

CHAPTER II

WOMAN S STRUGGLE FOR FREEDOM

BEHIND all customs of whatever nature behind all social unrest behind all movements, behind all revolutions are great driving forces, which in their action and reaction upon conditions give character to civilization. If in seeking to discover the source of a custom of a movement or of a revolution, we stop at surface conditions we shall never discern more than a superficial aspect of the underlying truth.

This is the error into which the historian has almost universally fallen. It is also a common error among sociologists. It is the fashion nowadays for instance to explain all social unrest in terms of economic conditions. This is a valuable working theory and has done much to awaken men to their injustice toward one another but it ignores the forces *within* humanity which drive it to revolt. It is these forces, rather than the conditions upon

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which they react, that are the important factors. Conditions change but the animating force goes on forever.

So too with woman's struggle for emancipation. Women in all lands and all ages have instinctively desired family limitation. Usually this desire has been laid to economic pressure. Frequently the pressure has existed but the driving force behind woman's aspiration *toward freedom* has lain deeper. It has asserted itself among the rich and among the poor, among the intelligent and the unintelligent. It has been manifested in such horrors as infanticide, child abandonment and abortion.

The only term sufficiently comprehensive to define this motive power of woman's nature is the *feminine spirit*. That spirit manifests itself most frequently in motherhood but it is greater than maternity. Woman herself, all that she is, all that she has ever been, all that she may be, is but the outworking of this inner spiritual urge. Given free play, this supreme law of her nature asserts itself in beneficent ways; interfered with, it becomes destructive. Only when we understand this can we compre

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hend the efforts of the feminine spirit to liberate itself

When the outworking of this force within her is hampered by the bearing and the care of too many children woman rebels. Hence it is that from time immemorial she has sought some form of family limitation. When she has not employed such measures consciously, she has done so instinctively. Where laws, customs and religious restrictions do not prevent she has recourse to contraceptives. Otherwise she resorts to child abandonment, abortion and infanticide, or resigns herself hopelessly to enforced maternity.

These violent means of freeing herself from the chains of her own reproductivity have been most in evidence where economic conditions have made the care of children even more of a burden than it would otherwise have been. But, whether in the luxurious home of the Athenian, the poverty ridden dwelling of the Chinese, or the crude hut of the primitive Australian savage, the woman whose development has been interfered with by the bearing and rearing of children has tried desperately

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frantically, too often in vain, to take and hold her freedom

Individual men have sometimes acquiesced in these violent measures, but in the mass they have opposed. By law, by religious canons by public opinion, by penalties ranging all the way from ostracism to beheading, they have sought to crush this effort. Neither threat of hell nor the infliction of physical punishment has availed. Women have deceived and dared, resisted and defied the power of church and state. Quietly, desperately, consciously, they have marched to the gates of death to gain the liberty which the feminine spirit has desired.

In savage life as well as in barbarism and civilization has woman's instinctive urge to freedom and a wider development asserted itself in an effort, successful or otherwise, to curtail her family.

"The custom of infanticide prevails or has prevailed," says Westermarck in his monumental work, *The Origin and Development of the Moral Idea* 'not only in the savage world but among the semi civilized and civilized races'

With the savage mother family limitation ran largely to infanticide, although that practice was frequently accompanied by abortion as a tribal means. As McLennan says in his

Studies in Ancient History, infanticide was formerly very common among the savages of New Zealand and it was generally perpetrated by the mother. He notes much the same state of affairs among the primitive Australians except that abortion was *also* frequently employed. In numerous North American Indian tribes he says, infanticide and abortion were not uncommon and the Indians of Central America were found by him to have gone to extremes in the use of abortives.

When a traveller reproached the women of one of the South American Indian tribes for the practice of infanticide McLennan says he was met by the retort: Men have no business to meddle with women's affairs.

McLennan ventures the opinion that the practice of abortion so widely noted among Indians in the Western Hemisphere must have supervened on a practice of infanticide.

Similar practices have been found to pre-

vail wherever historians have dug deep into the life of savage people. Infanticide at least was practiced by African tribes by the primitive peoples of Japan, India and Western Europe as well as in China and in early Greece and Rome. The ancient Hebrews are sometimes pointed out as the one possible exception to this practice because the Mosaic law as it has come down to us is silent upon the subject. Westermarck is of the opinion that it hardly occurred among the Hebrews in historic times. But we have reason to believe that at an earlier period among them as among other branches of the Semitic race child murder was frequently practiced as a sacrificial rite.

Westermarck found that the murder of female infants whether by the direct employment of homicidal means or exposure to privation and neglect has for ages been a common practice or even a genuine custom among various Hindu castes.

Still further light is shed upon the real sources of the practice as well as upon the improvement of the status of woman through the practice by an English student of condi

tions in India Captain S Charles Mac Pherson of the Madras Army in the Journal of the Royal Asiatic Society for 1852 said

I can here but very briefly advert to the customs and feelings which the practice of infanticide (among the Khonds of Orissa) alternately springs from and produces The influence and privileges of women are exceedingly great among the Khonds and are I believe greatest among the tribes which practice infanticide Their opinions have great weight in all public and private affairs their direct participation is often considered essential in the former

If infanticide did not spring from a desire within the woman herself from a desire stronger than motherhood would it prevail where women enjoy an influence equal to that of men? And does not the fact that the women in question do enjoy such influence point unmistakably to the motive behind the practice?

Infanticide did not go out of fashion with the advance from savagery to barbarism and civilization Rather it became as in Greece and Rome, a recognized custom with advocates among leaders of thought and action

So did abortion which some authorities regard as a development springing from infanticide and tending to supersede it as a means of getting rid of undesired children

As progress is made toward civilization in infanticide then actually increased This tendency was noted by Westermarck who also calls attention to the conclusions of Fison and Howitt (in Kamilaroi and Kurnai) Mr Fison who has lived for a long time among uncivilized races says Westermarck thinks it will be found that infanticide is far less common among the lower savages than among the more advanced tribes

Following this same tendency into civilized countries we find infanticide either advocated by philosophers and authorized by law as in Greece and Rome or widely practiced in spite of the law civil and ecclesiastical

The status of infanticide as an established legalized custom in Greece is well summed up by Westermarck who says The exposure of deformed or sickly infants was undoubtedly an ancient custom in Greece in Sparta at least it was enjoined by law It was also approved of by the most enlightened among

the Greek philosophers Plato condemns all those children who are imperfect in limbs as well as those who are born of depraved citizens”

Aristotle, who believed that the state should fix the number of children each married pair should have, has this to say in *Politics* Book VII, Chapter V

“ With respect to the exposing and nurturing of children, let it be a law that nothing mutilated shall be nurtured And in order to avoid having too great a number of children, if it be not permitted by the laws of the country to expose them, it is then requisite to define how many a man may have, and if any have more than the prescribed number, some means must be adopted that the fruit be destroyed in the womb of the mother before sense and life are generated in it ’

Aristotle was a conscious advocate of family limitation even if attained by violent means

It is necessary,” he says, “ to take care that the increase of the people should not exceed a certain number in order to avoid poverty and its concomitants, sedition and other evils ’

In Athens, while the citizen wives were

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unable to throw off the restrictions of the laws which kept them at home the great number of *hetairas* or stranger women, were the glory of the "Golden Age" The homes of these women who were free from the burden of too many children became the gathering places of philosophers, poets sculptors and statesmen The *hetairas* were their companions, their inspiration and their teachers Aspasia, one of the greatest women of antiquity, was such an emancipated individuality True to the urge of the feminine spirit she like Sappho, the poetess of Lesbos sought to arouse the Greek wives to the expression of their individual selves One writer says of her efforts This woman determined to do her utmost to elevate her sex The one method of culture open to women at that time was poetry There was no other form of literature and accordingly she systematically trained her pupils to be poets, and to weave into the verse the noblest maxims of the intellect and the deepest emotions of the heart Young pupils with richly endowed minds flocked to her from all countries and formed a kind of Woman's College

‘ There can be no doubt that these young women were impelled to seek the society of Sappho from disgust with the low drudgery and monotonous routine to which woman’s life was sacrificed, and they were anxious to rise to something nobler and better ’

Can there be any doubt that the unfortunate “ citizen wives ” of Athens, bound by law to their homes, envied the brilliant careers of the “ stranger women,” and sought all possible means of freedom? And can there be any doubt that they acquiesced in the practice of infanticide as a means to that end? Otherwise, how could the custom of destroying infants have been so thoroughly embedded in the jurisprudence, the thought and the very core of Athenian civilization?

As to the Spartan women, Aristotle says that they ruled their husbands and owned two-fifths of the land. Surely, had they not approved of infanticide for some very strong reasons of their own, they would have abolished it.

Athens and Sparta must be regarded as giving very strong indications that the Grecian women not only approved of family limitation

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by the destruction of unwanted children, but that at least part of their motive was personal freedom

In Rome, an avowedly militaristic nation, living by conquest of weaker states, all sound children were saved. But the weakly or deformed were drowned. Says Seneca "We destroy monstrous births, and we also drown our children if they are born weakly or unnaturally formed." Wives of Romans, however, were relieved of much of the drudgery of child rearing by the slaves which Rome took by the thousands and brought home. Thus they were free to attain an advanced position and to become the advisors of their husbands in politics, making and unmaking political careers.

When we come to look into the proverbial infanticide of the Chinese, we find the same positive indications that it grew out of the instinctive purpose of woman to free herself from the bondage of too great reproductivity.

"In the poorest districts of China," says Westermarck, "female infants are often destroyed by their parents immediately after their birth, chiefly on account of poverty

Though disapproved of by educated Chinese the practice is treated with forbearance or indifference by the man of the people and is acquiesced in by the mandarins

“When seriously appealed to on the subject,” says the Rev J Doolittle in *Social Life of the Chinese* though all deprecate it as contrary to the dictates of reason and the instincts of nature many are ready boldly to apologize for it and declare it to be necessary especially in the families of the excessively poor

Here again the wide prevalence of the custom is the first and best proof that women are driven by some great pressure within themselves to accede to it If further proof were necessary it is afforded by the testimony of Occidentals who have lived in China, that Chinese midwives are extremely skillful in producing early abortion Abortions are not performed without the consent and usually only at the demand of the woman

In China, as in India the religions of the country condemned, even as they to day condemn infanticide Both foreign and native governments have sought to make an end of

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the custom. But in both countries it still prevails. Nor are these Eastern countries substantially different from their Western neighbors.

The record of Western Europe is summarized by Oscar Helmuth Werner, Ph.D. in his book *The Unmarried Mother in German Literature*. Infanticide, says Dr. Werner, was the most common crime in Western Europe from the Middle Ages down to the end of the Eighteenth Century. This fact, of course, means that it was even more largely practiced by the married than the unmarried, the married mothers being far greater in number.

Another problem which confronted the church, he says in another place, was the practice of exposure and killing of children by legal parents. A sort of final word from Dr. Werner is this: Infanticide by legal parents has practically ceased in civilized countries, but abortion, its substitute, has not.

How desperately woman desired freedom to develop herself as an individual apart from motherhood is indicated by the fact that infanticide was "the most common crime of

Western Europe, in spite of the fact that some of the most terrible punishments ever inflicted by law were meted out to those women who sought this means of escape from the burden of unwanted children Dr Werner shows that in Germany for instance, in the year 1532 it was the law that those guilty of infanticide were to be buried alive or impaled In order to prevent desperation however, they shall be drowned if it is possible to get to a stream or river, in which they shall be torn with glowing tongs beforehand ”

Notwithstanding the fact that at one time in Germany the punishment was that of drowning in a sack containing a serpent a cat and a dog — in order that the utmost agony might be inflicted — one sovereign alone condemned 20 000 women to death for infanticide without noticeably reducing the practice

To day in spite of the huge numbers of abortions and the multiplication of foundlings homes and orphans asylums infanticide is still an occasional crime in all countries As to woman s share in the practice let us add this word from Havelock Ellis, taken from the

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chapter on ' Morbid Psychic Phenomena in his book *Man and Woman*

Infanticide is the crime in which women stand out in the greatest contrast to men in Italy for example for every 100 men guilty of infanticide, there are 477 women And he remarks later that when a man commits this crime, he usually does it at the instance of some woman

Infanticide tends to disappear as skill in producing abortions is developed or knowledge of contraceptives is spread, and only then One authority, as will be seen in a later chapter estimates the number of abortions performed annually in the United States at 1,000,000, and another believes that double that number are produced

Among the Hindus and Mohammedans artificial abortion is extremely common says Westermarck In Persia every illegitimate pregnancy ends with abortion In Turkey both among the rich and the poor even married women very commonly procure abortion after they have given birth to two children, one of which is a boy

The nations mentioned are typical of the

world, except those countries where information concerning contraceptives has enabled women to limit their families without recourse to operations

It is apparent that nothing short of contraceptives can put an end to the horrors of abortion and infanticide. The Roman Catholic church which has fought these practices from the beginning, has been unable to check them, and no more powerful agency could have been brought into play. It took that church, even in the days of its unlimited power many centuries to come to its present sweeping condemnation of abortion. The severity of the condemnation depended upon the time at which the development of the foetus was interfered with. An illuminating resume of the church's efforts in this direction is given by Dr William Burke Ryan in his authoritative and exhaustive study entitled *Infanticide Its Law Prevalence Prevention and History*. Dr Ryan says 'Theologians of the church of Rome made a distinction between the inanimate and the animate foetus to which the soul is added by the creation of God, and adopted the opinions of some of the old philosophers,

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more particularly those of Aristotle as to animation in the male and female but the canon law altogether negatived the doctrine of the Stoics, for Innocent II condemned the following proposition

It seems probable that the foetus does not possess a rational soul as long as it is in the womb and only begins to possess it when born, and consequently in no abortion is homicide committed. Sextus V inflicted severe penalties for the crime of abortion at any period, these were in some degree mitigated by Gregory XIV, who, however, still held that those producing the abortion of an animated foetus should be subject to them, viz, and excommunication reserved to the bishop and also an irregularity' reserved to the Pope himself for absolution'

To day, the Roman church stands firmly upon the proposition that directly intended, artificial abortion must be regarded as wrongful killing as murder * But it required a long time for it to reach that point in the face of the demand for relief from large families

As it was with the fight of the church against abortion, so it is with the effort to prevent abortion in the United States to day All efforts to stop the practice are futile Apparently the numbers of these illegal operations are increasing from year to year From year to year more women will undergo the humiliation, the danger and the horror of them, and the terrible record begun with the infanticide of the primitive peoples, will go on piling up its volume of human misery and racial damage until society awakens to the fact that a fundamental remedy must be applied

To apply such a remedy society must recognize the terrible lesson taught by the innumerable centuries of infanticide and foeticide If these abhorrent practices could have been ended by punishment and suppression, they would have ceased long ago But to continue suppression and punishment and let the matter rest there, is only to miss the lesson — only to permit conditions to go from bad to worse

What is that lesson? It is this woman's desire for freedom is born of the feminine

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spirit which is the absolute elemental, inner urge of womanhood It is the strongest force in her nature, it cannot be destroyed, it can merely be diverted from its natural expression into violent and destructive channels

The chief obstacles to the normal expression of this force are undesired pregnancy and the burden of unwanted children These obstacles have always been and always will be swept aside by a considerable proportion of women Driven by the irresistible force within them they will always seek wider freedom and greater self development, regardless of the cost The sole question that society has to answer is how shall women be permitted to attain this end?

Are you horrified at the record set down in this chapter? It is well that you should be You cannot help society to apply the fundamental remedy unless you know these facts and are conscious of their fullest significance

Society in dealing with the feminine spirit has its choice of clearly defined alternatives It can continue to resort to violence in an effort to enslave the elemental urge of womanhood making of woman a mere instrument of repro

duction and punishing her when she revolts Or it can permit her to choose whether she shall become a mother and how many children she will have It can go on trying to crush that which is uncrushable, or it can recognize woman's claim to freedom, and cease to impose diverting and destructive barriers If we choose the latter course, we must not only remove all restrictions upon the use of scientific contraceptives but we must legalize and encourage their use

This problem comes home with peculiar force to the people of America Do we want the millions of abortions performed annually to be multiplied? Do we want the precious tender qualities of womanhood, so much needed for our racial development, to perish in these sordid, abnormal experiences? Or, do we wish to permit woman to find her way to fundamental freedom through safe unobjectionable scientific means? We have our choice Upon our answer to these questions depends in a tremendous degree the character and the capabilities of the future American race