# 'IT CAN'T HAPPEN HERE'

## What eugenics and the lessons of history show us about today

**Last year, during a debate in the New Hampshire House of Representatives on a bill to legalize physician-assisted suicide (PAS) for people thought to have less than six months left to live, one of the bill's sponsors argued that there was no risk of any "slippery slope" because such a law would never be expanded in the future.**

"We've come a long way since Buck v. Bell," he said.

Therein lies an important tale.

### EUGENICS CATCHES ON

In the early 20th century, a theory called eugenics was widely accepted here in the United States. This theory held that society could be "cleansed" by weeding out people deemed to be inferior due to physical or mental challenges.

Eugenicists lobbied for the passage of laws to require the sexual sterilization of people classified as mentally or physically defective. Eventually, at least 30 states adopted such a law.

In 1924, the Commonwealth of Virginia joined those ranks. It was thus that the name of Carrie Buck entered the annals of American history.

Carrie Buck was a poor 17-year-old Virginian who was committed to the "Virginia State Colony for Epileptics and Feeble-Minded" on the grounds of "feeble-mindedness, incorrigible behavior and promiscuity."

The Virginia authorities sought to have Ms. Buck involuntarily sterilized under the new law. The question of whether that law was constitutional ultimately reached the U.S. Supreme Court.

The Court's 1927 decision in that case (*Buck v. Bell, 274 U.S. 200*) is justifiably seen as one of the most notorious episodes in the history of the Court. By an 8-1 vote, the Court upheld the Virginia law (Pierce Butler, the only Catholic justice, was the lone dissenter). Writing on behalf of the Court, Justice Oliver Wendell Holmes infamously declared that "three generations of imbeciles are enough."

And so it was that Carrie Buck (and eventually more than 60,000 others across

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the U.S.) were subjected to state-mandated surgical sterilization.

The U.S. eugenics crusade would soon serve as part of the inspiration for the "racial hygiene" policies implemented in Germany by the Nazis. Those policies led to the involuntary sterilization of 350,000 people and a "euthanasia" program of state-run "mercy-killing" which murdered more than 250,000 Germans with disabilities.

## IT HAPPENED HERE

Only two years after Buck, New Hampshire itself passed a law that provided for the superintendents of state institutions to arrange for the surgical sterilization of "any inmate afflicted with hereditary forms of insanity that are recurrent, idiocy, imbecility, feeble-mindedness or epilepsy."

And lest we assume that this way of thinking is a thing of the past, just six years ago, the New Hampshire House rejected a proposal to prohibit abortions done because the unborn child was diagnosed with Down syndrome or a genetic abnormality.

We should also recall that the years since Buck have included:

- the bloodiest war in human history;
- the invention of industrialized genocide;
- the rise of a U.S. abortion industry that carries out more than a million abortions annually;
- efforts toward the marketing of genetically-enhanced human embryos.

Draw your own conclusions, then, about whether we can safely say that modern society has learned to give equal value to the lives of all human beings without exception.

The slippery slope presented by a PAS law is especially perilous. New Hampshire supporters of PAS already have talked about future expansion of such a law.

In 2020, during a legislative study of a six-month terminal illness PAS bill, the committee discussed the advisability of a future bill that would expand eligibility to include people with ALS (amyotrophic lateral sclerosis or Lou Gehrig's disease), multiple sclerosis or Alzheimer's disease. In 2024, a sponsor of another six-month PAS bill candidly told a legislative committee that the bill was "just dipping our toes in the water."

We only need to look up the road to Canada to see what is in that water. In just 10 years' time, PAS has become Canada's fourth-leading cause of death. Canada has already eliminated a terminal illness requirement. At this very moment, mental illness is being added in as a new qualifying condition.

None of this should come as a surprise. PAS supporters argue that PAS is about individual autonomy. Using that very logic, though, no final boundary line can ever be drawn around who qualifies for PAS.

Our legislature has wisely rejected repeated attempts to legalize PAS in New Hampshire. Manifold warnings of the damage and collateral damage of a PAS law have come from many quarters: people with disabilities, the elderly, at-risk veterans, young people and so on.

The National Council on Disability opposes PAS because PAS poses substantial risks for people with disabilities. The American Medical Association says that "physician-assisted suicide would be difficult or impossible to control and would pose serious societal risks."

But sure, let's ask the state to declare what quality of life is not worth living. Nothing could possibly go wrong.

Just ask Carrie Buck. ■

## FOR MORE INFORMATION:

◀ Watch "Finding Communion," the companion podcast to this column.

◀ Watch Robert Dunn's testimony on physician-assisted suicide.

◀ Watch more of Robert Dunn's testimony at the State House.

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