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A SYMPOSIUM ON NULLIFICATION *and* REPEAL

Two International Conferences

International Peace *and* Population Growth

By Dr. C. V. Drysdale

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BIRTH CONTROL REVIEW

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Editorial

A RECENT study has brought out the fact that nullification is an accepted form of government, that one way of dealing with bad laws or obsolete laws is to ignore them. This, the study showed, is precisely what prosecuting attorneys are doing. In the October issue of the *Review* we published an article *Nullification or Repeal?* based on this study, and drawing the inference for the Birth Control movement. Should we, the author asked, bend every effort to effect a repeal of restrictive legislation? Is nullification a simpler way, a better way, or both? There are many sides to these questions, and the answers go deep down into the roots of our attitude towards government, our belief in the motive power of public opinion. The answers will be conditioned by our temperaments and philosophies of life, and will determine what form our activity for the Birth Control movement will take. Twelve thoughtful people, lawyers for the most part, and individuals who have devoted themselves to the Birth Control issue, have expressed their opinions in this number of the *Review*.

COMPLETE abstinence as the logical alternative of Birth Control came in for its share of consideration in the now famous pronouncement of the Lambeth Conference. "The primary and obvious method of limiting parenthood," said the Bishops, "is complete abstinence (as far as may be necessary) in a life of discipline and self-control lived in the power of the Holy Spirit." With all respect to the exceptional few for whom this course may be wise, we submit that letters received daily in our office point to the folly and tragic results of attempting abstinence as a means of limiting parenthood. One letter reads:

I hope that you can help me, because if I have more children I'd rather be dead than alive. I married at sixteen. I am now twenty-one. In the time of five years, I have borne four children. My husband's salary is never over \$30, sometimes less, sometimes no work at all. My husband and

I try to keep away from each other, which causes us to quarrel. If we keep on this way it will mean ruin to our family.

Another letter tells of eighteen years of married life, of fourteen children, the oldest seventeen, the youngest ten months, of attempts at abstinence, of quarrels, of advice from a newspaper to "persuade your husband to practice a little more self-control." Unlike many other things in life, a *little* self-control is no good at all. Abstinence as a successful method of family limitation must be absolute. We quote a letter describing the results of partial abstinence:

Like nearly all respectable married people we have believed that there was no known, safe method of limiting the number of our children except by abstinence. In spite of all our precautions and *partial* abstinence, we now have five children. We are young, and while we shall manage to take care of this number, we do not feel that we should have more. We feel, too, that we should have some enjoyments outside our home as well as in it, and without the necessity of warping our minds by perpetual abstinence.

We might multiply examples. Abstinence as a personal choice, is a thing apart, but as a substitute for Birth Control it should be condemned on both psychological and physical grounds.

IN THE course of a recent series of radio talks on *Economic Philosophies*, a speech on Malthus was suppressed by the Columbia Broadcasting Company because it mentioned sex. "We are not permitted to mention sex over the radio," the Company explained. The passage in question seems harmless enough. "Thomas Robert Malthus, arguing against his father, made some startling remarks about human nature and especially the strength of the sex impulse, which led people to marry almost as soon as they were able." That such a passage should be censored is indicative of timidity, if not something more pernicious. We have already called attention to radio censorship. It does

not, apparently, work both ways. The Catholic Truth Hour, broadcasting from a Catholic owned radio station, pours out its own ideas on sex and Birth Control. In the interest of fair play, some courageous station—the Columbia Broadcasting Station, let us say—should offer a platform to the advocates of Birth Control. In the last analysis a radio station is dependent on the owners of radio sets. Let them make clear that they want uncensored speeches, presentations of both sides of all important questions. We suggest that every reader of the *Review* who owns a radio set write to the Columbia Broadcasting Company asking for a talk on sex education, or Birth Control.

THE Leicester City Council in England has recently decided to establish a clinic for giving information on Birth Control to married women who desire it. There can be no doubt that this action comes as a direct result of the pronouncement of the Bishops at the Lambeth Conference. The Established Church has made Birth Control respectable, and the office holder who comes out for Birth Control need no longer fear censure from his constituents or superiors. It is to be anticipated that many more Councils will follow the example of Leicester, and establish Birth Control clinics, especially in areas most affected by unemployment. But there is one factor working against Birth Control in England—the shortage of labor supply of boys and girls from 14 to 17. Under the present organization of British industry, this particular kind of unskilled labor is much in demand. If the movement now on foot to raise the school-leaving age to sixteen is successful, the resultant decrease of child laborers, and the spread of Birth Control should help to solve England's unemployment problem.

IT is reported that when the Salvation Army meets in London in November, it will probably devote some time to a discussion of Birth Control. Hitherto this question has never been considered officially by the Army, but insistent demands from the

rank and file have brought it into the open. What could be more natural than for the group which is so intimately concerned with the lives of the poor to take cognizance of this obvious preventative of poverty, suffering and crime? As the churches are slowly but surely approving Birth Control, so will the great relief organizations one by one fall into line, until Birth Control is an accepted means of social betterment.

INDIA has stolen a march on some of the more "progressive" Western nations by establishing a state Birth Control clinic in the State of Mysore. The action was taken on the recommendation of the senior surgeon of Mysore, Dr. Subba Rao, and contraceptive information is now given at the four principal state hospitals, for health and economic reasons. News of all sorts from India has been so garbled of late that it is impossible to estimate the motivation of this step. It has been generally assumed that Birth Control is contrary to the ideas and ideals of the Hindus, but "Young India" as well as "Young China" will doubtless see its way to employing Birth Control.

JAPAN, too, gives every indication of being more progressive in regard to Birth Control and population problems than the West. The Government has recently established a permanent Commission on Population under the direct control of the Cabinet. It will make a study of surplus population, Birth Control and the movement and distribution of population. Under this last heading it will consider distribution of labor and its effect on unemployment, colonization and emigration. It is interesting to see the clearly recognized relation between population problems, Birth Control and unemployment. According to Dr. R. B. Teusler, Director of the American Hospital for International Service in Tokyo, "Japanese law does not forbid or encourage the practice of contraception." It should be noted that Birth Control received its first impetus from Mrs. Sanger's visit to the Orient, and is popularly called *Sangerism*.

A Symposium

on NULLIFICATION and REPEAL

REPEAL—THE HONEST METHOD

HAVING followed the law—or tried to—for a good many years, I am particularly interested in Dorothy Kenyon's article entitled "Nullification or Repeal"

I am in favor of repeal, not because it is the conventional legal method, but because it is the direct and honest method

We are all aware that the laws prohibiting contraceptives and information pertaining thereto, have been largely nullified as a matter of fact, but the nullification in this case, as in all cases where the nullified law runs counter to the opinions and desires of the majority or even a large percentage of the people, is accomplished by or in conjunction with fraud, deception, evasion, and subterfuge

An examination of the Patent Office Gazette of almost any week will disclose applications for registration of trade marks on contraceptive drugs and devices which, for the purpose of avoiding violation of the law, are described with all sorts of evasive and misleading terms, "prophylactic" being the most common. There is nothing educational or honest in the accomplishment of nullification by such means

On the other hand, continued efforts at repeal are bound to have an educational effect and are bound to be ultimately successful. The honest, straightforward method—the educational method—may be the longer and more difficult one, but when repeal is accomplished the result will be much more satisfactory and useful than nullification

CARLE WHITEHEAD

Denver, Colo

LESS LOBBYING AND MORE CLINICS

DOROTHY KENYON'S article hits one large nail right on the head. She gives chapter and verse for those of us who have been calling for less emphasis on lobbying and more on the provision of Birth Control clinics. We need to know that it is not possible, nor even advisable, to enforce every law every one of 49 legislatures chooses to pass, asleep or awake. The tremendous surge

of the movement for the repeal of the Eighteenth Amendment, whatever one may think of its advisability, seems to me symptomatic of a loss of the naive faith in the sanctity of every single law of the million on our statute books which used to prompt endless platitudes about "the duty of law enforcement"

The New York law, which the late John Roach Straton went to Albany to defend, has been interpreted out of existence. The Connecticut law is simply ridiculous. Imagine a policeman marching a man and woman into court and charging them with using a contraceptive device! Husband and wife may not give evidence incriminating each other, and I'd like to know how else one could get evidence constitutionally. The gale of laughter which swept the magistrate's court in New York when Judge Rosenbluth asked if doctors required marriage licenses before treating patients should have disposed for good and all of the desire among birth controllers to pass legislation restricting information to married people. An abortion does not improve the health of an unmarried woman any more than it does that of a married woman. An unwanted child in an unmarried woman's home is not in a more enviable position than most unwanted children in legal families

Academic expositions of the necessity for Birth Control are no longer enough for the BIRTH CONTROL REVIEW in 1930. You can find at least one in the file of every good magazine in the country. What people want to know and should be told is why physicians are more reliable than drug store clerks, who the doctors are who are trained, where the nearest clinic is, how many there are, what patients are accepted

We have taught 40,000 women in our clinics the last seven years. We shall teach 200,000 in the next seven years, and clinic- and medical school-trained doctors will reach countless others. I would also call attention to the lively interest evinced lately by manufacturing druggists in the sale of the more modern methods. Even without benefit of medicine these are more effective than the older techniques

Let us see clearly Women are not denied Birth Control by the law They are denied it by the whole weight of inertia and ignorance which denies bathtubs and good dentistry to a majority of our population We cannot shift our responsibility by blaming comstockery Let me put it this way Are we birth controllers so pleased with the role of social pioneer in which we see ourselves cast that we cannot bear to admit that the fight is won?

HUDSON CHAPMAN

Philadelphia, Pa

EFFECT OF STUPID LEGISLATION

DOROTHY KENYON can really answer the question which she asks in your last issue in regard to "Nullification or Repeal" of the Birth Control Laws In her own every day living she is surely and openly nullifying many statutes every day Does she never eavesdrop in a public place? Does she never carry a flower in Central Park? Has she never left her automobile on a ferry boat in order to look at the New York skyline? In addition to such unintentional nullifications, she, like the rest of us, no doubt practices defiant nullification For my part I believe in nullification I believe it is a wise process of life, I know it has always been practiced by mankind, I think it is the only honest answer of many people to the stupidity of their rulers When President Hoover asks the people of the land to obey all laws, he is not only talking nonsense, but flying in the face of history Nullification is not the result of actions by the citizens of the land, but is the inevitable result of stupid legislation and ill-advised decisions in the courts President Hoover might well re-read his Emerson and find the proud phrases of our leading American philosopher urging nullification It surely is an insult to the American people to have the President of the United States talk of nullification without pointing a finger at the courts and legislators who are turning out a product far afield from the desires of the community The stupidity of our lawmakers is the sole cause of nullification

The Birth Control statutes, in my opinion, will not be repealed until they have already been nullified Nullification will take place by the constant whittling away of the law by judicial decisions A good example of nullification by legal decree rises out of the comparison of decisions in the

original Margaret Sanger case and the case brought last year against Dr Hannah Stone Ten years from now the statute will be further torn away when facts are presented to court where the contraceptive is given on the basis of glandular upset By 1950 we will have a case where the prognoses of disease relate back to psychic factors, and by 1970 we will have a case where the courts will have to decide that low wages, too many children, poor housing, etc., are not really conducive to good health for either the mother or the child Courts which are too cowardly to declare laws in conflict with our basic constitution, wheedle out of dilemmas by casting new interpretations on old statutes, eventually destroying the words of the law givers Such court opinions, though nullification in fact, are considered entirely respectable

MORRIS L. ERNST

New York

SUPPLEMENT, NOT CONTENTION

MAY I suggest an amendment or supplement to Dorothy Kenyon's interesting article in the October number on "Nullification or Repeal?"

I should have a hard time differing with my good friend Dorothy Kenyon, as I am always very susceptible to the keenness of her legal mind Her article presents an inference rather than a conclusion, so I offer co-operation, not contention

Nullification of law by government officials, as well as by citizens is unquestionably a common occurrence, but to let the question of Birth Control information be settled via nullification exclusively rather than with the aid of repeal has certain striking disadvantages

More is involved in this question than the mere accessibility of contraceptives There are three other considerations worth noting

First—sex education, and I am careful so say education rather than information Nullification does little or nothing to clear away the obscene concepts which have long enfolded sex matters, but by repeal, the Birth Control phase of sex knowledge is deliberately and consciously lifted out of the mud of legal obscenity This is an educational stimulus of positive value, and therefore vastly preferable to the educationally negative process of merely finding out how to bootleg one's contraceptives The invigorating effect of taking Birth Control out of the obscenity statutes is an item in current sex

education which will be far from negligible. It will be like opening the windows of a stuffy unwholesome interior, and letting in the sun and fresh breeze.

Second—under the nullification process, one can never know where or when the lightning of occasional prosecution may strike. This is a situation which induces an evasive and furtive attitude in the pursuit of contraceptive knowledge and means, which procedure ought surely to be above board and dignified, as in procuring any other information or articles of commerce. Nullification also leaves intact the possibility that the law may be used to “get” individuals, ostensibly for infringement of the statutes, but actually for other reasons. Sex implication has long been a handle for discrediting people against whom governments or individuals have a grudge. The history of Birth Control prosecutions, like obscenity prosecutions in general, indicates beyond reasonable doubt that ulterior motive has played a large part in securing indictment. The law has been a convenience to those who were hostile toward various radicals, who are rebels against social, religious or economic dogmas and traditions. The question of giving Birth Control information has been a mere blind to cover the suppression of supposedly undesirable propagandists. This is a danger that responsible citizens will not wish to see continued any longer than can be helped.

Third—there is the disadvantage of letting these half dead statutes swell the list of unenforceable laws. We have too many others, at best. The game of evading and circumventing law is too disintegrating a social pastime to be encouraged needlessly. To teach it to our children, or to let them observe their elders playing at it indefinitely, is surely doubtful social wisdom.

While it would indeed be an admirable bit of legal house-cleaning to wipe off from the statute books all the defunct blue laws and other superfluous laws, it does not seem likely that any wholesale effort of this sort will be made soon. That is, however, no reason for not wiping out this particular old set of laws about Birth Control. There is a valid distinction between a nonsensical antique such as the law forbidding a man to kiss his wife on Sunday, and the laws forbidding people access to scientific Birth Control knowledge. Most of the blue laws deal with superficial or incidental phases of life, while the Birth Control laws hit at a permanently vital need, one that will persist as long

as human creatures continue to mate and have children. Moreover these laws hit at the basic question of freedom to learn and to teach, which is not a mere matter of social, moral or religious convention.

If the only thing at stake were the simple question of securing Birth Control information, I might easily say, “Most any one who really wants information can manage to get it, despite the laws, and nullification is easier than repeal, so why bother?” But as a boost to general education in decent sex concepts, for removing a too easy legal means of injuring individuals, for ulterior motive, by indictment for Birth Control infringement, and as a means of helping to create sincerity in and respect for law, I submit that repeal is needed, and that it is a great deal better than waiting for nullification to drag out its relatively unproductive career.

And finally, repeal is not only worth while, for the valuable by-products resulting, but it is far easier to accomplish than has been assumed. The way has been paved by the pioneer work in Congress from 1919 to 1925, and much water has since gone under the bridge. The difficulty is to a considerable extent mythical. But even if it were difficult, are able people going to wilt in the face of a worthwhile task?

MARY WARE DENNETT.

New York

USE ALL FORMS OF ATTACK

I READ Miss Kenyon's article on “Nullification or Repeal” in your October issue with much interest. But I suspect that if Miss Kenyon were not an attorney and were not writing for publication she would not have stopped short with a vague inquiry as to the value of an educational campaign looking to the nullification rather than repeal of our statutes against the dissemination of contraceptive information.

My own point of view is that the statutes in question are so vicious and immoral that no form of attack on them should be overlooked. But I think it is obvious that Margaret Sanger's open violation of the law did more to focus public attention upon its iniquities than all the legislative campaigns that have been waged.

Almost all women in our large American cities, except the most ignorant, have somehow come into possession of contraceptive information. The pro-

cess of nullification is already well advanced and I say more power to it. Contraceptive information will thus become immediately more widely available and research by physicians into more adequate methods of contraception will be stimulated.

CAROL WEISS KING

New York

ESTABLISH CLINICS

MISS KENYON'S article states the case with sharpness. There is, however, an omission of one factor which has some bearing upon the "moralities" of the issue which she raises. So far as I know, there is nowhere in the United States any law which makes punishable the practice of Birth Control by a man and a woman.

I can speak only of Pennsylvania. There is not at the present time a remote chance of the repeal of the Pennsylvania Statute on the subject, there is not even a probability of securing an amendment which would make the concession which the New York Statute makes, nor will any amount of agitation for repeal or amendment have any effect in the future, at least not for many years to come.

The only way to "concentrate upon public opinion" is to establish Birth Control clinics. I have no fear of the charge of nullification because these clinics will teach women how to do, in a sanitary way, what the law does not forbid their doing.

DAVID WALLERSTEIN

Philadelphia, Pa

THE ONLY SPEEDY RELIEF

THE mentality of a politician, someone has said, is a constant source of amazement to the engineer. That is why, perhaps, despite the onward march of social reform, the building of hospitals, the establishment of health centers, the initiation of movements for the advancement of maternal and child welfare, the recognition of new sexual ethics, the Birth Control law nevertheless remains on our statute books, viciously obsolete and apparently ineradicable.

If we seek to learn the reason of this stubborn survival, we must examine our system of legislation. "Labyrinth" would be more correct. So intricate and bewildering has this labyrinth grown in the last few decades that not only sociologists but lawyers are beginning to look upon it as *terra*

incognita, something like darkest Africa. Indeed a group of experts affiliated with the law school of Columbia University, according to a recent announcement by Dean Young B. Smith, of the school, is about to organize an expedition to explore this "vast, untracked domain." The phrase is Dean Smith's.

Under an ideal democratic state, a situation such as now confronts us with respect to the Birth Control law should be impossible. The community itself would, on the one hand, have clearly crystallized views of questions of social import, and would, on the other hand, elect legislators truly representative of the public temper. Thus only laws genuinely wanted and needed by the community would be created. And if, through accident or corruption, society was betrayed by the imposition of laws violative of public sentiment, there would be appropriate machinery available for the instantaneous eradication of such laws, and for the equally prompt recall of the incompetent or dishonest legislators responsible for them. No less an authority than Justice Oliver Wendell Holmes of the United States Supreme Court has laid down the principle that the first requirement of a sound body of law is that it should correspond with the actual feelings and demands of the community, whether right or wrong.

We have no ideal democratic state. Nor can we hope for its advent in the near future. Our legislators are, for the most part, the products of political machines little concerned with problems of social philosophy. "Scarface Al" Capone has recently remarked that we can all complain of racketeering by gunmen when politicians are racketeering with government. As a result, we have orgies of new legislation which increase from year to year, and an accumulation of obstructive and obsolete laws which are suffered to survive. Repeal is looked upon with disfavor, partly because of inertia, partly because of reverence for the old, and particularly because of fear of offending certain limited, but obstreperously articulate elements in the political constituency.

Possibly we are moving very slowly in the direction of a truly representative and sane democratic state. The law, cumbersome and chaotic though it may be, does attempt to adapt itself to changing times and needs. Unfortunately, the lag—even by conservative estimates—is not less than fifty years. The question is whether we must endure the glaring stupidity of the Birth Control law until such time

as our lawmakers come to their senses, or whether we must adopt some course to secure immediate relief

Dorothy Kenyon has crystallized the problem succinctly in her article in the *BIRTH CONTROL REVIEW* for October, 1930. She has asked whether the law is to be repealed or nullified. She has quoted from Professor Wallace of Columbia University to the effect that nullification has become an accepted phase of our process of government. Professor Wallace uses the term "nullification" in the limited sense of signifying the unwillingness of district attorneys to prosecute. If we accept this use of the term, we are confusing the symptom with the cause.

Nullification is not so much a manifestation of official reluctance to proceed under an antiquated law, it is the reflection of the social attitude on the content of such a law. This attitude exhibits itself in many ways, the disinclination of district attorneys to indict being only one of them. Among the other are the refusal of juries to convict, the whittling away of the law by judicial interpretation, the instantaneous rallying of outraged public opinion when a prosecution is attempted, the open defiance and contravention of the unwanted law by the general conduct of the community.

If the Birth Control law concerned some question about which society could well afford to temporize, there might be some doubt as to the choice between nullification and repeal. The problem, however, is immediate. Nullification promises the only speedy relief.

ALEXANDER LINDEY

New York

CHANGE THE LAW

I HAVE read the interesting article in the October number of the *Birth Control Review*, "Nullification or Repeal", and my opinion is that those individuals who believe in Birth Control information being made available should both batter at legislative doors and make public opinion. Both activities are not inconsistent. The idea of "nullification" may sound good in theory, and sometimes it works, but every once in a while a bigoted district attorney does try to enforce "blue laws" and other stupid laws that remain on the books, notwithstanding public opinion. The prohibition laws in "wet" states are proof of that, and New Jersey with its "Blue Laws" often gets the front page with foolish enforcements.

Truth crushed to earth often does not rise again, and suppression often suppresses forever, or for a good many generations. Despite the fact that this government was founded by a revolution and maintained through a civil war of immense proportions, we are a law-abiding people, and changing the law will do most to bring the distribution of the knowledge of Birth Control to the greatest number of people that need it.

HARRY WEINBERGER

New York

USE BOTH METHODS

DOROTHY KENYON raises an important question of tactics in her informative article on Nullification or Repeal, contained in your issue of October, 1930. It is true, as was amply proven by the citations of Miss Kenyon, that nullification "is an accepted practice in government."

But the process of practical nullification is slow and irregular in its development. A law may seem to be obsolescent and yet some officious prosecutor may invoke it some day, and the mere fact that the law had apparently fallen out of use and gathered dust will not prevent a costly trial or even perhaps a conviction. Witness the recent enforcement in Massachusetts of the medieval blasphemy laws. The century old blue laws in New Jersey are often invoked to the discomfort of many citizens. Furthermore, the way of the pioneers who first seek to obliterate a law by ignoring it, is sometimes beset by martyrdom.

I for one would not have the Birth Control movement discontinue its legislative activities simply because they do not seem to bear immediate fruits. Undoubtedly, the annual hearings on the bills introduced in the various legislatures, reported in the press, help to educate public opinion to the point where ignoring the anti-contraceptive laws will not necessarily be fraught with personal sacrifice. I would not for a moment minimize the difficulties of securing the proper legislative repeal, or amendment, of our present idiotic laws on the subject. Legislators are always more prudish in their public functions than in their private lives. As soon as a man dons the toga of public office, he seems also to invest himself with the cloak of hypocrisy. But regardless of the fact that legislative activities do not seem to result in immediate success, they are imperceptibly helping to shape public

opinion and bring it to the point where the method of nullification may be practiced with impunity

To sum it up, my answer to Miss Kenyon's question is "nullification *and* repeal" The two methods are not necessarily opposed and could well go on hand in hand

HARRY RAPPAPORT

Brooklyn, N Y

PROHIBITION AND BIRTH CONTROL

IN any conflict between morals and the law it is not only the right but it is the duty of the decent citizen to disregard the law and to obey his conscience and to bear whatever consequences the law will impose for such disobedience That is not only good democratic theory, it is, as Dorothy Kenyon in her article "Nullification or Repeal" in the October issue of the BIRTH CONTROL REVIEW so clearly proves, old constitutional and especially American practice

Miss Kenyon raises a very interesting question of tactics facing not merely the Birth Control movement but reformers generally, a question which may be briefly put "In view of the difficulty of obtaining reform legislation is not nullification the quicker and more expedient method to obtain the desired results?" In discussing this question and weighing the possibilities for the Birth Control movement it might be advisable to attempt a somewhat closer analysis of nullification in its various aspects

The nearest and most obvious analogy to the Birth Control situation is that of the Prohibition amendment and the Volstead Law In comparing the present status of the Prohibition and the Birth Control laws, certain striking similarities and certain just as striking differences become apparent and it might be well to state and discuss them

1 It may be safely stated that both the Prohibition and the Birth Control laws are generally, persistently and as a matter of daily occurrence disregarded, just as the drinking part of the population finds no difficulty whatever in purchasing as much liquor as it desires to drink, so our citizens experience no difficulty whatever in the purchase of contraceptive appliances

2 Just as the liquor now commonly on sale is of inferior quality and frequently dangerous to the health of those who consume it, so the widely sold contraceptive appliances are inferior and sometimes injurious to health

3 The defenders of both the Prohibition and the Birth Control laws seem to be rather fierce and unreasoning in their attitudes and not amenable to arguments of social policy

The movement against Prohibition has of late assumed considerable force, what are the reasons for its apparent sweeping success?

To begin with, ever since Prohibition was enacted a very large group of our citizens decided to disregard the law They offered a large market with great buying power to anybody who was ready to supply them Very quickly the bootleg trade was organized to supply its inferior and often dangerous products, and in spite of all attempts at enforcement large quantities of liquor thus continued to reach the customers The individuals who engaged in the trade being ready to violate one law, do not hesitate to violate others Very soon after the bootlegger becomes established, the hijacker makes his appearance The high profits of the illicit business attract the racketeer Bootlegger, racketeer and speakeasy keeper purchase protection by bribing the Prohibition enforcement officers and the local police and even higher officials The practice of racketeering, originating in the Prohibition field, spread to other trades until finally law and order, the very existence of our society, appear to be endangered by the infections spreading from the diseased part

In comparison we cannot claim any such obvious and serious detriment as resulting from the Birth Control laws The purveyors of contraceptive appliances do not constitute a large criminal element in society As a matter of fact most of them are rather respectable business men who would be sincerely shocked if they were classed with bootleggers While the Prohibition law compels even the wealthier members of society to be satisfied with inferior, adulterated and often dangerous liquor, the practical working of the Birth Control laws means that our wealthy citizens do not feel themselves interfered with at all These highly respectable opponents of the Prohibition law have, therefore, no personal motive to oppose the Birth Control laws with equal vigor The fact that the revolutionary fathers and many other highly esteemed Americans freely indulged in liquor is a most convincing argument in opposition to Prohibition Birth Control can refer to no similar tradition Finally we must realize that the sex element necessarily involved in any discussion of Birth Control is a distinct handicap

It is quite true that the various attempts to procure repeal of Birth Control statutes by the legislature have not met with much success, still let us not overlook the fact that petitions to the legislature, the hearings before committees and the other activities connected with the repeal movement, form an excellent vehicle of propaganda. The writer does not share Miss Kenyon's opinion that the demand for repeal is adequately characterized by her statement that we "continue to go, hat in hand, every year to our State Capitols." We go to the State Capitols in the exercise of our rights as citizens. It is a proper and democratic way, if the Legislature refuses to act because we do not represent a sufficiently impressive part of the electorate, it is up to us to increase our standing in the community and thus our power before the Legislature. On the other hand, experience shows that even a very small minority if well organized and active, will loom far larger in the legislative eye than its mere number justifies so that the attempt to obtain repeal by organization and forceful presentation to the various legislatures is not altogether hopeless.

The conclusion which is therefore offered is this. Insofar as nullification can be achieved, it is all to the good. The more active the propaganda will become, the greater will become the reluctance of prosecuting officers to interfere. In addition the Birth Control movement must continue to advocate repeal both for the benefits to be derived from a change in the law and in order to arouse public opinion.

ALBERT HIRST

New York

A MEANS TO AN END

WHILE I agree with Wendell Philips that "a bad law ought to be trampled upon," yet I feel it should be so treated, that is nullified, for the express purpose of securing its repeal. Otherwise it might survive the agitation to be called from its shroud by some zealous authority in an effort to persecute an enemy.

I therefore believe in Nullification only as a means to an end.

In the Kenyon article the statute to which she refers in the first paragraph is nowhere cited. It is therefore impossible for me to apply the foregoing generalities to your specific case. I may say, however, that because Birth Control must be adopted by the masses before it can be an economic and

social factor, you will probably be compelled to seek repeal first so that your arguments cannot be met with the usual "but that is against the law."

EDWARD D. TITTMAN

El Paso, Texas

A SHIFT IN STRATEGY AT HAND

I HAVE long been of the opinion that the federal and state statutes against the dissemination of Birth Control information and against the distribution of appliances would go the way of the old Blue Laws, namely, that they would be nullified by public opinion, by the failure of prosecutors to bring cases before the courts. It is clear that this process has already begun.

Enforcement of some of our statutes on the subject, statutes poorly drawn and sometimes ludicrous, would so clearly bring into contempt and ridicule any prosecuting officer who attempted to enforce them that the attorneys wisely refrain. Take for instance the carelessly drawn statute of Colorado which prohibits the importation of contraceptive "knowledge" into the state [M. W. Dennett, *Birth Control Laws*, p. 269]. Clearly a physician with knowledge of contraceptive technique could not travel to California from New York via Denver without transgressing the law. But has anyone ever heard of a prosecuting attorney in Colorado bringing anyone before the courts on such a ludicrous charge?

Take Connecticut as another instance. In that state commercial traffic in contraceptive devices is not illegal, but the *use* of them is. Can you imagine any prosecuting attorney sending around snoopers to find out whether such a law is being transgressed, and can you imagine him haling one-half of the leading citizens of the state before the courts on a charge of practicing Birth Control? To ask these questions is to answer them. The fact is that the Birth Control statutes have been, ever since they were first enacted, more or less nullified, although many individuals who are interested in promoting the Birth Control movement do not seem to be aware of this fact.

Another circumstance leading me to believe that the statutes may be nullified long before they are repealed is the fact that legislators are afraid to touch the subject. Until, as Plato dreamed, kings become philosophers and philosophers kings, men and women in public life will always care more for votes than for the public welfare. Not one in a

hundred, perhaps not one in a thousand, values the public welfare above his personal interests as a politician. This can be shown by innumerable instances, but in no connection more clearly than in the circumstance that most of them practice contraception in their own private lives, even while they are unwilling to risk personal advantage to help others secure the same knowledge. It might, therefore, be well for the leaders of the Birth Control movement to continue to give greater stress to education than to legislative effort, which has been expensive and so far relatively ineffective. For what legislators lack, it seems to me, is not so much sympathy with our aims, as moral stamina; they are unwilling to risk votes until public opinion is more clearly crystallized.

Personally, I should like to see the nullification process continue, I believe it will continue, but at the same time the legislative program needs support. For the first time in this country the campaign is being conducted on a national and thoroughly organized basis by Mrs. Sanger. It will be interesting to see what results are achieved. In the meantime no one sincerely interested in the progress of the movement ought to place any impediments in the way of such efforts.

The Birth Control movement in the United States seems to me at the present moment to be at a turning point. The question is: Shall we continue to proceed along the old lines alone, or, in view of rapidly changing public opinion, should we determine upon a bolder policy and do all we can to encourage nullification? Our efforts in this direction may have to be mainly indirect (education) inasmuch as the process of nullification itself

lies in the hands of enforcement officers. But some state leagues, dominated by the erroneous notion that their difficulties are essentially legal, will, if they are to assist in this attack on a new front, have to change their policy.

The shift in strategy which may be necessitated by new circumstances involves many ethical questions upon which it is not my province to enter, nor have I the space to do so. Certain lines of thought may, however, be suggested. Will the leaders of the legislative campaign be forced eventually to hire professional lobbyists? Will there be, in legislative halls, the usual swapping of votes? It might be contended that nullification is itself an unethical process inasmuch as district attorneys have sworn to uphold the constitution and statutes of the federal and state government. Practically, these men have sense enough to realize that all laws cannot be enforced, especially when the state of public opinion is inimical to enforcement.

One thing we can do, that is to talk less about the illegality of Birth Control. Many otherwise sober-minded individuals, sometimes as a consequence of such discussions, become almost hysterical in their fear of prosecution. Physicians in states with relatively free laws are thus sometimes inactive.

The federal and state Birth Control statutes are literally being broken hundreds of thousands of times every month, and there are almost no prosecutions under these statutes. Draw your own conclusions.

NORMAN E. HIMES

Worcester, Mass

HENRY DAVID THOREAU SAYS

UNJUST laws exist: shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men generally, under such a government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of the government itself that the remedy is worse than the evil. It makes it worse. Why is it not more apt to anticipate and provide for reform? Why does it not cherish its wide minority? Why does it cry and resist before

it is hurt? Why does it not encourage its citizens to be on the alert to point out its faults, and *do* better than it would have them? Why does it always crucify Christ, and excommunicate Copernicus and Luther, and pronounce Washington and Franklin rebels? As for adopting the ways which the State has provided for remedying the evil, I know not of such ways. They take too much time, and a man's life will be gone. I have other affairs to attend to. I came into this world, not chiefly to make this a good place to live in, but to live in it, be it good or bad.

On the Duty of Civil Disobedience (1849)

The 7th International Conference

By HANNAH M STONE, M D

ZURICH The Seventh International Birth Control Conference "The conference sessions are not open to the public and no press notices of any kind will be given concerning the subjects under discussion," reads a statement in the program. A new and significant note in Birth Control. A conference is being held quietly, unobtrusively, without fanfare and without the blow of trumpets. Clearly, the movement is passing from the period of propaganda into a period of concrete work and practical service.

The need and indications for Birth Control, the purpose and value of the Birth Control movement, no longer occupy the center of the stage. These are taken for granted. The Conference deals with practical problems, the problems of clinics and of methods. Some 130 physicians and clinic directors actively engaged in clinical Birth Control in many parts of the world have come together to report upon their work and their results, their methods and their findings, to discuss problems of organization and technique, and to exchange views on the type of further investigation and research to be undertaken in the field of clinical contraception.

The list of the members of the Conference presents a fairly complete "who's who" of the clinical and scientific workers in Birth Control. Several of the pioneers of the movement are here. Margaret Sanger, the organizer, President and moving spirit of the conference, Dr C V Drysdale of England, Honorary President, Dr Julian Marcuse of Germany, Dr Fernand Mascaux of Belgium. They greet the delegates and give an historical survey of the growth of Birth Control, they tell of the early pioneering days and bring into relief the changing public, religious and official attitudes towards Birth Control.

The Conference lasts five days. The first day is devoted to general and medical reports on the work of Birth Control centers in the various countries. Reports are submitted from England, Germany, Denmark, Holland, Russia, Japan and America. Among the delegates who tell about the work in England are Dr Norman Haire, a world leader in contraception and the director of the

Cromer Welfare Center in London, Dr Helena Wright, Medical Director of the North Kensington Women's Welfare Center, Mrs Evelyn Fuller, Honorary Secretary of the Society for Provision of Birth Control Clinics, Dr Gladys Cox and Dr Lilly Butler, the Medical Officers of the Walworth and East London clinics, and others.

The German delegates include Dr Max Hodann, the director of one of the first Birth Control clinics in Germany and the well-known author of several widely circulated volumes on sex and sex education, Dr Martha Ruben-Wolf, a pioneer of the German Committee for Birth Control and the author of a pamphlet on the subject which has received a very wide distribution in Germany, Drs Hertha Riese, and Lotte Fink, the former and present Medical Directors of the Birth Control clinic in Frankfurt a/m, Drs Lotte Wolf and F R Scheumann, medical officers of clinics in the *Verband der Krankenkassen* in Berlin, a semi-municipal organization in Germany, (Dr Kurt Bendix, the Director of the *Krankenkassen*, sent in a written communication), Dr Hans Lehfeldt, who conducts a clinic in Berlin, and Frau Augusta Kirschhoff, a co-worker of Dr Helena Stocker in the *Deutscher Bund für Mutterschutz*.

Dr J H Leunbach, a very active and earnest exponent of Birth Control in Denmark, tells of his work in Copenhagen, while Dr K Majuma, who organized a Birth Control centre in Japan, tells of his experiences in that country. It is of great interest that Dr Majuma is sent to the conference as an official representative of the Japanese Government.

Margaret Sanger, Dr Kavinoki of California, and the writer submit reports of the clinical work which is being carried on in the United States, and of the growth of Birth Control work in this country.

The general impression one gains from listening to the many accounts is of the amazing progress of Birth Control since the last International Birth Control Conference in New York in 1925. From one clinic in America and a few isolated ones in Europe, there are now almost half a hundred in

the States and almost that many abroad. Numerous hospitals, both here and in Europe, have already instituted contraceptive services, while several Governments and States now actually promote Birth Control through official agencies. Tens of thousands of women are being reached annually in the clinics alone, and the extension of Birth Control in private practice has enormously increased the number of patients who receive this advice from their private physicians. This, of course, is but a beginning. Birth Control is only now emerging from its pioneering stage and is at present nearly on the threshold of scientific and clinical development. Yet clearly much has already been accomplished within these five years. Reports of significant activity, growth and achievement come from many sides.

And from many sides come also tributes to Margaret Sanger. "It was the influence and active support of Margaret Sanger," says Dr. Ruben-Wolf, "that made clinical work possible in Germany." "In Japan," says Dr. Majuma, "Margaret Sanger's visit laid the foundation for the initiation of Birth Control work." "Our greatest contribution to Birth Control," say the American delegates, "is Margaret Sanger."

The other four days of the Conference are taken up with discussions of methods and technique of contraception. Leading clinicians in this field, biologists, laboratory investigators and clinic officials contribute papers and participate in the discussions. Methods are critically surveyed and evaluated, and their advantages and disadvantages frankly debated. The need for further research is continually stressed, and the course for future investigations outlined.

One of the sessions is presided over by Dr. Th. H. Van de Velde, the famous Belgian gynecologist and author of several important treatises on sex, marriage and fertility. Dr. Ernst Grafenberg of Berlin presides at another and reports upon a new type of contraceptive with which he has been working for several years. Other chairmen include Dr. Durand-Weber and Dr. Hans Harmsen of the *Arbeitsgemeinschaft für Volksgesund* and Dr. Abraham Stone of New York.

The subjects of chemical contraceptives and the hormonal control of fertility are dealt with at separate sessions. Papers are contributed by Dr. John R. Baker of Oxford, Dr. C. I. V. Voge of Edinburgh, who is cooperating in research work with the Committee on Maternal Health of New

York, Drs. Taylor and Wiesner of Edinburgh and Dr. Walton of Cambridge.

One of the sessions is given over to the problems of surgical sterilization. The conference recognizes the need of a more liberal attitude toward sterilization and adopts a resolution that "facilities for therapeutic and eugenic sterilization should be made available for persons for whom existing contraceptive methods are impracticable."

Attention is also given to the subject of abortion. Reports are submitted of its increasing prevalence and of its dangers, and the means of combating this growing and preventable evil are considered. "The spread of contraceptive knowledge," reads another resolution, "is the best means of reducing the present high incidence of abortions."

The relation of Birth Control to public health and preventive medicine was dealt with in addresses by Dr. Julian Marcuse and Dr. C. Killick Millard, a health officer in England. The need for introducing courses in contraception into medical colleges and of abolishing laws which hinder the dissemination of contraceptive information by physicians are emphasized. The following resolutions in addition to those quoted above are unanimously adopted by the Conference.

"Birth Control must be regarded as an essential part of the Public-Health program and of preventive medicine in all countries."

"Contraceptive advice and treatment should be given preferably by qualified members of the medical profession. Instruction in contraceptive technique should therefore be introduced into all medical curricula."

"Laws hindering the dissemination of contraceptive methods by the medical profession should be abolished in all countries."

"Reliable and harmless methods exist for the great majority of couples, but have to be adapted by the medical adviser to the individual requirements."

"No contraceptive of a secret nature or composition should be prescribed by doctors. Reports of contraceptive work should always give the formula of all chemical contraceptives employed."

"It is highly desirable that terms repeatedly used in reports of contraceptive work should be clearly defined."

The Conference closes, fittingly enough, with

a paper on "The Need for Research in Birth Control," by Dr C P Blacker, Chairman of the English Birth Control Investigation Committee. Dr Blacker critically surveys the present technical and eugenic difficulties of Birth Control and stresses the need for continued and careful study and research of the medical as well as the racial aspects of the subject.

A comprehensive exhibit of contraceptive devices, appliances, clinic forms, charts and related material, submitted by the members from the various countries, adds to the interest of the meetings. Some of this material is now being brought to New York for a more permanent historical collection.

A striking feature of the Conference is the

earnestness and interest with which the members attend all sessions and the spirit of harmony and cooperation which prevails. There are men and women present who differ greatly in background and in political and social viewpoints, but they all consciously abstain, as far as possible, from injecting political discussions into the conference, and even the resolutions are adopted with a marked unanimity. Conservatives and radicals, Malthusians and Marxists all unite on a program of practical Birth Control and scientific research.

The Seventh International Birth Control Conference adds another milestone to the history of the Birth Control movement. It marks the entrance of a new era, an era of concrete work and practical achievements.

Peace and Population Growth*

By DR C V DRYSDALE

IT IS fitting that the concluding item of this Conference should be devoted to the greatest of all questions—How may International Peace be preserved, and War be permanently abolished? In all other directions the progress of humanity, although greatly behind the possibilities which science has now afforded us, is assured. The only shadow upon the otherwise unmixed benefits which birth-restriction has conferred upon us, is the differential or dysgenic birth-rate caused by the folly of those who have hampered its extension to the masses, but the shadow is already beginning to pass and will do so more rapidly as wiser counsels prevail. Great as are the economic difficulties in many countries, and painful as is the spectacle of wide-spread unemployment, the conditions of the people are immeasurably better than at any previous period of our history, and if no cataclysm intervenes and Birth Control steadily extends to the poorest classes, a gradual improvement in economic and social conditions is assured.

But one great thunder-cloud still looms on the horizon—the possibility of another devastating war. Terrible as were the immediate and after results of the last one, those of any future war, in which aircraft and poison gas will play a prominent part, will be immensely worse. Up to the

present, actual warfare and destruction has been nearly confined to a zone where the armed forces meet, but the horror of even the comparatively few and small air raids of the last war still remain as the darkest spot in our memories, and it is impossible to contemplate without a shudder the effects of such raids on a tenfold or hundredfold scale. No nation has gained anything by the last war, and we are all still suffering from its economic and social effects, still less can any nation gain anything but empty glory from another war.

The effort to prevent the recurrence of war is therefore the most sacred duty of rulers and statesmen of every nation, and of every responsible individual. No hereditary feuds, no question of an historical right to any territory, nor of rancour over past excesses or atrocities diminishes this duty by one iota. What is past is past. If we take the correct biological view of the origin of war as the struggle for existence, let us remember that all nations have had their turn at aggression in the past, and that we have all been guilty of refusing to recognize the truth.

For it is not wickedness that causes war, nor is it to be prevented simply by hating it and declaiming against it. Evil is done by want of thought *much more* than by want of heart. The whole of animate nature has been in a constant state of warfare from its inception—either against destructive natural forces or when these failed

*Excerpt from Address delivered at the Seventh International Birth Control Conference.

sufficiently to check numbers, against each other. What we call war is simply an organized manifestation of this process, but the only difference between "war" and "peace" is in the form of struggle, and the only way to secure real peace is by restricting our numbers to our resources. We can begin now to talk rationally about securing permanent peace, not because we hate war, or have set up a League of Nations, but because Birth Control has already gone so far in the most civilized countries that they can support their people in their present domains without excessive difficulty. Had their birth-rates not so fallen it is certain that the League of Nations would never have been conceivable, and even now that it is formed it can have little effect in restraining the war-like ambitions of large high-birth-rate nations, at least unless it fully recognizes this fundamental principle, and warns such nations against the error of their ways, with the threat that it will proclaim their conduct to the world, call on other nations to resist their aggressive policy.

NATIONS SHOULD REGULATE BIRTH-RATES

Can anyone in his senses imagine for one moment that if a nation which is avowedly bent on increasing its population with an aim to greater territory, comes before the League of Nations with a demand for a portion of the territory of some less densely populated nation, the League of Nations could adjudicate in its favor, or that if it did so, the judgment would be accepted by the other nation? The very idea is absurd, yet it looms before us at this moment and the League of Nations has as yet shown no sign of having recognised the dilemma, much less how to meet it. The essential principle which ought to stand in the forefront of the tenets of the League of Nations is therefore

Differences in the densities of population or in its rate of increase in different nations constitute no justification for claims for readjustment of their territories. It is the duty of each nation so to regulate its birth-rate that its inhabitants can live in comfort within the area which has been allotted to it. Any nation which violates this principle and thus directly or indirectly causes a breach of international peace, shall thereby be deemed guilty, and the League will use its influence against it in any war and seek to impose penalties against it in any after settlement.

The clear enunciation of such a principle would add immensely to the power and prestige of the League of Nations, and alter its character from what is felt by many to be an assembly of well-meaning but unpractical enthusiasts, to a body which has shown its capability of grasping realities, and thus earned the respect of all nations.

One powerful objection to this proposal has however to be faced. "What right," it may be asked, "has the League of Nations or anyone to demand from every nation that it should be satisfied with the territory now allotted to it? No one can pretend that the distribution of territory after the late or previous wars was on an equitable basis, and why is any nation which feels that it has been unjustly treated to be expected to rest content with that distribution for ever?" And, as a subject of the British Empire, which has the largest territory in proportion to its white population in the world, I can well imagine the taunt "No wonder you, with your immense little-exploited territory, wish to put forward such a principle, as a justification for continuing to hold large domains which you gained with no justification but that of force, and have populated to such a small extent, while we, who are in urgent need of expansion, are to be expected to acquiesce in the continuance of this disproportion."

The answer depends on our view of nationality. If we are to regard nations as separate independent entities, each endeavoring to exalt itself and gain the greatest possible power and territory, my proposal falls to the ground but with it goes all possibility of securing permanent peace, and we may as well abandon all attempts towards it. But if we take the larger and human view of the world as being composed of a number of human beings who live in various groups with different languages, manners and customs, called nations, and having rulers who are managers or trustees for their particular sections, and morally responsible to humanity for their actions, the question takes a different aspect. As civilization has advanced, the unit of government has progressively enlarged from the family to the clan, the tribe, the city, the county, the nation, and the empire, and now it is only one more step to the world. At each step in this consolidating process, the wider power has had to start on the basis of things as they were, and to maintain the status quo, in spite of jealousies on all sides, but after a few generations these jealousies have died down in the feeling of solidarity.

The Union of Scotland with England was a difficult task in the face of strong national antipathies, but it was accomplished, and hardly anyone today would seriously desire to abrogate it. The formation of the German Empire is another example, and it is perfectly obvious that our final goal is the formation of a world state or federation in which all nations are represented, and to which all are responsible. Nothing less can give any guaranty of permanent peace.

As Birth Control extends and overpopulation diminishes, national barriers will gradually lose much of their importance. At present overpopulation causes intense international rivalry for trade, and tariff restrictions, as well as the need for barriers against the dumping of undesirable aliens—with the constant friction and danger to peace they involve. The United States, which at one time prided itself on affording an asylum for the oppressed peoples of all Europe, has found itself forced to put severe restrictions on their entry, but already

several nations have reduced their birth-rate so far that their emigration to the United States is below the quota allotted to them, so that all healthy self-supporting persons from these nations can enter without difficulty. When all nations follow the same course, and especially eliminate their undesirable types by fostering Birth Control, restrictions of all kinds will relax and gradually disappear, international intercourse will be welcomed, we shall be citizens of the world as well as of our respective nations, international war will be unnecessary and unthinkable, and we shall all be able to combine as one human family and empire to subdue the destructive forces of Nature.

The securing of universal peace has always been one of the greatest aims of the neo-Malthusians, and their path to it is clear and sure. It rests now with the rulers and people of all nations either to hamper it by persisting in the barbaric policy of national egotism and self assertion, or to become truly civilized and hasten its fulfillment.

The Vienna Congress

By ERNA RIEMAN

THE Fourth Congress of the World League for Sexual Reform was held in Vienna, September 17-23, and was well attended. All the social workers of the city were admitted free, and a large number of physicians, students and laymen were also present. In connection with the Conference there was an exhibition illustrating the history of sex knowledge, prepared by Dr. Magnus Hirschfeld of Berlin, and an exhibit of contraceptive devices.

The following general topics were discussed:

Housing Shortage and Sexual Reform

Sex Misery

Sex and the Inner Life

Internal Secretions

The History of Sexual Morality

Sex and the Judicial System

Birth Control and Human Economy

The Rights of Children

Birth Control and illegal abortion were the subjects most stressed. Practically every speaker referred to them, and the demand for repeal of the law against abortion was general. Physicians, sociologists, poets were unanimous on this point.

The physicians spoke of the danger to women of abortions performed by unskilled quacks, who are encouraged under the present law.

The sociologists defended the right of parents to determine the number of their children according to their desire. They pointed out that the desire of employers for cheap labor leads to a disregard of individual and eugenic right. Victor Margueritte entered a plea for voluntary parenthood. Russia was frequently mentioned as having attained high ideals in regard to sexual rights.

The last two sessions of the Congress were devoted to discussions of Birth Control and the Rights of the Child. Some idea of the scope of the Birth Control meeting may be had from a listing of speakers and subjects.

Dr. S. Peller, *Vienna*. Abortion in Relation to the Problem of Human Reproduction.

Adelheid Popp, *Vienna*. Title not given.

Dr. Norman Haire, *London*. Two Satisfactory Methods of Contraception.

Mrs. F. Robertson Jones, *New York*. Report of the American Birth Control League (read by proxy).

Victor Margueritte, *Paris* Legalizing the Right to Abortion under Medical Control

Dr Fernand Mascaux, Sr, *Brussels* Thirty Years of Propaganda for Birth Control and Eugenics

Dr I Borak, *Vienna* Temporary Sterilization by X-Ray

G Hary, *Paris* The Control of Births

Dr Josef Hartmann, *Vienna* Demonstration of a New Kind of Contraceptive Device

Dr Otto Lampl, *Prague* Eugemical Breeding or Criminality?

Dr Ludwig Levy-Lenz, *Berlin* A New Method for Inducing Therapeutic Abortions

Dr Julian Marcuse, *Munich* Title of address not given

Jesse Quitman, *London* Modern Population Pressure as a Psychological Phenomenon

Dr Herbert Steiner, *Vienna* Birth Control Advice

Prof Dr Pierre Vachet, *Paris* Abortion

Dr S Peller pointed out that the practice of Birth Control is gaining ground in spite of restrictive laws, and that instruction in contraception is basically more important than provision for abortion. The cost of bringing up a child, which has increased more quickly than wages, was cited as one of the important causes for the decrease in the birth-rate. Women are active in industrial and political life, and are no longer exclusively breeding machines. The masses are now struggling to raise their families properly, and a decrease in the number of children is necessarily part of this fight. General recommendations covering international study and instruction in prevention of conception, and state aid for abortion were made.

Dr Adelheid Popp emphasized that women are the real fighters for sex reform and that their demands go further than the suggestions made by the social democrats in the Austrian parliament. Before the war, neither abortion nor Birth Control were much in the public eye. But during and after the war, economic pressure and the greater thoughtfulness of young married couples had precipitated a demand for contraceptive instruction and abortion, when necessary. Dr Popp made the following recommendations:

General instruction in Birth Control.

More protection for women industrial workers.

More care for pregnant women.

Free treatment for abortions and pregnancies in clinics and hospitals.

Legalizing of abortions performed by doctors.

Dr Norman Haire discussed methods of contraception, and illustrated his speech with lantern slides.

Dr I Borak spoke on temporary sterilization through X-rays, and gave a medical explanation of the reaction of the ovaries to X-rays. This sterilization may be temporary or permanent, according to the strength of the application. There are three serious objections to temporary sterilization through X-rays:

1 It may have a detrimental effect on the descendants.

2 The application is not simple.

3 It can never be predicted how long the woman remains sterile. An equally strong application may sterilize one woman for three months, another for three years.

The Congress was extensively reported in the European press, and has given new impetus to the international movement for sexual reform.

DR HELENE STOCKER WRITES

WHOEVER has seen the development of the Birth Control movement during the last twenty-five years, and has tried to help, will undoubtedly gain the impression that today we are face to face with a victory which is destined to lead the human race into new and higher fields. But it should be remembered that there is still opposition to this movement, which has grown out of a modern outlook on life.

For we must accept this basic condition—all our ideas regarding parenthood and procreation must be revalued before we can reach a sounder conception of love and marriage. In the ideal community

human life will be sacred, inviolate and of the highest value. Man will not exist for the sake of the state, but the state for man. But such a community cannot develop unless we learn to eliminate the weak and incapable, in the simplest and most painless way. We must demand that the government provide sufficient medical advice stations, for the dissemination of the best methods of Birth Control. Such stations exist today in Russia alone. In Austria, England, Germany and other countries, the giving of contraceptive advice is still a private enterprise.

Der Wiener Tag, September 18

Newark "Y" Sponsors Birth Control

By ARTHUR H JONES

Mr Jones, Secretary of Religious and Social Service in the Newark Y M C A describes the open forums on "The Marital Relationship" and the marital advice service of his organization

IT WOULD be hard to define a "general attitude" on the part of the Y M C A toward sex education and Birth Control. Each local association is autonomous and their attitudes vary as much as those of the similarly autonomous Baptist churches. The churches produced both a Fosdick and a Straton, and likewise the "Y" has secretaries who in their thinking on sex and Birth Control are as the poles asunder. Unfortunately many Y M C A's have reflected the viewpoints of the great church groups whose official actions in any liberal movement always lag behind until mass opinion is so strong that they feel safe to climb on the band wagon. For example, the feeble and halting step taken by the recent Lambeth Conference comes a decade too late for the ecclesiasts to claim leadership in this field. It was pulled along by a Birth Control movement already grown lusty in its long fight against reactionary forces—including many of these same church leaders. It is safe to say that few churches or Y M C A's in the past have been willing to undergo the bitter trials of the pioneers in a more intelligent sexology. If children came, unwanted and unplanned for, the easiest thing was to load the blame upon the shoulders of an uncomplaining Deity, and only Heaven knows how far along that road religious fanaticism can travel.

Nevertheless, there are some hopeful signs in Y M C A circles, the articles by Secretaries Ray and Emory in the September REVIEW, and Dr Wile's article "The First Year of Marriage," in a recent issue of *Association Men* brought much favorable comment from Y M C A's the country over. So have other articles advocating a more liberal interpretation of the sexual code. The Y M C A's in Hoboken and Hackensack and elsewhere are making real contributions through promotion of frank discussion of problems by groups of young married couples. This summer for the first time the "Y" summer school at Silver Bay

placed a course in Marriage Problems in its official curriculum. The Oberlin, Ohio, student "Y" (student groups are by far the most liberal of Y M C A's) sponsored the appearance of Margaret Sanger and others in this field. Thus, as opposition lessens, we see instances like these being reproduced more and more.

For a number of years our local association has sponsored courses for engaged young men, but in the last two years additional work has been done with both parties to the affair. Our Committee of Management has given approval to the development of a program for marital and pre-marital education. This year the procedure includes a Parental Conference, using outstanding speakers, and a series of open forums on the "Marital Relationship." Included in this series will be at least the following general areas:

- 1 The Social, Romantic and Physical Aspects of Courtship
- 2 The Bio-psychic Relationships in Marriage
- 3 Money and Marriage
- 4 Children and Marriage
- 5 Essentials of Married Happiness

An interesting compromise with the Birth Control idea came when the Committee of Management, although expressing themselves personally and heartily in favor of Birth Control, made the reservation that no speaker from the Birth Control League be scheduled, in view of possible development of ill will among a large number of conservative "Y" constituents. They recognized that although this might be because of mass ignorance of the true meaning of Birth Control, we shouldn't go too far in immediately embracing the cause.

Out of these open forum groups comes the most important phase of this work—counselling with the couple about to be married, or with a couple going through some marital maladjustment. Procedure here varies all the way from admiring the

Connecticut Birth Control League

engagement ring to cooperation with a psychological clinic if the case warrants it. Nor is it mass method, it cannot be, for intimate conference based on mutual confidence is slow work as any social worker, doctor or teacher will agree. No attempt at publicity is made to spread this gospel, for mere mouth to mouth dissemination by the individuals we've served has kept us more than busy. Protestants, Catholics, and Jews come with no sense of differentiation, for indeed there is none. An introduction by a friend makes the new acquaintance a friend also. There is no feeling of professionalization, no sense of the clinical. There is no formality, no stiltedness, a questionnaire, unsigned, makes it easy for the counsellor to get the background of the individual or couple and we are told again and again that while the subject is presented intimately, its objectivity makes for a strange lack of embarrassment.

Although every phase of courtship and marriage has a place in the discussion, the primary interest of nine out of ten couples is to obtain information concerning the best technic of conception control. Out of our experience has come this commandment: Seek ye first this basic information and, as with the Kingdom of Heaven, all the rest (of marital blessings) shall be added unto you. Contrariwise, if it is not found, domestic trouble with a capital T is not far in the future.

Married couples with children are recommended to the Maternal Health Center, the first (and rapidly growing) clinic of the New Jersey Birth Control League. The "Y" maintains a cordial relationship with this organization and its directors, doing what we can to assist the progress of this group in a city noted for its conservatism, both political and religious. Of course, only mothers can be accommodated by this clinic, newlyweds must still shift for themselves. Until legislative changes make Birth Control methods more available until complete sex education is a part of our school curricula, and until a more liberal attitude about sex becomes part of our mores, organizations like the "Y" should continue to meet this genuine, but as yet inadequately met, need of youth.

The child should not be the result of an accident or carelessness, but a desired creation. It is not a question of quantity but quality. A nation with many, but physically and mentally inferior

THE Connecticut Birth Control League was organized about eight years ago for the purpose of introducing a bill into the legislature amending the Connecticut law in regard to Birth Control. The Connecticut law makes it illegal to use any Birth Control methods. It should be pointed out that Connecticut is the only state with a law making the use of contraceptives illegal.

The Connecticut legislature meets every two years. In 1928 a bill was introduced asking for a repeal of the law. In previous legislatures, the so-called "doctors bill" was introduced, asking that doctors in good standing be allowed to give Birth Control information. The opposition to both bills at the hearings was Roman Catholic. If a bill is introduced this year, it will probably be the "doctors bill," as there is a pretty general feeling, especially on the part of the women members of the legislature that there would be less opposition to the "doctors bill" than to a straight repeal bill.

Although the Connecticut law does not expressly prohibit doctors from giving information, any doctor giving information is advising his patient to break the law. This has so far prevented the opening of clinics. As the law is so difficult to change, an effort is being made to get doctors to open clinics and so test it out.

All of the usual methods of propaganda have been followed in Connecticut. Meetings in churches before men and women's clubs, and wherever opportunity has offered. The general public is friendly and interested.

During the past year most of the Connecticut workers have been helping the Committee on Federal Legislation for Birth Control, as well as doing the regular state work.

The officers of the Association are Mrs. George H. Day, *President*, Mrs. Annie G. Porritt, *Secretary*, Mrs. Longshaw Porritt, *Treasurer*, Mrs. Thomas N. Hepburn, *Legislative Chairman*. The League has about twelve hundred members.

children, will never be superior to one with fewer children of a higher quality. This can only be attained by sensible Birth Control.

PROF. DR. PIERRE VACHET, *Paris*

Birth Control From Two Angles

By FREDERICK H. ALLEN, M.D.

THERE are two aspects of this large problem which I want to emphasize—one, in relation to the child, and the other the rights of human beings to have a chance to decide important matters affecting their welfare.

A fundamental right of children is to be wanted and desired. It is the only way they get that sense of security which must form a foundation for any normal personality. When a child is an unwanted member of a group, when he symbolizes to the mother an additional burden, there develops a set of destructive attitudes toward the child which cannot lead to wholesome growth.

The effect of being unwanted is not a theoretical consideration, but an objective phenomenon observable in large numbers of problem children seen in child guidance clinics. Giving parents the right to choose their children is one way of preventing some of these destructive attitudes.

The other point is closely related to the first. The family remains, and always will remain, the place where individuals have their start in acquiring important patterns for their future personalities. It is important that the integrity of the family be maintained and this can only be done by a mutual recognition of the rights and the value of each member of the group. Without Birth Control there can be gross violation of the rights of the mother. She must go on bearing children regardless of desire or ability to care for them. The integrity of the family is jeopardized by such a violation, and with its disappearance goes the chance for the harmony so necessary for the sound mental health of all its members.

The Question

We don't want to do away with machinery, but with unemployment which the machine has caused through the ignorance of the human race. We must face the question:

Is the earth able or not to offer the human race an existence worthy of mankind?

If not, the human race has to reduce itself by the most radical Birth Control until a proper balance between supply and demand is reached.

DIE NEUE ZEIT, September, (Vienna)



Drawing by PEGGY SMITH in *The World's Children*

A Primer on Sex Education

By DR. HELENE STROUTZ-ANDERLE

THERE are arguments for and against sex education. The objective reasons for an early sex education are:

- 1 Education at the proper time prevents children from focussing their attention too much on the subject of sex.
- 2 It prevents them from receiving misinformation from improper sources.
- 3 The enlightened child is more protected from infection and sexual abuse.

An argument against sex education is that such education takes away a child's innocence, and confronts him with problems he is not ready to grasp. This is not correct. In most cases, those children who receive information at the right time have fewer sex problems than those who are not informed.

When should a child be enlightened on sex matters? Whenever he asks, whether he is three years old or thirteen. Information should be presented in a manner suitable to his mental age.

Should parents only give information? No. The school should cooperate.

How should the information be given? As simply as possible, but scientifically. The parents themselves should be advised as to how to give information.

It is the right of the child to be taught about sex. The right of the child is the duty of the parent.

Book Reviews

HEREDITY AND HUMAN AFFAIRS, by E
M East *Scribners, New York* \$3 50

ONE of the signs of these changing times is the growth of the belief that man may now, if he will, exercise some control over his biological and social destiny. This hope, so lately an impious one, has been encouraged by the acquisition of new knowledge. In the field of government the people of Western nations took ostensible charge of their own political fortunes as soon as they knew enough to manage their own affairs, unfettered by the divine rights of kings or others. As knowledge has spread through the strata of society, political power has gradually moved down with it. The knowledge of certain fundamental facts of biology which are equally applicable to man and to all other living things has of late grown with great rapidity. We are soon to witness the general dissemination and appreciation of this knowledge, and may confidently expect that it will eventually effect changes in human life and society at least as profound as those expressed in the political evolution of the last century and a half.

The most novel and for that reason perhaps the most important developments in biology in the last thirty years have occurred in the field of heredity. Until 1900 the transmission of characteristics from parent to offspring, the relative roles of heredity and environment in influencing our physical and mental natures, the relations of these facts to the changing characters of populations, societies, races,—all these were unsolved riddles. It was even unknown whether there was any order or sense in that most vital mechanism by which new generations of animals or of men are produced. Now it is known that such an order exists, the general laws and many of the details of the process of reproduction and inheritance can be stated and used, and it is this knowledge which at once cheers us with the prospects of control, and warns us of the limits set by the natural laws we have discovered. It is obvious that we can profit by this knowledge only by understanding the facts of nature on which it rests and by adapting our thoughts and actions to them.

The present book attempts to lay the foundation for such an understanding. Professor East,

a practising biologist in the domain of heredity and a well-known advocate and student of Birth Control in its biological aspects, presents for the reader some general biological principles, their supporting evidence and the human problems on which they bear. The author relies not so much on difficult and detailed facts as on a kind of scientific common sense which constitutes his "Appeal to Reason." He is no sentimentalist. Humanitarian ideas or ideals get short shrift when they cannot be made to square with his biological deductions. Consequently the book belongs to the realistic rather than to the romantic school of popularized science.

The condensed argument of the book runs something like this. Man has learned enough about the workings of the physical world so that he may use reasoned knowledge in ordering many of its affairs in which formerly custom, religion and folklore were his guides. The conditions of his life have been revolutionized by this point of view, they have been rationalized and mechanized and brought under some measure of control. Now science through biology threatens to invade the last stronghold of the irrational—man himself. What, asks Professor East, do we learn about man as individual and as aggregate when we consider him as an animal conforming to those principles of reproduction and heredity which the researches of the last three decades have shown to be so universally applicable to all animate nature? The proof that the important physical and mental features of man have their bases in a relatively fixed hereditary material leads to a rigidly deterministic point of view, which philosophically is the most important effect of the new knowledge on methods of viewing human problems. The general methods and mechanism of heredity are treated at length in the three most difficult chapters of the book and are followed by a discussion of the inheritance of specific human traits. The last half of the book is devoted to a discussion of human problems from the point of view of genetics as formulated in the earlier chapters,—marriage of near kin, racial differences and race problems, intelligence, immigration, population, and differential birth and death rates and their biological and social effects. From this discussion it appears that the social

and biological worth of the individual is determined by his inheritance, that the different races are radically unequal in mental endowment, and that civilization in America is threatened with deterioration through overpopulation, the unrestricted reproduction of persons of bad heredity and inferior racial constitution. The remedy is tersely given,—Birth Control, although the detailed application of the corrective is not elaborated. Thus man, recognizing the problems which beset him as a social animal, has at his hand the instrument through which his newly won possibility of control may be realized.

The last chapters of the book give in effect the eugenic arguments for Birth Control, buttressed by considerable evidence. The case for Birth Control does not rest, of course, exclusively on such arguments, and supporters of Birth Control and of eugenic reforms have occasionally suspected antithetic tendencies in their programs. A discussion of this question by Professor East would have been valuable and timely because of the importance accorded by him to both efforts.

The reader will find in this book a philosophy which is opposed to the main current of present-day social effort. Man in the mass, according to Professor East, is not to be trusted. He is poorly endowed mentally, and since this is fixed by his heredity he can only be helped by being superseded by something better. The chief method of efforts toward improvement is, however, to be an educational one, which must presuppose a general intelligence sufficient to react to eugenic reasoning. The two judgments seem somehow incompatible, and I for one prefer to resolve the difficulty by assuming that Professor East is too pessimistic about *homo sapiens*.

L. C. DUNN

HUMANISM, a New Religion, by Charles Francis Potter. *Simon and Schuster, New York* \$1.50

THERE are many schools of Humanism. Dr Potter deals with religious Humanism as contrasted with literary or academic Humanism. The ideals and purposes of these two schools are very different and should not be confused. Humanism in the religious sense, is most briefly explained by contrasting it with Theism. Humanism does not believe in the supernatural. Its supreme aim is the understanding and development of human personality, progressing toward an ideal society of ideal

persons. It is not the worship or love of God. The faith of Humanism is not in a supernatural God, but in the supreme value and perfectibility of human personality. It does not seek a justification for life in another life beyond death, but bends its energies toward making life on earth as deep and full as possible. "Instead of the fear of God as a means of social control, man prefers the goodwill of man. For a mystic sense of union with the divine, the Humanist substitutes a genuine reverence for and appreciation of truth, beauty and goodness, as found in nature, including human nature."

It is worthy of special note that the second item of Mr. Potter's social program of Humanism is the "legalizing of Birth Control."

The book is short, clear and reasonable. The philosophy of religious humanism should prove acceptable to all those whose primary interest is human welfare.

ERIC L. ALLING, M.D.

THE SCIENCE OF BIOLOGY: AN INTRODUCTORY STUDY, by George C. Scott. *Thomas Y. Crowell Co., New York* \$3.75

IN this excellent work, Dr. Scott has succeeded not only in bringing to the public the latest developments in the wide field of biology, but also in conveying to the reader a full understanding of "his own place in nature, and especially . . . a clearer conception of the biological foundations of that social organization in which he must 'play the game' all the days of his life."

In his first chapter, "The Biological Sciences," Professor Scott devotes nearly six pages to plain definitions (with derivations of the terms) of the words commonly employed by biologists, so that the lay reader need not be disturbed later on by having to refer to a dictionary. In the pages following, constant reference is made to the relation between biology and human affairs, since biological science "illuminates so many problems of life, that a cultural education is incomplete without the experience or training in this field." No one who has given any serious thought to the subject would be inclined to dispute Dr. Scott's assertion that "every man is aided in the conquest of his world by that understanding of nature which biology alone develops."

It is the well-considered conclusion of the author—and he gives the evidence in support of his convictions (Chapter XXVII)—that the marriage

of "the genetically unfit should result in a controlled selection of offspring," since it has been demonstrated amply that an unrestricted birth-rate, "disproportionate to the means of support, means overcrowding, misery, and the burden of charitable euthenical measures." The result is that "in the present state of ignorance concerning human inheritance we are compelled to use euthenical methods to correct the ills of human society," instead of beginning at the root of the problem, by making eugenics "a matter of state policy."

The current method of legal suppression of knowledge which would lead to restricted families among those citizens least able to support and educate large families, flies in the face of all sound biological or social science. Nevertheless, it may be doubted whether financial status is a reliable guide to good heredity. Yet no intelligent person would deny that an "uncontrolled production of offspring by the irresponsible, the improvident, and those dependent on charity" is "a dysgenic phenomenon."

In this same chapter on genetics, we find one of the most valuable studies of the laws of human and animal inheritance that has so far appeared in popular form. If Dr. Scott's economics were as enlightened as his biology, we should be able to accept his recommendations *in toto* instead of, as now, with reservations.

Besides a very satisfactory index of subjects and authors, the book contains a useful glossary, and an appendix (C) which is a "Biographical Catalogue of some Master Biologists." Appendix (A) is a most convenient "Classification of Animals," and (B) is a quite modern "Genealogical Tree of Organisms"—modern, that is except to the few biologists who follow Mr. Austin Clark's recent classification. *The Science of Biology* is a very welcome addition to the scientific literature of the current year, and will doubtless be a standard university text for some years to come.

MAYNARD SHIPLEY

SEED, by Charles G. Norris. Doubleday, Doran, Garden City. \$2.00

THE advent of a novel of Birth Control—heralded by the publishers as "an exposure of the whole problem of Birth Control, the attitude of the Church, the laws of 1873, and the tragedies of today"—cannot be regarded as less than mo-

mentous by the student of social problems who has followed carefully during the past ten years the devout warfare of the clergy against the modern scientific doctrine of reasonable limitation of population. For it is the first notable book of its kind apparently to warrant publication by a reputable firm.

The first half of this book is occupied with a description of Santa Clara Valley, and the life of the family and relatives of Bart Carter, son of a robust, amorous pioneer, Dan Carter, and Peggy Carter, daughter of Philo Carter, cousin of Dan Carter. The story then concentrates upon Bart from the period of his courtship of and marriage to Peggy.

Bart aspires to be a writer, and with his young wife moves to New York and settles in a small suburban house. Children come, and he is harassed by the struggle to support his rapidly growing family, disheartened by his wife's indifference to his aspirations and work and her complaints, and depressed by his fear of more children. He meets a clever, selfish but very plausible unattached woman who sympathizes with him and encourages him in his work, and the humanly probable and almost inevitable triangular situation is established. The rest can be left to the reader.

While in fact the greatest tragedies of ignorance of Birth Control measures occur more frequently among the poorer working classes than among those of the artisan and artist class of Catholic parentage, as Bart and Peggy were, the author has been wise in his knowledge of social values and selection of characters and place of action. The book is thus assured a wide reading among young married couples similarly situated. But in some respects it will disappoint the widely informed student of social conditions and those who ponder in sadness each year the "hundred neediest cases" as the appeal is made toward Christmas-tide for aid. It should also be stated that there are unfortunately some partial statements and arguments about Birth Control and its history to date from 1873.

The character of the priest is consistent and rather well done—of course there must be a priest. The doctor, necessary perforce also—but we hesitate to go further except to state that here the author either failed to grasp his opportunity or else had a definite purpose in portraying a physician without the courage of his convictions—if he had any convictions at all.

The book is well worth reading and keeping. It will not pass out of the scene for some time. The author and publishers deserve the highest praise for their discernment and courage in producing it. There is, however, even greater need of a sequel—a dramatic and poignant synthesis of the tragedy visited upon the defenseless child by a society which ignores or tolerates irresponsible marriage, irresponsible procreation, and irresponsible divorce.

JOHN B. SOLLEY, M.D.

BIRTH CONTROL — ABORTION AND STERILIZATION, by Dr. J. H. Leunbach. English edition with Preface by Norman Haire. *Kegan Paul, Trench, Trubner and Co., Ltd., London.* 2s. 6d.

THIS little book—only 77 pages of clear large type—contains papers given at the International Congresses of the World League for Sexual Reform. The first and longer paper, given in 1928, is an admirable summary of the arguments in favor of Birth Control and its importance and purpose, and a very brief sketch of modern technique. Dr. Leunbach also includes in this paper a survey of the progress of Birth Control in Denmark, Germany, Austria, Russia, and the United States. The ideal he holds out for the future is “the full right of self-determination of all people in the matter of propagation,” and he is convinced that mankind will some day reach that end, although at present it is only the few who are able to practice intelligent and efficient Birth Control, while the many are groping in the dark for some means of limiting their progeny. As proving the intense desire of people generally for some limitation of families, he quotes the enormous prevalence of abortion, in spite of penal laws against it. He deplors the attempts to stop abortion by legislation and would have it made legal and open, but only as a step to better control of reproduction through contraception. Russia is the one country that has done this.

The second paper, given in 1929, begins with an account of abortion and sterilization in Denmark. As in other civilized countries, abortion in Denmark is notoriously common, but it is punished only in rare instances, and in the last generation there were only two cases in which doctors were convicted of the offence, and, adds Dr. Leunbach, “the cases occurred many years ago before the

real abortion epidemic began to spread.” “It would be simply foolish,” he remarks, “to be scandalized at this state of affairs. Even the stoutest refusal on the part of the doctor will be inadequate to ensure the victory of either the moral or criminal law. When once a woman has got into her head the idea of doing away with the unborn child, she will somehow contrive to carry her intention into effect.” If the doctor does not lend his knowledge and skill, it may simply mean the maiming or death of the woman through treatment by ignorant quacks.

Dr. Leunbach has not much to say on the subject of sterilization. He believes that sterilization should be freely available to anyone who from hereditary defect is unfit to reproduce, and he inveighs against legislation which provides for sterilization of inmates of institutions, but denies the right to reasonable, self-respecting men and women in private life. “This kind of lunacy and horrible attack on personal freedom without a shadow of reasonable justification is thus still always possible even in our enlightened age,” he remarks in commenting on a law recently passed in Denmark. United States readers may recall that sterilization laws passed in some of the states have contained similar provisions. Although written primarily for Europe, there is not a line in Dr. Leunbach’s little book that would not be interesting to every student of the Birth Control movement in any part of the world.

ANNIE G. PORRITT

BOOKS RECEIVED

POPULATION PROBLEMS, by Warren S. Thompson. *McGraw-Hill, New York* \$3.75

IDEAL MARRIAGE, by Th. H. Van de Velde, M.D. *Covici Friede, New York* \$7.50 (Restricted to physicians, social workers and educators.)

FOUNTAIN OF LIFE, by Havelock Ellis. *Houghton Mifflin, Boston* \$4.00

NEW GIRLS FOR OLD, by Phyllis Blanchard and Carlyn Manasses. *Macaulay, New York* \$2.50

THE SEX FACTOR IN MARRIAGE, by Helena Wright. *Noel Douglas, London* 3s. 6d.

THE MODERN ATTITUDE TO THE SEX PROBLEM, by Kenneth Ingram. *F. A. Stokes, New York* \$2.00

HEREDITY, by F. A. E. Crew. *Jonathan Cape and Harrison Smith, New York* 60 cents

News Notes

INTERNATIONAL

THE Seventh International Birth Control Conference was held in Zurich, from September 1st to 5th. Dr. Hannah Stone's account of the Conference, including the resolutions adopted, appears in this issue.

The Fourth Congress of the World League for Sexual Reform was held in Vienna, from September 16th to 23rd. An account of the Congress by Erna Rieman, a Viennese journalist, is printed in this issue.

UNITED STATES

THE National Industrial Conference Board has recently announced that the population of continental United States for 1930 is 122,698,190—161 per cent higher than that recorded for 1920, while the figure for 1920 was only 14.9 per cent higher than that of 1910.

The Committee on Federal Legislation for Birth Control gave a luncheon in honor of Professor Julian Huxley, of King's College, London, on Tuesday, October 28th. Rev. Karl Reiland, D.D., Rector, St. George's Church, New York, presided, Margaret Sanger and Professor Huxley were the speakers. The luncheon was preceded by an eleven o'clock session, under the chairmanship of Dr. John Howell J. Upham. The speakers were Harrison Tweed, Walter Timme, M.D., S. E. Goldstein, D.D., George A. Dorsey, Ph.D., Rev. Sidney S. Ussher. Open House at the new office of the Clinical Research Bureau, 17 West 16th Street, was the event of the afternoon.

THE REVIEW will print Professor Huxley's speech and an account of the meetings in the December issue.—ED. NOTE

CALIFORNIA Judge Ben Lindsey, addressing the St. Alban's Cathedral in Hollywood on October 6th, advocated the establishment of "an institute of human relations to supplant the present divorce courts." The Judge said in part:

Scientific information on Birth Control should be accessible to all persons, married or unmarried. If licensed physicians are not permitted to give the best to be had on the subject, "bootleg" or questionable information will be quite generally available.

COLORADO Dr. Albert Van Dusen, Professor of Sociology at the University of Syracuse, New York, spoke at Pueblo on October 13th, on "Race Problems and Birth Control." He made a plea for the support of Birth Control and for information for those who need it.

ILLINOIS The Rock River Methodist Conference at its October 4th session at Wilmette, passed a resolution advocating Birth Control that is "at once scientific and Christian in its spirit." The report concludes:

We believe that parents who, for any selfish reason, refuse to have children are deserving of severe condemnation. We realize, however, that there are circumstances under which the coming of another child is almost if not quite a domestic tragedy, and for this reason we present these principles.

A series of lectures on "Religion, Prohibition, Birth Control, Literature, Drama, Marriage, Unemployment and other significant subjects" is being held at the Emil Hirsch Centre in Chicago.

NEW JERSEY The New Jersey Birth Control League announces that the growing work of the Maternal Health Centre has necessitated moving into larger quarters at 868 Broad Street, Newark. Dr. C. Henle, of the Newark Beth Israel Hospital, and Mrs. Dorothea Horrell, former Director of the Social Service Department of the St. Barnabas Hospital, have been added to the staff. The League has been admitted as a "Kindred Group" to the New Jersey State Conference of Social Work. This marks a definite advance. Three years ago the existence of the League was only reluctantly admitted, and a cautious invitation to bring in the subject of Birth Control *sub rosa*, and permission to distribute literature were not extended until last year.

NEW YORK The New York City League of Women Voters sent a questionnaire to State candidates in the recent campaign. Questioned as to their attitude on Birth Control legislation, Governor Roosevelt made no reply, Charles H. Tuttle, Republican candidate for Governor,

said "I have not had sufficient opportunity to study this subject to be prepared to give an answer at this time"

Louis Waldman, Socialist candidate, declared himself in favor of amendment of the law to make it legal for physicians to give information to married persons

Heywood Broun commenting on the replies to the questionnaire said

Birth Control is, in the eyes of politicians, political dynamite. If they support it they may lose some votes, if they oppose it they may lose some votes. There is nothing a politician hates more than losing votes. He would much rather the subject never came up. Republicans and Democrats will come out strongly for things like honesty and good weather, they will make ringing declarations against the man-eating shark or the common house fly.

Mrs. Walter Timme, Chairman of the Eastern Division of the Committee on Federal Legislation for Birth Control, won the first prize at a speaking contest held at the Exposition of Women's Arts and Industries. She spoke on "The Progress of the Birth Control movement."

Harden Stille spoke on Birth Control under the auspices of the Women's City and Country Club of Poughkeepsie on October 13th.

Dr. Tucker S. Smith addressed the Frederick Douglass Inter-Racial Forum, N. Y. C., on October 4th on "Birth Control and the Good Life."

Mrs. Isadora Kerr spoke at the Union Methodist Episcopal Church, N. Y. C., on October 26th.

OHIO The Northeast Ohio Methodist Conference recently urged an open and frank discussion of Birth Control and declared "Every child should be born under conditions that render possible the heritage of health and happiness."

The Ohio State Journal (*Columbus*) comments as follows in its October issue:

Birth Control is a recognized, existing practice which has grown steadily despite the dramatic opposition of moral leaders, who a generation ago had the popular Theodore Roosevelt to champion their cause. It was an unpopular subject when both the wide open spaces of the West and the cities were calling for inhabitants. With these spaces filled and mass production employing fewer men, a revision of thought and the broader view came naturally.

PENNSYLVANIA Mrs. Sanger spoke in Scranton at the Convention of the State Federation of Pennsylvania Women, on October 16th.

The Methodist Episcopal Church of Pittsburgh at its 107th conference on October 4th declared itself for Birth Control, urging people to "make parenthood a consecration, not an accident."

A successful Birth Control meeting was held at the Clearfield Court House on October 9th, under the chairmanship of Mrs. S. J. Mountz. Mrs. A. C. Martin, Executive Secretary of the Pennsylvania Birth Control Federation, spoke on the need for Birth Control in social work. Dr. G. Victor Janvier showed how Birth Control could improve the health of mothers and pointed out the relation between Birth Control and infant mortality. The meeting was attended by over 500 people.

Mrs. Ruth Day Exline has been appointed Executive Secretary for the Birth Control League of Allegheny County, Pittsburgh.

WISCONSIN "Would Jesus Approve of Birth Control?" was the novel title of a sermon preached by the Reverend Arthur Stanley Beale, pastor of the Grand Avenue Congregational Church, Milwaukee, on October 18th.

QUALITY AND QUANTITY

ANOTHER very difficult and delicate subject is Birth Control. I have long viewed this question in all its bearings, and I have come to certain conclusions. Some method of checking the natural growth of numbers beyond the means of subsistence has always and everywhere been practiced. It is useless to discuss the morality of birth control apart from this consideration. We cannot leave the question of numbers to *laissez faire*, while every branch of social life is brought under rational control.

The question of quality of the population is at least as urgent as that of quantity. The whole future of our country is at stake, and we shall get little help from the politicians, who know that the unborn have no vote.

The Very Rev. W. R. Inge, Dean of St. Paul
At the Modern Churchmen's Conference

The Answer Box

This department endeavors to furnish authoritative answers to questions of general interest on Birth Control propaganda, history of the movement, suggested reading, legal restrictions, etc

Can you suggest a good outline for a church course in sex and marriage education for adults?

The topics of discussion in such a course depend to some extent on conditions in the specific church. Here is an outline which was recently sent us by the Rev. Neal D. Newlin, Secretary of Young People's Work at the First Congregational Church of Long Beach, Calif. The course is for people over twenty-one.

MARRIAGE AND THE HOME

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- 2 The Union of the Sexes in Marriage

The Psychology of Marriage

- 1 Falling in Love
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The Spiritual Factors of Marriage

- 1 Sex and Religion
- 2 The Union of Souls

Second Semester Program—The Home

Practical Problems in Home Making

- 1 The Economies of the Home
- 2 Practical Preparation for Home Making

The Child and Its Care

- 1 Physical Development
- 2 Mental Training

The Spirit of the Home

- 1 Parents and Children
- 2 The Factors of Home Happiness

Youth and the Home

- 1 The Problem of Pleasure
- 2 The Problems of Education

Are there any French organizations or publications for Birth Control?

Not so far as we know. Although Birth Control is practiced at least as widely in France as in any other country (probably more widely, if the birth-rate is any indication) it is absolutely forbidden by law, and even public discussion is banned. This fact is an interesting instance of how nullification works. Although French politicians are frantically scheming for a higher birth-rate, public opinion calmly ignores the laws against Birth Control. An informative article on this subject by S. Green appeared in the October, 1929 issue of the Review.

What is Dr. Marie Stopes' address? Does she have any organization for Birth Control?

Dr. Stopes is President of the Society for Constructive Birth Control and Racial Progress, 108 Whitfield St., London W1, England. This organization publishes *The Birth Control News*. Another English group is the Malthusian League, 17-19 Finsbury St., London EC2, England, whose publication is *The New Generation*.

Are there many child marriages and child parents in this country?

There are, apparently, judging by the records. The United States Birth Records for 1927 show 2,459 children born to mothers under fifteen years of age, 29,754 children born to mothers under sixteen years of age, 242,863 children born to mothers between fifteen and nineteen years of age, 29,587 children born to *fathers* between fifteen and nineteen years of age.

Letters from Readers

We urge our readers to express their opinions for publication on this page. Comments, criticisms, ideas, suggestions, for the REVIEW and for the Birth Control movement, are welcome

AN ARGUMENT AGAINST THE "DOCTORS BILL"

TO THE EDITOR

From the very inception of the American Birth Control movement, the Medical Profession has year in and year out voted down Birth Control, whenever it has been proposed in its meeting. The American Medical Association has shown itself to be one of our strongest organized opponents, however much individual doctors may differ. For the birth controllers to go to our legislative bodies to ask that the medical profession be appointed sole lawful guardian of the Birth Control knowledge is not only not good sense, but dangerous. Dangerous, because we do not know what the medical profession is going to do with this special privilege of handling this knowledge, especially when the proposed law is so constructed that only doctors' bona fide patients are entitled to it. Again, we are not so sure that any individual or movement has any moral right to take this important knowledge and attempt by law to lock it up in the doctors' offices.

The Neo-Malthusian League through its various branches, in nearly all the different countries of Europe, for the last thirty years and more, freely gave out these preventatives without the interference of law or doctors. They have not reported that this knowledge has been misused, that it has debauched the young, that it has developed charlatans to prey upon innocent women, nor any of the various ills that are conjured up to keep this knowledge restricted.

We should know that the American Birth Control movement is not a pioneer movement. There is no need of speculation on what will happen if the law against the knowledge of preventatives is dropped from the statute books, that has already been demonstrated in other countries. Unless we claim the absurdity that the American people are less moral and intelligent than the European, we have no ground to stand on for the "doctors bill."

CAROLINE NELSON, *Secretary,*
Northern California Birth Control
California Committee of One Hundred

ORPHANS AND BIRTH CONTROL

TO THE EDITOR

A woman came to my door this week selling booklets for an orphanage. I told her I was sorry I could not help, but there are so many people who come selling or collecting for orphanages, and if all helped in Birth Control as I am doing, we would not have so many orphanages to support. She said she was a Catholic and thought it was terrible such a magazine as the Review should be published, and allowed to be where children could get at it and learn contraceptive methods. I let her have her say and then showed her the Review.

When she had looked it over and saw it had no information on methods she was surprised and said, "Well I never read it before myself, but that's what they told me about it." I then explained more about our work and our clinics, and she left my house a firm believer in Birth Control.

MRS LAURA A WINKELSPECHT
Riverside, N J

PREVENTION AND BIRTH CONTROL

TO THE EDITOR

I read with great interest and satisfaction the letter of Dr. Robinson questioning the propriety and advisability of using the term "Birth Control." I too had had my doubts. Then—ten minutes later—all doubts were dispelled. Dr. Robinson has convinced me that the present term is correct and proper, and that it would be impossible to find a better name. It expresses just what we mean. We want births controlled by human wisdom and knowledge, and we want to make such control possible for all intelligent people of our country. As to the methods which are now used, there is a remarkable difference of opinion among the members of the League, particularly in judging abortion. Many would condemn it under all circumstances, while others would approve it in extreme cases, for the welfare of the individual and society in general. But we all are unanimous in declaring that a harmless prevention of conception would be better in any case than the easiest

OUR CONTRIBUTORS

MORRIS L ERNST, ALBERT HIRST, CAROL WEISS KING, ALEXANDER LINDEY, HARRY RAPPAPORT, EDWARD A TITTMAN, DAVID WALLERSTEIN, HARRY WEINBERGER, and CARLE WHITEHEAD are lawyers

MARY WARE DENNETT, as founder of the Voluntary Parenthood League, has sponsored the repeal of obstructive legislation for many years

HUDSON CHAPMAN is a member of the faculty of the Drexel Institute of Philadelphia and an active worker in the Pennsylvania Birth Control League

NORMAN E HIMES is Associate Professor of Sociology at Clark University

DR C V DRYSDALE is President of the Neo-Malthusian League, England

DR HANNAH M STONE is Medical Director of the Clinical Research Bureau of New York

L C DUNN is Professor of Zoology at Columbia University, author of "Principles of Genetics" and many technical papers on heredity

new facts in the field of birth control!

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and safest abortion. However, all methods are not harmless. There have been many cases where the use of certain "prevenceptives" was far more disastrous in physical, mental and moral effects than the average abortion. We would not want to advise or recommend these, no matter how desirable prevention might be. Therefore, "Prevention of Undesirable Conception" would be incorrect as a name for our aims.

Perfect control would mean that a new being could be conceived where it is wanted and could be expected to receive good treatment thereafter. Hence it is perfectly in order to include the study and cure of sterility.

BIRTH CONTROL is right. It needs "no apologies, no subterfuges, no sugarcoating."

E F RUEDEBUSCH

Mayville, Wis

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION ETC. REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912

Of the Birth Control Review published monthly at New York N Y, for October 1, 1930 State of New York County of New York

Before me, a notary public in and for the State and county aforesaid, personally appeared Lydia Altschuler who, having been duly sworn according to law deposes and says that she is the Business Manager of the Birth Control Review and that the following is, to the best of her knowledge and belief, a true statement of the ownership management (and if a daily paper, the circulation) etc. of the aforesaid publication for the date shown in the above caption required by the Act of August 24 1912 embodied in section 411, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1 That the names and addresses of the publisher editor, managing editor and business managers are

Publisher—American Birth Control League, Inc. 152 Madison Ave N Y City

Editor—Stella Hanau 152 Madison Ave N Y City

Managing Editor—None

Business Manager—Lydia Altschuler 152 Madison Ave, N Y City

2 That the owner is (If owned by a corporation its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation the names and addresses of the individual owners must be given. If owned by a firm company or other unincorporated concern its name and address as well as those of each individual member, must be given.)

American Birth Control League, Inc. 152 Madison Ave, N Y City

Non-stock corporation

Mrs F Robertson Jones President 152 Madison Ave N Y City

Mrs. Warren Thorpe Treasurer 152 Madison Ave. N Y City

3 That the known bondholders mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages or other securities are (If there are none, so state.) None

4 That the two paragraphs next above, giving the names of the owners stockholders and security holders if any contain not only the list of stockholders and security holders as they appear upon the books of the company but also in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation the name of the person or corporation for whom such trustee is acting is given, also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees hold stock and securities in a capacity other than that of a bona fide owner and this affiant has no reason to believe that any other person association or corporation has any interest direct or indirect in the said stock bonds or other securities than as so stated by him.

LYDIA ALTSCHULER
Business Manager

Sworn to and subscribed before me this 23d day of September 1930

HOWARD T. IVORY,
(My commission expires March 30 1931)

[SEAL]

Children of Choice, Not Chance

A STUDY PROGRAM

This program, prepared by the American Birth Control League, appeared in the July issue of "The Woman's Journal," as one of a series of Study and Action Programs for the use of women's clubs. We reprint it for the benefit of our subscribers. Reading matter may be ordered through the Review

BIRTH CONTROL is the voluntary regulation of reproduction. The best means of Birth Control is contraception, which is the *prevention* of conception (not its interruption, which is abortion). For this there are safe, reliable methods, which should be prescribed by a physician.

The purpose of the American Birth Control League is to make the best contraceptive advice available to every mother in the country. It is working to establish birth control clinics for the poor, to acquaint physicians with the approved methods, and to demonstrate the importance of Birth Control to the family, the community and the race.

1 BIRTH CONTROL AND CHILD WELFARE

"The ideal for which we should strive is that there shall be no child in America—that has not the complete birthright of a sound mind in a sound body."

—HERBERT HOOVER

The unwanted child is the neglected child,
the neglected child is the delinquent child.

Reading recommended: *Casual Factors in Infant Mortality*—U. S. Children's Bureau, Pub. 142. *Promotion of the Welfare and Hygiene of Maternity and Infancy*—U. S. Children's Bureau, Pub. 194. *Pivot of Civilization*—Margaret Sanger, Chaps. II, III, IV, VIII. Brentano's, \$2.00.

2 BIRTH CONTROL AND POVERTY

Birth Control enables married couples to avoid having more children than they can support. It will steadily lessen the amount of destitution and dependency.

Reading recommended: *Do the Working Classes Need Birth Control?*—Israel Mufson. *Social Welfare in Terms of Dollars*—James H. S. Bossard, both from Pa. Birth Control Federation, 1700 Walnut St., Philadelphia, no charge. *Poverty and Birth Control*—Alice Hamilton, M.D., American Birth Control League, no charge. *Poverty*—Robert Kelso, Longmans Green, \$2.00.

3 BIRTH CONTROL AND SOCIAL HYGIENE

Birth Control lessens prostitution by promoting early and happy marriages. It does away with the need for postponement of marriage until a man can support children, and makes it possible to continue normal

marriage relations even when an addition to the family is undesirable.

Reading recommended: *Will Birth Control Help Toward Happy Marriage?*—Pa. Birth Control Federation, 1700 Walnut St., Philadelphia, no charge. *Birth Control*—Wm. J. Robinson, M.D., Chaps. XIX, XX and XXV, Eugenics Publishing Co., \$2.00. *Medicine's Responsibilities in the Birth Control Movement*—Wm. Allen Pusey, M.D., Pub. by American Birth Control League, no charge.

4 BIRTH CONTROL AND INTERNATIONAL PEACE

When all peoples understand Birth Control, they will voluntarily reduce the birth rate as population pressure and the cost of living rise. Thus overpopulation, which is the greatest menace to future peace, will be avoided.

Reading recommended: *Standing Room Only*—E. A. Ross, Century, \$3.00. *Danger Spots in World Population*—Warren S. Thompson, Knopf, \$3.50. *Race and Population Problems*—H. D. Duncan, Longmans Green, \$2.50. *Mankind at the Crossroads*—E. M. East, Scribners, \$3.50.

5 BIRTH CONTROL AND RACE IMPROVEMENT

Recent investigations show that among people who practice Birth Control, the less competent have fewer children than the more competent, hence we may predict that when Birth Control is in general practice, children above the average will outnumber those below it, and the quality of the population will gradually rise.

Reading recommended: *Builders of America*—Ellsworth Huntington and Leon F. Whitney, Morrow, \$3.50. *What is Eugenics?*—Leonard Darwin, Galton Pub. Co., \$1.00. *Applied Eugenics*—Paul Popenoe and Roswell Johnson, Macmillan, \$2.60.

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