

~~XLIII-43~~

625
P-15

~~XLIII~~
43

Massachusetts School
for Feeble Minded.

STERILIZATION OF
CONFIRMED CRIMINALS AND
OTHER DEFECTS

BY

JAMES R. BLOSS, M. D.

HUNTINGTON, W. VA.

ASS'T PHYS. W. VA. ASYLUM

Reprinted from the

West Virginia Medical Journal

For March, 1910

Read at Annual Meeting of State Medical
Association, Elkins, Oct., 1909

~~XLIII~~
~~48~~

Sterilization of Confirmed Criminals and Other Defectives

The term "defective" has a meaning which I believe we are prone to overlook at times, namely, that there is something lacking which no amount of treatment or care can supply to the individual. True, a limited amount of improvement can be secured in certain cases by various training methods, regulation, etc., which will make the individual more useful so far as taking care of himself is concerned, and adding just that much to the commonwealth at large. But no amount of care and training can fit him or her to be a factor in the propagation of a strong and sturdy race. Now under the defective class of society come the idiots, imbeciles, the majority of the insane, and the greater portion of our paupers and criminals. In dealing with this subject it is intended to utterly ignore vasectomy and castration as a means of punishment, for as such I do not think these procedures should ever be employed; but to consider them from the standpoint of prophylaxis.

For almost four years my duties have been such that I have had the opportunity to constantly observe several hundred unfortunate individuals who have, because of their misfortunes, of necessity been the wards of society in one of our State institutions, and this observation has led me to think very much along the lines dealt with in this paper. It is my hope to be able to awaken a similar line of thought among the members of this association, which will lead to some defi-

nite steps being taken that will result in legislation dealing with this matter in West Virginia. It is, in short, to the prevention of "defect" rather than to the care of "defectives" that I would call your attention. Let it be understood that the good of the individual is to be considered as secondary to the welfare of society at large and to the preservation of the race. We must not forget that the habitual criminal, the ignorant degenerate, the imbecile and the insane share the ability to produce offspring along with the most cultured, wise and capable. The law with very few exceptions gives sanction to such procreation, being apparently indifferent to the results at which we, who have the opportunity to observe, stand appalled. These results are not alone seen in the rapid increase of defects and disease, but to one who studies the question earnestly, they are also apparent in the neurotic heredity which only too often has its direct outcome in the divorce court, in suicide, in homicide and in criminality in all its aspects. The seriousness of this matter may be more apparent when I tell you that the reports of the Industrial Home for Girls, Reform School, the Penitentiary, the West Virginia Hospital for Insane, Second Hospital for the Insane and the West Virginia Asylum for the year 1908 show the State to have 3,397 persons under its care in these institutions. In his report for 1907-8 to the Board of Directors, Dr. Guthrie, superintendent of the West Virginia Asylum, calls attention to the fact that in a period of 38 years (from 1870 to 1908) the ratio of insane persons under the care of the State had increased from one to each 2,135 of the total population to one to every 583. If this is not a matter demanding our deepest consideration

then I know not what is. It is not alone to prevent those able from being taxed so heavily to support the unfortunate, for not one of us objects to giving our mite to this very charitable work of our commonwealth, (though I will say that the six institutions, which I have just mentioned cost us for the years 1907-8 over \$1,044,345) that we should take steps to prevent the continual increase among the defective classes, but also because their lives are useless as units of the body politic, and in very many cases a menace to the laws and morals of society.

There is no denying the fact that heredity is a very powerful etiological factor in the production of degeneracy. In the preparation of this paper I consulted the reports of over 100 institutions in the United States and Canada having care of the degenerate classes, and in only 21 of them were there any statistics as to heredity. In a total of 23,592 admissions to these institutions the hereditary history was unknown in 8,432, leaving a total of 15,160 in which it was either admitted or denied; of these 15,160 heredity was admitted in 3,914, that is, about 25%. An effort was made to gain a definite idea concerning the factor of heredity among the patients in the three institutions for the insane in this State, and letters were written to the superintendents asking information on this point. Dr. Steele, superintendent of the hospital at Weston, tells me, in reply to this inquiry, that the histories of his patients are so incomplete that he can give no approximate percentage. Dr. Lyons did not reply at all. In 223 admissions to the West Virginia Asylum during a period of two years there was an ascertained heredity in only 24.66%, the remainder either being un-

ascertained or denied; however, after studying these cases and becoming more familiar with their family histories, I am sure that heredity is a very potent factor in at least half of the remainder. The superintendent of this institution, after twelve years of institution work, maintains that in from 50% to 75% of the defective classes heredity is a predisposing factor which we must not overlook. Four years of observation lead me to think that he does not place this percentage too high.

To cite you an example: Four children (idiots and imbeciles), all brothers and sisters, were sent to us from one of the county infirmaries; heredity is denied, as is pauperism, in these cases, yet it is our understanding that there are four more children in this family all in the same condition. In another family of seven children, six were idiots and imbeciles, and at the time when I last knew anything of the family the seventh was a babe in arms. Four of these seven have been or are wards of the State. The parents in this last case are known personally and both are defectives. So here are two families, eight of whose degenerate offspring have cost the State from \$1,200 to \$1,300 per year and the harvest is not yet done, for they are still in the active child-bearing period. I could exhaust the time allotted to this paper in citing these cases to you, but what is the use? Each of you can prove these statements true throughout this and every other State. We have three institutions in this State taking care of the epileptics, the insane, idiots and imbeciles, to say nothing of the penitentiary, Industrial Home for Girls, and the Reform School. These three institutions are crowded to their capacity, and are being added to as fast as appropriations can be

secured, and yet we can not accommodate anything like the number that we have applying for admission.

Gentlemen, something must be done about it, and to me the most practical solution is that vasectomy, a very simple and efficient remedy, should be adopted for male defectives and salpingectomy for females. We may legislate until we are black in the face about not permitting defectives to marry, may hedge marriage in with all manner of legal safeguards, but you do not stop the supply of degenerates. What are you going to do in a case where a woman's brother or her father is the father of her child? Send them all to the penitentiary or one of the asylums? Certainly! but why not destroy the ability to produce offspring in this particular branch of the human family? This is not a matter for sentiment, but for cold, hard reasoning. The methods of the old Spartans were rather harsh, but the motive in permitting their defectives to be removed by wild animals challenges attention.

Vasectomy, which is not followed by any evil after effects, will prevent pregnancy, but will not cause the male to lose his sexual desire. My experience with the procedure as a therapeutic measure for masturbation has demonstrated this to me; therefore for rapists and other degenerates of this class castration is necessary for the protection of society; in females we must adopt salpingectomy or ovariectomy, a more serious operation, but does not the seriousness of the disease demand a very drastic therapy?

The State of Indiana has taken the lead in dealing with this matter, and I am indebted to Dr. J. N. Hurty, secretary of the Indiana State Board of Health, for the text of the Indiana law directed toward

the limitation of the increase of the defective classes, and will here quote from a communication of his:

"The law affecting the problem from the marriage side was passed in 1905. 'No license to marry shall be issued except upon written and verified application. The form of application shall be supplied by the State Board of Health, and the said board may revise same from time to time, as may be advisable. No license to marry shall be issued when either of the contracting parties is an imbecile, epileptic, of unsound mind or under the guardianship of a person of unsound mind, nor to any male person who is or has been within the last five years, an inmate of any county asylum or home for indigent persons, nor shall any license be issued when either of the contracting parties is afflicted with a transmissible disease. The marriage is illegal without a license and a penalty of \$100 fine lies against any county clerk for issuing a license contrary to law, and the same penalty lies against any person authorized to marry, who does so when the applicant has no license'.

Strongly enforced, this law without doubt, will reduce degeneracy in some degree, but will not greatly affect the evil. The second law aiming at the prevention of the creation of degenerates is as follows:

'A bill for an act entitled an act to prevent the procreation of confirmed criminals, idiots, imbeciles and rapists; institutions where such persons are confined shall have the authority and are empowered to appoint a committee of experts, consisting of two (2) physicians to examine into the mental condition of such inmates'.

Whereas, Heredity plays a most important part in the transmission of crime, idiocy and imbecility; therefore,

Be it enacted by the General Assembly of the State of Indiana, That on and after the passage of this act, it shall be compulsory for each and every institution in the State, entrusted with the care of confirmed criminals, idiots, rapists and imbeciles, to appoint upon its staff, in addition to the regular institutional physicians, two (2) skilled surgeons of recognized ability, whose duty it shall be, in conjunction with the chief physician of the institution, to examine the mental and physical condition of such inmates as are recommended by the institutional physician and the board of managers.

If, in the judgment of this committee of experts and the board of managers, procreation is inadvisable and there is no probability of improvement of the mental and physical condition of the inmates, it shall be lawful for the surgeon to perform such operation for the prevention of procreation as shall be decided safest and most effective. But this operation shall not be performed except in cases that have been pronounced unimprovable.

Provided: That in no case shall the consultation fee be more than three dollars (\$3) to each expert to be paid out of the funds appropriated for the maintenance of such institution'.

'The majority of prisoners sooner or later enter a religious period. At such time, they usually consent to having vasectomy performed. With idiots, rapists and imbeciles, no effort is made to gain their consent'.

From the sentimental point of view an article recently published under the auspices of The Chicago Society of Social Hygiene sums the question up succinctly as follows:

“While the first, chief and only needed argument for the sterilization of defectives is the protection of society, yet the sentimental may find additional ground for demanding it in the rescue of myriads of criminals, imbeciles and other defectives not yet begotten, from the misery and disaster that must otherwise attend them. Self-interest and altruism, the protection of society and true philanthropy, alike proclaim Indiana’s epoch-making advance.

The average man, so soon as convinced that vasectomy is a trifling operation and that it does not impair sexual pleasure, heartily approves this method of race suicide for criminals and other defectives because of the obvious advantage to the community; the sentimentalist, who places unselfish love for the defective above the safety of his own family from the burglar and rapist, should be reminded that the greatest kindness that can be shown to the as yet unbegotten offspring of the feeble-minded of all kinds, is to help them to remain unbegotten”. (Belfield.)

A thoughtful consideration of this subject brings us to the following conclusions:

First. The defective classes are multiplying much more rapidly in proportion than the total population.

Second. Stringent marriage laws will not control the increase of defectives, for marriage is not necessary to procreation and especially among irresponsibles.

Third. That vasectomy, which does not impair the sexual powers, fulfills every requirement for sterilizing males (other than rapists) and should be provided for by law.

Fourth. That sapingectomy should be provided for among defective females.