

**“Eugenics not Eradication: How People with Disabilities have Lost the
Right to Life”**

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Abstract

Disability-selective abortion stems from a eugenical philosophy not a hope of eradication. Disabilities cannot be eradicated because they are not diseases. Eugenics seeks to purify society from those who are considered “inferior” and to encourage the rate of births considered “superior.” Eugenics continues today through selective abortion of children with disabilities. These children deserve the right to life guaranteed by natural rights, human rights, and the laws of the United States. Children with disabilities, particularly Down Syndrome, have lost this right to life in the United States and abroad. In the United States, 67% of children with Down Syndrome are selectively aborted. Countries like Iceland consider Down Syndrome “eradicated” because on average only one child is born with the disability each year. This label is inaccurate. Children with disabilities deserve the right to life that has been stripped from them because of an immoral attempt to preserve a “better” society that aligns with the Darwinian idea of Natural Selection presenting itself in the eugenics ideology. This ideology is the basis of selective abortion.

Introduction

In 2017 CBS ran a story about the disappearance of Down syndrome in Iceland.¹ This story brought attention to the increasing rates of disability selective abortion. 67% of prenatally diagnosed Down syndrome babies are selectively aborted in the United States. Geneticist Kari Stefansson explained after questions about Iceland's Down Syndrome rates, "My understanding is that we have basically eradicated, almost, Down syndrome [sic] from our society."² This paper will focus on Down Syndrome as the most common disability cited for disability selective abortion. The term "eradication" for selective abortions of children with a disability is not correct. Selective killing or sterilization of humans based on sex, disability, religion, belief, race, nationality, or ability is a definition more accurately attributed to eugenics. While some claim that disability-selective abortion should be celebrated as the eradication of lower functioning members of society, others would strongly dissent to this eugenical line of thinking where a person's value is correlated to what doctors guess their abilities could be once born. Those born with disabilities deserve their God-given natural right to life.

Research method

This paper uses a thorough literature review of qualitative sources that measure the meaning of words to find the root political philosophy behind them. Quantitative sources also discuss different polls and percentages of abortion procedures. Researchers have conducted studies on abortion in quantitative research. The idea behind the research methods is a Judeo-Christian worldview that will also be present throughout the paper.

Hypothesis and Research Question

Can selective abortion of babies with Down Syndrome truly be considered eradication?

The selective abortion of children with disabilities is a concept much closer to eugenics than eradication because disabilities are not diseases and people with disabilities deserve the right to life.

Literature Review

The writer used a wide range of literature from modern political philosophy to qualitative and quantitative research studies. Sources from the Jerry Falwell Library Databases and Google Scholar were helpful in researching this paper thoroughly. One of the more difficult aspects of this paper is the different topics covered. Research began with a history of selective abortion and disability. This led to a deeper understanding of the perspective of the disabled community as well as the parents of children with disabilities. Studying selective abortion was an eerily similar experience to studying the eugenics movement. Next, a thorough study of eugenics revealed the links between the invention of eugenics into American eugenics culminating in the link to Nazi Germany. Understanding these three topics first helped to confirm the hypothesis that selective abortion for children with disabilities is truly a modern example of eugenics. This launched research into the historical eugenics philosophy and how it continues today. Further research was conducted on modern selective abortion laws as well as their link to human rights and the natural right to life. This literary review will cover the most important sources in the research of this paper.

¹ Julian Quinones and Arijeta Lajka, "What kind of Society do you want to live in?": Inside the Country where Down Syndrome is disappearing" *CBS News*, August 15, 2017. <https://www.cbsnews.com/news/down-syndrome-iceland/>

² Quinones and Lajka, "Country Where Down syndrome is disappearing"

While it is not an academic journal article, “‘What Kind of Society Do You Want to Live In?’: Inside the Country where Down Syndrome is Disappearing” inspired this paper. Its publication brought attention to a subject that had widely been ignored up to this point. The article investigates Iceland’s selective abortion rate of Down Syndrome which is close to 100%.³ Quinones and Lajka spoke to a geneticist, Kari Stefansson who said, “My understanding is that we have basically eradicated, almost, Down Syndrome from our society.”⁴ The word “eradication” is a completely incorrect way of describing the selective killing of children with a chromosomal difference.

“The Jeremiah Metzger Lecture: A Brief History of Eugenics in America: Implications for Medicine In The 21st Century” was a helpful journal article by Dr. Allen M. Spiegel that thoroughly explored the history of eugenics.⁵ One helpful aspect of this article was its focus on medicine. This focus came with quantitative studies mentioned and a different focus than is usually shared in more history-centered journals. It focused on the different strategies and policy positions pursued by eugenicists to encourage a “better” population.

“More than a Mentor: Leonard Darwin's Contribution to the Assimilation of Mendelism into Eugenics and Darwinism” helped encourage the construction of an overview of the eugenical political philosophy.⁶ Serpente discusses the eugenics movement through its start with Francis Galton and his successor in Leonard Darwin. This journal article explains the connection between the advent of eugenics and the Darwinian worldview. The ideologies at their base are remarkably similar. In the eyes of many eugenicists, eugenics is the next step in natural selection. This concept gives a great intro to other eugenicist thinkers and their link with Darwinism.

“Eugenics is Euphemism”: The American Eugenics Movement, the Cultural Law of Progress, and Its International Connections & Consequences” connected all the philosophical perspectives on the subject of eugenics and its philosophy in the United States and abroad.⁷ Blackburn describes links between Margaret Sanger and Winston Churchill with the eugenics movement. She also describes the relation of this philosophical ideology with the *Buck v. Bell* case.

“Universal Declaration of Human Rights” provided a great resource as a widely agreed upon global primary source for the definition of human rights and the right to life.⁸ This

³ Julian Quinones and Arijeta Lajka, “‘What kind of Society do you want to live in?’: Inside the Country where Down Syndrome is disappearing” *CBS News*, August 15, 2017. <https://www.cbsnews.com/news/down-syndrome-iceland/>

⁴ Quinones and Lajka, “Where Down Syndrome is Disappearing”

⁵ Spiegel, Allen M. (2019). The Jeremiah Metzger Lecture: A Brief History of Eugenics In America: Implications For Medicine In The 21st Century. *Transactions of the American Clinical and Climatological Association*, 130, 216–234.

⁶ Serpente, Norberto. "More than a Mentor: Leonard Darwin's Contribution to the Assimilation of Mendelism into Eugenics and Darwinism." *Journal of the History of Biology* 49, no. 3 (08, 2016): 461-94,

⁷ Blackburn, Bessie Sue, ""Eugenics is Euphemism": The American Eugenics Movement, the Cultural Law of Progress, and Its International Connections & Consequences" (2021). Masters Theses. 717. <https://digitalcommons.liberty.edu/masters/717>

⁸ “Universal Declaration of Human Rights.” United Nations. United Nations, December 10, 1948. Last modified December 10, 1948. Accessed December 2, 2022. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

definition helped provide a persuasive argument that children in the womb who have a disability also deserve human rights, including the right to life.

There were common themes in the research conducted for this paper. Eugenics is a concept widely condemned since the end of World War II. While the word has become taboo, it does not mean the ideology has not continued. Many around the world consider selective abortion or euthanasia of those with disabilities perfectly acceptable. There are disagreements on figures in history who clearly subscribed to eugenical thinking such as Sanger and Churchill. There is a revisionist movement to attempt a reframing of their comments that expose their respective ideologies. It is important to remember the atrocities of the past to stop their continuation in the present and future.

Selective Abortion

Selective abortion is most talked about in conversations about son preference, particularly in South Asia, East Asia, and Soviet Bloc countries. In China and India, sex ratios are especially terrible. In some Indian provinces, there are only 770 girls per 1000 boys. This unbalanced ratio is due to sex-selective abortion and infanticide of female offspring.⁹ These horrendous acts are an example of sex-selective abortions. An estimated twenty-three million girls are missing because of selective abortion.¹⁰ Another reason children are selectively aborted is in multiple pregnancies. According to a selective abortion study in England and Wales, 1143 women chose to reduce the number of fetuses in their pregnancies. These represented 0.07% of total abortions in England and Wales.¹¹ These selective reductions are performed on mothers carrying twins 59% of the time. The study also found that in these twins to singleton reductions, no increased pregnancy outcome was found.¹²

Our society thankfully champions and proclaims disability rights. The Americans with Disabilities Act (ADA) has helped the disabled community immensely in being granted rights and protections. Our society is as inclusive as it has ever been to people with various levels of intellectual and developmental disabilities. Parents are offered support from government policies and programs, nonprofits, and community resources. While it is still incredibly difficult to raise a child with a disability, resources are more available than ever before. This is not to diminish the difficulty of having a disability or raising a child with a disability, but to question why in our modern culture full of scientific advancement we are actively killing 67% of children with Down Syndrome.¹³ While selective abortion may be most talked about in the context of sex, it is also prevalent with prenatal tests for chromosomal differences and other disabilities. This paper will

⁹Sneha Barot, “A Problem and Solution Mismatch: Son Preference and Sex Selective Abortion Bans” May 16, 2012. <https://www.guttmacher.org/gpr/2012/05/problem-and-solution-mismatch-son-preference-and-sex-selective-abortion-bans>

¹⁰Debra Mackenzie, “Sex-Selective Abortions may have stopped the birth of 23 million girls” April 16, 2019. <https://www.newscientist.com/article/2199874-sex-selective-abortions-may-have-stopped-the-birth-of-23-million-girls/>

¹¹ Srreya Sam, Sarah Tai-MacArthur, Panicos Shangaris, *et al.* Trends of Selective Fetal Reduction and Selective Termination in Multiple Pregnancy, in England and Wales: a Cross-Sectional Study. *Reprod. Sci.* **29**, 1020–1027 (2022). <https://doi.org/10.1007/s43032-021-00819-5>

¹² Sam, Tai-MacArthur, Shangaris, *et al.* “Selective Fetal Reduction”

¹³ Maggie Lineburg, “Abortion Based on Disabilities is Ableism” April 24, 2021. <https://www.care-net.org/abundant-life-blog/abortion-based-on-disabilities-is-ableism>

narrow this wide range of reasons for disability selective abortion to the most common disability aborted, Down Syndrome.

History of Disability

Disabilities like Down Syndrome are nothing new and have been around for thousands of years. The earliest archaeological discovery of suspected Down Syndrome was in the Native American burial ground in the Channel Islands off the coast of California dated to 5,200 BC.¹⁴ There are also sculptures created by the Olmecs between 1,500 BC and 300 AD that scholars theorize depict members of the community with Down Syndrome. These figures were worshipped and considered the difference one to be respected or even worshipped.¹⁵ While some cultures treated people with disabilities well, other cultures such as Rome and Sparta killed those who had physical or mental disabilities. The rise of Christianity helped to curb this attitude and bring about compassion toward others, particularly when modeling a life after Jesus who healed and cared for people with disabilities. Leviticus 19:14 also serves as the oldest example of a law blocking negative treatment towards those with disabilities.¹⁶ It is easy to see a correlation between better treatment of those with disabilities and Christianity. Religious institutions often encouraged better treatment for those with disabilities or a place for them to stay. People with disabilities have faced difficulties in many cultures and time periods. The root of these feelings and actions begins with a feeling that someone with a disability is less than or not as worthy of life as another person. This has culminated in horrible actions.

In the United States, the eugenics movement sought to end the continuation of so-called “less” desirable traits. This evil ideology was the philosophy behind Hitler’s killing of those with disabilities. Hitler murdered 200,000 people with intellectual and developmental disabilities, the majority of those killed had Down Syndrome.¹⁷ He called this policy of mass murder “euthanasia.” This eugenics agenda also pervaded practices in the United States. Up until 1984, United States doctors were still refusing to perform surgeries on children with Down Syndrome, instead letting them die. There are cases of doctors lying to mothers saying the baby died in childbirth, while secretly institutionalizing it.¹⁸ The medical classification for feeding a baby with Down Syndrome was considered a lifesaving procedure, so many babies born with Down Syndrome or other disabilities were starved to death in the United States. In 1990 George H.W. Bush signed the Americans with Disabilities Act which has protected people with disabilities since then. Age expectancy is also extending due to better conditions. In 1960 the age expectancy for a child with Down Syndrome was ten years.¹⁹ As of 2007 the age expectancy had increased to 47 and continues to increase. Disability legislation that prevents selective prejudice has helped people with

¹⁴Mark Leach, “Down Syndrome has Always been a Part of Us” *Down Syndrome and Prenatal Testing*, July 19, 2020. <https://www.downsyndromeprenataltesting.com/down-syndrome-has-always-been-a-part-of-us/#:~:text=The%20Olmecs%20existed%20between%201%2C500,but%20that%20it%20was%20venerated.>

¹⁵ Mark Leach, “Down Syndrome”

¹⁶ Loren Grant, “A Disability History Timeline: The Struggle for Equal Rights through the Ages” March 2013. <https://ukdhm.org/v2/wp-content/uploads/2014/09/B5-Disability-Time-Line-NHS-North-West.pdf>

¹⁷“The Story of Down Syndrome: Past and Present” March 21, 2016. <https://www.healthcaredailyonline.com/world-down-syndrome-day/>

¹⁸ “The Story of Down Syndrome”

¹⁹“Center for Disease Control Data and Statistics” October 23, 2020. [andhttps://www.cdc.gov/ncbddd/birthdefects/downsyndrome/data.html#:~:text=What%20is%20the%20life%20expectancy,be%20about%2047%20years%20old.](https://www.cdc.gov/ncbddd/birthdefects/downsyndrome/data.html#:~:text=What%20is%20the%20life%20expectancy,be%20about%2047%20years%20old.)

cognitive and intellectual disabilities such as Down Syndrome. Government programs and nonprofits offer services that allow people with disabilities to thrive. They offer schools, speech therapy, physical therapy, job training and placement, and even opportunities to stay active and play sports. The fear is that when there are fewer people with disabilities because of selective abortions, these services will decrease in availability. In a country like Iceland, where only one or two babies with Down Syndrome or other chromosomal differences are born each year, these services do not exist to the same extent as they do in the United States.²⁰

It is also important to note that intellectual and developmental disabilities are not all negative. In a study by the American Journal of Medical Genetics scientists surveyed 284 people with Down Syndrome. 99% said they were happy with their lives and 97% liked who they were. 96% liked how they looked and 86% indicated they make friends easily.²¹ In 2017 a Harris Poll Survey found that only 33% of Americans were happy with their lives, a 66% decrease from the same question posed to Americans with Down Syndrome.²² As for parents, 99% reported that they loved their child, and only 4% regretted having them. These numbers do not correlate with the fact that 67% of Down Syndrome babies are selectively aborted each year in the United States.

History of Eugenics

Eugenics is the philosophical framework that seeks to increase the number of people in a population with “desirable” traits and to decrease those labeled “undesirable”²³ Francis Galton, Charles Darwin’s cousin, originally labeled this ideology in 1883. Eugenics means “nobility in birth.”²⁴ Galton studied the heredity of intelligence, failing to also look at the environmental differences between the elite class and those living in poverty. Galton even suggested that if science spent as much time improving the human race as scientists spend improving the breeding of horses we would create a “galaxy of genius.”²⁵ Inheritance was not yet well understood, so eugenicists tried to stop the development of all sorts of traits inherited or not inherited including alcoholism, race, mental ability, disability, class, poverty, or intelligence. The definition of eugenics changed between regions. In the United States, Canada, the United Kingdom, and Germany.²⁶ Psychological testing began at the International Health Exhibition in London in

²⁰ Mark Leach, “NY Times: Prenatal Tests for Rare Disorders “Usually Wrong” *Down Syndrome and Prenatal Teting*, January 3, 2022. <https://www.downsyndromeprenataltesting.com/ny-times-prenatal-tests-for-rare-disorders-usually-wrong/>

²¹ Ardee Coolidge, “Iceland’s ‘Final Solution’ For Down Syndrome” Care Net. September 17, 2017. <https://www.care-net.org/abundant-life-blog/icelands-final-solution-for-down-syndrome>

²²Alexandra Sifferlin. “Here’s How Happy Americans Are Right Now” 2017. <https://time.com/collection/guide-to-happiness/4871720/how-happy-are-americans/>

²³ Adam Rutherford, “A Cautionary History of Eugenics” *Science Vol. 373 Issue 6562*. September 24, 2021. <https://web.p.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=4b22c1f3-b5ac-490a-8860-f04faef60a8a%40redis>

²⁴ Erika Dyck, “History of Eugenics Revisited” *Canadian Bulletin of Medical History*. March 1, 2014. <https://web.s.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=0&sid=7233416e-8b9a-483d-ad5b-376410aef2c9%40redis>

²⁵ Allen M Spiegal, (2019). The Jeremiah Metzger Lecture: A Brief History of Eugenics In America: Implications For Medicine In The 21st Century. *Transactions of the American Clinical and Climatological Association*, 130, 216–234.

²⁶ Dyck, “History of Eugenics”

1884.²⁷

The United States was a huge part of the eugenics movement. Leading Harvard-educated scientists such as Charles Benedict Davenport studied hereditary “diseases.” There were two types of eugenics in the United States: positive and negative eugenics. Positive eugenics consisted of the implementation of “fitter” family competitions and “better” baby competitions.²⁸ The goal of these competitions was to incentivize parents with “superior” genes to have many children. Negative eugenics had a more harmful effect on the United States and focused on three main goals: anti-miscegenation laws criminalizing interracial marriage, severe limits on immigration from places considered “inferior,” and compulsory sterilizations of people considered genetically “inferior.”²⁹ Eugenacists mobilized to pass laws against interracial marriage. Twenty-seven states passed laws mandating compulsory sterilization beginning in 1907. These laws labeled people as “fit” or “unfit.” Those considered “unfit” included people labeled in offensive ways such as “mentally defective,” “feeble-minded,” “imbeciles,” and “idiots” alongside people suffering from epilepsy and criminals. People suspected of any of these qualities were forcibly sterilized leading to 60,000 forced sterilizations nationwide.³⁰ The Supreme Court decided that these actions were legal in *Buck v. Bell* (1927). The Commonwealth of Virginia forcibly sterilized a victim of rape, Carrie Buck, after her daughter was born. Chief Justice Oliver Wendall Holmes explained, “Three generations of imbeciles are enough”³¹ Later investigations found that Carrie Buck and her daughter both possessed average intelligence.³² Three Harvard graduates also founded the Immigration Restriction League for eugenics purposes in 1894 which worked to pass the Johnson-Reed Immigration Act of 1924. This act set small immigration quotas on countries considered genetically “inferior” such as regions in Asia, Eastern Europe, and Southern Europe.³³ This law prevented European Jews from escaping danger before the Holocaust by setting limits on how many European Jews could enter the country.

Germany used resources from the eugenics societies in the United States. Harry Laughlin, another prominent American eugenicist wrote a *Modern Eugenic Sterilization Law* that attempted to prevent babies from being born of parents with “inferior” traits. Nazi Germany translated and adopted this bill. The portion of the Nuremberg race laws passed in 1935 that banned the intermarriage of Jews and Germans was taken directly from United States laws banning interracial marriage laws.³⁴ Eugenic thinking drove many Nazi policies of forced sterilization and “euthanasia” for the “unfit.” Nazi Propaganda showed support for the 1933 Law for the Prevention

²⁷ Spiegel, “A Brief History”

²⁸ Ibid.

²⁹ Spiegel, “A Brief History”

³⁰ Ibid.

³¹ “Buck v. Bell.” Oyez. <https://www.oyez.org/cases/1900-1940/274us200>.

³² Spiegel, “A Brief History”

³³ Ibid.

³⁴ Rutherford, “A Cautionary History”



of Hereditarily Diseased Offspring read, “We Do Not Stand Alone” besides other countries who practiced eugenics at the time. The American flag is displayed proudly at the top.³⁵ Slowly, as the correlation between Nazi Germany and eugenics became apparent to Americans, public opinion changed about eugenics policies. *Skinner v. Oklahoma* (1942) ruled that forced sterilization was illegal.³⁶ Soon after, *Loving v. Virginia* overturned bans on interracial marriage.³⁷

Eugenics vs. Eradication

The goal of eugenics is to increase “desirable” traits and decrease “undesirable” traits. Historically, people achieved this goal through sterilization and murder. The Oxford English Dictionary defines eradication as, “The action of pulling out by the roots; total destruction; extirpation.”³⁸

Eradication usually refers to diseases such as measles, rubella, leprosy, smallpox, or polio. These diseases are negative to society and their eradication is positive. According to the ADA, disability refers to an intellectual or physical condition that changes or limits life activities.³⁹ Disease and disability cannot and should not be spoken about interchangeably. Diseases are by nature negative and hurt the body. Down Syndrome and other disabilities are not diseases. The Global Down Syndrome Foundation outlines words that should not be used in association with Down Syndrome. It first mentions that “disease” should never be used to describe someone with Down Syndrome as Down Syndrome is not a disease.⁴⁰ The word “cure” has a negative connotation as the word typically relates to disease and the word “cure” is most often used to describe abortion for people with Down Syndrome. While people with Down Syndrome and their loved ones eagerly await any medical innovations that could improve the lives and health of people with Down Syndrome, talking about selective abortion as the way to “cure” society from the burden of having people with a chromosomal difference is highly offensive.⁴¹ It is also not kind to say that people “suffer from” Down Syndrome. Down Syndrome may cause developmental delays and other medical problems that cause suffering, but the condition in itself should not be equated to a “deep affliction.”⁴²

The selective killing of children with Down Syndrome and other disabilities is not eradication. Eradication refers to a cure or prevention method for a disease. Since disabilities are

³⁵ Ibid.

³⁶ “*Skinner v. Oklahoma ex rel. Williamson*.” Oyez. Accessed November 29, 2022. <https://www.oyez.org/cases/1940-1955/316us535>.

³⁷ “*Loving v. Virginia*.” Oyez, www.oyez.org/cases/1966/395. Accessed 29 Nov. 2022.

³⁸ “Eradication, n.”. OED Online. September 2022. Oxford University Press. <https://www.oed.com/view/Entry/63886?redirectedFrom=eradication> (accessed November 30, 2022).

³⁹ “The Americans with Disabilities Act” <https://www.ada.gov/topics/intro-to-ada/>

⁴⁰ “Words Can Hurt.” Global Down Syndrome Foundation. 2018. <https://www.globaldownsyndrome.org/about-down-syndrome/words-can-hurt/>

⁴¹ “Words Can Hurt”

⁴² Ibid.

not diseases and chromosomal differences cannot be “cured” eradication is impossible.⁴³ Any attempt to frame selective abortion as the eradication of a disease is only an attempt to reshape this philosophy into a morally acceptable concept. The selective killing of people considered “less than” or “inferior” is the modern strategy for eugenics. Pro-choice selective abortion advocates try to label the intentional killing of people based on a disability as an empowered medical decision by parents. It is intentional murder based on a disability that has an incredibly high age expectancy and outlook for function.

Worldwide Selective Abortion Laws

In the United States, abortion law now is dependent on the states after *Dobbs v. Jackson Women’s Health (2022)*⁴⁴ overruled *Roe v. Wade (1972)*.⁴⁵ Before the ruling in Dobbs, Casey held that any abortion before viability had to expand the right of a woman to choose abortion, which is why most attempts to establish disability-selective abortion bans have failed.⁴⁶ In *Box v. Planned Parenthood (2019)*⁴⁷ Justice Thomas wrote the dissent. He claimed that there is an argument to ban disability-selective abortion if a woman is saying something like, “I want to have a child, just not this particular child.” This argument would be more likely Constitutional pre-Dobbs than a full-out ban on disability-selective abortion.⁴⁸ Thirteen states have in the past passed laws banning abortions motivated by “genetic abnormalities” with varying degrees of success. Justice Clarence Thomas praised these laws that helped ban, “modern-day eugenics.”⁴⁹ More work should be done after Dobbs to pass disability-selective abortion bans. A first step could be pieces of legislation mandating that doctors provide information about the positive aspects of having a baby with a disability. Some laws also push for meetings between parents of children with disabilities to meet with parents who have gotten a prenatal test indicating a disability, before choosing to have an abortion.

Eugenics Philosophy

Eugenics is an inherently Darwinian idea. The main motivation behind eugenics is to build a more perfect society. Natural Selection or survival of the fittest refers to a philosophy that society slowly improves as species that cannot survive a climate or predator, adapt, or go extinct. Eugenicists believe the same is true for humans and that humans could become smarter and stronger if those of “superior” genes continue to produce “superior” children and “inferior” people are dissuaded from having children. The relationship between eugenics and evolution can be summed up by saying that not all evolutionists are eugenicists, but all eugenicists must hold to

⁴³ “Words Can Hurt”

⁴⁴ “Dobbs v. Jackson Women’s Health Organization.” Oyez. Accessed November 30, 2022. <https://www.oyez.org/cases/2021/19-1392>.

⁴⁵ “Roe v. Wade.” Oyez. Accessed November 30, 2022. <https://www.oyez.org/cases/1971/70-18>.

⁴⁶ Khiara M. Bridges. “The Dysgenic State: Environmental Injustice and Disability-Selective Abortion Bans” (April, 2022). *California Law Review, Volume 110 No. 2*

⁴⁷ “Box v. Planned Parenthood of Indiana and Kentucky, Inc.” Oyez. Accessed November 30, 2022. <https://www.oyez.org/cases/2018/18-483>.

⁴⁸ Bridges, “The Dysgenic State”

⁴⁹ Sonia M. Suter and Laura Hercher. “Dobbs Decision is a Huge Setback for Genetic Counseling and the People who Need It” (August 25, 2022). Stat.

evolution.⁵⁰ The closely tied histories of these two philosophies are originally evident in the advent of them both. Francis Galton, the first true eugenicist was the first cousin of Charles Darwin. He founded the Eugenics Education Society of which Leonard Darwin, a strong believer in natural selection and the eighth child of Charles Darwin, succeeded him in the role of president.⁵¹ Leonard Darwin recruited scientists to join his league and to write articles for *The Eugenics Review* publication that the Eugenics Education Society put out. Leonard Darwin believed that eugenics would be a part of the next phase of natural selection. He worried that evolutionary deterioration was possible and suggested racial selection to keep the British Empire strong.⁵² Leonard Darwin's insistence on the bettering of society through racial selection is another example of the subjective qualities that eugenicists choose to prefer as "superior." He also displays the close-knit natures of the natural selection philosophy and the eugenic philosophy.

The founder of Planned Parenthood, Margaret Sanger, was a huge proponent of birth control as a more humane way of adapting eugenical natural selection to a more progressive society. There is a huge misconception that Sanger's motivation for birth control was to help women across the United States, but in fact, her motivation was much more about helping "worthy women" according to her own subjective definition of worthiness.⁵³ Sanger suggested that to create a better society, "feeble-minded" women should be separated from general society until they are too old to become pregnant. Sanger believed that it was a net negative for society to have too many people who were different from herself. There was a prevalent attitude that the ills of society would be fixed if there was a reduction in the number of people from the wrong race, socioeconomic level, nationality, and intelligence level. Margaret Sanger's 1922 book *The Pivot of Civilization* demonstrates the fear of population growth from the eugenical perspective, "We want fewer and better children...and we cannot make the social life and the world-peace we are determined to make, with the ill-bred, ill-trained, swarms of inferior citizens that you inflict on us."⁵⁴ It is clear that Sanger's mission to make birth control legal and accessible was not motivated by a simple wish for women to have more choices, but an intentional act to reduce the number of Americans born with traits she would define to be "inferior."

Winston Churchill also encouraged eugenics. He wrote in 1910, "I am convinced that the multiplication of the Feeble-Minded, which is proceeding now at an artificial rate...is a very terrible danger to the race."⁵⁵ His opinions on the matter were so well-known that the International Federation of Eugenic Organizations was formed to discuss issues having to do with eugenics.

⁵⁰ Blackburn, Bessie Sue, "'Eugenics is Euphemism': The American Eugenics Movement, the Cultural Law of Progress, and Its International Connections & Consequences" (2021). Masters Theses. 717. <https://digitalcommons.liberty.edu/masters/717>

⁵¹ Norberto Serpente, "More than a Mentor: Leonard Darwin's Contribution to the Assimilation of Mendelism into Eugenics and Darwinism." *Journal of the History of Biology* 49, no. 3 (08, 2016): 461-94, <https://go.openathens.net/redirector/liberty.edu?url=https://www.proquest.com/scholarly-journals/more-than-mentor-leonard-darwins-contribution/docview/1810691221/se-2>.

⁵² Serpente, "More than a Mentor"

⁵³ Blackburn, "Eugenics is Euphemism"

⁵⁴ Margaret Sanger, "The Pivot of Civilization" (1922). New York: Brentano's Publishers quoted in Lopez, Kathryn Jean. "Defining Eugenics Down." *Human Life Review*, Winter, 2010. 11, <https://go.openathens.net/redirector/liberty.edu?url=https://www.proquest.com/magazines/defining-eugenics-down/docview/521974522/se-2>.

⁵⁵ Winston Churchill in Bess Blackburn, "Eugenics is Euphemism"

This organization led conferences to “advance” eugenic thought across Europe.⁵⁶

The political and social philosophy of eugenics has subjectively chosen winners and losers since its conception. The philosophy has been weaponized to subject people to forced sterilizations, prejudice, abortions, infanticide, and euthanasia. The Nazis fully pursued a eugenic set of policies. It was evil and the world recognized the immorality of it. Therefore, since then most eugenical thinking is masked by “freedom” or “choice.” Doctors tell parents all of the horrible “coulds” of having a child with a chromosomal difference. They tell them that they have a choice. There is freedom in the United States to kill your baby because of a disability. Society tells parents they should not bring a child into this world knowing it has a disability that may cause medical complications. This society fights for the rights of people with disabilities, but concurrently values achievements more than life itself. The eugenics philosophy leads to the mass selective killing of babies with an extra chromosome.

Right to Life

Operating under a Judeo-Christian philosophy, natural law is an innate natural set of rights within each person. These rights cannot be infringed upon by the government.⁵⁷ Montesquieu’s *The Spirit of the Laws* makes great arguments as to the reasons and origination of natural law and natural rights. Montesquieu was quoted often by the Founders because of his writings on Natural law and rights.⁵⁸ The Declaration of Independence appeals to natural rights to justify independence from England. These rights include life, liberty, and property as proclaimed by Locke. Jefferson shifted the word “property” to “pursuit of happiness.”⁵⁹ While many try to argue that since it is not in the Bill of Rights, it is not a right, it is important to think about the original intent. One of the reasons the federalists did not want a Bill of Rights was for a reason like this. If each specific right is not directly laid out in the document, the government will take it away. This right to life in the Declaration of Independence is so important. Most interpret this as protecting the American citizen’s claim to these rights in addition to the rights enumerated in the Bill of Rights⁶⁰ This universal right to life is not dependent on disability. People with disabilities have the same claim to these God-given natural rights and laws as anyone else.

Another philosophical viewpoint to understand this right to life is through human rights. The atrocities of history prove that oftentimes great evil can be justified and sold to the people of a country as good law. It is important to have moral definitions of concepts such as human rights to protect from future atrocities and to stop current atrocities. The Universal Declaration of Human Rights was adopted on December 10, 1948. This document outlines the fundamental human rights

⁵⁶ Bess Blackburn, “Eugenics is Euphemism”

⁵⁷ Charles de Secondat, Baron de La Brede et de Montesquieu, “The Spirit of the Laws” (2002).

⁵⁸ Montesquieu, “The Spirit of the Laws”

⁵⁹ Declaration of Independence

⁶⁰ Charles, Patrick J. "Restoring "Life, Liberty, And The Pursuit Of Happiness" In Our Constitutional Jurisprudence: An Exercise In Legal History." *The William and Mary Bill of Rights Journal* 20, no. 2 (12, 2011): 457-532, <https://go.openathens.net/redirector/liberty.edu?url=https://www.proquest.com/scholarly-journals/restoring-life-liberty-pursuit-happiness-our/docview/916998071/se-2>.

that should be universally protected.⁶¹ Article 3 declares, “Everyone has the right to life, liberty, and security of person”⁶² This proclamation is almost identical to that of Locke and Jefferson. The bottom line is that the minimum requirement as a human right is for a person to be allowed life. The allowance of this life should not be based on a false assumption of ability or a subjective assumption of value. It is an immoral action and a dangerous precedent to allow the selective killing of those different from oneself. Children in the womb should not be killed based because of a prenatal diagnosis of disability; to do otherwise violates the child’s right to life and his or her human rights as defined by the United Nations.

Conclusion

The selective abortion of children in the womb who are diagnosed with a disability is a eugenical idea, not one that can be described as eradication. Eugenics is an evil ideology as seen in history with dire consequence. It led to the extermination or sterilization of people judged to be “inferior” based on race, disability, nationality, intellect, criminality, religious affiliation, and more. Eradication is the ending of a disease that hurts the population, while eugenics hurts people directly. It takes the power out of a person’s hand and subjects them to traumatic and sometimes life-ending experiences. The child selectively killed in the womb who has been diagnosed with a disability should instead be treated with the respect their unique life deserves. The child’s parents should be given loving support, not a recommendation to have their baby killed. Any attempt to call selective abortion of children with disabilities “eradication” is only an attempt to frame unpopular and evil eugenic ideas in a way that the citizenry will better tolerate.

⁶¹ “Universal Declaration of Human Rights.” United Nations. United Nations, December 10, 1948. Last modified December 10, 1948. Accessed December 2, 2022. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

⁶² “Universal Declaration of Human Rights”

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