

Back-of-the-Book

The Perils of the Pill

IN APRIL 1967, WILLIAM BAIRD, a boyish looking thirty-four-year-old former medical student, lectured to 1500 people at Boston University. His topic was birth control. During the course of his talk, he held up a birth control pill for his predominantly student audience to see. Later, he handed a female student a can of Emko contraceptive foam.

As a result of these two dastardly acts, Baird was arrested almost as soon as he had stopped speaking and charged with "crimes against chastity." (Massachusetts law prohibits disseminating any birth control information, and giving away or exhibiting "any drug . . . or article whatever for the prevention of conception," excepting only a physician and his married patient.) In October 1967, he was convicted. He now faces ten years in jail, five for the pill and five for the foam.

Baird appealed to the Massachusetts Supreme Court in December 1968. A decision is expected momentarily, but Baird is not optimistic. A majority of the Supreme Court justices are between sixty and seventy-five years old, and a majority are Catholic.

The arrest came as no surprise. Baird had been arrested under similar circumstances twice before, once in New Jersey and once in New York. In each case, the trial following the arrest led to outmoded state laws being revised or declared unconstitutional. Exactly one year after his May 1965 arrest in New York, he was appointed a consultant

to the New York state legislature on birth control problems. When he went to Massachusetts, it was partially with a view toward challenging that state's archaic birth control and sex laws—one of the reasons the Boston University students had invited him to speak.

Baird soon found that Massachusetts was different from New York and New Jersey. He had difficulty getting a lawyer to take his case. The Massachusetts Civil Liberties Union, which at first rushed to involve itself in such an obvious civil liberties test, later mysteriously backed off. The MCLU now acknowledges that it made a mistake. Planned Parenthood, a "respectable" birth control organization with a \$12 million annual budget at its disposal, and which dislikes Baird's confrontations with the law, continued to bad-mouth him. Many of the speaking engagements he relied upon to feed his wife and four children were abruptly and mysteriously canceled. One of the few places that was not frightened off was Harvard University, which invited him for its Distinguished Lecturer Series. So Baird is recognized as an authority on birth control in New York and as a distinguished lecturer by Harvard, but as a convicted felon in the rest of Massachusetts.

While his appeal was making its way through the courts, Baird, in order to show the total absurdity of the Massachusetts law, had his administrative assistant, Billie Jean Blair, buy a tube of Emko foam at each

of three Boston department stores. Like the student Baird handed the Emko to during his lecture, Miss Blair was twenty-two and unmarried. She obtained the foam without a prescription, which is technically illegal in Massachusetts. Although members of the Boston police vice squad witnessed the purchases, a criminal complaint against the department stores was denied by a Boston municipal judge. He gave no reason for denying the complaint, other than to say it was not appropriate for his court.

BAIRD IS USUALLY DESCRIBED by the mass media as a "birth control crusader." The description is not inaccurate. About five years ago, Baird saw a twenty-nine-year-old black mother of eight die after she tried to abort herself with a coat hanger. The woman was on welfare and did not want a ninth child. Because she was unmarried, she was not entitled to receive birth control information from city or state agencies.

Shortly after that experience, Baird set up the Parents' Aid Society in Hempstead, Long Island. His aim was to spread birth control information as widely as possible, especially in poor areas. He bought an old moving truck and converted it into a mobile birth control information center, calling it the Plan Van. Baird regularly took the Plan Van into poverty areas in and around New York City. When he began to test the New York birth control laws, he was forced out of his \$20,000-a-year job as medical director at Emko Products. (Baird had attended medical school for two years, but had to drop out because of lack of funds.)

In September 1966, he took the Plan Van to Freehold, New Jersey, where a county supervisor was threatening to jail unwed welfare mothers on fornication charges. As he was talking to a woman in his van, showing her a diaphragm and describing its use, he was arrested and charged with being an "obscene person." This case led to the liberalization of the New Jersey law.

In the course of his crusade, Baird has lectured at a multitude of colleges and universities, including several Catholic institutions. He recalls with particular satisfaction a debate with a priest at St. Vincent's College in Latrobe, Pennsylvania. At the end of the debate, the students gave Baird a standing ovation, then booed the priest. At Boston College, a Catholic school not far from Boston University, the student body

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successfully defied threats from the college's dean and turned out in force to listen to Baird's talk.

People are often surprised to find college students in need of birth control information—it is generally assumed that this college generation is sexually sophisticated. "You'd be surprised how naive about sex some of those bright college kids are," Baird remarked. "Some of them believe they can prevent pregnancy by withdrawal. Others attempt to use the same prophylactic several times." He knows about the sexual misconceptions of college students because so many students wind up in his Hempstead clinic, seeking help in obtaining abortions. [See RAMPARTS, July 1967.]

WHEN HE IS NOT LECTURING on birth control or testing state laws, Baird runs an abortion referral service. He estimates that he helped 3000 women obtain abortions in 1967 and 5000 women in 1968. He says that 62 per cent of the women who come to him for abortion referrals are Catholic.

"I don't know how to explain it," he said. "Either Catholics are reluctant to use birth control devices and become pregnant more often, or else Catholics have a far more liberal attitude toward abortion than their Church does." One Catholic woman offered an explanation. Each time she took a pill,

she revealed, it would be considered a sin. She would thus be sinning 20 times a month. An abortion, however, was only one sin.

It is encounters like these that bring the birth control crusader into headlong conflict with the Catholic Church. He has picketed New York's St. Patrick's Cathedral on numerous occasions, most recently when Pope Paul issued his now famous encyclical on birth control.

"If the Pope wants to tell his people about birth control, that's one thing. But when they use the power of the Church to intimidate governments into not disseminating birth control methods, that's war. The political arm of the Catholic Church runs roughshod over this country and other countries, and the victims are starving people all over the world."

Baird's critics claim he has a martyr complex. Baird flatly denies this, pointing out that the civil rights and anti-draft movements have used court challenges for a long time. He definitely does not want to go to jail, and he feels his only chance is to mount a strong public opinion campaign in his favor.

Thus far, few major publications and none of the TV networks have been willing to publicize his case extensively. He finds this disturbing because he has helped so many employees at the three major networks obtain abortions. "I really can't believe

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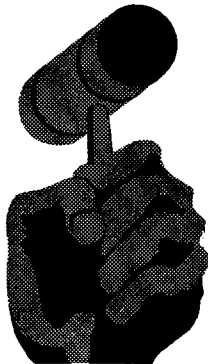
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they'll let me go to jail for ten years," he said. "People just don't seem to care."

Baird is aware that if he wins his Massachusetts case, it will go a long way towards knocking out many of the fornication laws which discriminate against unmarried people. "Unmarried people ought to have the same access to birth control information as married people," he believes. If he had his way, birth control devices would be available to all girls over thirteen, and they would be available in supermarkets as well as drugstores. He persuaded a Massachusetts legislator to introduce such a bill in the state assembly, but it has not gotten very far.

To those who raise their eyebrows at his suggestions, Baird cites a Department of Health, Education and Welfare statistic which notes that 5000 babies were born to girls under fourteen years of age in 1967. He will also tell you about the girl who came to see him after she had been thrown down a flight of stairs in an attempt to induce a miscarriage and save the family "honor," or those who have tried to abort themselves with knitting needles, straws, coat hangers, clorox and turpentine. —ART GOLDBERG

BOOKS

Making Marx Safe for Social Democracy

THE ORIGINS OF SOCIALISM. By George Lichtheim. Frederick A. Praeger: New York, Washington. 302 pp. \$6.95 (\$2.95 in paper).

GEORGE LICHTHEIM IS GENERALLY regarded as a man of the left, even as a dangerous radical by some of our more conservative intellectuals. Certainly his account of the history of socialist thought, particularly Marxian socialism, is distinctly sympathetic, and I found myself resonating pleasurably to his characterization of Marx as "a colossus in the midst of ordinary mortals." Yet this new book, even more than his earlier writings (*Marxism: An Historical and Critical Study; Marxism in Modern France*), shows the extent to which Lichtheim is an intellectual of the Old Left. This is shown by his consistent unwillingness—or inability—to appreciate the most radical perceptions of the theorists whose ideas he has chosen to explore, and in most cases to champion. Two of the more illuminating examples are his treatment of Marx's attitude toward revolutionary violence and his handling of the theme of sexual protest in the writings of the French "utopian" socialists.

Lichtheim follows a long line of Western liberals, among them Erich Fromm, who have seen it as their task to rescue Marx from his left-wing disciples in order to make him safe for democracy. This effort has

taken many forms, but certainly one of the most significant has been the attempt to demonstrate that Marx was committed to a gradualist rather than a revolutionary tactic of socialization. This is not an easy position to defend with so many inexpensive editions of the *Communist Manifesto* readily available. Lichtheim's procedure has been to make a sharp distinction between Marx's thoughts before and after the revolution of 1848. The young Marx, he admits, did indeed advocate a violent proletarian revolution; in fact, he wrote the *Communist Manifesto* for a revolutionary organization, the German Communist League, which was preparing plans for just such an upheaval. But Lichtheim insists that Marx learned his lesson from the failure of the revolution of 1848. After settling in England, the "mature" Marx transformed revolutionary communism into democratic socialism; he then argued that the transition from capitalism to socialism would be the peaceful achievement of a proletariat organized into socialist labor unions and political parties, under the aegis of the First International.

This account of Marxian tactics certainly makes Marx more digestible for European and American liberals. But it does Marx no service, and it also does violence to the facts. Marx was a lifelong revolutionary. Lichtheim confesses as much when he repeatedly treats Marx's post-1848 revolutionary pronouncements and enthusiasms as "regressions" (for example, his endorsement of the Paris Commune of 1871). Admittedly, there was an important shift in Marx's tactical ideas following the failure of 1848. He abandoned any notion that the successful proletarian revolution could be a conspiratorial affair brought off by a small group of professionals. But in giving up the idea of a conspiracy, Marx did not abandon his commitment to revolution, even violent revolution. He merely argued that the revolution had to be the work of the entire proletariat: it had to be a public revolution, prepared for by the heightening of proletarian class consciousness in socialist labor unions and parties.

JUST AS HE PREFERS his Marx unrevolutionary, Lichtheim prefers his utopian socialists unsexy. To my mind, what makes men like Charles Fourier and the Saint-Simonians particularly intriguing is their refusal to distinguish between a critique of capitalist economics on the one hand and a critique of bourgeois sexual ethics on the other. Fourier's utopian community, the phalanstery, involved not merely a reorganization of the economy along collectivist lines, but the abolition of the patriarchal family, the emancipation of women from intellectual and physical subordination to men, and a massive escalation of sexual pleasure, in both quantitative and qualita-