

Forced sterilisation was legal in many democratic countries until long after World War II. A VUB and University of Bournemouth study reveals the dark side of the eugenic doctrine.

Introduction

Forced sterilisation didn't stop after WWII. Sweden, for example, abolished its law only in 1976. Eugenics was a very popular ideology in the beginning of the 20th century and not only in autocratic regimes such as Germany or Japan. Winston Churchill, a supporter of sterilisation, put it this way: 'A simple surgical operation so the inferior could be permitted freely in the world without causing much inconvenience to others'. Thirteen countries in total had sterilisation laws and it took decades after World War II for them all to abolish them.

Prof. em. Jean-Jacques Amy, from the Vrije Universiteit Brussel (Belgium), and Prof. Sam Rowlands, from the University of Bournemouth (UK), highlight in two articles that non-consensual sterilisation became part of the legal system in 13 countries during the first decades of the 20th century. Despite what one might expect, those countries were mostly democratic and included the ostensibly advanced Nordic countries. The countries with sterilisation laws, mentioned in chronological order, were the USA, Japan, Canada, Switzerland, Denmark, Mexico, Germany, Norway, Sweden, Finland, Estonia, Iceland, and Austria.

The two articles published in April and June 2018 in the European Journal of Contraception and Reproductive Health Care are, to the best of the authors' knowledge, the first to analyse the continuum of events in all 13 countries which enforced compulsory sterilisation policies before AND after the Second World War. The articles stress how frighteningly similar the eugenics ideologies and the sterilisation Acts were in the USA and Hitler's Germany.

Forced sterilisation is strongly associated with eugenics. This doctrine, and later associated social movement, aimed to reduce the number of individuals who were less endowed genetically and, eventually, those considered to be a burden to society.

After the Second World War, sterilisations under duress were put to an end in Germany and Austria. But the other countries or regions amended or repealed their sterilisation laws only decades later. Among the latter countries, the greatest number of compulsory sterilisations took place in Sweden. Authorities in most countries only moved to right these historic injustices by means of recognition, acknowledgement, apologies and/or financial redress after the victims went public with their stories. Victims in Japan only went public as late as January and February 2018.

The findings are of particular interest for clinicians and policymakers; the authors stress that attention must be given to conveying ethical values during the training of health personnel and social workers. This should include participative discussions of topics such as basic human rights and their transgressions, informed consent vs. coercion, and public health provision in democratic vs. totalitarian regimes.

[background – shortened abstract]

From theory into practice: eugenics

Forced sterilisation cannot be dissociated from eugenics. The latter term was coined in 1883 by the English scientist Francis Galton, a cousin of Charles Darwin. Galton theorised that mankind might in part direct its own evolution. In his treatise 'Hereditary Genius', published in 1869, he suggested that 'a highly gifted race of men' could be obtained by means of 'judicious marriages during several consecutive generations'. He considered that eugenics embodied the new commitment which should be met to enhance the further evolution of the 'human race'.

From 1911 onwards, the chair of eugenics at University College, London University, was occupied by Karl Pearson, an accomplished mathematician who contributed significantly to creating the science of biometry. Professor Pearson was convinced that the high birth rate of the lower classes constituted a threat to civilisation and that the 'higher' races should supplant the 'lower'. This doctrine – which soon developed into a social movement – aimed at reducing the proportion of people with a less than average genetic endowment and, by extension, of all individuals considered a burden to society.

It gave solid backing to those believing in racial and class superiorities. Eugenics rapidly became popular, it swept over the industrialised world, reached its acme in the 1930s, and – in various countries – remained influential until several decades after the Second World War had ended. Pearson's writings may well have made him morally responsible for the radicalisation of eugenics theses in the USA which led to gross human rights transgressions, and for easing the way for the implementation by the Nazi regime of harsh sterilisation policies in 1933, and of the even more dreadful T4 euthanasia programme in 1939.

Churchill favoured sterilisation

Amazingly, despite London since the 1880s having been the cradle of eugenics ideology, no sterilisation law came into being in the UK; a different approach was resorted to for preventing 'undesirable stock' from procreating. The Feeble-Minded Control Bill was introduced in 1912 in the House of Commons. It rejected compulsory sterilisation but provided for registration and segregation and gave the Home Secretary the power to commit any person without intellectual disability (ID) but 'whose circumstances appeared to warrant his inclusion'. Being much concerned by the high cost of internment, Winston Churchill favoured compulsory sterilisation which he described as a 'simple surgical operation so the inferior could be permitted freely in the world without causing much inconvenience to others' – but this was a minority opinion.

By 1940, sterilisation laws had been passed in 13 countries spread over three continents, all of which provided for the compulsory sterilisation of people thought to be insane, to present an ID, or to have certain chronic ailments. Some Acts applied to habitual criminals and sexual 'perverts' as well. In most instances, victims were targeted for eugenic purposes, but the authorities tacitly permitted sterilisation for social reasons too.

Physicians collaborated willingly

Well into the second half of the 20th century, there were undeniable similarities between sterilisation policies of supposedly democratic countries (e.g., the USA, Canada, Sweden, Finland) and those which had been implemented by the totalitarian regimes in Japan and Nazi Germany.

In neither setting did physicians refuse their collaboration; on the contrary, they often provided active support. Likewise, few organisations objected in the countries concerned. Pope Pius XII, in a letter addressed in December 1935 to Cardinal Schulte of Cologne, declared that – with regard to the position of the Church towards the Third Reich's coerced sterilisation programme – a formal protest

from the Holy See would have detrimental effects for the German episcopate. Yet, the Catholic Church, for reasons of doctrine pertaining to human reproduction, would systematically oppose sterilisation policies. This may explain why – except for the State of Veracruz, the Third Reich (with one third of all Germans reclaiming their Catholic roots), and Austria (after the Anschluss) – in areas where the Catholic faith was predominant, no such laws were promulgated, and non-consensual sterilisation was at most only sporadically carried out. In the UK, the Labour Party, possibly on its own, succeeded in preventing the approval of a sterilisation law by Parliament in the mid-1930s. In Sweden, the Communist Party was the only political group that persistently opposed the sterilisation law in force between 1935 and 1975.

Non-consensual sterilisation laws remained in force until well into the 1970s

After the defeat of the Axis powers, in 1945, Nazi legislation was abrogated and sterilisation under duress put to an end in Germany and Austria. It is unsettling that – despite the knowledge gained on the despicable transgressions of human rights under the Nazi regime – the other countries or regions amended or repealed their sterilisation laws only decades later. In the 1960s and the early 1970s, when the Vietnam War was raging, the Netherlands and the Nordic countries were considered by many to be havens of democracy and lighthouses of political ethics, and yet Nordic countries still ran eugenic sterilisation programmes at the time. The greatest number of people were compulsorily sterilised in Sweden, the least in Norway.

Reparations were mostly delayed for a considerable length of time; authorities often moved only after the victims of compulsory sterilisation went public with their stories. Over time, apologies and compensation came in North America and in Europe. Victims in Japan first went public and sued the government as late as January and February 2018.

Erratum: in the introduction of Article part 2- Europe, an error slipped in. Correctly, it should be: “Between 1933 and 1939, from 360,000 to 400,000 residents were compulsorily sterilised in Nazi Germany.”