

Vermont Eugenics: A Documentary History. This document is: *Vermont Sterilization Statistics*, Vermont Department of Institutions and Vermont Department of Health. 1960-1996.

Sources:

Biennial Report of the Vermont Department of Welfare, 1946
 Julius Paul, "State Eugenic Sterilization Laws in American Thought and Practice." 1965
 Vermont Department of Health (reported to John Moody after a general search in 1995-6)

* NOTE: Reported numbers of sterilizations vary slightly depending on the source and probably include only those performed in state institutions. The actual number of persons sterilized in Vermont for eugenic purposes is unknown.

Cumulative Sterilizations under Vermont Law

Year:	Total:	Males:	Females:
Before 1931	6		
1933	30		
1935	97	32	65
1938	161	50	111
1941	212	66	146
1944	228	75	153
1946	248		
1948	249		
1950	250		
1960	251-253*	83	170
1968	257-259*	85	174

State-Sponsored Sterilization

Rep. Anne Donohue

A Brief Summary of Key Dates, Vermont History, and State Apologies

1907 – Indiana becomes the first state to provide for sterilization to prevent traits such as “bad character” from being passed on. Eventually, 33 states pass similar legislation; an estimated 6,000 persons are sterilized.

1927 – U.S. Supreme Court, in Buck v. Bell, upholds Virginia’s state law.

“It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or letting them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind.” Justice Oliver Wendell Holmes

1931 – Vermont becomes the 27th state to pass such legislation. The public discussion focuses on controlling “the increase of mental defectives in Vermont” and the resulting costs of welfare and of expanding institutional care at the Brandon Training School and the State Hospital. Targets became the Abenaki, French Canadians, the rural poor, and immigrant groups.

Vermont has been cited as having the most extensive collection of documents on its sterilization laws. The collection can be found at www.uvm.edu/~eugenics/ Most of the Vermont document excerpts in this summary, unless otherwise noted, are from this web site.

Notes from Vermont History

“I call your attention to the fact that the numbers of our insane and feeble-minded is constantly increasing with a corresponding increase in burden cast upon the communities and the State. We are doing our duty about the care of these unfortunates, but practically nothing to prevent a further increase in their number. Medical science points out one definite course which has been successfully followed in other states... The Supervisors of the Insane in their biennial report recommend the enactment of a properly safe-guarded sterilization law. You will do well to give this matter serious consideration.”

Inaugural Address, Gov. Wilson, 1931

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“The targeting of the rural poor went on in many states. One of them was Vermont...,” where a declining population in the early 1900's led to fears that *“the fittest Vermonters were actually abandoning the state, leaving behind ‘unwholesome,’ ‘degenerate’ families who would eventually dilute out the state’s sturdy Yankee genes.”*

These included those of Irish, French Canadian, English, Italian and German origin. *“Among the people whom Perkins targeted were Native Americans of the Abenaki tribe, some of whom he labeled ‘the Gypsy family.’”*

Georgetown University, Kennedy School of Ethics: The Rise and Fall of Eugenics

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“In many instances the people sterilized were members of mixed racial groups, particularly Abenaki and French Canadians, or poor whites living in rural communities.”

Vermont Historical Society

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“The freedom to bear children is a fundamental right under the Constitution.” Sally Fox of the Vermont Developmental Disabilities Law Project, commenting in 1980 on the need for legislation after a Superior Court, on remand from the Supreme Court, found Vermont’s sterilization law unconstitutional, but used self-defined standards to permit the surgery.

Notes from Vermont History, continued

“Increasing difficulties in meeting the growing population of insane and feeble-minded are indicated in a statement from the report of Dr. E. A. Stanley, superintendent of the State Hospital at Waterbury. *‘The overcrowding, ‘ he says, ‘at the present time is especially urgent... ’*”

The Rutland Daily Herald, Dec. 22, 1934

Vermont’s statute was described in a 1932 publication as a “retrogressive step” because it required sterilizations to be “voluntary,” however a 1945 inquiry to the Attorney General from the Brandon Training School is descriptive of the standards that were used to indicate the ability to give voluntary consent:

“We have a boy age 23 who has now completed his training at the Brandon State School. He is definitely feeble-minded with the intelligence on the level of an imbecile. He thoroughly understands the purposes and nature of the operation and that it will prevent him from having children. He has requested that such operation be performed but we have hesitated to do so because his father who is an ignorant feeble-minded person has objected in writing.”

The inquiry stated that since the patient was over age 21, it was felt that the father’s objection should not carry weight, and noted that three other children were also at Brandon, *“and we feel that it would definitely be a menace to society if this boy was discharged without having the operation performed.”*

The Attorney General responded that as long as subject had the requisite level of intelligence, the father’s objection was not a legal impediment.

Targeted Groups Among States

Vermont’s target of “degenerate” families that would dilute the white Yankee stock – including Abenaki and French Canadian, as well as other ethnic immigrant groups – was not unusual in having a state-specific focus within the overall aim of preventing further generations of mentally unfit persons. In many states, “mental defectives” were considered to include those with epilepsy, alcoholism, syphilis, or criminal histories.

Other states where particular sub-groups of individuals were targeted included:

California: *Mexicans (particularly because of traditionally large families), African Americans, sexually promiscuous women*

Delaware: *Gay men (laws against homosexuality were particularly strict, and because it evidenced a “mental defect,” men were subject to being institutionalized and sterilized)*

Indiana: *poor, back country whites*

Iowa: *Habitual criminals, “sexual perverts”*

Michigan: *African Americans and nomadic American Indians; criminal history, particularly if sexual, including homosexuality*

Minnesota: *Poor, sexually active women*

North Carolina: *“Promiscuous women,” later shifting mostly to black women, particularly those on welfare*

Oklahoma: *Habitual criminals*

Oregon: *“Sexual deviants,” meaning rapists, child molesters, and homosexual men*

Washington: *Gays, persons with physical disabilities, welfare mothers*

Notes from Vermont History, continued

"Farmers today are paying much attention to good breeding of their cattle. They find they have much better results with the cows of good breeding. This same care is not given to the choosing of human mates. Therefore, such Institutions as the Home for the Feeble Minded at Brandon are filled with children whose parents are not as carefully selected as are the breed cattle. In a survey it was found that many of the children in Brandon have some relative in one of the penal Institutions or insane asylums of the State... The Vermont institutions are nearly filled, according to Dr. Perkins. Sterilization is not a cure. It is only one of the methods that would help. 'There is no single cure,' he reiterated, 'for diseases of the body or mind.'"

Report on presentation to the Women's Auxiliary, Burlington Free Press, October 29, 1926.

"The fine old stock of original settlers in Vermont, Warners and the Allens and their ilk, were amongst the best human material that was at hand when the new Republic was formed. We are tempted to ask, what has become of that fine old stock?"

"...Vermont is constantly skimming off the cream of her younger population... those who are more ambitious and fit, physically and mentally, move out and find openings elsewhere..."

"The two ways of improving the population are, first to encourage larger families amongst the physically and mentally fit, those who are able not only to make their own way in the world, but to carry their share of the burden of supporting the inadequate and the unfortunate; second to bring about, by one means or another, a less rapid increase in the 'unfit' part of our population..."

"In the course of our study of certain selected families it has come to light that certain outstanding characteristics can be assigned to practically every family. There are what may be called undertones of defectiveness or criminality or disease, but in most cases a single peculiarity seems to have been responsible for a large part of the bad history of the tribe, and appears to be very strongly inherited..."

"Family A, for example, comes of a strain about which we have not succeeded in learning a great deal back of the individual who occupies the position No. 1 on the chart. He was of a mixed ancestry with apparently very strong doses of Indian and Negro. This whole family numbering well over 150 individuals retains its ancestor's roving or Gypsy tendency. They are horse traders, fortune tellers and basket weavers... [Note: this was the description of the time for persons of Abenaki descent.]

"Is there some way of preventing similar accidents in the future? The way of modern enlightened philanthropy is to look beyond the segregation and training of mental defectives and the custody of criminals and to see whether there is any scientifically approved method of checking the reoccurrence of such calamities."

Review of Eugenics in Vermont: The Vermont Review, Perkins, H.F., Sept.-Oct., 1926.

"...(S)omething must be done to control the mental defectives in Vermont, both for the sake of improving the population generally and in order to control the rapidly mounting cost of the department of public welfare... The question arises whether we are going to continue trying to keep up with the increase in mental defectives by adding more buildings and appropriating more money to operate them, or adopt the new policy of confining only the more dangerous cases and allowing others their liberty after sterilization to guard against reproduction of their kind..."

The Burlington Free Press, Editorial, March 17, 1931.

Why a Public Apology?

"There is a skeleton in the closet for Virginia that will continue to be there until it's addressed forthright." An apology would be *"the right thing to do."* Advocate Phil Theisen, 2001, Virginia.

"Those victims who are still living are entitled to an apology, and it's important... that Oregonians publically acknowledge and repudiate this little known – and grotesque – chapter from its not-too-distant past... It's Oregon's turn to face its past and express its true and sorrowful regrets." Register-Guard Editorial, Nov. 18, 2002

"These laws were interpreted widely. In the South, they were most often applied against black women... They provided an authorized outlet for race, class, and anti-gay prejudices... I think officially acknowledging the error of our ways could lead to a reinvigorated debate about what lies ahead for a state so committed to helping the world..." Editorial Commentary, Knute Berger, a "Mossback" (Northwest native), April 13, 2007.

"This does represent one of the ugly chapters in North Carolina's history. We have to deal with our past in order to have a better present and a stronger future." Rev. William Barber, president of the state chapter of the National Association for the Advancement of Colored People, quoted in Associated Press article, 2009, at the dedication of a cast aluminum sign in downtown Raleigh to provide "a permanent remembrance of the program intended to keep thousands of people considered mentally disabled or otherwise genetically inferior from having children."

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States Which Have Issued Public Apologies

2001 – Virginia's general assembly passed a resolution expressing regret for the sterilization of an estimated 8,000 persons between 1924 and 1979, under a law enacted at the same time as its marriage "Racial Integrity Act." The resolution noted that the laws were a guise to also target those with alcoholism, syphilis and criminal behavior and to use science as a veneer for "blatantly racist views."

"RESOLVED... that the General Assembly expresses its profound regret over the Commonwealth's role in the eugenics movement in this country and the incalculable human damage done in the name of eugenics; and be it

"RESOLVED FURTHER That the General Assembly urge the citizens of the Commonwealth to become more familiar with the history of the eugenics movement, in the belief that a more educated, enlightened and tolerant population will reject absolutely any such abhorrent pseudo-scientific movement in the future."

2002 – Gov. Mark Warner of Virginia issued a formal apology and dedicated a memorial to the first woman sterilized there. *"I offer the Commonwealth's sincere apology for Virginia's participation... (it) was a shameful effort in which state government should never have been involved. We must remember the commonwealth's past mistakes in order to prevent them from recurring."*

2002 – Gov. John Kitzhaber, MD, of Oregon issues apology for the state’s sterilization of an estimated 2,600 persons, most of them in state care and including “children who were living in state institutions because they were unwanted, people who had epilepsy and wayward teenage girls.” December 10 was designated as annual Human Rights Day in Oregon, to “celebrate our state’s commitment to human decency and personal freedom.”

“Today, I am here to acknowledge a great wrong done to more than 2,600 Oregonians over a period of about 60 years – forced sterilization...”

2002 – Gov. Mike Easley issues public apology for North Carolina’s law, under which some 7,600 persons were sterilized, including the targeting of black women in the general population.

“This is a sad and regrettable chapter in the state’s history, and it must be one that is never repeated again.”

2003 – Gov. Jim Hodges of South Carolina makes public apology for the sterilization of more than 250 persons in state institutions, “mostly blacks and women.”

“Advocates say the apology close a sad chapter in South Carolina’s history – and helps people learn from past mistakes.”

2003 – Gov. Grey Davis of California, where the highest number of sterilizations were performed, issues public apology just hours after testimony is presented in a Senate committee.

2004 – State of Indiana issues apology for its sterilization law that was based on the belief that “criminality, mental problems and pauperism were hereditary.”

2007 – Indiana’s historical marker was dedicated *“to acknowledge and remember eugenics in Indiana... (It) further enhances the visibility of the topic and denote its significance in the history of the state... Often these apologies have spurred healing for victims, promoted extensive historical research, and engaged community, legislative, and university dialogue. The prominence of the eugenics movement in Indiana warrants public display and debate about its lasting effects and consequences. To acknowledge the one hundredth anniversary of Indiana’s eugenic sterilization law, the historical marker is intended to heighten public awareness of this chapter of our past and prompt discussion about the future uses of science in society.”*

(From Historical Marker Application, Eugenics Legislation in Indiana, Historical Background)

2009 – Historical marker placed in North Carolina “to remember a dark chapter in history.”



“North Carolina recalled a regrettable side of its history on Monday by unveiling a roadside marker remembering poor people, mental patients and prisoners who were sterilized against their will by state officials. The cast aluminum sign in downtown Raleigh provides a permanent remembrance of the program intended to keep thousands of people considered mentally disabled or otherwise genetically inferior from having children.

“North Carolina's program targeted the poor and people living in prisons and state institutions, among others. While officials obtained written consent from patients or their guardians, many didn't know what they were signing and were essentially coerced, state historians said. In the last years of the program, they were overwhelmingly poor and black. They were powerless against orders of sterilization from a board that rubber-stamped most petitions for sterilization. More than 7,600 people were sterilized by "choice or coercion" under the state's so-called eugenics program between 1933 and 1973, according to the marker's text. North Carolina was one of more than two dozen states that ran such programs after social reformers began advocating for the approach a century ago. *Associated Press*

Main Identity

From: "Paul Lombardo" <plombardo@gsu.edu>
To: <counterp@tds.net>
Sent: Saturday, February 06, 2010 3:07 PM
Attach: SEEKING SOVEREIGNTY.tif
Subject: Re: eugenics apology

The political controversy surrounding both eugenic sterilization and eugenic racism played out in the first apology battle when I lived in Virginia. In fact, much of the public attention to eugenics in Virginia was triggered by a series of articles in a Richmond newspaper that began with an examination of the so called "racial integrity" laws passed by the eugenics lobby in the 1920s. Local registrars used the laws to eradicate several tribes from official records. Those tribes petitioned congress for recognition in the 1990s, forcing a re-examination of the history, and when the drumbeat for an apology grew louder, tribal leaders protested that their history had been ignored by legislators. As you have noted, satisfying every group that may have been victimized under the sterilization laws is not easy. Trying to keep the effort from turning into an ideological football is of course just as tough.

I assume you have conferred with Nancy Gallagher on the Abenaki issue; we were in touch years ago when she did her book and wanted to do more on getting at records to determine the law's impact on indigenous Vermonters. She knows more about the details there than anyone I know.

The states that have apologized etc. so far are Virginia (2001 legislation-2002-Governor), Oregon (Governor, 2002), North Carolina (Governor, 2002) South Carolina (Governor, 2003), California (Governor and Legislature, 2003), Georgia (Legislature, 2007), Indiana (Legislature, 2007).

I hope you are able to get the resolution through this session, though if that does not happen, a second run at it might be timely in 2011, the 80th anniversary of your state statute. If I can help in any way please let me know.

Paul Lombardo

>>> "Anne Donahue" <counterp@tds.net> 02/06/10 10:36 AM >>>

Thanks for your contact -- your name is familiar from the review work I've done.

I had turned up five other state that have done apologies (Indiana, Virginia, N Carolina, S Carolina and California) -- do you know which and when the additional two were?

We are currently at a political stumbling block after the first hearing on the resolution (despite positive press.) Vermont has a Native American group that has not been officially recognized by the Bureau of Indian Affairs, because of lack of consistant evidence of its early existence. The Abenakis feel this is in significant part due to the impact of being a primary target of the Eugenics movement, with many people hiding their identity in fear as a result.

There are no records that identify the ethnic identification of those subjected to sterilization, so this cannot be proven. However, some of the current Abenaki leadership feels they were nearly an exclusive target and the resolution minimizes the broader damage to their culture. Naturally, others see the sterilizations as a broader eugenic attack on all those who were not of "good old Yankee settler" stock. There is also one political perspective that fears that a state resolution identifying the Abenakis as a targeted group, without any primary evidence, will be used with the unintended purpose of becoming a tool in the separate issue of Abenaki recognition...

Given the weight of Vermont's fiscal crisis, the resolution may be left stuck where it is simply for lack of time to get embroiled in a debate that is far larger than the specific scope of the resolution to apologize for the sterilization law. However, the mere fact that it has already expanded some public awareness has been a positive, and I remain hopeful that we can "not let the perfect be the enemy of the good" and get a redrafted version of the resolution through.

Thanks again,
Anne

----- Original Message -----

From: "Paul Lombardo" <plombardo@gsu.edu>

To: <counterp@tds.net>

Sent: Friday, February 05, 2010 5:31 PM

Subject: eugenics apology

Representative Donahue:

I have just read your proposed H.C.R. 195, with its repudiation of Vermont's history of eugenics. Having been involved in most of the campaigns for legislative or gubernatorial declarations of this sort, I was pleased to see that you were leading Vermont toward joining the seven other states that have taken this step thusfar.

Best wishes and good luck with your campaign.

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Three Generations, No Imbeciles: Eugenics, The Supreme Court
and Buck v. Bell [2008]

"The freedom to bear children is a fundamental right under the Constitution." Sally Fox of the Vermont Developmental Disabilities Law Project, commenting in 1980 on the need for legislation after a Superior Court, on remand from the Supreme Court, found Vermont's sterilization law unconstitutional, but used self-defined standards to permit the surgery.