Margaret Sanger and the Birth Control Movement
Advancement of Women's Rights or Threat to Society?

The Issue

The issue: In the early 20th century, Margaret Sanger began a movement to make birth control widely available so that women could limit the size of their families. Was birth control vital to the well-being of women and their families? Or was it an immoral affront to God?

- **Arguments in favor of birth control:** Birth control is important to the achievement of women’s rights; women cannot take their place in society if they are trapped at home having baby after baby. Smaller families also benefit the children. If parents have only a few children, they can afford to provide those children with the tools to succeed in life, such as a college education. On the other hand, parents with large families would not be able to give their children those advantages.

- **Arguments against birth control:** Birth control is immoral; God made women to bear children, so the use of birth control goes against God’s law. Birth control is also selfish. In limiting their families for their own personal comfort, women are depriving the nation of its future workforce. Its use by the upper classes is particularly selfish. The upper classes often have more desirable traits, such as intelligence, and in limiting the size of their families they limited the number of people to whom they will pass along those traits.

Background

In the early decades of the 20th century, the fight for woman's rights intensified. Shaking off the age-old expectation that their only role was to serve as wives and...
mothers, women entered the workforce in greater numbers, became more involved politically, won the right to vote, and fought for a constitutional amendment guaranteeing equal rights between men and women. Paralleling those developments was a movement to make birth control widely available to women; for, advocates reasoned, women could not be liberated if they were trapped at home raising child after child. Led by Margaret Sanger, the movement sought to overcome laws making it illegal to provide women with birth control devices and even information about birth control. [See Woman Suffrage, Feminist Movement]

Since the 1870s, federal law had made it illegal to send devices intended to prevent conception or information about birth control through the U.S. mail. In addition, many states had passed their own stricter birth control laws. However, a growing number of women—largely in the middle and upper classes—sought to gain control over how many children they had and when they conceived them. Some sought to limit conception through natural means (such as abstaining from having sex) while others tried to obtain birth control devices from Europe, at great cost.

As women fought for greater control over other spheres of their lives, they also fought for the right to use contraception to gain control over their own bodies. In addition to arguing from a women's rights perspective, advocates also presented birth control as a social necessity. Poorer women could not afford to raise large families, they argued; the strain of raising many children led to unhappy families and the inability to provide for the children adequately, guaranteeing that they would never escape from poverty. On the other hand, giving the poor access to birth control would guarantee that women would only have as many children as they had resources to support, birth control advocates contended.

The movement was led by Margaret Sanger, who was widely credited with coining the term "birth control." Sanger—who had 10 brothers and sisters and claimed that her mother had died early because "she had had too many children and had worked herself to death"—was a trained nurse who worked in New York City's poorer neighborhoods. Sanger credited her experiences working with the poor with convincing her of the need to make information about birth control available. She explained, "I found that the average person was as ignorant of sex matters as our most primitive ancestors. There has been progress in every department of our lives except in the most important—creation. So I came to the conclusion that the greatest good I could do was to help poor women to have fewer children to be brought up in want and poverty."

Sanger and others in the movement set out to make information on birth control widely available. The movement was revolutionary at the time. In the early 20th century, women were not expected to enjoy sex; it was meant simply for procreation, so if women were not going to produce babies then there was no reason to have sex. Furthermore, one did not talk about matters related to sex at the time. Yet Sanger and other members of the movement began to discuss the topic openly and advocated having sex for pleasure rather than for procreation.

The movement encountered strong opposition, particularly on religious grounds. Birth control prevented the carrying out of God's will, opponents insisted, and women who used it were immoral and selfish. As a result of the opposition, Sanger and other movement leaders sometimes ran afoul of the law and were arrested. However, that did not stop the movement, which paved the way for a
Birth control supporters insisted that it was a woman’s right to choose to limit the number of children to what she could comfortably raise. Birth control was vital to women’s rights, they said, because women could not take their full place in society if they were trapped at home continuously having children. Smaller families also benefitted the children, supporters said. If parents had only a few children, they could afford to provide those children with the tools to succeed in life, such as a college education, proponents asserted. On the other hand, they said, parents with more children would be able to provide their children with none of those advantages, ensuring that they would spend the rest of their lives in poverty.

Critics countered that birth control was immoral. God had made women to bear children, so the use of birth control went against God’s law, they insisted. The use of birth control was also selfish, opponents asserted. For instance, they said, in limiting their families for their own personal comfort, women were depriving the nation of its future workforce. Use of birth control by the upper classes was particularly selfish, critics charged. The upper classes often had more desirable traits, such as intelligence, and in limiting the size of their families they limited the number of people to whom they would pass along those traits, opponents said.

Early Family Planning in the U.S.

In the early history of the U.S., women did not have access to birth control other than "natural" methods such as abstinence, male withdrawal during sex and scheduling sex around the woman’s menstrual cycle. Condoms made from sheep and other animal intestines had been used for centuries, but they were expensive and had to be imported from Europe and so were not widely available to the general American population. (Condoms at the time were also mainly seen as a way to prevent the spread of disease, not for contraception.) As a result, American women tended to have large families. In 1800 there were an average of seven children per family.

In 1830, the first book on contraception to be published in the U.S. was released. In the book, Moral Physiology: Or a Brief and Plain Treatise on the Population Question, Robert Dale Owen (the son of women’s rights leader Robert Owen) briefly discussed the various means of preventing pregnancy. After debating the pros and cons of those methods, he concluded that withdrawal was the most effective method.

According to Owen, limiting conception would have many benefits: "It would reduce crime; it would decrease intemperance and profligacy; ... it would relieve the burden of the poor, and the cares of the rich; it would most essentially benefit the rising generation by enabling parents generally more carefully to educate and more comfortably to provide for their offspring."

Two years later, Massachusetts doctor Charles Knowlton built on Owen’s work, going into greater detail on the methods for preventing conception in Fruits of Philosophy; Or, the Private Companion of Young Married People. However, where Owen recommended withdrawal, Knowlton set out to find a new method, "some sure, cheap, convenient, and harmless method, which should not in any way interfere with enjoyment." His solution was for the woman to douche with a solution containing a spermicide. By the end of the decade, more than 10,000 copies of Knowlton’s book had been sold. (Over the next 50 years, 277,000 copies were sold in the U.S. and Europe.)

With more information about preventing conception available, the birthrate fell to 5.4 children per family by 1850. Several more books about limiting conception were published in the 1850s, and advances in rubber manufacturing in the U.S. led to the production of inexpensive latex condoms that the general public could afford to purchase. The use of contraception became widely accepted, and advertisements for contraceptives were common in newspapers and magazines.

Though many women benefited from the advancements in limiting conception, not everyone was pleased with the developments. In 1873, anti-vice crusader Anthony
Comstock successfully lobbied Congress to pass a law prohibiting the sale and dissemination of certain “obscene” materials, including devices and information for limiting conception, through the U.S. mail. Among other provisions, the law allowed the prosecution of anyone who [See Comstock Act Targets Birth Control (sidebar); Comstock Act (1873) (primary document)]

shall sell, or lend, or give away, or in any manner exhibit, or shall offer to sell, or to lend, or to give away, or in any manner to exhibit, or shall otherwise publish or offer to publish in any manner, or shall have in his possession, for any such purpose or purposes, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion, or shall advertize the same for sale.

Comstock was appointed a special agent of the Postal Service to help enforce the so-called Comstock Act (also known as the Comstock Law). Under his watch, thousands of people were arrested for violating the act.

**Sanger Begins the Birth Control 'Revolution'**

Despite the prohibition against limiting conception, a group of women and men launched an effort to bring information about birth control to the public, working under the banner of the "birth control" movement. Sanger, who herself had chosen to have only three children, was the early leader of the movement. As a nurse working in some of New York's poorest neighborhoods, she saw first-hand the effects of raising large families on the health and quality of life of those families.

According to Sanger, her interest in the movement began in 1912, after a patient died as a result of a self-induced abortion. After a previous abortion the woman, Sadie Sachs, had asked a doctor for advice on preventing conception and had been told, "Tell Mr. Sachs to sleep on the roof." In a later autobiography, Sanger wrote that after Sachs's death, "I resolved that women should have knowledge of contraception. They have every right to know about their own bodies. I would strike out. I would scream from the housetops. I would tell the world what was going on in the lives of these poor women. I would be heard. No matter what it should cost, I would be heard."

Sanger’s first step was to publish a column in a socialist newspaper, *The Call*, entitled “What Every Girl Should Know.” Although the column discussed women's health, hygiene and sexuality, it did not specifically mention contraception. Even so, the column did not last long. In mid-1913, Comstock ordered the newspaper to stop printing the column after Sanger wrote about venereal disease, and the newspaper unhappily complied. In the following week's column under the heading "What Every Girl Should Know," *The Call* wrote, "NOTHING; by order of the Post-Office Department."

Sanger continued her efforts, however, with the publication of a newsletter called *The Woman Rebel*, which contained information specifically about birth control. According to Sanger, the goal of *The Woman Rebel* was "not to preserve a man-made world but to create a human world by the infusion of the feminine element into all its activities."

Claiming that the newsletter violated the Comstock Law, the Postal Service refused to distribute most of the issues of the newsletter. Stronger action was taken against Sanger in August 1914, when she was arrested for violating the Comstock Law.

Rather than face charges she fled to England, which had long recognized the right to disseminate information about birth control. There she studied England's successful birth control movement and prepared to defend herself against the charges back home. She also visited the Netherlands, where doctors had been operating birth control clinics since 1878. At those clinics, she also learned how to fit women with diaphragms, rubber devices that had been invented in Europe in the 1880s and were used by women to block conception.
Sanger decided to return to the U.S. in October the following year, ready to face the obscenity charges against her and also to carry on the fight for birth control. With her, she brought as many diaphragms as she could to distribute to women in the U.S.

Her obscenity trial began on January 8, 1916. However, a month later, the government chose not to continue the prosecution. According to the court, "as it was realized that the indictment was two years old, and that Mrs. Sanger was not a disorderly person and did not make a practice of publishing such articles, the Government had considered that there was reason for considerable doubt." However, according to some newspapers, such as the New York Sun, the real reason was "the Government's reluctance to be used as an instrument in giving publicity to sex theories at this time."

After the government dropped the case, Sanger set out on speaking tour, visiting more than 100 cities and towns to speak about birth control. Upon her return to New York, she founded another publication, The Birth Control Review. However, she had also become convinced that it was not enough simply to write about birth control. That year, she founded the New York Birth Control League, and also opened the nation's first birth control clinic to give poor women access to information about preventing pregnancy.

**Setbacks and Successes for the Movement**

The birth control clinic opened the New York City borough of Brooklyn on October 16, 1916. Less than two weeks later, police raided the clinic and arrested Sanger and the two other women who had helped her establish the clinic: Fania Mindell (an interpreter) and Sanger's sister, Ethel Byrne (a nurse). After their release, the three reopened the clinic, only to see it shut down again. After they reopened it a third time, the police ordered the building’s landlord to evict them, permanently shutting down the clinic.

Sanger and Byrne were charged with violating a New York Law that made it illegal to "sell, lend, or give away or to advertise, loan or distribute any recipe, drug or medicine for the prevention of conception." Mindell was charged with violating obscenity law for selling copies of The Birth Control Review. On January 8, 1917, Byrne was convicted of selling birth control articles, and was sentenced to 30 days in a workhouse. Sanger was convicted on February 3 and, like her sister, sentenced to 30 days in workhouse. Mindell was also convicted, and was sentenced to a $50 fine.

Sanger appealed her case to the New York State Court of Appeals, hoping to win a victory against the Comstock Act. The appeals court upheld Sanger’s conviction on January 18, 1918. However, in the case, judge Frederick Crane made an important distinction that provided a boost to the birth control movement. He said that the court upheld the charges only because Sanger was not a physician. He cited New York law, which stated that "an article or instrument, used or applied by physicians lawfully practicing, or by their direction or prescription for the cure or prevention of disease, is not an article of indecent or immoral nature to use, within this article." He further noted that the dictionary defined “disease” as "an alteration in the state of the body… causing or threatening pain and sickness." That broad interpretation could apply to pregnancy, and gave physicians license to discuss contraception with their married
Meanwhile, Sanger and other leaders in the movement also began to advocate birth control not just as a means to improve the lives of women and their families, but also as a means to improve human heredity. During the early 20th century, an eugenics movement had arisen in the U.S., holding that the human race could be improved through selective breeding to pass on positive traits, such as intelligence, and to limit negative traits, such as insanity and criminal tendencies. Some, such as Sanger, argued that the "unfit" should be encouraged to use birth control to avoid passing on those traits to later generations. Others pointed out that since it was difficult to obtain information on birth control, only the upper classes could afford it; therefore, they warned, the less fit lower classes were producing far more children than the upper class, perpetuating what they termed "race suicide." [See Birth Control and the Eugenics Movement (sidebar)]

The birth control movement gained momentum in the 1920s. In 1921, Sanger founded the American Birth Control League "to build up public opinion so that women should be able to demand instruction from doctors, to assemble the findings of scientists, [and] to remove hampering Federal statutes" among other objectives. (The league became the Planned Parenthood Federation in 1942.) She also organized the First American Birth Control Conference in New York City in November.

However, the police—acting under the request of New York City Archbishop Patrick Hayes—broke up the birth control conference and arrested Sanger and many others. The police action prompted outrage from those who accused the authorities of violating the right to free speech, and resulted in an outpouring of support for Sanger and the birth control movement. "If the police deny even the right of assemblage to one group of citizens, what is to stop them from denying it to another group against which they or their advisors have a personal prejudice?" asked newspapers such as the New York Tribune.

In the wake of the favorable publicity, Sanger decided to establish another birth control clinic, this one staffed by physicians so it would be in accord with New York State law. The clinic was called the Birth Control Clinical Research Bureau and was staffed by 40 doctors. While Sanger maintained control of the clinic, which opened in January 1923, a physician served as its director. The nation’s second birth control clinic opened in Chicago the following year.

Police raided the New York clinic in April 1929, again at the prompting of the archbishop, and arrested the doctors and nurses working there. The raid evoked greater sympathy for the movement, particularly among doctors. The New York Medical Academy denounced the raid as a "grave menace to the freedom of the medical profession within legal qualifications for the care and treatment of their patients," and a number of doctors offered to testify in the clinic's defense during the trial the following month. Judge Abraham Rosenbluth ruled in the physicians' favor, finding, "If the doctor in good faith believes that the patient is a married woman, and that her health requires prevention of conception, it is not crime to so advise and instruct therein."

Although the birth control movement had made important progress in the century's early decades, the debate continued. Was birth control vital to the well-being of women and families? Or was it immoral and an affront to God?

The Case in Favor of Birth Control

Supporters of birth control insisted that it was vital if women were to achieve
independence and take their rightful place in society. Women could not be free if they were tied to the home raising a large number of children, proponents insisted. “[I]t is essential to woman to know how to prevent conception. Without this knowledge, she cannot win her moral, intellectual or economic freedom. It is primarily her fight, and she must be back[ed] in it by every one who wishes to see her emerge from the sex-bondage in which she has been held since the beginning of the Christian era,” Walter Adolphe Roberts wrote in the June 1917 issue of *The Birth Control Review*.

Marriage was a private matter, supporters declared; it was not for the state to regulate. Therefore, they asserted, laws such as the Comstock Act were immoral, and the government must remove birth control from their purview. They further pointed out that women had played no role in the drafting of those laws. “The American people have had nothing to do with the writing of these absurd laws upon their statute books…. Women were not permitted to say a word, one way or the other, when laws designed to prevent them from regulating their motherhood function were drawn up, voted upon, signed and placed in operation by undemocratic men,” Carrie Nelson noted in *The Birth Control Review* in December 1917.

Birth control also contributed to women’s health, supporters claimed. It prevented them from dying in childbirth, they said, and also meant that they would not have to result to dangerous illegal abortions to get rid of unwanted children. “In this country our stupid and puritanical laws have been the cause of more than fifty thousand annual deaths resulting from abortions. These laws have caused hundreds of thousands of women to drag out a futile existence due to nervous exhaustion from too frequent child-bearing,” Sanger wrote in *The Birth Control Review*.

However, birth control was not just an issue of women’s rights, supporters said. In regulating births only to what a family could comfortably support, birth control contributed to happier families, they said. And with fewer children to support, they asserted, parents could provide their children with the opportunities they needed to succeed in life, such as college educations. That was particularly true for poorer families, who were producing far more children than they could support, dooming them to lives of poverty, proponents maintained. Sanger elaborated in her 1920 debate with Russell: [See *Margaret Sanger Defends Birth Control in 1920 Debate (primary document)*]

On the one side we find those who do use means in controlling birth. What have they?.... They are the people who have all the happiness, who have the wealth and the leisure for culture and mental and spiritual development. They are the people who rear their children to manhood and womanhood and who fill the universities and colleges with their progeny…. On the other hand we have the group who have large families and have for generations perpetuated large families, and I know from my work among these people that the great percentage of these people that are brought into the world in poverty and misery have been unwanted…. In this group, what do we have? We have poverty, misery, disease, overcrowding, congestion, child labor, infant mortality, maternal mortality, all the evils which today are grouped in the crowd where there are large families of unwanted and undesired children.

Supporters also contended that the laws against birth control had a larger impact on the poor than on the upper classes, who had the resources to obtain information about birth control and birth control devices. As a result, they said, the poor had much larger families than those who were better off. And since more poor than rich people tended to be “defective”—suffering from maladies such as insanity, criminal tendencies and low intelligence—the imbalance in birth rates would contribute to a less “fit” population over time. The only way to solve that problem, they insisted, was making birth control widely available to the poor. Doctor Elizabeth Hamilton-Muncie warned:

The results of [the law against birth control] are seen on every hand in imbecility, insanity, truancy, criminality, arrested mental development,
inefficiency, parasitism, and chronic invalidism. Persons in these classes are increasing out of all proportion to the normal classes. In normal families the average number of children is four; in degenerate families the average is seven…. [T]he law says it is better to produce idiots than not to produce at all, and where conditions are the vilest you find breeding the most prolific.

Supporters refuted the argument that birth control should be prohibited because it went against "natural law." They pointed out that man had exercised all sorts of control over nature, such as by producing medicine to fight disease, and asked why they should not apply the same effort to preventing births if it would improve lives. S. Adolphus Knopf, a professor at the New York Post-Graduate Medical School and Hospital, defended birth control in a 1916 speech to the Annual Meeting of the American Public Health Association. He declared: [See S. Adolphus Knopf on 'Birth Control in Its Medical, Social, Economic, and Moral Aspects' (Excerpts) (primary document)]

If non-interference with thoughtless nature comprises one of the tenets of the religion of others, to me man’s intellectual control over nature's blind forces and nature's thoughtless procreation of undesirable bacterial, insect, or animal life, and his powers to bring forth more useful products and make life for man, woman and child not only more bearable but even more beautiful and glorious, are among the greatest proofs of the existence of God's power in man. But the greatest of all achievements, the most divine gift which God has bestowed upon man, is conscious procreation. To me, judicious birth control under the guidance of the best and ablest among our own profession, among the clergy and sociologists, based on the highest conception of sanitary, medical, moral, ethical and economic reasons, can well be considered a spiritual asset which will uplift the race.

Finally, some birth control supporters also refuted the argument that in limiting conception, women were killing souls waiting to be born. Those souls would simply be born to other parents who wanted them, supporters said. "The mother…is the gate through which an individual enters a new life on earth. When a mother refuses to help build a body for an individual desiring to enter an earth life through her body she is depriving that individual of her assistance in the matter. She is by no means killing that individual, who may gain a body through the help of some other mother," Maude Durand Edgren wrote in The Birth Control Review.

The Case Against Birth Control

The use of birth control went against nature, critics insisted. Sex was intended for procreation, and in preventing conception, women denied God's will, they argued. Archbishop Hayes argued strongly against birth control in his Christmas pastoral of 1921. "The Christ-Child did not stay His own entrance into this moral life because His mother was poor, roofless and without provision for the morrow. He knew that the Heavenly Father who cared for the lilies of the fields and the birds of the air loved the children of men more than these," Hayes declared. He elaborated: [See New York City Archbishop Hayes Denounces Birth Control (primary document)]

Heinous is the sin committed against the creative act of God, who through the marriage contract, invites man and woman to co-operate with him in the propagation of the human family. To take life after its inception is a horrible crime; but to prevent human life that the Creator is about to bring into the being is satanic. In the first instance, the body is killed, while the soul lives on; in the latter, not only a body but an immortal soul is denied existence in time and in eternity. It has been reserved to our day to see advocated shamelessly the legalizing of such a diabolical thing.

Millions of souls were waiting to be born, birth control opponents stated, and birth
control deprived them of life. It was therefore murder, they insisted. Birth control "is disastrous and perpetrates a great wrong upon the unborn millions who are waiting for entrance upon this great amphitheater of life," attorney Winter Russell declared in debating Sanger on birth control in 1920.

Birth control would also lead young people into sin since there were no repercussions for having sex, critics warned. Without birth control, young people would have to wait to have sex until after they were married because of the risk of pregnancy, they said. Furthermore, critics declared, marriage without procreation, and sex purely for pleasure, were morally wrong. During his debate with Sanger, Russell asserted:

*i conceive and hold marriage to be more than physical. It is not a purely sensual relationship. It borders on the aesthetic, spiritual mental, and modern aspects of life, and when you try to take the physical by itself you find a condition of naked sensuality which is disastrous in the extreme.... In the first place, fundamentally, universally, infinitely from every point of view, it is vicious. It is false from every scientific construction that you can possibly conceive of.*

Other critics warned that the use of birth control by the upper and middle classes was harming society by reducing the population of those of with more-desirable traits. While the upper classes selfishly withheld the best from society, the poor, infirm, criminal and insane continued to breed in large numbers, they warned, which would result in a future population with more "unfit" than "fit" members. According to Princeton University professor Edwin Conklin in *Heredity and Environment* (1915):

*The cause for alarm is the declining birthrate in the best elements of a population, while it continues to increase among the poorer elements. The descendants of the Puritans and the Cavaliers, who have raised the cry for "fewer and better children," are already disappearing, and in a few centuries, at most, will have given place to more fertile races of mankind.... No eugenical reform can fail to take account of the fact that the decreasing birthrate among intelligent people is a constant menace to the race. We need not "fewer and better children," but more children of the better sort and fewer of the worse variety.*

That disparity between birth rates for the upper and lower classes was also seen in a disparity in the races, birth control critics warned. Those who practiced birth control tended to be middle- and upper-class white Anglo-Saxons, while many of the poor with large families were immigrants, they pointed out. Because of that difference, critics warned that the use of birth control by the higher classes would lead to "race suicide." Former President Theodore Roosevelt (R, 1901-09) elaborated in *The Foes of Our Own Household* (1917): [See Former President Theodore Roosevelt Criticizes Birth Control (Excerpt) (primary document)]

*Among human beings, as among all other living creatures, if the best specimens do not, and the poorer specimens do, propagate, the type will go down. If Americans of the old stock lead lives of celibate selfishness... or if the married are afflicted by the base fear of living which, whether for the sake of themselves or of their children, forbids them to have more than one or two children, disaster awaits the nation. It is not well for a nation to import its art and its literature; but it is fatal for a nation to import its babies.*

Opponents further insisted that lowering the number of children per family would not eliminate the problems facing society. Large families did not contribute to crime and a decline in morality, they argued. They accused proponents of presenting birth control as a cure-all for society’s ills to gain support for their cause. In 1916, a meeting of Medical Society of the County of New York voted against amending state laws to allow birth control, declaring, "We claim no satisfactory evidence has been adduced by the propagandists, who favor regulating the control of births to show any necessity for giving recognition by law.... [W]e do not believe that small families, especially among
the poor classes, will bring about, as claimed, a solution of the economic and social problems of the day."

In fact, some critics cautioned that reducing the population was harmful, not a goal to try to reach. The large population of working-class people served as the backbone of the nation’s economy, they said, taking on jobs that the upper classes refused to do. That population of workers would be reduced through birth control, they warned. "It should be considered that quantity is needed as well as quality," Dr. George Kosmak declared during a 1917 meeting of the Society of Medical Jurisprudence.

Overall, birth control opponents insisted, it was morally wrong and selfish not to have large families. Roosevelt criticized those who chose to limit the number of children they bore. "[T]he root trouble is probably moral; and in all probability the whole trouble is moral, and is due to a complex tissue of causation in which coldness, love of ease, striving after social position, fear of pain, dislike of hard work and sheer inability to get life values in their proper perspective all play a part," he declared.

**Birth Control Enters the Mainstream**

In the early 20th century, Margaret Sanger launched a movement to provide women with information about birth control. The movement achieved a major success in the 1920s with the establishment of physician-staffed birth control clinics, but Sanger did not end her efforts there. In 1929, she began a fight against the Comstock Law itself, which made it illegal to disseminate birth control devices and information through the mail. To raise money and lobby legislators, Sanger established the National Committee on Federal Legislation for Birth Control.

She was unsuccessful in getting Congress to amend the Comstock Act to remove the birth control provisions, but the movement won a victory later that decade when the Circuit Court of Appeals affirmed physicians’ rights to inform women about birth control. Sanger had set out to test the Comstock law by ordering diaphragms from Switzerland, to be delivered to the director of the Clinical Research bureau, Dr. Hannah Stone. U.S. Customs confiscated and destroyed the diaphragms, and confiscated a second shipment as well. Sanger then took the case to court, claiming that Customs was interfering with doctors’ right to serve their patients.

The so-called One Package Case went to trial in December 1935. In his decision in the case, judge Grover Moscovitz of the U.S. District Court for the Eastern District of New York ordered Customs to hand over the confiscated diaphragms to Stone. Moscovitz declared that the court "could not assume that Congress intended to interfere with doctors prescribing for the health of the people." The U.S. Circuit Court of Appeals for the Second Circuit upheld his ruling the following year. Sanger declared the decision "the greatest victory in birth control history," and Stone later declared that with the decision, the judiciary "once and for all established contraception as a recognized part of medical practice and removed the last legal barriers to the dissemination of contraceptive knowledge."

With the court's decision, U.S. companies were now allowed to import birth control devices from Europe. Meanwhile, more American companies were beginning to manufacture them as well. In fact, according to author Deborah Bachrach, writing in *The Importance of Margaret Sanger* (1993), the manufacture of birth control devices was the one area in U.S. industry that grew dramatically during the Great Depression of the 1930s. As a result of the birth control movement's successes and advances in the production of birth control devices, the U.S. birthrate fell to just over two children per woman by 1940.

The movement took another leap forward with the creation of the birth control pill, which gave women a simple, safe and effective way to prevent pregnancy and ushered in a "sexual revolution." The creation of "the pill," as it was widely known, was spurred by Sanger, who raised funding for the project and recruited biologist Gregory Pincus and physician John Rock to develop the pill. The Food and Drug Administration (FDA) gave the pill its approval in 1960.
The movement won another success in 1965, when the Supreme Court recognized the right of married couples to use birth control in the case *Griswold v. Connecticut*. With its 7-2 decision in the case, the court struck down an 1879 Connecticut law that prohibited the use of birth control, declaring that it violated the privacy of married couples. In its majority opinion, the court declared that the case concerned "a relationship lying within the zone of privacy created by several constitutional guarantees." In his concurring opinion, Justice Arthur Goldberg insisted that "the right of privacy in the marital relation is fundamental and basic." (The Supreme Court extended that right to unmarried couples in 1972 in *Eisenstadt v. Baird*.) [See Supreme Court Opinion and Dissent: *Griswold v. Connecticut* (Excerpts) (primary document)]

Sanger lived long enough to see those major successes for the movement that she had launched. She died of congestive heart failure on September 6, 1966. The day after she died, the *New York Times* described her as "one of history's great rebels and a monumental figure of the first half of the twentieth century." However, she died before could see the realization of one of her major goals: the end of the Comstock provisions against birth control. Congress amended the act in 1971 to remove birth control from its authority.

Nearly a century after Sanger began the birth control movement, birth control was officially decriminalized and its use was widely accepted. It bore out the words of judge William Wadhams, who in 1916 refused to convict a poor woman for using birth control because her husband had lost his job and could not support a large family. "I believe that we are living in an age of ignorance which at some future time will be looked upon aghast as we look back upon conditions which we now permit to exist," the judge had stated.

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