



DARK DAYS AND REBOUND

Margaret could sit and mourn for just so long. Now that she had decided to stay in the States, her immediate job was to let the prosecuting attorney know she was ready to stand trial.

She had one stroke of luck. While she was away, Comstock had died, he had caught a fatal case of flu on the very day of Bill's trial. But Comstock's death didn't nullify the Comstock Law. She still had to face her trial, and for that she needed friends, money, and organized support.

The first person to whom she turned was Mary Ware Dennett, a plump, gray-haired widow who earned her living as an interior decorator. Believing that Margaret might never come back after fleeing the country, she had gotten together with Anita Block, the *Call* editor, and Clara Stillman, a wealthy society woman, to form the National Birth Control League, composed largely of the society women whose homes Mrs. Dennett had decorated. Margaret had been furious when she heard about it, but now realized she needed their help. She wrote Mrs. Dennett to ask for her support.

Mrs. Dennett responded with an invitation to meet with her and several leaders of the new league. Margaret went full of hope, but her reception was cool, she was bluntly told she would get no support. The goal of the new league was to change the law, not to defy it as Margaret had done in *The Woman Rebel*. Margaret lost her temper and walked out.

Without the league's financial support, she realized, she would have to earn money on her own. Ethel suggested she go back to taking on private maternity cases, Margaret refused. "Would you mind telling me then," Ethel demanded, "how you intend to get hold of defense money, much less make a living?" "I have cast myself on the universe," Margaret replied. "It will take care of me somehow." A few days later Ethel got a letter in the mail for Margaret from a West Coast admirer. In it was a check for fifty dollars. As Ethel handed it over, she commented drily, "Here's your first check from God."

When news of Peggy's death and Margaret's upcoming trial were reported in the papers, she began to receive more letters with money in them. These were mostly pathetic letters. Women wrote of children who had died twenty years before, but for whom they still mourned, some even enclosed pictures of the dead children or locks of their hair. The lumberjacks and miners who had known Margaret through Bill Haywood sent letters too. The contributions were small, usually from one to five dollars, but they mounted up. Then she sent out a general release to all Socialists and I W W locals, asking them to hold fundraising parties for her.

Even more helpful than defense money were two open letters to President Wilson.

The first, sent by a group of well-known Chicago writers including Margaret Anderson and John Cowper Powys, asked him to "use his powerful office to help Mrs. Sanger in the interest of free speech and the betterment of the race." The second, sent from England, was signed by famous names like H. G. Wells, Arnold Bennett, and Bernard Shaw. These letters appeared in newspapers throughout the country and caused still more money to pour in.

Margaret's trial was fast approaching, however, and she was growing nervous. Wanting the best lawyer she could find, she again appealed to Untermeyer. But he had not changed his mind. He told her the law might not be everything it should be, but it was still the law, and she had broken it. His only advice was that she plead guilty, and he might as a result be able to get a "deal" with the prosecuting attorney to drop the case.

Margaret refused to plead guilty. She wanted the publicity of a trial, and a deal would rule that out. She decided to go to court without a lawyer as she had done before. Moreover, she would wear the costume of the women anarchists—a black skirt and white shirtwaist with a man's black necktie.

At this point John Reed, a well-known magazine editor, made an excellent suggestion. Most people thought of women crusaders as hard-faced Amazons, but Margaret was feminine, beautiful, and could look meek as a lamb when she pleased. He advised against the anarchist costume and suggested getting Underwood and Underwood, among the leading photographers of the day, to take a picture of her in a plain dark dress with a wide Quaker collar, her hair done up in a simple coil and her two sons beside her. The release of this picture, he felt, would raise a lot of sympathy for her.

Reed's suggestion was quickly followed. Margaret posed with Stuart leaning against her shoulder and Grant in a Buster Brown suit leaning against her lap. Hundreds of papers used it, and it did more to counteract the image of the shrieking woman rebel and gain the support of important people than anything she had done before.

A dinner in her honor was also arranged with the help of John Reed at the elegant Brevoort Hotel on January 17, the eve of her trial. Among the people who attended were Walter Lippmann, the journalist, Herbert Croly, editor of the *New Republic*, Fola La Follette, daughter of U S Senator La Follette, and Drs. Ira S. Wile and A. L. Goldwater, Health Commissioners of the City of New York. And from the inner circles of society came women like Mrs. Ogden Reid and Mrs. Thomas Hepburn, mother of the actress Katharine Hepburn. It was the kind of turnout no newspaper could ignore.

Possibly with professional help, she memorized a short and dignified speech. Knowing that not everybody in the audience approved of her previous tactics, she tried in this speech to forestall their criticism.

I realize keenly that many of those who understand and would support the birth-control propaganda if it were carried out in a safe and sane manner cannot sympathize with the methods I have followed in my attempt to arouse working women to the fact that bringing a child into the world is the greatest responsibility. They tell me that *The Woman Rebel* was badly written, that it was crude, that it was emotional and hysterical, that it mixed issues, that it was defiant and too radical. Well, to all of these indictments I plead guilty!

Then, with a quick change of tone intended to flatter her audience she emphasized certain points.

I know that all of you are better able to cope with the subject than I am I know that physicians and scientists have a fund of information greater than I have on the subject of family limitation

There is nothing new, nothing radical in birth control Aristotle advocated it, Plato advocated it, all our great modern thinkers have advocated it

Yet all this scientific and technical discussion has only had the effect of producing more technical and scientific discussion—all very necessary and very stimulating to that very small group of men and women who could understand it BUT all during the long years this matter has been discussed, advocated, refuted, the people themselves—the poor people especially—were blindly, desperately practicing family limitation—just as they are practicing it today To them birth control does not mean what it does to us TO THEM it has meant the killing of babies, infanticide, abortions Women from time immemorial have tried to avoid unwanted motherhood WE ALL KNOW the tribe of professional abortionists which has sprung up and profited by this terrible misfortune

WE KNOW, TOO, that when the practice of abortion was put under the ban by the church, an alternate evil—the founding asylum, with its horrifying history—sprang up THERE IS NO NEED to go into the terrible facts concerning the recklessness, the misery, the filth, with which children have been and still are being brought into the world

I merely want to point out the situation I found when I entered the battle ON THE ONE HAND, I found wise men, sages, and scientists, discussing birth control among themselves But their ideas were sterile They did not influence or affect the tremendous facts of life among the working classes and the disinherited

HOW COULD I BRIDGE THIS CHASM? How could I reach these people? How could I awaken public opinion to this tremendous problem?

I MIGHT HAVE TAKEN up a policy of safety, sanity, and conservatism, but would I have got a hearing?

AND AS I BECAME MORE AND MORE CONSCIOUS OF the vital importance of this idea, I felt myself in the position of one who has discovered that a house is on fire, and I found that it was up to me to shout out the warning! THE TONE OF THE VOICE

may have been indelicate and unladylike, and was not at all the tone that many of us would rather hear

BUT THIS VERY GATHERING—this honor you have thrust upon me—is ample proof that intelligent and constructive thought has been aroused SOME OF US may only be fit to dramatize a situation—to focus attention upon obsolete laws, like this one I must face tomorrow morning Then, others, more experienced in constructive organization can gather together all this sympathy and interest which has been aroused, and direct it

Finally, having insinuated that she was seeking no personal glory, she ended in her low, clear voice

I THANK YOU for your encouragement and support MY REQUEST TO YOU TONIGHT is that all you social workers—so much better fitted to carry on this work than I—that you consider and organize this interest THIS IS THE MOST IMPORTANT STEP, AND ONLY IN THIS WAY CAN I BE VINDICATED" LET US PUT THE UNITED STATES OF AMERICA UPON THE MAP OF THE CIVILIZED WORLD"

The speech had the effect Margaret was looking for Waves of applause rolled through the dining room of the Brevoort, and many stood up to pledge their financial support Rather unexpectedly, Mary Ware Dennett was among them And because Margaret was now going to conduct her campaign more sedately, the National Birth Control League would support her, too As a result, so many people, rich and poor, showed up at the trial the next morning that they filled every corner of the courtroom and spilled over into the corridor The conservative *Evening Globe* reported that "twenty expensive motor cars manned by liveried persons filled the streets around the court building," while the *Call* boasted that "so many reporters and photographers showed up, there was hardly room for them at the press table "

But suddenly there came a surprise Arriving late, District Attorney Content threw a bombshell into the proceedings by asking for a postponement to January 24 Margaret protested, but was overruled, she and the audience had no choice but to leave "Outside," the *Globe* story continued, "they (the crowd) surrounded her and proposed three cheers which were given with a gusto that woke echoes for blocks around the Federal Building "

On the morning of January 24 she returned to court, but again Content appeared and asked for a postponement. By this time his strategy was obvious. He was representing a government that was doing everything in its power to delay a publicity-making trial. This went on for another month. Though every postponement got her name and the words "birth control" into print, the government was obviously winning by wearing down her support.

On February 18 Harold Content ended the matter by issuing a *nolle prosequi*, an order to drop the case altogether. He made a formal statement to the press:

Since the date of the filing of the indictment, no copies of *The Woman Rebel* have to my knowledge been deposited in the mails. The defendant is in no sense a disorderly person, and is not engaged in any way in the traffic of obscene literature. While the pamphlets or magazines themselves may be unmailable, the evidence is not of such a character as to establish the defendant's guilt beyond all reasonable doubt, and of such character as to warrant the expectation of a conviction in the event that the indictments should be brought to trial.

In a later release, he admitted:

We are determined not to let Mrs. Sanger become a martyr if we can help it. We are also not the least bit interested in having a public debate on sex theories at this time.

The question of whether material relating to birth control could be legally barred from the mails and classed as obscenity was left unresolved. "The quashing of the indictment settles nothing," said an editorial in the *New York Globe*. "The right of American citizens to discuss sociological questions according to their convictions is just where it had been—subject to the mutton-headed restrictions of some post office clerk."

Still, a strategic victory had been won. Although Margaret had not been given the jail sentence she had begun to hope for as well as fear, she had become a nationally known figure around whom important people were rallying. Best of all, the matter of birth control had been well publicized. As Walter Lippmann said, "Margaret Sanger has kicked the subject clear across to the Pacific."

She realized this was the moment to follow through. Gathering her energy, she mailed letters to thousands of labor groups and women's clubs throughout the country, telling them she was ready to start a speaking tour immediately. "Write at once and tell me the capacity of the largest hall," she wrote her supporters. "Start making your town alive with interest so it will be ready for me, for birth control is the pivot around which all our social problems swing."

Indeed, she was so busy planning her trip she never thanked Marie Stopes, the woman responsible for the open letter of British support to President Wilson which the papers reported in full. Nor did she find time to write Havelock Ellis, who had written her six letters since she had come home.

In one of these, dated November 15, he told her she reminded him of a character, also named Margaret, in an old play by George Chapman. This character had told her lover she would not marry him by legal form, but by a beautiful ceremony of her own instead. "May we not our own contract make and marry before Heaven? Are not the laws of God or Nature more than the formal laws of man? Are outward rites more virtuous than the substance of holy nuptials solemnized within? Or shall laws made to curb the common world halt them that are a law unto themselves?"

Ellis heartily agreed with the fictitious Margaret and ended "So you see, dear, I knew and approved of the *Woman Rebel* many years before she took to editing a paper."

This was the sanction she needed. Ellis, her idol, was telling her she was not subject to the laws "made to curb the common world," but was a law unto herself. She kissed his letter over and over, and sent a short note explaining her silence. "My daughter Peggy was ill and died on Nov 6." This done, she put on her most sedate clothes, sent Grant and Stuart off to separate boarding schools (probably promising to pay for their board and tuition out of her lecture fees), and started off on her tour.