

# THE EUGENIC MIND PROJECT

## Finalized Table of Contents

### 30 July, 2017

Preface and Acknowledgments xi

## I Eugenic Activities: Probing Eugenics

|          |  |           |
|----------|--|-----------|
| <b>1</b> | <b>Standpointing Eugenics</b>                                  | <b>3</b>  |
| <b>2</b> | <b>Characterizing Eugenics</b>                                 | <b>25</b> |
|          | 2.1 The Short History of Eugenics                              | 25        |
|          | 2.2 A Galtonian Start  | 27        |
|          | 2.3 Eugenics as Applied Science                                | 31        |
|          | 2.4 Between Science and Social Movement                        | 34        |
|          | 2.5 Eugenics, Race, and Ethnocentrism                          | 36        |
|          | 2.6 Galton, Mental Abilities, and the Weak-Minded              | 40        |
|          | 2.7 Eugenics and the Mentally Deficient                        | 42        |
|          | 2.8 The Long Past of Eugenics                                  | 46        |
| <b>3</b> | <b>Specifying Eugenic Traits</b>                               | <b>51</b> |
|          | 3.1 What is a Eugenic Trait?                                   | 51        |
|          | 3.2 Research Publications                                      | 53        |
|          | 3.3 Popular Culture  | 59        |
|          | 3.4 Eugenic Laws: Marriage and Immigration                     | 60        |
|          | 3.5 Sexual Sterilization Legislation                           | 63        |
|          | 3.6 Alberta at the Legislative Margins                         | 65        |
|          | 3.7 Institutionalization and the Social Mechanics of Eugenics  | 69        |
|          | 3.8 Mental Defectives and the Mentally Ill: Beyond Consent     | 72        |
|          | 3.9 Three Eugenic Traits: Syphilis, Huntington's, and Epilepsy | 73        |
| <b>4</b> | <b>Subhumanizing the Targets of Eugenics</b>                   | <b>77</b> |
|          | 4.1 What Sorts of People Should There Be?                      | 77        |
|          | 4.2 The Pursuit of Human Perfection and Life-Worthiness        | 79        |
|          | 4.3 Eliminating Defectives in Medicine's Short History         | 83        |
|          | 4.4 Tough Medicine in Postwar Alberta                          | 86        |
|          | 4.5 Rational Ethics: Cognitive Disability in the Eugenic Now   | 88        |
|          | 4.6 Subhumanization and Standpoint's Complexities: Ashley X    | 93        |
|          | 4.7 Life-worthiness and Human Variation                        | 97        |

## II Eugenic Variations: The Persistence of Eugenics

|          |   |            |
|----------|---|------------|
| <b>5</b> | <b>Where Do Ideas of Human Variation Come From?</b>       | <b>101</b> |
|          | 5.1 Standpoint, Prosociality, and Human Variation         | 101        |
|          | 5.2 The Puzzle of Marked Variation                        | 103        |
|          | 5.3 Four Initial Desiderata                               | 105        |
|          | 5.4 Variation, Subnormalcy, and Categories of Disablement | 106        |
|          | 5.5 Biopolitics and the History of Eugenics               | 110        |

|          |   |            |
|----------|---|------------|
| 5.6      | Evaluating the Appeal to Biopolitics                    | 113        |
| 5.7      | Constructivism's Open Question and Further Desiderata   | 117        |
| 5.8      | Conclusion  | 119        |
| <b>6</b> | <b>A Socio-Cognitive Framework for Marked Variation</b> | <b>121</b> |
| 6.1      | A Hobbesian Prelude: Born to Be Not-So-Wild             | 121        |
| 6.2      | Sociality and Prosociality                              | 122        |
| 6.3      | Human Sociality and Its Cognitive Demands               | 123        |
| 6.4      | Shared Intentionality and Collective Social Action      | 126        |
| 6.5      | Sketching the Socio-cognitive Framework                 | 128        |
| 6.6      | Sorts of People, Normativity, and Marked Variation      | 130        |
| 6.7      | Clarifying What First-Person Plural Mechanisms Are      | 133        |
| 6.8      | Return of the Seven                                     | 136        |
| 6.9      | Standpoint Eugenics in the Socio-cognitive Framework    | 138        |
| <b>7</b> | <b>Backdoors, Newgenics, and Eugenics Underground</b>   | <b>141</b> |
| 7.1      | Newgenics   | 141        |
| 7.2      | The Prenatal Back Door to Eugenics                      | 143        |
| 7.3      | Eugenic Subhumanization and a Continuing Preoccupation  | 148        |
| 7.4      | Recasting Debate over the Expressivist Objection        | 149        |
| 7.5      | Outing Eugenic Logic in Bioethics: Agar and Savulescu   | 152        |
| 7.6      | Diversity and Neoliberalism                             | 158        |
| 7.7      | Eugenics as Private Enterprise                          | 160        |
| 7.8      | Eugenic Techniques of Silencing                         | 162        |
| 7.9      | Conserving Disability                                   | 163        |
| <b>8</b> | <b>Eugenics as Wrongful Accusation</b>                  | <b>167</b> |
| 8.1      | Persistent Eugenic Pasts                                | 167        |
| 8.2      | Subhumanizing Tendencies and Procedural Indifference    | 168        |
| 8.3      | An Appeal to Wrongfulness                               | 171        |
| 8.4      | The Case of Ritual Sexual Abuse                         | 173        |
| 8.5      | Beyond Moral Panic, Groupthink, and Evil's Banality     | 175        |
| 8.6      | Herman on Witnessing and Complicity                     | 177        |
| 8.7      | From Innocent Bystander to Ally and Advocate            | 179        |
| 8.8      | The Psycho-social Dynamics of Wrongful Accusation       | 183        |
| 8.9      | Persistence Redux                                       | 186        |

### **III Eugenic Voices: Knowing Agency at the Margins**

|           |  |            |
|-----------|--|------------|
| <b>9</b>  | <b>Knowing Agency</b>                                  | <b>195</b> |
| 1.        | Marginal Knowing                                       | 195        |
| 2.        | Who Cares About Who Knows?                             | 198        |
| 3.        | Cognitive Disability and Its Challenges                | 203        |
| 4.        | Vignettes and Voices                                   | 205        |
| 5.        | Epistemology Impoverished and Knowing Agency           | 208        |
| 6.        | The Politics of Epistemic Apartheid                    | 210        |
| <b>10</b> | <b>Eugenics Unbound: Survivorship for the Subhuman</b> | <b>213</b> |
| 1.        | Standpoint Theory and Knowing Agency                   | 213        |
| 2.        | Standpoint Agents for Class and Gender                 | 214        |
| 3.        | Race, Lived Reality, and Group-Based Agency            | 217        |

|   |            |
|---|------------|
| 4. Generalizing Standpoint Theory                       | 219        |
| 5. Joint and Extended Action in Intellectual Disability | 222        |
| 6. Intrinsic Heterogeneity and Sorts of People          | 225        |
| 7. Recovering the Voices of Eugenic Survivorship        | 226        |
| 8. Narratives, Stories, and Standpoint                  | 228        |
| 9. Concluding Thoughts                                  | 231        |
| Notes   | <b>235</b> |
| References  | <b>271</b> |
| Index   | <b>297</b> |

## Chapter 1 Standpointing Eugenics

### January 2017

The importance of specific kinds of lived experience for understanding and explanation has been underscored within philosophy by proponents of standpoint epistemology and ethics. In the humanities and social sciences more generally, standpoint theory emphasizes the positive value that thinking about knowledge and value from certain kinds of marginalized standpoint can have. *The Eugenic Mind Project* is very much a reflection on eugenics and disability from such a standpoint. As such, it represents what I will call “standpoint eugenics”, aiming to explore eugenics from the standpoint of those who are survivors of its history. Standpoint theory itself remains contentious within the humanities and social sciences, and whether this book is *really* standpoint eugenics, or just standpoint-ish eugenics, is something I shall return to in Part Three, *Eugenic Voices*. There I will critically explore the contributions and limitations of standpoint theory as a framework for understanding the nexus between eugenics, disability, social inclusiveness, and human variation that is my focus. But the locational complexities that arise in such an exploration need not obscure the prima facie appeal of standpoint theory, and why the insights of standpoint theory provide a promising starting point for a distinctive perspective on what I will call “The Eugenic Mind”, which refers to a way of thinking that has often been viewed as merely a relic of the past.

Standpoint theory was developed by progressive, left political thinkers and social activists in the nineteenth-century, and derives from a perhaps innocuous-sounding observation: that sometimes the people most adversely affected by a rule, policy, institution, practice, or entire system are in the best position to understand its nature, not only despite but also because of their adversity. This observation is close to home for many of us, and you don’t have to travel into the flights of fancy of abstract philosophical and sociological theorizing to find examples. A child who is picked last (or not at all) to play in a friendly game of soccer or ice hockey because he is fat, or because she is a girl, feels the hurt that his or her peers cause through their choices. But he or she might also be able to sense that something isn’t right here, whereas his or her peers remain oblivious; the child might even be able to tell you things about what it is like to be discriminated against in that way that passes beneath the radar of some of us, or that remains just a distant memory for others. A friend of mine once told me of a common experience he shared with many of his fellow African Americans: of being followed not-so-subtly around a department store by a security guard, constantly under watch and suspicion. The discomfort and wariness this kind of social imposition causes—like the hurt of being socially left behind because of your body shape or your sex—can grind you down, if it becomes regular and systematic, as it so often does. Yet such social impositions create both the human adversity and the space that I called the “best position” for understanding, a standpoint from which one can see or grasp more of what is really going on, a reality that remains masked from those in positions of relative advantage.

As one might expect, if only from the name itself, standpoint *theory* is something more complicated and convoluted than just this kind of observation, and we’ll see what that “more” entails in Chapters 9 and 10. Standpoint theory originates in theories of revolution and radical social change, particularly in Marxist views of the working class and capitalism, and has its most influential, recent expression in the feminist work of social scientists such as Dorothy Smith, Nancy Hartsock, and Patricia Hill Collins. As a theoretical contribution to the humanities and

social sciences, standpoint theory is wrapped up deeply in talk of marginalization, systematic oppression, and epistemic privilege. But we don't need that talk to get some idea of what a standpoint *eugenics* might be. Standpoint eugenics rests on the idea that those who have felt the impact of eugenics—in the first instance, those who have lived through a eugenic past, and those confronting continuing eugenic thought and practice in their own day-to-day lives—in virtue of that lived experience both face adversities and as a result have insights into eugenics that the rest of us lack, or gain at best second-hand. A standpoint eugenics is an account of eugenics from such standpoints.<sup>1</sup>

\*\*\*\*\*

Eugenics arose in the nineteenth-century both as a proposed, meliorative science—a science of human improvement or betterment—and as a social movement. Its central and most distinctive aim was to construct and use scientific knowledge and technology to regulate the sorts of people there would be in future generations, primarily by enhancing and restricting the reproduction of different sorts people in the present generation. As animal and plant breeders had known for centuries, human agency can directly promote the reproduction of preferred specimens, as well as restrict or eliminate the reproduction of those deemed less desirable, in order to produce a population in future generations that has more desirable traits. Eugenics is based on the idea that the same is true when those specimens and individuals are members of *Homo sapiens*.

Suppose that you are growing corn in a small field with a few thousand plants. You notice that the corn plants vary in how rich the yellow of their kernels is, and that some plants seem less thirsty than others, requiring much less water than others to thrive. If of all the plants that are growing in your field you prefer those that yield bright yellow kernels, or that require less water, you can increase the presence of those traits in the next generation by mimicking what would happen in nature, were bright yellows and low thirstiness traits that differentially contributed, in some way, to the survival of those plants. You simply choose plants that have the preferred traits as your stock for the next generation, discarding those that produce dull yellow kernels and those that consume copious amounts of water. Repeated over generations, you might, with some genetic and environmental luck, even end up with a field of corn that is uniform with respect to these traits, a field of bright yellow corn requiring little by way of water. This is selective breeding, and it was very familiar to plant and animal breeders in nineteenth-century Europe.

Familiar enough that it is no accident that Charles Darwin begins his most famous work—*On the Origin of Species*—with a chapter on selective breeding, what Darwin calls *artificial* selection, in laying the groundwork for the very idea of *natural* selection. In doing so, Darwin was using a traditional explanatory ploy, starting with the familiar as a way to explain the novel. For his new idea of natural selection was postulated as a mechanism that, like familiar artificial selection, could produce changes in populations over generational time. It simply did so without there being a selector or artificer, some person directing the process. It was selection in the absence of a creator.

As Darwin's first cousin, Francis Galton, knew from the outset, there was no reason why selective breeding could not be applied, at least in principle, to human populations. At least there was no *biological* reason. We were continuous with the rest of the living world, and just

one particular species of animal amongst many. In addition to more detailed scientific knowledge about which traits were heritable (and how), and technologies that would allow us to measure traits and assess populations accurately, two other factors were needed to move eugenics from the glimmer of an idea to a series of social practices. The first was a sympathetic public, one that understood what good this knowledge would do for our species when it was translated into public policy. The second were governments prepared to introduce that public policy, policy motivated by their firm sense of what was right for the future of humanity. But Galton also knew early on that both the public and government would need convincing through the agency of science and the cultivation of public opinion. So he was poised to take eugenics down the dual pathways of science and social movement, even before he coined the term “eugenics” in 1883.<sup>2</sup>

\*\*\*\*\*

Eugenics emerged in the late nineteenth-century at the intersection of the then-nascent sciences of sociality—criminology, sociology, and anthropology in both its physical and cultural manifestations—and the emerging biomedical regulation of human populations through technological means. All of these fragile sciences of sociality involved, to some extent or other, new statistical measures and tools for the assessment of human abilities and capabilities. This involvement is sometimes taken to signal eugenics’ construction of a notion of normality that systematically regimented what sorts of people there should be. I shall provide my own view of the confluences that led to the emergence of eugenics in Chapter 2, returning to discuss in more detail the role of the concept of the normal in that emergence in Chapters 5 and 6. Here I want to focus on something often glossed over in discussing the origins of eugenics: the idea of human betterment.

As a new science of human improvement, eugenics reflected a particular, prosocial tendency that runs deep in us as a species. That tendency drives so much of our social life that it is taken for granted in our everyday lives, sufficiently so that it can be barely noticeable. But it is there in thousands of micro-interactions we each have every day, interactions writ large in our systems of communication, in the cooperative conventions that create the norms by which we live, and in how we think of ourselves in terms of social identities and values that are structured by a kind of shared, collective intentionality. Human language, the social rules we have created to regulate how we should treat each other, and our sense of belonging, often deeply, to certain groups—our family, our nation, our people, our species—are all both signs and products of our specific social nature. We are a species comprised of individuals who are distinctively socially integrated and socially inter-dependent, a species geared with tendencies that reflect our distinctiveness here.

Of the different ways to bring out the depth to these prosocial tendencies, I want to identify just one feature of our nature that brings it home. That is the extreme vulnerability that each one of us has from birth that makes our continued existence dependent on quite active forms of basic assistance and aid—food, shelter, protection, removal from harm’s way. Each of us starts as a small, only partially formed creature that relies not only on not being neglected by others, but also on the often concentrated and costly investment that others have in us. This basic fact about our developmental reliance on the sociable goodwill of others is part of the

reason that such sociability is a feature of our nature with sufficient commonality to ensure our survival to adulthood.

The fact that each of us moves from a state of vulnerability and dependence as we develop through the sociable good will of others tell us something important about human nature. We are not just sociable creatures in being socially related to one another in various ways, but *prosocial creatures*. Prosocial behavior flows from us, encompassing the helping of individuals, our volunteering of time, effort, and resources to benefit groups whose goals we endorse, and the taking on of sometimes even extreme risks and costs in engaging in altruistic behaviors, including risks that can cost us our lives.

We might keep in mind this prosocial nature as we acknowledge the eugenic moments of our collective past. Sometimes for better, sometimes for worse, the aim of human improvement is a manifestation of our prosocial nature. Yet the particular ways in which eugenics sought to bring about human improvement also, I want to suggest, reflect the limitations of this tendency, the ways in which our prosociality has been and continues to be circumscribed and bounded in practice.<sup>3</sup>

\*\*\*\*\*

General academic interest in eugenics is relatively recent and has been largely historical in nature. Yet while much of the scholarship on eugenics has promoted the neutrality that historical distance often affords, the study of eugenics has seldom taken the form of distant, scholarly inquiry. Instead, that study typically has been undertaken with one eye on the present, with the history of eugenics conversely sometimes forming the scholarly backdrop for discussion of a diverse cluster of contemporary issues about science, technology, and human nature. Such issues include those concerning reproductive autonomy, science and scientism, biological (particularly genetic) determinism, and disability and human variation. This interplay between eugenics past and biotechnology present catalyzed during the 1980s, starting with the focus on the relationship between the biological sciences and eugenics in the historian of science Daniel Kevles' *In the Name of Eugenics* and continuing in the exploration of genetic technologies and eugenics in the sociologist Troy Duster's *Backdoor to Eugenics*. As Kevles said more dramatically in his opening comments to his Preface to an edition of *In the Name of Eugenics* published ten years after the book first appeared, the "specter of eugenics hovers over virtually all contemporary developments in human genetics, perhaps even more now than when this book was first published".

One form that specter took, and a focus of attention for discussions of such developments, centered on the Human Genome Project, the first big science project in the biological sciences and perhaps the largest collaborative endeavor in the history of science. It was initiated in the 1980s in a series of meetings, conferences, and workshops led by molecular biologists, biochemists, and geneticist, and funded to the tune of \$3 billion by the U.S. Department of Energy and the National Institutes of Health. Officially beginning in 1990, the Human Genome Project's primary technical aim was to provide complete listing of the DNA sequencing found across the twenty-three pairs of chromosomes that make up the human genome. This listing is a series of chemical base pairs, guanine-cytosine (G-C) and adenine-thymine (A-T), whose discovery by Francis Crick and James Watson in 1953 as the fundamental

building blocks in the double-helix structure within human chromosomes was the basis for the Nobel Prize for Physiology or Medicine that they shared with the physicist Maurice Wilkins in 1962.

But the Human Genome Project's relevance for those interested in the resonances of eugenics past lies in the perceived significance of that listing and the corresponding motivations for the project itself, along with the assumptions made linking biotechnological achievement with those motivations. For high amongst those motivations were variants on classic eugenic talk of human betterment, cast both in terms of enhanced understanding and improvement of human nature and in terms of addressing the effects of human illness and disease through elimination and cure. As many had made clear from the outset, linking basic, molecular knowledge of the kind provided by the Human Genome Project to higher-level claims—about genes, about traits, about therapies—required much knowledge that was certainly neither biochemical nor molecular. More generally, extending such linkage through to practices and policies also required value-judgements—about disease, disability, and human variation, for example—that were not purely scientific matters. There were more than shades of a eugenic past here, where the gap between scientific enthusiasm and potentially socially impactful, devastating outcomes was bridged by controversial and fatally mistaken judgments about the lives of many of our most vulnerable citizens.

General wariness about the Human Genome Project was heightened by the appointment of James Watson as the Director of the Office of Human Genome Research in 1988, a position he left in 1992 following disputes over patenting and alleged conflicts of interest. Watson had been the director of Cold Spring Harbor Laboratory since 1968, a site of special significance in the history of American eugenics, as we'll see further in Chapter 2. Although Cold Spring's involvement in eugenics ended before the conclusion of the Second World War, Watson was known to express eugenic-sounding views, which became more pronounced and he expressed more frequently in his life after leaving the Human Genome Project. In general terms, Watson has long made it clear that he holds genetic knowledge to be key to understanding differences between human social groups (such as races) and particular human traits (such as homosexuality). Equally clearly, Watson views genetic technologies, including those enhanced and advanced through the Human Genome Project, as important ways both to promote desirable traits and to remove undesirable traits from the population.

More recently, the contemporary resonances of the eugenic past have spiked, with the ways in which eugenics has been taken up by both the academic community and the public diversifying and becoming increasingly connected with issues of ongoing significance for people marginalized in our societies by eugenic ideas, practices, and policies. For example, in recent years we have seen the publication of a major handbook on the history of eugenics, several journals that have dedicated special issues to eugenics, books exploring eugenics in North America in more detail, as well as those focused particularly on eugenics in Alberta, and the appearance of eugenics survivor testimony and memoirs.

*The Eugenic Mind Project* is part of this more recent turn in the study of eugenics, a turn that brings eugenics home, both from a perceived distant past to the ongoing present, and from ideas and practices that primarily affect others to those that remain continuing issues for many of us in our daily lives. Eugenics has become increasingly a subject for scholars from a variety of



disciplines who draw on resources made possible by the testimony and reflection of those lacking the comfort of arm's-length distance from a eugenic past.

So the social relevance of the study of eugenics stems not simply from the long shadow cast by the genocidal government-directed policies of the Nazis in the name of eugenics, but also from the permanent possibility of eugenics gaining purchase through the back door of technologically-enhanced individual choice. But recognition of the need for public engagement and activism around the topic of eugenics is, I think, better understood against two dissonant recent social contexts that have been especially poignant in North America.

First, in the early 2000s, there were official apologies from the governments of four of the thirty-three American states to have passed eugenic sterilization laws: Virginia, Oregon, and North Carolina in 2002, and California in 2003. These apologies themselves followed in the wake of settled legal actions in Alberta, Canada, brought by eugenics survivors against the government of Alberta for wrongful confinement and sterilization under the province's Sexual Sterilization Act (1928-1972), and at least some of those advocating for those apologies were keenly aware of the situation across the northern border. In addition, during this time there was a growing interest in North America in recent revelations of enduring eugenic sterilization in the Scandinavian countries of Sweden, Norway, Denmark, and Finland.

Second, though the settlements and apologies aimed to make it clear that eugenics was a matter of a regrettable past, that view of eugenics has seemed complacent to many within the disability community who see eugenic thinking manifested in a variety of contemporary practices. A prominently discussed example is the widespread practice of selective abortion that draws on disability-focused genetic screening and testing, such as that for trisomy 21 or Down Syndrome. Here it is not abortion *per se* but *selective* abortion aiming to prevent the birth of people who would likely manifest specific disabilities at some point in their life that has been the focus of critical attention. For—as the objection is sometimes rhetorically put—if we hold that selective abortion on the basis of sex or gender (e.g., being female) is at best morally problematic, how can that practice be justified when the discriminating characteristic is not sex but disability? This disability rights critique of selective abortion has opened up questions about *The Eugenic Mind* concerning reproductive rights, questions that will be the focus of discussion in Chapter 7.

More striking, however, is that the view of eugenics as simply a regrettable past was undermined by recent revelations of the ongoing sterilization—in Australia, in California, and in India—of just the sorts of people who were the target of past eugenics policies and laws. I shall return to briefly discuss these cases in the conclusion of this chapter. But the simple reminder that even old-style eugenics is not only a historical matter makes all the more pressing questions about the forms of eugenic policy takes beyond sterilization, and about the manifestations of “newgenic” thought and practice that exist now.<sup>4</sup>

\*\*\*\*\*

I had become aware of the not-so-distant history of eugenics in the western Canadian province of Alberta shortly after arriving in Edmonton to take up a position as a professor of philosophy the University of Alberta in July 2000. By April 2004, I had met a range of people involved in the

case commonly referred to as “Muir v Alberta” and, more long-windedly, “Muir v The Queen in the Right of Alberta”, a legal decision that I had not heard of prior to my arrival in Alberta. In this landmark legal case decided in 1996 by Madame Justice Joanne Veit, eugenics survivor Leilani Muir successfully sued the province of Alberta for wrongful confinement and sterilization relating to her admission to and treatment at the Provincial Training School for Mental Defectives in Red Deer, Alberta, from 1955 until 1965. As a child of ten, Leilani had found herself swept up by the eugenics movement. After being institutionalized, Leilani was sterilized putatively in accord with the Sexual Sterilization Act of Alberta, a law that was in place in the province until 1972. That provincial law, one of only two enacted in Canada’s history, authorized the eugenic sterilization of individuals whose recommendation for sterilization by the medical superintendents of provincial institutions or other state authority figures had been approved by a four-person committee known informally as the “Eugenics Board”. The legal wrongfulness of both Leilani’s institutionalization or confinement and her sterilization that was established in *Muir vs Alberta* drew attention to many problematic features of how eugenics was practiced in the province, including how the Eugenics Board did its work.

Alberta’s western neighbor, British Columbia, was the only other province in Canada to implement sexual sterilization legislation, with the British Columbian legislation modeled on that in Alberta but enforced much less rigorously. This is not to say that eugenics existed only in these two Western-most provinces; Saskatchewan and Manitoba, the other two Western Canadian provinces, came very close to passing eugenic sterilization legislation in the early 1930s. In fact, sterilization legislation passed in Saskatchewan in 1930 but the government fell before it could be put into practice; in Manitoba, the 1933 Mental Deficiency Act that included provision for eugenic sterilization was just one vote away from becoming legislation. In addition, much of the self-sustaining momentum for eugenics in Alberta was initially generated by the advocacy of influential figures in the Canadian mental hygiene movement based in the province of Ontario, such as Helen MacMurchy, C.K. Clarke, and Clarence Hicks. There is also much evidence of the influence of the reach of eugenics in Canadian social policy beyond explicit eugenic sexual sterilization legislation.

Amongst those I met connected to the Muir case were people called as expert witnesses in that and subsequent cases, lawyers involved directly in those cases, and people with general academic expertise in eugenics: from law, sociology, history, education, genetics, psychology. Many of them were my campus colleagues, housed in other departments and faculties on campus. But most importantly, I met Leilani Muir herself, a meeting that, little did I know at the time, would change much of my work and personal life, and shape my perspective on eugenics and disability.

The briefest way to pinpoint why, at least in terms of how Leilani struck me initially, was that Leilani, then in her late fifties, was not noticeably different from other people I knew. Leilani was distinctive, and admirably so as I got to know her better, but not *different* in the way one might expect, given her history. She was, to put it in terms of a concept that structures our perceptions of human variation, about as normal as any of us can be. Yet Leilani had been institutionalized at a school *for mental defectives* for an extended period of time as a child, as a teenager, and as a young adult; she had also been classified as a “moron”—a term whose colloquial familiarity now might make it surprising to some to learn that it was invented barely 100 years ago by the eugenicist and psychologist Henry Goddard to pick out “higher grade”

mental defectives. Classified as a higher-grade mental defective, Leilani was sterilized putatively in accord with the Sexual Sterilization Act of Alberta. And all of that had further, unexpected and devastating consequences for Leilani's post-institutional life.

*How did this happen?* Leilani was certainly different from the educated, upwardly-mobile, middle class people who populated my snug university surroundings. But she wasn't that different from the less educated, often class-stagnant, working class people with whom I grew up. And, it turned out, she was not that different from many hundreds, if not thousands, of others who were subjected to the very same laws and policies in Alberta. *How does this kind of thing happen?*

Yet this perhaps makes my side of the equation here sound more academic than it in fact was. For this was not really a kind of intellectual conundrum to be solved, one that, as a card-carrying analytic philosopher of mind and science, I was no doubt over-prepared to solve. This was not a puzzle case, some real-life analogue to the thought experiments that, for better or worse, still drive so much of the best contemporary work in analytic philosophy. It was much more personal and emotional than that, for at least two reasons. Those reasons correspond to two dimensions to eugenics as practiced that continue to function for me as constraining anchors for reflections about eugenics past, present, and future. These were issues of what I will call *institutional complicity* and *engaged individuality*.<sup>5</sup>

\*\*\*\*\*

First, institutional complicity. Paramount here for me was that my own university—indeed, my own department—had been centrally implicated in the history of eugenic sterilization in Alberta. This was primarily through the agency of the founding chair of my department, Professor John MacEachran, who also served as the original head of that committee known as the Eugenics Board. And Professor MacEachran had done so from its founding in 1928 right through until 1965, meaning, for almost its entire history. As one of the original professors hired early in the history of the University of Alberta, MacEachran quickly rose in 1914 to become the first provost at the university, and continued to serve as the chair of its Department of Philosophy and Psychology as it became the Department of Philosophy, Psychology, and Education in 1933. In fact, Professor MacEachran continued in these roles, as department chair and provost, until his retirement in 1945. He was, and remains, the longest-serving department chair, and the longest-serving Provost, in the 100-plus-year history of the University of Alberta.

Provost MacEachran was a fellow philosopher by training, having completed both a doctorate in the subject of philosophy at Queen's University in Canada, and another at the University of Leipzig in Germany. There is apparently (and strangely) no record of his doctoral dissertation at Queen's University, not even its title, except records indicating that his doctorate was taken in philosophy, and his Leipzig dissertation is a short treatise, in German, on pragmatism and knowledge. Despite his limited education in the psychological and biological sciences and without a single research publication in those highly relevant areas, Provost MacEachran had, for more than thirty-five years, chaired a board that approved approximately 4800 eugenic sterilizations. He served in this capacity for twenty years beyond his formal retirement from the University of Alberta until just seven years before the Sexual Sterilization Act of Alberta, which had created the Eugenics Board in 1928, was repealed in 1972.

MacEachran was still serving as the chair of the Eugenics Board, giving approvals to applications for sexual sterilizations, when he was eighty-eight years old. However, in the wake of *Muir v Alberta*, it had become clear, all too late, that the Eugenics Board under MacEachran's leadership had failed spectacularly to uphold its basic function to ensure that sterilization was imposed only on those who strictly met the conditions of the Alberta statute.

While the distinctiveness of the Sexual Sterilization Act is something I will return to in Chapter 3, here we can note that it set two basic requirements to be met for sexual sterilization to be approved. The first was that release from the institution be imminent (in cases where the person recommended for sterilization was institutionalized); the second was that there was evidence that the mental deficiency of the "inmate" or "patient" would be transmitted to any offspring. Yet the *Muir* case showed that sterilization approval was often given by the Board when release from the institution was not imminent, and frequently there was little evidence for the heritability of any mental deficiency. In fact, often there was much counter-evidence, which was in effect ignored by the Board. Although the Board neglected its basic duties in various other ways, the significance of its failure here and its consequences for Leilani were made clear in the decision of Madame Justice Veit, whose ruling included the summarizing statement that the

circumstances of Ms. Muir's sterilization were so high-handed and contemptuous of the statutory authority to effect sterilization and were undertaken in an atmosphere that so little respected the plaintiff's dignity that the community's and the court's sense of decency is offended.

In the course of the development of the legal case, it also became apparent that Leilani was far from alone in her legally wrongful confinement and sterilization. Leilani had not simply been one child who, through misfortune, carelessness, or administrative neglect of duty, had ended up in an institution that she should never have been admitted to, and sterilized under the authority of a law whose rubric she did not fit. Leilani was one of many. Very many. The failures here, in other words, were systematic and widespread. The ramifications had been devastating for large numbers of children confined and sterilized in Alberta between 1928 and 1972, whether wrongfully or not.

Leilani's case, including the important records made public by Madame Justice Veit in her decision, motivated more than nine hundred subsequent legal actions. The vast majority of these actions were eventually settled by the province of Alberta for over \$80 million. Those settlements ended several years of attempts by the government of Premier Ralph Klein to dismiss the legal actions. The most controversial at the time, but perhaps least well-known now, of the twists and turns to these attempts was the government's introduction of Bill 26 to the floor of the provincial legislature in March of 1998. Bill 26 appealed to the clause of the Canadian Charter of Rights and Freedoms commonly known as the "Notwithstanding Clause" and sought to limit the amount of any settlement made to eugenics survivors to \$150 000, and to do so independently of what was found to have happened to those confined and sterilized. Until that time, the Notwithstanding Clause was designed for, and had occasionally been used by, provincial governments to exempt themselves from certain Charter requirements that would impose an undue burden on them and the people they represented, given special circumstances that a province might find itself in. It had rarely been appealed to previously, and when it had, it was typically associated with the distinctive linguistic and cultural circumstances of the predominantly French-speaking province of Quebec. The unprecedented move of the

government of Alberta invoking that clause to limit its settlement payments to sterilization survivors—who had allegedly been wrongfully confined and sterilized as part of past government eugenic policy—triggered an avalanche of criticism of the government. This public backlash was sufficiently strong that, even in a province in which the government held an overwhelming majority of seats, and had held power since 1972, the legislation was withdrawn within 24 hours. Following that, the government relatively quickly settled hundreds of remaining cases. Eugenics then became, once again in Alberta at least, a matter of the past.<sup>6</sup>

\*\*\*\*\*

Further from the public eye, Leilani’s case became central to the work of a small departmental committee, formed in 1997 and tucked away in the Humanities Centre at the University of Alberta. This three-person committee, informally known as the MacEachran Sub-Committee within the Department of Philosophy at the university, issued its *MacEachran Report* in 1998. This report was endorsed by the department as a whole and summarized many of the key failings of the Alberta Eugenics Board as they had been detailed in the public records of the Muir case. It also recommended courses of action, such as the removal of MacEachran’s name from university prizes and other forms of honor, as well as advocating the teaching of this aspect of the history of eugenics within regular courses in philosophy and at the University of Alberta more generally.

MacEachran was not, of course, the only person facilitating eugenic practices courtesy of his or her position at the University of Alberta. Amongst the others, prominent was Professor Margaret Thompson, the first person qualified as a geneticist to briefly serve on the Alberta Eugenics Board in the early 1960s while she was an assistant professor. (Thompson’s own role in *Muir vs Alberta*, testifying as a witness for the Province, played an unexpectedly significant and chilling role in that case; more on this to follow.) But MacEachran’s involvement brought matters very close to home for me. MacEachran completed his M.A. and (reportedly) his first Ph.D. at Queen’s University, where I held my first academic position—again, in the very same department—and he had briefly studied with one of the founders of the discipline of psychology, Wilhelm Wundt, at Leipzig, in the first decade of the twentieth-century. I had recently written a little on Wundt in talking about the characterization of individuals in early psychology in *Boundaries of the Mind*, alongside an equally brief discussion of what I called “Galtonian individuals”, taking up how one of the founding figures in the history of eugenics had thought of the nature of individuals in psychological science. And I had recently been hired at Alberta as a professor with an expectation of working together with others to bridge the separate departments of philosophy and psychology as part of an exploratory pathway to bringing cognitive science proper to the University of Alberta. Before its bifurcation in 1963, the department had been called the “Department of Philosophy and Psychology”, including for nearly all the years during which MacEachran served as the chair of the Eugenics Board.<sup>7</sup>

\*\*\*\*\*

So the issue of institutional complicity was, professionally speaking, close to home. The second more personal and emotional dimension to my reaction concerned Leilani. Being normal—whatever that is, exactly—is just the beginning of how Leilani struck one immediately upon meeting her, an appearance shaped no doubt by one’s expectation that there must be *something*

*wrong with her*: Leilani was, after all, institutionalized for ten years at a government-run training school for “mental defectives”. In fact, to this day, when others I meet who know about Leilani second-hand and then learn of my close friendship with her, the question they most often ask me is “What was wrong with her?”, or its whispered variant, “What did she have?”.

Yet Leilani sparkled with her own individuality and idiosyncrasies. I got to see more of these the more time we spent together, especially as we drifted further away from talking about eugenics and its destructive role in her life. Animals were a deep love of Leilani’s. As were children. And Elvis! Generosity and well-meaningness spilled out from her. Having to eat second and third helpings of pretty much everything that Leilani had spent the previous day preparing for a “little get together” at her house—not that I would object *that* much—was pretty much required. It was something that brought me back to memories of two nanas, my maternal and paternal grandmothers, each of whom, in their own way, had almost the same degree of determined insistence to make sure that no one left their house with a rumbly tummy.

That engaged individuality, as I would come to think of it, involved distinctive personality traits, interests, likes and dislikes, self-concern (both short- and long-term), a kind of caring, social concern and feeling for others, a sense of one’s own agency and its limits, and an imaginative ability to connect self and other. It was something that I found, in some way or other, in the hearts and minds of all of the relatively small number of sterilization survivors who I came to know well over the coming years, even if I felt it most strongly in interacting with Leilani. Many of those institutionalized and sterilized as “mental defectives” in Alberta over a forty-year period had manifested the characteristics I am thinking of as forms of engaged individuality. They had the aspirations, goals, and sense of themselves as agents that are the marks of individuality, and each of them was very much his or her own person. And they engaged not simply solipsistically with their own mental worlds but also with other people, striving for their own version of a sense of community and belonging. This was certainly true of other eugenics survivors I came to work with and befriend, such as Judy Lytton and Glenn George Sinclair. What did their engaged individuality imply about the practice of eugenics in Western Canada, and perhaps more generally?

The engaged individuality that one could readily feel flowing from survivors of eugenic institutionalization and sterilization—once they were given the opportunity to share their stories in a safe and welcoming space—contrasted sharply with what one could find in the expressed views of leaders of the eugenics movement, including those in the Alberta eugenics movement. This was especially so when it came to their characterizations of “mental defectives”, the feeble-minded menace to society, and the subsequent life-devastating interventions of eugenic enthusiasts. Those interventions were sometimes very close at hand. They typically indelibly marked the lives of people—many people—subhumanized as Leilani had been as a ten-year-old child.

There is little reason to think that such leaders of our society—local, provincial, and federal politicians; university presidents, provosts, deans and college professors; government officials, community organizers and advocates, and journalists—lacked engaged individuality in other aspects of their own lives, even if for some of them their personae were no doubt dulled by the demands of a professional and public career. They displayed much care and concern for their loved ones, and typically saw themselves as acting for the good of their community; they were as

prosocial, cooperative, and humane as anybody else. So how was it that they could display such a glaring and presumably isolated deficit in this crucial dimension of humanity when it came to those deemed—often recklessly—unfit to parent, biologically and socially? What failures of humanity—of imagination, of concern, of agency—were in play here?

To be clear, for me this glaring deficit is as much a matter of substance as it is of expressive tone. In other words, it is not simply a matter of offensive or insensitive language. Rather, it is also a matter of the views themselves, views that, in effect, subhumanize people thought to be of a certain sort or type.<sup>8</sup>

\*\*\*\*\*

These twin dimensions to eugenics as practiced—deep institutional complicity (and more-than-complicity), and a cluster of questions about engaged individuality—began for me as matters of the past. But over time I came to see them as more than that: they were very much matters of ongoing attitudes, practices, and policies. And they were more closely related than one might initially suspect.

By the late 2000s, my perspective on eugenics had moved through a series of changes. I began from the supposedly objective perspective of a philosopher of mind and biology interested in eugenics as a case study in the relationship between science and values. Within a few years, my perspective had shifted to that of an ally of survivors of a long-lasting eugenics program discovered in what had, in the meantime, become my very own backyard. In the process, I had formed professional relationships with academics in other fields, such as sociology, history, and law, who knew much more about eugenics in general and in Alberta than I did. And bridges were built across what I had learned to call the “town / gown divide” back when I was a graduate student in upstate New York.

This community-building was at the heart of what became the *Living Archives on Eugenics in Western Canada* project, funded generously by the now-superseded (some might say “abandoned”) Community-University Research Alliance (CURA) program of the Social Sciences and Humanities Research Council of Canada. The CURA Program had sought to encourage those in the humanities and social sciences to develop programs of research that both drew on and contributed to life beyond the academy, providing five years of funding for successful projects, and leveraging substantial community-university partnerships.

The Living Archives project aimed to examine the eugenic past in Western Canada and its contemporary significance by placing the engaged individuality of eugenics survivors at the heart of the project. Those who had lived through Alberta’s eugenic past were not so much “human subjects” of oral history work as key co-participants to building a range of public resources for exploring eugenics, past and present. Some served on the project’s governing board. Together with other survivors they participated in the public events we sponsored as part of Alberta Eugenics Awareness Week each October and in our summer intern program for students. All of them exercised ultimate control over the content and style of the video stories that form a crucial part of those resources.

Perhaps the most important other thing to say about “the CURA”—our own unimaginative, shorthand way of referring to the Living Archives project—is that of all the community partners who might have had (and in many cases, did have) the opportunity to participate in a long-term project focused on the history of eugenics in Western Canada and its ongoing significance, the most enduring partnership that was formed was with a small, local, insecurely-funded disability advocacy group, Neighborhood Bridges. Neighborhood Bridges saw immediately, and lastingly, the importance of the local history of eugenics for the lives of those with a variety of disabilities, including especially intellectual disabilities. They did so as they struggled to find and secure acceptable housing for people living with disabilities who were battling for a modicum of independent living beyond institutionalization and group homes, and fought for their rights to parenting and intimacy. In short, both Neighborhood Bridges and those they represented and stood with were positioned to adopt a eugenic standpoint, a point of view that made the history of eugenics very much their own history. This was so despite the fact that, in virtue of their age and the end of the explicit eugenic era in Alberta in 1972, very few of those in the Neighborhood Bridges community had the lived experience of the kind that Leilani, Judy, Glenn, and others had had in growing up in the Provincial Training School for Mental Defectives. Yet they were eugenics survivors of a kind, and their involvement in the *Living Archives* project was to significantly influence what the CURA became, as well as my own perspective on eugenics past, eugenics future.

So the unavoidable ethnographic intrusion into the ongoing lives of eugenics survivors was for us in part a form of community building. This community building aimed not simply to compensate for the limitations to community that derived from a history of institutional isolation and stigmatization, but also to create a sense of substantial community amongst a more diverse range of people who thought of themselves as survivors of eugenics in a broader sense. That community was multiply intergenerational, fueled by the two-way identification between older eugenics survivors—like Leilani, Judy, and Glenn—and younger folks engaged by, and even living their lives shaped around, disability and the struggles they confronted in their day-to-day lives.<sup>9</sup>

\*\*\*\*\*

Correspondingly, within the Living Archives project we came to think of eugenics survivorship in two ways: in terms of those whose lives had been governed fairly directly by laws such as the Sexual Sterilization Act of Alberta, and in terms of those people with disabilities in our local community who saw and felt in their day-to-day lives very much the same kinds of subhumanization and social exclusion that had been implemented through those laws and policies of years past. Amongst the latter were people with disabilities who were parenting, or were considering parenting options, in a broader community and culture with a certain history. That community had, not all that long ago, been led by people who had not only advocated for the sterilization of people “like them” to prevent the transmission of their putative defects to progeny, but had also deemed such people to be “incapable of intelligent parenting”, to take a phrase that one can find on key forms that make up the administrivia of what I shall call *the social mechanics of eugenics* in Alberta.

Eugenics’ social mechanics clearly needed attention if we were to grapple collectively and jointly with the eugenics survivorship of those with lived experience of a eugenic past. But



such a social mechanics was also important for others *parenting around disability*, as we came to think of it. This included parents of infants and children with disabilities, particularly intellectual disabilities, who also came to see their own circumstances very much in light of the recent eugenic past in Alberta.

As the CURA developed over the next few years, however, we discovered what might be thought of as another kind of eugenics survivorship. Unlike the other forms this took, it was not locally-based. Yet it came to play a pivotal role in our conception of the importance of what the Living Archives project was attempting to do. Eugenics survivorship here, in some sense, combined both of the previous forms we had encountered. Eugenic *sterilization* was, it turned out, not simply a matter of the past.

In 2012, the Senate of Australia—my beloved home country—launched an inquiry into the ongoing, often non-consensual sterilization of girls and women with disabilities, a practice that had been brought to light through Medicare billing records. Unlike Canada and the United States, Australia had never passed sexual sterilization legislation, but the affinity between what was happening then and there in Australia and the broader eugenic past was part of what garnered the attention of the Senate. Floating free of explicit state-sanctioned policy, the documented practice of sterilizing women and girls with disabilities “for their own good” nonetheless often rested on eugenic arguments and, in any case, sat uneasily with Australia’s formal human rights commitments, as argued in a detailed submission to the Senate inquiry by the advocacy group Women With Disabilities Australia.

During the summer of 2013, Cory Johnson of the Center for Investigative Reporting revealed that women in the California prison system had been recently sterilized under conditions of dubious consent or where consent was missing altogether. Johnson’s reporting revealed that about one hundred and fifty Latina and African-American women had been sterilized between the years of 2006 and 2010, and the matter was put before the California legislature for discussion. As the state in which more sterilizations had been carried out than in any other American jurisdiction in the heyday of eugenics—about one-third of the then-legal eugenic sterilizations performed in the US between 1907 and 1977 had occurred in California—legislators in the state were very much aware of the need to acknowledge the legacy of a eugenic past. In the early 2000s, Governor Gray Davis’s formal apology for California’s eugenic history, together with California’s Senate Resolution No. 20, passed in 2003, had expressed “profound regret” over the state’s involvement in eugenics. The Senate Resolution had urged “every citizen of the state to become familiar with the history of the eugenics movement, in the hope that a more educated and tolerant populace will reject any similar abhorrent pseudoscientific movement should it arise in the future”. Neither the apology nor this resolution were accompanied, however, by any meaningful public policy change, such as compensation or educational reform. In the wake of the 2013 Johnson report of ongoing sterilizations, what seems needed is not so much an acknowledgment of a eugenic past, but immediate steps to halt a continuing eugenic present.

Finally, at the end of 2014, more than a dozen women in the central Indian state of Chhattisgarh died after undergoing sexual sterilization as part of a paid incentive program that was aimed in part to control poverty through population containment. The women died of blood poisoning or hemorrhagic shock following their sterilization, and the news story spread

worldwide because few outside of India, and perhaps within the country as well, knew of the extensiveness and routine nature of this sterilization program. According to United Nations statistics compiled in 2006, as many as 37 percent of Indian women have undergone sexual sterilization, many as part of this incentive program, which offers free sterilization for women and pays them \$10-20, amounting to more than a week's salary for many of them.

These were far from isolated outbreaks of practices reminiscent of old-style eugenics. A few years earlier, the government of President Fujimoro had approved use of sexual sterilization to curtail the indigenous population in Peru, resulting in perhaps three hundred thousand sterilizations, and there were continuing reports of Romani women in countries from the former Eastern Bloc being sexually sterilized without consent. In late 2015 and early 2016, Canada's national network, CBC, issued several reports detailing cases in which First Nations women had recently been sterilized without, or with dubious, consent in Alberta's neighboring province of Saskatchewan.

As I returned to make final revisions to this chapter, the Peruvian public prosecutor responsible for investigating charges of crimes against humanity levelled at President Fujimoro for his role in the sterilization policy has decided not to pursue those charges. The prosecutor is reported as saying that the practice was not a part of state policy, but rather was a series of isolated cases—a judgment formed despite over two thousand testimonials, many of which directly contradict this claim. Whether this view of the institutional complicity of the government of Peru in eugenic sterilization is itself a form of institutional complicity in *The Eugenic Mind*, I leave as an exercise for readers with engaged individuality.<sup>10</sup>

\*\*\*\*\*

All of this raises, for me at least, questions at the heart of eugenics. Some are abstract questions about just what eugenics is and what a standpoint eugenics amounts to; others are closer-to-the-bone questions concerning how to meaningfully commemorate eugenic history and acknowledge what continues to happen in the name of eugenics. These are all largely questions about the relationships between our eugenic past and what might be called its legacy today. Except that “legacy” at least softly suggests the after-effects of something that has moved through the waters of history, leaving just the ripple of its passing.

So perhaps *The Eugenic Mind Project* isn't really concerned with the “legacy” of eugenics. It aims to understand and to critique the nature of eugenic thinking, past and present: *The Eugenic Mind*. It does so, however, neither by conceptualizing that past as simply containing lessons for the present, nor by calling for a projection of oneself into the minds of eugenicists themselves. Rather, it manifests a kind of standpoint eugenics, taking the perspectives of those who became, and those who remain, the targets of eugenic thought as key to understanding *The Eugenic Mind*. Within standpoint eugenics, *The Eugenic Mind* represents a way of thinking that is very much with us, as we will see.

## Notes

---

<sup>1</sup> Feminist standpoint theory was first articulated in the work of Dorothy Smith, “Women’s Perspective as a Radical Critique of Sociology,” *Sociological Inquiry*, 44 (1974), pp.7–13; Nancy Hartsock, “The Feminist Standpoint: Developing the Ground for a Specifically Feminist Historical Materialism”, in *Discovering Reality: Feminist Perspectives on Epistemology, Metaphysics, Methodology, and the Philosophy of Science*, ed. Sandra Harding and Merrill Hintikka (Dordrecht: D. Reidel, 1983), pp.283–310; and Patricia Hill Collins, “Learning from the Outsider Within: The Sociological Significance of Black Feminist Thought,” *Social Problems* 33(6) (1986), S14-S32. For collections of influential essays on feminist standpoint theory, see Sandra Harding (ed.), *The Feminist Standpoint Theory Reader: Intellectual and Political Controversies* (New York: Routledge, 2004); a special issue of *Signs: Journal of Women and Culture* (vol. 22, (1997)); and a collection of reflective papers in *Hypatia: A Journal of Feminist Philosophy* (vol. 24(4) (2009), pp.189-237. The most sustained and informative articulation of standpoint theory with respect to class in the earlier Marxist tradition is Georg Lukács, *History and Class Consciousness: Studies in Marxist Dialectics* (Cambridge, MA: MIT Press, 1971, orig. 1923). For some brief discussion of feminist standpoint theory and disability, see Susan Wendell, *The Rejected Body: Feminist Philosophical Reflections on Disability* (New York: Routledge, 1996), pp.69-74, and for more extensive discussion, Mary B. Mahowald, “A Feminist Standpoint,” in *Disability, Difference, Discrimination: Perspectives on Justice in Bioethics and Public Policy* (Lanham, MD: Rowman & Littlefield, 1998) ed. Anita Silvers, David T. Wasserman, and Mary B. Mahowald, pp.209-252.

<sup>2</sup> The full title of that most famous work of Charles Darwin is *On the Origins of Species by Means of Natural Selection, or the Preservation of Favoured Races in the Struggle for Life*, first published in 1859. Francis Galton’s earliest work on eugenics is his two-part “Hereditary Talent and Character,” *Macmillan’s Magazine* 12 (1865), pp.157-66, 318-27, which formed the basis for his first book in the general area, *Hereditary Genius* (London: MacMillan and Company, 1869). Galton coined the term “eugenics” in his *Inquiries into Human Faculty and its Development* (London: MacMillan and Company, 1883).

<sup>3</sup> For the most influential view of how disability was regulated by a concept of normalcy constructed within eugenics, see the disability studies scholar Lennard Davis’s, *Enforcing Normalcy: Deafness, Disability and the Body* (London: Verso, 1995), and for earlier constructivist work in a similar fashion focused on the disciplinary location of eugenics, see the sociologist Nikolas Rose’s, *The Psychological Complex: Psychology, Politics and Society in England 1969-1939* (London: Routledge and Kegan Paul, 1985). For recent work on prosociality, see David A. Schroeder and William G. Grazziano (eds), *The Oxford Handbook of Prosociality* (New York: Oxford University Press, 2015).

<sup>4</sup> The quotation from Kevles’ book *In the Name of Eugenics* provided at the beginning of this section is from p.ix of the 1995 edition. Work by historians on North American eugenics traces back to Mark Haller’s *Hereditarian Attitudes in American Thought* (New Brunswick: Rutgers University Press, 1963) and much of the more general academic work has continued with a focus

---

on the United States, including Kenneth M. Ludmerer's history of genetics, *Genetics and American Society* (Baltimore, MD: The Johns Hopkins University Press, 1972), which devotes much attention to eugenics. Daniel Kevles's *In the Name of Eugenics* (Cambridge, MA: Harvard University Press, 1985), which draws its title from an interwar quotation from the eminent British biologist J.B.S. Haldane, remains the authoritative work on science and eugenics, and covers Great Britain as well as the United States. Troy Duster's *Backdoor to Eugenics* (New York: Routledge, 2003, orig. 1990) remains a much-discussed sociological perspective on eugenics past and present. For overviews of what is now a large literature, see the bibliography assembled by Paul Lombardo and Greg Dorr in 2000 and available at <http://buckvbell.com/othermaterial.html>; the historiographical review by David Cullen, "Back to the Future: Eugenics—A Bibliographic Essay," *The Public Historian* 29(3) (2007), pp.163-175; and my own recent, annotated bibliography, "Eugenics and Philosophy" *Oxford Bibliographies Online*. For critical discussion of the Human Genome Project, see Daniel Kevles and Leroy Hood (eds) *The Code of Codes: Scientific and Social Issues in the Human Genome Project* (Cambridge, MA: Harvard University Press, 1992), and papers by Marga Vicedo, Philip Kitcher, Diane B. Paul, Elisabeth A. Lloyd, and Alexander Rosenberg collected in Part VIII of David L. Hull and Michael Ruse's anthology *The Philosophy of Biology* (New York: Oxford University Press, 1998). For reflection on the long-reach of Scandinavian eugenics, which like that in Alberta continued into the 1970s, see Gunnar Broberg and Nils Roll-Hansen (eds), *Eugenics and the Welfare State: Sterilization Policy in Denmark, Sweden, Norway, and Finland* (East Lansing, MI: Michigan State University Press, 1996) and the special issue of the *Scandinavian Journal of History* on "Eugenics in Scandinavia", volume 24(2), published in 1999, edited by Gunnar Broberg and Mathias Tyden. The Broberg and Roll-Hansen volume was published in a revised edition in 2005 in part due to the developments in North America that I discuss here. For the disability rights critique of selective abortion, see Adrienne Asch, "Disability Equality and Prenatal Testing: Contradictory or Compatible?," *Florida State University Law Review*, 30(2) (2003), pp.315-342 and her "Why I Haven't Changed My Mind About Prenatal Diagnosis: Reflections and Reminders", in *Prenatal Testing and Disability Rights*, ed. Erik Parens and Adrienne Asch (Washington, DC: Georgetown University Press, 2000), pp.234-258. For the contemporary resonance of the eugenic past in academic scholarship, see Alison Bashford and Philippa Levine (eds), *The Oxford Handbook of the History of Eugenics*, (New York: Oxford University Press, 2010); the special issues of the journal *International Journal of Disability, Community, and Rehabilitation* in 2013, volume 12(2), edited by Gregor Wolbring, and the *Canadian Bulletin for Medical History* in 2014, volume 31(1), edited by Erika Dyck; books on North American eugenics, such as Paul Lombardo's collection, *A Century of Eugenics in America : From the Indiana Experiment to the Human Genome Era* (Bloomington, IN : Indiana University Press, 2011) and Randall Hansen and Desmond King's *Sterilized by the State : Eugenics, Race, and the Population Scare in Twentieth-Century North America* (New York : Cambridge University Press, 2013); books focused on Alberta in particular, such as Jane Harris-Zsovan's *Eugenics and the Firewall: Canada's Nasty Little Secret* (Winnipeg, MB: J. Gordon Shillingford Publishing, 2010) and Erika Dyck's *Facing Eugenics: Reproduction, Sterilization, and the Politics of Choice* (Toronto: University of Toronto Press, 2013); eugenics survivor testimony and reporting based on such testimony, such as Kevin Begos, Danielle Deaver, John Railey and Scott Sexton, *Against Their Will: North Carolina's Sterilization Program and the Campaign for Reparations* (Florida: Gray Oak Books, 2012) and Leilani Muir, *A Whisper Past: Childless after Eugenic Sterilization in Alberta* (Victoria, BC: Friesen Press, 2014); and the documentary film, *Surviving Eugenics*

(Vancouver, BC: Moving Images Distribution, 2015), co-directed by Jordan Miller, Nicola Fairbrother, and Robert A. Wilson.

<sup>5</sup> For the landmark legal case, see *Muir v. Alberta*, 132 Dominion Law Reports (4<sup>th</sup> series) (1996), pp.695-762, 1996 CanLII 7287 (QB AB) and the film *The Sterilization of Leilani Muir* (Ottawa: National Film Board of Canada, 1996). For easy access to introductions to Canadian eugenics province-by-province, see the EugenicsArchive.ca provincial map at <http://eugenicsarchive.ca/discover/world>. For the standard work on Canadian eugenics written before the Muir case, see Angus McLaren, *Our Own Master Race: Eugenics in Canada, 1885-1945* (Toronto: McClelland & Stewart, 1990), for more recent work that focuses on Alberta, see Jana Grekul, Harvey Krahn, & David Odynak, “Sterilizing the ‘Feeble-minded’: Eugenics in Alberta, Canada, 1929-1972,” *Journal of Historical Sociology* 17(4) (2004), pp.358-384, and Erika Dyck, *Facing Eugenics: Reproduction, Sterilization and the Politics of Choice* (Toronto: University of Toronto Press, 2013). The psychologist Henry Goddard introduced the term “moron” in a 1910 report, and it can be found in his better known *The Kallikak Family: A Study in the Heredity of Feeble-Mindedness* (New York: Macmillan, 1912) and *Feeble-mindedness: Its Causes and its Consequences* (New York: Macmillan, 1914).

<sup>6</sup> Amongst MacEachran’s few publications are a pair of general papers published in 1932, shortly after he was appointed as the chair of the Eugenics Board: John MacEachran, “A Philosopher Looks at Mental Hygiene”, *Mental Hygiene* 16 (1932), 101-119 and John MacEachran, “Crime and Punishment”, Address to the United Farm Women’s Association of Alberta. Reprinted in *The Press Bulletin*, 17(6) (1932), 1-4. For the Muir case, see the preceding note; the quotation from Madame Justice Veit comes from paragraph [3] on p.695. For Bill 26, see the entry on it at [www.eugenicsarchive.ca](http://www.eugenicsarchive.ca), which contains the full text of the bill.

<sup>7</sup> For the MacEachran Report, see “Report of the MacEachran Subcommittee, Department of Philosophy, April 1998”, submitted by David Kahane, David Sharp, and Martin Tweedale, available from the University of Alberta’s Department of Philosophy website, [http://www.philosophy.ualberta.ca/en/About%20the%20Department/~media/philosophy/Documents/Policies/MacEachran\\_report.pdf](http://www.philosophy.ualberta.ca/en/About%20the%20Department/~media/philosophy/Documents/Policies/MacEachran_report.pdf). The psychologist Douglas Wahlsten also played a key role following the Muir case in drawing broader attention to MacEachran’s eugenic efforts; see for example his “Leilani Muir versus the Philosopher King: Eugenics on Trial in Alberta,” *Genetica* 99 (1997), pp.185-198.

<sup>8</sup> For Leilani Muir’s life, see her autobiography, *A Whisper Past: Childless After Eugenic Sterilization in Alberta* (Victoria, BC: Friesen Press, 2014), and her video narrative at the Our Stories module at the EugenicsArchives site: <http://eugenicsarchive.ca/discover/our-stories/leilani>. Stories from other eugenics survivors can also be found there, including those for Judy Lytton and Glenn George Sinclair. For recent work on dehumanization see the philosopher David Livingstone Smith’s *Less Than Human: Why We Demean, Enslave, and Exterminate Others* (New York: St. Martins Press, 2011), “Dehumanization, Essentialism, and Moral Psychology,” *Philosophy Compass* 9 (2014), pp.814-824, and his short entry “Dehumanization: Psychological Aspects,” at EugenicsArchives.ca, as well as the comprehensive psychological

---

review provided by Nick Haslam and Stephen Loughnan, “Dehumanization and Infrahumanization,” *Annual Review of Psychology* 65 (2014), pp.399-423.

<sup>9</sup> The Community-University Research Alliance Program of the federal funding agency The Social Sciences and Humanities Research Council of Canada was created in 2000 and closed in 2013, being replaced by two funding opportunities within SSHRC’s newly-created Connection Program. There were ten CURA grants of \$1 million awarded annually, with each project running for five years. The Living Archives on Eugenics in Western Canada project ([www.eugenicsarchive.ca](http://www.eugenicsarchive.ca)) was awarded funding in February 2010, and was completed in August 2015 after an extension was granted for completion. The video narratives referred to can be found at the “Our Stories” module at the website. The University of Alberta was the host institution for the project, and team membership and structure shifted during the project, with students playing a crucial role in the creation of materials throughout the life of the project; information about team members at the project’s completion can be found at <http://eugenicsarchive.ca/about#team>. *Neighborhood Bridges* is a human rights advocacy organization based in Edmonton focused on disability culture and directed by Nicola Fairbrother.

<sup>10</sup> For the Australian case, see the detailed submission from Women With Disabilities Australia, “Dehumanised: The Forced Sterilisation of Women and Girls with Disabilities in Australia,” WWDA Submission to the Senate Inquiry into the Involuntary or Coerced Sterilisation of People with Disabilities in Australia (March 2013). Available from <http://wwda.org.au/papers/subs/subs2011/>. For the Californian prison sterilizations, see Corey Johnson, “Female Inmates Sterilized in California Prisons without Approval,” (2013), Center for Investigative Reporting <http://cironline.org/reports/female-inmates-sterilized-california-prisons-without-approval-4917> and for the earlier California Senate Resolution 20, made in 2003, see [http://www.csus.edu/cshpe/eugenics/docs/senate\\_resolution\\_20.pdf](http://www.csus.edu/cshpe/eugenics/docs/senate_resolution_20.pdf). The Chhattisgarh case from India was widely reported in the international media at the end of 2014, including *The Guardian* in the United Kingdom <https://www.theguardian.com/world/2014/nov/12/india-sterilisation-deaths-women-forced-camps-relatives> and CNN in the United States <http://www.cnn.com/2014/11/12/world/asia/india-sterilization-deaths/>. As with other cases, it also generated wider reflection on India’s history of forced sterilization; see, for example <http://www.bbc.com/news/world-asia-india-30040790>. For the recent Western Canadian cases, see <http://www.cbc.ca/radio/thecurrent/the-current-for-january-7-2016-1.3393099/aboriginal-women-say-they-were-sterilized-against-their-will-in-hospital-1.3393143> and for Peru, see *Intercontinental Cry*, “Forced Sterilization of 272,000 Indigenous Women ‘Not a Crime against Humanity’ Public Prosecutor,” September 13, 2016, <https://intercontinentalcry.org/forced-sterilization-272000-indigenous-women-not-crime-humanity-public-prosecutor/>.