The Abortion and Eugenics Policies of Nazi Germany
by John Hunt, Ph.D.

This paper was presented at the Annual Meeting of the Association for Interdisciplinary Research in Values and Social Change, June 2001, at Charlotte, North Carolina. Professor Hunt received his Ph.D. from Georgetown University in 1966. Since 1963 he has taught history at St. Joseph College, West Hartford, Connecticut. His primary field of study has been modern European history and he is currently interested in the subjects of human rights, definitions of humanity and truth in academe and media.

Most people know by now, the twenty-first century, what abortion is, even if not all the details. Not so many, however, might be familiar with eugenics. The dictionary defines eugenics as "...a science concerned with improving...the human species, by such means as influencing or encouraging reproduction by persons presumed to have desirable genetic traits." Another definition of eugenics is "well born." The term was first coined in 1883 by an Englishman, Sir Frances Galton, a cousin of Charles Darwin.

This paper concerns abortion and eugenics in Nazi Germany but it is first necessary to explore abortion and eugenics in the United States, and in Weimar Germany, the democracy Germany had for fourteen years (1918–1933) prior to Hitler’s coming to power. This paper will discuss birth control and sterilization also, particularly sterilization; these cannot be separated from discussions of eugenics and abortion.

First, let us briefly look at the United States. It was in this country that the eugenics movement really became established. In 1910, the first major eugenic research institution, the Eugenics Records Office, was founded and in 1923, the American Eugenics Society was formed, with branches in 29 states by the end of the decade. By 1928 there were 376 college courses on eugenics, and the subject found its way into high school texts by the mid-1930’s. While the movement was international, by far the most work surrounding it occurred in the United States. Margaret Sanger, founder of Planned Parenthood, did not draw a distinction between “fit” and “unfit” along racial lines, as Nazi Germany would later do. She still believed there were “unfit” (the poor, epileptics, alcoholics, criminals, those physically and mentally disabled) who should be prevented from reproducing, by force if necessary. In her Birth Control Review (October 1921, p. 5) she said, “Possibly
drastic and Spartan methods may be forced upon society if it continues complacently to encourage the chance and chaotic breeding that has resulted from our stupidly cruel sentimentalism.”

Sanger thus believed not only in birth control but in the use of it along with sterilization to promote eugenics. She did not advocate abortion, and Planned Parenthood held this position until her death in 1966. Her disavowal of abortion, however, while approving of birth control, sterilization (including forced sterilization) and eugenics, was a tactical move. It was the result of the advice given her by her lover, Havelock Ellis, who convinced her that industrial society was not quite ready for it. Previous to this she had spoken about “the right to destroy [the unborn].” Sanger and like-minded American eugenicists had contacts with sex reformers in Germany, and it would be in the United States and Germany that eugenics would receive the most interest. As an historian of genetic issues has put it, “when all is said and done, it is the LOGIC of eugenics far more than its racism that proved to be the most unfortunate legacy of the German race hygiene movement for the Third Reich.”

Let us now consider Weimar Germany.

The cultural atmosphere of the almost fifteen years of democratic rule in Germany (Weimar) before Hitler was lively and diverse. Berlin emerged suddenly as one of the most culturally innovative of all the capitals of Europe, second only to Paris. William Shirer speaks of most Germans during the time as being democratic, liberal, even pacifist. By contrast, it is also a common notion that the coming of Nazi rule in 1933, as one historian put it, “opened up a chain of primitive drives and animalic forces that seemed to separate the world before and after Hitler...” If one analyzes sexual politics (sterilization, eugenics, abortion) during both of these periods, however, a different picture emerges. Weimar to Hitler was not a case of white going to black but a shift in shades of gray.

There had been a steady decline in the German birthrate since the late 19th century; families averaged only one child each. Culturally sophisticated Berlin had the lowest birthrate of any capital city in Europe. There was a general fear of the numerous Slavs to the east. Hence, there was a desire to raise the birthrate (“quantity”). There were, however, problems. Many males had been killed in World War I and there was a housing shortage. Many women could not marry, and for those who could, it was difficult to raise children. Due to this situation, the government of the state of Prussia, which covered some 60% of Germany, set up marriage counseling centers, which dispensed advice about fitness for marriage and procreation, encouraging the having of “healthy” offspring by avoiding certain marriages. This desire for healthy children (“quality”) almost contradicted the desire for a higher birthrate (“quantity”).

Sex reform organizations arose, interested in unlimited birth control, sterilization, eugenics, and the liberalizing, preferably legalizing, of abortion. One of these many organizations was the National League for Birth Control and Sexual Hygiene. Its Hamburg branch, for example, had lectures such as “Race Theory, Eugenics, and Sterilization” and “The Extermination of Unfit Life.” These organizations and lectures put forth the idea that collective welfare and fitness should be the chief concern in reproduction. Sex reformers in this democracy believed in the perfectability of the human race, worshipped the body and were even convinced that the quality of intercourse affected the end product.

In addition to marriage counseling centers and sex reform organizations, the national government also became involved in eugenics and sterilization. In 1928, ministry officials at the Department
of Health held secret sessions with the most prominent racial thinkers in Germany, in which they talked about the possibilities of forced sterilization and killing of the severely mentally disabled, among a number of other measures. The law, uneasiness about public opinion, and a desire for more knowledge about heredity held them back. As the Depression with all its harshness descended on Germany, however, the Prussian State Council (remember, Prussia was 60% of the land area of Germany) stated in 1932, less than a year before Hitler came to power, “Do we not already have far too many inferior people who clearly swell the army of welfare applicants? Mankind would be spared an enormous amount of suffering if many of these people were never born.” This now brings us to a discussion of abortion in the Weimar democracy.

The campaign to legalize abortion, or to liberalize Section 218 of the 1871 national law forbidding it, was an issue for almost the entire history of the Weimar democracy, something not known even to most specialists who study this period. Some nineteen measures concerning legalization/liberalization were introduced between 1919 and 1932. Most of the debate occurred from 1920 to 1930, before there was any sizable number of Nazis in the national parliament, or Reichstag. Supported by the progressives, liberals, or political left, advocates for legalization/liberalization made arguments in the 1920s which were not very different from arguments still being used today:

- Women needed to control their reproduction better, now that so many were workers as well as wives and mothers
- The wealthy could get abortions, despite the law
- The poor were getting abortions anyway; the law was unenforceable
- The poor were frequently being harmed by the untrained and “quacks”
- Children should be planned and wanted (this was the result of the eugenics movement)
- Unborn life was unconscious, while born women were conscious
- Morality is a personal matter
- The day would come when it would not be necessary. It was a “passing phase” society would go through

Legalization/liberalization of abortion was opposed by the political center and right as well as by churches and most physicians who warned about killing, moral decay and Germany’s low birth rate. The result of the debate was a compromise in 1926:

- Abortion was reduced from the status of a felony to a misdemeanor
- Penal servitude was replaced by simple imprisonment
- Prison sentences ranged from three months to one day, plus a small fine

Abortion remained illegal, however, and one could not become an entrepreneur, doing it as a business for money. Penalties for this were up to five years.

At this point, the reader might wonder when I will begin to discuss Hitler and the Nazis. But there is an important point to be made. As mentioned earlier, from Weimar to Hitler we are not talking about white going to black but shifts in shades of gray. The coming of Hitler and the Nazis, at least as far as sexual politics went (sterilization, eugenics, abortion), was not the quantum jump from democracy one might think. This article holds the thesis that decent people, even people living in democracies, can also do or condone horrible things. Having said that, let us quickly investigate Hitler and the Nazi’s role in the areas of sterilization, eugenics and abortion.

Let us begin with sterilization and eugenics together. Less than six months after coming to
power, the Nazis passed a law to prevent “congenitally defective births.” The many Weimar marriage, sex and eugenic counseling centers were observed and evaluated by the Nazis in order to use their files to target certain people for sterilization. Hence, within a year of coming to power, the Nazis had started some 250 eugenic courts whose function was to decide who was worthy to procreate. These eugenic courts took applications from social workers and physicians urging sterilizations, taking decision-making from tens of thousands of individuals.

The purpose of Nazi use of eugenics courts and forced or pressured sterilizations was to keep the “unfit” from reproducing. In this, the Nazi regime was not that much different from American eugenicists and the Weimar democracy, except that the term “unfit” now had a more racial interpretation, as if somehow this was worse than had been the interpretation before Hitler and the Nazis. Whatever the respective motives of Weimar and Hitler, the whole infrastructure for the Nazi sterilization-eugenics program had been laid by the democracy the Nazis had overthrown.

We now turn to Nazi abortion policy. As we have seen, there had been agitation throughout the Weimar period to liberalize/legalize abortion. This resulted in a compromise: Liberalization. Abortion remained illegal but was reduced from a felony to a misdemeanor, making the punishment essentially a fine and not a prison sentence.

Hence, in 1933, in their first year of power, the Nazis passed a law forbidding abortion to Germans, increasing the penalties as they had been before Weimar liberalization. The Nazis wanted to increase the birthrate so as to have soldiers for their military. In March 1934, however, the Hereditary Health Court in Hamburg rendered a judgment which stated that abortion on grounds of racial health was not an offense. In its decision, it referred to a Supreme Court decision during the Weimar democracy seven years earlier, allowing the procedure for “medical necessities.” In June 1935 the sterilization law was also amended to allow abortions on eugenic grounds and these abortions had to be followed by sterilizations, dependent — technically — on the woman’s consent. Thus, sterilization, eugenics and abortion all come together.

For the first time in German history, abortion was legal. But one cannot ignore the roots reaching back almost fifteen years to the beginning of the Weimar democracy, during which time arguments had been made that unborn life was not that important so was therefore expendable. Despite the racial theories behind this decision there were some non-Nazis who approved because of the allowing of choice. In 1938 the government announced that Jews could have abortions at any time, since this could only benefit the German people. The Jews, as well as “unfit” Germans, had a “choice” most Germans did not. This meant that the Nazis saw abortion as a very useful weapon against undesirables; e.g. as an act of elimination.

During World War II the Nazis used sterilizations and abortions (also birth control and even the promotion of homosexuality) extensively in eastern Europe to carry out their eugenics policies. The specific aim was to keep eastern females available for slave labor while at the same time weakening eastern nations by hampering the reproduction of Slavic peoples. Heinrich Himmler, head of the SS, a chief architect of the Holocaust, and personal friend of Adolf Hitler, once stated that the tragedy of abortion for German women was that afterwards women often could not have children. Not in the loss of an “individual life,” as he put it. The Nazis used the word “parent” to describe pregnant women and the fathers of the unborn and the word “child” to describe the unborn themselves.
Nazis forbade abortion in order to preserve German unborn but allowed, even encouraged, the destruction of non-German unborn.\textsuperscript{33}

\textemdash

Eugenics is a discredited science today.\textsuperscript{34} There is also shock felt and experienced today about tricked and forced sterilizations of the past. Abortion, however, is now legal in most democracies, with the boast from those who believe in its legality that there is "choice" in the matter, that what the Nazis did was wrong because things were forced. We must ask constantly: Choice? Freedom? To do what? Sterilization (forced or voluntary, for eugenic reasons or not) prevents a life from happening. Abortion, on the other hand, takes a life that has already happened because an unborn is the other patient in any pregnancy\textsuperscript{35} and is no longer considered by science a mere maternal appendage.\textsuperscript{36} The Nazis, experts in killing, knew this.

Fifty years ago, the democracies knew this also. At the one War Crimes Trial involving abortion, the prosecutor, in his summation, called abortion an "inhumane act" and an "act of extermination" and stated that even if a woman's request for abortion was voluntary abortion was still a war crime and a crime against humanity.\textsuperscript{37} The men doing the abortions were found guilty at this trial of "encouraging and compelling abortions" and were sentenced to 25 years in prison.\textsuperscript{38} Concerning abortion, the United States, a democracy, is doing today what it once condemned Germany for doing.

In looking at the Nazis and abortion, and abortion in general, many:

\begin{itemize}
\item Tend to focus on the Nazis taking a choice from women, not on the Nazis considering the procedure a very effective way to kill. The German Supreme Court has made the connection between abortion and killing in two of its decisions (1975, 1993\textsuperscript{39}).
\item Tend to focus on the issues of church-state, morality vs privacy, not on human rights, the thing that binds us all. Abortion has been called a crime against humanity.
\item Tend to focus on themselves, not others. There are two lives involved in every pregnancy.
\item Tend to want to be called "centrists," "moderates," "mainstream," not "extremists." Pro-choice, not pro-life, is closer to fascism. Remember also that democracies can do horrible things.
\end{itemize}

The resentments and legitimate grievances Germany had after World War I roughly parallel women's resentments and grievances over a long period of time. Germany was not fully part of the family of nations; women were not fully part of humanity. But just as there was no excuse for Hitler, who made Jews, Slavs and others scapegoats for Germany's problems, there is no excuse for abortion, which makes the unborn scapegoats for women's problems. In both cases, the Nazis after World War I, and modern feminists of the last thirty years, it is as if both were saying, "We have been wronged for so long we cannot do any wrong." Hitler was Germany's doing wrong; abortion is modern feminism's perverting feminism's original message.\textsuperscript{40}
Endnotes

4. Ibid, pp. 4-5
5. Ibid, p. 5
6. Franz, pp. 10-11
7. Ibid, p. 11
10. Allen, p. 10
14. Grossman, pp. 3-4
15. Ibid, pp. 6-10
16. Ibid, pp. 24-25
17. Ibid, p. 143
18. Ibid, p. 144
19. Ibid, p. 82
21. Grossman, pp. 82-83; Usborne, pp. 173-74
27. Stephenson, p. 61
28. Ibid, pp. 62-63
30. Persoenlicher Stab Reichsfuehrer-SS (Personal Staff Files of SS Head, Heinrich Himmler, German National Archives, Berlin, Germany, R320/N518, p. 89-90
31. Letter from Obersturmfuehrer Meine to Himmler, December 23, 1942, in Ibid, NS19/940
32. Himmler to Gauleiter Eigruber, October 9, 1942, in Ibid, NS19/3596
33. Letter from Himmler to a Dr. Conti, in Ibid, NS19/3438
34. Allen, pp. 10-11
35. Gary F. Cunningham, Paul C. Macdonald, Norman F. Grant (eds.), Williams Obstetrics, 18th ed. (Norwalk, Ct: Appleton and Long, 1989), p. 87. This is from Ch. 6 “Morphological and Functional Development of the Fetus.”
36. Ibid, p. 277. This is from Ch. 15: “Techniques to Evaluate Fetal Health.”
38. TWC, v, 153, 160-61, 166. See also IV, 610, 613
40. Please see both appendices attached to the paper.
Nazism and Abortion

"...abortion is a necessary evil that we must accept out of respect for life." - Dr. Ley, Nazi racial hygienist, on having "quality," "planned" children, at a meeting on June 15, 1937 with Nazi SS head, Heinrich Himmler. PSR, R320/N518, pp. 85-88.

Germans could not have abortions, but Jews could, since this could only benefit the German people.


"...if the decree [to abort Slavic, particularly Polish] becomes known, the danger will exist that encouragement: will be given to the prevailing tendency to approve of abortions, and that the gradual realization, on the part of the average person, of how abominable such a practice is, will be completely eliminated."

-A Nazi doctor doing abortions. 1943. TWC, IV, 1083-1084

"The performance of abortions on Eastern [Slavic] workers is a war crime, as defined in Article II (b) of Control Council Law No. 10. It is a violation of Article 48 of the Hague Regulations, which provide that family honor and rights must be respected. It is also an act of 'ill treatment' of a civilian population."

"The performance of abortions on Eastern workers is also a crime against humanity. It constitutes an 'act of extermination,' 'persecution on racial grounds,' and an 'inhumane act.'"

"Even under the assumptions that her request was genuinely voluntary...it constitutes a war crime and a crime against humanity." [emphasis ours]

-Prosecutor at the Nuremberg RuSHA *(Race and Resettlement Office) trial, March 1948, NWCT, microfilm 894, roll 31, pp. 13-14.

On March 10, 1948, two SS officers received 25 years for doing abortions and other crimes. TWC, v, 153, pp. 160-61, 166.

"Article 2 II 1 of the Constitution protects life being developed in the mother's womb as an independent legal entity. The express inclusion of the right to life in the Constitution...in contrast, for example, to the Weimar Constitution, is to be explained primarily as a reaction to the 'destruction of life that is not worthy of living,' to the 'final solution' and to 'liquidations' carried out by the National Socialist [Nazi] regime as governmental measures. Article 2 II 1 of the Constitution contains, in addition to the abolition of the death penalty in Article 102, a profession of commitment to the fundamental value of human life and to a concept of the state that places it in decisive opposition to the views of a political regime to which life meant little and which for this reason engaged in unlimited abuse of the right it had usurped over the life and death of the citizen."

"...abortion is an act of killing that the law cannot tolerate." NJW XIII, 1975, 574, 576.

"The Basic Law [the German Constitution] mandates the state to protect humankind, including unborn children. This protection has its basis in Article 1, Section 1 of the Basic Law; it is more clearly spelled out in Article 2, Section 2 of the Basic Law. The unborn already have human dignity. The proper approach for the law must be to accept the unique right to life during the unborn's development. This right to life is not established simply by its acceptance by the mother."

"Proper protection due the unborn works frequently against the mother. Such protection is possible only if legislators forbid basic abortion practices and with this impose [on the mother] the basic duty to carry the child to term."

"The abortion must be viewed as being basically wrong for the entire length of the pregnancy and accordingly be forbidden (Confirmation, Federal Constitutional Court, 39, 1 [44]=Basic European Laws, 1975, 126 [140]."

"The carrying out of the protection binds the state further, to establish and encourage the proper claim to protection of unborn life in the universal consciousness."

"The state's protective obligation makes it necessary that the woman and the physician both work together for the protection of unborn life." EuGRZ, June 4, 1993. p. 529.

Abbreviations

EuGRZ = Europaische Grundrechte Zeitschrift (European Basic Laws Periodical). This was the second condemnation of abortion by the German Supreme Court; it was a decision binding on all Germany, since unification had occurred.

NJW = Neues Juristisches Wochenblatt, (New Judicial Weekly). This was the first condemnation of abortion by the West German Supreme Court after the Bundestag legalized it.

PSR = Persoenlicher Stab Reichsfuehrer-SS (Personal Staff Files of SS Head, Heinrich Himmler), German National Archives, Berlin, Germany.

TWC = Trials of War Criminals before the Nuremberg Military Tribunals, October, 1946-April, 1949. This is the published account and represents around 15% of the testimony.

NWCT = Records of the United States Nuremberg War Crime Trials. This is the complete account, on microfilm, at the National Archives, Washington, D.C.

- Compiled by John Hunt, Ph.D. Fall 2000

The Original Feminists and Abortion

"Women becoming, consequently, weaker...than they ought to be...have not sufficient strength to discharge the first duty of a mother...either destroy the embryo in the womb, or cast it off when born. Nature in everything demands respect, and those who violate her laws
seldom violate them with impunity.” Mary Wollstonecraft, *A Vindication of the Rights of Women*, 1792.

“No matter what the motive, love of ease, or a desire to save from suffering the unborn innocent, the woman is awfully guilty who commits the deed. It will burden her conscience in life, it will burden her soul in death; oh, thrice guilty is he who...drove her to the desperation that impelled her to the crime! We must reach the root of the evil...It is practiced by those whose inmost souls revolt from the dreadful deed.” [Abortion is also referred to here as “child murder”] Susan B. Anthony, *The Revolution*, IV, No. 1 (July 8, 1869), 1

“[Abortion is] infanticide.” Elizabeth Cady Stanton, *The Revolution*, I, No. 5 (February 5, 1868), 1

“There must be a remedy even for such a crying evil as this [abortion]. But where shall it be found, at least where begin, if not in the complete enfranchisement and elevation of women?” Elizabeth Cady Stanton, *The Revolution*, I, No. 10 (March 12, 1868), 146-47.

“When we consider that women are treated as property, it is degrading to women that we should treat our children as property to be disposed of as we see fit.” Elizabeth Cady Stanton, Letter to Julia Ward Howe, October 16, 1873, in the Howe diary at Harvard University Library.

“[Abortion] lies deeper down in woman’s wrongs than any other...I hesitate not to assert that most of [the responsibility for] this crime lies at the door of the male sex.” Matilda Gage, *The Revolution*, I, No. 14 (April 9, 1868), 215-16.

“...when a woman destroys the life of her unborn child, it is an evidence that either by education or circumstances she has been greatly wronged.” Matti Brinkerhoff, *The Revolution*, III, No. 9 (September 2, 1869), 138-39.


“Every woman knows that if she were free, she would never bear an unwished-for child, nor think of murdering one before its birth.” Victoria Woodhull, *Wheeling West Virginia Evening Standard*, November 17, 1875 [Victoria Woodhull was the first female to run for president.]

“Child murderers practice their profession without let or hindrance, and open infant butcheries unquestioned...Is there no remedy for all this anti-natal child murder...”

“Perhaps there will come a time when...an unmarried mother will not be despised because of her motherhood...and when the right of the unborn to be born will not be denied or interfered with.” Sarah Norton, *Woodhull’s and Claffin’s Weekly*, November 19, 1870.

“Abortion is the ultimate exploitation of women.” Alice Paul to a colleague. [Alice Paul was the author of the original Equal Rights Amendment in 1923. She lived until 1977].

—Compiled by Feminists For Life. Washington DC

Other Published Works by Professor Hunt include:


*A Tale of Two Countries: German and American Attitudes to Abortion Since World War II*, Life and Learning IV, Proceedings of the Fourth University Faculty for Life, June, 1994; pp 123-133, Appendix B pp. 305-309

*Abortion and Nazism: Is There Really a Connection?*, Linacre Quarterly, November, 1996, pp 53-63
