



Review: [Untitled]

Reviewed Work(s):

When Abortion Was a Crime: Women, Medicine, and Law in the United States, 1867-1973. by
Leslie J. Reagan

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ber of prevailing beliefs about infertility are mistaken. While most Americans presume that infertility is on the rise, the authors show that infertility rates have remained remarkably consistent over the past century, ranging from just under 10 percent to about 13 percent of married couples. *The Empty Cradle* also challenges the belief that the controversies surrounding reproductive technology are of recent origin. In fact, as early as the mid-nineteenth century, a corps of physicians, led by J. Marion Sims, began to experiment with controversial instrumental and surgical treatments for reproductive disorders.

In the introduction, Marsh and Ronner tell readers that *The Empty Cradle* recovers three distinct voices: those of the women who have experienced infertility, the physicians and scientists who have sought to alleviate infertility, and people who have analyzed the impact of infertility on the larger society. Yet it is the voices of physicians and scientists that dominate this study. Unfortunately, the actual voices of women who have encountered reproductive problems are too often given short shrift. Even for the post-World War II era, when relevant material is readily available or accessible, the authors rely primarily on a tiny sample of twenty-three women who responded to a query in the *Philadelphia Inquirer* about infertility experiences.

Marsh and Ronner take strong issue with critics of contemporary technology who argue that women who seek treatment for infertility are victims of a patriarchal society that values women only for their procreative abilities. The authors correctly assert that this type of thinking does a grave injustice to the many women who suffer from reproductive disorders and who have an intense and genuine desire to have children.

Marsh and Ronner also maintain that those scholars who portray physicians solely as overzealous and authoritarian individuals, motivated by greed and profit, have distorted the complicated and ambiguous relationship between women seeking infertility treatment and their doctors. While the authors readily acknowledge that physicians have aggressively experimented with women in their rush to establish lucrative obstetrical and gynecological practices, they also emphasize that women

have not played the role of "passive icon" in this process. Rather, they argue that women have been "active agents in seeking out medical solutions" to infertility problems.

This wide-ranging study, extending from the colonial era when childlessness was attributed to the will of God to the late twentieth century when conventional in vitro fertilization has become almost routine, carefully situates the medicalization of infertility within its broader cultural context. It also provides a valuable historical frame of reference for understanding the etiology of the current debate about assisted reproduction.

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When Abortion Was a Crime: Women, Medicine, and Law in the United States, 1867-1973. By Leslie J. Reagan. (Berkeley: University of California Press, 1997. xiv, 387 pp. \$29.95, ISBN 0-520-08848-4.)

Leslie J. Reagan's excellent study of criminal abortion prosecutions in the state of Illinois illuminates how widely practiced and popularly accepted abortion actually was during most of the period when it officially was a crime everywhere in the United States.

Relying primarily on case files and transcripts of some forty prosecutions that resulted in convictions and then were appealed to the Illinois Supreme Court, Reagan provides a skillful and perceptive account of the actual realities faced by women confronting unwanted pregnancies, primarily in greater Chicago. Forthrightly acknowledging the difficulty of crafting a history from surviving sources that may be inescapably unrepresentative, Reagan nonetheless succeeds in presenting the most insightful account we yet have of that era *When Abortion Was a Crime*.

Some of Reagan's primary themes, such as her stress on how "abortion was widely accepted" in the years prior to 1940, will not surprise knowledgeable specialists, but the richness of her account gives these conclusions a stronger evidentiary base than they ever before have had. At the turn of the century, Reagan explains, midwives—almost all of whom were foreign-born—and doctors "performed abortions in ap-

proximately equal numbers," but as the number of midwives dwindled, physicians became the predominant providers. Reagan's emphasis on "the large number of physicians involved in illegal abortion" and on how "thousands of women obtained abortions from physicians in conventional medical settings and suffered no complications" throughout the era of illegality are not revelations, but for readers unfamiliar with the nation's history of abortion, Reagan's dependable and detailed account may be an eye-opener, or at least a corrective to ill-informed assumptions.

A very significant increase in the abortion rate during the Great Depression decade of the 1930s was followed by a dramatic intensification of police and prosecutorial pursuit of abortion providers in the years after 1940. In Reagan's judgment, that intensified pursuit stood in sharp contrast to the relative tolerance of abortion that characterized much official conduct throughout the years from 1880 to 1940. Calling 1940 "a dividing line," Reagan notes how the 1940s and 1950s witnessed a far more clandestine culture, a marked decline in the number of providers, an increase in prices, *and* an increase in fatalities in the mothers as unskilled practitioners eager for one sort of killing instead brought about others.

Reagan rightly emphasizes how "available records overemphasize abortion deaths"—the more unskilled a practitioner, the more likely that serious injuries or deaths would draw law enforcement attention and newspaper headlines—but in her judgment the post-World War II increase in suppression "played a crucial role in producing a movement to legalize abortion." Although this latter part of Reagan's argument and analysis is not as fully developed as is that for earlier periods, she appreciates how doctors and lawyers "each looked to the other to define the legality of abortion practices" and how doctors' fears of prosecutorial vulnerability played a major role in generating medical support for abortion law liberalization.

When Abortion Was a Crime is excellent history and represents a major contribution to our knowledge of the struggle for women's reproductive rights.

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Sick and Tired of Being Sick and Tired: Black Women's Health Activism in America, 1890-1950. By Susan L. Smith. (Philadelphia: University of Pennsylvania Press, 1995. xii, 247 pp. Cloth, \$34.95, ISBN 0-8122-3237-2. Paper, \$16.95, ISBN 0-8122-1449-8.)

This is a pioneering study into public health initiatives by African Americans during the last part of the nineteenth century and first part of the twentieth. Susan L. Smith pays particular attention to the efforts of women's organizations on the national level by, among others, the National Association of Colored Women and the National Association of Colored Graduate Nurses and on the local level by such groups as the Tuskegee Women's Club and the Women's Auxiliary Board of Provident Hospital in Chicago. Also included are brief discussions of a number of individuals of both sexes, both volunteer and public health professionals.

One of the necessary first steps in dealing with the health problems of African Americans was challenging the racial stereotypes that held that Negroes were inferior and headed toward extinction because of inherent weakness and because they were no longer sheltered slaves. W. E. B. Du Bois and others who were not African Americans began to challenge those stereotypes in the twentieth century. But to demonstrate that the issue was not just a subject for intellectual debate, action had to be taken to overcome the tremendous handicaps under which African Americans, particularly in the South, lived and worked. It was here that the African American volunteer organizations and individuals did pioneering service, often supported by monies from the Rockefeller Foundation and other such philanthropic groups, but with much of the work planned and carried out by dedicated volunteers.

Among the important successes was the organization and expansion of the concept of a National Negro Health Week, the upgrading of the skills of rural midwives, the Alpha Kappa Alpha sorority's Mississippi Health Project, and various projects associated with Booker T. Washington and the Tuskegee Institute. Smith also pays attention to some of the more controversial roles of African Americans, both as supporters and as victims in health projects such as the Tuskegee syphilis experiment. This last