

CHAPTER 1

FERVENT PHYSICIAN PLEAS FOR THE UNBORN

And now words fail. Of the mother, by consent or by her own hand, imbrued with her infant's blood; of the equally guilty father, who counsels or allows the crime; of the wretches who by their wholesale murders far out-Herod Burke and Hare; of the public sentiment which palliates, pardons, and would even praise this so common violation of all law, human and divine, of all instinct, of all reason, all pity, all mercy, all love,—we leave those to speak who can.¹

These sentences first appeared in print in 1859 and were written by Horatio Robinson Storer two years after he started what has been termed the “physicians’ crusade against abortion.” Storer initially wrote “Of the mother, ...” in the first of a series of articles on “criminal abortion” written for his fellow physicians. These articles were included as an enclosure to an 1860 “Memorial” of the American Medical Association, written by Storer, sent to legislatures requesting that they pass stringent laws against unnecessary abortion.² Storer repeated this sentence in two widely-read books on abortion, the first “for every woman,” and the second “for every man.”³ Storer also included the phrase in a book on criminal abortion written for both physicians and lawyers.⁴ As will be seen, other physicians and even a judge would quote this phrase in their condemnations of unnecessary abortion.

Readers may be surprised to learn that induced abortion was common among married Protestant women when Storer began the “physicians’ crusade.”⁵

¹ Horatio Robinson Storer (hereafter HRS), “Contributions to Obstetric Jurisprudence: No. I.—Criminal Abortion,” *North-American Medico-Chirurgical Review* (hereafter *NAMCR*) 3 (1859): 64-72, 72. The “Burke and Hare” reference refers to William Burke and William Hare who were indicted in 1828 for 16 murders they carried out in Edinburgh, Scotland within a single year. The murders were highly salient to Horatio because of his year in medical training at the same Edinburgh University Medical School that had innocently bought the bodies of the murder victims for dissection by medical students.

² “Memorial. To the Governor and Legislature, ...” The Indiana State Archives has a copy of the “Memorial” sent to them in 1860.

³ HRS, *Why Not? A Book for Every Woman* (Boston: Lee and Shepard, 1866); *Is It I? A Book for Every Man* (Boston: Lee and Shepard, 1867).

⁴ HRS and Franklin Fiske Heard, *Criminal Abortion: Its Nature, Its Evidence, and Its Law* (Boston: Little, Brown, and Co., 1868).

⁵ Marvin Olasky denied this in his *Abortion Rites* published in 1992 (See Bibliography). He claimed that James Mohr was incorrect in reporting high rates of abortion for the married. Olasky did accept Mohr’s claim that abortion decreased by the end of the

The next chapters describe the sharp increase in abortions by these women and the reasons for it. When physicians became aware of this increase in “forced” abortion, nearly all viewed it as an epidemic that needed to be curtailed. They expressed their concerns in speeches, medical articles, letters to medical editors, editorials, and books, and, like Horatio Storer, they did not mince words.

A handful of American physicians preceded Storer in publishing condemnations of unnecessary abortions, the women who obtained them, and the men and women who induced them. Among the earliest was Hugh Lenox Hodge, Professor of Obstetrics at the University of Pennsylvania; who spoke about criminal abortion to his medical students on November 6, 1839. Hodge’s Introductory Lecture included:

Would gentlemen that we could exonerate the moderns from guilt in this subject! It is, however, a mournful fact, which ought to be promulgated, that this crime, this mode of committing murder, is prevalent among the most intelligent, refined, moral, and Christian communities. We blush, while we record the fact, that in this country, in this city, where literature, science, morality, and Christianity are supposed to have so much influence; where all the domestic and social virtues are reported as being in full and delightful exercise; even here, individuals, male and female exist, who are continually imbruing their hands and consciences in the blood of unborn infants; yea, even medical men are to be found, who for some trifling pecuniary recompense, will poison the fountains of life, or forcibly induce labor to the certain destruction of the foetus, and not unfrequently of its parent.⁶

In 1854, Hodge again presented and published his 1839 Lecture.⁷ Horatio Storer would praise Hodge for his lecture in his 1859 articles and Hodge would be one of seven influential physicians that Horatio selected to join him on the American Medical Association Committee on Criminal Abortion. This Committee was created in 1857 at the Association meeting in Nashville. The Committee presented their Report on Criminal Abortion two years later in Louisville.

Another probable factor in Horatio’s crusade was John Preston Leonard, a young physician from nearby Rhode Island, who almost certainly was at least an acquaintance of Horatio. Leonard published an article, “Quackery and Abortion,” in the widely read *Boston Medical and Surgical Journal* in January

century. Almost every chapter of the current book shows the predominance of married women obtaining abortions and Chapter 24 demonstrates that both Mohr and Olasky were wrong about a decrease by the end of the century.

⁶Hugh L. Hodge, *An Introductory Lecture to the Course on Obstetrics and Diseases of Women and Children* (Philadelphia: Lydia R. Bailey, 1839), p. 17. James C. Mohr repeatedly claimed that Hodge did not publish his lecture until 1854 (*Abortion in America: The Origins and Evolution of National Policy, 1800-1900* [New York: Oxford University Press, 1978], pp. 149, 272 n. 34, 283 n. 1).

⁷Hugh L. Hodge, *Introductory Lecture* (Philadelphia: T.K. and P.G. Collins, 1854).

1851.⁸ Leonard accused regular physicians of performing unnecessary abortions and stated: “I believe that some who are promoted to *office in our medical societies* are of this order of quacks.”⁹ Horatio was a first-year medical student in January 1851. He almost certainly was helping his father review literature for two major reports, one on obstetrics and one on medical jurisprudence, and he would have read Leonard’s article that also included:

Besides these bills of mortality, the records of criminal courts will furnish sufficient proof that this crime is every day becoming more prevalent. It is humiliating to admit that there are a class of physicians who, Herod-like, have waged a war of destruction upon the innocent. Though their motives are not the same as those which instigated that cruel king, they are no less murderers for that. If there is any difference, they are worse than Herod. He was influenced by popular clamor and bigotry; these quacks do all for money, and such could be hired to burn out the eyes of infant princes.¹⁰

Leonard’s article was a blueprint for Horatio’s future crusade in that it advocated bringing the American Medical Association into the fight and called for passage of stringent laws against abortion. Despite this, Horatio did not mention “Quackery and Abortion” when he discussed the factors that started him on his crusade. Horatio’s certain awareness of Leonard’s article, his possible contribution to it, and his failure to acknowledge Leonard will be discussed in Chapter 3.

When Horatio did give credit “for the thought of the present undertaking,” it was to the Introductory Lecture that his father, David Humphreys Storer, Professor of Obstetrics and Medical Jurisprudence at the Harvard Medical School, presented in November 1855.¹¹ The title of David’s lecture was “Duties, Trials and Rewards of the Student of Midwifery,” and these were the major subjects addressed.¹² However, a final section condemned criminal abortion, described its bad effects on women’s health, and implored physicians to use reason and moral suasion to reduce the crime. David’s Lecture included:

I do not presume to stand here as a moralist. I would attempt only to point out a few of the duties obligatory upon the physician, as such. I should, however, be faithless to the noble profession which occupies my every thought; I should be unworthy the confidence or esteem of my brethren did I refrain, while referring to this subject, to enter my solemn protest against the existing vice; to express, emphatically, the universal sentiment of horror and indignation entertained among the

⁸ John P. Leonard (hereafter JPL), “Quackery and Abortion,” *Boston Medical and Surgical Journal* (hereafter *BMSJ*) 43 (January 15, 1851): 477-81.

⁹ *Ibid.*, p. 478.

¹⁰ *Ibid.*, p. 479.

¹¹ HRS, “Contributions to Obstetric Jurisprudence: No. I.—Criminal Abortion,” pp. 64-72, 64n-65n.

¹² David Humphreys Storer (hereafter DHS), *An Introductory Lecture before the Medical Class of 1855-56 of Harvard University* (Boston: David Clapp Printer, 1855).

upright men of the profession in this community. Of *horror*, that the female can so completely unsex herself, that her sensibilities can be so entirely blunted, that any conceivable circumstances can compel her to welcome such degradation! Of *indignation*, that men can be found so regardless of their own characters, so perfectly indifferent respecting those of their cotemporaries, as to lend their services in such unholy transactions.

To save the life of the mother we may be called upon to destroy the foetus in utero, but here alone can it be justifiable. The generally prevailing opinion that although it may be wrong to procure an abortion after the child has presented unmistakable signs of life, it is excusable previous to that period, is unintelligible to the conscientious physician. The moment an embryo enters the uterus a microscopic speck, it is the germ of a human being, and it is as morally wrong to endeavor to destroy that germ as to be guilty of the crime of infanticide.¹³

David's attack on criminal abortion was not well received by "others" on the faculty of the Harvard Medical School, although it may have been only Henry J. Bigelow, the Professor of Surgery, who objected.¹⁴ David omitted the abortion portion when the Introductory Lecture was published and the Editors of the *Boston Medical and Surgical Journal* protested this failure to include the abortion condemnation. Their December 1855 editorial included:

Deferring to the judgment of others, whose opinions we all delight to honor, Professor Storer has omitted the very paragraphs, which, in our judgment, should have been allowed to go forth as freely as they were spoken. To whom shall the community look for a verdict upon practices which disgrace our land and prevail to an extent that would hardly be credited, if not to physicians—and, chiefest among them, to medical teachers? For ourselves, we have no fear that *the truth*, as told by the writer of this Address, in reference to the *crime of procuring abortion* and the scarcely less heinous offence of *preventing impregnation*, would do aught but good in this, or in any, city. It would appear that sheer ignorance, in many honest people, is the spring of much of the horrible *intra-uterine murder* which exists among us; why not, then, enlighten this ignorance? It would be far more effectually done by some bold and manly appeal like that to which we allude, than by the private and scattered influence of honorable practitioners alone.¹⁵

The pressure on David to suppress the abortion portion of his Lecture also did not sit well with his son. Horatio later wrote that this was one of the few

¹³ DHS, "Two Frequent Causes of Uterine Disease," *Journal of the Gynaecological Society of Boston* (hereafter *JGSB*) 6 (March 1872): 194-203, 198-99.

¹⁴ "Editorial Notes," *JGSB* 6 (May 1872): 393-400, 394.

¹⁵ "An Introductory Lecture before the Medical Class of 1855-56 of Harvard University," *BMSJ* 53 (December 13, 1855): 409-11, 410-11.

times his father was to “show the white feather.”¹⁶ Horatio obviously was much less concerned about the objections of the medical faculty to raising the issue of criminal abortion, since a little more than a year after his father’s Lecture, he commenced his crusade against abortion, or more correctly, commenced his crusade for the unborn children who were being destroyed in unnecessary abortion.

The first evidence of this campaign appeared in February 1857, and it may not be a coincidence that this was only one month after a Georgia physician, Jesse Boring, published an antiabortion article that included:

If I am not wholly mistaken, it will be seen that, of all the varieties of murder, that of the embryonic human being is the most atrocious and indefensible. It is a wanton, unprovoked and cruel deprivation of a human being, of the existence which God alone gave, and can of right, take away, and that being is not only inoffensive but utterly helpless.¹⁷

Horatio certainly had already made up his mind to take up his campaign, but Boring’s article may have been a factor in the timing and nature of his crusade. Boring relied heavily on religious reasons for opposing abortion—“every abortion ... is in the sight of God, murder *out right*,”¹⁸—and Horatio may have seen this as an ineffective strategy for bringing physicians into the campaign, since many physicians were known to be skeptical about “the sight of God.” Boring may also have been viewed as a competitor who could dilute the recognition that Storer no doubt expected he would receive as one result of a successful campaign against criminal abortion. Storer had repeatedly been acclaimed for his achievements as student, orator, author, editor of a major medical book, and natural scientist (he discovered new species of fish on a trip to Labrador), and Horatio no doubt expected his campaign against criminal abortion would bring acclaim as well.¹⁹

Horatio’s contribution to the successful physicians’ crusade against abortion was immense. Not only did he start the crusade and single-handedly carry out the major American Medical Association efforts of 1859 and 1860, his articles and books were quoted throughout the century and beyond in articles published in medical journals and in books written by physicians for their colleagues and for the public. However, reluctance to publicly discuss a crime that persisted at all levels of society blunted the fame that Storer surely deserved for the yeoman efforts that saved so many lives. Even a biographer who praised

¹⁶ Frederick N. Dyer, “Autobiographical Letter from Horatio Robinson Storer, M.D., to His Son, Malcolm Storer, M.D., Discussing the “History of Gynaecological Teaching,” (cited hereafter as Dyer, “Autobiographical Letter”) *Journal of the History of Medicine* 54 (July 1999): 439-58, 444.

¹⁷ Jesse Boring, “Foeticide,” *Atlanta Medical and Surgical Journal* 2 (January 1857): 257-67, 259.

¹⁸ *Ibid.*, p. 258.

¹⁹ Storer’s early achievements are discussed in the first four chapters of Frederick N. Dyer, *Champion of Women and the Unborn: Horatio Robinson Storer, M.D.* (Canton, Massachusetts: Science History Publications/USA, 1999).

Storer did not specifically mention his efforts against abortion, referring instead to Storer's large contributions "where medicine touches morals."²⁰

Was Storer motivated to protect the unborn or to achieve fame as the successful defender of the unborn? The answer no doubt is both, since Horatio would later describe recognition as a proper tribute for enthusiasm, hard work, and hard fights.²¹ However, it is important to again stress what was *not* a high priority for Storer and for nearly all of the physicians crusading against abortion. We noted the historians' false claim that these physicians who successfully lobbied for laws against abortion were primarily motivated to protect the health of women, eliminate competition from "quacks," keep regular physicians in line and women in traditional roles, and prevent the descendants of Catholic immigrants from becoming dominant in the population. James Mohr signed the 1989 friend-of-the-court brief that made these claims despite the fact that he had repeatedly shown that these physicians opposed unnecessary abortion primarily because they saw it as morally wrong. Examples from Mohr's book include:

The nation's regular doctors, probably more than any other identifiable group in American society during the nineteenth century, including the clergy, defended the value of human life per se as an absolute. Scholars interested in the medical mentality of the nineteenth century will have to explain the reasons for this ideological position. ... But whatever the reasons, regular physicians felt very strongly indeed on the issue of protecting human life. And once they had decided that human life was present to some extent in a newly fertilized ovum, however limited that extent might be, they became the fierce opponents of any attack upon it.²²

Most physicians considered abortion a crime because of the inherent difficulties of determining any point at which a steadily developing embryo became somehow more alive than it had been the moment before. Furthermore, they objected strongly to snuffing out life in the making. Only if a fully realized life—that of the mother—would surely be lost without their intervention could they morally justify the termination of another already developing life.²³

Physicians who personally believed abortion to be morally wrong—and their many fervent writings on this subject must be taken as evidence of their sincerity—must have been frustrated by the persistent lack of public support for their position.²⁴

²⁰ James Joseph Walsh, "American Physician Converts," *Catholic Convert* 4 (March 1917): 1-2, & 17, 17.

²¹ "Editorial Notes," *JGSB* 2 (May 1870): 307-20, 314. "Gynaecological Society of Boston (hereafter GSB) Proceedings, meeting of May 17, 1870," *JGSB* 2 (June 1870): 380-92, 387.

²² Mohr, *Abortion in America*, p. 36.

²³ *Ibid.*, p. 165.

²⁴ *Ibid.*, p. 166.

However, Mohr discussed this “fervent” moral opposition to abortion by physicians *after* discussing “professional” reasons for physician opposition.²⁵ He may have done this to exaggerate the reasons for opposing abortion that were obsolete when he wrote in the 1970s and to diminish the importance of the primary moral reasons that were not obsolete.

Well, in a nutshell, that is the story. Physicians, led by Horatio Robinson Storer, opposed the dramatic increase of abortion that occurred in the middle of the nineteenth century and did it primarily because they believed unborn children must not be sacrificed unless the life of the mother was truly at stake. Hundreds of physicians took up the crusade and their efforts continued into the twentieth century. Although the campaign may not have greatly reduced the rate of abortion from its level in 1857, it kept that rate from swelling to much greater levels. What remains to be shown are the factors that led to these physicians’ passionate efforts, the strategies and tactics they used in the campaign, and the obstacles that prevented their crusade from being totally successful.

One item related to their crusade deserves early stress because it has particular relevance to almost every reader. This is the children who survived pregnancy because of the new laws the physicians helped enact and because of physicians’ successful persuasion of many women to refrain from abortions. These additional “survivors” of pregnancy may have made up five percent or more of the children born during the century when physicians were actively opposing unnecessary abortion. However, to be conservative and to simplify the math, assume that three percent of the children of the single generation while Storer was actively involved in antiabortion work owed their existence to the physicians’ crusade.²⁶ By chance, the .97 proportion of this generation who were *not* “Storer’s survivors” would marry each other at the rate of $.97 \times .97 = .9409$. This means that 94.09 percent of the next generation would not have had one or both of “Storer’s survivors” for a parent. However, it also means that 5.91 percent of that generation *would* have had one or both of “Storer’s survivors” for a parent.

Similarly, the .9409 proportion without “survivor” parents would marry each other at the rate of $.9409 \times .9409$, which, when rounded, equals .8853. This means that 88.53 percent of the next generation would not have had one or more of “Storer’s survivors” for a grandparent, but 11.47 percent *would*. Similar calculations show that in the next generation, 21.6 percent of children would have had one or more of Storer’s survivors as a great-grandparent, and 38.6 percent of

²⁵ Ibid., pp. 160-64.

²⁶ The percentage of children being born as a result of the physicians’ crusade is directly related to the number of women originally seeking abortion and to the number of these women who changed their minds because of the crusade. As will be seen, as many as 25 percent of pregnancies may have been ending in induced abortion in the middle of the nineteenth century. However, assume that without the new physician-passed laws or physician persuasion it would have been only 15 percent with 85 percent of pregnancies going to term. If 17 percent (approximately 1 of every 6) of these women who would have had abortions changed their minds because of the physicians’ crusade, this would leave 12.45 percent of pregnancies ending in abortion and 87.55 percent of pregnancies going to term. The ratio of 87.55 to 85 is 1.03, i.e., there would have been 3 percent more children being born as a result of the crusade.

the next generation (approximately our current generation) would have one or more of “Storer’s survivors” as a great-great-grandparent.

However, the abortion reductions produced by the “physicians’ crusade” were not limited to a single generation and three percent probably is a low estimate for the number of additional children born because of the campaign. If one assumes five percent for two generations beginning in 1860, the 38.6 percent figure for our current generation becomes a whopping 72 percent! This exponential increase in succeeding generations of people with “Storer’s survivors” as ancestors may surprise you. *If you have primarily Protestant ancestors, you can be fairly certain that your own existence was one result of the successes of the physicians’ crusade for the unborn.*

As will be shown, Catholic women did not participate in the epidemic of induced abortion in any numbers until well into the twentieth century. Horatio Storer and other physicians credited the Catholic confessional for this. If your ancestors were largely Catholic, you can be thankful to the priests of your great-great-grandmother, great-grandmother, and grandmother for your existence.