

# Eugenic Sterilization for Human Betterment

— American Eugenic Ties with Germany and Japan —

Karen J. Schaffner

## Introduction

The first dictionary meaning of the word “sterilization” refers to sanitizing, cleansing, or removing bacteria and germs that can cause illness or weakness. Early twentieth century eugenicists used the term to refer to vasectomy and tubal ligation—surgical operations which were intended to prevent the birth of unhealthy members of society. “Eugenic sterilization,” then, was used to refer to surgery performed on persons whose progeny was thought to pollute or weaken society and place an undue burden on it. Thus, preventing their birth would improve the health of present and future generations. Proponents of sterilization viewed “germ plasm” as a societal heritage rather than an individual one and a heritage for which the individual should be willing to make sacrifices.<sup>1)</sup>

The United States was the leading country in passing legislation based on eugenics and implementing surgery to prevent the procreation of those who suffered from disabilities or diseases thought to be hereditary. In 1922 Eugenics Record Office superintendent, Harry H. Laughlin, prepared a survey of sterilization laws in the various states, the problems in applying those laws, and the groups of people that

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1) See Harry H. Laughlin, “Report of the Committee to Study and Report on the Best Practical Means of Cutting Off the Defective Germ-Plasm in the American Population: I. The Scope of the Committee’s Work,” *ERO Bulletin* 10A (Long Island, NY: Eugenics Record Office, 1914), 16 <<http://dnapatenets.georgetown.edu/resources/Bulletin10A.pdf>>

the laws targeted.<sup>2)</sup> He also drew up a model law which he felt assured could withstand challenges concerning constitutionality. Phillip Reilly has written a thorough history of this “surgical solution” for societal problems.<sup>3)</sup> California passed sterilization legislation in 1909—two years after the first legislation in Indiana in 1907—and led the United States in the number of procedures carried out on both males and females. Wendy Kline and Alexandra Minna Stern have put California’s sterilization into historical and national context.<sup>4)</sup> These works will give the reader further information on the subject of sterilization in the American eugenics movement.

Sterilization in the United States, and particularly in California, served as model of applied eugenics for other countries. The focus of this study is an examination of what connections this model had with eugenic sterilization in Germany and Japan. For information on sterilization in Germany see studies by Robert Proctor, Gisela Bock, Ernst Klee, and Peter Weingart, et al.<sup>5)</sup> Connections between American eugenics and German eugenics have been discussed by Stefan Kühl and Barry Mehler.<sup>6)</sup> Matsubara Yōko, Hashimoto Akira, and Fujino Yutaka<sup>7)</sup> have written about

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2) Harry H. Laughlin, *Eugenical Sterilization in the U. S.: A Report of the psychopathic Laboratory of the Municipal Court of Chicago*, (Chicago: F. Klein Co., 1922).

3) Phillip Reilly, *The Sterilization Solution: A History of Involuntary Sterilization in the United States* (Baltimore, MD: Johns Hopkins University Press, 1991).

4) Wendy Kline, *Building a Better Race: Gender, Sexuality, and Eugenics from the Turn of the Century to the Baby Boom* (Berkeley: University of California Press, 2001); Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America* (Berkeley: University of California Press, 2005).

5) Robert Proctor, *Racial Hygiene: Medicine Under the Nazis*, (Cambridge, MA: Harvard University Press, 1998); Gisela Bock, *Zwangssterilisation im Nationalsozialismus: Studien zur Frauenpolitik und Rassenpolitik* (Opladen: Westdeutscher Verlag, 1986); Ernst Klee, ed., *Dokumente zur Euthanasie* (Frankfurt am Main: Fischer 1997); Peter Weingart, Jürgen Kroll, Kurt Bayertz, *Rasse, Blut und Gene: Geschichte der Eugenik und Rassenhygiene in Deutschland* (Frankfurt am Main: Suhrkamp, 1988).

6) Stefan Kühl, *The Nazi Connection: Eugenics, American Racism, and German National Socialism* (Oxford: Oxford University Press, 1991); Barry Mehler, *A History of the American Eugenics Society, 1921-1940*, Ph. D. dissertation, University of Illinois, 1988.

Japanese eugenics and sterilization. They also consider the influence of eugenic sterilization in Germany on that of Japan. Sumiko Otsubo Sitcawich shows Japanese eugenics had origins other than the Nazi influence, that is, women's education and marriage restriction efforts.<sup>8)</sup>

This paper will look at two American eugenicists from California who were involved in the Human Betterment Foundation (HBF)—E. S. Gosney and Paul Popenoe. Through an examination of their correspondence, publications, and examples of direct association, connections between eugenicists in the United States, Germany, and Japan will come into view.

## 1. California Sterilization and the Human Betterment Foundation (1926–1942)

Unlike Germany and Japan, American sterilization laws were passed on the state level and varied in their content and enactment. California was not the first state to segregate the “socially unfit” in institutions, but state officials soon followed the example of eastern states by building institutions to confine their unfit. After 1909 patients of state hospitals, inmates of institutions for the mentally retarded, and

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7) Matsubara Yōko, ‘The Enactment of Japan’s Sterilization Laws in the 1940s: A Prelude to Postwar Eugenic Policy,’ *Historia Scientiarum*, The History of Science Society of Japan 8 : 2 (December, 1998), 187-201 <<http://www.arsvi.com/1990/9812my.doc>> (accessed 2010/12/24) and Matsubara Yōko (松原洋子)「日本の優生法の歴史」, 優生手術に対する謝罪を求める会『優生保護法が犯した罪—子どもをもつことを奪われた人々の証言』現代書館, 2003年, pp.104-115; Hashimoto Akira (橋本明)「わが国の優生学・優生思想の広がり」と精神医学者の役割—国民優生法の成立に関して—『山口県立大学看護学部紀要』1997, pp.1-8; Fujino Yutaka (藤野豊)『日本ファシズムと優生思想』(京都: かもがわ出版, 1998 and 『「いのち」の近代史—「民族浄化」の名のもとに迫害されたハンセン病患者』(京都: かもがわ出版, 2001) [Japanese names are given with surnames first as is the norm in Japan.]

8) Sumiko Otsubo Sitcawich, *Eugenics in Imperial Japan: Some Ironies of Modernity, 1883-1945*, Ph.D. Dissertation, Ohio State University, 1998.

prison inmates were subject to sterilization under California law. The decision to perform surgery was to be made by a “board consisting of the superintendent or resident physician of the institution in consultation with the general superintendent of state hospitals and the secretary of the state Board of Health.”<sup>9)</sup> There were few instances of implementing the law for several years after its passage. But after updates in 1913 and 1917, reflecting an emphasis on the eugenic basis of the law and specifically targeting inmates with hereditary mental illness, the number of surgeries increased. These surgeries addressed the problem of degenerate offspring and made it possible to release many of the inmates back into society, thus decreasing the financial burden of their upkeep.

In 1917 there were 1,422 reported sterilization operations performed in the United States. Of this total, 1,077 were done in California, or 70 per cent of the total. By 1920 the total was 3,233 cases, 63 percent of which were in California (1,077 cases) (Reilly, 97). Between 1923 and 1926 the annual number of sterilization operations rose from 190 to 541 and between 1930 and 1944 the total number of operations done in California institutions climbed to 11,000 (Reilly, 100).

One reason for this increase can be traced to the efforts of the Human Betterment Foundation, which was founded in Pasadena, a suburb of Los Angeles, and formally incorporated in 1928. Twenty-five men with eugenic interests were tapped as members, including Stanford University chancellor David Starr Jordan, California University zoology professor Samuel J. Holmes, IQ test promoter and Stanford University psychology professor Lewis Terman, Los Angeles attorney Otis

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9) The text of the 1909 and 1913 laws are available in Harry H. Laughlin, “Report of the Committee to Study and Report on the Best Practical Means of Cutting Off the Defective Germ-Plasm in the American Population II. The Legal, Legislative and Administrative Aspects of Sterilization” *ERO Bulletin* 10B (Long Island, NY: Eugenics Record Office, 1914), 15-16. <<http://dnapatents.georgetown.edu/resources/Bulletin10B.pdf>> See also Jon Gottshall, “The Cutting Edge: Sterilization and Eugenics in California, 1909-1945” <<http://www.gotshall.com/thesis/article.htm>> (accessed 2010/12/22).

H. Castle, and Sacramento banker and philanthropist Charles M. Goethe. The articles of incorporation of this non-profit foundation list its purpose as “the advancement and betterment of human life, character and citizenship.”<sup>10)</sup> Included is a clarification that this purpose is not to be accomplished by relief work or charitable activities, but by education that will make the need for relief work unnecessary. Through scientific investigation, the foundation proposed to provide Americans with advice concerning the means of bettering the human family through sterilizing people considered to be unfit. Though the original focus was the improvement of American society, the foundation soon expanded its efforts beyond national boundaries.

### 1.1 E. S. Gosney, HBF Founder

The money and the impetus behind the Human Betterment Foundation was Ezra Seymour Gosney<sup>11)</sup> (1855-1942), a businessman and philanthropist in Pasadena, California. Born in Kentucky, he had worked as a lawyer for the railroad in Missouri and relocated to Arizona, where he also became involved in banking and sheep raising and organized the Arizona Wool Growers’ Association. In order to provide a better environment for raising his children, around 1905 Gosney began spending time in California and soon moved there, where he amassed a small fortune from citrus and grape horticulture and real estate ventures.

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10) Articles of Incorporation, Box 2, File 10, E. S. Gosney Papers and Records Of the Human Betterment Foundation 1880-1945, Archives, California Institute of Technology.

11) Stefan Kühl mistakenly listed Gosney’s first name as “Eugene” instead of “Ezra” and other researchers have followed suit. For further information about Gosney see David A. Valone, “Eugenic Science in California: The Papers of E. S. Gosney and the Human Betterment Foundation” in *The Mendel Newsletter: Archival Resources for the History of Genetics and Allied Sciences* New Series, No.5 (February 1996), 13-15. <<http://www.amphilsoc.org/mendel/1996.htm>>; Ruth Clifford Engs, *The Eugenics Movement: An Encyclopedia* (Westport, CT: Greenwood Press, 2005), 101-102; *The Pasadena Star*, “Human Betterment Plan of a Well-Known Citizen” 31 July 1926, Paul Popenoe Bowman Papers, Box 139, File 4, American Heritage Center, University of Wyoming.

Like no few other eugenicists, Gosney's interest in eugenics grew out of the idea of applying principles of selective breeding in livestock and plants to human beings. Identifying hereditary defects and purging them was for him the sensible thing to do. As early as 1924 he had sought advice from the Eugenics Record Office in Cold Spring Harbor, New York about making a financial investment in a eugenics organization. Harry Laughlin suggested that he gather a group of men from various fields to do research, encourage legislation, and monitor the application of that legislation.

## 1.2 Paul Popenoe, HBF Research Coordinator

Among the men Gosney approached to join him in his endeavor to promote eugenics was Paul Bowman Popenoe (1888-1979).<sup>12)</sup> In Popenoe, Gosney found a scientist to head up his research. Popenoe raised dates near Los Angeles and had a long involvement with eugenics. He had studied biology at Stanford University under David Starr Jordan, attended the First National Conference on Race Betterment (1914), co-authored with Roswell H. Johnson a widely used textbook *Applied Eugenics* (1918), served as the editor of the American Genetic Association's publication, *Journal of Heredity* (1913-1918), and, during World War I, served as an army health officer. Having seen the dangers that venereal disease and prostitution posed for the American family, Popenoe continued his work in anti-venereal and anti-prostitution efforts after the war as the executive secretary of the American Social Hygiene Association (1919-1920). His concern for the preservation of the

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12) For more information of Popenoe see Ruth Clifford Engs, *The Eugenics Movement: An Encyclopedia* (Westport, CT: Greenwood Press, 2005), 181-182. Molly Ladd-Taylor, "Eugenics, Sterilisation and Modern Marriage in the USA: The Strange Career of Paul Popenoe," *Gender and History* 13 : 2 (August 2001), 298-327. For information in Japanese see Choo Joo Hee (曹周希) and Nakamura Makio (中村満紀男) 「P. ポピノーの優生断種構想における対象論：カルフォルニア州に関する研究（1927-30）を中心に」『心身障害学研究』24（2000-03）99-114 also in 『優生学と障害者』（東京：名石書店，2004）185-197.

family was expressed in a book, *Modern Marriage* (1925), and in 1930 this concern led to the establishment of the first marriage counseling institution in the United States, the American Institute of Family Relations, which provided premarital examinations as well as heredity counseling. In the words of his son “his mission was ‘to bring to bear all the resources of modern science in promoting successful marriage and family life.’”<sup>13</sup>

Popenoe responded enthusiastically to Gosney’s invitation to be involved in the foundation and outlined a detailed proposal concerning the activities and topics for research. He suggested, “[T]he first project taken up might well be sterilization, for which data exist in California to an unusual extent. A thoroughgoing and impartial investigation, which would doubtless occupy at least a year or two, should serve to reveal what the actual results have been from the four or five thousand operations already performed” (quoted in Stern, 105-6). Gosney and the Human Betterment Foundation had found a scientist to be the secretary and director of research as well as a definite focus for that research.

### 1.3 HBF Activities

Following Popenoe’s suggestion, the HBF’s main emphasis became sterilization. In the spring of 1926 Gosney and Popenoe began gathering data from five state institutions doing sterilization operations for eugenic purposes. Popenoe interviewed doctors and social workers, reviewed medical records, examined case histories, interviewed those who had been sterilized, and consulted with juvenile courts. Results from this study were published first in a series of articles in various scientific and technical journals between 1927 and 1929. Intended for a popular audience, conclusions from the study were then published by the foundation in 1929 as

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13) David Popenoe, “Remembering My Father, Paul Popenoe: An Intellectual Portrait of ‘The Man Who Saved Marriages’” (1992) <<http://www.popenoe.com/PaulPopenoe.htm>> (accessed 2010/12/23). See also David Popenoe, *War Over the Family*, (Piscataway, NJ: Transaction Publishers, 2008), 231-236.

*Sterilization for Human Betterment: A Summary of Results of 6,000 Operations in California, 1909-1929*, coauthored by Gosney and Popenoe. Later in 1930 the original journal articles were collected in one volume with interested professionals in mind, entitled *Collected Papers on Eugenic Sterilization in California: A Critical Study of Results in 6000 Cases*.

Readers were assured that sterilization made it possible for handicapped persons to marry without the fear of degenerate offspring. It was not “asexualization” nor did it interfere with sexual desire or satisfaction. The authors addressed fears that without the deterrent of possible pregnancy sexual offenses would increase. Their study showed instead that sexual offenses actually decreased.

A second research project was conducted later in conjunction with the Bureau of Juvenile Research and at the request of the Director of State Institutions of California. The results of this survey and case studies were published in 1938 and again in 1939 as *Twenty-eight Years of Sterilization in California*. This study covered some 10,000 operations. An excerpt from this publication provides insight into the motivation for the work of the HBF and their eugenic orientation:

*the multiplication of the feeble-minded, so much more rapid than that of the most intelligent and best educated people in the community; the destructive results of parenthood in families handicapped by mental disease; the effectiveness of sterilization, from all points of view, in meeting the problems presented by these facts. It is this proved effectiveness which has led California institutions to sterilize 12,941 patients up to January 1, 1939 (p.3).*

Readers were assured that sterilization was not intended as punishment, but as protection of the person involved, their families, society, as well as future generations. Foundation publications were available for purchase, but many complimentary copies were sent throughout the United States, as well as to foreign countries. Free copies

were also sent to various city and college libraries.

Seeking an even wider audience, the HBF published the conclusions based on the data of these studies in a more accessible form. Entitled *Human Sterilization*, pamphlets and single sheet leaflets were intended as a tool for the education and distributed widely in the United States and abroad. Included in this audience were university students of natural and social science. Some 23,000 pamphlets were distributed in 1936, 73,000 pamphlets and leaflets in 1937, and over 140,000 pamphlets and more than 130,000 leaflets in 1938. Other recipients of these pamphlets included lawyers, doctors, Protestant ministers, high school teachers, county and state officials in California, members of the American Association of Social Workers, California P. T. A. members and national P. T. A. officers, and presidents of women's clubs.<sup>14)</sup>

In addition to compiling statistics, carrying out research projects, and disseminating the results of its research, the foundation also actively sought to influence legislation. A letter dated May 8, 1934 illustrates this aspect of the HBF's activities.<sup>15)</sup> Gosney inquired about the public sentiment toward the sterilization bill to be introduced in the next session of the New York state legislature and offered help in providing facts from California's twenty-five year experience to counter any opposition to the bill. He kept informed on pending legislation and had the resources to provide information and promote the passage of the bills.

The promulgation of eugenic ideas concerning sterilization was not limited to the written word, as in letters and publications. The Foundation also provided speakers who explained the need for sterilization, outlined its merits, and reported on

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14) Annual Reports, Box 1, File 1, Annual Meetings 1937-8, 1938-9, E. S. Gosney Papers and Records Of the Human Betterment Foundation 1880-1945, Archives, California Institute of Technology.

15) "E. S. Gosney (Human Betterment Foundation) letter to L. I. Dublin (Metropolitan Life Insurance Company), about pending NY sterilization bill (5/8/1934) <<http://www.eugenicsarchive.org/html/eugenics/static/images/1752.html>>.

California's experience. Attendees of the lectures received printed materials about eugenic sterilization published by the Foundation. These lectures were held in a variety of venues, ranging from informal to professional. Various members participated in this aspect of the HBF's work. Popenoe was flexible in addressing audiences of different levels of interest and previous knowledge. For the medical audience, New York obstetrician and gynecologist Dr. Robert Latou Dickinson (1861-1950) was influential in gaining the support for sterilization, especially of females. Dickinson came to California and collaborated with Gosney and Popenoe and gave addresses complete with large charts, graphs, pictures, and later models. His 1928 address to the American Medical Association was entitled "Sterilization without Unsexing: A Surgical Review" and assured the medical community of the simplicity, efficacy and necessity of female sterilization (see Kline, 67-78).

During the existence of the HBF the extent of sterilization in the United States increased. In 1920 the number of states having sterilization legislation on the books was 12, by 1927 that number grew to 19, and in 1932 the number was 27. Reilly's summation of statistics shows that

*From 1923 through 1926, the annual number of sterilizations in California climbed from 190 to 541. During the next six years (1927-32) a total of 3,347 operations were performed—about 550 a year. The numbers continued to climb: in 1935 alone there were 870 sterilizations. From 1930 through 1944, nearly 11,000 persons were sterilized in California institutions.... During 1927 and 1928, 2,271 sterilizations were performed in the nation's institutions, while in 1929 alone there were 2,362 operations. From 1929 through 1941, more than 2,000 eugenic sterilizations were performed each year in the United States. The most active year was 1932, when there were 3,921 reported operations (Reilly, 100-101).*

In 1941, the year before Gosney's death and the dissolution of the foundation, the total number of operations nationwide was 38,087 (Reilly, 97). HBF efforts gave impetus to eugenic sterilization in America and attracted international attention.

## 2. HBF Connections with Germany

### 2.1 Exchange of information between the U. S. and Germany

One of the countries which had interest in American eugenics and its related policies was Germany. The status of sterilization in the United States, and particularly that of California, was detailed by the Austrian vice-consulate in California, Géza von Hoffmann, in his 1913 book *Rassenhygiene in den Vereinigten Staaten von Nordamerika* [Race Hygiene in the United States].<sup>16)</sup> A major portion of the book dealt with sterilization legislation, which the author asserted was “the easiest measure to prevent the reproduction of inferior people” (69). He also observed a weakness in the application of eugenic principles because legislation was passed on the state level and not uniform, nor uniformly enforced. His report on German eugenics in a 1914 article for the *Journal of Heredity* told of a recent meeting of the German Society for Race Hygiene (founded in 1905). The society adopted “resolutions calling for [an] extensive program of positive measures to check decline in [the] birth-rate.” His comments concerning sterilization for eugenic reasons noted that “the time has not yet come for such a measure in Germany.”<sup>17)</sup>

Sterilization legislation in Germany is often connected with Hitler and the Nazi rise to power. However, such legislation was proposed before that time. In a 1923 report to the Saxony government, physician Gerhard Boeters called for the “compulsory sterilization for the hereditarily blind and deaf, the mentally

16) Géza von Hoffmann, *Rassenhygiene in den Vereinigten Staaten von Nordamerika* [*Racial Hygiene in the United States of North America*] (Munich: Lehmann, 1913).

17) Géza von Hoffmann, “Eugenics in Germany” in *Journal of Heredity* 5 : 10 (October 1914), 435-6.

handicapped, the mentally ill, sexual ‘perverts,’ and fathers with two or more illegitimate children” (Kühl, 23). The same year the Reich Health Office gathered information about American sterilization. Because several states were not implementing their legislation, the report concluded that “sterilization in the United States compared to the first decade of the century does not play such an important role” (Kühl, 24). In 1927 the Social Democratic party in the Prussian Parliament unsuccessfully called for another survey of American sterilization. Interest remained high and in 1932 the Prussian Health Council [*Landesgesundheitsrat*] held discussions concerning decreasing the burden of institutional care of mentally and physically handicapped and the advantages of preventing their offspring. These discussions were influenced by American and Swiss legislation which provided for the sterilization of mentally handicapped to protect society from pollution.

One of the German eugenicists who had contact with the HBF was Fritz Lenz. Lenz was coauthor of the leading German eugenics text and editor of the major German journal for racial hygiene.<sup>18)</sup> He later held the first university chair of eugenics in Munich, joined the Nazi party in 1937, and was subsequently appointed department head of the Kaiser Wilhelm Institute for Anthropology in Berlin. After World War I, he and Popenoe kept in contact. Popenoe, who had served as editor of the *Journal of Heredity*, and Lenz exchanged articles about eugenics, often translating them for publication in the other’s journal. For example, Popenoe translated Lenz’ “Eugenics in Germany,” and Lenz translated Popenoe’s “Rassenhygiene (Eugenik) in den Vereinigten Staaten.” A 1931 article by Popenoe in the German eugenics journal, translated by Lenz, reported on the California sterilization experience.<sup>19)</sup>

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18) Erwin Baur, Eugen Fischer, and Fritz Lenz, *Grundriss der menschlichen Erblichkeitslehre und Rassenhygiene* [Outline of human genetics and Race Hygiene] (Munich: Lehmann, 1921) <<http://www.archive.org/details/grundrissdermens02bauruoft>>, translated into English as *Human Heredity* (London: Allen & Unwin, 1931). Editor of *Archiv für Rassen- und Gesellschaftsbiologie* [Archives for Racial and Social Biology] (1913-1933).

Lenz' contact with HBF staff was not limited to Popenoe. A 1937 letter written from Berlin is in Gosney's collected papers.<sup>20</sup> In addition to expressing gratitude for new information concerning California's sterilization experience, which he called "very valuable," Lenz expressed particular interest in the fact that of the 12,000 sterilized in California, two thirds of the cases were because of mental illness and only a third because of feeble-mindedness. He noted that it was the opposite in Germany. They held the sterilization of the feeble-minded as more urgent because of the greater probability of feeble-minded offspring, whereas the mentally ill were less likely to have children. He posits that there are likely less feeble-minded in California due to the fact that they are less likely to immigrate, but urged Gosney to make sterilization of feeble-minded a priority in California.

Correspondence was only one means of contact between German and American eugenicists. Publications of the Human Betterment Foundation were another source of information about American sterilization legislation. HBF's 1929 *Sterilization for Human Betterment* was translated by Konrad Burchardi and published in Germany the following year. Felix Tietze of the Austrian League for Regeneration and Heredity also reviewed the research version of the book (*Collected Papers on Eugenic Sterilization*, 1930), saying that no one with an interest in eugenic sterilization could ignore it.<sup>21</sup> Interested parties were not limited to eugenicists.

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19) Fritz Lenz, trans. Paul Popenoe, "Eugenics in Germany," *Journal of Heredity*, 15 (1924) 223-231. Paul Popenoe, trans. Fritz Lenz, "Rassenhygiene (Eugenik) in den Vereinigten Staaten," *Archiv für Rassen- und Gesellschaftsbiologie*, 28 (1923/1924) 184-193. "Rassenhygienische Sterilisierung in Kalifornien," *Archiv für Rassen- und Gesellschaftsbiologie*, 23 (1931) 249-59. Paul Popenoe, "Rassenhygienische Sterilisierung in Kalifornien," *Archiv für Rassen- und Gesellschaftsbiologie* 23 (1931) 249-259.

20) Correspondence Box 7, File 8—Germany, E. S. Gosney Papers and Records Of the Human Betterment Foundation 1880-1945, Archives, California Institute of Technology.

21) Konrad Burchardi, *Sterilisierung zum Zwecke der Aufbesserung des Menschengeschlechts* (Berlin: Marcus and Webers, 1930). Felix Tietze, "Sterilisierung zum Zwecke der Aufbesserung des Menschengeschlechts" *Archiv für Rassen- und Gesellschaftsbiologie* 25 (1931) 346-47.

Otto Wagener, confidante of Hitler, reported him as saying:

*I have studied with great interest the laws of several American states concerning the prevention of reproduction by people whose progeny would, in all probability, be of no value or be injurious to the racial stock (Kühl, 37).*

Researchers and politicians alike were in possession of the information needed to evaluate and study American sterilization. This information provided them a basis for considering how and when to implement such legislation in Germany.

## **2.2 Sterilization legislation in Germany**

Hitler and the National Socialist Party came to power in 1933. Within a matter of months afterwards, the Law for the Prevention of Hereditary Disease in Posterity [*Gesetz zur Verhütung erbkranken Nachwuchses*] was passed on July 14, 1933 with implementation set for the following January. During this interim time, the HBF sent *Human Sterilization* pamphlets to German eugenicists, government administrators, and administrators of social welfare organizations who would be involved in the implementation of the law. This pamphlet provided justification for the German sterilization law and was used to promote the cause of sterilization. Stefan Kühl gives the example of Herbert “Linden, an influential member of the Health Department at the Reich Ministry of the Interior and later a chief organizer of the Nazi extermination of more than 100,000 mentally handicapped people” who made reference to the pamphlet in a speech given to a government committee dealing with population and racial policies (43-44). The American experience was held up as an example of the benefits of eugenic sterilization.

Correspondence which Gosney received related to the German sterilization law show the contribution that the HBF contribution had made. Gosney was copied on a letter from Dr. G. Gyssling of the German Consulate in Los Angeles to Dr.

Burchardi, who had done the German translation of *Sterilization for Human Betterment*:

*It is my honour and it gives me great pleasure to inform you, that, when my Government passed its National Hygiene Legislation, it was well aware of the work which had been done already in this field in the United States. The books published by such eminent authorities as Mr. E. S. Gosney and Dr. Popenoe, particularly their Sterilization for Human Betterment, and the experiences made by such outstanding organizations as "The [American] Institute of Family Relations" and "The Human Betterment Foundation" have been very well known in Germany and have proved to be a valuable contribution to the considerations which led to the legislation in question.<sup>22)</sup>*

Included in a January 1934 letter to Gosney from Pasadena doctor and HBF member, George Dock, was his translation of the German sterilization law which also included an extract of a HBF report. He noted the reference to the HBF as “very significant” and expressed the opinion that the law was “an excellent one,” providing adequate protection for the patient. His enclosure is quoted here to illustrate how German eugenicists used HBF information to allay opposition to eugenic sterilization.

*Translation of the German Sterilization Law*

*Dated July 28, 1933.*

*Of interest in this connection is the fact that in the United States of North America, according to the statistics of the Human Betterment Foundation, 16,000 persons have been sterilized — 7,000 men, and more than 9,000 women, up to January 1933. A pamphlet distributed by the Human Betterment*

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22) Quoted by Katherine Swift in “Sinister Science: Eugenics, Nazism, and the Technocratic Rhetoric of the Human Betterment Foundation” *Lore* 6 : 2 (May 2008) 5.

*Foundation describes the effect of eugenic sterilization as carried out in California as follows:*

- 1. Only one effect — it prevents descendents.*
- 2. It does not in any way unsex the patient.*
- 3. It is a protection, not a punishment; it does not imply any shame or degradation.*
- 4. It is accepted by the patient to be sterilized.*
- 5. It is accepted by the relatives and friends of the patients.*
- 6. It is approved by physicians, social workers, and guardians of the peace who have come in contact with the 8506 patients who have been sterilized in the 25 years prior to Jan. 1, 1933.*
- 7. It permits the return to their homes of many patients who would otherwise have to be forcibly detained in institutions. It aids in the preservation of families and prevents their dissolution.*
- 8. It prevents the birth of children to be brought up by imbecile or feeble minded parents or by the State.*
- 9. It relieves the tax payers of a great expense, and permits the state to care for many more sick people than otherwise.*
- 10. A marked diminution of sexual crimes has followed.*
- 11. It permits marriage to many persons who without sterilization could not lead a normal life.*
- 12. It is a practical and essential step to prevent racial degeneration.<sup>23)</sup>*

Germans had many of the same fears and objections concerning sterilization that Americans had. The conclusions from the HBF study of sterilization in California

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23) Letter from George Dock, M. D. Jan. 31, 1934, Box 21, File 7—Germany— Sterilization Law, E. S. Gosney Papers and Records Of the Human Betterment Foundation 1880-1945, Archives, California Institute of Technology.

were helpful in Germany as well.

Popenoe also translated the German law for American readers of the *Journal of Heredity*.<sup>24)</sup> Included in those subject to sterilization were sufferers of the following diseases: “congenital feeble-mindedness, schizophrenia, manic-depressive insanity, inherited epilepsy, Huntington’s chorea, hereditary blindness or deafness, and severe hereditary malformation.” Those with severe cases of alcoholism came under the reach of the law (257-8). The targeted population in the German law was similar to that of American laws. But unlike the American sterilization laws, the German law targeted non-institutionalized persons as well. According to Mehler, this group accounted for two thirds of those sterilized (237).

Several American eugenicists gave first-hand reports on how the law was being implemented in Nazi Germany. Their reports gave testimony to the influence of the HBF. Marie Kopp, who went in 1935 under the auspices of the American Committee on Maternal Health reported that:

*The leaders in the German sterilization movement state repeatedly that their legislation was formulated only after careful study of the California experiment as reported by Mr. Gosney and Dr. Popenoe. It would have been impossible, they say, to undertake such a venture involving some 1 million people without drawing heavily upon previous experience elsewhere.*<sup>25)</sup>

Charles M. Goethe, California banker, philanthropist, and member of the HBF, visited Germany on business. In a letter to Gosney he also cited the impact of the foundation’s work on German eugenics:

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24) Paul Popenoe, “The German Sterilization Law,” *Journal of Heredity* 25 : 7 (July 1934) 257-60.

25) Marie E. Kopp, “Legal and Medical Aspects of Eugenic Sterilization in Germany,” *American Sociological Review*, 1 (1936), 763.

*You will be interested to know that your work has played a powerful part in shaping the opinions of the group of intellectuals who are behind Hitler in this epoch-making program. Everywhere I sensed that their opinions have been tremendously stimulated by American thought, and particularly by the work of the Human Betterment Foundation. I want you, my dear friend, to carry this thought with you for the rest of your life, that you have really jolted into action a great government of 60,000,000 people.*<sup>26)</sup>

Gosney died in 1941, before many of the details of the uses and abuses of the German sterilization law were made known, and perhaps as Goethe suggested was able to take pride in the part that the HBF played in Germany's eugenic sterilization policy. Estimates of the number of people sterilized under the law between 1934 and 1939 range from 200,000 to 400,000.<sup>27)</sup>

### **3. HBF Connections with Japan**

#### **3.1 Contact between U. S. and Japanese Eugenicists**

In addition to contacts with German eugenicists, E. S. Gosney made contacts with eugenicists in Japan. Correspondence with Japanese<sup>28)</sup> found in Gosney's papers centers on Waseda University professor, Christian socialist, and politician Abe Isoo (安部磯雄 1865-1949). Abe described how he began correspondence with Gosney in an article written for the Japanese birth control journal.<sup>29)</sup> He wrote that

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26) Quoted by Stephen Trombley in *The Right to Reproduce: A History of Coercive Sterilization* (London: Weidenfeld & Nicholson, 1998), 117.

27) Bock, 8. See also U. S. Holocaust Memorial Museum, "Mentally and Physically Handicapped: Victims of the Nazi Era—Forced Sterilizations" <<http://www.ushmm.org/education/resource/handic/handicapped.php>> (accessed 2010-12-23).

28) Besides Abe, Gosney had infrequent correspondence with others such as Tokyo Imperial University psychiatric clinic doctor Muramatsu Tsuneo, Kyoto Imperial University psychiatric clinic doctor Mitsuda Hisatoshi, and Kanazawa Medical College doctor Y. Koya.

he was introduced to Gosney by Mrs. Horace E. Coleman. The Colemans were missionaries with the Society of Friends since 1907 and lived in Tokyo. Horace Coleman worked as a specialist with the Sunday School Association.<sup>30)</sup> Abe had worked with Coleman in Sunday School promotion and temperance meetings. While stateside, Mrs. Coleman, who was interested in birth control, told Gosney about Abe. Gosney began correspondence with Abe which included information on sterilization and updates on family activities.

Abe and Gosney had occasion to meet when Abe traveled to the United States in 1929 to recuperate after an illness. He visited the Human Betterment Foundation and was impressed with the California businessman's dedication to the cause of eugenics. The fact that he was using his personal assets to fund the foundation and its activities was particularly impressive. In a 1936 article of *The Purity* Abe wrote of his visit during the previous year to one of California's institutions for the "feeble-minded."<sup>31)</sup> He mentioned that although admirable efforts were being made, due to California's conservatism such drastic measures as Hitler was using in Germany could not be carried out. At this facility for the mentally handicapped, male and female inmates can be sterilized with permission from their relatives. Because many of the inmates are unable to grasp the consequences of sexual activity, sterilization provides peace of mind for their families. According to the institution's report, this was particularly so for the families of attractive inmates. If they are seduced and get pregnant, it is not only a tribulation for their parents but also an issue demanding

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29) Abe Isoo, "Sanjiseigen no Yūseigakuteki Kaiken" [A Eugenic View of Birth Control] *Sanjichōsetsu [Birth Control]* 4 : 6 (1931), 2-5 「産児制限の優生學的見解」『産児調節』. See also "Seishi Kessatsu to Gasuneeshi" *Birth Control* 6 : 2 (1933), 2 [「精糸結紮とガスニー氏」].

30) Coleman is listed in the 1913-1924 copies of the *Japan Christian Yearbook*, (Tokyo: Nihon Kirisutokyō Kyōgikai). The yearbooks are available on the Internet Archive site <<http://www.archive.org/>> (accessed 2010/12/24).

31) Abe Isoo, "Kokuminseikatsu to Jinkōmondai" *The Purity [Kakusei]* 5 : 26 (1936), 1-4 「國民生活と人口問題」『廓清』.

consideration by the nation. Sterilization laws are one means of coping with this issue and avoiding tragic consequences, even through, as Abe noted, the surgery is more complicated for females than for males. As he observed the situation in America, he became convinced of the necessity of sterilization legislation in Japan.

Abe was responsible for the translation of some HFB publications. His translation of Gosney's and Popenoe's *Sterilization for Human Betterment* was published in 1930 by the Greater Japan Civilization Society, which published many European and American texts.<sup>32)</sup> An essay that Abe wrote for the magazine *Population*, entitled "Problem of Population considered quantitatively and qualitatively" drew largely from pamphlets received from the HBF.<sup>33)</sup> Abe wrote Gosney, sending a copy that the publisher had bound separately and saying, "I do not expect any one of you would try to read it, but ask you simply to keep it for curiosity."<sup>34)</sup>

On several occasions Abe presented Gosney and the work of the HBF in various Japanese journals dealing with topics related to eugenics—birth control, anti-prostitution, and population problems. But Gosney also appeared in the journal of the Japan Association of Racial Hygiene [*Nihon Minzoku Eisei Kyōkai*] (founded in 1930). In June 1934 Tokyo Imperial University physiology professor Nagai Hisomu (永井潜 1876-1957) dedicated a whole edition to the topic of sterilization and to Gosney, complete with portrait.<sup>35)</sup> This special edition included these articles:

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32) E. S. Gosney and Paul Popenoe, Abe Isoo trans., "Funinkekkon to Ningenkaizō Dainippon Bunmei Kyōkai" (1930) [ガスニー、ポペノー共著・安部磯雄訳『不妊結婚と人間改造』大日本文明協会].

33) Abe Isoo, "Jinkō Mondai no Ryōteki Hōmen to Shitsuteki Hōmen" *Jinkō Mondai* 1 : 1 (1938), 48-60 [「人口問題の量的方面と質的方面」『人口問題』].

34) Letter from Abe Isoo 18 April 1939 Correspondence Box 8, File 3 Japan Korea, E. S. Gosney Papers and Records Of the Human Betterment Foundation 1880-1945, Archives, California Institute of Technology.

35) Nagai Hisomu, "Jinrui Kaizen Zaidan to sono Sōritsusha Gasunee," *Minzoku Eisei* 3 : 4-5 (June 1934), 72-78 [永井潜「人類改善財団とその創立者ガスニー」『民族衛生』断種問題特輯號 第3回學術大會講演抄録].

“Psychiatric Indication of Eugenic Sterilization” by Dr. Sh. Yoshimasu (Tokyo), “Counter-replies against Objections to Sterilization Law” by Prof. H. Nagai (Tokyo), “A Battle for strong and healthy Posterity (a new German Sterilization Law)” from the *Deutsche Shanghai Zeitung*, “Criticisms on the new Swedish Sterilization Bill” by Dr. Sh. Yoshimatsu (Tokyo), “Motive and Object of Sterilization” by Dr. M. Saito (Tokyo), “Opinions upon Sterilization Law in Nazi State” by K. Tateishi, (Nagoya), “Judicial Considerations of Compulsory Sterilization” by Bar. T. Saito (Nagoya), “On Sterilization Law” by Bar. H. Naito (Nagoya), “The History of the Sterilization Movement” by Dr. M. Saito (Tokyo), and “The Human Betterment Foundation and Its Founder, Mr. Gosney” by Prof. H. Nagai (Tokyo). When the Association chose the theme of sterilization for its emphasis, Gosney was chosen as the patron, giving credence and encouragement to the implementation of sterilization in Japan.

In 1936 Nagai also introduced the HBF in his proposal for the promotion of racial hygiene.<sup>36)</sup> The HBF appeared in the first agenda proposal, the establishment of a research center. Along with British, German and other American centers, it was given as an example of a research center which has contributed to sterilization study. The second agenda proposal, passage of sterilization legislation, does not mention the HBF directly, but much of the introductory statements are similar to Gosney’s pamphlet. The fourth proposal was the promulgation of eugenic thought. The HBF is mentioned for its role in eugenic education and as a model for Japan.

The Racial Hygiene journal also included information provided by HBF about the process of sterilization in general and specifics about how legislation was being put into practice in America. Tokyo Imperial University professor Yoshimasu Shūfu summarized the status of sterilization in each of the states having legislation.<sup>37)</sup> According to Nagai, a translation of HBF’s *Human Sterilization* pamphlet was also

36) Nagai Hisomu, “Minzokueisei Shinkō no Kengi,” *Minzokueisei* 5:3-4 (1936), 408, 413 [「民族衛生振興の建議」『民族衛生』].

37) Yoshimasu Shūfu, “America Gasshūkoku no Danshuhō ni oite,” *Minshu Eisei*, 6:5-6 (1938), 385-394 [吉益脩夫「アメリカ合衆国の断種法に於いて」『民族衛生』].

done by Saito Mosaburō.<sup>38)</sup> As Japanese eugenicists considered the need for and the suggested benefits of sterilization legislation, they had access to information about the American experience of sterilization from Gosney and the Human Betterment Foundation.

### 3.2 Sterilization legislation in Japan

Beginning in 1934, efforts were made to introduce sterilization legislation in the Japanese Imperial Diet. In the 65<sup>th</sup> session Arakawa Gorō submitted a proposal to the Diet called the “Racial Eugenics Protection Bill,” 「民族衛生保護法案」 which included criminals and those with hereditary diseases, but it was tabled due to insufficient preparation. Another draft was submitted unsuccessfully by Arakawa in 1935. Further attempts to introduce legislation were made in 1937 and 1938, again without success. The content of the drafted “Sterilization Law” resembled the 1933 Nazi sterilization law. Many of these efforts centered around Nagai and other members of the Japan Association of Racial Hygiene. Their bill, unlike Arakawa’s draft, defined the parameters of sterilization as those suffering from hereditary diseases.<sup>39)</sup>

Whenever the introduction of sterilization legislation in the Japanese Parliament was reported in the American press, Gosney wrote to check on the bill’s origin and probability of passage and to offer help send pamphlets to get out the real facts concerning sterilization.<sup>40)</sup> A December 1936 letter to Abe inquired about reported plans to submit a “bill for sterilization of the insane, epileptics, confirmed alcoholics, and persons of known criminal tendencies” in the next meeting of Parliament. He noted, “Such a law in Japan, conservatively and humanly administered would do much for the betterment of the human family not only in Japan but in all civilized

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38) *Minzoku Eisei* 3 : 4-5 (June 1934), 75.

39) See Matsubara (1988) 2-3 and Hashimoto, 2-3.

40) Correspondence Box 8, File 3 Japan Korea, E. S. Gosney Papers and Records Of the Human Betterment Foundation 1880-1945, Archives, California Institute of Technology.

countries.” Abe’s August 1937 reply reported that members of his party were on the increase in Parliament and that he expected them to gain a majority in the near future. He commented: “As we have nearly fifty thousand lepers in this country, it is almost inevitable that the people would come to realize how important the sterilization is.” Gosney’s September letter sought confirmation that the sterilization of feeble-minded will be included in his party’s proposed legislation. “I suppose you intend to include sterilization of selected parties, who are feeble-minded—though you do not say so. The sterilization of the feeble-minded in California has been more universally approved than the sterilization of any other class of defectives.” Gosney requested a copy of the bill as soon as it was printed, assuring him that he could get it translated into English.

Again in February 1939 when the *Los Angeles Times* reported that Japan had passed a law for the sterilization of hereditary defectives, Gosney wrote wanting first hand information and a copy of the law. Abe’s April reply confirmed the introduction of the bill, but said that several more years will be necessary for the passage of the bill. He noted: “It is true that the people here are coming to feel the need of sterilization gradually, but, at the same time, strong prejudice against it still exists among the people.” He reported on a speech he had made for the governmental welfare department on the subject of sterilization. One distinctly Japanese emphasis—the sterilization of Hansen disease patients—is again seen in his comments: “. . . I emphacized [sic] the need of sterilization particularly for lepers, but a few physicians who were present in the meeting began to discuss whether leprosy is caused by heredity or by infection. It seems to me even the specialists do not yet understand the real meaning of sterilization. On the other hand, however, the intellectual class is coming to feel the need of sterilization.”

With the formation of a eugenics division within the Ministry of Social Insurance and the help of bureaucrats, a bill was submitted to the Diet and passed both houses in 1940 to become the “National Eugenics Law.” This bill sought to

prevent an increase of genetically inferior descendants and at the same time increase the number of healthy descendants. Abortion was strictly restricted. Due to opposition from various groups, the small number of those fitting the bill in institutions, as well as the need to “be fruitful and multiply” to provide soldiers for the war, the number of those sterilized under the law was limited—454 cases from 1941 to 1945.<sup>41)</sup>

## In Conclusion

During the first half of the twentieth century, eugenicists in the United States, Germany, and Japan desired to protect the health of their citizens from the contagion of bad genes. One of the ways they wanted to achieve this was preventing degenerate genes from being passed on to the next generation by means of sterilization. The enactment of sterilization legislation began in the United States. California’s HBF did much to promote the eugenic cause of sterilization nationally and internationally. Germany learned from the American experience and took sterilization to an extreme level, targeting not only those who were considered hereditarily “unfit,” but defining ethnic, political, and social groups to be “unworthy of life.” The comments of SS doctor Fritz Klein reflect the mindset of German eugenics: “Out of respect for human life, I would remove a purulent appendix from a diseased body. The Jews are the purulent appendix in the body of Europe.”<sup>42)</sup> Japan legally defined the unfit as those with hereditary disease, but through 1947 most of its victims—those with Hansen’s disease—were not covered by the sterilization law.

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41) Matsubara Yōko, “Yūseimonndai wo kangaeru (4)—Kokuminyūseihō to Yūseihogohō” in *Fujin Tsūshin* 466 (Nov. 1997), 43 [「優生問題を考える(4)—国民優生法と優生保護法」『婦人通信』].

42) Quoted in Alex Alvarez, *Governments, Citizens, and Genocide: A Comparative and Interdisciplinary Analysis* (Bloomington, IN: Indiana University Press, 2001), 126.

American eugenicists were able to promote eugenics because they had access to private funds. As Mrs. Harriman and the Carnegie Foundation had provided funding for the Eugenics Record Office and its activities, Gosney funded the Human Betterment Foundation. But American sterilization legislation was not passed on a national level and did not have the impact that Germany's national level legislation had. German researchers were forced to join the Nazi party if they wanted to be promoted or to have access to funds and facilities for research. Two promoters of sterilization, Abe and Nagai, were impressed by Gosney's willingness to use his own fortune to promote the betterment of humanity—not only in America but overseas as well. Once legislation was passed in Japan and World War II began, there were neither the funds nor strong government support for research supporting sterilization legislation and its implementation. During the war tuberculosis, venereal disease, and malnutrition became larger threats for the nation than hereditary diseases.

Gosney and the Human Betterment Foundation provided information, encouragement, and resources to promote sterilization and thereby the improvement of the human race. Gosney and Popenoe were convinced that surgeries to prevent degenerate progeny could and would make a difference for future generations. Behind their confidence was research that seemed to support their convictions. The American sterilization experiment in California provided the justification and the impetus for legislation that was passed in Germany and in Japan. The contacts that the HBF staff forged became points of connection between American eugenicists and those of Japan and Germany. Germany and Japan both had points of variance in the implementation of sterilization, targeting Jews and Hansen's disease patients respectively. However, all three countries felt the need for improving the human race by decreasing unfit elements.