

### Medico-Legal Notes.

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PROPOSALS are, from time to time, put forward for the compulsory sterilization of mental defectives. Some of the States of America have statutes which legalize such sterilization, Virginia being one of these. Doubts were recently expressed whether such a statute was constitutional, and a case was taken to the United States Supreme Court. That court decided (one judge dissenting) that the law was constitutional. Some points in the judgment are of general interest. The court found that "Carrie Buck" (who seems to have been the plaintiff in the case) "is a feeble-minded woman, is the daughter of a feeble-minded mother in the same institution, and is the mother of an illegitimate, feeble-minded child. She is also the probable parent of socially inadequate offspring. She can be sexually sterilized, without detriment to her general health, and her welfare and that of society will be promoted by her sterilization." An order for sterilization was, accordingly, made. The judgment proceeded as follows: "We have seen that the public welfare may call upon the best citizens for their lives. It would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices, in order to prevent our being swamped with incompetents. It is better, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover the cutting of the Fallopian tubes. But it fails because it is confined to the small number who are in institutions and is not applied to the multitudes outside which is the usual last resort of constitutional arguments to point out shortcomings of this sort. The answer is that the law does all that is needed when it does all that it can, indicates a policy, applies it to all within the lines, and seeks to bring within the lines all similarly constituted, so far and so fast as its means allow." The judgment further pointed out that such operations would enable those who otherwise must be confined to institutions to return to the world.

It will be seen that the arguments upon which this decision is based are those which are urged by advocates of "eugenics." Whatever views we may hold upon this complicated and disputed question, the importance of such a judgment, from so high a court, will at once be recognized.