

# The Trial of Charles Bradlaugh and Annie Besant – Sadie Cunningham

## Why Can't We Read About Sex?

### The 1877 trial of Charles Bradlaugh and Annie Besant

In 1832, medical man Charles Knowlton published a book by the name Fruits of Philosophy. This book discussed and pictured population control, the male and female bodies, and advocated for birth control. Religious societies shunned the thought of contraceptives as they believed it was immoral (Queen vs Charles). Therefore, in 1877 when Annie Besant and Charles Bradlaugh republished and distributed Knowlton's Fruits of Philosophy, they were called to court for promoting obscene libel.

Charles Bradlaugh was the eldest born in 1833 in a family of 9 in London. Bradlaugh had his doubts on religion and society's dominant values from a young age, and grew to be a lawyer and a free-thought, radical lecturer. He was invited to be an editor for The National Reformer starting in 1860, advocating for multiple controversial topics, including the separation of church and state, and birth control (Oxford Dictionary).

Annie Besant was born in 1847 to an Irish family living in London. She did not grow up with strong religious roots and shifted beliefs throughout her lifetime. She married Frank Besant, and bore two children, however eventually divorced in 1873. She was a frequent and popular free-thought speaker (BBC).

Both Charles Bradlaugh and Annie Besant were advocates for free thought during the latter half of the 1800s. They met as members of the National Secular Society which preached for free thought and the separation from church and state (Quest for Truth). Bradlaugh and Besant were both editors together for Bradlaugh's The National Reformer. Both Bradlaugh and Besant wrote, spoke to the public and ultimately advocated for contraception as they believed that many of society's problems were linked to overpopulation, and in inability for women to regulate when they had children (BBC). Some topics they preached on included the high rate of orphans and starving families (Law of Population).

In 1877, Bradlaugh and Besant distributed their own edition of Charles Knowlton's Fruits of Philosophy using a pamphlet published their own Freethought Publishing Company. The pamphlet sold 125,000 copies in the first three months, bought by members of every class (Quest for Truth). However, both Bradlaugh and Besant were brought to court for publishing and distributing obscene literature. The prosecution argued that the public's morals were being corrupted by the information and depictions of sex. During trial, the prosecution stated that "this work... is sold at the corners of streets and in all directions...[and] it falls into the hands of persons of all classes... and the minds of the... pure are exposed to the dangers of contamination...from the impurity it contains... It seems to me that the effect of this

work is mischievous and against the law, and is not to be justified because the immediate object of the publication is not to deprave the public mind, but it may be to extirpate Roman Catholicism... There was no doubt that the original work was medically necessary, however for the public to see the same information and depictions of male and female bodies is thought to be obscene and corruptive.” (Queen v. Charles). Ultimately, the prosecution believed that this literature was corrupting religion and morals within society.

In their defense, Annie Besant explained that although she was defending herself, her true clients were outside of the courtroom. They were the poor and struggling people who were unable to support their large and growing families, resulting in poverty, famine, baby farming, and torturous strain on women’s bodies (Queen v. Charles). She argued that even if the jury were to determine that Bradlaugh and herself did distribute obscene libel, their intentions were not malicious, therefore they should not be convicted (Queen v. Charles). Bradlaugh and Besant both argued that the pamphlet was in the public’s interest and making this information common-place will ultimately improve societal conditions.

Ultimately, Bradlaugh and Besant were found guilty of publishing obscene libel, and sentenced to 6 months in prison and a £500 pound each fine. However, in 1878, the Court of Appeal quashed the conviction on a technicality. This trial was a milestone in controlling the population and the social implications that come with the choice to use contraception.

BBC History

[http://www.bbc.co.uk/history/historic\\_figures/besant\\_annie.shtml](http://www.bbc.co.uk/history/historic_figures/besant_annie.shtml)

Besant, Annie., *The Law of Population: Its Consequences and It’s Bearing upon Human Conduct and Morals*. Freethought Publishing Company. London: 1877.

Bevir, Mark. “Annie Besant’s Quest for Truth: Christianity, Secularism and New Age Thought.” *The Journal of Ecclesiastical History* 50.1 (1999): 62-93. Web. 4 Oct. 2017

The Queen v. Charles Bradlaugh and Annie Besant (1877).

[https://iiif.lib.harvard.edu/manifests/view/drs:5801909\\$13i](https://iiif.lib.harvard.edu/manifests/view/drs:5801909$13i)

Victorian London

<http://www.victorianlondon.org/index-2012.htm>

Oxford Dictionary of National Biography

<http://www.oxforddnb.com/view/article/3183?docPos=1>

<http://wludh.ca/ams/crime/?p=1210>