

[The Comstock Law \(1873\)](#) ^[1]

By: Seward, Sheraden Keywords: [Reproductive rights](#) ^[2] [Abortion](#) ^[3] [Contraception](#) ^[4]

The Comstock Law was a controversial law because it limited the [reproductive rights](#) ^[5] of women and violated every person's right to privacy. This federal law was the beginning of a long fight over the [reproductive rights](#) ^[5] of women which is still being waged. Reproductive rights are important to [embryology](#) ^[6] because they lead to the discussions regarding the morality of [abortion](#) ^[7], contraceptives, and ultimately the moral status of the embryo.

In 1872 [Victoria Woodhull](#) ^[8], the publisher of *Woodhull and Claflin's Weekly*, sent "obscene" literature to [Anthony Comstock](#) ^[9] revealing the affair of the prominent Reverend Henry Ward Beecher and Elizabeth Tilton. [Anthony Comstock](#) ^[9] had marshals sent to arrest Woodhull, after he received the literature, for violating state law. [Anthony Comstock](#) ^[9], who was the head of the Society for the Suppression of Vice, spent most of his years lobbying for the bill to be passed into federal law. The Comstock Law of 1873 was enacted in order to restrict any individual from selling or sending what were considered obscenities, including offering any information regarding [contraception](#) ^[10] and [abortion](#) ^[7]. Punishment for violating the law was imprisonment for no less than six months and no more than five years or a fine not less than one hundred dollars and not more than two thousand dollars.

The Comstock Law brought reproductive issues to the forefront of American society and paved the way for many future Supreme Court Cases on relevant topics. The Comstock Law was enforced until 1965 when the landmark decision of [Griswold v. Connecticut](#) ^[11] (1965) found it unconstitutional to restrict access to [birth control](#) ^[12] because it interfered with a person's right to privacy. Then in 1969 Justice Thurgood Marshall stated that the rights to receive information and to personal privacy were fundamental to every American. This statement was part of his decision in the Supreme Court case *Stanley v. Georgia* (1969), which came about when a man's house was searched by law enforcement because of his alleged bookmaking activities. The court decided that under the First and Fourteenth Amendments of the Constitution, private possession of obscene materials was not a crime.

Although indirectly, the Comstock Law contributed to the most popular and notorious court case about [reproductive rights](#) ^[5], [Roe v. Wade](#) ^[13] (1973). The controversy surrounding the Comstock Law brought issues of women's [reproductive rights](#) ^[5] and everyone's right to privacy into the courts and the media. The law also inspired a growing opposition movement that eventually led to its being overturned.

Sources

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2. Horowitz, Helen Lefkowitz. "Victoria Woodhull, [Anthony Comstock](#) ^[9], and Conflict over Sex in the United States in the 1870s." *Journal of American History* 87 (2000): 403–34.
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Topic

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