

APRIL, 1922

25 CENTS

BIRTH CONTROL REVIEW

Edited by Margaret Sanger

BIRTH CONTROL AND THE POLICE

COUNSEL'S BRIEF AS PRESENTED TO THE MAYOR OF NEW YORK

WAR AND POPULATION

By Harold Cox

OTHER CONTRIBUTORS

GRACE POTTER, HELEN GLENN TYSON, FERDINAND GOLDSTEIN
RICHARD CONNELL

Official Organ of
THE AMERICAN BIRTH CONTROL LEAGUE, 104 Fifth Avenue, New York City

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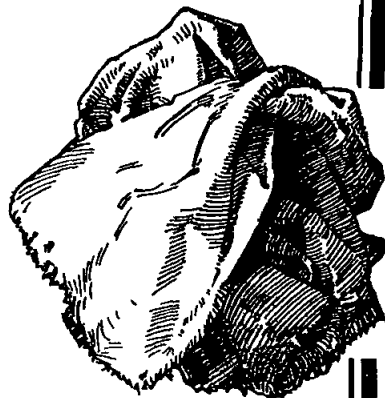
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Four Steps to Our Goal—Agitation, Education, Organization, Legislation.

MARGARET SANGER, Editor

VOL VI

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Editorial

WE WANT AGAIN to emphasize that the BIRTH CONTROL REVIEW does not give contraceptive information. This would be illegal in New York State, and would also bar the REVIEW from the United States mails. The aim of the REVIEW is to create public opinion in favor of Birth Control, in order that the penal laws which now stand between the women who need it and the information they ought to have, may be repealed. The REVIEW also seeks to keep its readers in touch with the movement for Birth Control all over the world, and to present to them the latest contributions to the subject offered through scientific research. Everyone who buys a REVIEW, thereby does something to help forward the movement, a movement which is largely due to the labors and sacrifice of Mrs. Margaret Sanger, who is now carrying the standard into Japan and China. For those who believe that Birth Control is a way out of the misery and suffering of so large a portion of our people, it is not enough to buy the REVIEW. We want your active help and support. Join the Birth Control League, and get into touch with the leaders of the movement who will find work for every willing helper.

IF THE OBJECT of the Japanese Government, in regard to Mrs. Sanger, was to give her lectures the greatest possible effectiveness, it certainly did its best to carry out its purpose. The publicity attending its action was astounding and prolonged. First it was announced that the Japanese Government had refused a visa to Mrs. Sanger's passport. Then came an other announcement that the visa was to be accorded, but only on condition that Mrs. Sanger refrained from advocating Birth Control. Then came the further announcement that the ban on Birth Control was withdrawn and that Mrs. Sanger would be free to carry out the purpose of her visit and to lecture to the Japanese without hindrance. Each step in the procedure was followed in the newspapers of this country from Maine to California. The newspapers of Canada and Great Britain carried the news. It went into the newspapers of all European countries, and also into those of Japan, China and India. Its first effect will undoubtedly be to arouse the keenest interest in Japan and to ensure that Mrs. Sanger's audiences will not only

be large, but will be receptive and alert. Its effects will follow her when she goes to China and India, and thousands of people who might otherwise never have heard of her or of the American Birth Control League, will flock to hear her when she reaches these countries. Its value will not be exhausted when she reaches England in July, and the success of the International Birth Control Congress of which she will be a prominent figure, will probably be enhanced because the Japanese Government wobbled when it was a question of admitting her to Japan.

PLANS FOR THE International Birth Control Congress in London, July 11-14, are taking shape. The Congress promises to be one of the great landmarks of the movement for world wide Birth Control. Like disarmament, Birth Control must be international to be generally accepted and to ensure peace and prosperity. Just as the existence of one nation, armed to the teeth by sea and land, makes impossible the general disarmament of other nations, so one nation with excessive and unrestrained birth rate and rapidly increasing population threatens the integrity of the nations which desire to hold an even balance between population and means of subsistence. But just as the solution of the armament problem lies not in the arming of the other nations to match the one recalcitrant, but in international agreement to disarm, so the solution of the population question lies not in a birth rate competition in which the reckless will always outmatch the provident, but in the spread of the Birth Control movement throughout the civilized world. An International Congress is the means to this end. Such a Congress will aid the movement in each individual country that takes part in it. But such a Congress depends for success on the work and effort that each participant puts into it, and at the present time the American Birth Control League is asking all its members to aid by spreading the news of the Congress, when possible, by agreeing to go as delegate to it, and by strengthening the League through additions to its membership and contributions to its funds.

We make no apology for giving in full the brief prepared by Messrs. Emory R. Buckner and Robert P. Patterson in connection with the complaint against the police for stopping the Birth Control Meeting on November 13th. The brief summarizes the evidence given at the hearings before Commissioner Hirschfeld, and constitutes an important document in the history of the movement for Birth Control.

BRIEF SUBMITTED IN BEHALF OF PAUL D CRAVATH AND OTHERS

BY LETTER DATED December 6, 1921, and addressed to the Mayor, Messrs Paul D Cravath, Lewis L. Delafield, Charles C Burlingham, Samuel H Ordway, Paul M Warburg, Charles Strauss, Montgomery Hare, Henry Morgenthau, Herbert L Satterlee and Pierre Jay alleged that on November 13, 1921, the police had forcibly closed a public meeting at the Town Hall, and had arrested two women who insisted upon speaking. The letter also stated that on December 2, 1921, another offense had occurred in the arrest of Mrs Julia Barrett Rublee. The complainants, disclaiming any connection with the organization under whose auspices the meeting was held, asserted that the action of the police on each occasion was unlawful, unjustified and inexcusable, and constituted a grave interference with the rights of free speech and a denial of the equal protection of the law. They requested a full investigation into the conduct of the Police Department on these occasions, together with disciplinary action against the officials responsible for these occurrences.

The Mayor referred the matter to the Commissioner of Accounts for investigation and report. The Commissioner of Accounts held several public hearings, at which the complainants were represented by counsel. At these hearings there were examined several witnesses who were present when the Town Hall meeting was closed and when the arrests were made, both on November 13th and on December 2nd. The police officers who ordered the arrests were also examined, as well as the Assistant District Attorneys who moved the discharge of the persons arrested.

FACTS

THE FACTS TESTIFIED to were practically undisputed

(a) Town Hall Meeting

The occurrences at the Town Hall on November 13th were the following: a public meeting was to be held at which the speakers were to be Mrs Margaret Sanger and Mr Harold Cox, an English publicist and formerly a member of Parliament. The subject announced was "Birth Control—Is It Moral?" After about 1,000 persons had entered the hall but prior to the making of any speeches, several police officers acting under the orders and in the presence of Captain Thomas Donohue, closed the doors. Captain Donohue then announced that the meeting could not be held, and ordered the persons in the hall to leave. Protests were made, but Captain Donohue stated that he would prevent any meeting being held. The persons assembled for the meeting then dispersed.

(b) Arrest of Mrs Sanger and Miss Winsor

Mrs Sanger insisted that the police had no right to break up the meeting and announced her intention to speak. She was then arrested. A short time later Miss Mary Winsor announced that she also intended to speak, and Captain Donohue ordered her arrest. Both Mrs Sanger and Miss Winsor were taken to the Precinct Station, where blotter entries were made, and thence in a patrol wagon to the Night Court on West 54th Street, where they were paroled in custody of counsel until the next day.

On November 14th these two women were arraigned before Magistrate Corrigan in the Sixth District. The two policemen who arrested them testified that the arrests were made because the prisoners refused to stop speaking, also that no violent or obscene words were used by the prisoners. The policemen also testified that the meeting was broken up by Captain Donohue's orders, before it had started. The Assistant District Attorney admitted that there was no evidence of a crime, and moved the discharge of both prisoners. The Magistrate then ordered that they be discharged.

The persons interested in the subject for discussion subsequently held a meeting on November 19th at the Park Theatre. The same subject was discussed, and the same speakers were heard. Officers were present, but the meeting was not disturbed.

(c) Arrest of Mrs Rublee

A POLICE INQUIRY into the matter was instituted, upon the complaint of the American Civil Liberties Union, an organization formed for the promotion of free speech, freedom of assembly and freedom of the press. None of the complainants here is connected with this organization. The hearings were at Police Headquarters before Inspector Lahey. At a hearing held on December 2nd, Mrs Juliet Barrett Rublee testified that she had been present at the Town Hall meeting and had witnessed the action of the police officers. She also stated, in response to questions by Inspector Lahey, that she was acquainted with Mrs Sanger, that she had read Section 1142 of the Penal Law and believed that it was "an unwise section."

Mrs Rublee was forthwith arrested by Officer Thomas J Murphy, a policeman stenographer, who acted under the direction of Assistant Corporation Counsel Martin Dolphin, as signed to the Police Department as legal adviser. Mrs Rublee's attorney insisted that she had committed no crime, but Mr Dolphin refused to change his position. Mrs Rublee was taken to the Elizabeth Street Precinct Station, and thence to the Magistrates' Court, First District. Officer Murphy there swore to a complaint charging Mrs Rublee with violation of Penal Law, Section 1142, in that she had stated she was present at the Town Hall meeting, that she was sympathetic to the Birth Control movement, that she had read Section 1142 and believed it an unwise law. Upon motion of Assistant District Attorney Wilson, Magistrate Hatting forthwith discharged Mrs Rublee, on the ground that it was self evident that no crime had been committed.

(d) Responsibility for arrests

THE RESPONSIBILITY for stopping the Town Hall meeting and for the arrests there, lies primarily with Captain Donohue, who was present at the time. He testified that he had received an order not to allow the meeting to be held, the order being transmitted to him verbally by Lieutenant Courtenay who told him that an order to that effect had been received by telephone from Police Headquarters. Captain Donohue is contradicted both by Lieutenant Courtenay and by

Inspector Bolan The former testified that he did not deliver the message to Captain Donohue The latter testified that he spoke to Captain Donohue himself by telephone, and instructed him to attend the Town Hall meeting and to see that "no law was violated" He also testified that "if Captain Donohue took this drastic action of closing the hall without permitting the meeting even to start, he did that of his own volition, on his own initiative"

The responsibility for the arrest of Mrs Rublee rests squarely upon Assistant Corporation Counsel Dolphin, who was legal adviser of the Police Department Officer Murphy accepted the statement of Mr Dolphin that a crime had been committed, and obeyed orders in making the arrest

POINT I

THE POLICE OFFICERS VIOLATED THEIR DUTY IN STOPPING THE TOWN HALL MEETING, AND THE OFFICER OR OFFICERS RESPONSIBLE FOR THIS ACTION SHOULD BE DISCIPLINED

IT IS UNNECESSARY to discuss at length the inviolability of the rights of free speech and free assembly The Commissioner is thoroughly familiar with the necessity of scrupulously upholding these rights and of not tolerating the slightest infringement of them

Both the Federal Constitution and the State Constitution guarantee to every citizen freedom of speech and freedom of assembly In a leading case, the United States Supreme Court said

"The right of the people peaceably to assemble for lawful purposes existed long before the adoption of the Constitution of the United States *In fact, it is, and always has been, one of the attributes of citizenship under a free government* • • • *The very idea of a government, republican in form, implies a right on the part of its citizens to meet peaceably for consultation in respect to public affairs and to petition for redress of grievances*" (*United States v Cruikshank* (1875), 92 U S 542, 551)

The Legislature of this State has gone so far in the protection of this right, as to make it criminal for anyone to break up a public meeting lawful in its character *Penal Law, Section 1470*, provides

"A person who, without authority of law, wilfully disturbs any assembly or meeting, not unlawful in its character, is guilty of a misdemeanor"

THE TOWN HALL meeting was a lawful one It is settled law that persons may discuss the general subject of Birth Control and may advocate a repeal of section 1142 of the Penal Law, provided that they do not give contraceptive information or use language which is indecent or obscene Less than two years ago the Court of General Sessions dismissed a complaint against a person arrested for speaking on Birth Control Judge Wadhams said

"It is within the rights of a citizen to advocate the repeal of an existing law and to state his reason for advocating such repeal In such advocacy, however, he must

not use language which is calculated to and may give such offense as to produce a breach of the peace, and must proceed in an orderly and decorous manner, so as not to cause a breach of the peace" (*People v Swasey* (1920), 180 N Y Supp 629, 630)

It is undisputed that the meeting at the Town Hall was broken up before it had even started, and before any law could have been violated The police officers assumed the right to decide *in advance* that there would be a violation of the law The law is clear that such suppression in advance is unjustifiable and illegal In the cases arising from the Mount Vernon ordinance which purported to forbid the sale of the *New York American* and the *New York Journal* in that city, the ordinance was held void as an infringement upon the freedom of the press Mr Justice Giegerich said

"It would seem that the legislature itself, from which the defendants necessarily derive such power as they have, would have *no authority to prohibit in advance the plaintiff or any other accused person from printing and issuing newspapers or other publications*" (*Star Co v Brush* (1918), 103 Misc 631, 636)

THE FACTS TESTIFIED to at the hearing establish beyond a doubt that Captain Donohue, in suppressing the meeting, not only grossly abused his power as a police officer of high rank, but was himself guilty of the criminal offence of breaking up a lawful meeting

If such flagrant violations of the law by its own defenders are not followed by disciplinary action against the offenders, the security of the rights of free speech and free assembly will be most precarious If officers can with impunity dictate to citizens whether or not they shall be permitted to exercise these rights, the constitutional guarantees amount to nothing The importance to the reputation of this city of letting it be known that such outrages are always followed by the punishment of the guilty officials, cannot be emphasized too strongly

POINT II

THE ARREST OF MRS SANGER AND MISS WINSOR, BECAUSE THEY ATTEMPTED TO SPEAK AT A LAWFUL MEETING, WAS INDEFENSIBLE

The only offence of which Mrs Sanger and Miss Winsor were accused, was that they insisted upon speaking, in the face of Captain Donohue's order to the contrary

The testimony of the police officers before Magistrate Corrigan shows conclusively that no crime had been committed by these two persons The Captain did not have the hardihood to press the charges, for he did not appear in the Magistrates' Court, although sent for

We venture to remind the Commissioner that this complaint is not directed against the action of an ordinary police officer who may on occasions overstep his bounds These arrests were deliberately ordered by a Police Captain, twenty eight years on the force, and in control of a large number of subordinate officers The Captain either knew or did not know the unlawfulness of his actions If he knew, there is utterly no excuse for his conduct If he did not know, he is obviously unfit for the responsible position which he holds

POINT III

THE ARREST OF MRS RUBLEE WAS A GROSS ABUSE OF OFFICIAL POWER

MRS RUBLEE WAS arrested for stating as a witness that she had read Section 1142 of the Penal Law and believed it unwise. She was charged with violating this statute. Her arrest was at the direction of an Assistant Corporation Counsel detailed to act as legal adviser to the Police Department.

By no stretch of the imagination can a violation of this statute by Mrs Rublee be spelled out. The pretension that by the very statement that she had read the law and believed it unwise, she had violated the law against giving contraceptive information, is too absurd to warrant discussion. A more flagrant case of prosecuting a person merely for her opinions cannot be found.

The only explanation of this outrage is that of intimidation and persecution. It is inconceivable that the Assistant Corporation Counsel sincerely believed that the basis for an arrest existed. Mrs Rublee held opinions that were hostile to those cherished by Mr Dolphin, the arrest of Mrs Rublee followed. Officer Murphy testified that he saw no reason for an arrest and that he made the arrest because he had to obey orders. While Mr Dolphin was not an official of the Police Department, he was sufficiently identified with that department so that a police officer obeyed his orders.

In conclusion, the complainants submit that the facts developed at the hearings fully substantiate their letter of complaint to the Mayor. Wholly irrespective of the merits of the question for discussion at the Town Hall meeting, and irrespective of

the identity or known views of the speakers (as to which features the complainants take no position), the meeting at the Town Hall was a public meeting not unlawful in its character. The citizens who desired to attend the meeting were exercising their constitutional rights. The police officers were entitled to stop the meeting and to make arrests only if in the course of the meeting there should occur some specific violation of the law. Instead of doing their plain duty, the police officers assumed the right to break up the meeting before it had started. They arrested persons whose only offence was their resistance to the unwarranted and illegal action of the officers. The arrest of Mrs Rublee three weeks later is an even more striking instance of this unlawful oppression of persons for their opinions.

The complainants are confident that the Commissioner fully agrees with them in their advocacy of the rights of free speech and free assembly, and of the immunity of citizens from arrest except for just cause. The facts laid before the Commissioner show that in these instances certain police officers and an assistant corporation counsel, moved by animosity to the citizens involved, wilfully and persistently violated these fundamental rights. Without presuming to suggest to the Commissioner the nature of his report upon the matter, the complainants feel that he will recommend such action as will make unlikely any recurrence of such oppression by members of the Police Department or Legal Department of this city.

Respectfully submitted,

EMORY R BUCKNER,

ROBERT P PATTERSON,

Counsel for Complainants

News Notes

FEBRUARY 19 — Margaret Sanger addressed an overcrowded meeting in California Hall, San Francisco. The Hall only holds comfortably 600, and about 2,000 persons desired to attend. The chair was taken by Mrs Mary Parton. A detail of policeman occupied conspicuous places in the Hall, but there was no interference with the proceedings.

February 21 — Mrs Sanger sailed on S S Taiyo Maru for Honolulu and Japan. Her fellow passengers included a large group of Japanese professors and gentlemen of the diplomatic corps who were returning from the Disarmament Conference at Washington.

February 23 — Mrs Sanger addressed a meeting of about 100 Japanese men and women to whom she explained the principles of Birth Control. Among them was Masanao Hanihara, Vice Minister for Foreign Affairs, who after hearing Mrs Sanger communicated with his Government and succeeded in having withdrawn the embargo on her lectures in Japan.

February 27 — Mrs Sanger landed at Honolulu. The boat docked at 1 p m. A lecture had been arranged for her at 2 p m. She was met at the dock by Mr and Mrs Dillingham and taken to their Waikiki home for lunch. Immediately afterwards she was escorted to the M Lester Dancing Academy, where 500 chairs had been placed for her audience. Before she arrived every seat was taken, also all standing space and before

the meeting opened every door and window was also crowded with people who could not get inside the room. Judge Sanford B Dole, known in Honolulu as "the good old man of the Blessed Isles," took the chair and introduced Mrs Sanger, who spoke for an hour, and succeeded in that time in converting many doubters to the wisdom of teaching Birth Control. At 3 30 p m there was a tea at the Country Club giving some opportunity for a few of the many people who wished to speak to Mrs Sanger to do so. Among these were two Japanese editors, who finally had to accompany Mrs Sanger back to the steamer in order to have the opportunity of speaking with her. The excellent arrangements made for Mrs Sanger were due to the efforts of Prof Uldrick Thompson.

March 10 — Mrs Sanger landed at Yokohama. (An account of her work in Japan will be given in the next issue of the REVIEW.)

March 13 — A meeting was held at the home of Mrs Mary B Nelson, Wyomissing, Pa., at which arrangements were made for a public meeting at Reading, April 3rd, at which Birth Control would be discussed.

March 15 — The Detroit Committee of the American Birth Control League held a meeting at the Hotel Statler.

News comes from Berkeley, Cal., that a California Scientific Birth Control Conference is to be held in April.

War and Population

*Address Delivered by Mr Harold Cox at the First American Birth Control Conference
At the Hotel Plaza on November 12, 1921*

I FEEL MUCH honored at being invited to come across the Atlantic to address the First American Birth Control Conference. You have initiated here a great movement which, starting from small beginnings, is going to be perhaps one of the biggest movements in the world. It is a pleasure as well as an honour for me to be present. I was greatly impressed last night by seeing the way in which this hall was filled with medical men and women, eagerly discussing practical methods of Birth Control. The fact that your League has been able to organize such a densely packed meeting of medical people is itself a proof of the progress you have already made. That progress, as you know even better than I know, has been largely due to one woman, a woman whom I feel proud to be allowed to call my friend.

You have in America at the present time two conferences in progress—one in New York, the other in Washington. The one in Washington is engaged in considering how the nations of the world can get rid of armaments. But what are armaments? They are the devices that men adopt to meet what they regard as the necessity of war. Armaments are merely a symptom of man's fear of war, or of man's desire of war, whichever it be.

On the other hand, this Conference in New York is considering how the causes of war can be removed. I will not go so far as to say that over population is the only cause of war. In the past there have been many causes. In the past we have had dynastic causes, monarchs going to war for a matter of personal pride, or fighting for a tiny scrap of land because some racial or dynastic question was involved. A war of this character is incidentally recorded in Shakespeare's play of Hamlet, and I venture to quote to you Hamlet's comments

"I see

The imminent death of twenty thousand men
That for a fantasy and trick of fame
Go to their graves like beds, fight for a plot
Whereon the numbers cannot try the cause,
Which is not tomb enough and continent
To hide the slain"

SUCH WARS HAVE to a large extent disappeared. Kings no longer hurl their subjects into war. Wars today are people's wars. Some peoples, it is true, fight about religion. But they happily are now in a minority. The one dominating object for which people still fight when the need arises is the room to live. People will always fight for the means of living. A man will sooner kill his neighbor than starve himself. Where the means of subsistence are insufficient for a people demanding to be fed war ensues. People fight to give effect to the demand so crisply expressed in the French saying "Ote toi de la que je m'y mets"—"Get out of there that I may step in."

This cause of war was emphasized by German writers in very candid terms before the Great War. A collection of various German opinions was published in Washington in 1918 by the Committee of Public Information. It was entitled "Conquest and Kultur." I will quote a few passages.

Arthur Dix, writing in 1901, says "Because the German people now increase at the rate of eight hundred thousand inhabitants a year they need both room and nourishment for the surplus."

Albrecht Wirth, writing also in 1901, says "In order to live and lead a healthy and joyous life we need a vast extent of fresh arable land. This is what imperialism must give us."

Daniel Frymann in 1911, in a work which had an immense circulation, called "Wenn ich der Kaiser wäre," says "It is no longer proper to say that Germany is satisfied. Our historical development and our economic needs show that we are once more hungry for territory."

Von Bernhardi, in a book entitled "Germany and the Next War," published in 1911, says "Strong, healthy and flourishing nations increase in numbers. They require a continual expansion of their frontiers. They require new territory for the accommodation of their surplus people. Since almost every part of the globe is inhabited, new territory must as a rule be obtained at the cost of its possessors, that is to say by conquest, which thus becomes a law of necessity."

GERMANS WERE HERE expressing facts with brutal frankness. But exactly the same proposition was laid down 400 years ago by an Englishman, whom nobody would call brutal. Sir Thomas More in his "Utopia" said that the people in his ideal country should keep their numbers down in accordance with the sustenance available. But if they increased beyond the available sustenance they should go to the neighboring country, and if possible by making friends with the people of that country peaceably settle there. And if they were not peaceably welcomed, then they must fight those neighboring people and take their land.

The same cause of war still operates everywhere. As Lord Northcliffe, speaking in Australia recently, said "Land hunger is the primary cause of war."

Take the question of the Pacific. Japan has a rapidly growing population. As a necessary result Japan is seeking an outlet for her people and for her manufactures. But the United States has a growing urban population living on urban industries, and urban industries must have foreign markets for their manufactured goods. Therefore the United States wants the Chinese market. Therefore the United States is opposed to Japanese expansion into China. Thus the expanding American population comes into conflict across the Pacific with the expanding Japanese population.

It is conceivable that the Conference at Washington may reach some formula—politicians and diplomats are very good at devising formulas—which will hide the ugly facts, but the ugly facts will remain and sooner or later burst forth once more

Moreover, and this is a point I wish to impress upon your attention, the problem of population is becoming progressively more serious. That is a fact that is constantly ignored by the average man and woman. The tendency of almost everyone who discusses the problem of Birth Control, or the world problem of population, is to limit their attention to the birth rate, forgetting that a low rate on a large number may give a higher return than a high rate on a small number

MOST PEOPLE WOULD prefer to have one per cent on a capital of a million than ten per cent on a capital of a thousand. As the volume of population grows, even a reduced birth rate may give a much larger volume of increase

Let me give you a practical illustration. Before the war a great many people in England, observing the birth rate was declining, began to cry out, saying "We are losing our population. Race extinction is foreshadowed." What were the real facts? Between the years 1901 and 1911, while the birth rate was declining, our population increased more than in any previous decade in the whole history of England. It increased more in those ten years than in the whole of the eighteenth century. Why? Because though we had a low birth rate we had a large population, and on a large population a low rate gives a large increase

Between 1851 to 1911 we doubled our population. If that rate of growth had continued, in the course of 360 years England would have had a population considerably larger than the whole present population of the globe. Three hundred and sixty years is not a very big figure in the history of the world, nor in the history of many nations. In England it only bridges the gap between King Edward VI and King Edward VII

Let me now come to your own country. You are increasing more rapidly than we are. You may say you have more room. For the present, yes. But between 1880 and 1920 you considerably more than doubled your population. The actual increase was something over 110 per cent. If you continue that rate of increase, in two hundred years the population of the United States will be 4,313,000,000. I repeat. If the present rate of increase of the American population continues you will in less than two hundred years have over four thousand million people in the United States, or more than double the whole present population of the world

SIMILAR CALCULATIONS apply to Japan or to Germany, or to any other country. If any country were to maintain its present rate of increase it alone could fill the whole globe in a very brief period. This fact was pointed out by an American, one of the most distinguished of all Americans that ever lived—Benjamin Franklin—over 150 years ago. He said the globe could be filled with a single plant like fennel, or with a single race, for example, Englishmen

There is a school of critics that says that any control of births is necessarily immoral. Many of these critics are themselves as it happens celibates. They try to back up their contention by saying that there is still room on the earth. There may be for a time, but only for a time. These opponents of Birth Control further back their doctrine with a phrase often quoted—"God never sends mouths but he sends food." How about Chinese famines? There are millions of mouths in China craving for food. Every twenty years or so, often more frequently, you have a hideous famine in China. Parents then can do nothing with their children but drown them or let them die. You would have equally hideous famines in India but for the British Government which makes provision in advance. It is an absurdity to say that God sends food for the mouths of all the children that people choose to bring into the world

The figures I have given to you show clearly that a period must come when even the most dogmatic of theologians, even the most obtuse of thinkers, will see that there is no more room on the earth. What then will be said by these people who now denounce Birth Control? When they see the world obviously over filled, will they still tell the masses to go on producing children to die within a few months, or alternatively will they tell them to produce children to kill other people's children? In effect that is what is being done to day. You have quite a considerable number of people in France telling French mothers to breed more children to kill the children of German mothers, and you have some people in America who are pleading that American mothers must breed more children to kill the children of Japanese mothers. Is that the culmination of Christian morality—to breed children to kill the children of other nations?

I CONTENTEND THAT the most urgent duty of thoughtful people is to strive to change the public conscience of all nations with regard to the problem of population. At present governments and churches are on the side of ever increasing populations. Governments subsidize the large families of the poor, and on this point I should like to express my disagreement with a previous speaker when he asked why the government should not do more to help these large families. It would be most mischievous. The responsibility of bringing a child into the world rests upon its father and mother and they alone are responsible for its maintenance

The churches also preach the duty of unlimited procreation. Why I do not know. Happily of late years there are signs of a change, especially in England. Among those who have come forward strongly in favor of Birth Control is the Dean of St Paul's, Dean Inge. Another prominent English Churchman who has declared himself in favor of Birth Control is the Bishop of Birmingham. Quite recently a very significant episode occurred in England. On October 11th last Lord Dawson, who is one of the most highly distinguished members of the medical profession in England, and is the King's physician, read a paper at the Church Congress on the subject of Birth Control. The keynote of his paper was, in his own

words, "Birth Control is here to stay" He went on in the very plainest language to attack the theological view—which I may say has no basis whatever in biblical authority—that sex love is only permissible for the sake of producing offspring He said that this was an utterly untenable and utterly inhuman view, and he used a beautiful sentence which I will quote to you "Life without the love of man and woman would be like the world without sunshine" Then he ended by telling the assembled clergy of the Church of England that it was their duty to approach this question in the light of modern knowledge and the needs of a new world

THE UPPER AND middle classes throughout Europe and throughout the United States are practising Birth Control They are limiting their families They have the knowledge, they see the necessity The well to do artisans are doing the same thing The rural laborers also, who are on the whole more intelligent than the poorer classes in the towns because they are brought daily in contact with the facts of nature, are also limiting their families In our English villages families have become relatively small It is in the slums that Birth Control is not practised In those crowded areas of our large towns, where sunshine and fresh air hardly ever penetrate, the worst types are being daily brought into the world It is these types that are multiplying, it is these types that are forcing modern nations to seek new outlets for their manufactures It is these types that force fresh wars upon the world

Happily in some countries public opinion has already recognized that we can only stop the evil by popularizing the knowledge and the methods of Birth Control, so that the "masses" may do what the "classes" already have done That is recognized in England, where there are no laws against propagating this knowledge and where there is a growing volume of opinion in favor of it.

Unfortunately the United States still has—if you will allow me to say it—foolish laws to forbid dissemination of essential knowledge—laws based upon a false standard of prudery and upon ignorance of the real facts of population The figures I gave you just now show clearly that today the United States is increasing its population at a rate which in a comparatively brief period must produce an impossible situation You can not have four thousand million people in the United States The present rate of increase must be reduced You can only reduce the rate of increase by reducing the birth rate or by increasing the death rate Which is it to be? For the sake of false ideals of prudery are children to be brought into the world to die in infancy, or are they to be brought into the world to kill the children of other nations?

AT PRESENT, UNFORTUNATELY, the official attitude in almost every country is against Birth Control Some countries have even gone back on their previous policy France, for example, in terror of Germany, has since the war passed new laws making it a crime even to advocate Birth Control Why has France done this? Because England and America refused (I think unwisely and unjustly) to agree to protect France against Germany In view of the failure of the pro-

posed Anglo American Alliance, the French say "We must be strong enough to defend ourselves against the Germans, and therefore we must increase our population" They even post up in the streets placards "Faites des enfants" (Produce children) The idea seems plausible, but is really absurd The population of France is about forty millions The population of Germany is about sixty millions—50 per cent more You will see at once that, supposing the French had a high birth rate and the Germans had an equally high birth rate, the Germans would produce 50 per cent more children each year And that would go on from year to year, the balance getting more and more in favor of Germany In other words, if France wants to go into a cradle competition with Germany she is bound to be beaten So that remedy will not serve Moreover if the policy which the French have adopted to protect themselves from a fresh war were to be followed by every other country, fresh wars would be inevitable because there would not be room for everybody

HOW THEN IS this madness to be ended? I contend that it can only be ended by a change in the mental attitude of all nations And I say Let the strongest nations lead the way Let them set the example If necessary, let the nations who have the wisdom to adopt a low birth rate for the sake of the prosperity of their children, for the sake of peace of the world, band themselves together and agree to defend one another against those races that will not reduce their birth rate I hold that a League of Low Birth Rate Nations would be much more useful to the world than a League of Nations

In conclusion, may I sum up my argument in a few words I contend that the ideal of peace on earth and goodwill among men is unattainable as long as we are too thick on the ground Progress is impossible without room to live and leisure to think This is no new doctrine It has been endorsed by all economists of weight ever since Malthus first insisted upon its essential truth, it has been demonstrated by every type of living thing Everywhere the lower races, whether plant or insect or animal, are the most prolific, everywhere the unchecked multiplication of rival species leads to mutual destruction If we wish to attain universal peace, if we wish to secure the progress of mankind, we must persuade all the peoples of the earth to limit their numbers

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Moral Values in Birth Control

(A paper read at the Pennsylvania Birth Control Conference)

By Helen Glynn Tyson

MORE THAN FIFTY years ago Herbert Spencer developed the concept of the relativity of morality, or morality as the adjustment of human nature to the physical and social environment. Environments differ and change, giving rise to new human needs, and to changing moral values. The acceptance of this truth as the basis of social ethics discredited moral absolutism, and brought a clearer perception of moral progress, to be attained through the conscious control of social arrangements, to assure the maturing of human personality and the fuller development of life. Changes in morality may represent, then, from the standpoint of this ideal, reversion or progress. One of the most striking illustrations of reversion was the sudden shift of social morality with the coming of war, when the prevalent code of thought and conduct was speedily abandoned, to give place to the more primitive standards fitted to the exigencies of conflict. In such a sudden outburst of emotionalism the cruder instincts and impulses of the group, can be played upon by the newspapers and other organs of propaganda, and the moral disintegration is scarcely questioned when church and state give their sanctions to the changed morality.

Of very contrasting type of the changing mores is the progressive movement for higher moral standards in family life which we are discussing today. Alteration in the mores of sex relations and parenthood are necessarily slow and difficult. Change here must be highly rational, based upon consciously perceived advantage to the individual and the group. The Birth Control movement is primarily an intellectual one. The obstacles of emotionalism and traditionalism must be faced, all the dead weight of convention, and dogmatic authority is against it. Then, too, the value of Birth Control for the group can only be appreciated by those who have some understanding of the tremendous economic and social changes that have transformed a local agricultural society into a complex industrial one.

OBVIOUSLY, THE reason why we have been so slow to consider this question in America is that our intense industrial development and urbanization have been relatively so recent. Also, certain physical conditions in large sections of our country have tended to perpetuate the idea that a high birth rate is a national advantage. Vast tracts of untilled free land and great areas of undeveloped natural resources have until recently made necessary a tremendously rapid growth in population. But of late years that condition has been changing, the country has filled up, and the pressure of population on the land is already felt, the industrial system has stabilized to some degree, and there is no further need for increasing the mass of unskilled labor to open up new land or to man new industries. This fact has been accepted—rather stupidly, perhaps—in our present drastic Immigration Law. It has not yet been generally admitted in regard to our national birth rate.

The old pagan belief in a high birth rate to keep up a failing population, which was later taken over by the Church, was of course justified to some degree by the high death rate, which prevailed almost universally, through the ravages of disease and the complete ignorance of modern preventive medicine. The constant devastations of war, sanctioned as they were until so recently by a popular belief in its moral and spiritual values, tended to intensify this conviction.

In the face of an amazing fall in the death rate, amounting to a 25 per cent decrease even since 1900, and of all the social and economic changes that have accompanied the industrialization of America, the average American still clings to his old belief in the value of a high national birth rate. While he admits the social and even the moral advantages to be gained by the practice of family limitation in his own and his neighbor's case, he is still timid about advocating that a tradition that has been outgrown and no longer fits the needs of modern society be discarded and that a new morality in regard to population control be adopted.

IT IS OF COURSE a fact that Birth Control in some form is widely practiced by native born Americans today. Faulty as are our vital statistics, they bear out the truth of this statement by the actual contrasts, amounting in some localities to a 1 to 2 ratio, between the birth rates of native and foreign born. There is also a wide spread and frank admission among individuals of the middle class of the practice of family limitation, and a conscious recognition of its personal value and economic advantage. It is probably true that all people today, except the most stupid and ignorant, can seek out and find for themselves some more or less effective method of family limitation. But that fact, instead of justifying an attitude of laissez faire, indicates the need of a more positive, more definite policy on the part of those of us who believe in direction and group control in so vital a matter. The problem today then is, how many of these new folk ways, widely accepted by thousands of native Americans, be woven into the mores of the whole group, that they may make for the prevention of poverty and inefficiency, and so contribute to a new and more positive social morality?

The only possible answer can be discussion, and more discussion, with a careful avoidance of the kind of emotionalism that stirs up strong feeling reactions, and an insistence on scientific inquiry and rational thinking.

The moral values in the institution of the family are to be found only when it is a real instrument for social progress, devised to hand on the highest traditions of the group to the children. The brutal birth rate of the past, even though it involved the sacrifice of many mothers and infants in the satisfaction of the group need for workers, did not necessarily negate the moral and spiritual values in family life. That is, the woman on the farm if she were physically strong, could

rear six or eight children, and herself develop to the limits of the opportunities offered in that simple environment. She could make, and teach her children to make, adequate adjustments to the life they were to lead.

TODAY THE DEMANDS of the child on the mother are infinitely greater. Even the application of modern methods of child hygiene require an expenditure of time and thought on the part of the mother that were quite unknown in the past. On the side of mental development and training in social ethics, the complexity of modern life demands infinitely more wisdom and effort on the part of parents. While it is true that the only lasting family bond is the bond of affection, this in itself is of little avail in aiding the child to effect the infinite number of adjustments necessary in our complex society today, if he is to develop his personality and meet life in any adequate fashion. A great moral responsibility rests on the parents to secure for their children the best that the community offers in the way of education and training, yet it is impossible for them to meet this obligation without the sense of economic security, and sufficient leisure for their own self-development. It is obvious that these conditions are found only when the number of children is consciously determined.

Much has been said of the tragic instances of what might almost be called pathological motherhood—of those pathetic wrecks of women who throng our hospitals and dispensaries, the victims of their own uncontrolled fecundity and all social workers, especially those of us who have been medical social workers, can add to these tales of human wreckage. But there is another story yet to be told of the mental and moral effects of undesired conception on the woman in the "average" home. While Birth Control is widely practiced, the methods used are undoubtedly both harmful and ineffective in many instances. The question may be raised as to whether reluctant submission to undesired maternity does not make for an actual breakdown of those very moral elements that are most needed in mothers

Self respect, that most essential of all moral qualities is based primarily on the sense of self direction. Patience and submission are after all a kind of fatalism. These are not the qualities that mothers of today must have to develop strong children, capable of making vigorous choices and clear decisions in the complexities of modern life.

OF THE SEX antagonisms developed between man and wife, so often due to fear of pregnancy, and resulting in turn in the incompatibility that is the main cause of divorce, of the subconscious antipathy on the part of parents to the child that has not been wanted, of the loss of moral and spiritual values in the family life itself when the income cannot meet the needs of the family, almost nothing has been said. Such reactions are not within the control of the individuals involved. The very struggle against them, on the part of conscientious parents, embitters life and poisons the atmosphere of the home. In contrast, voluntary parenthood implies far more than economic security and physical well being for the child that is desired. It implies a strong bond of affection and harmonious thought between the parents and a spiritual preparation on their part that carries with it all the highest moral qualities that the race has evolved. A child born under these conditions may indeed enter into the fullest heritage of childhood.

After all the aims of the opponent and advocate of Birth Control are the same: the conservation of childhood, and the fullest life for the new generation. It is only in method that they differ. The advocate believes that new conditions demand a new morality, which includes self direction in the individual, and social control by the group in the vital matter of race perpetuation. He believes that the method of the conventional moralists are fundamentally immoral, since by clinging to outworn taboos, that have lost their higher values, they accept planless, accidental reproduction and so help to perpetuate poverty and misery and the conditions that make for family and racial disintegration.

"Weeds"

By Richard Connell

(Continued from March issue)

THIRTY? THIRTY? I seen thirty sharks in the summer of eighty three," piped the ancient clam digger. Old Man Eggers silenced him with an oath.

Sounds of pain from the next room grew loud. The women made clucking noises of sympathy.

"Clem Skiff don't seem to show much interest," remarked one of the women, a faded creature in dingy black.

"Oh, this ain't the first time for Clem," said the fat man, with a sound approximating a titter. "He's always been quite a hand with the ladies."

"I told Nettie to watch out," said Mrs. Purley, virtuously. "But she didn't pay no heed."

The faded woman in black sniffed.

"Sinfully hussy," she snapped. "Ain't got no more morals than a mud turtle. The Heavenly Redeemer will punish her."

The other women said, "Hush," the cries of the woman beyond the door grew louder still.

"Perhaps it'll be a Chunk, after all," observed the fat man, hopefully.

They listened in silence to the woman's screams of anguish. The wind rattled the old farm house. Then there was a new sound, as if some one had trod on the tail of a cat.

The door opened. A messy man, a doctor gone to seed, appeared.

"I don't suppose there's such a thing as a swig of brandy in the house," he said over his shoulder to a thin, washed out man behind him.

The washed out man was Caleb Frear, the superintendent of the poor farm.

"Nary a swig," replied Caleb Frear, loudly, so that all might

hear Then he whispered something to the doctor, who grinned knowingly, and they started to pass through the kitchen on their way to the superintendent's "office"

But as they passed, Old Man Eggers caught the doctor by the sleeve

"What is it?" he asked The old men and women craned their necks to hear

"It's a child!" replied the doctor, who had a local reputation as a wit

"Is it a Chink," asked the fat man, anxiously

"No, it's white, all right," said the doctor

"Girl?"

"Nope"

"Boy?"

"What else could it be?"

The lean pinner woman plucked at the doctor's arm

"How is it's head," she asked, a sudden excitement in her voice

"It's just the shape of a peanut," replied the doctor, cheerfully

II

THE CHAIRMAN of the State Board for the Guardianship of Orphans, in his office in the capital of the state, received, the following day, a report of the birth at the poor farm The Board would, of course, be responsible for the child

With pursed lips he glanced over the official communication from Superintendent Caleb Frear, and ran over the records in the case

"Nettie Pinkney," the letter ran, "aged 26 years, a mentally defective pauper, gave birth to a boy, November 29, 1920 Father is believed to be one Clem Skiff, a moron, also an inmate of this institution Dr C B Roach reports that the formation of the child's head is abnormal"

The Chairman sighed as he put down the paper

"Her fourth in six years," he remarked to Gaines, his assistant. "All of them hopeless imbeciles And one of them black What a record!"

He was a new Chairman, with a zeal for his work, and the affair plainly shocked him

"Gaines," he said, decisively, to his assistant, "we'll have to take a run down there and put a stop to this sort of thing Unless we do something about it, that Pinkney woman will people the state with idiots She's had four already, and she's only twenty six Four more charges for the state Just think, from the financial side alone, what that will mean Why, we'll have another Jukes family on our hands"

"Shall I notify the Superintendent you are coming?" asked Gaines

"Yes," said the Chairman, "I think you'd better Tell him we'll be down Wednesday Make the letter good and hot so it will scare him a bit Of course, we can't do much about the case now, the thing's happened But we can try to prevent it from happening again"

III

Caleb Frear received the Chairman's letter the next day, and adjusting his spectacles to his thin, red nose, he turned

up the kerosene lamp in his office, and spelled out the document. Caleb Frear was superintendent of the poor farm because he was the brother in law of a minor local politician His policy in public office was to avoid "trouble," and here was trouble, through no fault of his How could he exercise control over that Pinkney woman's morals? They grieved him, of course, for he was a religious man, and each day at the poor farm opened and closed with prayers But he couldn't quite see how he could be held responsible Still, there was the Chairman's letter, plain as day So Caleb Frear locked up the inmates in the old farm house, and strolled over to town to consult his political brother in law, who would be sure to suggest a solution, he was very adept at fixing things

When the Chairman and his assistant arrived at the poor farm, which was situated on a bleak road near the sea because the county had secured that property when its owner failed to pay the taxes on it, they found Caleb Frear, in his ceremonial collar and tie, waiting for them, with a bland smile

"Ah, gentlemen, and how are you," he exclaimed, warmly shaking their hands

"We have come—" began the Chairman in a tone calculated to impress the Superintendent with the seriousness of the situation

"Yes, yes, of course," interrupted Frear, "and I'm sorry Because, gentlemen, you have had this long, cold trip for nothing"

"For nothing?" the Chairman raised his eye brows

"Why, yes," said the Superintendent "You come about the —er—goings on of that Pinkney girl, didn't you?"

"Yes," said the Chairman, sternly "We did We came to see to it that—"

"Well," said the Superintendent, rubbing his hands, "it's all fixed up!"

HE SPOKE WITH the serenity of one who is conscious of a good deed well done

"All—fixed—up?" the Chairman repeated the words slowly with knitted brow "I don't understand"

"Yep," said the Superintendent, with a calm smile, "it can't never happen again!"

"Can't happen again?" the Chairman was alarmed "Good Heavens, man, what have you done?"

"Y'see, gentlemen," said the Superintendent with an air of extreme benevolence, "y'know I'm a moral man The goings on of that there Pinkney woman grieved me"

He struck a righteous attitude and went on

"What she done was contrary to the Laws of Man" he said dramatically "They was contrary to the Laws of Nature And to the Laws of God So, I've made it impossible for her to have any more illegitimate children!"

"What did you do?" demanded the Chairman

"Well," said the Superintendent proudly, "I called in a minister and had him marry them Now they can have all the kids they've a mind to"

The Purpose of Mating

By Grace Potter

Being a reply to "Back of Birth Control" by Charlotte Perkins Gilman

MRS GILMAN DEPLORES the fact that Birth Control offers a way of increase in pleasure without responsibility to those who practice unbridled self indulgence. And to this fact she lays lack of growth in the Birth Control movement. On the one hand it would hardly be a happy heritage for the children for these unbridled people to become parents. And on the other hand Mrs Gilman says that no woman, and that must include the unbridled, should have more children than she desires, so we may conclude that what she points attention to is the pleasure afforded to these people. Why regret for them any pleasure they can have? Nature is going to be cruel enough, for unbridled self indulgence loses to one finally the capacity to indulge at all. However irresponsible they be we give them medicine, surgery, hospital care and why not any pleasure we can also? So even if their inclusion within its benefits has limited the growth of the Birth Control organization we may not reasonably exclude them here until we should decide to close to them also the theatres, parks and concerts.

These arguments seem, however, not to be the important aspects of her paper. An important attitude, however, is that parenthood alone is the purpose of mating.

With this statement we must take issue. Mating has to do with other creation than that of new human beings. It has to do with every kind of creation—a new state, a poem, a picture, a great bridge, a happier world. Mating is concerned with re-peopleing the world but also with the regeneration of the individual, opening his capacities to growth. Who shall say that the one is not as important as the other? If the second were not as important as the first there would have hardly been any advance in human culture. This seems to have been unconsciously accepted by Mrs Gilman for in saying later what it is that has saved marriage "from the deadly results of un-suppressed desire" she mentions first "the growing beauty of mutual love, the endless pleasure of congenial companionship."

PERHAPS FUNDAMENTALLY we have no real difference with Mrs Gilman, for she says that "of all the errors of human consciousness none has had wider ill effects than our misuse of the sex function." It is only going a little further to say that of all the errors incident to the development of human beings, in their struggle to attain a consciousness that makes them more than animals, none has had wider ill effects than our misuse of love. And in saying that I should perhaps be merely restating the teachings of Sigmund Freud who has said "every neurosis has its basis in a failure in the love life."

Not Freud, nor anyone who understands psycho analysis as he teaches it and has developed it, advocates excessive self indulgence. Analysis reveals its results as disintegrating and harmful. The great trouble with unbridled self indulgence is not that it gives pleasure, but that it gives so little and human

beings want more than the greatest sum of pleasure. They want joy and peace that comes only from a unification of all the desires.

There are two equally unfortunate attitudes toward love which perhaps grow out of each other. The one is the puritan attitude and the other is the vulgar one. The puritan attitude is that sex impulses are somehow vile and so altho they give pleasure must be denied. The vulgar attitude takes it for granted that sex impulses are vile but as they are pleasant are to be accepted. The one tends to deny physical values to love. That is suppression. The other tends to deny tender values to love. That is suppression also. They have neither one known love. And finally the puritan becomes incapable of tenderness and the vulgar becomes equally incapable of physical expression. It is not a beautiful picture.

The healthy attitude is this. The sex impulse is not degrading any more than any other impulse is. It is a force as gravity is a force. Those human beings achieve beauty and harmony who correlate sexual impulses harmoniously with all their other impulses.

THERE ARE OTHER ways of treating an impulse beside suppressing it or reacting to it without consideration of other factors. The third way is to relate it to all the rest of one's life and being and other desires. Suppression necessitates reacting to it all the time in ways of which one may not be conscious oneself but that make one unlovely in spirit and body. Such inharmony may break forth in bodily ailments, in hateful conduct, in incapacity to work, in unhappy physical substitutes for the sex denied, or in uncontrollable sex indulgence. Surely these are as unfortunate results to one's acquaintances as contagion could be. The home environment, if not the inherited constitutions, given to the children of the suppressed are as much a menace as disease. Shall we so fear to understand anything about what the puritans have made taboo, that we dismiss Freud's theories as morbid?

Freud believes that it is to the sublimation of the sexual instinct that all progress is due. What we suppress we can never sublimate. If we suppress we cannot love. But if we accept sexuality as a force to be reckoned with and rightly placed in our lives, it will, as Freud says, "make contributions whose value cannot be overestimated to the highest cultural, artistic and social achievements of the human mind."

A rejoinder from Mrs Gilman will be printed in our May number

"I think if God permits the discovery of a remedy which will mitigate the sufferings of humanity he would not forbid the use of that remedy"—BISHOP WELLDON, Dean of Durham

Birth Control and the Fall of the Roman Empire

By Ferdinand Goldstein

(This paper is a reply to the oft repeated assertion recently reiterated by Professor Louise McIlvoy at the General Meeting of the Medico Legal Society in London that race suicide brought about the fall of the Roman Empire)

AS THE FALL of Rome is often used as an argument against Birth Control, it is necessary to examine whether the ancient world really perished through loss of its population

Professor Robert Pohlmann in 1884, published a book entitled "The Over population of the Great Cities of Ancient Times" In this book he says "Nothing could better illustrate the vigor with which this period built up towns than the marvelous development of the two cities Corinth and Carthage, founded anew by Julius Cæsar, which, favored of course by their geographical position, in no long time became metropolitan centers On the deserted ruins of her predecessor, Carthage developed after a few generations into a splendid commercial city with a really international life, as formerly the original Corinth had been a city of all the Greeks and in truth the metropolis of Hellas The increase of the Roman Carthage was still greater, her progress in regard to material and ideal wealth was so enormous that she was called the Rome of Africa, was compared with the capital of the world, and provoked her jealousy At the end of the second and in the third century she appeared among the largest cities of the Empire, and the number of her inhabitants was, according to the report of Herodianus, only surpassed by Rome, the third place being held by Alexandria This report enables us to appreciate the greatness of Carthage, for Alexandria, in the time of Diodorus, according to official statements, was already inhabited by 300,000 citizens, and the number would have been far greater if foreigners and slaves had been included Besides, this number is only for the period (180 Olympiad) before the enormous development of Alexandria which began when Augustus became emperor of the world, and between which time and the times of Herodianus, the city apparently doubled her population If Carthage was then the rival of this city, she must have had 700,000 inhabitants—which means as much as she had before her destruction This throws simultaneously some light upon the size of other towns, for instance upon the size of Antioch, the metropolis of the East, which Josephus already called the third city of the Empire, after Rome and Alexandria, and which later Libanius compared with the three largest cities after Rome and Constantinople, meaning without doubt with Alexandria, Carthage and Milan

MILAN DEVELOPED in the period of Diocletian, like many other cities, chiefly because she was the seat of the government and the administration, and we may form an idea of her size when we hear from Procopius that in her destruction in 593, three hundred thousand adult men were killed Further when in the east a city of the third rank—Cæsarea in Cappadocia,—had in the third century nearly 400,000 inhabitants, what size must the new capital on the Bosphorus have attained, when all artificial means and an incomparable situation com-

bined to build up a center of civilization which soon surpassed all cities in the east, and even equalled Rome in the west? Finally, that besides these metropolitan cities many other places grew into great towns—for example Lyon, Trier, Emerita, Tarraco, Seleucia, Laodicea, Smyrna, Ephesus and others—is proved by the history of the provinces and the magnificence of the remains"

From this quotation it is to be concluded that the increase in the population of the Roman Empire was very great and that it is inadmissible to speak of national suicide But the augmentation was nearly all due to the fertility of the lower classes, whereas the wealthy families limited the number of their children as much as possible In order to check this sterility, Augustus published his laws of population He began this demographical policy in the year B C 18, but did not then succeed with it—the *lex de maritandis* was refused It was not until twenty years later that his *Lex Papia Poppoea* passed, and it caused nearly a revolution among the knights The law divided the citizens into two classes, those who had children (*patres*) and those who had none (*coelibes vel orbi*) To the *patres* were given the privileges and honors, whereas the celibates were deprived of considerable rights The Roman Empire was infected to a horrible degree with all vices, and among them legacy hunting played a great part The *Lex Papia Poppoea* forbade a bachelor to inherit anything, and prescribed that a husband who did not procreate children could get but half of a hereditary portion, only one tenth of the inheritance of his wife, and could bequeath her but a tenth of his fortune The money won in this way from families without children was given to families that had produced some, or the State was the heir These orders were aimed at the avidity of men whereas others tried to utilize their ambition A man who had children had a claim to a better place in the theatre and was preferred in the civil service The consul who had most children had preference in appointment of the first choice of province The senator with the greatest number of children was first in the list and voted first The more children a senator had, the shorter the time for him to obtain a place in the civil service, for each child shortened the time by one year Three children gave the "*jus trium liberorum*" Who had it was free from all personal duties, need not get a tutor, and received a double portion in the public distributions (*Histoire des Romains, par Victor Duruy*)

IT IS QUITE EVIDENT that these orders applied only to the higher classes of the population, for the lower did not expect legacies, had but small interest in inheritance laws and did not become consuls It seems that the *Lex Papia Poppoea* had not the expected success, but even if it had been successful, It could not have prevented the fall of the Empire Mommsen

says "The Roman Empire of the Principate, as well as the Roman Empire, as restored by Diocletian, which had still under the reign of Justinian military victories, perished not by the barbarians, but by internal decay" This decay was the consequence of the wrong movement of population And what was the fault? Not the insufficient increase, only partly the limitation of children by the higher classes, but mainly the difference between the fertility of the higher and the poorer classes The misery in the Roman Empire, even compared with our own unhappy time, must have attained a horrible height, and the fertility of poor families was much greater than that of the educated ones What was the consequence of this difference? The higher classes were over run by the lower ones, and when the process had reached a certain point the bishops founded their state, which had as much to do with the Christian ideal as the Soviet Republic with paradise Even if the *Lex Papia Poppoea* raised the fertility of the educated and wealthy classes the mischief could not be averted For in this case, education had to be deteriorated, and the fortune had to be divided into too many parts and after some generations to disappear Therefore the *Lex Papia Poppoea* must have accelerated the fall of Rome The Roman government could only have succeeded in saving the Empire by diminishing the fertility of the lower classes She did not attempt it, and if she had she could not have succeeded, because at that time contraceptive means, as well as aseptic were unknown Rome had to perish after she had agglomerated such huge populations in the cities But we are able to save our civilization and our nations, unless we fail to defend our standpoint in dealing with the demographic question and unless we judge Malthusianism to be criminal

OUR MEMBERSHIP CONTEST

A very cordial response has been received to Mrs Sanger's appeal for more members of the American Birth Control League The time, however, proved too short, and the contest is extended for another month Following are the names of members who have secured ten or more additional members

Miss Ruth Albert	-----	New York
Mr W C Bray	-----	Texas
Mrs Bross	-----	Michigan
Miss Day	-----	New York
Mrs Clara W Carter	-----	New Jersey
Miss E Christiansen	-----	New York
Miss Grace Frost	-----	Michigan
Miss Mary B Higgins	-----	New York
Mr H K Hollister	-----	New York
Miss Agnes Inglis	-----	Michigan
Mrs Anne Kennedy	-----	New York
Mrs. J Lewis	-----	New York
Miss Anna Lifschitz	-----	New York
Miss M S MacDowell	-----	New York
Mrs William McGraw	-----	Michigan
Mrs May Belle Morgan	-----	New York
Mrs Beverley Robinson	-----	New York
Miss Clara Louise Rowe	-----	New York
Vito Selecchia	-----	New York
Mrs T J Swanton	-----	New York
Mrs J B Vendever	-----	New York
Mrs W I Westervelt	-----	New York

(More names will be given in our May issue)

WHATEVER ANYONE thinks about Birth Control it is certain that the world has arrived at such a position that this is one of the most important subjects of the moment

—London Evening Standard.

Appeals of Mothers

Dear Mrs Sanger

I have just read your book and I feel I would like to help to forward this movement but I feel so helpless I am the wife of a poor man. I have four children and it is a great struggle to keep them I have *tuberculosis* but the Dr says I will live a long time if I take good care of myself

My baby is 1 year and half old I know if I have another I shall not get over it, so, I am trusting a preventive for which I have to send to England to get I don't know any place to get same things here I feel it is us women who suffer that will help the movement most if they can only know what to do Most women who have not had children or have plenty of money are not so interested

My mother had 10 children and she and my father both died when the youngest was 3 years old, worn out with the struggle to keep them I would be pleased with any advice you could give me for my own welfare or for the good of others I know worse off than myself

Dear Mrs Sanger

I have read your book *Woman and the New Race* so take this opportunity to write you personally I am the mother of

four children I have had five children within a period of seven years, the youngest now a month old

I am very delicate weighing only a hundred lbs and have to do all my work with no help I feel I would not live through another pregnancy Have had different doctors in hope of finding the information It being unusually easy for me to become pregnant will feel very grateful for reliable information

With all good wishes for the splendid work you are doing, I am,

Dear Mrs Sanger

My husband and I both would give a lot to know how to prevent more for I am not fit to have children I have used several different supposed preventives but they have failed. If you can tell me what to do it is sure, I will be so glad for we are so anxious to know for I will not have any more for I have went through so much sorrow

You are doing good work and I wish you success for it is some thing the poor people need for times are to hard to raise a big family Let me here from you for I am anxious to find out how to prevent birth

Birth Control: Is it Moral?

More Replies to the Four Questions

THE QUESTIONS

- 1 Is not over population a menace to the peace of the world?
- 2 Would not the legal dissemination of scientific Birth Control information, through the medium of clinics, by the medical profession be the most logical method of checking the problem of over population?
- 3 Would knowledge of Birth Control change the moral attitude of men and women towards the marriage bond, or lower the moral standards of the youth of the country?
- 4 Do you believe that knowledge which enables parents to limit their families will make for human happiness and raise the moral, social, and intellectual standards of the population?

The Answers

MARY SCHARLIEB

Essayist

MANY THANKS FOR your letter received this morning. I will do my best to briefly indicate my position with regard to this important subject.

In my opinion the limitation of families is wrong and dangerous because it does not control or discipline sexual passion but aims at the securing of the privileges of the married state while it shirks the responsibilities attached thereto. Thus it does away with the natural discipline of married life.

Secondly, the artificial prevention of conception does not appear to me to be in the real interest of the wife. It is true that it may relieve her from the burdens of pregnancy and lactation and from the care that is involved in the proper bringing up of a large family. On the other hand the logical outcome of the removal of all restraint from the husband's desires tends to the virtual enslavement of the wife. Many men who have not the moral and intellectual development that is necessary to secure for her proper respect and consideration now refrain from making undue demands upon her for fear of the consequences, but when relieved from this fear they would recognize no limit to their desires. This most undesirable condition of things is not the intention and object of those who advocate artificial control but it is the logical outcome of their propaganda.

Thirdly, it is impossible to instruct married women in artificial methods of preventing conception without at the same time instructing unmarried women and girls. In doing this the outside conscience is removed, fear of disgrace and of adverse public opinion gives place to an unhealthy confidence that sin may be enjoyed and no unpleasant consequences will result. Already promiscuous intercourse is far too frequent, and its results in illegitimate births and in the dissemination of venereal disease are greatly to be deplored. Artificial prevention of conception, although to some extent protecting the girl or woman against the natural consequences of her action,

would tend to blunt her moral sense and degrade the national standard of purity.

Fourthly, from the doctor's point of view the use of artificial contraceptives is wrong, because although many of them do not necessarily inflict any local, mechanical, or chemical injury, their effect on the nervous system is certainly injurious. Much of the joy and spontaneity of married relationship is destroyed, and the woman's nervous health appears to suffer not only during child bearing years but more markedly at, and after, the menopause.

In addition to these reasons there are the wider considerations of national welfare, and of contravention of the Divine command—"Be fruitful and multiply."

EDEN PAUL, M D, and CEDAR PAUL

English Writers of Short Stories

TO BE QUITE frank—we regard Birth Control as (at the moment) a side issue. Like alcoholism, venereal disease, and half a dozen other matters we might name, it is of great importance to the welfare and happiness of the human race. But unless another, more urgent, and more vital problem is rightly solved, in the near future, we do not think that what Winwood Reade termed the Martyrdom of Man will end except by man's extinction, or that mankind in the future will have any happiness or welfare worth considering. We allude to this other problem without particularising, only to explain why (while admiring your single minded devotion to the cause you have at heart) we are not ourselves at present giving much time to Birth Control propaganda.

As to the special points on which you ask our opinion, suffice it to say that in our view anyone who is hostile to Birth Control on what are termed "moral" grounds is obviously living in the "Middle Ages" instead of in the modern world (we do not say "in the Dark Ages," for that period is not yet over for any of us—although there is a glimmer of dawn in the East. Except for that glimmer, we are all in the Dark Ages).

When the new day dawns, much of what our contemporaries are accustomed to term "morality" will seem as strange to us, as repugnant to human sentiments as an auto da fe or the crucifixion tree of a West African monarch.

When that day dawns, the very question "Does the spread of Birth Control involve the loss of a valuable safeguard (1) to youth?"—"Would knowledge of the methods of Birth Control lead to a reign of promiscuity?"—"Would it encourage the husband to impose himself on the wife without considerations for her feelings?"—will seem positively absurd. But in truth they are already absurd to all who know anything about sex to all with any tincture of the New Psychology.

Birth Control is an important element in "Man's Control of Nature?" As such it has come to stay—if in other respects man makes good his claim to be the Maker of Things.

Book Reviews

A Review by A G Porritt

A YOUNG GIRL'S DIARY Prefaced with a letter by Sigmund Freud Translated by Eden and Cedar Paul New York, Thomas Selzer

This very remarkable volume, the genuineness of which is attested by the prefatory letter from Freud, covers three and a half years of the life of the writer. In its intimate nature and its revelation of the thoughts and feelings of girlhood, it naturally provokes comparison with the diary of Marie Bashkirtseff. But there are some important differences. In the first place the Bashkirtseff diary was the record of a much older person, much more self-conscious, and much more desirous of making a good impression, even in a secret diary. Rita, the author of the present diary, was only eleven when her record begins and not fifteen when it suddenly comes to an end. She is perfectly frank and natural, and if she excuses herself, it is to herself and not as a pose for the outside world. How far one has the right to take the thoughts and feelings of any one human being as typical is doubtful. It is dangerous to state that because certain ideas obsessed the mind of Rita, such ideas commonly obsess the thoughts of young girls. Nevertheless the psycho-analyst, the educator and the mother have much to learn from the artless narrative of Rita's experiences, and the burden that lack of proper information, combined with much misinformation, laid upon her. If there survives any doubt about the propriety of accurate and sympathetic sex instruction for young girls, this diary would be sufficient to dissipate it. The weight that Rita had so unnecessarily to carry because of her lack of knowledge and the distress caused her by the false impressions and interpretations imposed upon her by the ignorant women who initiated her into the mysteries of sex must awaken the compassion of every reader. That even then, the burden could have been lightened is shown by Rita's almost resentful story of the change in her elder sister when her mother took her into her confidence and corrected the wrong ideas which had been formed in her mind. But her mother evidently judged her too young to be told about such things, and Rita had to continue to bear her burden in secret. Not all girls are so strongly sexed as these two daughters of a well-to-do German family. But the questionings, the horrors, the repulsions as well as the sexual drawings which are told so simply in Rita's narrative will awaken a responsive memory in the mind of many an American woman who in the days of her youth was left to find out the mysteries of sex without wise or loving guidance. Rita was evidently a girl of superior intelligence and attractiveness, with good instincts and intentions, and it is easy to see that sex training—or lack of training—such as she received, might have been much more disastrous had the material been less good. While Rita cannot be accepted as typical of the average girl the diary is a document of utmost importance in the study of sex psychology. The translation by Eden and Cedar Paul is excellent. The tone and flavor of the diary have been preserved by a happy use of school girl slang in English, where a literal translation of German school girl expressions would have been stupid and meaningless. The spirit has been captured first and then given a form and body delightfully in keeping with the nature of the diary and its writer.

A Review by Genevieve Grandcourt

GREAT MEN AND HOW THEY ARE PRODUCED AND HUMAN HEREDITY Heredity Publishing Co., Chicago

Great Men is a pamphlet of 32 pages, in which eminent men are cited to illustrate the contention that persons of mark come practically always of mature parents, that is to say, children benefit by the mental development undergone quite recently by their immediate progenitors. Mr Redfield's research, of course, is based upon the (disputed) Lamarckian theory of the inheritance of acquired characteristics. On

page 5, we read "a large proportion of certain kinds of ills in our social fabric have their foundation in early marriages contracted two or three generations ago." He further explains his position by saying that though great men are sometimes born of comparatively young parents. Intellectual superiority can neither be produced nor maintained when generations succeed each other rapidly."

In Human Heredity, Mr Redfield distinguishes between the intellectual superiority of the man of science whose work is constructive, and that of the mere military genius, like Napoleon. Napoleon was born when his father was 23, (see page 42), "It will be interesting if someone will find some Cuvier or Humboldt born to a father 22 or less. There is a most enlightening chapter devoted to an analysis of the amount of resistance which may be acquired to conditions of environment normally detrimental to the organism. The author's conclusions confirm practically everything asserted by the proponents of Birth Control, which makes certain of his references to the movement amazing, not to say ludicrous. But on the whole, his theories are rarely well worth the time spent in becoming acquainted with them.

BOOKS RECEIVED

From Rational Living, N. Y. THE CHILD AND THE HOME, by Ben Zion Liber

From Cosmopolis Press WOMAN FROM BONDAGE TO FREEDOM, by Ralcy Husted Bell—new edition with corrections by the author

From Henry J. Fuller's Terre Haute, Inc. A VIRGIN'S DREAM, by Max Ehrmann, Scarlet Woman Series

PERIODICALS

PHYSICAL CULTURE, New York, for March, contains an interesting article by A. E. Wiggam—"Birth Control—A Two Edged Sword." One edge of the sword described by Mr Wiggam is already cutting. The educated and responsible classes are reducing their families. It is the aim of the Birth Control movement to sharpen the other edge, which will make possible the cutting down of the swarming families of the undernourished, the under-educated and the mentally and physically unfit.

AMERICAN MEDICINE, New York. The February issue contains an article by Dr. B. S. Talmey, on 'Human Love: A Study of Its Evolution and Psychology,' in which the author emphasizes the difference between human love and mere sexual attraction.

THE NEW GENERATION, London. The February issue well sustains the promise of the initial number. Of especial interest is the contribution of Dr. Killick Millard, entitled 'A Medical Aspect.' In it, Dr. Millard points out the many "unnatural" improvements that man has made in his habits from shaving and manicuring to the use of anaesthetics. His main effort is to answer the question "Are Birth Control Methods Injurious to Health?"

The March 15 issue of the New York NATION contains a review by Havelock Ellis of the new edition of Westermarck's "History of Human Marriage." This has been a standard work for thirty years, but with each revision new and valuable material has been added. Dr. Ellis points out, however, that in spite of the thoroughness of Westermarck's research, he has nothing to say about the limitation of family, whether by infanticide, abortion or prevention of conception. This is remarkable, for some form of limitation has been in use from the dawn of human history.

HEALTH AND LIFE, the new magazine to be published in May, will contain an article by Annie G. Porritt on Birth Control and National Health. The journal will offer many interesting features for students of individual and social hygiene.

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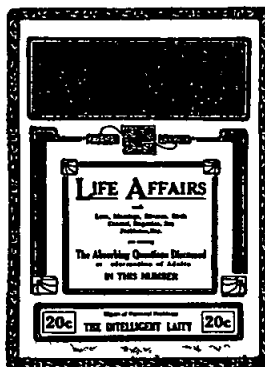
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