The Brownsville Clinic

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In October 1916 Margaret Sanger opened the first American birth control clinic Indeed, it was the first such clinic anywhere outside of the Netherlands On that bright autumn morning the three participants arrived early, but by seven o'clock there was already a waiting line halfway to the corner Did the women want the clinic? The long line gave the answer

As Margaret described them in her *Autobiography,* they came, some shawled, some bareheaded, their red hands clasping the cold, chapped smaller hands of their children Some came alone, some in pairs, perhaps with a neighbor or a married daughter Some had not dared tell their husbands, others had been urged on by their men They were still coming at seven in the evening when husbands joined the line, bringing their timid wives or leaving word that they would stay home so that the wives could come When the staff finally closed the doors, they had seen 140 women and some were waiting who promised to return the next day

Fania welcomed each woman in the receiving room where she asked a few questions Along with names and addresses, she took down vital statistics, not only of the living and dead, but the numbers of miscarriages and abortions From the outset this clinic collected the data that The Hague had so sadly ignored Whenever there was a lull in the anteroom, Fania read aloud from *What Every Girl Should Know* She also "minded" the children when their mothers went to the rear

All day long in separate offices the Higgins sisters repeated their

simply worded instructions to small groups of anxious mothers They showed the diaphragm pessary and with carefully drawn charts, explained how to place it They answered personal questions, estimating, according to the number of previous births, the size of pessary for each woman, and told her where to buy it

Yiddish and Italian papers picked up the clinic story from the handbills, wives soon appeared clutching the scraps of paper that their husbands had seen as they rode to work Thus, the territory served by the clinic expanded Women came from the eastern end of Long Island, from New Jersey, even from Pennsylvania and Massachusetts Some had never before left their own neighborhoods, but were drawn by the urgency of their needs The appeal cut across ethnic lines, being the same for Catholics as for Protestants and Jews Each applicant had a pent-up, pitiful tale that gushed out when she registered

Once a gaunt skeleton of a woman addressed the startled waiting line Someday, she declared, there should be a monument to Margaret Sanger right on that spot She herself had been married fifteen years and lost her health with eleven births and twenty-eight self-induced abortions Before the opening of this clinic, she announced, when poor mothers had too many babies, they were given charity When they were worn out by pregnancies, they were given charity talks Rather than share their secret, the rich would let them die!

Sometimes even Catholics joined in the testimonials Babies were a mother's business, one observed If your man had a bad heart and could earn only a few dollars a week, what should you do? The priest had told her to have many babies, said another She had fifteen, only six of whom lived, but the priest had made money on fifteen baptismal fees, nine funerals, masses and candles for the little ones

The word "clinic" kept some women away, in the belief that it was an abortion office, but it brought others for the same reason These were the most tragic of the applicants Some threatened suicide, as did the mother of eight, who had suffered two abortions and was hysterical about the future She threatened to grind up a glass and swallow it when she went home

Neighborhood good will relieved both the tension and the pressure of the work When there was no time for lunch, Mrs Rabinowitz, the landlord's wife, brought tea, and the baker across the street sent over doughnuts The postman, delivering some hundred letters daily, usually expressed his hope that the ladies would still be around on his next call Good-natured policemen often dropped in apparently to discuss the weather

So the days and the first week passed The waiting line continued, and there was no interference On the ninth day Margaret was out, hopefully on the trail of a doctor In the afternoon Fania noticed a large, grim-faced woman, wearing the usual shabby shawl, but under it a well-cut suit When the woman bought a copy of *What Every Girl Should Know* and insisted on paying $2 00 instead of 10 cents to register, Fania went back to notify Ethel that there was a policewoman in the crowd To Ethel, caution was the same as cowardice and so she gave her usual talk

Near closing time the next day and after Ethel had left, the same large woman pushed her way into the still crowded office to confront and arrest its chief Mrs Whitehurst of the vice squad was, indeed, a policewoman, who now went through her routine, scarcely altered, although in a different setting With plainclothesmen guarding the door, she took down the names and addresses of the frightened mothers, as though they were inmates of a brothel Some of them whimpered, one shrieked, and this set off wails from every child in the place In a moment it was pandemonium and then Margaret despite her arrest, took charge Going from one to another, she explained that the police had come for her alone If they would be quiet, they might all leave After she had secured peace, it was a harder task to convince the police that these decent, hard-working mothers had every right to go home Meanwhile, Mrs Whitehurst was ransacking the place, confiscating the demonstration supplies and 460 intimate case records Not until the patrol wagon rattled up to the door did the two women face each other again

The press account, taken from the police, said that Margaret called Mrs Whitehurst "a dirty thing" and "no woman " She herself wrote that she was "white hot with indignation" at the treatment of her patients Certainly she refused to ride with the vice

squad and instead, marched ahead of the Black Maria, right down the street to the Raymond Street jail, where she spent the night

This jail made her Portland quarters look like the Ritz Hotel There was a terrible stench, the mattress was stained with filth, and the blankets were stiff with grime Only her towel was clean, and with it around her head and her coat over her, she tried to sleep Soon she was aroused by roaches, bedbugs, and finally a rat

The crowning indignity, a psychological one, came the next morning with a visit from a prison reform society The ladies peered at the inmates as though they were caged animals Was there anything they might do, one of them asked Knowing that they liked to pray over the prostitutes and pickpockets, Margaret turned savagely on these pious do-gooders Yes, there was something they could do, she told them "Clean up the filthy place" As she itemized the needs, the ladies hastily retreated

Later at a press conference, Margaret notified the Brooklyn taxpayers that their money was being wasted on a jail that would disgrace any community When her $500 bail was arranged, she returned at once to the clinic

With incorrigible hope, she thought that a court decision might allow her to continue When a few women appeared, she agreed to see them and then others began to come So did the police This time they settled the matter, not only by arresting her again, but by forcing the reluctant landlord to sign ejection papers for sheltering "a public nuisance" At The Hague, Queen Wilhelmina had cited a clinic as a public benefaction, in New York it was a public nuisance

Since the police, not the vice squad, had come, Margaret went quietly to the patrol wagon As they rode off, she looked back at the mute, frustrated crowd of women who watched her taken away In *My Fight for Birth Control,* she wrote that she believed something had gone out of the human race Something had silenced these women and made them impotent to defend their rights

Although Ethel had escaped the raid, she too was served with a warrant In all, there were four separate charges Fania had sold

an indecent book, Margaret was running a public nuisance, and both sisters were violating Section 1142 of the New York Penal Code This section, banning the spread of contraceptive information, Margaret believed unconstitutional because no state was allowed to interfere with a person's right to life and liberty Of course she knew that no lower court would share her view, but her hope always lay in the judgment of an upper court Because she meant this to be a test case, she decided that she must have an attorney

A rising young Tammany lawyer, J J Goldstein, who would one day run for mayor and later become a distinguished judge, offered his services In his youth he had been guided by Lillian Wald and Mary Simkhovitch, founders respectively of New York's two most famous settlement houses Margaret was often impatient with the "feather dusting" of welfare work, but in the case of the popularly known "J J," she conceded that "the seed of a social vision had been planted in him," although she thought that his legal training had slowed its growth

Often in the next months the lawyer and his client despaired of each other's tactics, but nevertheless, they joined in a fruitful four-year association, which ripened into affection For him, the rewards were as intangible as for her, but he suggested to his Tammany colleagues that his profits were large Otherwise, they would never have forgiven his working for birth control

J J insisted that the record must be perfect, if the case was to be appealed and that the defense must take every step that the law allowed His client was infinitely irked by what she saw as senseless rituals and court pomposities, and as it turned out, the one concession that they gained followed from her direct action

They all pleaded not guilty on November twentieth and J J asked to have them tried together, but in this he failed He was also denied a jury trial and a change from the November schedule Judge McInerney, who had presided at Bill's trial, would again preside

Since J J's efforts had failed, Margaret wrote an open letter to the judge, ending, "To come before you implies conviction Now in

all fairness do you want a case of this character brought forcibly before you, when the defendant feels and believes that you are prejudiced against her?" His reply was an official request to be taken off the case, the trial was therefore postponed until January