



## Poisonous Fruit

### *Abortion's Dark Beginnings in Eugenics*

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**“F**RANKLY, I HAD THOUGHT THAT AT THE TIME [THE CASE]...WAS DECIDED, THERE WAS CONCERN ABOUT POPULATION GROWTH AND PARTICULARLY GROWTH IN POPULATIONS THAT WE DON'T WANT TO HAVE TOO MANY OF.”<sup>1</sup>

One may think this statement was made by a Supreme Court Justice who sat on the bench in 1927, and was referring to the *Buck v. Bell* case, which upheld the constitutionality of forcible sterilization. However, this startling statement was made by Supreme Court Justice Ruth Ginsberg in an interview with the *New York Times Magazine* on July 7, 2009 in reference to the *Roe v. Wade* case, which legalized the slaughter of millions of babies, many from, as Justice Ginsberg stated, the low income, at-risk population.

The North Carolina General Assembly is poised to reimburse victims of the State's Sterilization Program. Certainly, that's the least that can be done. But make no mistake about it, simply providing restitution to these victims will not close the door on North Carolina's shameful involvement in the Eugenics Movement. This movement continues

today, sanctioned by the General Assembly through legalized abortion—a shameful violation of basic human rights that will be scrutinized by future generations the same way the eugenics movement is being regarded today.

### **Eugenics and Its Proponents**

The American eugenics movement swept across the United States in the first half of the 20th Century. First coined by Sir Francis Galton, a cousin of Charles Darwin, it describes a belief that the law can be used to “improve” the human population by encouraging people with above-average intelligence to procreate at higher rates, while discouraging or preventing “undesireables” from procreating. Their methods to reduce certain populations from procreating included segregation, sterilization, birth control and abortion.<sup>2</sup>

The American eugenics movement of the 20th Century captured the imagination of America's financial and intellectual elite including the Rockefellers, the Kelloggs, the Harrimans and the Carnegies. The Carnegie Institute funded the Station for Experimental Evolution at Cold Spring Harbor

on Long Island, beginning in 1904. The Station housed the Eugenics Record Office (ERO), funded with money from the Harriman family. The ERO served as a “policy center for the activities of the organized eugenics movement.”<sup>3</sup> The Kellogg family started the Race Betterment Society. The Rockefellers started the Population Council, a promoter of eugenics disguised as population control.<sup>4</sup>

Harry Laughlin, the Superintendent of the ERO, was among the most effective American eugenicists. He dedicated his efforts to the eradication of people “generating the most social costs, those confined to institutions and recipients of welfare programs.”<sup>5</sup> In 1914, Laughlin published the Model Eugenical Sterilization Law. The 1924 Virginia Eugenics law, modeled after Laughlin’s, was upheld by the U.S. Supreme Court in 1927 in the case *Buck v. Bell*.<sup>6</sup>

American eugenicists sought legal enforcement of their agenda, and eugenics proponents scored their first victory in 1907 with the passage of a law allowing forced sterilization in Indiana. By 1935, all but 13 states, including North Carolina, had sterilization laws in effect or had bills pending in state legislatures.<sup>7</sup> In total, 31 states enacted compulsory sterilization laws and the majority remaining in effect until at least the mid-1960s.<sup>8</sup>

In the 1940s and 50s, the media exposed the link between the Nazi Regime’s eugenics programs and the U.S.’s sterilization programs, and states began repealing sterilization laws. Still, however, eugenicists did not abandon their cause. They simply cast their movement in a more favorable light. Funded with Rockefeller money, the movement was rebranded as a population control program, and in 1952, they founded the Population Council.<sup>9</sup> The Population Council’s objective was clear—through legal reforms, curtail population growth and preserve the “quality” of the population.<sup>10</sup>

## North Carolina’s Sterilization Program

North Carolina’s entrance onto the eugenics stage can be described as tepid at best. In 1919 North Carolina became one of the first southern states to enact a compulsory sterilization law.<sup>11</sup> Concerns about the law’s constitutionality, however, temporarily kept the statute from being implemented.<sup>12</sup>

For a few years, North Carolina seemed to lose its penchant for forced sterilization. However, the 1927 Supreme Court case, *Buck v. Bell*, which found Virginia’s sterilization law constitutional, seemed to breathe new life into North Carolina’s enthusiasm for the movement. Just two years later, in 1929, North Carolina enacted a second eugenics law, authorizing the forced sterilization of institutionalized citizens without a hearing and without a right to appeal. In all, 49 people were sterilized under this law before it was found unconstitutional<sup>13</sup> by the N.C. Supreme Court in 1933.<sup>14</sup>

Undaunted in its mission to “free” the state of the “unfit,” the General Assembly passed a new law in 1933, which addressed the constitutional deficiencies of the 1929 law and established an Eugenics Board.<sup>15</sup> The Eugenics Board approved over 90 percent of those individuals recommended for sterilizations by doctors and social workers.<sup>16</sup> During the Depression years, however, the Board was forced to keep sterilizations at a minimum because of a lack of funds.

## Targeting the “Unfit”

Almost simultaneously with the upstart of the sterilization programs, North Carolina officials expanded their assault on the “unfit” with birth control funded by a member of the country’s financial elite. Dr. Clarence Gamble, of the Proctor & Gamble soap fortune, came to North Carolina almost by happenstance. An avid eugenicist, Gamble was spending his fortune supplying birth control supplies to for the natives of an island off the Florida coast. The nurse in charge of the program, Frances Pratt, longed to return to her native North Carolina, and convinced Gamble to approach the state about a birth control program here. In his proposal to the state, Gamble offered to fund a project to provide contraception to poor citizens by providing the supplies and the nurse, Miss Pratt. The program would be under the umbrella of the State Public Health Department. The officials at the State Public Health Department jumped at the chance. In March 1933, North Carolina became the first state in the country to sponsor a health department birth control program.<sup>17</sup>

Gamble’s money was quickly used to expand birth control clinics across the state. In 1933, there were only three private clinics in the state. Five years later, the state had created 56, and by mid-1939, according to one source, 62 birth control clinics existed in the State, second only to New York. Gamble’s “success” in establishing clinics is particularly startling when one considers that North Carolina housed 13 percent of the country’s birth control clinics with only three percent of the nation’s population.<sup>18</sup>

It cannot be denied that these clinics operated for the purpose of advancing eugenics. Despite his claim that he was concerned about the population he targeted—the poor, ignorant, “unfit”—Gamble

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resisted attempts to expand health services beyond contraception. According to James Miller of the Population Institute, Gamble clashed with the South Carolina Public Health Director when the suggestion was made that he expand his services to other health services. Bristling at the suggestion, Gamble reportedly wrote Margaret Sanger that he did not want his financial contribution, “diluted with a lot of general health work.”<sup>19</sup>

After four years, Gamble withdrew his funding because of the low participation rates around the State. Nonetheless, the venture reaped dividends for Gamble. It had provided a state-wide laboratory for him to test the efficacy of his preferred contraceptive methods. Furthermore, the project produced respectability for birth control as an eugenics tool within the State and gave him personal respectability as an eugenics proponent.<sup>20</sup>

Gamble’s interest in North Carolina and eugenics did not end with his contraceptive experiments in the State. In 1947, he joined forces with James G. Hanes, the Winston-Salem hosiery tycoon, and Dr. C. Nash Herndon, a renowned geneticist at Bowman Gray Medical School, among others, to found the Human Betterment League of North Carolina. Reportedly, Gamble provided \$5,000 in seed money. In later years, Gamble continued to donate generously to the Society. Indeed, according to the *Winston-Salem Journal*, one year he funded most of the sterilizations in Orange County.<sup>21</sup> According to the Population Institute, Gamble became the organization’s biggest contributor.<sup>22</sup>

The Human Betterment League of North Carolina was just what the fledgling State sterilization program needed. Sterilizations had peaked at 202 in 1938 and fallen to 117 in 1945.<sup>23</sup> The League brought political clout, legitimacy, and national recognition to the Eugenics Board that it had

not previously enjoyed. The League also brought money and a massive publicity campaign and created almost a witch-hunt atmosphere against the “unfit,” expanding the net to include those “unfit for parenthood.”<sup>24</sup> In 1963 alone, nearly one-half of the sterilizations nationwide were performed in North Carolina.<sup>25</sup>

In 1968, six years before the last sterilization in North Carolina, one researcher from the Walter Reed Army Institute of Research described the State’s policy as “the most systematic program in the country.”<sup>26</sup> Concerns about the rising costs of welfare for unwed African-American mothers prompted state officials to target efforts toward that population. After 1950, African-American blacks were sterilized at a higher rate than whites, leaving some to conclude that sterilizations in North Carolina became more about racism than about eugenics.<sup>27</sup> The last sterilization in North Carolina occurred in 1974. The Eugenics Board of North Carolina was abolished in 1977. The remaining involuntary sterilization laws were repealed in 2003.

## An Unholy Trinity

As the eugenics movement in America grew, prominent eugenicists began to pool their resources and efforts. While financially linked to sterilization, Gamble continued to expand his influence with his eugenics-driven birth control programs. In 1947, he began working with his long-time friend Margaret Sanger.

An avid eugenicist herself, Sanger sought extermination of the “unfit” through birth control, rather than sterilization. In 1923, she opened the American Birth Control League (ABCL) whose mission was to abolish the federal Comstock Law, a law that prohibited the creation, importation, or mailing of drugs, devices, or articles that prevented conception or caused abortion. In her book, *The Pivot of Civilization*, Sanger revealed her disdain for the poor by characterizing the poor as “dead weight of human waste,” and charity as a means to “render them [the poor] to a menacing degree dominant.”<sup>28</sup> Furthermore, the ABCL’s Board of Directors was dominated by well-known eugenicists, including Harry Laughlin.<sup>29</sup>

In 1939, the ABCL was reconstituted into the Birth Control Federation of America (BCFA), and the racial targeting of the eugenics movement through birth control became apparent. In 1943, the ABCL changed its name for a final time and became Planned Parenthood Federation of America (PPFA) with its initial offices housed in the offices of the American Eugenics Society.

Gamble had previously served as an at-large director for the ABCL. He then became the organization’s regional director for the South in 1947. Gamble quickly brought suggestions to the Board regarding Sanger’s “Negro Project,” an initiative

with the objective to reduce the procreation of African-Americans in the South.

## Abortion as Eugenics

By the 1960s, the Rockefeller family was chindeep in the eugenics movement, under the guise of population control. As part of their efforts, they funded the development of the American Law Institute's Model Penal Code. Understanding that state abortion laws could not be overturned overnight, proponents of legalized abortion used the Penal Code as a vehicle to liberalize abortion laws state by state.<sup>30</sup>

The Model Penal Code smacked of eugenics in that it allowed for abortions in cases of mental or physical deficiencies in the mother or the child. Furthermore, it allowed for the abortion of healthy babies in cases of rape or incest. More radical eugenicists advocated unrestricted abortion.<sup>31</sup>

Understanding the mindset of North Carolina's power brokers in the 1960s, it is easy to understand how the State was ripe-for-the-picking by those advocating abortion. The state was a "true believer" of the eugenics movement and despite eugenics' association with the Holocaust, North Carolina never flinched, even once, as to the righteousness of the cause. North Carolina had associated herself with nationally known eugenicists with deep pockets, revealing her willingness to use just about any means possible to exterminate the "undesireables."

In 1967, the General Assembly adopted the Rockefeller-funded Eugenics Abortion Law, becoming one of the first three states in the country to do so. The radical eugenicists did not need to wait long for unrestricted abortion nationwide. In 1973, the United States Supreme Court delivered two decisions, *Roe v. Wade* and *Doe v. Bolton*, which made unrestricted abortion legal nationwide. Today, 85-90 percent of babies with Down Syndrome are aborted.<sup>32</sup> African-American babies are being aborted at the highest rate in the country and four times that of white babies.<sup>33</sup> What eugenicists originally sought with sterilization, they are accomplishing with abortion.

In the wake of the *Roe v. Wade* and *Doe v. Bolton* decisions, many states began scrambling for ways to protect the unborn and limit abortion. In North Carolina, however, fortified with the same callous disregard for human life it had exhibited with the sterilization program, the General Assembly underscored its support for abortion. Subsequently, the General Assembly amended its abortion statute to mimic the protections of *Roe*. Although legally unnecessary, the majority of the General Assembly made it clear that it supported the termination of innocent human life all nine months of pregnancy for any reason, with or without *Roe v. Wade*.

The spirit of the decade was best illustrated by a 1976 court decision, two years after North Carolina's last sterilization. In *In re Moore*,<sup>34</sup> the justices

found the forced sterilization of the mentally handicapped constitutional. The majority's total disregard for all human life, not just those exposed to forced sterilization, became crystal clear: "The interest of the unborn child is sufficient to warrant sterilization of a retarded individual ... The people of North Carolina ... have a right to prevent the procreation of children who will become a burden on the State."

## Undoing Wrongs

It must be difficult for North Carolina to let go of its dark past. Despite dozens of bills having been introduced in the North Carolina General Assembly to restrict abortion, very few have ever even been given a hearing, until this past legislative session when the General Assembly enacted three pro-life bills—including one to guarantee that women seeking abortion are given vital information about the baby and the abortion procedure, the risks involved, and contemplation time before the abortion is performed. Despite these victories—the Woman's Right to Know Act, coupled with previously enacted laws restricting public funding and requiring parental consent (weakened by the court), North Carolina has a long way to go if she wants to shed her eugenics past.

## Championing Liberty

Man is made in the image and likeness of God. Because of this special status, man is given special dignity and inherent rights by a gracious God, including the right to life and the right to liberty. In a free society, the government cannot participate in or even condone the infringement of these rights. It must protect them, and be a servant to the people, instead of attempting to be their master. The founding fathers recognized these principles; these are the bedrock principles upon which they built the foundation of this republic.

Between 1929 and 1974, North Carolina shamefully stole the fundamental right to liberty from its most vulnerable citizens. Government officials sterilized them by the thousands, in an attempt to rid the State of the "unfit." Eight years before the door was closed on that horrible chapter in State history, another chapter opened, with the authorized wholesale slaughter of the most innocent of human life. A woman's right to "choice" did not spawn legal abortion. Eugenics did.

G.K. Chesterton, an outspoken opponent of eugenics,<sup>35</sup> once wrote: "Unless a man becomes the enemy of an evil, he will not even become its slave but rather its champion."<sup>36</sup> If North Carolina is to be restored to being a State that cherishes freedom, it must do more than provide restitution for sterilization victims, as noble as that gesture is. North Carolinians must elect statesmen, not politicians, at every level of government who understand the inherent right to life, and who will fight to ban

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abortion in this State and across this nation. If not, such demonstrated ambivalence will continue to champion eugenics, an evil all should despise. ❖

#### ENDNOTES:

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