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SCA #396
October 9, 1936

TO: Rockefeller Files
FROM: Mr. Arthur W. Packard

re: Memorandum of Conversation with Mrs. Sanger

This conversation immediately followed a telephone conversation ^{Ernst in} which A.W.P. on his own initiative had with Mr. Morris Ernst in preparation for the conference. The sum of Ernst's opinions or attitudes will be introduced in the course of the discussion of the interview with Mrs. Sanger. The discussion divided itself into two definite categories. 139.7

1. Experiments with a new technique--Some references have been made in the newspapers to this technique, but Mrs. Sanger's exposition gave us a much clearer understanding of what it is all about. Dr. Devilbus, a woman resident of Florida, has been using for some time a certain foam powder with results which have not been measured. It is this foam powder which Mrs. Sanger has become very much interested in. The method is the use of a sponge soaked in water and attached to a string. At the time of use the foam powder is sprinkled on the sponge as from a salt shaker. She said this produces a foam which it has been said to last as long as 12 hours. The spermicidal characteristics of the foam are claimed to be very unusual, effecting immobilization in 9 seconds. She points out that this makes completely unnecessary the use of any device including the occlusive principle. The active ingredient in the powder is evidently Duponol (a proprietary Du Pont product), or formaldehyde, or both. Mrs. Sanger says that she and Dr. Stone believe that they are on the right track and that this will prove to be the thing which will present a simple technique within the means and abilities of the millions. Twenty-five cents worth of the powder will last a year. She demonstrated the method in India and showed how the powder could be made from rice. She said the Indian doctors were enthusiastic about it and have agreed to use it on a clinical research basis, letting her know the results. Evidence on results at the present time have not been compiled. Dr. Devilbus is studying a number of cases in Florida. A special group down at the clinical research bureau is being studied, and Dr. Stone is anxious to get a further study under way with a greater degree of control such as might be the case with share-croppers.

We should check further on this with Dr. Dickinson and others. If the evidence seems to point to the justification of clinical study of the use of the preparation, it represents a very promising field for investment. Dr. Stone said also that Miss Gaylord in connection with the F.E.R.A. clinics in Porto Rico was using the same substance. A conference with Miss Gaylord would be most illuminating, particularly if adequate case records have been kept in Porto Rico. Mrs. Sanger states that a chemist named Stouton is preparing the product for her and has been working experimentally and is continuing

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to do so with the formula. She said that he is not interested in it commercially and recited as evidence that he refused to fill an order from Sears Roebuck for 25,000 cans. Certainly considerable clinical research on the matter will be necessary. While formaldehyde has long been known to be one of the most effective plasmolizers, there has never been any proof that it was not injurious to mucous membrane or to local flora and fauna. We have in the past talked with Dr. Dickinson about this powder. He is skeptical. It may be that Mrs. Sanger is overenthusiastic. On the other hand, it may be that her zeal will once more lead to a finding that will confound the groups who are scientifically cautious. At any rate, it is gratifying and promising to know that Mrs. Sanger has reached the position where she recognizes the inadequacy of present methods for the masses and where she is going on the warpath for the new, the effective, the simple, and the cheap contraceptive.

2. Legislation--The implications of the possibilities of the technique mentioned above plus the appalling population problems which Mrs. Sanger encountered in India and China have brought her to the position which we have long felt and often said was inevitable in this movement, but the position brings with it a very difficult problem. With her usual optimism she believes that renewed efforts at the time of the next Congress will get her amendment passed. This we doubt--always have doubted, and Morris Ernst concurs in the opinion. His point of view is that whether the fact is regrettable or not, Congress does not repeal laws which it passes and that laws which are found impracticable are much more often nullified. Mrs. Sanger's amendment is designed to put the control of contraception methods, devices, and materials in the hands of the doctors and to have these materials legally released only by the prescription or direction of doctors. Some such control would be necessary if existing techniques represented perfect techniques. With the use of the Devilbus powder, however, and with her Indian and Chinese observations in the back of her mind, Mrs. Sanger recognizes how short-lived would be the value of any amendment such as the one she has proposed for years. Her primary object is to free "women in bondage", and she symbolizes in modern life the ~~struggle~~ ^{fight} for complete achievement of voluntary parenthood,--parenthood where decision rests not ultimately with the doctor, but with the prospective parent. She feels she is approaching the point where she has a technique that will make that possible while she is advocating a piece of legislation that would force the parent to keep the doctor in the picture.

Moreover, the Moscowitz decision will be appealed before the Circuit Court of Appeals within three weeks. If Ernst and the other attorneys press this question to the Supreme Court of the United States (on the theory that to get judicial sanction of contraception under medical control will render Mrs. Sanger's amendment unnecessary, because the courts will have construed the law in the same way which Mrs. Sanger wants to have it construed by a new enactment,) there will be a new position. The courts will have placed the subject of contraception in medical hands. The enactment of her present bill would place it in medical hands. She is now beginning to believe that that would be a mistake. Moreover, to press the Moscowitz decision in the realm of logic is to admit the fallacy of her arguments that her bill should be enacted. The

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important thing in this entire picture seems to us to be that Mrs. Sanger is now fully aware of her dilemma. She obviously is contemplating two types of new effort, one involves a re-phrasing of her bill and a broadening of its statements so that it in effect amounts to a complete repeal of the present law. This seems to us to be an impossible achievement yet it is the only one which really makes sense. America would be then on exactly the same basis on these matters as England with no law whatever. The second point of attack is to propose a new law which brings the whole subject within the purview of the pure food and drugs division of the Government. This last move has long been needed, and a movement in this direction wisely set-up should be given every encouragement. Is Mrs. Sanger the person to lead that movement? We don't know, but for some reasons doubt it. She is, however, most certainly the person to broaden the phrasing of her present legislative proposals and to lead the fight for them. She can make this transition without losing any of the present following which she has taken so many years to develop although she will gain new enemies.

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What the outcome of this kind of thinking in terms of specific program will be, we do not know. We doubt if Mrs. Sanger does. At least she and her advisers are facing up to the problem, and something good is bound to result. Meanwhile, we continue to be of the belief that regardless of the chances of her bill being passed her work should continue to be supported. The educational by-products of her activities are immeasurable. Moreover, there seems to be still a good deal of fighting to be done on the entire question and so long as Mrs. Sanger is able to do battle she will contribute greatly to the cause, in fact she continues to remain the only real fighting leader that gets to the public and that the movement has.