught me, with one or more assistants, still tramping from the printer's and dropping the copies, piece by piece, into various boxes and chutes I felt the Government was absurd and tyrannical to make us do this for no good purpose I could not get used to its methods then I have not yet, and probably never shall

The *Woman Rebel* produced extraordinary results, striking vibrations that brought contacts, messages, inquiries, pamphlets, books, even some money I corresponded with the leading Feminists of Europe—Ellen Key, then at the height of her fame, Olive Schreiner,

Mrs Pankhurst, Rosa Luxemburg, Adele Schreiber, Clara Zetkin, Roszika Schwimmer, Frau Maria Stritt But I also heard from sources and groups I had hardly known existed—Theosophist, New Thought, Rosicrucian, Spiritualist, Mental Scientist It was not alone from New York, but from the highways and byways of north, south, east, and west that inspiration came

After the second number the focus had been birth control Within six months we had received over ten thousand letters, arriving in accelerating volume Most of them read, "Will your magazine give accurate and reliable information to prevent conception?" This I could not print Realizing by now it was going to be a fairly big fight, I was careful not to break the law on such a trivial point It would have been ridiculous to have a single letter reach the wrong destination, therefore, I sent no contraceptive facts through the mails

However, I had no intention of giving up this primary purpose I began sorting and arranging the material I had brought back from France, complete with formulas and drawings, to be issued in a pamphlet where I could treat the subject with more delicacy than in a magazine, writing it for women of extremely circumscribed vocabularies A few hundred dollars were needed to finance publication of *Family Limitation*, as I named it, and I approached Theodore Schroeder, a lawyer of standing and an ardent advocate of free speech He had been left a fund by a certain Dr Foote who had produced a book on *Borning Better Babies*, and I thought my pamphlet might qualify as a beneficiary

Dr Abraham Brill was just then bringing out a translation of Freud, in whom Schroeder was much interested He asked whether I had been psychoanalyzed

"What is psychoanalysis?"

He looked at me critically as from a great height "You ought to be analyzed as to your motives If, after six weeks, you still wish to publish this pamphlet, I'll pay for ten thousand copies"

"Well, do you think I won't want to go on?"

"I don't only think so I'm quite sure of it"

"Then I won't be analyzed"

I took the manuscript to a printer well known for his liberal

tendencies and courage He read the contents page by page and said, "You'll never get this set up in any shop in New York It's a Sing Sing job"

Every one of the twenty printers whom I tried to persuade was afraid to touch it It was impossible ever, it seemed, to get into print the contents of that pamphlet

Meanwhile, following the March issue the May and July numbers of the *Woman Rebel* had also been banned In reply to each of the formal notices I inquired which particular article or articles had incurred disapproval, but could obtain no answer

At that time I visualized the birth control movement as part of the fight for freedom of speech How much would the postal authorities suppress? What were they really after? I was determined to prod and goad until some definite knowledge was obtained as to what was "obscene, lewd, and lascivious"

Theodore Schroeder and I used to meet once in a while at the Liberal Club, and he gave much sound advice—I could not go on with the *Woman Rebel* forever Eventually the Post Office would wear me down by stopping the issues as fast as I printed them He warned, "They won't do so and so unless you do thus and thus If you do such and such, then you'll have to take the consequences" He was a good lawyer and an authority on the Constitution

When my family learned that I might be getting in deep water a council was called just as when I had been a child A verdict of nervous breakdown was openly decreed, but back in the minds of all was the unspoken dread that I must have become mentally unbalanced They insisted father come to New York, where he had not been for forty years, to persuade me to go to a sanitarium

For several days father and I talked over the contents of the *Woman Rebel* In his fine, flowing language he expressed his hatred of it He despised talk about revolution, and despaired of anyone who could discuss sex, blaming this on my nursing training, which, he intimated, had put me in possession of all the known secrets of the human body He was not quite sure what birth control was, and my reasoning, which retraced the pattern of our old arguments, made no impression upon him

Father would have nothing to do with the "queer people" who

came to the house—people of whom no one had ever heard—turning up with articles on every possible subject and defying me to publish them in the name of free speech I printed everything For the August issue I accepted a philosophical essay on the theory of assassination, largely derived from Richard Carhile It was vague, inane, and innocuous, and had no bearing on my policy except to taunt the Government to take action, because assassination also was included under Section 211

Only a few weeks earlier, the war which Victor Dave had predicted had started its headlong progress The very moment when most people were busy with geographies and atlases, trying to find out just where Sarajevo might be, the United States chose to sever diplomatic relations with me

One morning I was startled by the peremptory, imperious, and incessant ringing of my bell When I opened the door, I was confronted by two gentlemen

“Will you come in?”

They followed me into my living room, scrutinized with amazement the velocipede and wagon, the woolly animals and toys stacked in the corner One of them asked, “Are you the editor and publisher of a magazine entitled the *Woman Rebel*?”

When I confessed to it, he thrust a legal document into my hands I tried to read it, threading my way slowly through the jungle of legal terminology Perhaps the words became a bit blurred because of the slight trembling of my hands, but I managed to disentangle the crucial point of the message I had been indicted—indicted on no less than nine counts—for alleged violation of the Federal Statutes If found guilty on all, I might be liable to forty-five years in the penitentiary

I looked at the two agents of the Department of Justice They seemed nice and sensible I invited them to sit down and started in to explain birth control For three hours I presented to their imaginations some of the tragic stories of conscript motherhood I forget now what I said, but at the end they agreed that such a law should not be on the statute books Yet it was, and there was nothing to do about it but bring my case to court

When the officers had gone, father came through the door of the

adjoining room where he had been reading the paper. He put both arms around me and said, "Your mother would have been alive today if we had known all this then." He had applied my recital directly to his own life. "You will win this case. Everything is with you—logic, common sense, and progress. I never saw the truth until this instant."

Old-fashioned phraseology, but father was at last convinced. He went home quite proud, thinking I was not so crazy after all, and began sending me clippings to help prove the case for birth control—women who had drowned themselves or their children and the brutalities of parents, because even mother love might turn cruel if too hard pressed.

My faith was still childlike. I trusted that, like father, a judge representing our Government would be convinced. All I had to do was explain to those in power what I was doing and everything would come right.

August twenty-fifth I was arraigned in the old Post Office way downtown. Judge Hazel, himself a father of eight or nine children, was kindly, and I suspected the two Federal agents who had summoned me had spoken a good word on my behalf. But Assistant District Attorney Harold A. Content seemed a ferocious young fellow. When the Judge asked, "What sort of things is Mrs. Sanger doing to violate the law?" he answered, "She's printing articles advocating bomb throwing and assassination."

"Mrs. Sanger doesn't look like a bomb thrower or an assassin."

Mr. Content murmured something about not all being gold that glittered, I was doing a great deal of harm. He intimated he knew of my attempts to get *Family Limitation* in print when he said, "She is not satisfied merely to violate the law, but is planning to do it on a very large scale."

Judge Hazel, apparently believing the charges much exaggerated, put the case over until the fall term, which gave me six weeks to prepare my answer, and Mr. Content concurred, saying that if this were not enough time, I could have more.

The press also was inclined to be friendly. Reporters came up to Post Avenue, looked over the various articles. They agreed, "We think the Government absolutely wrong. We don't see how it has

any case" Unfortunately, while we were talking, Peggy, who had never seen a derby before, took possession of their hats and sticks, and in the hall a little parade of children formed, marching up and down in front of the door One of the gentlemen was so furious that I hid Peggy in the kitchen away from his wrath As he went out he remarked, "You should have birth controlled them before they were born Why don't you stay home and spend some thought on disciplining your own family?"

I had many things to do which could not be postponed, the most important among them being to provide for the children's future This occupied much of my time for the next few weeks Temporarily, I sent the younger two to the Catskills and Stuart to a camp in Maine, arranging for school in the fall on Long Island

Defense funds were always being raised when radicals got into trouble to pay pseudo-radical lawyers to fight the cases on technicalities I was not going to have any lawyer get me out of this Since my indictment had not stopped my publishing the *Woman Rebel*, through the columns of the September issue I told my subscribers I did not want pennies or dollars, but appealed to them to combine forces and protest on their own behalf against government invasion of their rights That issue and the October one were both suppressed

During what might be called my sleepwalking stage it was as though I were heading towards a precipice and nothing could awaken me I had no ear for the objections of family or the criticism of friends People were around me, I knew, but I could not see them clearly, I was deaf to their warnings and blind to their signs

When I review the situation through the eyes of those who gave me circumspect advice, I can understand their attitude I was considered a conservative, even a bourgeoisie by the radicals I was digging into an illegal subject, was not a trained writer or speaker or experienced in the arts of the propagandist, had no money with which to start a rousing campaign, and possessed neither social position nor influence

In the opinion of nearly all my acquaintances I would have to spend at least a year in jail, and they began to condole with me None offered to do anything about it, just suggested how I could get

through One kind woman whom I had never seen before called late one evening and volunteered to give me dancing lessons In a small six-by-four cabin she had developed a system which she claimed was equally applicable to a prison cell and would keep me in good health She even wrote out careful directions for combining proper exercises with the rhythm of the dance

But I myself had no intention of going to jail, it was not in *my* program

One other thing I had to do before my trial *Family Limitation* simply must be published I had at last found the right person—Bill Shatoff, Russian-born, big and burly, at that time a linotype operator on a foreign paper So that nobody would see him he did the job after hours when his shop was supposed to be closed

At first I had thought only of an edition of ten thousand However, when I learned that union leaders in the silk, woolen, and copper industries were eager to have many more copies to distribute, I enlarged my plan I would have liked to print a million but, owing to lack of funds, could not manage more than a hundred thousand

Addressing the envelopes took a lot of work Night after night the faithful band labored in a storage room, wrapping, weighing, stamping Bundles went to the mills in the East, to the mines of the West—to Chicago, San Francisco, and Pittsburgh, to Butte, Lawrence, and Paterson All who had requested copies were to receive them simultaneously, I did not want any to be circulated until I was ready, and refused to have one in my own house I was a tyrant about this, as firm as a general about leaving no rough edges

In October my case came up I had had no notice and, without a lawyer to keep me posted, did not even know it had been called until the District Attorney's office telephoned Since Mr Content had promised me plenty of time, I thought this was merely a formality and all I had to do was put in an appearance

The next morning I presented myself at court As I sat in the crowded room I felt crushed and oppressed by an intuitive sense of the tremendous, impersonal power of my opponents Popular interest was now focused on Europe, my little defiance was no longer important When I was brought out of my reverie by the voice of the clerk trumpeting forth in the harshly mechanical tones of a

train announcer something about *The People v Margaret Sanger*, there flashed into my mind a huge map of the United States, coming to life as a massive, vari-colored animal, against which I, so insignificant and small, must in some way defend myself. It was a terrific feeling.

But courage did not entirely desert me. Elsie Clapp, whose ample Grecian figure made her seem a tower of strength, marched up the aisle with me as though she, too, were to be tried. I said to Judge Hazel that I was not prepared, and asked for a month's adjournment. Mr. Content astonished me by objecting: "Mrs. Sanger's had plenty of time and I see no reason, Your Honor, why we should have a further postponement. Every day's delay means that her violations are increased. I ask that the case continue this afternoon."

A change in Judge Hazel's attitude had taken place since August. Instead of listening to my request, he advised me to get an attorney at once—my trial would go on after the noon recess.

I was so amazed that I could only believe his refusal was due to my lack of technical knowledge, and supposed that at this point I really had to have a lawyer. I knew Simon H. Pollock, who had represented labor during the Paterson strike, and I went to see him. He agreed with me that a lawyer's plea would not be rejected and that afternoon confidently asked for a month's stay. It was denied. He reduced it to two weeks. Again it was denied. At ten the following morning the case was to be tried without fail.

From the Post Office Department I received roundabout word that my conviction had already been decided upon. When I told this to Mr. Pollock he said, "There isn't a thing I can do. You'd better plead guilty and let us get you out as fast as we can. We might even be able to make some deal with the D. A. so you'd only have to pay a fine."

I indignantly refused to plead guilty under any circumstances. What was the sense of bringing about my indictment in order to test the law, and then admit that I had done wrong? I was trying to prove the law was wrong, not I. Giving Mr. Pollock no directions how to act, I merely said I would call him up.

It was now four o'clock and I sought refuge at home to think through my mental turmoil and distress. But home was crowded

with too many associations and emotions pulling me this way and that. When my thoughts would not come clear and straight I packed a suitcase, went back downtown, and took a room in a hotel, the most impersonal place in the world.

There was no doubt in my mind that if I faced the hostile court the next morning, unprepared as I was, I would be convicted of publishing an obscene paper. Such a verdict would be an injustice. If I were to convince a court of the rightness of my cause, I must have my facts well marshaled, and that could not be done in eighteen hours.

Then there was the question of the children's welfare. Had I the right to leave them the heritage of a mother who had been imprisoned for some offensive literature of which no one knew the details?

What was I to do? Should I get another lawyer, one with personal influence who could secure a postponement, and should we then go into court together and fight it out? I had no money for such a luxury. Should I follow the inevitable suggestion of the "I-told-you-so's" and take my medicine? Yes, but what medicine? I would not swallow a dosage for the wrong disease.

I was not afraid of the penitentiary, I was not afraid of anything except being misunderstood. Nevertheless, in the circumstances, my going there could help nobody. I had seen so many people do foolish things valiantly, such as wave a red flag, shout inflammatory words, lead a parade, just for the excitement of doing what the crowd expected of them. Then they went to jail for six months, a year perhaps, and what happened? Something had been killed in them, they were never heard of again. I had seen braver and harder souls than I vanquished in spirit and body by prison terms, and I was not going to be lost and broken for an issue which was not the real one, such as the entirely unimportant *Woman Rebel* articles. Had I been able to print *Family Limitation* earlier, and to swing the indictment around that, going to jail might have had some significance.

Going away was much more difficult than remaining. But if I were to sail for Europe I could prepare my case adequately and return then to win or lose in the courts. There was a train for Canada within a few hours. Could I take it? Should I take it? Could I ever

make those who had advised me against this work and these activities understand? Could I ever make anyone understand? How could I separate myself from the children without seeing them once more? Peggy's leg was swollen from vaccination. This kept worrying me, made me hesitate, anxious. It was so hard to decide what to do.

Perfectly still, my watch on the table, I marked the minutes fly. There could be no retreat once I boarded that train. The torture of uncertainty, the agony of making a decision only to reverse it! The hour grew later and later. This was like both birth and death—you had to meet them alone.

About thirty minutes before train time I knew that I must go. I wrote two letters, one to Judge Hazel, one to Mr. Content, to be received at the desk the next day, informing them of my action. I had asked for a month and it had been refused. This denial of right and freedom compelled me to leave my home and my three children until I made ready my case, which dealt with society rather than an individual. I would notify them when I came back. Whether this were in a month or a year depended on what I found it necessary to do. Finally, as though to say, "Make the most of it," I enclosed to each a copy of *Family Limitation*.

Parting from all that I held dear in life, I left New York at midnight, without a passport, not knowing whether I could ever return.