

THE WOMEN OF REFORM: KANSAS EUGENICS

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ABSTRACT

The question this research sought to answer was what made Kansas eugenics unique and in what ways was it representative of eugenics throughout the nation. The main problem in studying the history of the eugenics movement in Kansas is the state's own unwillingness to acknowledge such a past exists. The documentation exists within archives throughout the state for researchers who are willing to hunt for it, but the many of sources are buried or not readily accessible. For example, the personal papers of Dr. Florence Sherbon, arguably one of the most significant eugenicists in the state, have been sanitized to remove all traces of eugenics. Sources exist within her personal papers, however, that when carefully read reveal Dr. Sherbon's mentality, which allowed her to support eugenics so enthusiastically.

The most interesting discovery of this research was the role that women played in Kansas eugenics. Eugenics is often considered an issue of racial history, which it admittedly is. But the findings of this research show that it was also a significant issue of gender history. The issue of gender played out in many ways in the state of Kansas, some predictable, others peculiar. The fact that the story of eugenics in Kansas can be neatly framed by two female figures, Dr. Florence Sherbon, and Congresswoman Kathryn McCarthy, is revealing. At the same time, Kansas was the only state in the country which statistically sterilized more men than women. Gender is a complex issue when it comes to Kansas eugenics and it is at the forefront of this research.

The faculty listed below, appointed by the Dean of the College of Arts and Sciences have examined a thesis titled “The Women of Reform: Kansas Eugenics,” presented by Anna T. Derrell, candidate for the Master of Arts degree, and certify that in their opinion it is worthy of acceptance.

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CONTENTS

ABSTRACT	iii
Chapter	
1. INTRODUCTION	1
2. THE WIZARD OF REFORM	22
3. A GOOD WITCH'S FIGHT.....	45
EPILOGUE	71
BIBLIOGRAPHY	74
VITA	83

CHAPTER 1

INTRODUCTION

The year was 1920. The place was Topeka Kansas, at the Kansas Free State Fair. Present were all the usual fair attractions; the livestock yards, the exhibits showcasing the latest in farming equipment, the games, crafts, cooking, and entertainment venues. No doubt a big draw, as it was every year, were the livestock competitions, pitting beast against beast in a contest of superior breeding and pedigree. But this year something was added to the Kansas Free State Fair, something Americans had never seen before: a competition judging human beings, both as individuals and as family units. The resemblance to the evaluation of cows and pigs in the livestock contests might have seemed jarring to some. But with the blossoming of “science,” new fields like psychology, phrenology, and physiology promising to take the mysteries of man and make them knowable, this new contest certainly seemed wholly appropriate to its organizers. Indeed, for the lead organizer Dr. Florence Sherbon, a prominent woman in the medical field and member of the Kansas State Board of Health, the event represented an innovative way to advance the cause of public health, especially family health. The nineteenth amendment, extending suffrage to women, had only recently been implemented in the United States. But Kansas had enfranchised women in municipal elections in 1887 – and Sherbon’s professional success and civic activism had been made possible in part by the Sunflower state’s empowerment of women.

Why should not human beings be rewarded, or condemned, based on the merits of their breeding? Pedigree mattered as much to people as it did to animals, did it not? Nay, surely it mattered even more! To improve society, breeding needed to become more selective, and how better to encourage that than to appeal to humanity’s natural competitive streak? Had not people

always known that they and their families were of a better breed than their neighbors? Well, now their opportunity to prove and have it certified had come. This was the first Fittest Family contest, a contest meant to promote better breeding. To many people, not just in Kansas, but throughout the nation, it just made sense. Human beings should strive for the same level of perfection breed into animals. People needed to be encouraged to breed wisely, to breed a better race, and a better society.

On the surface, Fitter Family contests appeared benign, and in many ways they were. These were good natured, voluntary competitions without “losers,” per-say. Fitter Family contests categorized families into one of three levels, A, B, or C, with A being the most prestigious. In 1920 seven families earned A rankings and were awarded the Governor’s trophy, while an additional 145 Capper medals were issued to individuals of remarkable breeding.¹ B or C rankings did not mean that your family had crawled out from the shallow end of the gene pool; it just meant that there was room for improvement. And that is exactly what Dr. Sherbon and fellow organizers wanted. They wanted to educate people on how to improve their breeding, to improve their families. This was about positive health, about living and being healthy. But beneath the celebration of young, healthy families was a more disturbing foundation—eugenics.

Eugenics in America would take on many forms. In the Fitter Family contests it celebrated healthy bodies and capable minds. It encouraged people to consider the physical and mental well-being of not just themselves, but their children and grandchildren. But eugenicists, both female and male, also advocated the adoption of marriage laws that mandated who could and could not legally wed. It would stigmatize and punish those it deemed as “defective” or “abnormal.” In its most extreme manifestation, the practice of eugenics led to the forcible

¹ Capper medals were 2 to 3 inches in diameter, with the famous eugenics slogan, “Yea, I have a goodly heritage,” inscribed on them. They were named in honor of former Kansas governor, turned United States’ Senator Arthur Capper. Ida Clyde Clarke, “Kansas Has a Big Idea,” *Pictorial Review* Vol. 26 (Jan. 1925) No. 4:20, KSHS.

sterilization of over 60,000 American citizens – including approximately 4,000 Kansans.²

Kansas was not the first state to embrace eugenics, indeed it was quite the rage in America. Indiana adopted the first eugenics law in the nation in 1907, but Kansas did not lag far behind.³ The forms eugenics in America took varied greatly from state to state. Some states relied solely on the more benign forms of the movement, like Fitter Family contests. Others passed eugenic laws that were rarely, if ever, enforced. Some simply adopted laws to promote eugenically correct marriages in order to improve public health in future generations. Some states, of course, relied heavily on sterilization surgeries and in so doing ran roughshod over fundamental civil and human rights.

Perhaps no state officially sanctioned eugenics in as many different ways as Kansas. Fitter Family contests, eugenic marriage laws, and sterilizations all became parts of the eugenics landscape. Kansas had served as a hot bed of eugenic activity as early as the 1890s, even though the first eugenics law was not passed in the state until 1913. The state is at once representative of eugenics in America yet exceptional. This thesis examines Kansas eugenics, both as a case study from which to draw wider nationwide references and as an abnormality that should be examined and appreciated for its uniqueness. It especially emphasizes one striking feature of the eugenics movement in the state – the prominent role of women. While the history of eugenics is usually associated with early twentieth century notions of race and racism—most notably the efforts of Germany’s Nazi government to engineer a super race during the 1930s—the movement in Kansas more fully centered on gender. In contrast to most other states, more men than women were subjected to compulsory sterilization in Kansas—in part because state authorities singled

² Lutz Kaelber, *Eugenics: Compulsory Sterilization in 50 American States*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/> (Accessed February 11, 2014)

³ Lutz Kaelber, *Eugenics: Compulsory Sterilization in 50 American States (Indiana)*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/IN/IN.html> (Accessed February 11, 2014)

out the heavily male prison populations for the procedure in the belief that criminal behaviors passed from one generation to the next. Women like Florence Sherbon assumed leadership positions in the statewide movement. And interestingly, it was yet another woman activist, Kathryn McCarthy who led the political backlash against sterilization.

The Transatlantic Origins of Kansas Eugenics

Despite its enthusiastic supporters in the States, eugenics was not an American creation. Britain's Sir Francis Galton, the cousin of famed biologist Charles Darwin (the pair shared a grandfather), is recognized as the intellectual founder of the modern eugenics movement.⁴ Eugenics is remembered in the history of psychology as a noble ambition that went awry. Galton's intentions likely were humanitarian. He believed in hereditary intelligence, and advanced the notion that intelligent people could choose to mate with others of intelligence in order to produce gifted offspring. This represented a mode of thought very much in keeping with the ethos of utilitarianism that shaped British and American male cultures in the era of the industrial revolution. Just as industrial and agricultural production could be made more rational by the application of manly scientific thinking, so too could human reproduction be made more efficient. As Galton wrote 1869, a decade after Darwin published *Origin of the Species*:

I propose to show in this book that a man's natural abilities are derived by inheritance, under exactly the same limitations as are the form and physical features of the whole organic world. Consequently, as it is easy, notwithstanding those limitations, to obtain by careful selection permanent breed of dogs or horses gifted with peculiar powers of running, or of doing anything else, so it would be quite practicable to produce a highly gifted race of men by judicious marriages during several consecutive generations.⁵

No notion of forced sterilizations appeared in Galton's original conception of eugenics. But the eugenics discourse in England almost immediately intersected with discourses regarding race,

⁴ B.R. Hergenhahn, *An Introduction to the History of Psychology*, 6th edition (Belmont, California: Wadsworth, 2009), 302.

⁵ Francis Galton, *Hereditary Genius: An Inquiry into Its Laws and Consequences* (London: Macmillan, 1869), 45.

immigration, science, and modernity. It did not take long though for Galton to turn his attention from encouraging people with desirable traits to breed to stopping those with undesirable traits from breeding.

From the beginning, eugenicists assumed that when it came to human reproduction and family planning, individual choice should give way to the greater good of the species.

Eugenicists favored the collective over the individual. In addition to being rooted in England's nineteenth century industrial and scientific revolutions, the eugenics movement arose within an increasingly urban, mass society – in which traditional systems of social control had eroded. Eugenics intellectuals, along with other practitioners of the new social sciences, sought new means by which to impose order on what seemed to be an increasingly chaotic and fast changing society. Urban planning, professionalized police forces, regulated public utilities, and old age pensions all marked the emergence of a nascent welfare state – in England and the European continent. Business consolidation, labor unions, and professional organizations adhered to the motto that U.S. historian Samuel Hayes referenced as “organize or perish.” This was the age of the collective and eugenics programs fully embodied the spirit of the age. By no accident eugenics arose during an era of rapid industrialization and urbanization—large, international social and economic developments that gave impetus to a more impersonal, mass society.

How did eugenics go from what Galton originally envisioned to what it became in America? The answer to that likely lies in the events that occurred in American history at roughly the same time as eugenics was being developed. Eugenics in America, as was the case across the Atlantic, arose in conjunction with the industrialization. And as in Europe, the eugenics movement in the United States was propelled forward by discussions of race, immigration, science, and modernity. It also dovetailed with two U.S. social and political reform

movements that sought to expand the power of government – at the local, state, and federal levels – to address the social ills of the new industrial age: the Populist Movement and the Progressive Movement. These two crusades deeply informed the eugenics movement in the United States, including Kansas.

Historians often differentiate the two movements, associating the earlier Populist Movement, or “Populist Revolt” as historian John D. Hicks famously called it, with downtrodden farmers in the Midwest and South who railed against the moneyed interests of the East. The impetus for rebellion is typically attributed to falling crop prices, gouging railroad rates, and home foreclosures. But the uprising subsided in the wake of William Jennings Bryan’s quixotic presidential campaigns. Historians of Progressivism, in contrast, portray the early twentieth century reform movement as urban-based — and more national than regional. And while Progressivism attracted a diverse following, from Jane Addams of Hull House to Al Smith of Tammany Hall, the later movement has also been associated with experiments in social control including prohibition, the criminalization of prostitution, and most important for this study: eugenics and the regulation of reproduction and family health, including compulsory sterilization.

The Gendered Origins of Kansas Eugenics

Collective memory in Kansas celebrates the Populist revolt, but is often silent when it comes to the Progressive era. In fact, in Kansas, and in much of the mid and far west, populism and progressivism were intimately intertwined, often featuring the same activists and reformers and sharing overlapping economic reform and social control agendas. What stands out about the two movements in Kansas, and crucial to understanding the state’s embrace of eugenics laws, is the presence of a critical mass of articulate, politicized women in each. Kansas territory was

organized in 1854, just six years following the first women's rights conference in U.S. history, held in Seneca Falls, New York. Both National leaders of the women's movement, and newly settled women in Kansas, viewed the newly organized territories and states of the west as crucial testing grounds for the emerging women's suffrage movement. Kansas women won the right to vote in school district elections in 1861, in municipal elections in 1887, and in 1912 Kansas became the eighth state in the Union to extend equal voting rights to women.⁶ And it is important to note that women have played a significant, and politically active, role in Kansas going back to its territorial history. A few women, such as Clarina Nichols, earned notoriety. Nichols attended 1859 Wyandotte Constitutional Convention and is credited with securing numerous women's rights in the state constitution including property rights and equal guardianship of children.⁷

Perhaps no reform movement is as much identified with Kansas as the Women's Christian Temperance Union (WCTU), made famous by Kansan Carrie Nation's prohibitionist hatchet – even though it always was and remains to this day a national organization. What is less well known is that the origins of the WCTU dovetailed with both the Kansas women's movement and the state's early flirtation with the populist politics. In March 1888, two years before the Populist Party was launched as a national political party but in the midst of Kansas's Farmer's Alliance movement, the WCTU's Frances Willard sent a letter to Kansas Governor John Martin, inquiring on the effect of women's recently acquired right to vote in municipal elections on promoting and enforcing prohibition in the state.⁸ Willard, of course, was not a Kansan, but she had to have known that scores of WCTU sisters had taken up the Farmer's

⁶ KSHS, Kansapedia (2001), *Women's Suffrage*, <http://www.kshs.org/kansapedia/women-s-suffrage/1452>. (Accessed March 1, 2013)

⁷ KSHS, KU, and IMLS, Territorial Kansas Online, "Photograph, Clarina Irene Howard Nichols," http://www.territorialkansasonline.org/~imlskto/cgi-bin/index.php?SCREEN=show_document&document_id=102923&SCREEN_FROM=keyword&selected_keyword=Women&startsearchat=0 (Accessed February 22, 2013)

⁸ KSHS, Kansas Memory, "Frances Elizabeth Willard to Governor John Martin," http://www.kansasmemory.org/item/display.php?item_id=207973&f=00048599 (Accessed February 27, 2013)

Alliance call for regulating railroads as well as the crusade against the tavern. Indeed, notable Kansas women, including political speaker Mary Elizabeth Lease, newspaper editor Annie Diggs, and publishing sisters Ira and Emma Pack momentarily joined the rebellion against both the Democratic and Republican and backed in 1890 and 1892 the newly christened Populist Party. But women populists in Kansas did not confine their efforts to farm politics, most also championed the cause of public education, civilian civic engagement, and temperance – all causes that they believed would not only improve society but protect men from “demon rum” and safeguard the collective family unit. Drawn mostly from the middle class, and more likely to live in town rather than on the prairie, women populists in Kansas sought to use the power of the ballot to champion new forms of social control based on values associated with their own middle class upbringings. Indeed, the best way to end class conflict, according to these reformers, was to homogenize the lower and upper classes by making them more like the middle class. While forced temperance and force sterilization can in no way be considered comparable, the goals of social control and demographic homogeneity that underpinned both shared similar modernizing or progressive impulses.

Just as the temperance movement bridged the populist and progressive eras in Kansas, so did the eugenics movement. Dr. F. Hoyt Pilcher, physician and superintendent of the Kansas State Asylum for Idiotic and Imbecilic Youth in Winfield, Kansas, first introduced the state to compulsory sterilization. Prominent in Populist politics and trained as a medical clinician, Pilcher was appointed to his position in 1893 by Populist governor Lorenzo D. Lewelling.⁹ Favoring medical, rather than educational or behavioral remedies for severely mentally disabled patients, he introduced the practice of involuntary castration as a treatment for what he referred

⁹ Seaton, Frederick D., “The Long Road Towards ‘The Right Things to Do’: The Troubled History of Winfield State Hospital,” *Kansas History* 27, (2004-2005): 253.

to as self-abuse.¹⁰ What exactly did “self-abuse” entail? According to Pilcher, and many other medical professionals at the time, it meant masturbation.¹¹ In the nineteenth century, physicians started warning of the dangers of masturbation, including insanity and potential fatal diseases such as “spermatorrhea.”¹² Prominent American psychologist Stanley G. Hall shared Pilcher’s beliefs, agreeing that masturbation threatened American manhood itself.¹³ Pilcher did on occasion sterilize women who had been diagnosed as mentally ill or criminally inclined, but the majority of his victims were male.¹⁴ Pilcher’s reasoned that castration produced an immediate positive effect on the mentally ill individual in question, relieving the patient of what was thought to be one of the causes of his mental illness.

In the 1890s, in addition to the discourse on sterilization and mental health, discussions of crime as a hereditary trait, which consequently could be prevented by the forced sterilization of criminals, seemed to captivate the Kansas medical community. R.E. M’Vey, a professor of clinical medicine at the Kansas Medical College, read a paper in 1890 to the Kansas Medical Society in which he proposed a two-fold solution to crime: improve the hereditary base from which crime was believed to stem and eliminate environments that fostered the crime “instinct.”¹⁵ M’Vey did at least recognize the interaction between genetics and environment, but like many of his colleagues at the time he seemed to think that controlling heredity would prove

¹⁰ Largent, *Breeding Discontent*, 22.

¹¹ The history of considering masturbation to be either a mental disease unto itself or the result of such is long. One of the first and most influential works on this matter was *A Treatise on the Diseases Produced by Onanism*, written by French physician Samuel Auguste David (S.A.D.) Tissot and published in 1832. It was followed by such works as *Sex Diet and Debility* by Nissenbaum. The issue of masturbation and its ills were considered so serious that men such as John Harvey Kellogg, of the Kellogg family famously associated with the cereal brand, devoted years of research and the development of several “treatments”, one of which was sterilization.

¹² Gail Bederman, *Manliness & Civilization* (Chicago: University of Chicago Press, 1995), 82.

¹³ *Ibid.*

¹⁴ Largent, *Breeding Discontent*, 22.

¹⁵ Largent, *Breeding Discontent*, 23.

simpler than environment. Seven years later Dr. Bernard Douglass Eastman of Kansas echoed M'Vey's words and advocated the "asexualization of criminals and defectives."¹⁶

It is telling that Pilcher singled out males for forced sterilization and that the vast majority of criminals who were treated by castration were males. Indeed, the procedures ultimately became known either as "emasculatation" or "asexualization."¹⁷ The terminology suggests that the focus is on the removal of the male sex organ, which was thought at the time by medical experts to be the only or perfect sex organ. Kansas, both in the early years of sterilization and in its heyday, sterilized far more men than women. This contrasts sharply with most other states that have been studied where women represented that group more likely to be subjected to the procedure. In the state of North Carolina, for example, the number of women sterilized outnumbered males by a ratio as great as 85% to 15%.¹⁸

Part of the reason women were targeted in other states was a modern understanding of an ancient disease known as "hysteria." Late nineteenth century medicine identified "hysteria" as a real and serious disease with legitimate health and social implications. Physicians traced its cause of to diseased reproductive organs. Hence the removal of those organs became the treatment of choice. Doctors at the time believed that sterilizing a mentally ill woman would cure her. But the reduced frequency of female sterilization in Kansas establishes a strong link between that state's political empowerment of women and a gendered approach to eugenics and sterilization that spared women's bodies. The evidence thus demonstrates that the sterilization of women for hysteria reflected gender power structures as well as medical doctrine.

¹⁶ Ibid.

¹⁷ Largent, *Breeding Contempt*, 5.

¹⁸ For further discussion on gender theory and its relation to history see: Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1999).

Not all Kansans shared the medical community's enthusiasm for compulsory sterilization. The mutilation associated with castration in fact caused alarm in many circles outside the medical community. While castration was seen as therapeutic by doctors like Pilcher, it was viewed as punitive to others who believed it should be reserved only for perpetrators of sex crimes, especially those perpetrated against children.¹⁹ In 1894 a newspaper in Winfield, where the asylum was located, ran a front page spread denouncing Dr. Pilcher and highlighting the cases of eleven young men castrated by him.²⁰ It is important to note that the newspaper editor, E. P. Greer, was a staunch Republican and vocal opponent of the Populist Party in Kansas. His attacks on Pilcher had as much to do with politics as moral outrage over forced sterilization.²¹ More than sterilization itself, Greer took aim at the bodily mutilation that castration entailed. "What reason Dr. Pilcher can have for these wholesale mutilations is a mystery to all with whom we have talked," noted Greer, going on to write, "The principle underlying the management of all public charities is that the most humane methods only should be employed."²² Still, these criticisms suggest that while the practice of eugenics-based sterilization had been introduced to Kansas in the 1880s and 1890s, no consensus yet existed to support state-mandated and regulated eugenics practices.

A Gendered Eugenics Project for Kansas

As the Populist Revolt faded into popular memory, Kansas, like many states in the mid and far west, embraced causes associated with the Progressive Era. Kansas Senator Joseph L. Bristow (1909-1915) emerged alongside of colleagues Robert LaFollette of Wisconsin, Jonathan P. Dolliver of Iowa, and William Borah of Idaho as an advocate the seventeenth amendment, one

¹⁹ Largent, *Breeding Discontent*, 94.

²⁰ Ibid.

²¹ Seaton, "The Long Road Towards 'The Right Things to Do'," 253.

²² Ibid.

of progressivism's signature political reforms that provided for the direct election of U.S. Senators. Governor Walter R. Stubbs (1909-1913) championed workman's compensation and governmental regulation of public utilities – as well as the noble crusade for prohibition. And as Progressive leaders, including President Theodore Roosevelt, endorsed the science of eugenics, so too did Progressives, men and women, in Kansas.

It is important to note that not all Populists or Progressives favored eugenics. In fact some reformers rejected the eugenics movement outright. Both movements engaged a vast number of interest groups and political coalitions that sheltered many different people with only loosely associated agendas and beliefs. Yet in his 2003 book on Progressivism, Michael McGerr argued that the progressive movement sprang from four essential impulses: an embrace of middle class ideas of morality and social hierarchy; a disdain for and fear of class conflict; a conviction that the “trusts” must be tamed; and a commitment to segregate society along racial lines.²³ These underlying impulses certainly inspired the WCTU and many other women reformers in Kansas. Eugenics, as an intellectual framework and social doctrine, similarly embodied progressive impulses.

States where the progressive movement enjoyed strong popular support, such as Kansas, were more likely to have robust eugenics programs than more conservative states, including many in the Jim Crow South.²⁴ Only three southern states boasted larger eugenics programs than Kansas: Virginia, North Carolina, and Georgia. In comparison, progressive strong holds such as California, North Dakota, and Wisconsin all had high numbers of forced sterilizations. The numbers of sterilizations in states like Kansas, North Dakota, and Wisconsin are only more

²³ Michael McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in America* (Oxford: Oxford University Press, 2003), xv.

²⁴ Largent, *Breeding Discontent*, 81.

staggering when the relative populations of those states at the time in question is taken into consideration. A strong progressive presence is the common factor shared by them all.

It is easy to look at the eugenics movement and condemn it as yet another example of blatant racism and social injustice against the poor, but the history of the movement in Kansas reveals what eugenics wanted to be, a device used to better the society. As historian Mark Largent pointed out in his 2008 study on American eugenics, “One need not be an apologist to admit that the majority of sterilization advocates were well meaning professionals who saw in the operation [eugenics] viable solutions to complex social problems and devastating physical ailments.”²⁵

Thus, legislators in the Kansas state capital of Topeka approved House Bill no. 617 in 1913 just six years after Indiana’s initial eugenics sterilization law, at the height of the Progressive movement. Referenced under the category, “hygiene and public health,” its authors described it as, “An act to prevent the procreation of habitual criminals, idiots, epileptics, imbeciles, and insane, and providing a penalty for the violation thereof.”²⁶ The bill effectively gave the state authority to forcibly sterilize individuals in state care. A Senate amendment to the original bill added the penalties, one for misuse of the law (a fine of up to \$1,000 and/or up to a year in the county jail) and one for failing to apply the law (a fine of up to \$100 and/or up to one month in the county jail).²⁷ The law clearly spelled out, sterilizations must first be approved by a medical physician and then by a judge, with the intention of safeguarding the future:

...if, in the judgment of such authority, procreation by any such inmate or inmates would produce children with an inherited tendency to crime, insanity, feeble-mindedness, epilepsy, idiocy or imbecility, and there is no probability that the condition of any such inmate or inmates so examined will improve to such an extent as to render procreation by any such inmate or inmates advisable, or if the physical or mental condition of any such

²⁵ Largent, *Breeding Contempt*, 3.

²⁶ State of Kansas, Session Laws 1913, 525.

²⁷ State of Kansas, Session Laws 1913, 526.

persons will be materially improved thereby, then said authority shall report their conclusions with a recommendation to the district judge...²⁸

The judicial review, though prudent, caused physicians to complain the law was unenforceable, so in 1917 the law was revised eliminating the courts' role.²⁹

There is no mention of race, gender, or socio-economic class in the Kansas law, but all those factors were deeply embedded into the very idea of eugenics in Kansas and throughout the nation. While some minorities in Kansas were sterilized, Kansas eugenicists who endorsed sterilization usually targeted victims of mental illnesses, or what they diagnosed to be mental illnesses, and criminals who as explained previously were assumed to possess a genetic disposition toward criminal behavior.³⁰ Kansas eugenics can still be categorized as racist, but not in the overt sense. Instead of racism against a racial "other," the racial objective was internal and centered on members of a race targeting their own for the "greater good" of that race.

The Kansas eugenics effort, however, registered much more explicitly as a gendered project. Medical science and gender mores all combined in Kansas eugenics, arguably more forcefully than they did in national eugenics. Not only had Kansas women voters comprised a critical component of the political coalitions that shaped the Populist and Progressive reform movements – and in turn the state's eugenics laws – women medical professionals, led by Dr. Florence Sherbon, played key roles in implementing a variety of eugenics programs—from the Fittest Family contests that proved so popular at Kansas State Fairs each year, to advising potential marriage partners, to determining how and when to resort to compulsory "asexualization" to maximize the health and social benefits that the science of eugenics promised

²⁸ Ibid.

²⁹ Kaelber, *Eugenics: Compulsory Sterilization in 50 American States (Kansas)*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/KS/KS.html> (Accessed March 5, 2013)

³⁰ Kaelber, *Eugenics: Compulsory Sterilization in 50 American States (Kansas)*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/KS/KS.html> (Accessed March 3, 2013)

to deliver. Perhaps most ironic, and bringing the story full circle, it was a woman politician and reformer, Kathryn McCarthy of Hays, Kansas, who in the 1930s undertook a successful, one person crusade to expose abuses of the state's sterilization laws and helped to bring an end to the age of eugenics in Kansas.

In the opening to his literary classic, *The Wonderful Wizard of Oz*, L. Frank Baum, a well-known supporter of the Populist movement in his own right, refers to Kansas as “the great gray prairie.”³¹ He describes a harsh environment that not only laid waste to the land, but turned the once vibrant Aunt Em from “a young, pretty wife” to a withered woman, “thin and gaunt, and [who] never smiled.”³² Over the course of the first three pages, Baum paints a picture of Kansas so bleak that the reader is left wondering for the remaining 180 pages why Dorothy wants to go back. Perhaps the answer lies in things Dorothy knew about Kansas at the turn of the twentieth century that most people outside the Sunflower state did not, and still do not today. The Kansas Dorothy called home was a place where wizards behind a curtain performed great and powerful feats of social engineering. It was a place where a young woman like Dorothy could in reality become politically empowered, and in fiction become an empowered witch. Either way, women might perform feats of great good or evil. Kansas women forged a twisted path, a yellow brick road that followed them on a journey as harrowing as anything Dorothy encountered in Oz...

To frame this project, the focus will be on two major participants in Kansas eugenics: the first, a pro-eugenics scientist originally from Iowa but later a Kansas transplant, and the second, an activist politician from Hays, Kansas. In their combined stories are encapsulated the full spectrum of the debate surrounding eugenics in the state. In her enthusiasm for eugenics, the first subject helped set the stage for the state's embrace of eugenics. She was arguably the wizard

³¹ L. Frank Baum, *The Wizard of Oz* (San Rafael: Classic Publishing Corporation, 1970), 9.

³² Baum, *Wizard of Oz*, 10.

of eugenic reform in the state. Under her guidance Kansans would line up by the hundreds to willingly take part in the great eugenics movement. She would garner the love and support of people in the state for eugenics.

The second subject shows how views on eugenics changed. Separated from the first subject by a tumultuous decade, the second subject could be seen as the good witch, trying to look out for the little people of Kansas. She challenged the basis of eugenics so long accepted as faith in the state. A tireless advocate for victims' rights, she helped overturn the established state support for eugenics by appealing to the people of the state itself.

Through them Kansas eugenics will be exposed as being as complex as it was conflicting. At times it was loved and supported in the state. At times it was loathed and demonized. And ultimately it would be all but forgotten. Kansans try not to remember their participation in the great American eugenics experiment, but the state was at the forefront. This is a history of two women Kansas would rather either forget or distort, whichever best suits their purposes. It is the history of how great aspirations can cause grievous atrocities, how the desire to better a society can lead to the exploitation of the weakest and most defenseless individuals in that society. It is also a deep historical analysis of how cultural constructions of gender, race, and class intermingled within the eugenics movement—often in unpredictable ways, influenced by macro-political movements such as the Populist Party and Progressive reform movement, as well as micro-influences such as prominent individuals and local politics.

CHAPTER 2

THE WIZARD OF REFORM

On a cold February day, 1869, far from the Kansas State fairgrounds, a baby girl was born on a farm in Washington County, Iowa. Her parents named her Florence Brown. She spent her first twelve years growing up on the farm before eventually graduating high school from Sigourney, Iowa in 1886. While high school would have been the end of education for many young women in the 1880s (if they were even allowed to make it that far) it was only the beginning for Florence. She would go on to receive many advanced degrees, including a nursing degree from Iowa State Hospital, followed by her M.D. from the University of Iowa. While in medical school she met fellow medical student John Bayard Sherbon. They married in 1904, the same year Florence earned her M.D., and she subsequently took his name, becoming Dr. Florence Brown Sherbon. It was by that name most Kansans would come to know her. Of all the wizards of reform who shaped Kansas eugenics, Dr. Florence B. Sherbon was perhaps the most interesting and dynamic.¹

Who was Dr. Sherbon? She was a born Midwesterner and spent her entire life in the nation's heartland. She was clearly an educated woman, but she was also a creative one. Included amongst her personal papers at the University of Kansas (KU), where she taught for many decades, are several short stories, some meant to be edifying, and others apparently whimsical. One story in particular, *Sarah and the White Satin Slippers*, strikes the reader as a very personal form of expression on Dr. Sherbon's part. The title character in the story is a female college instructor who, despite being well-known at her institution, is not really known at all. Dr. Sherbon's description of Sarah can still sadly be related to by many women in the academy.

¹ Biography of Dr. Florence Brown Sherbon, Florence Sherbon Collection, Personal Papers, 97 n.d., Spencer Research Library, University of Kansas, Lawrence, KS.

“Sarah had the thankless job of teaching ‘required’ freshman Latin in a Midwestern university during the period of some forty years ago,” Sherbon wrote, “She was a cultured, erudite, potentially brilliant woman who wore her heart out in bitterness as an academic drudge. There were such women then in every educational institution, and their kind is not unknown even in these more liberal times.”² The kind of women Dr. Sherbon referred to were women made to choose between their careers and family. Women confronted by discrimination and bigotry. Women like Dr. Sherbon herself, although she arguably did not see herself as a “Sarah.” Dr. Sherbon managed to have it all, family and career. Moreover, she embarked on the noble cause of championing families through the Midwest, through her career. She really did have the best of both worlds.

Dr. Sherbon’s story did not start in Kansas, nor did her interest in the public health or eugenics. Before becoming “Doctor Sherbon”, then Nurse Brown acted as the superintendent of the Iowa State Hospital Training School, from 1895 to 1899. She was tasked with training other young people in the career of nursing. Ultimately, teaching would prove to be the greatest love of Dr. Sherbon’s life. Though she participated in many activities throughout her lifetime, she dedicated the majority of her life to teaching, in one form or another. Even eugenics was about teaching to Dr. Sherbon, teaching people about the potential benefits of heredity and how to harness them.

After marriage and medical school, Sherbon, her husband and father all moved to Colfax, Iowa where they assumed stewardship the Victoria Sanatorium and Mineral Spring.³ The sanatorium was a shared venture between Dr. Sherbon and her physician husband. So much so

² Dr. Florence B. Sherbon, *Sarah and the White Satin Slippers*, unpublished, Florence Sherbon Collection, Personal Papers, 97 n.d., Spencer Research Library, University of Kansas, Lawrence, KS.

³ Laura L. Lovett, “‘Fitter Families for Future Firesides’: Florence Sherbon and Popular Eugenics,” *The Public Historian*, Vol. 29, No. 3 (Summer 2007): 72, <http://www.jstor.org/stable/10.1525/tph.2007.29.3.69> (Accessed November 14, 2012)

that the forced sell of the sanatorium in 1916 (following the death of Sherbon's father), also marked the end of the marriage.⁴ Perhaps closing that chapter of her life encouraged Sherbon to make the move from Iowa to Kansas. She did so in 1918, arriving at KU in charge of physical education. She brought with her, her twin daughters Alice and Elizabeth, born in 1908.⁵ It's impossible to say how motherhood affected Sherbon's views on heredity, but her interest in and advocacy of child welfare deepened after giving birth to her daughters.

Before arriving in Kansas, Sherbon joined Mary T. Watts, a director of the Iowa Parent-Teacher Association, in organizing a Better Babies Contest at the Iowa State Fair in 1911.⁶ The choice to judge babies in a style akin to livestock at an agricultural fair was not coincidental. At the turn of the twentieth century, a raging conflict between urban and rural consumed the nation. Urban seemed to be winning in most areas, but to eugenicists like Sherbon, the rural environment was the ideal. Many eugenicists saw cities as the breeding grounds of bad genes. Rural stock seemed pure, in comparison. In his report to the American Eugenics Society, Yale economist Irving Fisher, urged greater control over rural-urban migration to maximize the good of rural genes and minimize the potential harm of polluted city genes.⁷

Some supporters of eugenics did warn caution against linking the movement to agriculture and rural America, however. In an editor's note to her *Journal of Heredity* article, Hildegard Johnson acknowledged the dangers of associating the contests with agricultural fairs. "It may be as well to state that we are publishing this article entirely for its news value, and not

⁴ Lovett, "'Fitter Families for Future Firesides,'" 73.

⁵ Biography of Dr. Florence Brown Sherbon, Florence Sherbon Collection, Personal Papers, 97 n.d., Spencer Research Library, University of Kansas, Lawrence, KS.

⁶ The Iowa Better Babies Contest was not the first in the nation. That dubious honor appears to go to the state of Louisiana who started holding the contest back in 1908. Steven Seldon, "Transforming Better Babies into Fitter Families: Archival Resources and the History of the American Eugenics Movement," *Proceedings of the American Philosophical Society*, Vol. 149, No. 2 (Jun., 2005): 206-207, <http://www.jstor.org/stable/4598925> (Accessed October 1, 2013)

⁷ Lovett, "'Fitter Families for Future Firesides,'" 83.

as an indication that the Association either supports the movement or approves the method of popularizing eugenic ideas,” Johnson cautioned, “We must recognize that humans and livestock are controlled by the same laws of heredity. In spite of this fact we should not take for granted that it is either possible or desirable to apply those laws in the same way in the two cases, if for no other reason than that the objects to be attained are so entirely different.”⁸ Johnson went on to write, “The adoption of terms used in stock judging is especially to be deplored as tending to give eugenics more of a barnyard flavor which is certain to discredit it in the minds of many people.”⁹ Many eugenicists, including Sherbon, considered the countryside ideal for eugenics because of the “purity” of its racial stock. The eugenics movement, however, still had an important urban base that exercised a fair degree of influence over eugenic literature and application.

Iowa’s Better Babies contests were only the start for Sherbon. Though they were very well received at the fair, she wanted to launch a more extensive eugenic inquiry into rural populations. So in 1920, with the help of Watts, Sherbon organized the first Fitter Family contest at the Kansas Free State Fair. By 1920 Dr. Sherbon had established herself as an authority in Kansas. In addition to teaching at KU, she began a stint on the Kansas State Board of Health in 1919, serving as the chief of division of child hygiene.¹⁰ She also had a history of working for the Federal Children’s Bureau, which was the brainchild of Progressive settlement house workers Lillian Ward and Florence Kelley. The Bureau’s mandate included “all matters pertaining to the welfare of children and child life among all classes of people.”¹¹ Infant

⁸ Hildegrade Walls Johnson, “Fitter Families for Future Firesides: The Kansas Eugenics Contest,” *Journal of Heredity* Vol. 16 (Dec. 1925) No. 12: 457, Kansas State Historical Society (KSHS).

⁹ Ibid.

¹⁰ Biography of Dr. Florence Brown Sherbon, Florence Sherbon Collection, Personal Papers, 97 n.d., Spencer Research Library, University of Kansas, Lawrence, KS.

¹¹ Lovett, “‘Fitter Families for Future Firesides’,” 71.

mortality and the decreasing birth rate among “native” born whites versus the continuing increase of socially designated “inferiors” such as African Americans and immigrants were among the Bureau’s primary concerns. Awareness through education became the Bureau’s main objective, which suited veteran teacher Sherbon well. She began her work with the Bureau in 1915, before her move to Kansas, but her work with the program would have a lasting impact on her.

Women like Sherbon could not have been common in 1920’s Kansas or anywhere in the nation at the time. While women in the 21st century have made great strides in the medical field, a woman with a M.D. in 1920 was unusual. With that said, Sherbon gathered a group of likeminded women around her to help with her great eugenics experiment. Some were educators, like Mary Watts. Others were nurses, social workers, and reformers. Though it did not start that way, under Sherbon’s guidance eugenics in Kansas evolved into “women’s work.” While the reformers who were drawn to Sherbon’s cause were not unique to Kansas, the particular kind of progressivism they promoted was. Progressivism took different forms throughout the nation, making Kansas progressivism its own unique form of advocacy, with its own driving impulses likely not seen in other places.

Sherbon’s eugenics was not the same as was commonly seen in other parts of the country. Her main interest wasn’t in forcibly sterilizing adults deemed carriers of undesirable genes. Instead it was in quantifying and promoting babies with so called “good” genes. It is not coincidental that winners of fitter family contests were awarded a medal that read “Yea, I have goodly heritage.”¹² Eugenics, as a theory and application, takes two distinct forms. The first is the prevention of undesirable or “bad” genes from being passed down. That was where forced sterilization laws, such as the one passed in Kansas in 1913, came into play. The other

¹² Lovett, “Fitter Families for Future Firesides,” 80.

component of eugenics, which is often overlooked yet equally fascinating, is the encouragement of “good” genes being passed. Dr. Sherbon’s eugenics focused on that second aspect.

Dr. Sherbon did believe that individual’s with “bad” genes should not be allowed to reproduce. In her 1937 book, *The Family in Health and in Illness*, Sherbon wrote:

Prevention is, primarily, prevention of propagation among defective strains. Segregation, sterilization, and medical certification for marriage are the three social instruments for accomplishing this. Theoretically birth-control information should help. Actually, effective contraceptive practices require more sense of responsibility and more intelligence in application than defective individuals possess. Marriage of the definitely unfit should be prohibited both because of the probability of transmitting defective genes and also because of the unfitness of such persons to care for and train children.¹³

While historian Michael McGerr has explained that racial segregation was a popular mechanism of social control endorsed by many Progressive reformers as a way to end class conflict; keep the classes separated, thus preventing them from warring, the individuals Dr. Sherbon personally designated as undesirables were neither immigrants nor racial minorities (two groups often targeted by eugenicists).¹⁴ Dr. Sherbon’s undesirables were strictly the mentally deficient and ill.

Dr. Sherbon, and her medical brethren at the time, classified mental deficiency as follows:

Mental deficient(s) are commonly divided into three classes: *idiots*, who never leave infancy, who never advance beyond a mental age of 35 months and an I.Q. of 24; *imbeciles*, who fall within a mental age range of 36 to 83 months and an I.Q. range of 25 to 49; *morons*, or high-grade defectives, who may have a mental age of 7 to 12 years and an I.Q. from 56 to 74. Such individuals may appear quite normal and get along in society as long as no more judgment or responsibility is required of them than would be appropriate for children of 7 to 12 years of age.¹⁵

¹³ Florence Brown Sherbon, *The Family in Health and in Illness*, 1st ed. (New York: McGraw-Hill Book Company, Inc., 1937), 267, Spencer Research Library, University of Kansas, Lawrence, KS.

¹⁴ Michael McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in America* (Oxford: Oxford University Press, 2003), 183.

¹⁵ Sherbon, *The Family in Health and Illness*, 265-266.

Dr. Sherbon believed that segregating (in asylums) and sterilizing individuals deemed mentally deficient was the humane thing to do, and she was not alone in that belief. Even today many would likely agree that those who are incapable of taking care of themselves should not be allowed to reproduce for their own good and for the good of the children, whom may either inherit their parents' mental deficiency or else suffer as a result of it.

Interestingly Dr. Sherbon did not believe that all cases of mental deficiency were inherited. She actually believed that some cases were the result of environmental factors. "It will be obvious that the mind may be defective at birth, it may become defective, or it may be normal at birth and later become deranged," Sherbon wrote, "In other words it is now believed that personality types may be inherited which do not stand up very well against adverse experiences with environment, but specific mental derangements and disorders are not inherited as such. The specific personality distortion will depend both upon the inherited type and upon the particular kind of crippling experience it encounter."¹⁶ Dr. Sherbon's description of mental illness in this excerpt is actually compatible with the diathesis-stress model of mental illness, which is currently the most widely accepted theory on the development of mental illness. The diathesis-stress model states that most individuals with mental illness do have a genetic predisposition towards their mental illness, but those genes are only made active by triggers (most notably forms of stress) encountered in the environment. Without those environmental triggers, the mental illness genes could lie dormant, never expressing themselves as an actual disorder.

Even with this advanced level of understanding regarding mental illness and deficiency, Dr. Sherbon still advocated that individuals known to have mental deficiencies should not be allowed to breed. According to her that was just asking for the perpetuation of mental deficiency, "*Causes of feeble-mindedness may be divided into those operative before birth (hereditary and*

¹⁶ Ibid., 265.

congenital) and those operative after birth. Hereditary deficiencies may occur from unfavorable combinations of genes in apparently normal strains, and such chance occurrences cannot be predicted.”¹⁷ She went on to add, “Mating deficient with deficient results inevitably in defective strains in which deficiency becomes dominant.”¹⁸ As an eugenicist she admitted that heredity alone could not predict every possible case of mental deficiency. But in those cases where it did, the official response should be segregation, sterilization, or both.

Dr. Sherbon was a progressive, without question. That is, she believed that social ills could be bettered through scientific research, the education of the U.S. public, and government action. Sherbon was a new, educated, career driven woman, the type who often spearheaded the Progressive movement. Perhaps encouraged by the nation’s recent adoption of the Nineteenth Amendment, she exhibited a deep sense of optimism that professional women like herself no longer need fear discrimination based on their gender. In an article published in *The Journal of the Iowa State Medical Society*, Sherbon wrote:

In a group such as this we may safely start from the premise that woman is no longer seriously inhibited, limited, or hampered professionally or socially by the fact of her sex. Such remnants as still persist of prejudice and superstition are fading out. She is generally conceded the right to exercise her powers and plan her life in any manner she may elect. The fact remains, however, that, in spite of equal rights with man, she is not man, but woman. I think one of the richest fruits of liberty and equality under the law is the discovery that woman may, by virtue of her difference from man, now truly supplement and complete man’s social and scientific work, rather than duplicate or compete with it.¹⁹

It’s impossible to know what Sherbon would have thought of the contemporary term “feminist”. Perhaps, given her progressive thinking, she would have embraced the label. Possibly though, given her rural upbringing, she would have shied away from it. After all, “feminism” at the turn

¹⁷ Ibid., 266.

¹⁸ Ibid., 266.

¹⁹ Florence Sherbon, “The Woman Physician in a Changing World,” *The Journal of the Iowa State Medical Society*, Vol. 25 (October 1936) No. 10: 565 Florence Sherbon Collection, Personal Papers, 97 1936, Spencer Research Library, University of Kansas, Lawrence, KS.

of the twentieth century was often associated with urban women and only a select few who were seen as having “radical” ideas such as Alice Paul.

Sherbon’s distinctly feminine outlook colored her eugenics though, and thus the eugenics of Kansas. Eugenics in Kansas clearly shared traits with eugenics across the country. The state was, after all, sixth in the nation, by volume, for forced sterilizations. But there was more to Kansas eugenics than sterilization. Kansas eugenics, like Sherbon’s efforts with children, was also about improving the racial stock of the state. Simply sterilizing and segregating the mentally deficient was not enough. Kansans of “good stock” needed to be encouraged to “sow their seeds” so that the future could reap a bountiful harvest of strong, pure Americans.

The Kansas Fitter Families contests certainly grew out of Sherbon’s previous experiences in Iowa with the Better Babies contests. She had come to believe, however, that simply judging a baby did not give a fair or accurate account of eugenic purity. As Charles Davenport, founder of the Eugenics Record Office, among other prominent national and international eugenics organizations, explained in correspondence with Sherbon’s associate to Mary Watts, “A prize winner at two may be an epileptic at ten.”²⁰ Dr. Sherbon concurred with that assessment, noting, “My own observation corroborates these statements. Very often high score baby has a bad heredity, and, judging from the rest of the family, cannot hold up.”²¹ It was decided that a better measure would be to look at the family as a whole. Did mental deficiencies or illness appear anywhere else in the immediate or extended family? What kind of environment did the family live in? The Better Baby contests were akin to child pageants today. They were superficial in their judging. The Fitter Family contests were designed to be more thorough,

²⁰ Mary T. Watts, “Fitter Families,” *Survey*, Vol. 51 (February 15, 1924) No. 10:517, KSHS.

²¹ *Ibid.*

substantial, and standardized. These contests had more in common with today's college preparatory ACT exam than with a pageant.

Watts wrote that once the idea for the Fitter Families was conceived, it was pitched to a group of experts. "They were unanimous in declaring the plan ideal, but they said it would not work," she recalled, "You can bring the baby to the fair for health tests because he can't help himself, but you will never get the fathers and the mothers," they said. But we did get the whole family and with very little effort. Although the experts doubted the popularity of the idea, they prepared the score card under the direction of Dr. Sherbon, who at the time was director of child hygiene in the state of Kansas."²² Dr. Sherbon's intellectual fingerprints are all over the Fitter Family forms. Watts, her Fitter Families co-founder, objected to lengthy forms, arguing that shorter exams would be more appealing and thus a better avenue to reach commoners with eugenics.²³ But Sherbon was adamant that the more information gathered, the better. She was interested in collecting data from the heartland, which could then be used by eugenicists throughout the nation. Sherbon sought support for her endeavor from none other than Charles Davenport. Davenport agreed with Sherbon that the longer forms and more extensive exams were better and more beneficial to eugenics. Watts, fearful of alienating Sherbon and her authority, backed down and accepted the longer forms.²⁴

The American Philosophical Society, in their digital archive, has a reproduction of a Fitter Family Contest form from the 1924 Kansas Free State Fair, in Topeka. The form is nineteen pages long. It started by asking for the family members' general information, including gender, age (whether alive or deceased, and if deceased by what manner), marital status, place of

²² Ibid.

²³ Lovett, "Fitter Families for Future Firesides," 78.

²⁴ Ibid.

birth, education, and successive careers.²⁵ It went on to inquire about social history, such as organizations and affiliations from churches to social clubs, fraternities or sororities. That information took up the first three pages. Only on page four did questions relating to physical attributes of individuals start appearing. There were the expected categories for height and weight, as well as categories for hands and teeth. Bodily defects were noted as having been either acquired or congenital.²⁶ An extensive history on illness, operations, and accidents in the family was documented. Then was the evaluation of the family's nervous and mental history. A list of twenty-three "organic and functional disorders" including such things as insane, fits of seizures, suicide attempt, walks in sleep, alcoholic, and faints easily was coupled with fifteen "temperamental stigmata," which included peculiar, self-pity, suspicious, lazy, stingy, cruel, and hypochondriacal [sic].²⁷ That only incorporated the first seven pages, however.

The remainder of the form was taken up by examinations performed by the judges. There was a psychometric exam, which took up one page, compared to a physical exam that comprised seven pages and included appraisals of a comprehensive list of body parts, from cardio-vascular health to skin condition.²⁸ The physical exam also included a structural assessment, which assessed such things as body symmetry and posture. The general medical exam, also a part of the physical exam, included categories of evaluation for internal organs, including the lungs and abdomen of men and women alike. It is interesting to note that there was a special part of the physical exam dedicated only to women where they looked at such things as menstruation, history of pregnancies, and the female reproductive organs including the uterus

²⁵ Fitter Families' Examination. Kansas Free Fair. Topeka. Eugenics Record Office Records. Mss.Ms.Coll.77 <http://www.amphilsoc.org/mole/view?docId=ead/Mss.Ms.Coll.77-ead.xml>. American Philosophical Society Digital Library. <http://diglib.amphilsoc.org/islandora/object/text%3A2164#page/1/mode/1up> (Accessed October 28, 2013)

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

(which raises the question of how such organs were examined and assessed). The last three pages dealt with health habits, and included summary notes from the judges, scores and awards.

In her writings Watts revealed, “The families were graded A, B, and C. We find a good many grade A individuals, but not very many Grade A families if the children are past their baby days. There is a surprisingly large number of ailments in these comparatively sound families. Bad teeth, bad tonsils, bronchitis, kidney complications, and a prevalence of pelvic disorders among mothers [all of which] bring down family scores.”²⁹ In other words, Sherbon and Watts found exactly what they expected to in the shift from better babies to fitter families. Examination of the family altered the results and often times for the worse. And yet Fitter Family contests grew just as popular as Better Baby contests had, possibly even more popular. The draw to Kansans was obvious. To quote the *Journal of the Kansas Medical Society*, “‘Kansas Grows the Best Wheat in the World’; let us prove that she also ‘grows the best people in the world.’”³⁰ But the appeal of the contest soon spread beyond Kansas.

The January 1925 issue of *Pictorial Review*, a popular, national women’s magazine, included an article by Ida Clyde Clarke titled “Kansas Has a Big Idea.” The article opened with the catching line, “Kansas has an idea. While men at the State fair in Topeka are giving prizes to the Berkshires and the Leghorns and the Jerseys in fine, up-to-date, well-equipped buildings, the women are disturbing prizes to the human stock—the Browns and the Smiths and the Joneses—in a modest little bungalow labeled ‘Eugenics Building,’ and carrying the slogan of ‘Fitter Families for Future Firesides’.”³¹ The debut of the Kansas Fitter Families program, and its eugenics agenda, had not only appeared in a national publication. It had appeared in a women’s magazine

²⁹ Watts, “Fitter Families,” 517.

³⁰ Fitter Families Eugenic Competition, *Journal of the Kansas Medical Society*, Vol. 25 (Aug. 1925), No.8: 275, KSHS.

³¹ Clarke, “Kansas Has a Big Idea,” 20, KSHS.

read by women all across America. Most significant, the article firmly assigned responsibility for family eugenics to women. Perhaps the reference to women had been inspired by the prominent role played by Sherbon, the top eugenicist in the state of Kansas, in the organization of the contest. But it also reflected the fact that eugenics in Kansas and elsewhere was often seen as female providence. Surely Dr. Sherbon would have agreed with that assessment.

The practice of eugenics carried out in the Fittest Family contests in fact strongly overlapped with the emerging field of positive health and preventive medicine. In the *Journal of the Kansas Medical Society* the aims and objectives of the Fittest Family contests were clearly laid out in an article announcing the creation of the contest:

Object. To apply the well-known principles of heredity and scientific care which have revolutionized agriculture and stock breeding to the highest order of creation—the human family. Method: First. Study family heredity by recording all the known facts about the three immediate generations in such a way as to show inheritance of traits and furnish the basis of a permanent family history. Second: Examine parents and the children. The results are recorded, with written summary and advice.³²

The article went on to say, “Single young adults of 18 or over will be given the entire examination and receive a copy of the record. This serves as a basis for estimating present physical and mental fitness and also gives the individual a basis for determining fitness to marry, and means of studying his or her own heredity. Childless married couples may also be examined, when time permits. Preference will be given to families and marriageable adults.”³³ Clearly the contests were meant to improve the racial stock of Kansans, both by evaluating existing families and by hopefully promoting better breeding in the future. Given the intersection of familial roles and the practice of eugenics, it is not hard to imagine the women conducting these examinations acting as match-makers for young, singles, trying to encourage couplings based on individual pedigree.

³² Fitter Families Eugenic Competition, *Journal of the Kansas Medical Society*, 274, KSHS.

³³ *Ibid.*

Eugenics was considered a part of science and of modern medicine at the turn of the twentieth century. Most eugenicists, like Sherbon, possessed full medical degrees backing their practices. Yet it is striking that observers so often assumed that family fitness programs should remain the domain of women practitioners. As late as the mid-1930s, even after Hitlerism had tarnished eugenics science, Sherbon argued:

The big immediate field for the medical woman, however, as the speaker sees it, is the field of positive health and preventive medicine; the application of this unified science which we have spoken, to the intimate, personal living of every-day people. Doing this ramifies into all aspects of public health administration, into clinical and dispensary work, into school health work, into industrial hygiene, into life insurance examinations, into student health service in colleges, into teaching hygiene, and the administration of health education in any and every sort of group; into every aspect of social security involving health.³⁴

Although the term eugenics had become less utilized and is absent from the passage, the implication was clear, the intertwined fields of eugenics and preventative medicine yielded the best results when practiced by nurturing women physicians. It must also be noted that Dr. Sherbon wrote that particular article in 1936, half a decade after the eugenics craze had cooled in Kansas. The tides of public opinion in Kansas had generally turned against eugenics by the mid-1930s, which is another reason Sherbon might have omitted it from her list.

But in the 1920s, eugenics was big, and not just in Kansas. It became a national movement, with Kansas and its Fittest Family contest leading the way. In 1925, Clarke wrote, “Yes, it really does look as if Kansas has given us [the rest of the nation] something to think about. In fact the Eugenics Committee of the United States, a member of the International Eugenics Commission, of which Irving Fisher is chairman, has invited the “Fitter Families” officials in Kansas to become a Subcommittee on Eugenic Work in Fairs.”³⁵ She went on to

³⁴ Sherbon, “The Woman Physician in a Changing World,” 566, Florence Sherbon Collection, Personal Papers, 97 1936, Spencer Research Library, University of Kansas, Lawrence, KS.

³⁵ Clarke, “Kansas Has a Big Idea,” 20, KSHS.

write, “And this Fall in Texas, Iowa, and Georgia State fairs, folks are also going to be examined and rewarded for especial fitness, as well as hogs and the chickens and the cattle.”³⁶ By the end of 1925, there would be seven Fitter Family contests held across the nation in Kansas, Arkansas, Massachusetts, Michigan, Oklahoma, and two in Texas.³⁷ Georgia reportedly held its first contest in 1924.³⁸

The list of states that boasted Fitter Families contests is revealing for a number of reasons. Certain aspects are immediately striking about the states that held Fitter Family contests. First, three of seven states (Georgia, Michigan, and Kansas) ranked among the top ten eugenics programs in the nation in terms of the use of forced sterilization in the nation. Second and more startling, three of the remaining states (Arkansas, Massachusetts, and Texas) had no eugenics laws and no forced sterilizations took place in those states.³⁹ Third, the remaining state of Oklahoma maintained only a modest eugenics program, sterilizing less than 600 and ranking 20th in the nation^{40,41}. Thus, what stands out in Clarke’s account was the popularity of this particular form of eugenics even in places where the harsher eugenics practices were deemed unacceptable. It speaks to the insidious nature of eugenics and how even states that claim not to have a past in eugenics could indeed.

What made the Fittest Families contests so popular? Why did people flock to be examined and judged like livestock? Ida Clarke explained in her article, “While ‘Fitter Families’ examinees are proud of their trophies and badges, it is the opinion of the judges that the desire to

³⁶ Ibid.

³⁷ Erica Bicchieri Boudreau, “‘Yea, I Have a Goodly Heritage’: Health versus Heredity in the Fitter Family Contests, 1920-1928,” *Journal of Family History* (2005) 30:370, <http://jfh.sagepub.com/30/4/366> (Accessed October 1, 2013)

³⁸ Ibid., 369-370.

³⁹ Lutz Kaelber, *Eugenics: Compulsory Sterilization in 50 American States*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/> (Accessed November 11, 2013)

⁴⁰ Lutz Kaelber, *Eugenics: Compulsory Sterilization in 50 American States (Oklahoma)*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/OK/OK.html> (Accessed November 11, 2013)

⁴¹ That number does not, however, take into account the Native American women sterilized in the state.

win these has played very little part in bringing families to this department. People generally are becoming inoculated with positive health and eugenics microbe. *They were ready for it.*”⁴² The explanation demonstrates how eugenics and “positive health” had become interchangeable terms in the popular culture of the time – both accepted as providing a common sense approach to personal and familial improvement. While Sherbon and Kansas had led the way, eugenics in the 1920s had emerged as a dynamic, nation-wide movement.

The Fitter Families contests performed several social, eugenics functions. Most importantly they facilitated the collection of data, which thanks to Dr. Sherbon and her nineteen page long exam forms they did. They also sought to introduce eugenics in a more palatable form to the masses, another area of obvious programmatic success. Another aspect of the contests though was education. This should come as no surprise given that education was the great love of Dr. Sherbon’s life and her co-founder, Mary Watts, was also a woman who greatly valued education. As Clarke had observed, beyond data gathering and making eugenics exams palatable to the public: “They are now concentrating on a third objective, *viz.*, development of the educational possibilities of the project.”⁴³ In addition to state fairs, the two had undertaken public speaking and the distribution of prescriptive pamphlet literature. In this endeavor they had partnered with the Department of Biology at the University of Kansas, or “KU.” For the past two years a eugenics exhibit has been presented in a tent adjacent to the building. This was prepared by the department of biology of the University of Kansas. To this, health talks and the distribution of health literature have been added.

The state university’s participation is not particularly surprising. Dr. Sherbon did, after all, teach there for over 20 years. But KU was not the only prominent Kansas institution to take

⁴² Clarke, “Kansas Has a Big Idea,” 20, KSHS.

⁴³ *Ibid.*

part, in some fashion or another, in the contests. According to the *Journal of the Kansas Medical Society* co-operating agencies and individuals included: the State Board of Health; the University of Kansas; the State Teacher College of Emporia; the Kansas State Agricultural College; Southwestern College of Winfield, the Topeka Y.M.C.A. and Y.W.C.A. ; the Topeka hospitals; the Lattimore Laboratories of Topeka; a large number of private physicians, specialists and nurses.⁴⁴

At this time eugenics was considered the next big thing not by common people, but the by educated and the elite, as made evident by a Kansas journalist who reported, “Eugenics? Exactly; for years the butt of the paragrapher’s wit and seldom taken seriously outside forbidding scientific works.”⁴⁵ The movement not only dovetailed, but found intellectual and practical inspiration in the Progressive reform movement – both movements championed by members of the middle class who sought scientific means by which to exert control over working class populations even as they supported legislation to make living and work places safer and more sanitary. To accomplish these goals, both movements also relied on more powerful and intrusive government bureaucracies – and in the case of the Fittest Family programs, the support of a wide array of public agencies.

At the time the Fitter Family contests, and Kansas itself, often won praise for their progressive orientation. One newspaper editorial of the era proclaimed: “There is a challenge to all the world in this contest. It is, in fact, the latest challenge from Kansas. It means that the people of this progressive state are no longer content to breed better animals. They are setting out to raise better citizens; to apply to the human race, some of the principles of heredity which have

⁴⁴ Fitter Families Eugenic Competition, *Journal of the Kansas Medical Society*, 274.

⁴⁵ Frank M. Chase, “Kansas’ Latest Challenge—‘Fitter Families’”, *The Dearborn Independent* (December 18, 1920), 11.

worked wonders in live stock improvement.”⁴⁶ It may seem puzzling to contemporaries that a largely agricultural state with a eugenics program that in some ways resembled the Third Reich’s murderous efforts in the 1930s to create a master race, might be labeled progressive. The Fittest Family project nonetheless evolved out of a dominant political culture that registered as progressive in the early twentieth century. Still it is striking that the movement would reach its height of popularity in the United States in the 1920s – coinciding with immigration restriction legislation, a reinvigorated Christian evangelical movement, and mass participation in a more potent and hate-filled Ku Klux Klan.

And yet, at the same time, it makes perfect sense that the Fitter Family Contests would be popular in the 1920’s. Because despite all the turmoil and tension that underpinned the decade, the 1920’s in America were still, as many people refer to it now, “the roaring 20’s.” It was a decade of decadence and experimentation, moving to the swing of jazz and with the free spirit of a flapper. The 1920’s, marked by gold fish eating competitions, and other bizarre types of recreation and amusement, was the perfect time for the Fittest Family Contests to take off.

But why did some Kansans want to breed better people? Eugenicians would have argued, at the time, that their intentions were purely altruistic. Watts provided her take on the need to study human heredity as vigorously as animal heredity:

Farmers started in to improve their livestock by better housing and more careful feeding, but they still raised scrubs. It was not until they discovered that heredity was a factor in stock improvement that any great change in grade of livestock took place. Infant mortality is still appalling. Our institutions for the insane and the feeble-minded are full or overflowing. Taxes for the support of these institutions including penitentiaries which take care of our social derelicts, have weighted down heavily the normal members of the community. What is the trouble? We are studying balanced rations, sunlight, fresh air, better schools and recreation; but still the number of unfortunates increases. We must go further; we must place more emphasis upon the factor of heredity.⁴⁷

⁴⁶ Ibid.

⁴⁷ Ibid.

Kansas, according to Watts and other progressives like her, was plagued by social unrest. It had become a hot bed for what could only be called pollutants. There was a need to purify the land and the people, purify the society. Eugenics seemed to provide the key to doing just that.

Eugenicists imagined that modern medicine could breed out crime, breed out discontent, breed out every negative trait... That's what Sherbon and her fellow eugenicists were trying to do. In a sense they were utopians. They dreamed of a perfect society with perfect people and the way to get there was to breed up the positive and breed out the negative.

In line with progressive thought, Sherbon believed that the individual had to be sacrificed for the greater good of society. In an unpublished paper she wrote titled *The Lindberghs and Democracy*, which did not address the matter of eugenics, she wrote, "The lives and interests of human beings have become so closely integrated, the ideology of individual freedom which has been undergoing gradual change must abruptly give way to a collective, social ideology in which there must be such surrender of individual liberty, voluntary and democratic of involuntary and 'dictated,' as shall be necessary for both collective and for individual security."⁴⁸ It is easy to see how the line of thinking articulated in the story perfectly coexisted with, and even supported, eugenic ideas, especially those of putting society's needs before the individual.

Eugenics might dictate that an individual marry someone who was "fit", versus someone loved:

Furthermore, you may be very sure that the young man who knows the eugenic history of his family, will look for more than just a pretty face when he decides to marry and add his own branch to the family tree; just as the girl who knows the eugenic history of her family will be able to resist the whirlwind courtship of a handsome stranger—at least long enough to find something about his background.⁴⁹

⁴⁸ Florence B. Sherbon, "The Lindberghs and Democracy", unpublished, Florence Sherbon Collection, Personal Papers, 97 n.d., Spencer Research Library, University of Kansas, Lawrence, KS.

⁴⁹ Johnson, "Fitter Families for Future Firesides: The Kansas Eugenics Contest," 460.

Indeed, the logic of eugenics might prevent an individual from pursuing marriage in the first place, and of course, in some cases it dictated sterilization. It was all for the greater good.

This idea of the greater or social good taking precedence over the individual's desire was taken all the way to the state house in Kansas. In 1917 state representative from Lyon County, F.O. Stone, proposed what he called "pure marriage reform." Probably modeled after a similar "eugenics marriage" law drafted by Wisconsin legislators, the Stone bill would have required physical examinations for all couples seeking to marry.⁵⁰ Although the bill did not specify the components of the required exam, it did bar individuals with tuberculosis or any other such contagious disease from marriage. Health certificates from practicing physicians would be required in order to have a marriage license issued. Lyon touted that if his bill was passed into law "Kansas would in 100 years produce a race of giants."⁵¹ It would promote what were called "eugenic marriages". Although the bill was never passed – it "jostled and bounced on the calendar by the revision committee" till it "fell several laps short of the session laws" – its mere consideration is as telling as Stone's giants comment is provocative.⁵²

Stone's use of the provocative word "race" is revealing. In defense of their programs, sterilized under Kansas law were native-born whites as evidence that their program was anchored in science, not racism. The Kansas experience contrasted with most other states where ethnic and racial minorities filled the ranks of the sterilized. That difference, however, can be accounted for by the Kansas demographic – which included very few non-native born ethnics and a very modest minority population. Kansas eugenicists, in fact, planned and implemented programs that deployed the power of the state in order to select and breed – in the end to

⁵⁰ "Pure Marriage Reform Comes to the Legislature", *Topeka State Journal* (Jan. 16, 1917), Kansas State Historical Society, Kansas Legislative Clippings, vol. 16, pt. 2, 55.

⁵¹ *Ibid.*

⁵² *Ibid.*

engineer – a superior race of people. In this sense, the Kansas eugenics movement shared a racial agenda that paralleled those of other states in the union. Eugenics practices on the plains even bore resemblances to the experimentation commonly associated with Nazi Germany’s quest for a “master race.”

Dr. Sherbon spent the better part of the 1920s creating and perfecting the Fitter Family contests and helping them spread throughout the nation. The 1920s was the decade of eugenics in America. High school biology books such as George W. Hunter’s *A Civic Biology*, the textbook made famous by the 1925 Scopes trial, had an entire section dedicated to race and eugenics, where it advocated white racial superiority and promoted eugenics as a means of strengthening the white race.⁵³ By the end of the 1920s, over 30 states had some kind of eugenics law on the books. It seemed the movement was poised to become a national institution. But something happened in the 1930s that would change all that. The roaring twenties gave way to the Great Depression and the Dust Bowl and the rise of fascism in Europe; grave times that apparently changed the mindset, or at least the priorities, of many Americans.

Dr. Sherbon backed off her eugenics push in the 1930s, focusing more on the medical plight of women and children. She went on to do great work for both from her position as professor at the University of Kansas. Today her involvement in eugenics has been relegated to mere trifling; that is how it is remembered now. While in Lawrence, KS, researching Dr. Sherbon an archivist approached me and said, “I am so happy that you are studying Dr. Sherbon. She doesn’t get near the recognition she deserves. She did so much good for this state and was such a great lady. Yes, she did dabble in that...oh, what do you call it...? Oh yes, in eugenics, and you have to ask yourself, ‘Oh Florence, what were you thinking?’ But she did so much more

⁵³ George W. Hunter, *Race and Eugenics in A Civic Biology* (1914), as excerpted in Jeffrey P. Moran, *The Scopes Trial: A Brief History with Documents* (Boston: Bedford/St. Martin’s, 2002), 186-188.

good.” People seem to have forgotten that if Kansas were Oz, Dr. Sherbon would have been the wizard, the force seen to be in charge of everything and running the show from behind the curtain. It raises the question, what if the Frank Braum’s wizard had been a woman. Not a witch, not a malicious force, but a seemingly benevolent and omnipresent figure as Oz was meant to be seen.

Finally, what if the nation’s eugenics movement had been led entirely by women? Would it have taken a different shape? Would it have placed more emphasis on preventative eugenics, rather than sterilizations – as in the case of Kansas? Possibly not, for as the next chapter demonstrates, women eugenicists in Kansas did not necessarily dismiss sterilization as a human management tool.

By the same token, however, eugenics in Kansas did look different than it did in other parts of the country and arguably Sherbon herself is one of the reasons why. It is hard to speculate on the motivations of most top eugenicists, like Charles Davenport or Irving Fisher, but it is obvious that Sherbon had her heart in the right place. She sincerely wanted to help people, especially children and the unborn. Her emphasis on health, rather than abnormality, made Kansas eugenics different. She undoubtedly believed in the power of heredity. As she wrote on one occasion, “In general one should try to learn all he can about his own inheritance, and all families should keep family trait histories. This is the only way in which the exact truth about particular phases of human heredity can become known; and it is the only way in which the individual can become informed and warned as to lurking potentialities or predispositions in his heredity.”⁵⁴ Yet she also elaborated: “In general, also, no one should worry unduly about the possibility of inheriting mental or physical defects or disease. There are very few inherited susceptibilities which may not be prevented from actually materializing if one pursues a normal

⁵⁴ Sherbon, *The Family in Health and Illness*, 29.

program and develops his good traits symmetrically and consistently.”⁵⁵

Whether Sherbon’s belief about the importance of environment developed over the years is questionable. The work excerpted above was published in 1937, it was one of Sherbon’s last works, published more than a decade after the founding of the Fitter Families contest. Perhaps time showed the good doctor that all the problems she once blamed on bad genes really had more to do with hostile or toxic environments. Whatever the explanation may be, as Sherbon started to distance herself from eugenics, Kansas as a state did as well. The yellow brick road of eugenics in Kansas would lead to an Emerald City, not a paradise, but a prison. And it was there the battle over Kansas eugenics would be fought.

⁵⁵ Ibid.

CHAPTER 3

A GOOD WITCH'S FIGHT

There are two women central to the rise and fall of eugenics in Kansas. Sherbon was the first. The second was Congresswoman Kathryn McCarthy. But before McCarthy's role and deeds can be chronicled, a closer examination of eugenics itself and what it entailed is needed. This will also help move this project in time from Sherbon's decade of the roaring 20's to the desperation of McCarthy's 1930's. McCarthy's revolution in Kansas against eugenics might have been merely a product of its time, but first a closer look at what was happening in the 1920s is needed, because the Fitter Family contests do not tell the whole story. It is time to grapple with some of the harsher aspects of eugenics, such as forced sterilization. Kansas's history of forced sterilization goes back before the first eugenics law was passed in the state, in 1913. Dr. F. Hoyt Pilcher, superintendent of the Winfield asylum, first introduced eugenic sterilizations at Winfield in the 1890s. Arguably, he was the first to perform these types of sterilizations, although that credit is typically given to doctors in Indiana who began forcibly sterilizing the mentally ill, deficient, and criminals in 1899.¹

What made forced sterilization so attractive to eugenicists and their supporters during the 1920s? The reality is that tens of thousands more people fell victim to sterilization than ever participated in the Fitter Family contests across the country. Some of those who underwent the surgical process did so after having been found guilty of committing a crime – a punishment that is still advocated by some hardliners today. But sterilizing criminals is one thing. During the early twentieth century the practice extended to many additional segments of the population –

¹ Human Sterilization Today: A Publication of the Human Betterment Foundation, Pasadena, California, 2, Kansas State Historical Society (KSHS), Manuscript Collections, Kathryn Ellen (O'Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

including the mentally and physically handicapped. What explanations could be given for such apparently barbaric treatment of disadvantaged human beings? The fact is that eugenicists in the Progressive era and well beyond promoted sterilization as a humane way to deal with the mentally ill and deficient. It was also endorsed as a cure for criminals.

Many criminologists argued in the 1920s that criminality was caused by a hereditary gene. One academic article, aptly titled “The Cure for Crime: Stop the Breeding of Mental Defectives,” gave the now preposterous scenario of a young man being acquitted of false charges leveled against him following completion of a series of psychopathological tests including association, drawing, neurological reflexes, and analysis of the parents “heredity” uncovered “no evidence of outstanding emotional eccentricity”.² Crime, according to this article, was the result of “emotional insanity” or “dementia praecox” in the contemporary nomenclature.³ Referring to a man who murdered his wife and her brother the article’s authors concluded that careful examination revealed that: “His basal ganglia, the physical seat of his emotions, have been injured or they were atrophied at birth, just as if he had had his arm cut off or had been born with a withered arm.”⁴

The researchers, however, took solace that the new and developing field of psychology could test for and detect those who had inherited the defective gene. They might then be segregated from society and sterilized to make sure their kind did not reproduce. Getting rid of crime was seemingly as simple as figuring out who carried the “crime gene” and stopping its spread. Following this line of thought, sterilization was not punishment for the offending criminals. It constituted a form of preventative care to help protect the rest of society.

² French Strother, “The Cure for Crime: Stop the Breeding of Mental Defectives,” *The World’s Work* (August 1924): 392-393, KSHS, Manuscript Collections, Miscellaneous Manuscripts-Article Reprints (pre-1935).

³ *Ibid.*, 390.

⁴ *Ibid.*

Furthermore, in the off chance that sterilization actually calmed or stopped a criminal's violent tendencies it could be considered a means by which to rehabilitate the criminal him (or her) self.

The state established and codified guidelines for sterilizing inmates at state institutions.

Section 76-149 of Kansas law, allowing for sterilizations, reads:

That the warden of the state penitentiary, the superintendent of the Hutchinson reformatory, the superintendent of each of the state hospitals for the insane, the state hospital for epileptics, the state home for feeble-minded or the state industrial school for girls, shall certify in writing to the governing board of the institution of which he or she is warden or superintendent, that he or she believes that the mental or physical condition of any inmate would be improved thereby or that procreation by such inmate would be likely to result in defective or feeble-minded children with criminal tendencies, and that the condition of such inmate is not likely to improve so as to make procreation by such person desirable or beneficial to the state...⁵

The law covered all bases. It applied to cases where the inmate's own health would supposedly be improved by sterilization, but also to cases where the state simply did not want to be saddled with the care of potentially problematic children. There was a stipulation to the law, however. It stated, "But before such operation shall be performed a written notice shall be served on such inmate, and guardian, if there be one, of the time and place of a meeting and hearing at least thirty days prior thereto; and said inmate shall have the right to be represented by counsel and may introduce such evidence as may be desired."⁶ Inmates were not to be railroaded to sterilization. They were supposed to have the right to argue their case and, in theory, preserve their right to reproduce.

Not surprisingly that was not how sterilization in Kansas often took place. Yes, the "hearings" did take place, but only as a matter of protocol. Eugenic supporters insisted that most victims and their families supported sterilization. As one agency report concluded, "The most striking revelation from our studies is the extent to which the policy of eugenic sterilization is

⁵ Sterilization of Inmates in State Institutions: As Provided for in 76-149-55 of the Revised Statutes of Kansas for 1923, KSHS, Manuscript Collections, History of Psychiatry.

⁶ Ibid.

approved by those who know most about it. Patients, relatives of patients, state officials, physicians and surgeons, parole and probation officers, social workers, agree on the value of this practice. It is protection, not punishment, and therefore carries no stigma or humiliation.”⁷

Another official document further maintained: “Selection of the patients for this operation is made after careful study by medical specialists, and usually with the written consent of the nearest relatives.”⁸

That may have been the ideal, how the system was designed to work, but the reality often proved far different. There were objections from victims and their family members, but they most often fell on hardened, deaf ears. One critic noted: “Many letters from parents are...on file protesting against these operations but the order states the despite protest of the parents, the operation should be performed.”⁹ In fact people, victims and their family members, did protest and try to fight the system, but they were marginalized. The state took the stance of “father knows best,” dealing out sterilizations without prudence or regard.

That was not how eugenic sterilizations were supposed to be. It was supposed to be a selective process. According to one defense of the procedure, “It must be understood that not everyone who is sent to a state institution is sterilized. Mass sterilization has no place in this program. Each case is judged on its own merits. Of the feebleminded who have been paroled, about one-half have been sterilized.”¹⁰ Those numbers were based on the eugenics program in California, which was the largest in the nation. Eugenics literature from California flooded other states where eugenics was active, such as Kansas. Many Kansas eugenicists quoted statistics and

⁷ Human Sterilization Today, 4, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

⁸ Ibid, 5.

⁹ Challenges Statement xxxx Parents Consented to Sterilizations of girls at Beloit, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

¹⁰ Human Sterilization Today, 4, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

information from California, believing those numbers were more credible and impressive. Furthermore the underlying principle should have, in theory, applied to eugenic sterilizations across the nation. In some Kansas institutions, however, the sterilization rate ran closer to 60%.¹¹

Supporter marketed sterilization as a simple process with a significant return. “Modern sterilization is not mutilation,” eugenics enthusiasts insisted, “In men, the operation can be performed under a local anaesthetic [sic] in fifteen to twenty minutes. In women, the operation is more serious, involving the opening of the abdomen. It is thus comparable in severity to an uncomplicated operation for chronic appendicitis. It means a week or two in bed.”¹² With the operation to sterilize men being so much easier than the operation to sterilize women, the question arises—why were so many more women sterilized than men?

In some states, most notably North Carolina, women composed 85% of those sterilized.¹³ In fact, Kansas was the only state in the nation that sterilized more men than women, but only at a ratio of 58% men to 42% women. The difference registers as statistically significant and the mere fact that all other states either sterilized more women outright or sterilized the sexes roughly evenly (as in California) makes Kansas’s sterilization of more men a fascinating abnormality. Could the aberration be explained by the number of women who played a central role in Kansas eugenics? Or did it simply reflect that Kansans preferred the easy route and sterilizing men was just medically easier than women? We will likely never know the answer to this question.

Eugenic supporters claimed that sterilization provided a solution to a question a

¹¹ Arguments for Amending the Sterilization Law of Kansas, 1, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

¹² Human Sterilization Today, 1, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Microfilm Ms 1752.

¹³ Lutz Kaelber, *Eugenics: Compulsory Sterilization in 50 American States (North Carolina)*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/NC/NC.html> (Accessed November 15, 2013)

problem that plagued the nation; how to slow or stop the “increase” of the mentally ill, deficient, and criminals. One study of compulsory sterilization in the fifty states observed that the “situation which has led all these commonwealths to adopt sterilization laws” had grown out of the alarming rate of births among families living on public charity – a number estimated to run fifty percent higher than births among self-supporting families. The report singled out California where populations in state-run homes for the “feeble minded” had multiplied “twice as rapidly as the rest of the population.”¹⁴ Indeed, it noted that Eugenics supporters in California complained that: “The burden of taxation due to mentally diseased and mentally defective, is...steadily mounting. Few of the feeble-minded are given institutional care, but their presence in the population at large is none the less expensive both in direct costs and in lowered efficiency of industry, in crime and delinquency, and in the deterioration of citizenship which is inevitable when a large number of citizens are mentally abnormal.”¹⁵

Here again the author’s reports advanced the inference that heredity and/or mental issues caused crime. Sterilization would make society a better, safer place. “Sterilization is no panacea for these ills of mankind, but it is one of the many measures indispensable to any far-sighted and humanitarian program for dealing with society’s tremendous burden of mental disease, deficiency, and dependency.”¹⁶ Sterilization then, despite its harsh nature, was still meant to be positive medicine. It merely prioritized the social good over individual rights – in keeping with the ethos that underpinned so much of the Progressive reform agenda.

Eugenics supporters placed a great deal of stock in the fact that the practice had been upheld as constitutional by the United States Supreme Court, in the case of *Buck v. Bell* (1927).

¹⁴ Human Sterilization Today, 2-3, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

¹⁵ Ibid.

¹⁶ Ibid.

But the Court arrived to its eight to one court decision under imperfect conditions, to say the least. The case pitted the state of Virginia against an eighteen year old woman named Carrie Buck who had been forcibly sterilized after having been determined to be the “feeble minded” daughter of an equally mentally deficient mother. In writing the decision Justice Oliver Wendell Holmes remarked: ‘Three generations of imbeciles are enough.’¹⁷ The *Buck* case is now infamous in the study of eugenics, thanks in part to Paul A. Lombardo’s gripping study of the case, *Three Generations, No Imbeciles*. Lombardo claims that the Court was tricked in the *Buck* case, by a eugenics supporting attorney who defrauded the court.¹⁸ Buck was no imbecile, Lombardo argues, and arguably neither were many others sterilized (an argument which evidence found in Kansas backs).

Many leading scientists had in fact begun to reject the eugenics as a discipline by the time the Buck case came before the Supreme Court. The brightest minds in the new field of genetics questioned the simple minded reasoning and shaky evidence that underpinned eugenics’s core principles, as did an emerging popular, anti-eugenics movement.¹⁹ Yet the movement was far from dead at that time. In fact, the 1920s might even be called, without too much exaggeration, the eugenics decade. The movement did not see a noticeable decline until the 1930s, at least not in active states like Kansas. And even once the movement declined, it did not fully die for decades. Kansas performed its last eugenic sterilization in 1961.²⁰ The last known eugenic sterilization in the nation took place in the state of Virginia (the same state where the

¹⁷ Ibid.

¹⁸ Paul A. Lombardo, *Three Generations, No Imbeciles: Eugenics, the Supreme Court, and Buck v. Bell*. (Baltimore: The John Hopkins University Press, 2008), xi.

¹⁹ Ibid.

²⁰ Lutz Kaelber, *Eugenics: Compulsory Sterilization in 50 American States (Kansas)*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/KS/KS.html> (accessed November 18, 2013)

infamous Buck sterilization took place), in the year 1979.²¹

Eugenics was not a momentary fad. The movement exercised considerable power over the lives of people around the world for decades. “More than 130,000,000 people, including the citizens of twenty-nine American states, are now living under eugenic sterilization laws,” eugenics supporters were proud to report in the late 1920s.²² Worldwide hundreds of thousands of people were sterilized in places such as Canada, Norway, Mexico, and of course, Germany, which was responsible for over 350,000 eugenic sterilizations during the Nazi era.²³ The German eugenics program, however, predated the Nazis and was an American import. It may be possible to look back with what is now known and say that by 1924, the eugenics movement was dead or dying. At the time itself though, the movement showed no signs of slowing down. In fact, eugenicists in the 1920s would have likely believed that the best was still to come.

In addition to touting the Supreme Court’s endorsement of sterilization, eugenics supporters went to great lengths to differentiate themselves from advocates of family planning and birth control: “There is a wide difference between sterilization and ‘birth control’ by contraception.”²⁴ Some eugenicists, most notably Margaret Sanger, were also contraception advocates. But the two were not to be confused. They served completely different purposes:

Eugenic sterilization, primarily, is applied by the state or with its sanction, to persons who would be likely to produce defective children. It protects such persons, their potential children, the state, and posterity. Such persons may not have the intelligence, the foresight, or the self-control, to handle contraceptives successfully, nor the ability to care for children intelligently. Sterilization is practically irreversible—permanent—and

²¹ Mark A. Largent, *Breeding Contempt: The History of Coerced Sterilization in the United States* (New Brunswick, New Jersey: Rutgers University Press, 2008), 80.

²² Human Sterilization Today, 2, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

²³ Lutz Kaelber, *Eugenics: Compulsory Sterilization in 50 American States*, University of Vermont, <http://www.uvm.edu/~lkaelber/eugenics/> (accessed November 18, 2013)

²⁴ Human Sterilization Today, 7, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

100% effective. It is the only reliable method of birth control which many defectives can use.²⁵

That argument was used to try and silence critics who claimed, as other forms of contraceptives were developed and started becoming available, that eugenic sterilizations were no longer necessary. Why perform a risky operation to sterilize a woman, when there were other possible methods to prevent pregnancy?²⁶ Perhaps sterilization was the only way to guarantee mentally deficient women did not have children. But scholars like Lombardo would rightfully point out that it was not the state's place to tell those women they had no right to have children, especially when so many of them were nowhere near as incapable as they were made out to be.

In 1914, Dr. F.C. Cave of the Winfield Asylum commissioned a report on the sterilization of inmates his institution. The report found that under the administration of Dr. Pilcher, sterilizations (or asexualization, as they referred to it) were performed on fifty-eight patients, fourteen girls and forty-four boys.²⁷ By the time the report was made, twelve years after Dr. Pilcher's management, all fourteen girls were still residing at the Winfield Asylum, but only twenty-two of the boys remained. The rest had either been removed from the facility by relatives or died.²⁸ Dr. Cave based his report on the thirty-six individuals still residing at the asylum.

In his report, he answered six questions posed by Dr. Barr, of the Elwyn Institution, the famous care facility for the disabled located in Elwyn, Pennsylvania. The Elwyn Institution is one of the oldest and largest care facilities of its kind in the United States. That a doctor from there took interest in what was happening in Winfield, Kansas is actually rather incredible,

²⁵ Ibid., 7-8.

²⁶ Forms of birth control available and promoted at the time included Charles Knowlton's process of cleansing the vagina with a chemical solution after intercourse (so basically a form of spermicide), as described in his 1832 book *Fruits of Philosophy*, condoms, cervical caps, and of course the most effective form of birth control available, abstinence.

²⁷ F.C. Cave, "Report of Sterilization in the Kansas State Home for Feeble-Minded," 1, (1914), KSHS, Manuscript Collections, Miscellaneous Manuscripts-Article Reprints (Pre-1935).

²⁸ Ibid.

although the Elwyn Institute was known for gathering data from other institutions across the nation. To Dr. Barr's first question, "In what proportion of the inmates of your institution do you consider procreation advisable," Dr. Cave simply replied, "None."²⁹

Dr. Cave's answer to Dr. Barr's third question is more revealing. Dr. Barr asked, "What would be the probable effect of asexualization upon their mental and moral conditions?"³⁰ In other words, he asked did sterilization help them in anyway. Were there any positive side-effects of the operation on these patients? Dr. Cave answered, "Mentally, I see no especial change in any particular. Their school work shows no marked superiority over others who are in possession of all their organs. Morally, they are not addicted to onanism [masturbation] and other prevalent perversities but this is not because their standard of morality has been elevated, it means that the elimination of physical factors has caused the betterment."³¹ Basically Cave admitted in his answer that sterilization did no real good. It did not better the patients mentally or morally. Yes, it did prevent them from masturbating, which was a big deal at the turn of the twentieth century, but that was merely a physical side-effect of the operation, not a consequence of design.

The physical effects of the operations varied, according to Cave. One of the fourteen girls became obese following her sterilization, as did three of the boys. All the girls were noted for having atrophy, or gradual loss, of their breasts, while several of the boys were noted to have developed breasts as a consequence of their surgeries.³² Even though all fourteen girls ceased to menstruate following their sterilizations, many of them still complained of pains associated with menstruation such as cramps and headaches, with some of the cases being so severe that they

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid., 1-2.

interfered with the girls' household duties and restricted them to bed rest.³³ All the patients sterilized became oddly pale, Cave reported, and any type of sexual desire had been lost in them all.³⁴

In spite of these findings, when Dr. Barr asked, "What operation would you advise?" Instead of disavowing the operations altogether, as one might expect, Cave answered, "Oophorectomy in female and testectomy [sic] in the male."³⁵ Even though he saw firsthand that the sterilizations did not do what they were purported to, in so far as they did not cure mental illness, Dr. Cave still believed in the benefits of eugenic sterilizations. "These operations prevent the begetting of defective offspring and also limit lewdness and vice," Cave insisted.³⁶ Sterilizations were a method of social control over the, so-called, feeble-minded then. Physically altering their bodies modified their behavior in ways that medical professionals such as Cave found pleasing. Cave claimed to be looking out for his patients, who were too unintelligent and pleasure-seeking by nature to consider the impact of such things as conception.³⁷ His real concern was with making his own job as superintendent of the asylum easier. Sterilization was just another form of restraint utilized by the asylum, the same way straightjackets and even chains were employed.

Cave recommended sterilization at any age, claiming it was just as effective before puberty (as was the case with an unspecified number of Winfield inmates) as it was on mature adults.³⁸ In his closing observations of the report, he said, "From observing these cases for the past three or four years, I would say that the degenerate, whether he be feeble-minded, insane, a

³³ Ibid.

³⁴ Ibid., 1-2.

³⁵ Ibid., 2.

³⁶ Ibid., 2.

³⁷ Ibid., 2.

³⁸ Ibid., 2.

habitual criminal or any other type of abnormality, who has the surveillance and guardianship that an institution affords and where he presumably will not have the opportunity of returning to public life to mingle and reproduce his kind, the operation producing sterilization is not essential.”³⁹ He went on to add, “The delinquent who is not confined is the individual who needs surgical treatment and I am in favor of a legal enactment that will give the state the right to demand such an interference.”⁴⁰

Dr. Cave received that legal enactment in Kansas the year before his report was published. It is interesting that he suggested that only those who would have a chance of being released from state custody should be sterilized. Cases that were bad enough to stay permanently in state custody, apparently, should never have been the priority for sterilization. The irony of that is, those who were well enough to rejoin the public, were at the same time well enough that they should not have needed sterilization, if you bought into the argument that sterilization was only to be used in the most hopeless of cases. An individual who was deemed intelligent enough to live on his or her own, should have been considered intelligent enough to reproduce, but that was not the case. In Kansas, many of those sterilized were operated on as a condition of their release back into the public.

Cave insisted though that there was a need for sterilization. He echoed the same argument we have already come across in this chapter from eugenics supporters. The children of the mentally ill and deficient were causing an increased burden upon the state, supporters of eugenics charged, “When in our institution we have several girls who are mothers of two or more illegitimate children, and another feeble-minded woman has just been received who has five to her credit and is soon to be confined with a sixth, and from other institutions of like character

³⁹ Ibid., 2.

⁴⁰ Ibid., 2.

similar reports are being frequently published, it is time some drastic action were taken to stem the ever increasing tide of weak-minded individuals who are demanding more and more room in our charitable institutions by their increase.”⁴¹ It’s very interesting that in his examples given, Cave singles out women as the problem, and yet Kansas sterilized more men. Again, we will never know why exactly Kansas sterilized more men than women. For a state so concerned with preserving the norm, in that instance it was an abnormality itself. But even though more men than women were sterilized in Kansas, eugenics was still very much a feminist issue in the state, as it was throughout the nation.

As a matter of history, eugenics is a matter of feminism, both its need and its failings. Turn of the century feminists should have rallied together to protect their fellow women from forced sterilization. Eugenics clearly attacked what most would consider the feminist values of female self-determination and bodily control. But while not all feminists at the turn of the century supported eugenics, many of them did, including such notable feminist icons as Victoria Woodhull, Charlotte Perkins Gilman, and Margaret Sanger.⁴² In fact, some scholars have argued that these feminists created their own special brand of eugenics, something they call “feminist eugenics.” In some cases these eugenic feminists combined the issues of race and gender; this was certainly true of Gilman, who was well-known for her white supremacy views.⁴³ Sanger’s feminist eugenics was also racially influenced, as demonstrated by her talk of birth control leading to a “cleaner race.”⁴⁴

We have already seen how in Kansas, women played a critical role in the eugenics movement. Dr. Florence Sherbon was, arguably, one of the most influential eugenicists in the

⁴¹ Ibid., 2.

⁴² Mary Ziegler, “Eugenic Feminism: Mental Hygiene, the Women’s Movement, and the Campaign for Eugenic Legal Reform, 1900-1935,” *Harvard Journal of Law and Gender*, Winter 2008, Vol. 31, Issue 1, 211-235.

⁴³ Ibid., 226.

⁴⁴ Ibid., 229.

state. In addition to her, one of the most powerful and well-known feminist organizations in the nation at the time, the Women's Christian Temperance Union (WCTU), played a crucial role in Kansas eugenics. The WCTU, as a group, endorsed and advocated eugenics. In 1888 the WCTU founded a girl's reformatory in Beloit, Kansas. The state would take over the reformatory the following year, transforming it into the State Industrial School for Girls. Beloit would become the battlefield of eugenics in the state Kansas, where the blood of innocent girls sterilized would be avenged. And, perhaps not surprisingly, the general leading the charge would be a Kansas woman.

In 1932, a woman was elected from the sixth district of Kansas to serve in U.S. House of Representatives. She was a most unlikely woman—an unwed, Irish, Catholic, Democrat elected to represent one of the most traditionally Republican districts in the state. Her name was Kathryn Ellen O'Loughlin (sometimes misspelt as O'Laughlin). Like Dr. Florence Sherbon, Kathryn O'Loughlin was born a farm girl (just outside Hays, Kansas), but made herself into a progressive, middle-class, professional woman, going all the way to Chicago for law school. Admittedly, politics was something O'Loughlin was born to. Her father was what would have been known at the time as a "gentleman farmer," a farmer with powerful political connections and influence. In fact, John O'Loughlin served in the Kansas State Legislature and helped Kathryn secure her first job after law school as the clerk of the House Judiciary Committee.⁴⁵ O'Loughlin rose quickly through the ranks of Kansas politics, running and winning a seat in the state legislature two years before jumping to the U.S. Congress. She was the first women to represent Kansas in the U.S. House of Representatives.⁴⁶

During her campaign for Congress, O'Loughlin met fellow Irish, Catholic, Chicago law

⁴⁵ Biographical Sketch, KSHS, Manuscript Collections, Kathryn Ellen (O'Loughlin) McCarthy Papers, 1900-1948, Microfilm Ms 1752.

⁴⁶ Ibid.

school grad, and Kansas state senator, Daniel McCarthy. The two had a whirlwind courtship, the cause of a “whisper” campaign against her by her opponents, and married in 1933. Now Mrs. McCarthy, Kathryn served her term in the U.S. Congress successfully, but found re-election “simply too strenuous,” “especially when you are a Democrat wanting to represent a district as habitually Republican as the Sixth Congressional district.”⁴⁷ The fact of the matter is, she probably only won in 1932 due to the Great Depression and the backlash Herbert Hoover’s disapproval caused Republicans in general to suffer (not to mention the enthusiasm FDR brought to the Democratic party at the same exact time). McCarthy “retired” into private law practice with her husband, moving back to her hometown of Hays.

For three years, little or nothing was heard from Kathryn McCarthy, but in 1937 she re-entered the public sphere with an explosive charge. McCarthy had uncovered the deplorable conditions of the Girls’ Industrial School at Beloit, conditions which included poor food and sanitation for the girls, a lack of exercise and recreation, and worse of all, severe and abusive punishments, including sterilization. McCarthy sounded the alarm to the state legislature, going straight to the board in charge of overseeing the school, but her chargers were dismissed without regard. Most the Republican board members believed that her agenda was politically motivated. McCarthy refused to back down though. If the legislature would not listen to her, she would take her case straight to the people, through the media.

On October 24, 1937 an article appeared in the *Abilene Reflector*, boldly titled, “Sterilizing at Girls’ School Raises a Stir.” The article started with McCarthy’s demand for a formal investigation by the governor himself of what she termed “wholesale sterilization” at

⁴⁷ Ibid.

Beloit.⁴⁸ McCarthy claimed that records showed that 62 of the 148 girls present at Beloit at the time, roughly 42% of the population, had already been sterilized and another 22 were slated for operations.⁴⁹ “So far as I can determine,” McCarthy told the *Reflector*, “Sterilization was done as a punishment, rather than for any special good for society.”⁵⁰ Such language suggests that McCarthy was not against the concept of eugenics itself. If she believed these sterilizations had been done for a social good, perhaps she would not have objected. But from what she could tell, these girls, some as young as nine years old, were not being sterilized for the good of anyone. They were being abused by the system. “It is horrible to think,” McCarthy reflected, “These girls have been deprived of motherhood and a chance for a happy married life.”⁵¹

As soon as the accusations were made in media, there was a rebuttal. In that same *Abilene Reflector* article, Will T. Beck, former vice-chairman of the state board of administration, insisted that all the girls had only been sterilized after receiving formal hearings (as was required by state law) and with the consent of parents and guardians. “Sterilization operations at the girls’ school, Beloit,” Beck told the *Reflector*, “were performed only in cases where the board, the head of the institution and the secretary of the board of health were convinced the girl was unfit to have children.”⁵² He went on to say, “Most the girls sterilized were sexual perverts, obstreperous, fighters or near degenerates.”⁵³

Beck’s words fell on deaf ears where McCarthy was concerned. She was unconvinced of that all the sterilizations had met with the approval of parents and guardians. “The parents’ pleas did not stop these wholesale sterilizations,” McCarthy declared, “But that is due to the

⁴⁸ “Sterilizing At Girls’ School Raises a Stir,” *the Abilene Reflector*, October 24, 1937, KSHS, Manuscript Collections, Kansas Industrial School for Girls; Youth Center at Beloit; and Beloit Juvenile Correctional Facility: selected newspaper clippings, 1937-1998.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

faulty state law. I am going to do all in my power to have that law changed.”⁵⁴

McCarthy was absolutely right about the pleas of parents going ignored. In June 1935, Mrs. Grace B. Axton, superintendent at Beloit, wrote to probate Judge W. N. Calkins:

Your letter of June 7th regarding Maria A., as far as I am concerned, I would just as leave return Maria to her father; but right now I have an opportunity to transfer several girls to Winfield, who are old enough to be returned to their county. This transfer would mean just long enough for sterilization—then they would be returned here and I would make the return to the county. I can do this, for I am their legal guardian—where it might cause you some trouble if you wanted this done later. I am telling you this because I feel sure you will entirely agree with me in this matter; but I do not want this father or anyone else there to know of this because you know it might cause me some trouble if they got hold of it.⁵⁵

Clearly McCarthy was right, this was “wholesale” sterilization and Axton knew it would not be approved of by family members, or the public at large.

The ones who did approve of it were the political elites, like Axton and Judge Calkins, who wrote back, “I have your letter of June 12th in regard to Maria A. and I heartily approve of the action you are taking in regard to this girl, and no doubt you are taking the proper procedure in regard to others, but of course you are in better position to know what is best, although I do think that if more of this kind of action is taken that society as a whole would be benefitted.”⁵⁶ Others in positions of power in the state obviously held the same views as Axton and Calkins, because they defended the practice of sterilization at Beloit and attacked McCarthy for her criticism of it.

On November 24, 1937, in *the Kansas City Star*, an article ran titled, “Reply to Mrs. McCarthy: Former Member of Kansas Board Makes Sharp Answer.” In the article T.W.

⁵⁴ Ibid.

⁵⁵ “Letter from Superintendent Mrs. Grace B. Axton to W. N. Calkins, Probate Judge,” June 10, 1935, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 11, Sterilization at Beloit—Correspondence, Microfilm Ms 1752.

⁵⁶ “Letter from Probate Judge W.N. Calkins to Mrs. Grace B. Axton,” June 13, 1935, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 11, Sterilization at Beloit—Correspondence, Microfilm Ms 1752.

Woodward, former member of the state board of administration, insisted that McCarthy's allegations were not only false, but they were motivated by revenge for the loss of her congressional seat. "I do not like to challenge the veracity of a woman," Woodward wrote, "but if she did make the statements credited to her, the least I can say is that she is very reckless with the truth, and as far as our board is concerned the charges are false and cannot be substantiated."⁵⁷ Woodward went on to disclose what he believed the real reason behind McCarthy's claims was:

I can readily see why Mrs. McCarthy is so anxious to bring charges against the board. Dr. James M. Scott was a member of this board, and as chairman of the sixth congressional district was largely instrumental in engineering her defeat for Congress there. He is dead now and cannot defend his actions, so she brings these charges against the board of which he was chairman. I am sure if your committee will go carefully into these cases you will find more than the welfare of the inmates involved. The real reasons for the charges, politics and religion have not been given in the stories thus far.⁵⁸

Woodward did join McCarthy in calling for an investigation, but only to silence the matter once and for all. He genuinely believed that an investigation would reveal no wrongdoing on the part of the state or Beloit. All the girls were sterilized for eugenic purposes, not as a means of punishment, and they were all given the formal hearing they were due under the law.

But it did not take long for evidence to surface against the claims of Woodward and Will T. Beck, who was first to try and discredit McCarthy. In an unsigned memorandum, possibly written by McCarthy herself, Beck is addressed by name and corrected with the facts. "Answering Will T. Beck, Chairman of the Board of Administration under Landon Administration," the memorandum read, "I wish to reiterate that sixty two of the girls at the Industrial School at Beloit between the ages of nine and nineteen were sterilized or unsexed

⁵⁷ "Reply to Mrs. McCarthy: Former Member of Kansas Board Makes Sharp Answer," *The Kansas City Star*, November 24, 1937, KSHS, Manuscripts Collections, Kansas Industrial School for Girls; Youth Center at Beloit; and Beloit Juvenile Correctional Facility: selected newspaper clippings, 1937-1998.

⁵⁸ Ibid.

while Dr. Scott of Lebanon was a member of the board. These operations were not performed in private hospitals at Beloit as Beck alleges but were performed by a Kansas City, Missouri doctor at the hospital for Venereal Diseases at the State Penitentiary at Lansing. Fifty four of the girls were sterilized and eight were unsexed, one of the latter being a nine year old girl. The Beloit records at the School do not allege that the girls were imbeciles or had a social disease. One of the girls listed for sterilization is shown to have an intelligence quotient of 102.”⁵⁹

If what the memorandum reported was true than none of the girls in question ever should have been sterilized, because they did not fit the state’s criteria. The memorandum went on to say, “Many letters from parents are...on file protesting against these operations but the order states that despite protest of the parents, the operation should be performed. The girls were not permitted to return to their homes after these operations although they were promised that they could do so.”⁶⁰

We see evidence of that last claim in yet another letter from Superintendent Axton to Probate Judge Calkins, dated December 9th, 1935, six months after their initial correspondence regarding poor Maria A., whose father was fighting desperately to get his daughter released from state custody. Axton reported, “I have been getting some rather insistent letters from Mr. Jose A. regarding the return of Maria. I have kept putting him off without telling him the real reason.”⁶¹ One can only imagine what this poor man must have been going through, having been given the run around about his daughter for six months; all the while she was being stripped of one of her basic human rights, the right to reproduce. On the status of Maria, Axton revealed, “Maria is in

⁵⁹ Challenges Statement xxxx Parents Consented to Sterilizations of Girls at Beloit, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

⁶⁰ Ibid.

⁶¹ “Letter from Superintendent Mrs. Grace B. Axton to W. N. Calkins, Probate Judge,” December 9, 1935, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 11, Sterilization at Beloit—Correspondence, Microfilm Ms 1752.

Wingfield [sic] and the ‘hearing’ will be January 16, and we will return her just as soon as she is able to leave Winfield, for I do not intend to return her to Atchison.”⁶² No reason is given for the six month delay between when Maria was originally supposed to have been sent to Winfield to present date. Nor is it clear why another month would be needed before her “hearing” could be held. The fact that even Axton put the word “hearing” in parenthesis is highly telling. The hearings were in name only. No real defense of the patient was allowed and there could only be one verdict, the one the state wanted.

Beloit became McCarthy’s battle cry. She claimed that abuses at the school dated back all the way to when it was still ran by the W.C.T.U., “There was an airing of conditions at the Beloit school during the superintendency [sic] of Lillian Mitchener, who headed the W.C.T.U. That matter was taken into district court. Now the records of that case cannot be found.”⁶³ McCarthy took her case to every newspaper in Kansas that would print her. No less than half a dozen articles quoting her and pushing her agenda of investigating Beloit were published in newspapers from Abilene to Kansas City in a single week in October 1937. It was a media blitz worthy of today’s social media.

Taking her case to the public, through the media, was one of the smartest things McCarthy could have done. The public outcry did not stop at the Kansas state borders. McCarthy received letters from across the country by people outraged by what became known as the Beloit incident and thanking her for her public service. One woman from Portland, Oregon wrote, “I read in our Portland Paper of your attack on this inhumane Eugenic sterilization operation... Your institution in your state is but one of many and I am thankful God has given me the

⁶² Ibid.

⁶³ “Probe Demand As Duty: Mrs. McCarthy Says Politics Isn’t in Beloit Charges,” *The Kansas City Star*, October 26, 1937, KSHS, Manuscript Collections, Kansas Industrial School for Girls; Youth Center at Beloit; and Beloit Juvenile Correctional Facility: selected newspaper clippings, 1937-1998.

knowledge of hearing you.”⁶⁴

It’s important to remember, just a decade earlier, people were lining up by the hundreds at state fairs to participate in a part of the great American eugenics project. Eugenics was touted in fashionable magazines and in textbooks alike. It enjoyed the popular support of the voting public, at the very least, in the thirty states that passed eugenic laws. So what happened? What changed so dramatically in ten plus years? Arguably a lot. America was a very different place in 1937 than it was back in 1920 when Sherbon and Mary Watts founded the Fitter Families contest. America had gone from the land of plenty to the land of poverty. The Great Depression took a heavy toll on the American psyche in many ways.

For her part, McCarthy was undeterred by those who attacked her character and tried debasing her claims. Instead she drew support from the many who backed her and encouraged her not to give up the fight. She issued an argument for amending Kansas’s sterilization law. It was the law that failed the girls at Beloit, McCarthy insisted. Abuses like what happened at Beloit would happen again, if the law itself was not addressed and changed:

Sterilization laws have been enacted by a number of States under the belief that they were necessary to check the growth of insanity and of crime. It was argued that insanity was rapidly increasing, since the mentally diseased tended to reproduce themselves more rapidly than normal stock. Mental disorders, it was held, were fundamentally hereditary; further it was believed that many drawn to crime, because of their mental condition, would be improved by sterilization even to the extent of being transformed into normal citizens. Accepted without serious investigation, these arguments were reflected in legislation. In some states, the legislation was rarely enforced. Kansas was an exception.⁶⁵

⁶⁴ “Letter from Mrs. Belle Wilhelm to Mrs. McCarthy,” November 1, 1937, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 11, Sterilization at Beloit—Correspondence, Microfilm Ms 1752.

⁶⁵ “Arguments for Amending the Sterilization Law of Kansas,” 1, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Paper 1900-1948, Section 12, Sterilization at Beloit: Notes, Articles, Etc., Microfilm Ms 1752.

Here we see an acknowledgement that while 30 states had eugenics laws, Kansas was one of the foremost for sterilizations. By 1979, the year when eugenic sterilizations ended in the nation as a whole, Kansas ended up sixth in sterilizations. But in 1937, when this challenge to the law was written, Kansas was third in the nation for sterilizations. “The fact that Kansas, a state with a comparatively small population, ranks third in the nation in the number of sterilizations in state institutions, is of itself, sufficient ground for investigating our law and the practices under it,” McCarthy contended.⁶⁶ The fact that so many of those sterilizations came from Beloit, only pressed the matter further. By its very nature as a reformatory that did not accept inmates with either a history of venereal disease or mental deficiency (girls had to have an intelligence quotient of at least 50), not a single girl at Beloit ever should have been sterilized.⁶⁷ Something had gone terribly wrong in Kansas. What started as a eugenics project had evolved into something even more sinister. The original purpose was lost. All that remained was the barbarism of state sanctioned forcible sterilization.

McCarthy gained an important ally in November 1937. On November 5, 1937, *Wichita Eagle* reported that Judge Grover Pierpont had sided with McCarthy, revealing that a 1933 study of Beloit had unearthed many of the same practices McCarthy brought to light. “No attention was paid to this disclosure at the time,” said Judge Pierpont. “If the report had been acted upon, some of the criticism now present might have been averted.”⁶⁸ *The Eagle* went on to say, “The judge dug up the 300-page report to study to see how it tallied with the criticisms made by Kathryn O’Laughlin McCarthy whose sterilization accusation is rapidly becoming a big

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ “Judge Cites 1933 Blast at Beloit School,” *The Wichita Eagle*, November 5, 1937, KSHS, Manuscript Collections, Kansas Industrial School for Girls; Youth Center at Beloit; and Beloit Juvenile Correctional Facility: selected newspaper clippings, 1937-1998.

political factor.”⁶⁹ Judge Pierpont found that the report demanded the end of transferring young girls to the prison in Lansing for sterilization, as well as criticized the facility for its lack of recreation for the girls and the severity of punishments, all charges brought up by McCarthy.

Even with Judge Pierpont’s backing it still took nearly a year of constant scrutiny for the Kansas state legislature to succumb to McCarthy’s tireless efforts. An article from May 12th, 1938 revealed, “The Kansas legislative council washed its hands today of the sterilization problem in state institutions. By the adoption of a resolution directing the research bureau to make a complete study of all sterilizations cases in state institutions and submit the report in full to the next legislature the council itself decided to have nothing more to do with the question.”⁷⁰ While it is true that by ordering the results of the inquest be issued to the next legislature, the Kansas legislative council did kick the can down the road, at least the can had finally been kicked. Finally, McCarthy received the full investigation that she had been requesting from the start. It would mark the beginning of change for Beloit; change that would be gradual and hard fought, but change that would be real.

In the biographical sketch of McCarthy kept at the Kansas State Archive it is written, “This is to let you know that the people of this community appreciate your expose of the miserable conditions which prevail in the Girls’ Industrial School at Beloit... The fact that it was your observation which brought those 62 sterilization atrocities to trial before the bar of public opinion, has undoubtedly done more to endear you to the hearts of the people of Kansas than any other single accomplishment of your noble career.”⁷¹ And Kathryn McCarthy did, indeed, have a

⁶⁹ Ibid.

⁷⁰ “A Sterilization Study: Kansas Legislative Council Orders a Survey,” *The Kansas City Star*, May 12, 1938, KSHS, Manuscript Collections, Kansas Industrial School for Girls; Youth Center at Beloit; and Beloit Juvenile Correctional Facility: selected newspaper clippings, 1937-1998.

⁷¹ Biographical Sketch, KSHS, Manuscript Collections, Kathryn Ellen (O’Loughlin) McCarthy Papers, 1900-1948, Microfilm Ms 1752.

very noble career. According to the Kansas State Historical Society, McCarthy paid the tuition for many low-income students at Fort Hays State University, including several African American students whom she felt were discriminated against.⁷² In fact, she opened her home to those African American students, providing free board and room to them.⁷³ While her career in public service was much shorter than Dr. Sherbon's was, Congresswoman McCarthy is understandably the figure that Kansans today choose to remember and celebrate. Admittedly, she is not a famous figure in the state the way John Brown is, but the Kansas State Historical Society has gone far to insure McCarthy's legacy is perpetuated, where Sherbon has mostly been buried under the archives of the University of Kansas.

This makes sense though, because it seems that certain groups, historians included, would rather not remember eugenics ever happened in the state. They have worked hard to wipe clean the record of it. For example, in reviewing three books written about Kansas state history, one being Kenneth S. Davis's *Kansas: A Bicentennial History*, which was produced in the mid-1970s as a part of the American Association of State and Local History's "The States and the Nation" series, eugenics is not mentioned once.⁷⁴ Those who do remember eugenics in Kansas only want to remember the brave Kansas woman stood up against it. It is interesting though to note that in McCarthy's Kansapedia entry, her fight against eugenics is not mentioned, only alluded to with the phrase, "She also advocated for better treatment of women in the state's prisons."⁷⁵ No direct mention of eugenics. In fact a search for the word "eugenics" in Kansapedia will lead you on a wild goose chase that ends in nothing. The state archive is rich with eugenic

⁷² KSHS, Kansapedia (2012), *Kathryn O'Loughlin McCarthy*, <http://www.kshs.org/kansapedia/kathryn-o-loughlin-mccarthy/12144> (Accessed November 20, 2013)

⁷³ Ibid.

⁷⁴ The other two books reviewed were Robert W. Richmond's 1980 *Kansas: A Land of Contrasts* and H. Craig Miner's 2002 *Kansas: the history of the Sunflower State*.

⁷⁵ Ibid.

sources, but they are kept conspicuously buried in the depths of the archive, only available to those daring and determined enough to dig for them. The evidence is all there. It is a chapter of Kansas history that deserves to be acknowledged and studied. What happened in Kansas influenced and reflected the story of eugenics in this country. Politicians and clearly some historians would rather forget eugenics ever happened in the state. Working together they have managed to sanitize the official record and the figures involved. Congresswoman McCarthy is remembered only for being the first woman to represent Kansas in the U.S. House. Dr. Sherbon is only remember as an advocate for women and children's health and for serving almost 20 years on the faculty at the University of Kansas. But these women were much more.

The former was a hero who challenged an institution and a practice that had the sanction of the state. The latter was a well-meaning, but naïve protagonist who played God over the lives of innocent people, judging their worth as though they were no more than livestock. In both cases these women had power. Whether they used that power for good or ill or both, as is arguably the case with Sherbon, the most important part is that they were women of power. Sherbon set a standard for the nation, with the Fittest Family contest. McCarthy fought a very personal war against a movement that had the state, indeed the majority of the country, firmly in its grip. Both of these women deserve to be remembered by Kansans today. Their stories are Kansas history. Want to know what Kansas is really all about...? Look at these two women and find out. They lead you down the yellow brick road and bring you to the Emerald City of truth, shining with both promise and shame. It's not surprising that Kansas would rather forget its incredible journey through the Oz of eugenics, but unlike Dorothy waking up from her dream, what Kansas went through, though fantastic in some ways, was real. It was not silver slippers

that brought them back to sanity. It was the tide of public opinion turning against them. The people of Kansas created eugenics—and they were the ones to put an end to it.

EPILOGUE

In January 1952, Congresswoman McCarthy died after a lengthy illness. Three years later, on November 20, 1955, the *Wichita Eagle* ran a story titled, “Things Have Changed at Girls Industrial School.” Congresswoman McCarthy doubtlessly would have been happy to read the article, which found conditions so much improved at Beloit that “long-time staff members occasionally have to pinch themselves to be sure they’re at the same place.”¹ Interestingly enough, while the article chronicled many issues that plagued the Girls’ Industrial School, including a race riot, the building being sat on fire, and girls carving their initials on each other with knives, the sterilization of over 60 former inmates, less than twenty years prior, was not mentioned.² According to the article, Beloit had gone from a prison to a real school. “We now think of the school as a treatment and training center,” Beloit’s superintendent at the time, Miss Mary Secor, revealed, “Remember these girls are youngsters, most of whom are between 14 and 16 years. We want to equip them to leave here and take their place in society as good wives and mothers instead of encouraging them to stay at odds with the world.”³

Had McCarthy been able to read that article and see what Beloit became, she would have done so with pride, knowing that she had been a catalyst for the transformation that took place. Beloit would go on to serve as a legitimate and well-ran juvenile facility until it was finally decommissioned in 2009. It is interesting to note that already by 1955, the school’s part in Kansas eugenics had been forgotten, whether purposefully or accidentally one can only assume. But where in 1937 the name “Beloit” was a rallying cry against eugenics, by 1955 it was just a name, a place—with no special designator, nothing to mark it as significant to Kansas history.

¹ “Things Have Changed at Girls Industrial School,” *Wichita Eagle Magazine*, November 20, 1955, Kansas State Historical Society (KSHS), Manuscripts Collections, Kansas Industrial School for Girls; Youth Center at Beloit; and Beloit Juvenile Correctional Facility: selected newspaper clippings, 1937-1998.

² Ibid.

³ Ibid.

That is how eugenics worked in Kansas. It went from the legislature, to the fairgrounds, to courts, to the newspapers, and finally ended up buried beneath the wheat fields where most Kansans hoped it would remain. There was no desire of Kansans to dig up that particular chapter of their history. Eugenics became a word almost banished in the state. If it were mentioned, it was only in passing and only in reference to those other states where such things happened. Places like Virginia and North Carolina, places in the south where racism was prevalent. Not Kansas. Eugenics had no place in Kansas...not anymore.

In 1948 a special committee was convened to investigate the conditions at the Kansas state mental hospitals. The committee was only able to personally research one of the state's numerous mental hospitals, so they relied on previously published reports to give them insight on a number of others. The findings should have come as no surprise to anyone. The committee found, "existing conditions in the Kansas mental hospitals to be extremely and generally bad with respect to equipment, medical care, humane custody, sanitation, and personnel."⁴ There is no mention in the report of sterilizations, although they were still occasionally taking place in the state mental hospitals but not at anywhere near the pace they had been pre-1937. The greatest concern of the state hospitals post-1937 became simply staffing the facilities with qualified personnel and trying to maintain a certain level of quality care (which was never quite achieved). Again, eugenics had graciously bowed out of the picture, where once it had been a focal point. All traces of the movement within the state mental hospitals were erased from any place of notability. Sterilizations went from the forefront to the back room. They still happened, but only in the most extreme cases and only in complete, deafening, silence. They were not to be spoken of, definitely not to be written about.

⁴ "Report and Recommendations of the Special Committee for the State Mental Hospitals," KSHS, Manuscript Collections, History of Psychiatry.

This is how effectively Kansas erased eugenics from its historical memory. Figures like Dr. Sherbon and Congresswoman McCarthy were either forgotten or remembered for other things, not eugenics. Photographs were collected by archives across the state, only to be buried deep in forgotten places. There is no solid evidence that Kansans have intentionally white washed their history. The fact that eugenics has been forgotten by most people in the state could be a natural process of attrition. The one disturbing facet, however, is how eugenics has been intentionally removed from the stories of Dr. Sherbon and Congresswoman McCarthy. Dr. Sherbon's personal papers, located at the University of Kansas, have absolutely no record of her dealings with the Fittest Family contests, nor any of her correspondence with other eugenicists from the time. Congresswoman McCarthy's official state biography mentions her only as an advocate for female prisoners. It seems to purposely not address what triggered her activism.

Could Kansans have simply forgotten their state's true history? Absolutely. Americans, in general, have a very short and often times faulty historical memory. Admittedly, the evidence of eugenics in Kansas is there for anyone who looks for it, most people just do not know to look. It has not been destroyed, simply tucked away in dark corners and hidden deep underground. If Kansans simply forgot, because that is the American way, it is a very convenient lapse of historical memory. It is human nature, however, to minimize and even suppress the unpleasant and move on as quickly as possible. Perhaps that is what Kansans did. But the time has come to look back and genuinely reflect on what happened in the state and why, so that it never happens again.

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Anna Theresa Derrell was born May 25, 1984, in Kansas City, Missouri. Her family moved to Leavenworth, Kansas just after her birth, where she spent her first six years of life. After moving back to Kansas City, Anna was enrolled from first through fifth grade at the Islamic School of Greater Kansas City. While in the fifth grade, her mother pulled her out of school and started home schooling her. She was home schooled through high school. She received her GED in February, 2003. She would go on to attend community college, graduating with an Associates of the Arts and Phi Beta Kappa honors, from Maple Woods Community College in May, 2006. She received departmental honors in psychology from the University of Missouri-Kansas City, where she graduated Summa Cum Laude with two Bachelor's in the Arts degrees, one in psychology, the other in history in May, 2011.

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