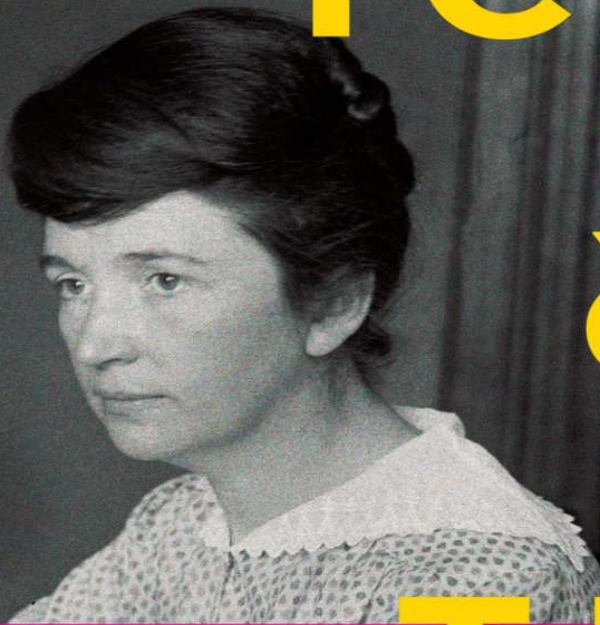


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THE ICON



&



THE IDEALIST

Margaret Sanger, Mary Ware Dennett,
and the Rivalry That Brought
Birth Control to America

STEPHANIE GORTON

THE ICON & THE IDEALIST

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Birth Control to America

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Contents

Cover

Title Page

Introduction

Part I: Sex Education

- 1: Mamie Ware
- 2: Maggie Higgins
- 3: This Nefarious Business
- 4: A Butterfly on the Wheel
- 5: The Road to 81 Singer Street
- 6: Rebel Women
- 7: Twilight Sleep
- 8: Naughty Pamphlets
- 9: Forbidden Knowledge
- 10: Matters of the Heart
- 11: Facing the Inexorable

Part II: Fighting for Control

- 12: The Lawbreaker
- 13: What Are People For?
- 14: A Washington Debut
- 15: Traitorous Days
- 16: Digging Trenches, Sharpening Knives

- 17: The Limits of Solidarity
- 18: New Beginnings
- 19: Protoplasm
- 20: Flaming Youth
- 21: The Agony of Defeat

Part III: The Wandering Path to Victory

- 22: The Inferno
- 23: An Untimely Raid
- 24: A Strange Spectacle
- 25: Drought, Grasshoppers, and Babies
- 26: War in the Air
- 27: Eight Miles North
- 28: Breakthrough
- Epilogue
- Author's Note

Acknowledgments

Bibliography

Notes

Index

About the Author

Also by Stephanie Gorton

Copyright

About the Publisher

Introduction

Great is truth, but still greater, from a practical point of view, is silence about truth.

—Aldous Huxley, foreword to *Brave New World* (1946)

IN A BROOKLYN COURTROOM ON Tuesday, April 23, 1929, the judge and jury heard the case of fifty-seven-year-old Mary Ware Dennett. Peering brightly through her glasses, Dennett was determined to fight the charge leveled against her: a federal indictment for obscenity.

An artist and activist long divorced, Dennett had written a sex education booklet, *The Sex Side of Life*, for her two teenaged sons. Clear and informative without being moralistic, the pamphlet was soon sought after by friends, reprinted by the medical press, and sold directly from Dennett's apartment via mail order.

After a puritanical upbringing whose shadow she had worked hard to outrun, Dennett had decided the next generation should be better equipped. Defying the law was not the point—at least, in the beginning. But a vice agent had learned what she was up to and written to her posing as a customer, and early in 1929, Dennett was charged with violating the statute known as the Comstock Act.

According to that law, Dennett had crossed the line of decency: she had written frankly about sex and sent those pages through the mail. After forty-two minutes, the all-male jury returned a guilty verdict. Reporters hustled out to file their stories: “GRANDMOTHER FOUND GUILTY,” went the headlines.

Dennett stayed steady. When her sentence was announced—a \$300 fine—she stood and gave a short speech she'd prepared about how she would

rather serve a lengthy prison sentence. The press swarmed around her, and the next day's headlines called the verdict "medieval," speculating the jury must be frightened of sex if they were willing to punish Dennett and try to keep the next generation trapped in the Victorian era.

Dennett herself, meanwhile, balked at the media's fixation on her gray hair. "I am not doddering yet," she told her family.¹ Her perseverance paid off. After that initial decision was reversed on appeal, Dennett's acquittal in the trial for *The Sex Side of Life* was a landmark victory for free speech.

Few history books dwell on Dennett's story, and current debates over sex education and reproductive rights rarely mention her name. But what is interesting about figures like Mary Ware Dennett—the almost-rans, the bright failures, the buried drafts of the past—is that they are liable to suddenly start speaking to us again. We can choose, if we like, to listen.

* * *

Mary Ware Dennett was an inspired and stubborn visionary who shaped today's reproductive-rights and free-speech debates. Yet she is not part of the present imagination in the same way as her contemporary Margaret Sanger, though her work continues to affect us—arguably more broadly. Today, writes Laura Weinrib, a legal scholar, *United States v. Dennett* is viewed as a case that "fundamentally redefined the way that lawyers, judges, and activists understood the category of civil liberties."²

Besides her work for sex education and free speech, Dennett spent grueling years in the early 1920s lobbying Congress for contraception to be struck from the federal obscenity statutes. In other words, she fought to legalize birth control. She defied gatekeeping by the federal courts, the medical establishment, and vice-suppression squads, the latter a force to be reckoned with in much of America in the years Dennett was trying to change the law.

If speech about matters of everyday human existence—anatomy, sex, and childbearing—were truly free, and knowledge liberally distributed, then justice, happiness, and peace would follow. So Dennett’s thinking went, shaped by early encounters with utopian ideas about gender equality and social justice.

Margaret Sanger, today simultaneously lionized as the founding mother of Planned Parenthood and decried as a eugenicist, is the most famous figure from the birth control struggle. Sanger, seven years younger than Dennett, had a background in nursing, legendary charisma, and a willingness to break the law. She had seen her tubercular mother grow exhausted and finally die after numerous pregnancies, and had tended impoverished patients who died after attempted abortions gone wrong, shunned by doctors and desperate for knowledge.

Sanger and Dennett initially collaborated as activists, as they both became leaders in the birth control cause in 1910s New York. Quickly, however, Sanger branched off, proving adept at raising money and publicity, and becoming the movement’s figurehead. Many of her arguments and achievements can be directly traced to her connection to, and her competition with, Dennett. Resurrecting their parallel feats in the birth control movement reveals much about what it takes to maneuver radical ideas from grassroots acceptance to legal affirmation.

As their campaigns progressed, two rationales for birth control emerged. Both Dennett and Sanger were initially pulled into the movement because of harrowing personal experiences. Dennett’s married life had been cruelly affected by repeated accidental pregnancies and traumatic births, while Sanger, working as a visiting nurse in Manhattan’s tenements, had seen desperate mothers die after going to agonizing lengths to induce abortions.

However, the humanitarian justification for birth control earned little support in congress. Once Dennett and Sanger developed an economic rationale supporting birth control—a pivot that opened the door to an alliance with the eugenics movement—birth control began to take off.

Dennett was an eccentric activist, generally shunning publicity and spending much of her time on direct lobbying instead of soliciting wealthy donors. Sanger, savvier in many ways, alternately copied and ridiculed Dennett's work, resulting in a combative relationship where one vision bloomed and another faded. Both, however, grew from the same stem, toward the same sky.

* * *

Anyone using birth control today is participating in a ritual as old as the family itself. Ancient Egyptian papyri hold recipes for vaginal contraceptives (made from honey and crocodile dung). Condoms came into use in the sixteenth century, while in eighteenth-century France, the sponge was in favor.

The historical record is packed with products and methods, though undoubtedly many never made it into an archive. White settlers in early nineteenth-century Illinois wondered at the fact that local Kickapoo families had an average of four children, while white families tended toward twice that number.³

Birth control access in the United States has been shaped by a range of movements and policies, not all of them benevolent. At the turn of the twentieth century, the question of fertility control had more to do with whether women had the right to decline marital sex. Then the debate shifted to whether women had the right to sex without the intent to conceive. The dichotomies of choice against fate, medical technology against nature, bodily autonomy versus submission to divine will—language used in relation to the abortion rights debate today—first entered the public arena with the movement for birth control.

Dennett's and Sanger's ambitions were based on the possibilities of a new era: a time when many women had more self-determination than their mothers had had. The belief that animated Dennett—that fertility control is

an inalienable right—struck many as daring, amoral, even unnatural. In one of the few formal surveys of attitudes toward sex in her generation, Dr. Clelia Duel Mosher’s study of forty-five white women born around 1860, one respondent spoke for many when she said sex without the desire to conceive was a form of prostitution.⁴ When Sanger stood trial for distributing contraceptives in 1916, the judge rapidly convicted her, stating in his ruling that women did not have “the right to copulate with a feeling of security that there will be no resulting conception.”⁵

Legally, following the Comstock Act of 1873, no goods or information intended as birth control could be distributed through the US mail. Doctors were not taught about contraceptive methods in medical school, though wealthier patients were more likely to find help and sympathy in their family physician. In some states, condoms could be sold for the prevention of disease, and mail-order businesses circumvented the law by marketing syringes and uterine supporters for hygiene, menstrual regularity, and marital harmony. But birth control for its own sake was a socially taboo matter and out of reach for most women.

The 1910s and '20s saw a world war, the rise of film and radio, the startling innovations of modernist literature and art, and a growing contrast between the conservatism and censorship favored by lawmakers and irreverence in the press. That taboo began to crumble early in the twentieth century. By the time of Dennett’s trial, the birth control movement had a formidable array of clergy, physicians, lawmakers, and ordinary people supporting it, who were asserting that sex was not always bound to procreation.

The debates over womanhood and bodily autonomy manifested themselves across every facet of culture, from the novels of Nella Larsen and Aldous Huxley and the films of Lois Weber to the revelations of Margaret Mead’s *Coming of Age in Samoa* and the blues performers and on-screen vamps whose lives and careers rocked every orthodoxy about what a woman should be, do, and want.⁶ The stretch of road from one prevailing viewpoint

to the other is the spine of this book. Today, as we are in the midst of another cultural inflection point of questioning gender roles and nuclear-family dynamics, the books and films of this historically transformative period provide captivating, poignant evidence of a society trying to reckon with its oppressive past and uncertain future.

When women won the vote in 1920, they gained a powerful means of political agency. In the eyes of Dennett and Sanger, however, the suffragists shortchanged the larger women's movement by declining any association with the right to birth control. Winning the vote remedied one injustice, but Dennett and Sanger saw a far more grievous inequity in the fact that women lived and often died at the mercy of their own fertility.

Familial responsibilities, unless buffered by layers of servants, kept women out of public life, and the hovering prospect of pregnancy often muted any ambition beyond the domestic sphere. As they pursued the dream of broad (and legal) birth control access, Dennett and Sanger were compelled to bring a taboo topic into the mainstream. They did their utmost to rewrite the rules, redrafting the cultural expectations of family life as they did so.

Like the suffrage campaign, the birth control movement helped set the stage for the feminist consciousness-raising of the second half of the twentieth century. Forty years after Dennett and Sanger concluded their congressional lobbying for birth control, "The personal is political" emerged as the enduring rallying cry of late-1960s feminism. These four words argue every power dynamic is worthy of interrogation—whether in the home or in public life. No issue animates the slogan as powerfully as the question of reproductive rights.

Had Sanger and Dennett heard "The personal is political," they would have immediately connected it with their work. "We now know that there never can be a free humanity until woman is freed from ignorance, and we know, too, that woman can never call herself free until she is mistress of her own body," Sanger wrote, in her February 1918 essay "Morality and Birth Control," calling for women to claim equal freedom to men.

Dennett, meanwhile, wrote her own brief manifesto on what feminism meant to her: “Women are people. That is perhaps the shortest possible explanation of what feminism stands for. . . . Feminism is not the lining up for women against men. Feminism does not imply that women want things as women. They only want to do things, have things, and feel things as people, as half the human race, on equal terms with the other half.”⁷ Her work for birth control reflected her commitment to a future in which opportunities would no longer be limited on the basis of sex.

The Supreme Court’s 1965 *Griswold v. Connecticut* decision affirmed all married Americans had the right to birth control, and the same right was extended to the unmarried with *Eisenstadt v. Baird* in 1972. Even now, however, many strings are still attached to birth control access. More than nineteen million lower-income people of reproductive age live an onerous distance from a clinic that could provide a range of affordable contraceptive options.⁸

That bottleneck is made worse by restrictions targeting abortion, which in practice affect full-spectrum care. Eighteen states restrict public funding, even if directed toward contraception, cancer screenings, and STI testing, from entities that either provide abortions or have an affiliation with an abortion provider.⁹

Lawmakers often struggle to understand the array of birth control methods currently available on the market, and at times they purposely embrace that lack of clarity between what distinguishes contraception from abortion. Texas already has a law denying emergency contraceptives on state healthcare plans. Proposals lurk on the horizon, in Oklahoma, for instance, to entirely ban nonbarrier forms of contraception like IUDs and Plan B, the morning-after pill.

Since the *Dobbs v. Jackson Women’s Health Organization* Supreme Court decision that overruled *Roe v. Wade* in June 2022, the fragility of legislating reproductive rights through the courts has been made abundantly clear. Though Dennett and Sanger attempted to legalize birth control

through legislation first, pursuing their goal in court eventually yielded a breakthrough—one that now seems vulnerable to attack. When one considers what combative institutions Dennett and Sanger faced in their work, it is equally clear they had no other option if success was to come in their lifetimes.

We can't fully understand today's passionate dialogue around reproductive rights if we don't look back at the history behind our current debates, a point at the start of the twentieth century when Dennett and Sanger launched a mass movement to help American women take control of their fertility. Their characters overlapped just enough to provoke infuriated estrangement. Over time, Dennett and Sanger defined themselves in opposition to each other.

The friction between them began with differences in temperament and extended through their diverging efforts to change the law. The historian Peter C. Engelman compares their rivalry to those of Alexander Hamilton and Aaron Burr, Joan Crawford and Bette Davis, Norman Mailer and Gore Vidal.¹⁰ Perceived slights and insecurities thrived on both sides.

This book's title paints Sanger as an icon and Dennett as an idealist, infinitely oversimplifying them both. When I started reading their letters and diaries, I was fully prepared to write a narrative in which Dennett was the underdog hero of the birth control movement, with Sanger the overcelebrated diva. Dennett's lodestars of free speech and legislation designed to stand the test of time struck me as quintessentially American. The fact that she brought a bill to Congress again and again in pursuit of those ideals—that she was the first to try to legalize birth control nationally, and is so little known—put me in awe of her.

Through five years of reading about her and Sanger, however, all simplicity evaporated. Sanger demonstrated a kind of genius as she built her side of the birth control movement. She painstakingly amassed funds, public attention, and allies among doctors and movie stars alike, and finally gained legal validation for the cause. In the end this is as much a portrait of two

crusaders failing in change-averse institutions, specifically Congress and the medical establishment, as it is a dual biography of Sanger's and Dennett's busiest activist years. Working in parallel and rarely conversing, they made the first bid for reproductive agency under the law and navigated a rocky path to success.

They shared biases and a tendency to insist on their own righteousness, too. Dennett and Sanger both expressed eugenicist views, though Sanger embraced the eugenics movement far more fervently and persistently. The rise of eugenics is inseparable from the story of the birth control movement, and we continue to grapple with restrictive definitions of "fit" and "unfit" that were in operation a century ago. As many episodes in this book reveal, Dennett and Sanger were intent on disrupting a specific form of oppression and yet were active in perpetuating another.

Both women helped widen the horizons of society's conventions and the rights of its citizens. The way their decisions played out in politics, law, and healthcare left us with choices and challenges they couldn't have foreseen. In essence, however, many of the ideas and even the language of the reproductive-rights debate have stayed the same. Bodily autonomy for women was not a common notion in Dennett and Sanger's time. They embraced it fully as a birthright too long withheld, propelling us into a future in which the idea of reproductive justice is as powerful and contentious as ever.

Part I
Sex Education

1

Mamie Ware

Childhood, a mixture of rebellion and beauty-hunger.

—Mary Ware Dennett, “Curriculum Vitae”

FROM BABYHOOD, MARY COFFIN WARE was called Mamie. She was a precocious, observant child, annoyingly so. Each house where she lived had plenty of books and lively conversation, though she sometimes felt anxious and overemotional in comparison with her elders, who seemed to set an example of propriety she could never hope to match. Her family, she thought, was made of “New England granite.”¹

Mamie’s birth on April 4, 1872, came during the slow Massachusetts thaw. Her arrival coincided with a climactic shift, setting off a season of transition from winter stillness to springtime momentum. On that day, the *New York Times*’ front page reported that women’s suffrage supporters had a hearing before the State Assembly Judiciary Committee in Albany. Railroad tracks were being cleared of snow for the season. The Bucksport, Maine, ice gorge was broken, and oyster vessels had begun navigating the Connecticut River again.²

The United States was about to turn ninety-four. The Civil War had ended seven years earlier, leaving Americans wary of the next great upheaval. When Mamie Ware was six months old, Susan B. Anthony illegally cast a ballot. When she was two, Alexander Graham Bell assembled his first telephone. In her eighth year, Edison patented his light bulb.

Little of this touched Mamie's early life. She was often turned inward, and she was self-conscious about her body. Like the rest of her family, she had pink-and-white skin, fair hair, average stature, and iffy eyesight. As she grew she developed breasts that, privately, she was proud of. But society seemed to expect her to keep her body hidden away, even from herself. It made a "profound impression," she wrote much later, seeing how her aunts took their baths. They did so clothed in a "long-sleeved, high-necked night gown" washing "from head to foot without once unbuttoning that stern white cotton emblem of modesty." The sight was a silent reproach that Mamie would be, as she recalled, "a very shocking and reprehensible little girl if I did not take my own bath in the same manner."³

Walking home from school one day with two friends, talking of the great romance that marriage must be, she was chagrined when one girl "said impressively, that if she ever married, she would simply let her husband 'have his rights.'"⁴ Her own life, she decided, needed more enchantment in it than that.

In a Christmas photograph taken when she was around ten, Mamie Ware stands straight in a ruffled dress and lace collar, her hair drawn back tightly, her hands posed on the back of a glossy wooden chair. Her face is mild and serious, her eyes sober behind her glasses. There is little suggestion of the grief and striving of that year, of which there were plenty. Her seriousness and stubbornness are there, though, casting deep into the camera's eye.

She looks like she already regards life as "a mixture of rebellion and beauty-hunger"⁵—the two poles pulling her into a tumultuous future. But her rebellion was for a long time awkward and unpromising. The story she would later tell about her youth painted her as a dreamer who craved affection as much as art, music, and fun.

Her "blessedly humorous" father, George, died of cancer in 1882, the year she turned ten.⁶ He had made an uncertain living as a hide and wool merchant, moving his young family from his native Worcester, Massachusetts, to San Antonio, Texas, and back again in the hopes of

stabilizing their income. But illness came too soon for him, and he left his widow and their three living children, Mamie, Clara, and Willie, with little in the way of security.

Mamie's mother, Livonia—Vonie, to her family—had no time to retreat into mourning. Her decisions reflected the hopes for self-sufficiency and worldliness she had for her family. She went into business as a tutor-chaperone for young women taking grand tour—inspired trips to Europe. (On one of these journeys she was forced to delay her trip home when a student came down with appendicitis, missing the passage she had booked on the *Titanic*.)

With her mother overseas for long stretches each year, Mamie grew up independent but rarely alone. The Wares lived in Boston now, in a brownstone on Saint James Avenue, with Vonie's siblings Lucia, Clara, and Charles Ames, as well as a rotating cast of boarders and guests.

Most influential was Aunt Lucia, who tolerated the nickname "Ah Loo" from Mamie. She was a "beloved auntie" and "a wonder," who maintained a "grand outside calm" in the face of any worry.⁷ She was also a nationally eminent social reformer. Nearby lived an even grander relative, Charles Carleton Coffin, who'd been a famous Civil War correspondent. Mamie loved the imposing stateliness of Coffin's four-story house on Dartmouth Street. At least once a year, he staged lantern slide shows for the children and organized Christmas parties at which his friend Louisa Alcott joined for charades.

Living with her relatives, Mamie soon learned of the tendency toward defiance woven into her lineage. Vonie's people, the Coffins, were a storied family. Levi Coffin (1798–1877) of Cincinnati smuggled more than three thousand enslaved people to freedom. Slave hunters called him the president of the Underground Railroad, and it was rumored that Harriet Beecher Stowe modeled two characters in *Uncle Tom's Cabin* on Levi and his wife.⁸ Another relative, Lucretia Coffin Mott (1793–1880), was a formidable advocate for abolition and women's suffrage. With a small group of like-

minded women, including her sister Martha Coffin Wright and Elizabeth Cady Stanton, she helped organize America's first formal women's rights rally, the Seneca Falls Convention of 1848.

The torchbearer of this legacy in Mamie's household was Lucia, who became head of the Massachusetts Suffrage Association in 1903 and cofounded the Women's Peace Party in 1915. As Lucia Ames, she had expected to remain single for life and was skeptical any benefit could be worth the servitude required by marriage. At forty-two, however, she married Edwin Doak Mead, the editor of the *New England Magazine* and also a world-peace activist. The pair exemplified the "socially impeccable progressive" set—devotees of Emerson and Thoreau, admirers of Tolstoy and the political economist Henry George—and they formed a companionate union that was Mamie's most lasting ideal of married life.⁹

As generous as the Meads were, Mamie sometimes felt like a dud among them. One moment very close to the time of her father's death came to form the basis of her strongest, harshest view of herself, even years later. She was outside a room and happened to overhear Edwin Mead remark, "Mary is certainly about the most uninteresting unattractive child imaginable."¹⁰

Mead likely spoke in a moment of tiredness or light malice—after all, he was much in the company of this clever, needy child. He came to love her dearly. But to Mamie, Mead's words "echoed right straight through my whole life and have never lost their grip," she later confessed to her children. "They all but successfully antidoted the 'I love you' from the two men who have been closest to me."¹¹

But they also gave her something: expanded empathy. "It is a pretty big handicap, God knows, to be uninteresting and unattractive," she wrote, "but still it is a handicap one has in common with many others, and it surely gives a sympathy and fellow feeling that perhaps can't come any other way."¹² The wound became part of who she was.

* * *