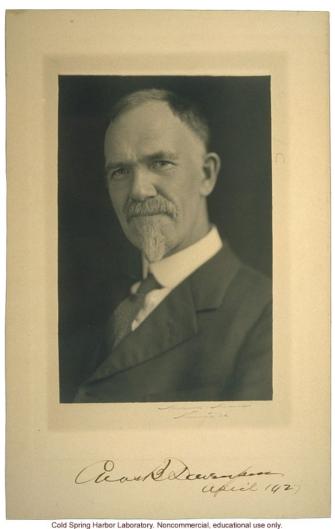
Prologue: Eugenics, Reproduction, and Human Rights

Daniel J. Kevles
Interdisciplinary Fellow, NYU Law School
Prof. of History Emeritus, Yale University

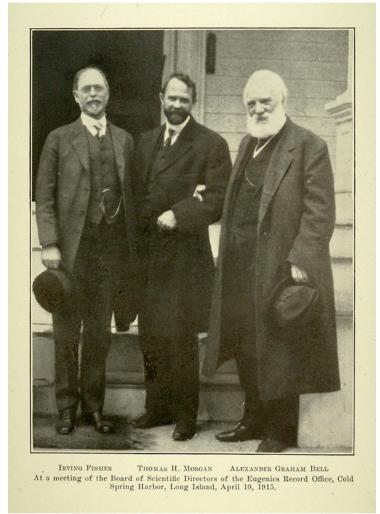
Francis Galton



Charles B. Davenport, Eugenicist



An ERO Board Meeting: Fisher, Morgan, Bell

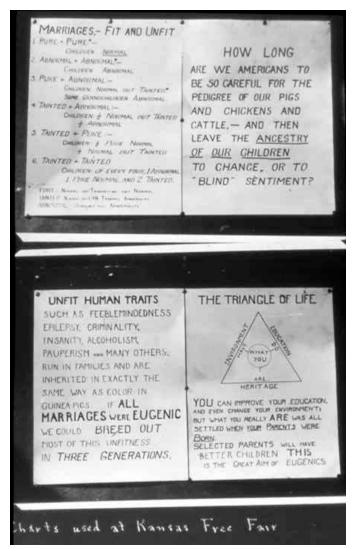


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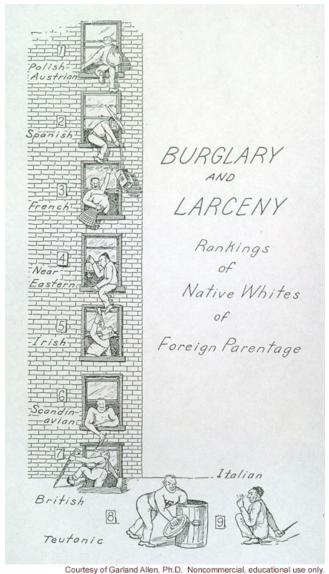
Eugenics Exhibit Kansas Free Fair, 1929



Eugenics and Marriage Chart, Kansas Free Fair, 1929



The Menace of Immigrants



The Coming of Supermen

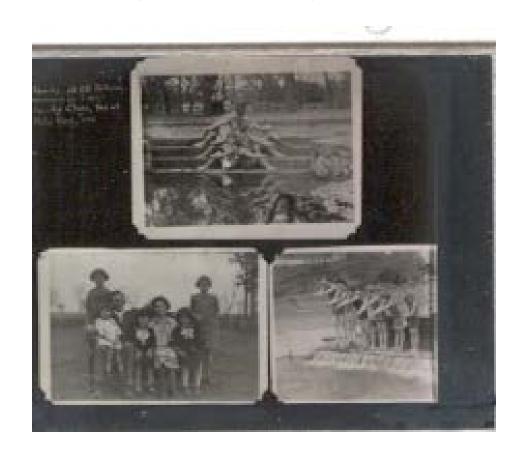


Cold Spring Harbor Laboratory. Noncommercial, educational use only.

Capper Medal



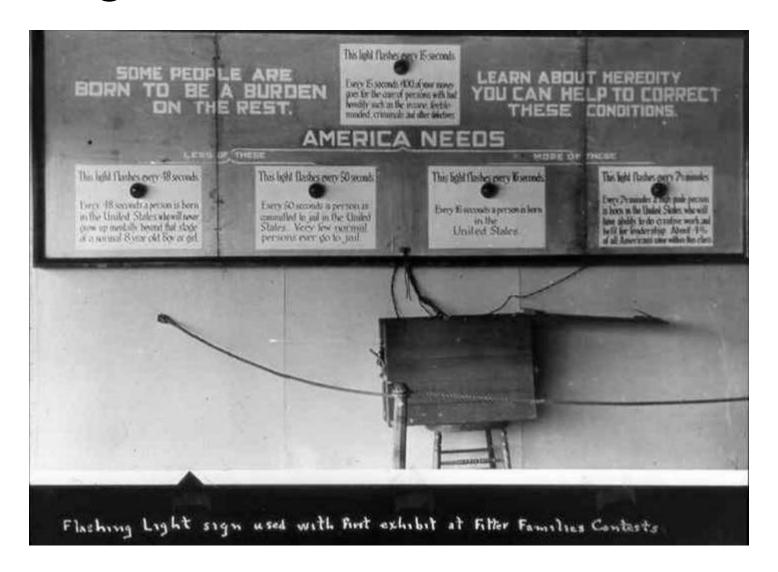
Winner, Large Family, Fitter Family Family Contest, Texas



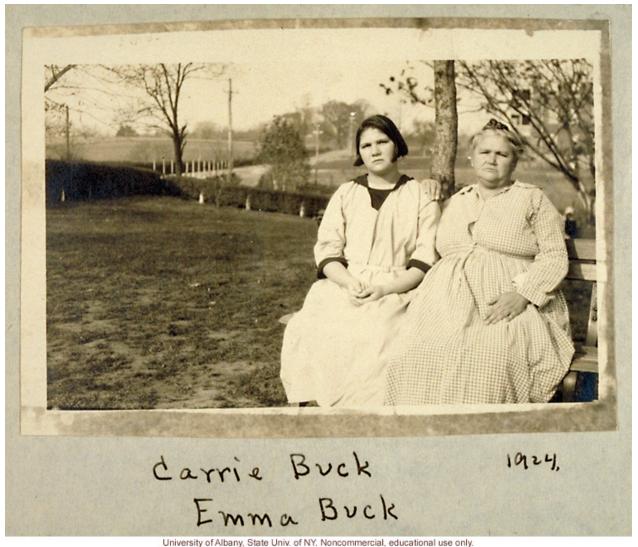
American Eugenics Society Exhibit, Sesquicentennial Exposition, 1926



Degeneration Counter, 1926



Carrie and Emma Buck, 1924



Buck v. Bell, 1927

SUPREME COURT OF THE UNITED STATES.

No. 292.—OCTOBER TERM, 1926.

Carrie Buck, by R. G. Shelton, her Guardian and Next Friend, Plaintiff in Error,

vs.

J. H. Bell, Superintendent of the State Colony for Epileptics and Feeble Minded.

In Error to the Supreme Court of Appeals of the State of Virginia.

[May 2, 1927.]

Mr. Justice Holmes delivered the opinion of the Court.

This is a writ of error to review a judgment of the Supreme Court of Appeals of the State of Virginia, affirming a judgment of the Circuit Court of Amherst County, by which the defendant in error, the superintendent of the State Colony for Epileptics and Feeble Minded, was ordered to perform the operation of salpingectomy upon Carrie Buck, the plaintiff in error, for the purpose of making her sterile. 143 Va. 310. The case comes here upon the contention that the statute authorizing the judgment is void under the Fourteenth Amendment as denying to the plaintiff in error due process of law and the equal protection of the laws.

Carrie Buck is a feeble minded white woman who was commited to the State Colony above mentioned in due form. She is the daughter of a feeble minded mother in the same institution, and the mother of an illegitimate feeble minded child. She was eighteen years old at the time of the trial of her case in the Circuit Court, in the latter part of 1924. An Act of Virginia approved March 20, 1924, recites that the health of the patient and the welfare of society may be promoted in certain cases by the sterilization of mental defectives, under careful safeguard, &c.; that the sterilization may be effected in males by vascetomy and in females by salpingectomy, without serious pain or substantial danger to life; that

Buck vs. Bell et al.

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is no doubt that in that respect the plaintiff in error has had due process of law.

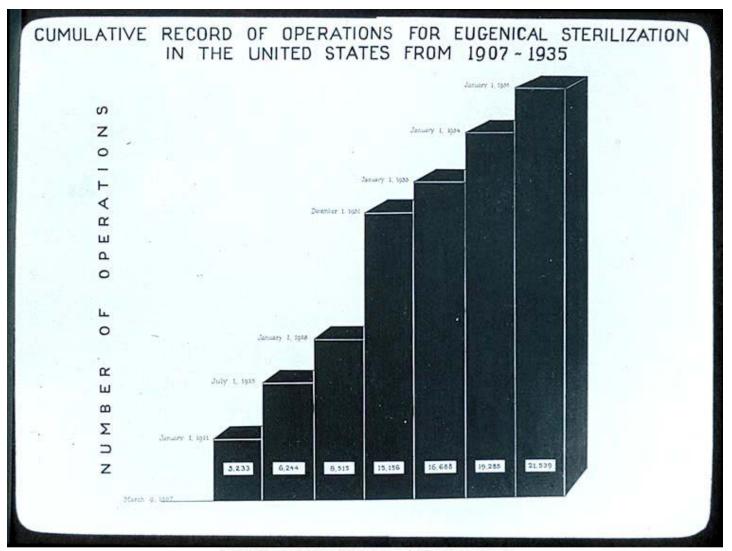
The attack is not upon the procedure but upon the substantive law. It seems to be contended that in no circumstances could such an order be justified. It certainly is contended that the order cannot be justified upon the existing grounds. The judgment finds the facts that have been recited and that Carrie Buck "is the probable potential parent of socially inadequate offspring, likewise afflicted, that she may be sexually sterilized without detriment to her general health and that her welfare and that of society will be promoted by her sterilization," and thereupon makes the order. In view of the general declarations of the legislature and the specific findings of the Court obviously we cannot say as matter of law that the grounds do not exist, and if they exist they justify the result. We have seen more than once that the public welfare may call upon the best citizens for their lives. It would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices, often not felt to be such by those concerned, in order to prevent our being swamped with incompetence. It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes. Jacobson v. Massachusetts, 197 U. S. 11. Three generations of im-

But, it is said, however it might be if this reasoning were applied generally, it fails when it is confined to the small number who are in the institutions named and is not applied to the multitudes outside. It is the usual last resort of constitutional arguments to point out shortcomings of this sort. But the answer is that the law does all that is needed when it does all that it can, indicates a policy, applies it to all within the lines, and seeks to bring within the lines all similarly situated so far and so fast as its means allow. Of course so far as the operations enable those who otherwise must be kept confined to be returned to the world, and thus open the asylum to others, the equality aimed at will be more nearly reached.

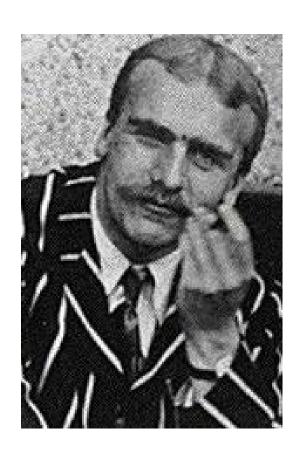
Judgment affirmed.

Mr. Justice Butler dissents.

Sterilization Rates, US



J.B.S. Haldane



Robert Edwards and Patrick Steptoe with Louise Brown





Evening News



Meet Louise, the world's

first test-tube arrival

SUPERBABE



Wide-eyed Louise Brown pictured in hospital 18 hours after she was born. Today she's doing well. See Page Three

Louise Brown, with her parents, John and Leslie Brown, 2003



Dolly the Sheep World's First Adult Clone



Jane Howland, "Recipe of Me"





TR on "Degenerates"

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Lawrence F. Abbott William B.Howland Kari V.S. Howland

The Outlook 287 Fourth Avenue

New York

Hamilton W. Mabie

January 3rd 1913.

My dear Mr Davenport:

I am greatly interested in the two memoirs you have sent me. They are very instructive, and, from the standpoint of our country, very ominous. You say that these people are not themselves responsible, that it is society that is responsible. I agree with you if you mean, as I suppose you do, that society has no business to permit degenerates to reproduce their kind. It is really extraordinary that our people refuse to apply to human beings such elementary knowledge as every successful farmer is obliged to apply to his own stock broading. Any group of farmers who permitted their best stock not to breed, and let all the increase come from the worst stock, would be treated as fit immates for an asylum. Yet we fail to understand that such conduct is rational compared to the conduct of a nation which permits unlimited breeding from the worst stocks, physically and morally, while it encourages or connives at the cold selfishness or the twisted sentimentality as a result of which the men and women who ought to marry, and if married have large families, remain celebates or have no children or only one or the interpolated duty two. Some day we will realize that the prime duty of the good citizen of the right type is to leave his blood behind him in the world, and that we have no business to perpetuate Chilens of the wrong type.

Faithfully yours,

Glerdore Rooscely

Charles B. Davenport Esq., Cold Spring Harbor, L.I.

C.B. DAVENPORT PAPERS