

THE PROBLEM OF SOCIAL CONTROL OF THE CONGENITAL DEFECTIVE

EDUCATION, STERILIZATION, EUTHANASIA ¹

FOSTER KENNEDY, M. D., F. R. S. E., NEW YORK, N. Y.

It is not easy to know how to start a talk on such a subject as this, for this subject has to do with the whole of life and death. Three things we may lay rough hands on, with little enough knowledge how to do it: man's life now, his reproduction of himself, and his evolution, which is the way he is to go. There are indeed many feeble-minded people not easily recognizable at first sight in the social world. But in their higher grades they are greatly needed for the simpler forms of work. They are necessary for the work of the world. It would be improper, I am sure, for their disposal to lay down any such arbitrary law as has come into existence in Germany by dictatorial method. Were we to try to sterilize all the abnormal, I am sure that we would defeat the evolution of the higher life.

Mankind has got to where he is, because at every cross-road on his phylogenetic path, he has refused to be seduced to specialism. We can do something of everything. We can see, but not as well as an eagle. We can swim, but not as a fish. We jump, but less than a cat. We have refused to specialize, and by doing only a little of everything, we are free to think of much.

Were we to begin to breed eugenically in terms of our small knowledge, we would have to specialize in our objectives. We would have to specialize in the making of human beings, and then for what quality would we breed? We might breed for courage and defeat compassion; for self-discipline and defeat flexibility; for strength and lose thought. Humanity implies them all.

Only once was infanticide practiced universally by a State: in Sparta. The Spartans were perfect, but as a pack of wolves is perfect—each one like to the other. But the glory of Greece did not come out of Sparta.

¹ Address at a luncheon sponsored by the Devereux Schools during the ninety-seventh annual meeting of The American Psychiatric Association, Richmond, Virginia, May 5-9, 1941.

It came from the disorderly democracy of Athens. One must be careful when thinking of totalitarian ideas on the sterilization of the unfit. Their theories appeal quickly to rigid, shallow minds that lack pity. The dictators are a passing phenomenon and they know it. We who remain to make a better world must take a longer and a wider view.

Consider for a moment the two diseases that so largely fill our mental hospitals; schizophrenia and manic-depressive psychosis. Under Nazi law, such sick folk are sterilized to produce just middling people; but I am sure that the thought and ambition of mankind is not advanced by the great bulk of mankind. It goes forward by the brilliant jump of the few, the drive of the person especially endowed; he it is who lifts the rest. It is certain that these brilliant few number among them a large portion of psychasthenics, of mentally-phasic individuals, who, isolated during their depression, then emerge to startle the world with their inventions, and by their ingenious ability raise their more pedestrian fellows.

Were we to wipe out the manic-depressive psychoses—which exist, of course, in all kinds of grades—I am sure that we would make a great happiness for the present and in the second generation; but we would produce a population of Babbits, of mediocrities, capable of pushing but not of leaping; and it's the leap that counts.

On the other hand, we have too many feeble-minded people among us, something like 60,000, I think, in the hospitals of this country, and perhaps five times that number are outside. The idiot and the imbecile seem to me unresponsive to the care put upon them. They are not capable of being educated; nor can such defective products ever be made to be so. Good breeding begets good brains; with no good brains there can be no good mind.

A "moron"—an old fashioned term—with a mental age of eight or nine *can* be

educated within the frame of his endowment; he should be taken care of in an institution and taught simple manual work; few books, no abstractions, no general principles. He can be trained to do useful work, to be self-supporting, though often only within the framework of an institution. But if he can be diagnosed; if we be certain he is "feeble-minded," if he come out of feeble-minded stock, then it will be wise to sterilize him if he is to be allowed abroad.

What to do with the hopelessly unfit? I had thought at a younger time of my life that the legalizing of euthanasia—a soft gentle-sounding word—was a thing to be encouraged; but as I pondered, and as my experience in medicine grew, I became less sure. Now my face is set against the legalization of euthanasia for any person, who, having been well, has at last become ill, for however ill they be, many get well and help the world for years after. But I *am* in favor of euthanasia for those hopeless ones who should never have been born—Nature's mistakes. In this category it is, with care and knowledge, impossible to be mistaken in either diagnosis or prognosis.

I believe when the defective child shall have reached the age of five years—and on the application of his guardians—that the case should be considered under law by a competent medical board; then it should be reviewed twice more at four-month intervals; then if the Board, acting, I repeat, on the application of the guardians of the child, and after three examinations of a defective who has reached the age of five or more, should decide that that defective has no future nor hope of one; then I believe it is a merciful and kindly thing to relieve that defective—often tortured and convulsed, grotesque and absurd, useless and foolish, and entirely undesirable—of the agony of living.

But many may say: "But these creatures have immortal souls." To them I would answer, in all respect and reverence, that to release the soul from its misshapen body which only defeats in this world the soul's powers and gifts is surely to exchange, on that soul's behalf, bondage for freedom.

Others will contend further, that this proposal would bruise and shock the feelings of the parents of these children in whom there

is not mind enough to hold a dream to live by; nor a hope either of normal release. To them I reply: even now, when society has not yet advanced enough in humane thinking to make this beneficence of social good repute, to make it a usual and natural proceeding—parents of defective children appeal to us doctors again and yet again that their unhappy offspring be mercifully released from life. When I first wrote on this subject my mail was filled with letters from all parts of this country carrying sad pleas to which the law and the social mores could provide no answer.

A while ago there came a man of forty bringing his idiot girl of four, unable to sit up or speak. She would follow a light and look toward a sound, and that was all. The heart and lungs and digestion were perfect. With such care as he gave her, she might live seventy years. The mother's absence from the clinic was explained by her having had to go back to work, for she could make more on full time for the household than could her carpenter husband who could only get work three days a week. So they'd swapped jobs and he—flabby in body and dulled in spirit—stayed home to mind what he called "the baby."

Asked if a neighbor woman couldn't help him, he said quite simply and without resentment, "No, they won't touch an idiot." He'd tried to find full-time work but in his search he had to take the child along with him—and, "When they see the look of her, there's nothing doing."

So these fine folk are hopeless and on a cleft stick. It was possible to set them in the way of eventually having their futile burden taken care of in a charitable place, but they'll feel their contribution must always be paid, and on all their holidays and Sundays these two people will lower their value to each other by trudging wearily to see, without benefit to any, what should not be seen at all.

But for the normal adults, who having become ill, are going down into the shadows: I refuse. Many kindly doctors in their private capacity, in benign relationship of doctors and patient, may assuage and hasten the journey's end; but to legalize such euthanasia may put a weapon in the hands

of wicked men, or, worse, a tool in the hands of the foolish.

Furthermore, our knowledge is not enough to warrant such legalistic formal pomposity. I have many instances in my own experience of seemingly fatally ill persons who for years after, lived useful lives. I remember a distant relation of my own, an old woman seventy-two or seventy-three years of age, of austere character and strong intellect. There grew in her a large mass evidently connected with the liver. I was present at the consultation as *amicus curiæ*, a friend of the family. She was in the hands of one of the best doctors in New York and one of the best internists, as consultant, was asked also to see her.

After the examination, the old lady came down, looked sharply at the three of us in her characteristic way, like an American eagle, leaning on her ebony walking stick, and said, "Well, what is it?"

No one spoke. She said, "Cancer?"

The consultant bowed his head. She pursed her lips.

"How long? Six months?"

He bowed his head. So then she said, "Well, gentlemen, I think that is all there is to say." We found ourselves sheepishly on her doorstep.

So she put her affairs in order, made plans for her little property, and left New York for her country house, there to die. Then she got steadily better. Better and better, and fatter and fatter, and at last the November snows drove her back to town. She reopened the little house in 12th Street. I went down to see her and asked, "Ma'am, how are you?"

She said, "My boy, it is most disconcerting, when I've made arrangements for the next world, to have to engage servants for this."

She lived five years more; I was with her when she died of an apoplexy. The enlargement of the liver was by that time thought to be a senile dysfunction of this organ, which, in its train brought her five years of very, very painful and difficult arthritis, crippling her greatly for those five years; but her mind remained the same sharp sword it had always been. That woman would have

scorned to have defeated herself of five years of life and helpfulness to avoid thereby the misery of her painful joints.

I could add to this case scores of others. It is unwise, I am sure, to advocate the legalizing of euthanasia for any of us normals; besides, a civilization that deliberately shuts itself off from the bearing of pain and the presence of struggle and finally makes its bid for the softer life or death, is already slipping down the ways. To do this is a sign of degradation and defeat.

So the place for euthanasia, I believe, is for the completely hopeless defective: nature's mistake; something we hustle out of sight, which should never have been seen at all. These should be relieved of the burden of living, because for them the burden of living at no time can produce any good thing at all. They can never have the joy of work nor the joy of play and, for many of them—perhaps the defective dystonias—even the placidity of the vegetable world. For us to allow them to continue such a living is sheer sentimentality, and cruel too; we deny them as much solace as we give our stricken horse. Here we may most kindly kill, and have no fear of error.

May I, before I close, quote as regards sterilization, an opinion of the late Mr. Justice Holmes of the Supreme Court? He was speaking of the sterilization of the supremely unfit:

We have seen more than once that the public welfare may call upon the best citizens for their lives for the use of the State. It would be strange, if it could not call upon those who have already sapped the strength of the State, for these lesser sacrifices, often not felt to be such by those concerned, in order to prevent our being swamped with incompetents. It is better for all the world if, instead of waiting to execute degenerative offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover the cutting of the fallopian tubes.—Three generations of imbeciles are enough.

Now, the Law is the garment of our social body. A garment which must grow and shrink with the growth or reduction of us it covers. On our body, sometimes it constricts; as it did during the years of prohibition. In that silly period we allowed a

law that drove down on the organism so much that the organism had to cut its way out. However, should the social organism grow up and forward to the desire to relieve decently from living the utterly unfit, sterilize the less unfit, and educate the still less unfit—then the Law must also grow, along with the amplitude of our new ideas for a wiser and better world, and fit the growing organism easily and well; and thereafter civilization will pass on and on in beauty.