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## **"A Nation of Imbeciles": The Human Betterment Foundation's Propaganda for Eugenic Practices in California**

**Kirsten Spicer**

"Shall the fit or unfit make up the future population of the United States? On the answer to this question depends the very existence of American civilization. A nation of imbeciles cannot carry forward the torch of enlightenment. All that it can do is to produce more imbeciles."<sup>1</sup> The opening lines of "The Progress of Human Sterilization," a pamphlet published by the Human Betterment Foundation, not only articulated the group's desire to see humanity and civilization progress, but also outlined its fear that an unfit underclass in society would hinder or perhaps even halt the possibility of advancement. Ezra Seymour Gosney founded the Human Betterment Foundation of Pasadena, California in 1928 as a eugenics organization "to foster and aid constructive and educational forces for the protection and betterment of the human family in body, mind, character, and citizenship."<sup>2</sup> To achieve this goal and maintain a healthy and intelligent society, the foundation sought to study and control the biological basis of heredity. In its quest to promote eugenic ideologies as a means of protecting society, the Human Betterment Foundation focused its efforts on the education of the general public, achieved through the distribution of informational materials and the clarification of common misconceptions and criticisms, and advocated, especially, for the use of sterilization as a eugenic practice.

While the Human Betterment Foundation and its members are noted in passing by historians when discussing the eugenic legacy in the United States, they are rarely credited for their key role in the popularization of the movement. The immense quantities of materials published and disseminated by the foundation along with its work fostering the growth of other eugenic organizations, such as the Northern California Eugenics Society and the American Eugenics Association, ensured the lasting impact of the eugenics movement. The Human Betterment Foundation's education programs, directed at both the public at large and to students in schools, combined with its quick responses to critics, helped keep the ideology of eugenics and the practice of sterilization in good standing. By actively promoting the eugenics movement, the foundation strove to establish a basic understanding of sterilization in California. The foundation hoped that such public support would result in additional state legislation that would spread and increase the number of sterilizations performed each year. This public support was to be gained through public propaganda and the infiltration of eugenic thought into California's education system. And yet, despite the pervasiveness of the practices and ideologies promoted by the group, the foundation has not yet been the focus of an in-depth review detailing the extent of its influences on the eugenics movement. Even in the best accounts concerning California's movement, only a few pages are ever dedicated to Gosney's foundation.<sup>3</sup> As such, it is the intent of this paper to construct an analysis of an underrepresented, yet highly impactful organization that aided in the spread of eugenic ideologies across California, the nation, and the world.

Alex Wellerstein provided an important account of influential ideologies at the height of the California eugenics movement, examining legal, medical, and local frameworks of the state's sterilization program.<sup>4</sup> He theorized about the catalysts of change that influenced different stages of development during the social movement, a key consideration when contextualizing the role of the Human Betterment Foundation and its myriad of approaches

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utilized to influence public thought. Wellerstein further emphasized the foundation's importance as a lobbyist during the eugenics movement, but not as an actual participant in the sterilization process, a significant distinction in terms of both liability and credibility. The foundation never took part in the surgical sterilization procedures for which they so heavily advocated; instead the operations were, in large part, performed in state hospitals and mental institutions. Some private practices also performed the operations by request, albeit for profit. Though Wellerstein recognized the foundation for its legislative influence, his overview was brief and did not expand on other influences of the group, notably in the realm of education. Such recognition was found in an account written by Steven Selden.<sup>5</sup> Selden provided insight about the eugenic propaganda techniques administered through the use of the American education system. His evidence, delivered through the study of local eugenics programs, paralleled the role of the Human Betterment Foundation in California's history, namely in the presence of eugenic pamphlets and books in the classroom. School issued textbooks all presented sections about eugenic practices in an attempt to indoctrinate supportive students. However, despite Selden's research about the presence of eugenic discourse in the education system, he too lacked focus on the vast influence of the Human Betterment Foundation outside of the narrow realm of his own research.

Elof Axel Carlson offered a more expansive study of the eugenics movement, focusing his work specifically on the history leading up to an international eugenics campaign.<sup>6</sup> His book's main contribution was its philosophical approach as he began to tie the social movement to theories of heredity and degeneracy across time. Carlson's history also delved into the moral and ethical questions related to the eugenics movement. His book took on the subject as both a historical and contemporary issue. While briefly addressing key figures from the Human Betterment Foundation, the work of the organization itself was not addressed despite many of Carlson's theories being highly prevalent in the workings of the foundation and offering contributing motivations for the group's continued work. Alternatively, Edwin Black, author of *War Against the Weak*, first expanded on the foundation's international influence, bringing to public attention the link between the California foundation and the German program overseas.<sup>7</sup> Black's account cited numerous pieces of correspondence between German and American eugenists in support of his thesis. Black, however, minimized the foundation's domestic influence by placing it on an international stage as a previously unrecognized contributor to the German eugenic campaign. It was Alexandra Minna Stern's *Eugenic Nation* that had the most valuable information regarding the work of the Human Betterment Foundation. She offered an expansive look at the eugenics movement specific to California, providing an account that finally credited the foundation for its influential role in both the legal and educational realms of the eugenics movement.<sup>8</sup> However, despite providing more information than other historians about the foundation itself, Stern's reference of the group still only amounted to fewer than fifteen pages. Drawing on these past, and notably incomplete, resources as well as the archival materials kept by the foundation, a more complete view of the influence of the Human Betterment Foundation's role in the California eugenics movement has been processed.

Sir Francis Galton developed the term eugenics in 1883, describing it as "the science which deals with all influences that improve the inborn qualities of a race."<sup>9</sup> Put simply, eugenics meant better breeding. He had previously described such a practice in his 1869 publication *Hereditary Genius*.<sup>10</sup> Galton believed in the potential of eugenics for increasing humanity by favoring intelligence, strength, and talent when reproducing, a school of thought that would come to be known under the umbrella term "positive eugenics." The opposing belief that eugenics could be used to prevent the continuation of imperfect genes has been referred to in historical discourse as "negative eugenics." Negative eugenics first took form in 1893 when sterilization was proposed as a humane treatment for the habitual criminal and sexual offender; it was soon after suggested for use on those with mental illnesses who, at the time, were referred to as "feeble-minded."<sup>11</sup>

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Prior to Galton's revolutionizing theory of eugenics, Charles Darwin and Jean-Baptiste Lamarck were part of the long history of trying to understand human variation, ultimately attempting to determine where the "unfit" originated. Lamarck developed the first foundational theories of evolution and heredity, hypothesizing the heritability of characteristics attained during a lifetime. Though Lamarck's theories were disproved soon after, it was these original beliefs that led way to future research and the development of theories relating to heredity and degeneracy.<sup>12</sup> Darwin added to the scholarship on evolutionary theory, building upon Gregor Mendel's work in the field of heredity, and suggesting his own renowned theory of natural selection.<sup>13</sup> Herbert Spencer subsequently supposed that if set laws governed the universe, similar laws must exist to govern society, thereby extending a link between science and society. As science progressed alongside the popularization of sociology and social theory in the nineteenth century, the link between hereditary and biological deficiencies were further scrutinized in terms of social problems.<sup>14</sup> Spencer's pronouncement of "survival of the fittest" was eventually appropriated in the eugenic realm to mean an inherent "fit" and "unfit" class of people existed within society.<sup>15</sup> Despite a general recognition of the unfit class, the categorization of people as unfit has posed a challenge throughout history as the definition and inclusion of certain groups has changed over time and place. As such, the unfit have come to comprise a large group of people including those historically considered as mentally disabled, paupers, psychotics, sexual offenders, masturbators, prostitutes, beggars, feebleminded peoples, epileptics, drunkards, habitual criminals, and those deemed morally weak or corrupt.<sup>16</sup>

Galton's idea of eugenics quickly gained popularity throughout Europe and the United States, creating two distinct groups of supporters. While most European scientists were enamored with the possibility of selective breeding, whereby the most intelligent and well established members of society would be encouraged to reproduce (positive eugenics), American eugenists favored methods that would prevent the degeneration of society via the rise of an unfit underclass (negative eugenics). Carlson, author of *The Unfit: A History of a Bad Idea*, suggested this distinction between positive and negative eugenics was in part due to America's encouragement of "social mobility through merit and hard work" and remained intent on eliminating potentially threatening genes, whereas Britain already had a long history of a hierarchical class society.<sup>17</sup> Because of this, positive eugenics was just the continued encouragement of elitist reproduction in Europe. The preference for negative eugenics in the United States took the form of the sterilization of people who were deemed unfit for reproduction. The American definition of the unfit was comprised of all individuals who required "intense social and personal attention" and were "expensive investments of society's resources."<sup>18</sup>

This strict distinction between positive and negative eugenics, which has become common in the historical literature on the movement, was challenged by Stern in her work, *Eugenic Nation*. She argued for a less rigid application of eugenic language.<sup>19</sup> In doing so, she pointed to Human Betterment Foundation members Paul Popenoe and Charles Goethe who, though associated with the foundation's tendency toward negative eugenics, were actually champions in the field of positive eugenics. Both men were recorded as advocates for sterilization procedures in line with negative eugenic practices. However, they were also highly recognized for their achievements in the fields of family relations, marriage counseling, and environmentalism. Their seemingly contradictory eugenic beliefs reveal the highly complicated nature of eugenic discourse. Similar to Stern's critique of the overgeneralized eugenic vocabulary, Garland Allen also discussed the ongoing debate that plagues many historians dealing with any kind of social rhetoric, reminding readers that there has never been one singular definition of "unfit," "degenerate," or even "eugenics" that has remained constant through time.<sup>20</sup> This led to the further questioning in regard to where one is able to draw the line for those deemed unfit and thus determined to be rightly subjected to discussion about eugenic sterilization and selective breeding.<sup>21</sup>

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Following in the footsteps of prominent American eugenists Harry Laughlin and Charles Davenport, the Human Betterment Foundation emphasized the necessity of sterilization in order to better society. Just as Laughlin and Davenport established the precedent for negative eugenics on the East Coast through their work at the Eugenics Record Office at Cold Spring Harbor Laboratory in New York, Gosney brought similar ideas to California. Gosney, an ardent eugenist, believed “any race that breeds from its unfit rather than from its fit, is doomed to perish.”<sup>22</sup> Inspired by Laughlin’s *Eugenical Sterilization in the United States*, Gosney travelled to New York for additional information.<sup>23</sup> Once there, an excited Laughlin suggested to Gosney that his proposed group of geneticists, lawyers, researchers, and business men would “need to stay abreast of current research in eugenics, encourage legislation by drafting bills, and oversee the administration of existing laws.”<sup>24</sup>

Upon returning to California, Gosney did just that, incorporating the Human Betterment Foundation in 1928 with a fifty year charter.<sup>25</sup> His board consisted of notable eugenists, scientists, educators, and lawyers from across California, with Gosney serving as the foundation’s president and primary benefactor. Paul Popenoe’s “Suggestions Concerning a Tentative Program of Work for a Race-Hygiene Foundation” outlined the organization of the foundation. He suggested “the first project taken up [by the foundation] might well be sterilization, for which the data exists in California to an unusual extent” in order to discover the “actual results” of the sterilization practice.<sup>26</sup> During the first decade of the foundation’s existence, Popenoe served as its primary researcher and writer. He relied heavily on statistical analysis when compiling data on the subject of sterilization, creating hundreds of ledgers filled with raw data.<sup>27</sup> This initial intent to focus on sterilization as a method of societal protection immediately set the precedent for the foundation’s existence and established its potential for impact in the state of California.

California stood apart from other states in its approach to the eugenics movement. Fueled by the desire to improve society by controlling the procreation of people deemed unfit for reproduction, California forcibly sterilized thousands of people. The procedure was most often performed in state institutions, hospitals, and prisons, on people who lacked the ability to resist.<sup>28</sup> The sterilizations were of a compulsory nature and mandated by state law. Not only did California perform the highest number of sterilizations, with over 20,000 procedures completed from 1909 to 1963, but the state also possessed one of the most aggressive educational programs in the country.<sup>29</sup> The number of patients sterilized in California accounted for over one-third of all people sterilized throughout the United States during the twentieth century. The education program and propaganda presented by the numerous eugenic organizations in the state, especially by the Human Betterment Foundation under Gosney’s command, influenced public support of the movement and were largely considered to be the reason for the pervasiveness of the sterilization procedure. During the height of the foundation’s influence, the board reported that among Californians who had a basic understanding of sterilization, ninety percent were in favor of the practice.<sup>30</sup> A national survey reported a more conservative figure, placing public favor closer to seventy percent.<sup>31</sup> The difference in opinion was illustrative of both California’s progressive practices and the public influence maintained by the foundation.

The Human Betterment Foundation specifically pressed the necessity of surgical sterilization as a means for controlling the unfit population which threatened the downfall of civilization if action was not taken. Blaming heredity as a cause of social degeneracy, the foundation promoted the idea that sterilization of the unfit would bring social and economic benefits to society. Sterilizations were sought to “enable society to shield ‘itself against the reproduction of the physically and mentally underprivileged, against the continued pollution of the human bloodstream.’”<sup>32</sup> The organization’s focus on society rather than the individual helped further the idea that eugenic practices were in the best interest of society and distanced the public from the actual effects of sterilization on the individual. Additionally, by convincing the public that sterilization would benefit them as well, the foundation

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sought to gain additional support. By eliminating traits in the gene pool associated with idiocy, feeble-mindedness, and other mental health disorders, the foundation believed it could construct a biologically superior human race. Such improvements, they argued, would then benefit social and economic institutions in society. The assumption that such a scientific solution to social problems existed cemented the growing link between science and society.

As noted by Carlson, "the use of sterilization to enforce eugenic policy was an American invention."<sup>33</sup> Prior to the American implementation of the method, European eugenicists sought only to propagate the continued reproduction of the elite classes while segregating the unfit classes from the rest of society. In the United States, however, the Human Betterment Foundation hailed the practice of sterilization as "one of the greatest humanitarian advances of the past century," allowing for the genetic cleansing of society.<sup>34</sup> Though previously used for punitive reasons, sterilizations were now regarded as the most humane method of treatment for the unfit. Sterilizations were performed through the use of vasectomies in men and salpingectomies in women.<sup>35</sup> Prior procedures used castration (surgical removal of the male testes) and oophorectomy (excision of the female ovaries) techniques which effectively de-sexed the individual; the extreme public opposition to eugenic operations decreased when surgeons switched to less invasive methods of treatment. Throughout the 1930s other operative techniques were experimented with, including cauterization and the sterilization of females completed through the vaginal canal instead of by laparotomy.<sup>36</sup> Though less invasive, this procedure was deemed too risky for the patient and too advanced for most surgeons. As such, vasectomies and salpingectomies via abdominal incision remained the primary methods of sterilization in California throughout the duration of the state mandated procedures. During California's sixty years of legal sterilizations, nearly equal numbers of males and females were operated on with neither sex being favored for the procedure.

In propagating eugenic sterilization in California, the Human Betterment Foundation focused on potential benefits to society. One such benefit was the potential release of sterilized persons from state institutions. In taking preventative measures against the reproduction of those deemed unfit, the feeble-minded no longer had to be confined to state mental hospitals. By allowing patients to return home, the practice of sterilization was hailed by the foundation for its ability to "[keep] homes together, [and prevent] the break-up of families."<sup>37</sup> Popenoe, serving as the foundation's chief researcher and writer, further elaborated on benefits to the sterilized individual, claiming it enabled "many handicapped persons to marry and to have a life normal in most respects, who without sterilization could not be allowed to marry."<sup>38</sup> Believing self-maintenance and care was already a challenge for such feeble-minded individuals, Popenoe did not believe the additional responsibilities of family life could be balanced. He further suggested child rearing as an "almost insurmountable barrier to success in marriage" for a feeble-minded woman.<sup>39</sup> The restoration of family life by means of sterilization, in turn, would promote a healthier society for all.

Additionally, sterilization would address two perceived social problems related to the reproduction of the unfit population. The foundation promoted the surgical solution for preventing the production of more feeble-minded children and for preventing the production of so-called normal children that would not be properly cared for by feeble-minded parents. This secondary reason was the foundation's attempt to silence opposition from those still questioning the genetic heritability of traits. Popenoe further promised protection for children that were otherwise fated to be brought up by the state as a result of their parents' mental deficiency.<sup>40</sup> In defending the necessity for sterilization in such cases, Gosney purported that the alternative to sterilization, birth control, was not a practical solution for the unfit because, in line with his belief, "they have not the necessary intelligence, stability, or will power. Sterilization as used in California continuously for twenty-three years offers the only adequate method of materially checking this approaching shadow of race degeneracy."<sup>41</sup> Even when noting

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reasons for sterilization on the individual level, Gosney still sought to address the larger, more pressing concern for society.

While the foundation strove to focus attention on the societal benefits of sterilization, they did still address advantages for the individual patients. This was an effort to alleviate the opposition that was critical of the sterilization practice as damaging or harmful to the physiology and psychology of the patient. In a 1926 questionnaire sent to physicians across California, the foundation recorded responses favoring the individual benefits of sterilization. Gosney sought “expert testimony” from those who had “an opportunity to observe the workings of the [sterilization] law, and who may have noted many points that would escape the formal institution records.”<sup>42</sup> Some physicians noted that physical results included weight and strength gains. Mentally, patients showed “marked improvement.”<sup>43</sup> Additionally, many doctors reported female patients being happier and healthier because they were no longer worried about unwanted pregnancies. Popenoe published numerous studies to reassure the public that sterilizations neither harmed the patients nor diminished their sexuality.<sup>44</sup>

Acting on behalf of the foundation, Popenoe also released a data compilation of the fifty-four physician responses in regard to eugenic sterilization as assessed by the questionnaire.<sup>45</sup> Of the responses, fewer than ten percent of respondents recorded any hesitation or ill thought regarding sterilization as a eugenic tool. Among those who expressed concern were doctors Fred J. Conzelmann and Grace McGoskey. Conzelmann, of Stockton State Hospital, explained his opposition to the “indiscriminate and unselected application of sterilization,” elaborating that “some great men would not have been given life were such practices universal.”<sup>46</sup> McGoskey remained more concerned with public perception of the procedure, expressing a desire to remain cautious in case selection “until the public mind [could be] more thoroughly convinced that the act is not unjust.”<sup>47</sup> Despite the existence of such opposition and hesitation among state physicians, such opinions were quickly suppressed by the foundation that chose to instead highlight the abundance of supportive responses gained from the questionnaire. The Human Betterment Foundation remained in full cooperation with California mental institutions throughout its existence, often relying on the doctors and hospitals to provide data and observation opportunities.

The foundation’s first book, *Sterilization for Human Betterment*, was published in 1929.<sup>48</sup> This initial publication served as a preliminary attempt to “impress upon readers the imperviousness of eugenics logic and the immense urgency of the task at hand.”<sup>49</sup> This sense of urgency was created by highlighting statistical evidence from California’s two decades of sterilization and through the inclusion of case studies. At the time of publication, 6,255 sterilizations had been completed under state law. The foundation emphasized the success rates and safety record of the procedure by noting that in twenty years only seven operations were recorded as having failed. Furthermore, only four deaths had ever occurred, two from infections and two from anesthetic, none as result of the actual sterilization tactics.<sup>50</sup> The history of degeneracy was also addressed in the book, citing the extreme case of the Kallikak family whose history traced back five generations. Calculations showed that of 480 offspring resulting from the father’s procreation with a feebleminded woman, only forty-six were deemed “normal.” In contrast, the same father’s children with a mentally sound woman spawned six generations and 496 offspring with only one reported case of feeblemindedness. Other case studies found similar results; the Nam family had over ninety percent of its offspring succumb to feeblemindedness, and the Jukes with “six generations and 1200 defectives” were also included in the publication.<sup>51</sup> Cases such as these were presented and publicized by the foundation as evidence of the reasons for sterilization. Analytical family studies proved to be a dynamic illustration of eugenic practices and thus of more interest to the average reader than quantitative data.

Prominent members of the foundation including Popenoe, Charles Goethe, and David Starr Jordan, operated under the belief that the unfit population was a burden on the California economy. Sterilization, and thus the potential

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release of patients from state hospitals, was promoted as a relief to "the California taxpayers of a burden estimated at \$2,000,000 per year."<sup>52</sup> This calculation was based on the data collected at Pacific Colony and Sonoma State Hospitals. With patient care rounded down to the cost of \$300 per year and an assumed life expectancy past release date of twenty years, the cost saving measure was then combined with the average number of sterilized patients treated for feeble-mindedness and insanity each year.<sup>53</sup> A follow up report suggested sterilization would result in two-thirds of the patients' eligibility for discharge from the institutions.<sup>54</sup> It was further noted that by discharging sterilized patients, the hospitals could make room for new patients in need. The Human Betterment Foundation had been highlighting this economic solution since its conception. Reviews of *Sterilization for Human Betterment*, the foundation's first book length publication released in 1929, commended the inoffensive and intelligent record linking the "economic and eugenic problem."<sup>55</sup> In assessing the global economic crisis posed by the feeble-minded population, the foundation's book claimed that established public institutions around the world were spending a collective sum totaling over \$5,000,000,000 annually to care for society's unfit population.<sup>56</sup> The book review, written by C. Severin Buschmann, praised the economic outline for providing such statistical data to support the conclusions and claims of the foundation which suggested sterilization as a relief to the economic burden imposed on the state by the unfit underclass.

Gosney used additional compilations of economic data in his presentation on the matter of sterilization to the state legislature in 1935.<sup>57</sup> With the United States still reeling from the effects of the Great Depression, opportunities to save the state money remained highly valued. As such, forced sterilizations became "interwoven with the enlargement of the welfare state" as a cost saving measure.<sup>58</sup> Because of the supposed economic benefits, the number of sterilizations performed in California peaked from 1935 to 1945 in response to the economic pressures of the Depression.<sup>59</sup> By sterilizing and releasing patients, the state institutions saved thousands of dollars each year per patient. During this same time period, other states in the country recorded drops in the number of compulsory sterilizations, primarily due to the cost associated with performing the operations. Without the persistence of the Human Betterment Foundation and collaboration with state hospitals, other states chose to save money upfront by forgoing the procedure.

Economically, the alternative to sterilization was the unpopular spread of charity organizations. Many believed that charity existed as nothing more than an institution that encouraged "cretins," doing little more than perpetuating the survival of the unfit, an idea which manifested itself fully in Popenoe's *Human Sterilization Today* study.<sup>60</sup> He found that "births among people living on public charity [had] increased from 30% to 50% in recent years," and that "the self-supporting families [...] paying taxes [had] particularly cut down the number of their children far beyond the danger line."<sup>61</sup> He pressed the seriousness of the issue, calling attention to the fact that those of higher intelligence were spending their money to "feed and educate the children of the feeble-minded, the insane, and the chronic paupers" rather than extending their own families.<sup>62</sup> Gosney also vocalized his beliefs that "fitness for modern civilization depend[ed] largely on good intelligence, self control, and adaptability," drawing concern to the fact that more Americans lacking such qualities reproduced than those citizens who possessed what Gosney considered to be desirable characteristics.<sup>63</sup> The Human Betterment Foundation presented the prolonged reproduction of the unfit as an inevitable cause of social degeneracy, which of course, would create certain levels of economic degeneracy within a civilization. Such social and economic problems were viewed as predictors of the inevitable downfall of society and the sterilization of the unfit as the only cure.

To further demonstrate the negative consequences of social charity, the foundation recorded a case study originally presented by *Coronet Magazine* in which welfare not only allowed the continuation of an unfit bloodline but even encouraged additional reproduction. The article found a mother of seven, recommended for sterilization by her doctor, insisting she be allowed to have two more children. The additional two children would qualify her

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family for enough welfare so that her husband could quit his job and live on state funding.<sup>64</sup> Jordan, the most vocal anti-charity advocate of the Human Betterment Foundation, firmly believed “true charity would [...] guarantee that each individual cretin should be the last of his generation.”<sup>65</sup> He further condemned universal suffrage for offering such a powerful position to a person of possible feeble-mindedness, instead insisting that restricted voting was the best method of prevention against the ignorant or unfit voter. Many of Jordan’s beliefs were adopted by his student, Popenoe, who also condemned charity as an aid to the continued survival of the unfit. Together, with support from the foundation, they sought to end the “propagation of defectives.”<sup>66</sup> The foundation’s Articles of Incorporation even outlined their stance against public charity, noting “it is not the primary intention to engage in the care of the unfortunate or in any form of relief work.”<sup>67</sup>

The commitment to this anti-charity stance was furthered by Popenoe’s many social studies into the charity and welfare programs offered in California, culminating in a 1934 publication entitled “Fecundity of Families Dependent on Public Charity.”<sup>68</sup> The foundation viewed charity as a mistake in human history and as a contemporary mistake in the ongoing support of a feeble-minded and unfit underclass. Historically, the mistake had been made in caring for feeble-minded children and allowing for their maturation and eventual procreation. Human charity had effectively intervened with natural selection, saving those “who nature never intended to reach maturity.”<sup>69</sup> In trying to explain the need for contemporary care of the growing underclass of the unfit, the foundation suggested that there likely had not been an increase in the number of children born with defects as many had supposed. Instead, they purported there had merely been an increase in the number of children with such birth defects who lived past infancy. Gosney elaborated on this point in a lecture at the University of California, Los Angeles: “Throughout history natural selection has ensured the survival of the physically and mentally fit and the demise of those ‘defectives.’”<sup>70</sup> He continued by claiming, “nature sterilized the defectives with death” and further blamed “human sympathy and charity” for intervening and allowing the continuation of such defectives who, as a result, continued to reproduce their negative genes.<sup>71</sup> Such opinions resulted in the Human Betterment Foundation seeking to end statewide charity programs and alternatively instill an even wider spread sterilization program in the state.

Largely associated with racism and suggestive of anti-immigration, the eugenics movement further advocated for the sterilization of minority populations in an effort to decrease social mobility. As Stern summarized, “eugenics achieved its greatest national visibility in the 1920s when it was virtually synonymous with biological racism and modern degenerationism.”<sup>72</sup> While the Human Betterment Foundation never explicitly took a racialized approach to sterilization (as occurred in other states and organizations), there were references to the supposed racial inferiority of specific groups.<sup>73</sup> Throughout his writings Popenoe did make note of the possible benefits of immigration caps. He recorded that “native whites in California, according to the 1930 census, produce only 69% enough children to take the place of those who die each year.”<sup>74</sup>

By his calculations, Popenoe essentially foresaw and feared the end of the supposed white supremacy that had existed throughout American history. This realization furthered Popenoe’s belief in marriage and family therapy to encourage the expansion of the white population. His dedication to positive eugenic methods conflicted with solutions sought by other foundation members in accordance with their preferences for negative eugenics. These members of the board often took on obvious racial agendas in their beliefs. Jordan and Lewis Terman (famous for creating intelligence quotient (IQ) tests) viewed eugenic sterilization as a way to reconstruct the social and racial classes in the United States, with Jordan even claiming, “the survival of the unfittest is the primal cause of the downfall of nations.”<sup>75</sup> Though the suggestion for ethnic cleansing was heard across the country (and the world, as evidenced by Germany’s highly racial eugenic program), Gosney preferred to keep his foundation away from such overt racism declaring, “we have little in this country to consider in the way of racial integrity. Germany is pushing

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that. We should steer clear of it lest we should be misunderstood."<sup>76</sup> Stemming primarily from concern that the public would react poorly to a racialized eugenic campaign, Gosney's distancing of the foundation from such ideologies endured for the duration of the organization's existence.

Though Gosney maintained what he believed to be support of a purely biological eugenics program, Goethe and Popenoe did utilize other platforms outside of the Human Betterment Foundation to spread ideas about race relations, notably through the monthly newsletter published by the American Eugenics Society. Many of the Human Betterment Foundation members helped to establish the California chapter of the national society. Goethe, a contributing member, and Jordan, president of the American Eugenics Society's California chapter, backed the printed statement urging the extension of the state's immigration quota system. The eugenists of the society called for "registration of all aliens, and deportation of alien social inadequates."<sup>77</sup> They further demanded that only immigrants maintaining above average intelligence be admitted into the country. Such measures would assure "that every new immigrant would be a real asset, raising the level of population of the United States."<sup>78</sup> Such ideas resulted from foundation members' constant attempts to improve society, since the fate of society had been deemed the most important cause of the Human Betterment Foundation's eugenic propaganda.

The Supreme Court's 1927 decision to uphold Virginia's sterilization law with the *Buck v. Bell* decision further linked and legitimized state practices and eugenic sterilizations. In the case of Carrie Buck vs. John Hendren Bell the court found that compulsory sterilizations of those deemed unfit did not violate an individual's fourteenth amendment right to equal protection under the law. Justice Oliver Wendell Holmes, Jr. provided the majority opinion, in which he infamously concluded, "three generations of imbeciles are enough," a sentiment in line with the eugenic ideologies of the era.<sup>79</sup> The only dissenter was the devoutly Catholic Justice Pierce Butler. The ruling was the first time a federal precedent had been set in the eugenics movement, effectively legitimizing compulsory sterilization practices in the United States. The decision to uphold Virginia's sterilization law encouraged the continuation of eugenic practices at the state level. Gosney and Popenoe even referenced the decision in *Sterilization for Human Betterment* in which they argued the case validated, and even endorsed, the ongoing sterilization practices in California.<sup>80</sup>

The Human Betterment Foundation worked closely with California state officials and institutions to research and promote sterilization. The Director of State Institutions in California sanctioned Popenoe's famed *Twenty Eight Years of Sterilization in California* study, which the California Bureau of Juvenile Research then aided in its implementation.<sup>81</sup> In conducting his studies, Popenoe collaborated with the state mental institutions commissioned to perform sterilizations.<sup>82</sup> He worked closely with doctors and surgeons to record sterilization data, access case files, and conduct observations. Additionally, the foundation remained in close contact with Earl Warren, the California Attorney General, often sending foundation documents to him for review.<sup>83</sup> Cooperation between the state of California and the Human Betterment Foundation was evident throughout the organization's existence in its studies, publications, and correspondence.

The foundation also had influence that extended far beyond the state of California. Following the publication of *Twenty Eight Years of Sterilization in California*, which Stern noted helped to create a place for the foundation and Popenoe on a very large national and international stage, the Human Betterment Foundation appointed German doctor Wolfgang Laves as its foreign correspondent in Europe. In an effort to remain conscious of eugenic practices implemented internationally, the foundation amassed a large collection of articles and publications from around the world, including Germany, Japan, Switzerland, Mexico, Czechoslovakia, England, and Denmark.<sup>84</sup> A large assemblage of foreign correspondence and publications can still be found within the foundation's documents and archives.<sup>85</sup>

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The widespread international influence of the foundation worked in favor of increasing national support for sterilization. The publications produced by the Human Betterment Foundation spread knowledge about sterilization and eugenics among the public in California and throughout the rest of the country. Gosney hoped to use the increasing public support to pass revisions to the California sterilization law, believing the 1909 law was outdated and no longer reflective of “the current status of scientific knowledge.”<sup>86</sup> The proposed legislation also served as Gosney’s attempt to correct some of the major flaws he observed in state sterilization laws across the country, notably the overabundance of “complications in the law,” the need for “legal clarification on certain points,” and finally the lack of protection offered to physicians and state officials.<sup>87</sup> To solve these problems the Human Betterment Foundation supported the drafting of Assembly Bills No. 1607 and 2589, proposed in 1935 and 1937 respectively. Aside from amending the original law, the bills also sought to establish a State Eugenics Board that would govern and regulate the ongoing sterilization practices in California and require notification of patients’ relatives if sterilization was to occur. The bills would have increased the power of hospital superintendents to determine who would be sterilized and provided protection for surgeons who could no longer be held liable for failed procedures, unusual side effects, or familial discontent.<sup>88</sup> Patient safety would also have been increased with the passage of the legislation, providing patient protection from unauthorized doctors and surgeons. Though the bills never passed, Gosney was cited for his “instrumentality” in introducing the legislative reform.<sup>89</sup> While religious opposition is often cited as a major reason for the failure of the bills, the shortcomings have alternatively been attributed to the stringency of the documents; some believed the bills were too strict and that they would have hindered, rather than facilitated, the already progressing work of California eugenists.

Acknowledging the continuous failure to pass reformatory legislation, the foundation realized the necessity of gaining additional public support. It was hypothesized that “the only way to have a sterilization law well enforced [was] to get it backed by public opinion.”<sup>90</sup> The foundation then aptly recentered its focus on education. The 1938 year ending report addressing the Human Betterment Foundation Board of Trustees outlined “the present purpose of [the] Foundation to concentrate its work on the educational program, to bring to intelligent citizens of our country the facts proven by California’s twenty-eight years of experience in eugenic sterilization.”<sup>91</sup> This stagnant legislative effort, combined with the growing religious opposition to the eugenics movement, resulted in the refocusing of the foundation’s attention on the education of the general public. Gosney built his education program using tactics reminiscent of those first outlined for eugenic education by Jordan and Davenport in 1909. Their original proposal to modify the American Breeder’s Association constitution was eventually adopted by the Human Betterment Foundation. The amendment proposed using acquired knowledge to educate the public “in popular magazine articles, in public lectures, in addresses to workers in social fields, in circular letters to physicians, teachers, the clergy and legislators”—all methods that were eventually adopted and employed by the foundation.<sup>92</sup> Gosney hailed these propaganda tactics as integral to an effective education program.

Gosney often referred to the propaganda tactics of the foundation as its “educational campaign of the general public.”<sup>93</sup> These educational tactics became even more prevalent during the second half of the foundation’s existence in the late 1930s. Noting that voluntary sterilization remained legal in the United States and private practices continued to grow, Gosney felt it was time to move away from the legal arena of eugenics. Instead, he chose to focus full attention on his educational campaign in lieu of the foundation’s legislative works and to “devote [the foundation’s] efforts more to the educational phases of its program, for an indefinite time.”<sup>94</sup> He believed that those who did not support eugenic sterilization maintained a combination of “ignorance and indifference.”<sup>95</sup> Gosney further believed it was the purpose of the foundation to combat such public apathy. He elaborated by outlining his concerns that “the unfit [were] increasing much faster than the stable, self-supporting, intelligent citizens” and noting the erroneous and misleading eugenic literature being circulated amongst the public by eugenic opposition.<sup>96</sup> Studies conducted by Popenoe in 1935 had revealed that people of higher

intelligence were more likely to support eugenic sterilization measures. Popenoe concluded that the organization should use his findings to guide their education program "to reach the unskilled labor and housewife classes, who all [had] votes but [were] very little informed" about the eugenics movement and its methods.<sup>97</sup> The foundation subsequently used Popenoe's studies as a means of determining its target population.

Educating the general public had always been one of Gosney's primary goals. Raised in Kentucky, he moved to Saint Louis to attend law school. He then moved west, settling in Flagstaff, Arizona where he amassed a small fortune before moving to California. Gosney had a history of providing financial assistance to schools and even set up scholarship funds to ensure students' continued education. His inclination to provide financial assistance continued as he established and supported the endeavors of the Human Betterment Foundation. Reflecting eugenic ideologies of the time, Gosney believed in the continual progress of civilization through education, stressing the individual's duty as a citizen to be educated about social issues. He sought to provide the public with answers about sterilization, the classification of the unfit, and the social ramifications of eugenic practices. Board members Jordan and Terman, who also had extensive backgrounds in the field of education, supported Gosney's new focus.<sup>98</sup>

In an effort to reach the largest group of people possible, Gosney concerned himself with close editing of all publication manuscripts. He sought to condense foundation material and "interest the average reader."<sup>99</sup> He worried about the scientific prose used in the pamphlets and feared the public would "get tired of reading such minute details, and quit."<sup>100</sup> Specifically, Gosney advocated replacing the phrase "Eugenic Sterilization" with "Human Sterilization," suggesting the latter was "a stronger expression more likely to grip the memory and interest of the average college young man or woman."<sup>101</sup> In another effort to appeal to the general population, Gosney proposed eliminating words such as "virility," "asexualization," "emasculatation," and "integrity."<sup>102</sup> He believed such changes would make the foundation's published material more accessible, thereby gaining a larger audience of support. In doing this, Gosney worked to make the issue of sterilization one that could be easily understood and supported by people of all classes and educational backgrounds.

Beyond vocabulary, Popenoe remained highly protective of the scientific validity of his work. The attention to maintaining ethicacy in his scientific research indicated his desire to remain as true to science as possible; he did not want to deviate toward the pseudoscience that plagued the majority of the eugenics movement and its many supporting theories of degeneracy. Of course, this neither suggests that bias was not involved nor that he remained elevated above the elitism and racism characteristic of the time, merely that Popenoe consciously sought to adhere to a respected scientific method in his research. He was protective of his name where his "scientific reputation [was] involved," even threatening to remove his signature and association from foundation publications that had taken on too much opinion and conjecture for his liking.<sup>103</sup> Months before Popenoe resigned, he criticized Gosney's "expression of opinion" that he believed would "immediately be attacked by enemies as an entirely gratuitous attempt to drag in a piece of propaganda for which there [was] no evidence."<sup>104</sup> Popenoe realized the importance of being able to defend his claims and ideas with scientific data if necessary. Attention to such details revealed the foundation's commitment to releasing accurate scientific findings. At one point, Goethe even commended Popenoe and Gosney's reliance on statistics and data, commenting on the power of such evidence and noting that it would "appeal to many who care nothing for idealism."<sup>105</sup> Such an approach, grounded in science and statistics, aided in making the eugenics movement a social problem pertinent to everyone in society and provided the foundation with defense against eugenic opposition.

The Human Betterment Foundation's continued efforts to educate the public were hailed by many: "credit must be given to [Gosney and Popenoe] for removing the lid of secrecy of the operative technique involved [in

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sterilizations] and sharing with the public the necessary knowledge for the proper comprehension of the sociological aspect.”<sup>106</sup> *Coronet Magazine* published a spread on the foundation’s achievements and suggested such media attention was “much-deserved” and would “be a step toward the education of the layman.”<sup>107</sup> During the height of its influence in the 1930s, many news outlets helped to further publicize the foundation by drawing attention to the “most important field of work” that it engaged in and the “service” being provided through publications and education campaigns.<sup>108</sup> The foundation actively sought such opportunities for publicity. In 1936, Popenoe reached out to radio stations in search of another platform to spread eugenic ideology; he specifically tried to secure airtime during the county medical association broadcasts.<sup>109</sup> Motion pictures were also recommended as way to demystify the institutions and sterilization process for the public as an additional method of garnering support; however, such tactics were never employed by the foundation.<sup>110</sup> The added publicity attained through magazines, radio broadcasts, and publications helped the foundation gain notability and credibility among the California public.

Though the foundation did focus many of its early efforts on the education of potential voters, it also relied heavily on the integration of eugenic materials into the school systems, teaching students to better understand, and favor, the sterilization practices in California. The Human Betterment Foundation worked closely with schools to establish education programs to be supplemented by the foundation’s yearly publications. The organization circulated eugenic materials among all California colleges and high schools in order to better educate youth about sterilizations. Distribution of materials included the foundation’s *Human Sterilization Today* study which offered an overview of sterilization practices and highlighted the proposed social and economic benefits of the procedure.<sup>111</sup> During the foundation’s 1937 to 1938 year, it reported shipments totaling over 200,000 publications sent to lawyers, doctors, state officials, and schools. These materials included 73,000 pamphlets and 65,000 leaflets for classroom use.<sup>112</sup> The following year, free copies of *Twenty-eight Years of Sterilization in California* were sent to college and city libraries across the country.<sup>113</sup> Published in 1938, this second book released by the foundation sought to address the growing interest of the general public, school age students, and the international community in the matters of sterilization. *Twenty-eight Years of Sterilization in California* was Popenoe’s expansion to the foundation’s first book, *Sterilization for Human Betterment*. The first book contained a summary of the 6,000 operations completed in California by 1929, while the second followed up with an analysis of the 10,000 procedures that had been completed by 1938. Interest in eugenic materials among public schools increased throughout the years. Schools in Los Angeles County even purchased additional materials from the foundation, with the superintendent praising the publications and requesting additional copies.<sup>114</sup> The student population quickly adopted an interest in eugenic matters as well. Eugenic clubs began appearing in schools across the state; one such program was established in Los Angeles City College. A student group formed the Galton Club to further study emerging eugenic methods and ideologies.<sup>115</sup> By 1940, the foundation had recorded a 100 percent increase in publication orders across the country, the majority of which came from teachers and school districts.

Schools in California became the primary testing ground for measuring intellect. Terman’s IQ test gained popularity and notoriety for its ability to identify individuals of lower intelligence. Schools marked students with IQs below seventy for closer observation and additional testing.<sup>116</sup> Popenoe and the foundation supported the use of these tests to determine who should be classified as unfit. The IQ tests offered a seemingly objective measure of intellectual superiority and inferiority which, the foundation believed, would help to eliminate criticisms concerning the loose application of the term unfit. By Popenoe’s calculations, an estimated four percent of the national population had IQ scores below seventy and were therefore in need of sterilization.<sup>117</sup> The influx of intelligence testing in schools prompted Popenoe to conduct additional analyses. He began collecting data from Los Angeles schools regarding student demographics, intelligence, family life, and other social factors, leading him to the realization that students of the lowest intelligence came from families nearly twice as large as those that

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produced children with superior intelligence.<sup>118</sup> He pointed to such social predictors as evidence in support of the eugenics campaign's importance. The foundation retained its association with schools and the education system throughout its existence. Upon dissolution of the Human Betterment Foundation in 1943 Gosney's daughter Lois Castle, also a foundation board member, attempted to turn over its assets to the Regents of the University of California.<sup>119</sup> Additional efforts were made to create a professorship of psychiatry in Gosney's name at the University of Southern California.<sup>120</sup> Though these were never accepted, the foundation's support of education continued until the end, with its materials and liquidated assets eventually donated to the California Institute of Technology in Pasadena for the establishment of a eugenics research fund in Gosney's name.<sup>121</sup>

The final push for the necessity of additional public education came with increasing protests from those opposed to the eugenics movement, most notably the Roman Catholic Church and its members. The National Catholic Welfare Conference (NCWC) condemned sterilization as an immoral method of treatment for those deemed unfit and the sterilization law as a "fallacy" and piece of "freak legislation."<sup>122</sup> Further criticism was directed at the loosely applied term "unfit," citing the inclusion of abusers and drunkards, as well as habitual criminals in different states.<sup>123</sup> The conference viewed this inconsistent definition as a major flaw in the eugenists' ideologies. Not believing sterilization was the best method for human betterment, the NCWC instead proposed "segregation, supervision and training [to] provide a better and more comprehensive remedy."<sup>124</sup> Publications authored and disseminated by the NCWC included summaries, outlines, and questions from their readings to guide topics of discussion in opposition to eugenic methods. Such tactics encouraged active participation and discussion about the immoral eugenic practices among members of the Catholic Church.

The NCWC further claimed that legal sterilization was "not morally justified" and further criticized the Human Betterment Foundation's ignorance of blind heredity through unidentifiable carriers.<sup>125</sup> It was pointed out that the majority of faulty genes causing feeble-mindedness were passed on through people who carried the gene but did not show any symptoms. The NCWC cited a report published by the director of the Galton Laboratory of National Eugenics in London in which the statement was made that "only 11% of all feeble-mindedness is due to heredity;" eighty-nine percent of individual cases dealing with feeble-mindedness were said to be the "offspring of normal parents."<sup>126</sup> While Gosney pointed to the report as an unfortunate miscalculation and therefore representative of misinformation, select members of the Catholic opposition viewed it as "proof that heredity [was] a false doctrine."<sup>127</sup> Beyond pointing out the scientific errors propagated by eugenists, the NCWC also condemned the false promises of societal protection made by the Human Betterment Foundation. In an assault against one of the foundation's core beliefs, the NCWC advanced the supposition that the proposed social benefits would be "relatively insignificant, if not positively doubtful."<sup>128</sup> Their active anti-sterilization propaganda required the attention of the Human Betterment Foundation and resulted in the foundation's commitment to differentiating between "what sterilization is and what it is not."<sup>129</sup>

Aside from the established efforts of the NCWC, newspapers were also reporting the views of Catholic Americans and their increasing criticisms of sterilization practices. Of the more extreme views, one priest claimed that "such doctrines as sterilization [would] ultimately undermine the state and bring about a return to the chaos of pagan times," a claim that directly contradicted the foundation's belief that sterilization was the key to preventing such destruction of society.<sup>130</sup> Another report criticized eugenists for being "at fault in losing sight of the fact that the family is more sacred than the state and that men are begotten not for the earth but for Heaven and eternity," a point which Gosney countered in his personal marginalia on the document that sterilization would actually be an eternal benefit.<sup>131</sup> Fueling the religious opposition was Pope Pius XI and his condemnation of the Nazi eugenics program. The Pope's *Casti Connubii* address became a rallying encyclical for Catholics against the sterilization practices in California.<sup>132</sup> The address called for the liberation of individuals' bodies from the power of the public

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magistrates who should “never directly harm, or tamper with the integrity of the body, either for the reasons of eugenics or for any other reasons.”<sup>133</sup> It was further interpreted to mean “the theory of ‘Eugenics’ [was] to be held entirely blamable, false and condemned.”<sup>134</sup> The damning nature of the papal document was, in turn, harshly criticized by non-Catholics for its lack of evidence and strong vilification of contraceptives as well as eugenic practices and sterilization.<sup>135</sup>

One point where the foundation did align its beliefs with the religious opposition was on the subject of abortion. While the foundation was in full support of eugenic sterilization, it did not consent to eugenic abortions. The practice of appropriating eugenic ideologies to abortion procedures was popular outside of the United States. Popenoe clarified the practice as “contrary to both the spirit and the letter of the law” in California and expressed his opinion that, in this regard to eugenic legislation, the law should not be changed.<sup>136</sup> However, despite this instance of solidarity, the foundation remained adamant in its decision to address the opposition and defend its other platforms of eugenic ideologies. Gosney further distanced the organization from the views of the Church by noting the difficulties in overcoming, what he perceived to be “religious prejudice.”<sup>137</sup> The foundation often found it necessary to address the Catholic condemnation of all practices of eugenists as immoral.<sup>138</sup> Citing tactics that heavily relied on the devaluation of the scientific methods and reports used by the foundation, Gosney remained firm in his anti-Catholic principles.<sup>139</sup>

Public perception remained a major concern for the Human Betterment Foundation, especially with the onslaught of anti-eugenic materials published by those who opposed them. The foundation found it necessary to defend and clarify its ideologies and support for sterilization. Prior to his resignation, Popenoe elucidated the distinction between punitive and preventative measures of sterilization in a presentation given at the 1935 International Penal and Penitentiary Commission in Berlin. Noting that castration was often seen as “humiliating” and “in primitive times, [...] used as a punishment,” he argued that sterilizations were meant solely for eugenic purposes and were promoted as a form of protection and not to be used as a punishment.<sup>140</sup> Popenoe further pointed out the difference between punitive sterilization and eugenic sterilization by calling attention to the fact that “sterilization [could] not be used as a punishment, because it [was] not a punishment in any case. It [was] protection.”<sup>141</sup> The Human Betterment Foundation further suggested the idea that because sterilization was used as a means of prevention, it carried none of the humiliation or stigma that it had in the past. Furthermore, Gosney and Popenoe claimed that the constitutionality of sterilization only became questionable when used for such penal measures. In such cases, sterilization would be in conflict with the constitutional prohibition of cruel and unusual punishments.<sup>142</sup> Accordingly, eugenic sterilization was to be used only for preventative measures.

Additionally, in 1934 Gosney protested an upcoming anti-sterilization film, “Tomorrow’s Children,” by publishing a letter on behalf of the foundation in the journal of *California and Western Medicine*. The film followed the story of a young woman whose impending wedding had been called off as a result of her family’s inferiority and history of feeble-mindedness. As such, she was set to be sterilized before her marriage would be allowed. The foundation attacked the film for its slanderous views of eugenics and the false information it presented about sterilization. Gosney’s letter actively defended the practice of sterilization and attacked the “misleading” and “fictitious conditions” of the film, even trying to limit its release in some areas.<sup>143</sup> The response had little effect, and the film was still previewed in theaters across the state. Previously, the foundation had also issued a formal response to a review of its own *Sterilization for Human Betterment*. Gosney wrote a sardonic response to the negative review, offering factual corrections in acknowledgement “that neither [the] journal nor the author of the review [...] would knowingly do injustice to the institutions of California or to the Human Betterment Foundation in its constructive work for the betterment of the race.”<sup>144</sup> Responses and clarifications, both published and private, were common

aspects of the foundation's work, revealing Gosney's commitment to ensuring eugenics was understood and not mistaken for something it was not.

The case of Ann Cooper Hewitt drew much public attention, and the foundation used the opportunity to clarify what eugenic sterilization meant. The Hewitt case gained notoriety in 1936 when Ann sued her mother for sterilizing her two years prior without consent; the procedure had been performed when Ann was admitted for a routine appendectomy. Ann contended that the sterilization was an attempt by her mother to access Ann's trust fund which would revert back to the mother if Ann failed to have children. Her mother, however, claimed the sterilization was for Ann's own protection against her feeble-mindedness and overt sexuality. Her mother further supported this claim by having a medical examiner sign off on the diagnosis.<sup>145</sup> The case brought widespread public attention to the issue of sterilization in California and the idea of consent. Newspapers across the state followed the dramatic proceedings of the case, from the introduction of family betrayal to the mother's attempted suicide, and eventually to the dismissal of the case by a judge. The Human Betterment Foundation sought to straighten the public record about sterilization and the conflicting reports surrounding the case. The foundation emphasized that this was a case of private practice, not compulsory sterilization mandated by the state. Gosney clarified the distinction between state programs and private practices and urged the public to understand that the Hewitt case, and all others dealing with private practice, had "nothing to do with California's sterilization law, or with the American program of eugenics."<sup>146</sup> Though the foundation did view private practice as important for the progress of eugenics, such sterilizations could not be held to the same standard or liability as those conducted in the state program. Throughout the case, the foundation maintained its concern with keeping the public educated, providing accurate information so that people could make informed decisions and draw sound conclusions.

A similar attempt of the foundation to correct public perception about the meaning and intent of eugenics dealt with the idea of criminality. The habitual criminal had long been considered to have a hereditary or biological flaw that resulted in their criminal behavior. Early eugenicists believed sterilization within prisons would help to alleviate crime in society. Others simply employed sterilization as a means of punishment or branding. By the 1930s, however, it was well understood that criminality did not have a biological basis. As such, the foundation felt it necessary to continue the process of demystifying the common criminal in order to prevent further confusion surrounding sterilization practices and the inclusivity of those deemed unfit. In 1934 Popenoe clarified the fact that "crime and criminality [were] social, not biological, concepts," correcting the misconception that criminals and paupers were hereditarily inferior.<sup>147</sup>

Eugenic critics who were aware of this scientific development criticized the state's use of sterilization on criminals as misinformed, citing the same facts as Popenoe, albeit in argument for the opposition. In such cases Popenoe quickly offered a factual overview of California's sterilization laws to assure critics that the criminal sterilization statute only applied to "one guilty of carnal abuse of a female under ten years."<sup>148</sup> California's Criminal Code specifying sexual offenders was the only legal application of sterilization for punitive reasons in the state. While criminality was acknowledged by the foundation as not biological and therefore not necessitating eugenic sterilization, Popenoe voiced the group's opinion that "many criminals would probably be very glad to receive [sterilization], since interest in children and family life [was] not a striking characteristic" of the criminal class.<sup>149</sup> The foundation believed these distinctions were important when educating the public. The members alleged that much opposition and criticism of the movement was merely the result of misinformation or misunderstanding of the facts. Such clarifications of past ideas helped to establish further credibility for the foundation's work by staying up to date on scientific developments, pointing out past misconceptions, and offering new alternatives. The educated citizens could then, in turn, draw conclusions for themselves about matters related to eugenics and sterilization. Even with the foundation's attempt to demystify the criminal and remove its synonymy with eugenics,

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newspapers and popular opinion continued to appropriate the sterilization of criminals with proposed economic benefits, succumbing to the faulty reporting the foundation had been trying to prevent.

Despite attempts made by the Human Betterment Foundation to keep sterilization in good favor with the public, opposition from Catholics and other critics of sterilization continued to increase throughout the 1930s. Association with Nazi practices only added to the eugenic opposition. When Adolf Hitler became Chancellor of Germany in 1933 he advocated “a widespread state eugenic program favoring the Aryan race and purging it of its alleged inferior strains.”<sup>150</sup> The first groups of people targeted by this program were the mentally ill and feebleminded. Germany’s “Law on Preventing Heredity Ill Progeny” was modeled after the California eugenic practices, a result of the correspondence exchanged between German eugenists and the Human Betterment Foundation.<sup>151</sup> The following year, the California foundation hosted a “Public Health and Eugenics in New Germany” exhibit in Pasadena, supported by Popenoe’s article reviewing the German program.<sup>152</sup> The 1935 report to the foundation’s Board of Trustees even contained a quotation from Goethe evaluating his prolonged trip to Germany:

You will be interested to know that your work has played a powerful part in shaping the opinions of the group of intellectuals who are behind Hitler in this epoch-making program. Everywhere I sensed that their opinions have been tremendously stimulated by American thought, and particularly by the work of the Human Betterment Foundation. I want you [Mr. Gosney], my dear friend, to carry this thought with you for the rest of your life, that you have really jolted into action a great government of 60,000,000 people.<sup>153</sup>

The foundation’s initial support of Hitler’s eugenic implementation did not last. As public opposition to the Nazi regime increased, so too did the public perception of eugenics. Pope Pius XI focused further attention and ire on Germany, voicing his “displeasure with Hitler’s religious policy.”<sup>154</sup> Along with the increased public scrutiny, the foundation was also losing money as a result of wartime expenses. The vocal opposition in regard to Germany’s sterilization practices and the lack of funds available to the foundation prevented the immediate and widespread response that Gosney would have preferred to combat the growing hostility of the situation. As such, public opinion of eugenics continued to take a very drastic turn out of favor with eugenic practices.

The increasing public opposition to sterilization practices coincided with Popenoe’s resignation from the Human Betterment Foundation. In 1938, Popenoe left the foundation to work full time at the American Institute of Family Relations, an organization he had helped to establish. At the institute Popenoe focused his attention on methods of positive eugenics, providing family and marriage counseling in wake of increasing family turmoil caused by the impending threat of World War II.<sup>155</sup> Despite the loss, Gosney and his foundation remained in close contact with Popenoe and supported his new venture. The final years of the foundation’s existence carried more attempts to correct the public record on the matters of sterilization. Fueled by the belief that a highly educated public would contribute to the betterment of society in tandem with the elimination of the unfit from the gene pool, Gosney believed his foundation could still impact the state’s eugenic legacy. The foundation’s commitment to education on the matters of eugenics and support of sterilization did help to establish the movement as an important influence on social reform in California. Yet, despite the foundation’s optimism, sterilization practices became further scrutinized with the implementation of eugenic practices by the Nazi regime in Germany, especially after the beginning of World War II.<sup>156</sup> Coinciding with Gosney’s death in 1942, the increasing public opposition and failing financial health of the Human Betterment Foundation led to its closure in 1943.<sup>157</sup>

Desiring to continue the eugenic research legacy of the foundation and her father, Lois Castle turned the materials and assets of Gosney and the Human Betterment Foundation over to the California Institute of Technology. She clarified that in doing so, it was understood that “substantially the same activities [would] be carried on” whether that be in the field of sterilization or another matter of eugenics.<sup>158</sup> When Gosney’s death was brought to the attention of the acting Governor of California, the letter noted his death as a devastating “blow to [the

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Department of Institutions], as it [was] to all friends of social progress. Mr. Gosney's Foundation was an outstanding force in the advancement of the practice of sterilization of mental deviates."<sup>159</sup> The letter continued by commending Gosney's responsibility for, at one time, "the continuation of sterilization as a policy in [the] Department."<sup>160</sup> He was also complimented for remaining in contact with state officials even after the focus of his foundation shifted away from legislative reform. Fellow foundation member, Charles Goethe, elaborated further on the loss of Gosney praising the "courageous way in which he fought the battle of sterilization," and supposing that "he [had] built a monument for himself more lasting than anything in either marble or bronze."<sup>161</sup> Such a legacy, however, did not endure. As theories of eugenics and sterilization practices fell from public grace during the subsequent decades, any testament to Gosney and the work of his foundation disappeared.

Sterilizations in California, and around the world, dropped dramatically following the events of World War II. The power of public perception that the Human Betterment Foundation had always believed in proved to be true; only it had the opposite effect. Instead of gaining public favor as promoted by Gosney, the horrific images and stories that emerged from Germany created mass public resentment concerning eugenic practices and sterilization programs. The condemnation of such practices effectively thwarted the foundation's attempt to capitalize on the perceived public rejection of the biologically, and therefore socially, unfit. The propaganda set forth by the foundation had attempted to further the already existing link between heredity and degeneracy and to offer a scientific solution to the impending social and economic problems caused by the unfit. Though the lasting legacy of the Human Betterment Foundation was not successful, during its existence the foundation did prove to be influential on state, national, and international levels. The number of sterilizations performed in California peaked during the years that the organization was incorporated, from 1928 to 1943, with public support at an all-time high during the 1930s. World War II and the eugenic campaign utilized during the Holocaust, however, turned public perception against such ideas. The last compulsory sterilization performed under the original California law was carried out in 1963. And in 1979 the California sterilization law was officially overturned, ending sixty years of legal sterilizations in the state.

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<sup>1</sup> Paul Popenoe, "The Progress of Human Sterilization," 1935, Box 3, Folder 4, E. S. Gosney Papers and Records of the Human Betterment Foundation (ESGHBF), Archives, California Institute of Technology (CIT).

<sup>2</sup> Articles of Incorporation of the Human Betterment Foundation, December 1928, Box 2, Folder 10, ESGHBF, Archives, CIT.

<sup>3</sup> Alexandra Minna Stern, *Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America* (Berkeley: University of California Press, 2005).

<sup>4</sup> Alex Wellerstein, "States of Eugenics: Institutions and Practices of Compulsory Sterilization in California," in *Reframing Rights: Bioconstitutionalism in the Genetic Age* (Cambridge: MIT Press, 2001).

<sup>5</sup> Steven Seldon, *Inheriting Shame: The Story of Eugenics and Racism in America* (New York: Teachers College Press, 1999).

<sup>6</sup> Elof Axel Carlson, *The Unfit: A History of a Bad Idea*, (New York: Cold Spring Harbor Laboratory Press, 2001).

<sup>7</sup> Edwin Black, *War Against the Weak: Eugenics and America's Campaign to Create a Master Race* (Washington, D.C.: Dialog Press, 2003).

<sup>8</sup> Stern, *Eugenic Nation*.

<sup>9</sup> Francis Galton, *Essays in Eugenics* (London: Eugenics Education Society, 1909), 35.

<sup>10</sup> Francis Galton, *Hereditary Genius: An Inquiry Into Its Laws and Consequences* (London: D. Appleton, 1884).

<sup>11</sup> F. E. Daniel, "Castration of Sexual Perverts," reprinted in *Texas Medical Journal* 27, no. 1 (Apr 1912): 369-385. Originally presented in 1893.

<sup>12</sup> Stephen Jay Gould, *The Structure of Evolutionary Theory* (Harvard: Belknap Harvard, 2000).

<sup>13</sup> Charles Darwin, *On the Origin of Species* (London: John Murray, 1859), 152.

<sup>14</sup> Carlson, *The Unfit*, 13.

<sup>15</sup> Herbert Spencer, *Principles of Biology* 1, no. 1 (1864): 444.

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<sup>16</sup> Criminals have long been categorized as unfit as a result of enduring theories of atavism, originally set forth by Caesar Lombroso who infamously suggested biological disposition for criminal behaviors marked by physical traits. Though most eugenists agreed that physical traits did not predetermine behavior, many still believed specific genes might be at fault.

<sup>17</sup> Carlson, *The Unfit*, 13.

<sup>18</sup> Carlson, *The Unfit*, 1.

<sup>19</sup> Stern, *Eugenic Nation*, 9.

<sup>20</sup> Garland E. Allen, "The 'Unfit'?" *BioEssays* 24, no. 8 (2002): 766.

<sup>21</sup> Allen also emphasized the historian's responsibility in understanding the meaning of rhetoric at specific times in history and knowing how the change in meaning could affect the understanding of ideologies within each time period.

<sup>22</sup> E. S. Gosney, "Race Betterment by Sterilization of the Unfit," *Police Reporter Magazine* 1, no. 6 (Dec 1932), Box 3, Folder 8, ESGHBF, Archives, CIT.

<sup>23</sup> Harry Laughlin, *Eugenical Sterilization in the United States* (Chicago: Psychopathic Laboratory of the Municipal Court, 1922).

<sup>24</sup> Stern, *Eugenic Nation*, 105.

<sup>25</sup> Articles of Incorporation of the Human Betterment Foundation, December 1928, Box 2, Folder 10, ESGHBF, Archives, CIT.

<sup>26</sup> Paul Popenoe, "Suggestions Concerning a Tentative Program of Work for a Race-Hygiene Foundation," 1926, Box 7, Folder 2, ESGHBF, Archives, CIT.

<sup>27</sup> Because of his dedication as a researcher, scientist, and writer on the matters of sterilization, Popenoe was the only board member to ever receive a salary from the foundation and was able to continue his work full time on behalf of Gosney and the foundation.

<sup>28</sup> Paul Popenoe and Norman Fenton, "Sterilization as a Social Measure," n.d., Box 1, Folder 6, ESGHBF, Archives, CIT.

<sup>29</sup> Compulsory sterilizations in California were carried out under state laws passed in 1909 and 1913. An amendment passed in 1917 revised the second law to expand the qualifications for patient sterilization.

<sup>30</sup> Year End Report to the Board of Trustees of the Human Betterment Foundation, 13 February 1940, Box 1, Folder 3, ESGHBF, Archives, CIT.

<sup>31</sup> "Eugenical News," *American Eugenics Society Monthly Letter* 6, no. 8 (Dec 1939), Box 5, Folder 7, ESGHBF, Archives, CIT.

<sup>32</sup> Stern, *Eugenic Nation*, 83.

<sup>33</sup> Carlson, *The Unfit*, 231.

<sup>34</sup> Paul Popenoe, "The Progress of Human Sterilization," 1935, Box 3, Folder 4, ESGHBF, Archives, CIT.

<sup>35</sup> Vasectomies in men were performed by severing and sealing the vasa deferentia to prevent the ejaculation of sperm. During a salpingectomy a woman's fallopian tubes were surgically removed to halt the maturation of egg cells.

<sup>36</sup> Lois Castle to The School of Medicine at Northwestern University, 4 April 1944, Box 3, Folder 2, ESGHBF, Archives, CIT.

Dr. N. Sproat Heany to Lois Castle, 29 June 1944, Box 3, Folder 2, ESGHBF, Archives, CIT.

<sup>37</sup> Paul Popenoe, *Human Sterilization Today*, 1938, Box 1, Folder 6, ESGHBF, Archives, CIT.

<sup>38</sup> Paul Popenoe, *Human Sterilization Today*, 1938, Box 1, Folder 6, ESGHBF, Archives, CIT.

<sup>39</sup> Popenoe and Fenton, "Sterilization as a Social Measure."

<sup>40</sup> Paul Popenoe, *Human Sterilization Today*.

<sup>41</sup> E. S. Gosney, "A Discussion of Sir Bernard Mallet's Paper on 'The Reduction of the Fecundity of the Socially Inadequate,'" 21 August 1932, Box 3, Folder 8, ESGHBF, Archives, CIT.

<sup>42</sup> E.S. Gosney to California physicians receiving the questionnaire, 20 September 1926, Box 12, Folder 8, ESGHBF, Archives, CIT.

<sup>43</sup> Questionnaire for California Physicians, 1926, Box 12, Folder 8, ESGHBF, Archives, CIT.

<sup>44</sup> Paul Popenoe, *Eugenical Sterilization in California: "Effect of vasectomy on the sexual life,"* n.d., Box 13, Folder 1, ESGHBF, Archives, CIT.

<sup>45</sup> Paul Popenoe, *Eugenical Sterilization in California: "The opinions of some California physicians on the mental and*

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physical effects of sterilization," n.d., Box 13, Folder 1, ESGHBF, Archives, CIT.

<sup>46</sup> Dr. Fred J. Conzelmann, Questionnaire for California Physicians, October 1926, Box 12, Folder 8, ESGHBF, Archives, CIT.

<sup>47</sup> Dr. Grace McGoskey, Questionnaire for California Physicians, October 1926, Box 12, Folder 8, ESGHBF, Archives, CIT.

<sup>48</sup> A joint work completed by Gosney and Popenoe, the aptly titled *Sterilization for Human Betterment: A Summary of Results of 6,000 Operations in California, 1909-1929*, was the foundation's first attempt to quantify and summarize California's history of eugenic sterilization. The book reviewed results and evaluated the effectiveness of the state sterilization law.

<sup>49</sup> Stern, *Eugenic Nation*, 107.

<sup>50</sup> E. S. Gosney and Paul Popenoe, *Sterilization for Human Betterment: A summary of results of 6,000 operations in California, 1909-1929* (New York: Macmillan, 1929): xiii-xiv.

<sup>51</sup> E. S. Gosney and Paul Popenoe, *Sterilization for Human Betterment: A summary of results of 6,000 operations in California, 1909-1929* (New York: Macmillan, 1929): vii.

<sup>52</sup> Popenoe, *Human Sterilization Today*.

<sup>53</sup> "Computation of Savings to the State of California by Sterilization of the Feeble-minded Committed to the State Homes for the Feeble-minded," 1935, Box 13, Folder 6, ESGHBF, Archives, CIT.

<sup>54</sup> "Estimates of Savings by Sterilization and Parole of the Feeble-minded in the two State Institutions for the Feeble-minded," 1935, Box 3, Folder 2, ESGHBF, Archives, CIT.

<sup>55</sup> C. Severin Buschmann, "Sterilization for Human Betterment, by E. S. Gosney and Paul Popenoe," *Indiana Law Journal* 5, no. 4 (1930).

<sup>56</sup> Gosney and Popenoe, *Sterilization for Human Betterment*, viii.

<sup>57</sup> Unsigned letter to F. O. Butler, MD, 6 February 1935, Box 13, Folder 6, ESGHBF, Archives, CIT.

<sup>58</sup> Stern, *Eugenic Nation*, 7.

<sup>59</sup> Stern, *Eugenic Nation*, 17.

<sup>60</sup> Carlson, *The Unfit*, 187.

<sup>61</sup> Popenoe, *Human Sterilization Today*.

<sup>62</sup> Popenoe, *Human Sterilization Today*.

<sup>63</sup> E. S. Gosney, "Race Betterment by Sterilization of the Unfit," *Police Reporter Magazine* 1, no. 6 (Dec 1932), Box 3, Folder 8, ESGHBF, Archives, CIT.

<sup>64</sup> Victor Hugo Boesen, "Plain Talk about Sterilization," *Coronet Magazine*, October 1942, Box 4, Folder 12, ESGHBF, Archives, CIT.

<sup>65</sup> David Starr Jordan, *Days of a Man: Volume 2* (New York: World Book Company, 1922), 314.

<sup>66</sup> Stern, *Eugenic Nation*, 105.

<sup>67</sup> Articles of Incorporation of the Human Betterment Foundation, December 1928, Box 2, Folder 10, ESGHBF, Archives, CIT.

<sup>68</sup> Paul Popenoe and Ellen Morton Williams, "Fecundity of Families Dependent on Public Charity," *The American Journal of Sociology* (Sept 1934), Box 2, Folder 8, ESGHBF, Archives, CIT.

<sup>69</sup> Fred Wright, Questionnaire for California Physicians, 1926, Box 12, Folder 8, ESGHBF, Archives, CIT.

<sup>70</sup> E. S. Gosney, Address at the University of California, Los Angeles, n. d., Box 3, Folder 8, ESGHBF, Archives, CIT.

<sup>71</sup> E. S. Gosney, Address at the University of California, Los Angeles, n. d., Box 3, Folder 8, ESGHBF, Archives, CIT.

<sup>72</sup> Stern, *Eugenic Nation*, 16.

<sup>73</sup> Explicitly racial eugenic programs existed elsewhere in the nation, most infamously as part of the Tuskegee syphilis experiment, and internationally as part of Germany's racial purifying campaign.

<sup>74</sup> Popenoe, *Human Sterilization Today*.

<sup>75</sup> Stern, *Eugenics Nation*, 19.

David Starr Jordan, *The Blood of a Nation: A Study of the Decay of Races Through Survival of the Unfit* (Boston: American Unitarian Association, 1902).

<sup>76</sup> E. S. Gosney to Frank Reid, 9 September 1940, Box 1, Folder 1, ESGHBF, Archives, CIT.

<sup>77</sup> "Eugenical News," *American Eugenics Society Monthly Letter* 6, no. 3 (Dec 1939), Box 5, Folder 7, ESGHBF, Archives, CIT.

<sup>78</sup> "Eugenical News," *American Eugenics Society Monthly Letter* 6, no. 3 (Dec 1939), Box 5, Folder 7, ESGHBF,

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Archives, CIT.

<sup>79</sup> Carlson, *The Unfit*, 255.<sup>80</sup> Gosney and Popenoe, *Sterilization for Human Betterment*, ix.<sup>81</sup> Year End Report to the Board of Trustees of the Human Betterment Foundation, 8 February 1938, Box 1, Folder 1, ESGHBF, Archives, CIT.<sup>82</sup> F.O. Butler to the HBF, 14 August 1942, Box 2, Folder 1, ESGHBF, Archives, CIT.<sup>83</sup> Earl Warren to the HBF, 1939, Box 1, Folder 1, ESGHBF, Archives, CIT.<sup>84</sup> Foreign publications, Box 13, Folder 3, ESGHBF, Archives, CIT.<sup>85</sup> Foreign correspondence, Box 5 to Box 11, ESGHBF, Archives, CIT.<sup>86</sup> E. S. Gosney, "Sterilization Legislation and Administration," n.d., Box 3, Folder 8, ESGHBF, Archives, CIT.<sup>87</sup> E.S. Gosney to Dr. Garland H. Pace, 8 February 1936, Box 4, Folder 3, ESGHBF, Archives, CIT.<sup>88</sup> Assembly Bill No. 2589, 22 January 1937, Box 3, Folder 2, ESGHBF, Archives, CIT.<sup>89</sup> James P. Donahue, "Under the Big Dome," *The San Francisco Monitor*, 25 May 1935, Box 13, Folder 4, ESGHBF, Archives, CIT.<sup>90</sup> J. F. Page to E. S. Gosney, 4 November 1942, Box 4, Folder 12, ESGHBF, Archives, CIT.<sup>91</sup> Year End Report to the Board of Trustees of the Human Betterment Foundation, 8 February 1938, Box 1, Folder 1, ESGHBF, Archives, CIT.<sup>92</sup> David Starr Jordan and Charles Davenport, "Committee Findings," *American Breeder's Magazine* 1: 128 (1909), as cited in Carlson's *The Unfit*.<sup>93</sup> E. S. Gosney, "A Discussion of Sir Bernard Mallet's Paper on 'The Reduction of the Fecundity of the Socially Inadequate,'" 21-23 August 1932, Box 3, Folder 8, ESGHBF, Archives, CIT.<sup>94</sup> E. S. Gosney to the Internal Revenue Service, 13 October 1937, Box 4, Folder 3, ESGHBF, Archives, CIT.<sup>95</sup> E. S. Gosney, "Sterilization Legislation and Administration," n.d., Box 3, Folder 8, ESGHBF, Archives, CIT.<sup>96</sup> E. S. Gosney to the Internal Revenue Service, 27 October 1937, Box 4, Folder 3, ESGHBF, Archives, CIT.<sup>97</sup> Paul Popenoe, "Public Opinion on Sterilization in California," 7 May 1935, Box 16, Folder 3, ESGHBF, Archives, CIT.<sup>98</sup> Terman developed the first intelligence quotient test to indicate individuals below the average level of intelligence; his design was implemented for eugenic use in determining the unfit. Alternatively, Jordan devised the modern model for a liberal arts education and also served as the first president of Stanford University.<sup>99</sup> E. S. Gosney to Paul Popenoe, 1937, Box 3, Folder 4, ESGHBF, Archives, CIT.<sup>100</sup> E. S. Gosney to Paul Popenoe, 1937, Box 3, Folder 4, ESGHBF, Archives, CIT..<sup>101</sup> E. S. Gosney to Frank Reid, 9 September 1940, Box 1, Folder 1, ESGHBF, Archives, CIT.<sup>102</sup> E. S. Gosney to Frank Reid, 9 September 1940, Box 1, Folder 1, ESGHBF, Archives, CIT.<sup>103</sup> Paul Popenoe to E. S. Gosney, 5 October 1937, Box 3, Folder 4, ESGHBF, Archives, CIT.<sup>104</sup> Paul Popenoe to E. S. Gosney, 10 September 1937, Box 3, Folder 4, ESGHBF, Archives, CIT.<sup>105</sup> C. M. Goethe to E. S. Gosney, 9 December 1929, Box 18, Folder 2, ESGHBF, Archives, CIT.<sup>106</sup> Dr. J. H. Landes at WKBQ, New York, 15 April 1930, Box 18, Folder 2, ESGHBF, Archives, CIT.<sup>107</sup> Mary Scott Stewart to HBF, 17 August 1942, Box 4, Folder 12, ESGHBF, Archives, CIT.<sup>108</sup> Year End Report to the Board of Trustees of the Human Betterment Foundation, 13 February 1940, Box 1, Folder 3, ESGHBF, Archives, CIT.<sup>109</sup> Paul Popenoe to Dr. Palmer, 14 April 1936, Box 1, Folder 6, ESGHBF, Archives, CIT.<sup>110</sup> J. F. Page to E. S. Gosney, 4 November 1942, Box 4, Folder 12, ESGHBF, Archives, CIT.<sup>111</sup> Popenoe, *Human Sterilization Today*.<sup>112</sup> Year End Report to the Board of Trustees of the Human Betterment Foundation, 8 February 1938, Box 1, Folder 1, ESGHBF, Archives, CIT.<sup>113</sup> Year End Report to the Board of Trustees of the Human Betterment Foundation, 14 February 1939, Box 1, Folder 1, ESGHBF, Archives, CIT.<sup>114</sup> C. C. Trillingham to the HBF, 15 June 1944, Box 2, Folder 3, ESGHBF, Archives, CIT.<sup>115</sup> "Eugenical News," *American Eugenic Society* 6, no. 8 (May 1940), Box 5, Folder 7, ESGHBF, Archives, CIT.<sup>116</sup> Paul Popenoe, *Eugenic Sterilization in California*: "The number of persons needing sterilization," n.d., Box 13, Folder 1, ESGHBF, Archives, CIT.<sup>117</sup> Paul Popenoe, *Eugenic Sterilization in California*: "The number of persons needing sterilization," n.d., Box 13,**128** Voces Novae, Vol 7, No 1 (2015)

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Folder 1, ESGHBF, Archives, CIT.

<sup>118</sup> "Eugenical News," *American Eugenic Society* 6, no. 8 (May 1940), Box 5, Folder 7, ESGHBF, Archives, CIT.

<sup>119</sup> HBF to undisclosed recipient, 15 January 1943, Box 3 Folder 1, ESGHBF, Archives, CIT.

<sup>120</sup> "A Proposal to Establish the 'E.S. Gosney Professorship in Psychiatry' at the USC Medical School," 9 April 1943, Box 3, Folder 6, ESGHBF, Archives, CIT.

<sup>121</sup> Lois Castle to C. M. Goethe, 29 September 1943, Box 3, Folder 6, ESGHBF, Archives, CIT.

<sup>122</sup> H. H. McClellan, "The Sterilization Fallacy," *NCWC*, September 1927, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>123</sup> J. A. Ryan, "Moral Aspects of Sterilization," n.d., Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>124</sup> J. A. Ryan, "Moral Aspects of Sterilization," n.d., Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>125</sup> J. A. Ryan, "Moral Aspects of Sterilization," n.d., Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>126</sup> "Fr. H. Donavon Talks to Group on Sterilization," *Santa Clara News*, 18 January 1934, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>127</sup> "Fr. H. Donavon Talks to Group on Sterilization," *Santa Clara News*, 18 January 1934, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>128</sup> J. A. Ryan, "Moral Aspects of Sterilization," n.d., Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>129</sup> Paul Popenoe, "Inquiry into the Problems of Prevention" to the International Penal and Penitentiary Commission, 1935, Box 1, Folder 6, ESGHBF, Archives, CIT.

<sup>130</sup> "Fr. H. Donavon Talks to Group on Sterilization," *Santa Clara News*, 18 January 1934, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>131</sup> "Pope Speaks on Marriage," *Los Angeles Times*, 9 January 1931, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>132</sup> The 1930 papal encyclical promoted the authority of the Roman Catholic Church concerning matters of morality. It addressed the sanctity of marriage and the Church's vilification of birth control practices. Pope Pius XI called attention to the increasing power of the state, noting that only when a person has committed a crime and has been deemed dangerous or likely to repeat the crime, should the state have power over their bodies. The lengthy anti-contraception position, along with its condemnation of abortion, provided a rallying document for eugenic critics.

<sup>133</sup> "Pope Speaks on Marriage," *Los Angeles Times*, 9 January 1931, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>134</sup> Enrico Pucci, "Condemnation of 'Sex Education' and 'Eugenics' Theory by Holy Office," *NCWC News Service*, 31 December 1930, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>135</sup> "Documents Cited as Catholic Norm of Sterilization: 'Casti Connubii' and Holy Office Decree Define Church's Stand," *San Francisco Monitor*, 16 September 1933, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>136</sup> Paul Popenoe to F. M. Wylie, 15 January 1931, Box 12, Folder 4, ESGHBF, Archives, CIT.

<sup>137</sup> E. S. Gosney, "Sterilization Legislation and Administration," n.d., Box 3, Folder 8, ESGHBF, Archives, CIT.

<sup>138</sup> Ignatius W. Cox and James J. Walsh, "What About Sterilization?" *NCWC*, 1934, Box 13, Folder 3, ESGHBF, Archives, CIT.

<sup>139</sup> Alexander Fraser, "Biology versus Sterilization," *The Catholic Mind*, 22 April 1934, Box 13, Folder 3, ESGHBF, Archives, CIT.

<sup>140</sup> Popenoe, "Inquiry into the Problems of Prevention."

<sup>141</sup> Popenoe, "Inquiry into the Problems of Prevention."

<sup>142</sup> Gosney and Popenoe, *Sterilization for Human Betterment*, ix.

<sup>143</sup> E. S. Gosney and the HBF, "Subject of Following Letter: A Protest by the HBF of California Regarding a Movie Film," *California and Western Medicine* 41, no. 1 (July 1934): 68.

<sup>144</sup> E. S. Gosney, "Recent Book Review on 'Sterilization for Human Betterment,'" *California and Western Medicine* 37, no. 1 (August 1930): 622-623.

<sup>145</sup> "The Curious Case of Ann Cooper Hewitt," *History Magazine* (April 2010): 1-4.

<sup>146</sup> "E. S. Gosney Remarks on Hewitt Case Hearing," *The Pasadena Star News*, 5 February 1936, Box 3, Folder 8, ESGHBF, Archives, CIT.

<sup>147</sup> Paul Popenoe, "Digest of State Sterilization Laws," 1 August 1934, Box 5, Folder 4, ESGHBF, Archives, CIT.

<sup>148</sup> Paul Popenoe, "Digest of State Sterilization Laws," 1 August 1934, Box 5, Folder 4, ESGHBF, Archives, CIT.

<sup>149</sup> Popenoe, "Inquiry into the Problems of Prevention."

<sup>150</sup> Carlson, *The Unfit*, xiv.

<sup>151</sup> Stern, *Eugenic Nation*, 108.

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<sup>152</sup> Paul Popenoe, "The German Sterilization Law," *The Journal of Heredity* 25, no. 1 (1934), Box 1, Folder 6, ESGHBF, Archives, CIT.

<sup>153</sup> Year End Report to the Board of Trustees of the Human Betterment Foundation, 8 February 1935, Box 1, Folder 1, ESGHBF, Archives, CIT.

<sup>154</sup> "Serious Break Seen Between Pope and Nazis," *Rocky Mountain News*, 9 September 1933, Box 13, Folder 4, ESGHBF, Archives, CIT.

<sup>155</sup> Popenoe has been recognized as one of the first marriage therapists and as an influential figure in developing the field of family therapy.

<sup>156</sup> It has been widely suggested in historical discourse that the eugenic practices in Nazi Germany were modeled after the successful sterilization programs that existed in California.

<sup>157</sup> Frank Reid to C. M. Goethe, 6 January 1942, Box 1, Folder 3, ESGHBF, Archives, CIT.

<sup>158</sup> Lois Castle to Charles Goethe, 29 September 1943, Box 3, Folder 6, ESGHBF, Archives, CIT.

<sup>159</sup> F. O. Butler to Governor Culbert L. Olson, "Report of the Department of Institutions to His Excellency," 30 September 1942, Box 3, Folder 1, ESGHBF, Archives, CIT.

<sup>160</sup> F. O. Butler to Governor Culbert L. Olson, "Report of the Department of Institutions to His Excellency," 30 September 1942, Box 3, Folder 1, ESGHBF, Archives, CIT.

<sup>161</sup> Charles Goethe to Lois Castle, 17 November 1942, Box 3, Folder 6, ESGHBF, Archives, CIT.