

*The Eugenics
Crusade of
Charles
Fremont
Dight*

Gary Phelps



“JUST AS A STREAM will be impure that takes its origins from a cesspool, so will the children be defective or diseased who spring from parents, both of whom have the same inheritable defects, or who, if not themselves defective, carry in their blood — the germ plasm — the determiners of inheritable disease or a morbid mentality; and this takes place no matter how much the parents may have been improved by education and environment. Some politicians look only to the next election; the statesman looks to the next generation.”¹

The author of these words was Charles Fremont Dight, a Minneapolis physician who introduced the eugenics movement to Minnesota. An eccentric in his day, Dight lived for a time in a “tree house,” outside of which hung a sign that read, “Truth shall triumph. Justice shall

be law.” To Dight, eugenics was scientific truth and socialism was political justice. The two were an unusual mix, but one he found complementary. He espoused the idea of socialism wherein the state would administer the production and distribution of goods in an altruistic fashion. He also espoused the idea of eugenics, with the state administering reproduction of the mentally handicapped for the betterment of the whole population.

To Dight’s opponents, eugenics was a specter that threatened individual freedom and religious tenets. To his supporters, who included prominent Minnesotans in medicine, education, business, and the clergy, it offered a method to improve the human condition. Foremost among Dight’s goals was convincing the state legislature to enact encompassing sterilization laws for the mentally handicapped. He confronted the legislature each biennium in this regard from 1925 to 1935.

Although the excesses of Nazi Germany during the 1930s and 1940s have brought disrepute to the subject,

¹ *Minneapolis Daily Star*, undated clipping, personal scrapbook, in Charles F. Dight Papers, division of archives and manuscripts, Minnesota Historical Society (MHS), St. Paul. The author is grateful to the reference room staff at the MHS manuscripts and archives for its help.

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THIS ARTICLE is the seventh in a series of Minnesota Profiles, biographical sketches of interesting Minnesota men and women. Each profile presents the salient facts of the subject’s life, attempting to characterize the person and to assess the significance of his or her work.

eugenics was in pre-Hitler days an applied science both in Britain and the United States. Sir Francis Galton, an English scientist active in the last half of the 19th century, is credited with the modern eugenics movement. He founded the Eugenics Society of Great Britain in 1908, whose American counterpart was organized in 1926. This group had a respected membership and included on its advisory council clergymen, educators, physicians, and other persons with scientific credentials. Among these were, for example, Charles W. Eliot, a past president of Harvard University; William A. Neilson, president of Smith College; noted anthropologists Earnest A. Hooten, Ales Hrdlička, and Clark Wissler; religious leaders Harry Emerson Fosdick and Bishop William Lawrence; Dr. Walter B. Cannon; and conservationist Gifford Pinchot.² While many of the early 20th-century arguments in favor of eugenics have been abandoned, it is important to remember that most of the early protagonists believed that they were on the path of eliminating serious mental defect in the population at large.

It is not known why Charles Dight began a eugenics crusade in the early 1920s. His life up to that time, though filled with medical and social activity, offers few direct clues to his involvement in the movement. After he adopted eugenics as a social cause, however, he pursued it with fervor and near monomania. Before the decade was over, his writings on the subject appeared nationally in medical journals and locally in Minneapolis newspapers hundreds of times; he was heard on the radio as a proponent of eugenic subjects; he corresponded with some of the nation's leading eugenicists including California biologist, Paul Popenoe; and he was partially responsible for Minnesota's sterilization law passed in 1925.

Dight, a dynamic visionary and not a man of compromise, was born in Mercer, Pennsylvania, in 1856. Graduating with a medical degree from the University of Michigan in 1879 and then serving as health officer in Holton, Michigan, from 1879 to 1881, he returned to the university to assist Alonzo B. Palmer, professor of pathology. From 1883 to 1889 he served as professor of anatomy and physiology at the American Medical College in Beirut, Syria (now Lebanon). He then moved to Faribault in Minnesota's Rice County and served as resident physician at Shattuck School until 1892. Perhaps it was in Faribault, also the site of Minnesota's State School for the Feeble-minded, that Dight had his initial experience with the mentally handicapped and the institutions for their care.³

The remainder of the 1890s seems to have been an unsettled time for Dight. He married Dr. Mary A. Crawford in 1892 but was divorced in 1899 without children. During this period he practiced medicine for a year in Portsmouth, New Hampshire, taught for two



CHARLES FREMONT DIGHT, about 1920

years as professor at the medical school of New Orleans University, and spent four years in travel and study in New York, Chicago, Ann Arbor, and then at the University of Pennsylvania. He returned to Minnesota in 1899, teaching at Hamline University's medical school until 1907. In 1901 he also became medical director of the Minister's Life and Casualty Union (a Minneapolis insurance company), a position he held until his retirement in 1933. When the University of Minnesota assimilated Hamline's medical school program in 1907, Dight stayed on, lecturing in pharmacology at the university until 1913.

The following year, at the age of 58, he was elected alderman on the Minneapolis city council from the 12th ward and served until 1918. A staunch socialist and pas-

² John W. Eaton, "Eugenics," in *Encyclopedia Americana*, 10:655-657 (1982); Charles P. Blacker, *Eugenics: Galton and After* (London, 1952). See also American Eugenics Society, Inc., letterhead, in Dight Papers, MHS. Eugenics is defined as the movement devoted to improving the human species through control of hereditary factors in mating.

³ Here and below, see Evadene Burris Swanson, "Biographical Sketch of Charles Fremont Dight, M.D.," in Dight Institute, *Bulletin No. 1*, 9, 10 (Minneapolis, 1943); Swanson, "The Story of Charles F. Dight," 53, unpublished manuscript in MHS library.

sionate activist, Dight wrote a number of articles on the evils of capitalism. (He had made an unsuccessful bid for Congress in 1906 as nominee of the Public Ownership party.) His aldermanic stands were usually on matters of community welfare, such as reforms in city government and revival of town meetings, and he was active in securing an ordinance for milk pasteurization. He withdrew from the Socialist party about 1917 but remained, he wrote, "a socialist in thought to aid in securing a nationwide industrial democracy." A comrade at the Minister's Life and Casualty Union described him as "a true crusader at heart. I never met him without a petition in his pocket."⁴

BY THE EARLY 1920s, his political career over and his medical career relegated to a seemingly comfortable part-time job with the Casualty Union, Dight launched his final and greatest crusade — bringing the eugenics movement to Minnesota.

Dight believed that, through selective breeding, the human race could eradicate sufferings and evils brought about by the mentally handicapped, insane, and the criminal. He espoused four main lines along which eugenics improvement could be obtained: education, advocating "more intelligent ideals of marriage"; segregation of "defectives" so they could not reproduce with members of the general public; sterilization "of certain gross and hopeless defectives"; and marriage laws forbidding certain unions.⁵

Early in its history the state of Minnesota had passed laws regarding two of Dight's four main concerns: segregation (commitment of criminals and certain handicapped individuals) and marriage laws. Territorial criminal incarceration began in Stillwater as early as 1853. The 1866 legislature authorized care for the insane in a state institution opened the same year in St. Peter. Provisional commitment of the insane in the form of "detention hospitals" began in 1907. Mentally handicapped individuals were first segregated in their own

institution, the School for Idiots and Imbeciles in Fairbault, on an experimental basis in 1879. A provision in a 1917 law provided for commitment of "feeble-minded" persons to the guardianship of the state board of control by the county or probate court.⁶

Concerning marriage, a 1901 law forbade matrimony to any woman under the age of 45 (or to any man unless he marry a woman over that age) who was epileptic, imbecilic, feeble-minded, or afflicted with insanity. This law was rarely enforced, according to Fred Kuhlmann, a psychologist and director for the board of control's research bureau, who stated, "I doubt whether there has ever been a single case in this state where marriage was prevented through the enforcement of the anti-marriage law. The law is as dead and inoperative as any ever written."⁷

Charles Dight agreed with Kuhlmann's opinion on the marriage law. Dight came to believe that segregation was ineffective because most of the segregated would sooner or later be released from incarceration. To his mind, the remedy was to sterilize the "unfit" (those criminals or mentally handicapped who might pass on their deleterious traits through procreation) and to educate the fit. The latter he could do firsthand by lecturing, writing, and organizing in 1923 the Minnesota Eugenics Society formed three years before the national society was founded. The former, sterilization of "defectives," could only be accomplished through law. Thus began his legislative crusade.

Early in 1923 Dight acquired a book entitled *Eugenical Sterilization in the United States*. It was written by Harry H. Laughlin, assistant director of the Eugenics Record Office, in the Department of Eugenics at the Carnegie Institution, Cold Spring Harbor, Long Island, New York. Dight wrote Laughlin: "I am obliged indeed for the copy of your book. It seems that the book placed in the hands of legislators, judges, physicians and progressive people should lead to legislation that will secure that race betterment to which eugenicists look."⁸

Despite what Dight termed a growing "sentiment in favor of such measures," it was too late in the 1923 legislative session for him to launch an effective campaign for sterilization measures. By 1925, however, he was ready, armed with supporting ammunition from prominent citizens, legislators, and heads of state institutions.

For some time before 1925, a slow tide in favor of sterilization had been rising in the state. A Minneapolis attorney, C. H. Slack, was a major proponent of a bill introduced in the 1913 legislature authorizing sterilization "of the Feeble-minded, Epileptics, Rapists, Certain Criminals, and other Defectives." The bill passed in the lower house but failed in the senate. Further consideration was given sterilization by institutional leaders in

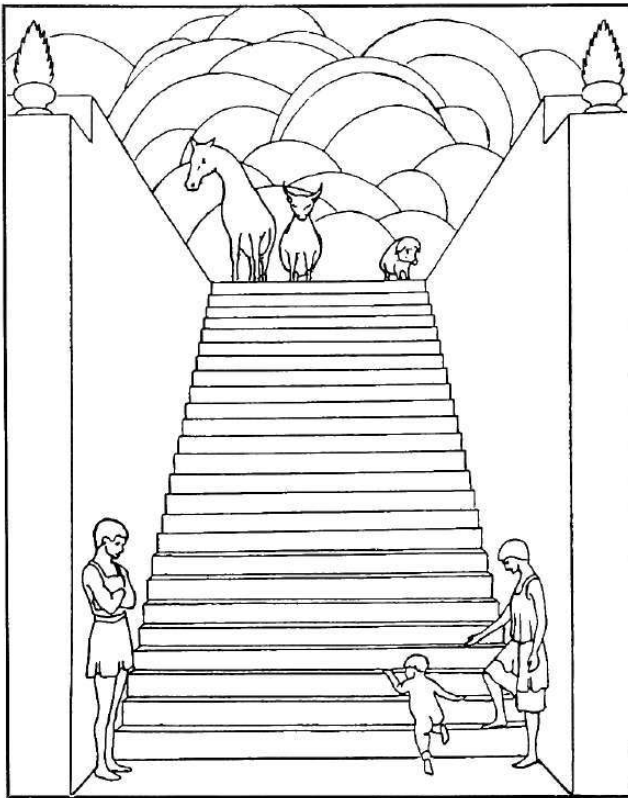
⁴ Swanson, "Story of Charles Dight," 18-20; Swanson, in Dight Institute, *Bulletin No. 1*, 12, 13.

⁵ "Breeding Better Citizens," clipping dated 1921, personal scrapbook, Dight Papers.

⁶ Minnesota Territory, *Laws*, 1853, p. 10; State of Minnesota, *Laws*, 1866, p. 10, 1907, p. 461, 1917, p. 486; Minnesota Experimental School for Imbeciles, *First Biennial Report* [1879-80], 5 (St. Peter, 1881).

⁷ Minnesota, *Laws*, 1901, p. 344; Fred Kuhlmann, "Minnesota's Duties to Her Subnormals," in State Conference of Social Work, 29th Annual Session, *Proceedings*, 48 (St. Paul, 1921). The board of control, created in 1908 as the successor to the board of corrections and charities, administered 18 state institutions.

⁸ Here and below, see Dight to Laughlin, January 19, 1923, Dight Papers. Unless otherwise noted, all correspondence cited may be found in these papers.



IN THIS SKETCH, possibly by Dight, a child climbs toward the plateau that selectively bred animals have already reached.

1915 and 1917 when a commission on child welfare supported ongoing consideration of the issue as well as legislative efforts. Fred Kuhlmann noted in 1920 that "It is presumably within the scope of the law to prevent an individual from injuring the public welfare by becoming the parent of feeble-minded children as well as to prevent him from injuring it in a more direct manner."⁹

The state board of control, as well, threw wood on the fire in its 1924 biennial report. Dight owned a copy of this and marked its salient points: "she [the mentally handicapped woman] is subject to pressure from without. She may like the society of men, and especially their attentions, and wish to be 'agreeable.' Maternity regularly results. . . many of them are too low grade mentally to know whether they have been mothers.

Every community has feebleminded women in it, and as a rule only those under constant supervision have escaped maternity. . . The children of feebleminded women may be feebleminded, epileptic, or if normal in their early years may become insane later."¹⁰

Dight used statements such as these in his public education and propaganda efforts between the 1923 and 1925 legislative sessions. During this interim he distributed an earlier pamphlet, "Human Thoroughbreds, Why Not?" (1922). It was favorably reviewed in the na-

tional publication, *Eugenical News*, but one publishing house had rejected the manuscript, noting that "Many of the expressions you make use of in your booklet . . . would be distinctly offensive to certain classes of readers." Although Dight had published numerous articles in the Minneapolis papers, he failed in his attempts to have "Human Thoroughbreds, Why Not?" distributed to teachers in the Minneapolis public school system. He also failed in 1924 to convince Thomas H. Canfield, secretary and general manager of the Minnesota State Fair, to allow a "fitter families contest" and booth at the fair that would have awarded prizes to those who had taken a "scientific system of examination" and obtained grades "up to or above the average" on their heredity soundness, physical structure and its efficiency, and inborn mental capacity. He did succeed before 1924 was over, however, in drafting a sterilization bill and placing it in the hands of the state board of control.¹¹

THE BILL was intended "to Delay Marriage Until After Eugenic Sterilization In Cases of Those Whose Offspring Would, In the Opinion of Experts, Be Feeble-Minded, Epileptic or Insane, And to Prevent Reproduction By Those Who Are Thus Afflicted." Criminals were not mentioned in the bill. Attempting to avoid the models of states which passed sterilization measures for institutionalized citizens, Dight wanted to extend the law to the mentally handicapped in the population at large. The bill mandated that the board of control keep on file a list of all persons who showed evidence of mental retardation, epilepsy, or insanity. The list would be updated quarterly and forwarded to each clerk of district court in the state. Those on the list could not be married until they were sterilized. The bill also contained sections for sterilization of those in state institutions and those about to be admitted.¹²

⁹ Minnesota Legislature, 38th session, 1913, House File 324; Mildred Thomson, *Prologue: A Minnesota Story of Mental Retardation*, 55, 57 (Minneapolis, 1963); F. Kuhlmann, *Determination of Feeble-Mindedness, As Related to the Courts*, 19 (St. Paul, 1920), reprinted from an address to the State Association of Probate Judges. Thomson, a longtime social worker for the board of control, wrote of Dight's propensity for "long discussions on the whole question of prevention of feeblemindedness. It got to the point where if I saw him soon enough, I was out another door and so 'not in' when he arrived. Had I understood his keen and discriminating interest. . . I might have been more considerate."

¹⁰ State Board of Control, *Twelfth Biennial Report*, 89, 91, 93 (Minneapolis, 1924).

¹¹ *Eugenical News* (New York), 63, undated clipping in Dight Papers; George R. Sparks to Dight, October 4, 1922; W. F. Webster to Dight, February 9, 1924; Dight to Canfield, February 8, 1924; Kuhlmann to Dight, December 16, 1924; Dight to Kuhlmann, December 25, 1924.

¹² A draft of the bill is in the Dight Papers.

Among the backers of the bill were three prominent Minneapolitans, District Court Judge P. W. Guilford, attorney William H. Eustis, and Dr. George Eitel of the Eitel Hospital. Another supporter, Dr. Charles H. Mayo of Rochester, declared the bill "a good one and if carried out under full restriction will greatly reduce the number of our mentally unfit citizens."¹³

To Fred Kuhlmann and the board of control, though they cautiously favored sterilization of certain individuals in state institutions, the bill in its initial state was unworkable. Because it called for extensive work by the staff of the board in assembling a list (no census of the mentally handicapped had yet been taken) and in updating it quarterly for the clerks of court, the board opposed it. It also rejected the idea of having people at large sterilized under their overburdened administration. So the board made extensive revisions on the bill, deleting Dight's sections on lists and sterilization as a prerequisite to marriage.

The new law, passing easily in the legislature, allowed for sterilization of "feeble-minded" and insane (providing they had been institutionalized for six months), individuals who were under guardianship of the board of control, whose cases had been investigated by a board-appointed physician and psychologist, and after written consent was obtained from the spouse or nearest relative. Where no relatives were known, the board, as legal guardian, could give its consent. Minnesota thus became the 17th state to legalize sterilization. (By this same time, Dight said that the state of California had sterilized nearly 4,000 individuals.)¹⁴

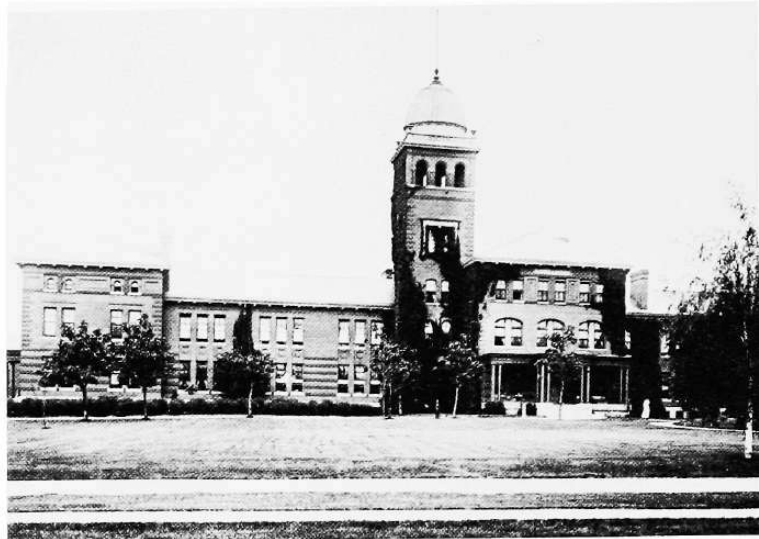
Some individuals recognized certain moral questions inherent in compulsory sterilization, however. Among those with qualms about the issue was Dr. R. M. Phelps, superintendent of St. Peter State Hospital for the Insane, who took issue with G. C. Hanna, head of the school for the feeble-minded at Faribault. In a lecture at the State Capitol on February 10, 1925, Hanna maintained that "The sterilization of the mentally unfit is a just and humane method of effectually shutting off strains of mental defectives and affording society the protection that it must have, if it is to be preserved on the present or a higher level."¹⁵

Participating in a discussion that followed Hanna's lecture were Phelps and Dight. Dr. Phelps dissented. "I think we have got to modify the idea very greatly and express considerable doubt as to a widening progressive

¹³ Guilford to Dight, Eustis to Dight, Eitel to "Commissioner of Public Welfare," Mayo to Kuhlmann, all dated January 26, 1925.

¹⁴ Minnesota, *Laws*, 1925, p. 140; Dight to Minneapolis Board of Education, April 25, 1925.

¹⁵ Here and four paragraphs below, see Hanna, "The Menace of the Feeble-minded," in State Board of Control, *Quarterly*, February 10, 1925, p. 40, 45, 50.



THE FARIBAULT School for the Feeble-minded, 1926

increase in population of feeble-minded and insane. We are studying down into the minor grades of feeble-mindedness and insane, which we never touched years ago. They are in the community now. By the way, they are not all criminals; they are not all immoral. In a small town where you know all the people, you know quite a large proportion who are erratic, or dull, or simple, or odd, also there are the immoral and the criminalistic, but there are lots of good, respectable citizens.

"The whole idea, moreover, is based on 'gradations.' The thing is, How far are you going to dip down? It is going to be hard to establish that line of division. There isn't an exact line, there is a gradation. You can dig lower or you can stay up higher.

"If we allow up toward 50 per cent of the population to be feeble-minded, defective, insane or defective otherwise, can you imagine the other 50 per cent able to vote them into isolation, segregation or other penalty? We all fall short of perfection more or less. Moreover, we are all not exactly equals in mental ability, in emotional stability, or in the power of the will."

In the discussion Dight maintained that the "time will come, in my opinion, when, if our civilization is to survive, the states will have to grade their citizens as to their hereditary soundness, their inborn mental capacity, their physical structure and its efficiency, and then prevent reproduction of the unfit."

ON January 8, 1926, the new law was first put into effect when six adult mentally handicapped females were sterilized at the Faribault State Hospital. To Dight, however, it was unsatisfactory. On January 9, he assembled a small group consisting of Dr. Eitel, Dr. Walter E. List, superintendent of Minneapolis General Hospital, and himself. They met with Governor Theodore Christianson and members of the board of control



FRED KUHMANN, board of control's research head

in the governor's office to, in Dight's words, "consider the possibility of operating the sterilization law in a larger way than had been done to that time." Dight proposed more sterilizations "emulat[ing] the state of California" which had sterilized over 5,000 of its "socially unfit wards." He also sought support for sterilizing mentally handicapped individuals not necessarily in the Faribault State Hospital. Dr. List "assured the State Board of Control that the Minneapolis General Hospital would aid the board as far as possible in operating the law."¹⁶ Although little seems to have come from the meeting, it was indicative of Dight's circle of influence.

Despite his strong convictions, Dight's views were perhaps not as absolute as those of A. E. Jenks, professor of anthropology at the University of Minnesota, who believed that "To be effective all subnormals should be sterilized whether or not they approve, and none such should be turned loose to destroy the character of other persons by sexual contacts." On the other hand, Dight believed in some form of decision-making process for the sterilization of those outside the board of control's guardianship. In planning his 1927 legislative efforts, he hoped to create an office of state eugenicist whose function "would be to comb out from society the obviously unfit people who are at large in the state [and] who are not in the custody of the state board of control." He proposed to link the new office with the University of

Minnesota's medical school, whose dean, E. P. Lyon, supported him. Dight met resistance from university president Lotus D. Coffman and the board of regents. Coffman held that "the University should not engage in any functions except educational functions. It should not at any time have any police powers. For these reasons the Regents are reluctant to give their assent officially to the program although individually they believe that work along this line is socially desirable and needed."¹⁷

As a result Dight temporarily abandoned the state eugenicist idea and drew up legislation "which provided for placing sterilization of the unfit at large in the hands of competent county sterilization boards and which at the same time surrounded the patient with all reasonable safeguards, consent of the person being one of these." The bill also contained a section allowing the warden of a penal institution to authorize sterilization of any person in his custody who had been convicted of a felony three times. The legislation was introduced in the 1927 session by four senators, referred to the senate public health committee, and objected to by its chair, Harry Cannon from the 41st district, Ramsey County. The committee voted unanimously against it and legislative action was "indefinitely postponed." A disappointed Dight wrote that it "was an instance of how mistakes are made when people who have little or no scientific knowledge, decide scientific matters — especially when religious prejudices enter into the question."¹⁸

Among his most powerful adversaries were Catholic moralists. The conflict of eugenics and religion was not a new subject, and the Catholic Church's opinions were becoming more defined. In February, 1927, three months before the United States Supreme Court upheld a Virginia sterilization law by a vote of 8 to 1, *Central-Blatt and Social Justice*, the magazine and "official organ of the Catholic central verein of America and the Central Union," editorialized:¹⁹ "the fears first voiced by Malthus have been revived, and added to this the serious apprehension has spread that the unfit were 'breeding' in a manner detrimental to the welfare of society. In order to meet this condition, means are to be resorted to which Catholics cannot tolerate.

¹⁶ Board of Control, *Thirteenth Biennial Report*, 98 (1926); Dight, *History of the Eugenics Movement*, 10, 11.

¹⁷ Jenks to Dight, March 1, 1926; Dight, *History of the Eugenics Movement*, 12; Coffman to Dight, October 19, 1926.

¹⁸ Dight, *History of the Eugenics Movement*, 12, 15; Minnesota Legislature, 45th session, 1927, Senate File 373.

¹⁹ Here and below, see "Eugenics Under Catholic Custom and Laws," in *Central-Blatt and Social Justice*, 19:368 (February, 1927); *Buck v. Bell* 274 *United States* 200 (1927). On the mounting literature of this period, see, for example, Samuel J. Holmes, *A Bibliography of Eugenics* (Berkeley, 1924).

"This does not, however, grant our opponents the right to assume that we intend to permit the race to degenerate. Such is not a fact. We merely abhor those artificial means, that violate nature and are an insult to nature's God, realizing that the same end may be attained with nobler and safer means, and, moreover means promising more lasting results."

PREPARING and organizing for the 1929 legislative session, Dight again focused on the creation of a new position, a state eugenics director appointed by the board of control. This person would secure the names of individuals "who by reason of previous delinquency or mental defect he may believe to be unfit to procreate by reason of mental deficiency." The eugenics director would then submit a petition of the county probate court that would, in turn, appoint a board consisting of the probate judge, the eugenics director, and a licensed physician. This board would be empowered to commit "unfit" persons for sterilization.²⁰

Dight sent a copy of the bill to the state board of control in the fall of 1928, before the 1929 legislative session. Blanche L. La Du, a member of the board, replied, "We would suggest that instead of the bill in its



BLANCHE LA DU, board of control member

²⁰ Copy of the 1929 bill "which the State Board of Control Opposed in Senate Committee," in Dight Papers.

²¹ La Du to Dight, November 19, 1928.

ELIAS P. PHELPS of the university medical school



present form, that you either have this appointment made by the State Board of Health and have that Board take the responsibility for your program of sterilization throughout the state or that you create a separate board for that purpose. We do not feel we would like to assume the responsibility in such an important matter in cooperation with the probate judges and physicians throughout the state, as the matter is too serious a one to supervise with so little personal contact."²¹

But Dight chose not to follow the recommendation that the board of health administer the program, perhaps because he feared the bill would suffer defeat once more at the hands of the senate public health committee. Instead, he held to his original position of making the board of control responsible. Thus that board opposed him even though he lobbied with the help of members from his Minnesota Eugenics Society, including Dean Lyon of the university and the Reverend Phillips E. Osgood, rector of St. Mark's Church in Minneapolis.

Osgood wrote to Dight: "Quite obviously the old parable of the fence at the top of the cliff replacing the ambulance at the bottom of the cliff is pertinent in the present situation. The ounce of prevention which will make unnecessary the pound of cure, the removal of a sin against posterity, the ideal of a better thoroughfare for the human spirit, for the removal of unfitness in the process of racial development, — all these things would induce us promptly and enthusiastically to pass this measure.

"If you want me to speak on the matter as you have kindly hinted, I shall be very glad to if I am available, but I do not want any accident of my own absence from town to prevent the expression of my strong conviction that this bill is necessary and wise and Christian."²²

The 1929 bill reached the house committee on public health and hospitals and the senate committee on crime and crime prevention, where it was opposed by the board of control. Also, a statement was read before the committees purporting that California biologist and eugenicist, Paul Popenoe, considered it a dangerous bill. Dight fired off a letter to Popenoe and California attorney, eugenicist, and philanthropist, E. S. Gosney — both charter members and leaders of Gosney's non-profit corporation, the Human Betterment Foundation in Pasadena, as well as prominent exponents of the eugenics movement.²³

Popenoe denied that he had called the bill dangerous, but agreed it had its shortcomings. These were outlined in a letter from Gosney. They included (1) that the public was not ready for the appointment of a eugenics director, (2) separate bills should always be introduced when considering compulsory and voluntary sterilization in institutions and in the public sector, and (3) that there was "plenty of material on which to work" already committed for insanity or feeble-mindedness in state institutions.²⁴

DIGHT had again failed to get his bill out of committee. Doggedly, he set his sights on the 1931 session, with Popenoe and Gosney offering their support. In October of 1929, Popenoe wrote Dight: "We sent a letter to every one of the probate judges in Minnesota, some seventy-five in number I believe, with a copy of our pamphlet and asked them what they thought of sterilization either on the basis of their own experience of it or on general principles. We have not had a single reply or even acknowledgment." Popenoe went on to say that a sterilization bill should be drafted and approved by as many people as possible so a strong united front could accompany it to the legislature. "If we can be of any assistance from this distance you can count on us."²⁵

The assistance came in the form of advice and pamphlets for Dight to distribute. Popenoe questioned Dight's insistence on the need for a state eugenics director, pointing out that the position "offers a strong talking point to our enemies who would represent it as the creation of an omnipotent official snooper who would come around to pry into the most personal and intimate affairs of any family he might select."²⁶

By January 1, 1930, of the 24 states that had lawfully legalized sterilizations, Minnesota ranked fourth in operations performed with 388. Of that number 356 females and 32 males had been sterilized. California, where Gosney and Popenoe were the eugenics leaders,

had performed 6,787 — 3,636 males and 3,151 females.²⁷

Charles Fremont Dight was 74 years old and about to undertake his last credible legislative campaign. He still adamantly favored sterilization — both within state institutions and, selectively, without — but could not see his way past the board of control that had opposed his 1929 legislative efforts. Popenoe wrote him in a helpful vein: "What would you think of confining compulsory sterilization to inmates of state institutions, with proper, simplified procedure, and then taking care of the outside cases by a voluntary law simply authorizing any county hospital to perform such operations at its discretion, and at state (county) expense if the patient was unable to pay? This would provide for most of the cases that now need attention, it seems to us; and probably the state board of control would not oppose such a measure. It would be an advantage to get a bill that they would not propose [*oppose*?], as it will be that much harder to get the legislature to act, if the state administration is on the other side."²⁸

Dight took a different course, however. His mounting animosity toward the board of control unleashed itself in the fall just before the 1931 legislative session. He published a 12-page pamphlet subtitled *Facts Which Call for Enactment of an Adequate Eugenics Law for Human Betterment, Opposition to It By the Minnesota State Board of Control*. The scathing attack on the board was sent to every member of the state legislature in November of 1930. With each pamphlet Dight included a cover letter signed in type (but with their permission) by members of the Minnesota Eugenics Society. The signees included Minneapolis judges, pastors, educators, and doctors. Some had not read the pamphlet, however. The letter ended: "We suggest that you read the inclosed pamphlet which shows further the need of prevention through a law that would, no doubt, be approved by your constituents."²⁹

The last paragraph of the pamphlet concluded: "My contention is that by its opposition to the enactment of [this] law the Minnesota State Board of Control aids

²² Osgood to Dight, February 6, 1929.

²³ Minnesota Legislature, 46th session, 1929, House File 381, "returned to its author." See also Dight to Osgood, February 13, 1929; Dight to Popenoe and to Gosney, both February 14, 1929.

²⁴ Gosney to Dight, February 18, 1929.

²⁵ Popenoe to Dight, October 18, 1929.

²⁶ Popenoe to Dight, November 6, 1929.

²⁷ Human Betterment Foundation, "Operations for Eugenic Sterilization Performed in State Institutions under State Laws up to January 1, 1930," copy in Dight Papers.

²⁸ Popenoe to Dight, January 14, 1930.

²⁹ Minnesota Eugenics Society to "Dear Senator," a form letter dated November 12, 1930; Dight, *Increase of the Unfit A Social Menace* (Minneapolis, 1930), copy in Dight Papers.



THE REVEREND *Phillips E. Osgood*

indirectly in the increase in number of the feeble-minded, epileptic, insane, delinquent and dependent people in the state; increases the cost of their support; adds to the many ills which they bring to society, which will grow worse if the board's policy of opposition be continued, and that by its autocratic and unnecessary interference in eugenic legislation, the board has blocked progress into better social conditions, and has thereby failed to serve, as it might easily have done by non-interference, the best eugenic interests in the state."³⁰

MEMBERS of the board were aghast when they saw the pamphlet; they wrote the signees, some of whom then wrote Dight, among them Osgood. The clergyman sent Dight a copy of his letter to the board of control, said "I trust that you will understand my frank reaction. It seems to me that, no matter how much we trusted your judgement on the subject, you should have forewarned us there was a controversial aspect to the

pamphlet. I was at fault for my hasty signature without reading the pamphlet; but this unexpected implication is that the pamphlet was accusatory of the State Board of Control, should have been brought to our attention before you let us sign. The case for the proposed law would have been much stronger if the signers of the letter had all been convinced backers of the pamphlet (which I have not seen even yet). I know of at least three other signers who have now qualified their signatures, limiting them to ratification of the general principle on which you and we agree. I trust that this difficulty over the mention of the state board of control in the pamphlet will be cleared up by you at once and to mutual satisfaction. It is better to have the cooperation where it can be won than opposition where it will be crucial."³¹

His credibility damaged by the loss of support from his most prominent allies, Dight faced more bad news. In December, 1930, Pope Pius XI issued an encyclical on marriage including the first papal statement on eugenics, which the prelate condemned. "Public magistrates," he wrote, "have no direct power over the bodies of their subjects, therefore, where no crime has taken place and there is no cause present for grave punishment, they can never directly harm, or tamper with the integrity of the body, either for the reason of eugenics or any other reason." The *Catholic Bulletin* editorialized that "the sterilization of mental defectives, legalized in certain of our states, has long been denounced by Catholic moralists. The encyclical contains the first papal condemnation of this 'pernicious practice.'"³²

Although Dight's 1931 bill for sterilization was slightly different from its precursors, it still called for a "state eugenicist" but stipulated that the position should be appointed by the governor, not the board of control. In other ways the bill was similar to his 1929 bill in that the state eugenicist could select persons for sterilization after having found evidence of their mental deficiency and likelihood of passage to their offspring. The county probate judge, state eugenicist, and a court-appointed physician would make the sterilization decision after hearings.³³

To facilitate the bill's passage, Dight wrote in the fall of 1930 to governor-elect Floyd B. Olson. His reply was noncommittal: "you must realize that I have made a considerable number of pledges to the people of Minnesota, concerning definite projects, and I feel an obligation to attempt to take care of such promises before going into others. At the same time, the Legislature will be in session shortly, and I will be confronted with the questions relating to legislation concerning a variety of matters."³⁴

Dight had run out of alternatives. His support had dwindled, particularly in the state senate, and he finally abandoned his bill during the 1931 legislative session, backing instead one advocated by the board of control.

³⁰ Dight, *Increase of the Unfit*, 12.

³¹ Osgood to Dight, November 18, 1930.

³² Pope Pius XI, "Encyclical on Christian Marriage," December 30, 1930, translation in *Catholic Bulletin*, January 17, 1931, p. 6, 12.

³³ Minnesota Legislature, 47th session, 1931, House File 522.

³⁴ Dight to Olson, December 10, 1930; Olson to Dight, December 13, 1930.

Perhaps it was meant to placate him because the bill authorized sterilization in certain cases outside of state institutions. "The parent or guardian of any minor afflicted with mental disease which may have been inherited and is likely to be transmitted to descendants, or suffering from mental deficiency, perversion, or marked departures from normal mentality or from disease of a syphilitic nature which is likely to be transmitted to descendants, may with the consent of such minor make written application to the State Board of Control and the secretary of the State Board of Health for a permit for sterilization of such minor." On his copy of the bill Dight wrote in the margin after underlining "with the consent of such minor," "Absurd, if consent of minor be required." Nonetheless, he backed the bill. It was the only game in town.³⁵

Dight directed his frustration at the senate committee, which sat on the bill, and finally at the board of control for not pressuring that committee. An irritated board of control member responded to one of Dight's implorations: "When you say that the Board's influence can no doubt win either the passage or defeat of the bill, I do not think that you are looking at the situation from the right point of view. The board has had the bill introduced, and of course is very anxious to have it passed, but you cannot force a Legislature, and I would think from the experience you have had with the Legislature in the past you would know that.

"When you say that if the bill should fail to pass it will be regarded by many people as indicating indifference on our part . . . your accusation is not true nor is it courteous on your part to even intimate anything of that sort.

"In other words, you imply that the Board does not mean what it says."³⁶ The bill never got out of committee.

Dight launched halfhearted legislative campaigns in 1933 and 1935, but his backers were few and the Minnesota Eugenics Society had faded out of existence. Never tiring of his cause, however, he lectured on the radio and continued to send letters to the editors of the Minneapolis newspapers. One of his letters printed in the paper in 1933 commended Hitler's work in Germany. That same year he wrote Hitler a complimentary letter, and the chancellor replied with a signed printed card.³⁷

REMAINING tremendously vital in his later years, Dight's interests expanded to include birth control. In the 1930s he joined the Minnesota Birth Control League. He also published two works after his 78th birthday: his history of the eugenics movement and *Call For a New Social Order* (1936), both peculiar mixtures of history, eugenics, socialist ideology, biography, philosophy, and printed lectures. His influence in Minnesota did not end with his death in 1937. The law of which he had been a prime mover remained in effect until 1975. His life has piqued the interest of several researchers. And his abiding concern for the betterment of humankind led him to donate his estate to the University of Minnesota.³⁸

Dight's bequest continues today through the work of the institute that bears his name. The endowment encourages promotion of human genetics through lectures, instruction, consultation, and research. Dight's will made modest stipulations based on education in human genetics, rather than massive campaigns for legalized sterilization.³⁹ He considered both education and sterilization to be means to his end of bettering the human condition. In this he erred. His use of eugenics created a policy based on inadequate scientific information — a policy that threatened inherent human rights.

³⁵ Minnesota Legislature, 47th session, 1931, House File 522. The bill passed the house by a vote of 74 to 52, but it never got out of the senate public welfare committee. There its chief opponents were Sherman W. Child, Minneapolis; Charles Hausler, St. Paul; and George Nordlin, St. Paul. Hausler, an architect, advertised frequently in the building section of the *Catholic Bulletin*.

³⁶ C. J. Swendsén to Dight, March 6, 1931.

³⁷ Evadene Burris Swanson, "Some Sources for Northwest History: The Dight Papers," in *Minnesota History*, 25:64 (March, 1944); Dight to Hitler, August 1, 1933. The Hitler reply has disappeared from the Dight Papers.

³⁸ Minnesota, *Laws*, 1975, p. 629. See also John Medelman, "The Incredible Dr. Dight," in *Twin Citizen*, July, 1962, p. 11; Peter J. Kizlios, "Dight Institute Benefactor Advocated Eugenics," in *Minnesota Daily*, July 13, 1983, p. 1, 5; Patricia Ohmans, "What If He's Right?" in *City Pages*, July 20, 1983, p. 7-11. A copy of the will, file 52043, is in Hennepin County Probate Court, Minneapolis.

³⁹ Interview with V. Elving Anderson, Dight Institute, July 12, 1984, notes in author's possession.

THE ILLUSTRATIONS on p. 100 and 102 are from the Dight Papers; all others are in the MHS audio-visual library.



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