



1945. It began before the growth of the Nazi movement but it suited the Nazi racist ideology and so was adopted by the Nazis. “The most popular association of eugenics is with Nazi Germany, but recent work on eugenics considers other contexts, such as Scandinavia and the United States. **The eugenics movement led to government policies of sexual sterilization of people considered to have undesirable traits:** (www.eugenicsarchive.org).” Source: <http://eugenicsarchive.ca/docs/laoverview2011.pdf>

Eugenics originated prior to World War I: “Throughout history, people with non-normative abilities have been judged. Sometimes this judgment led to positive consequences; however, for the most part these non-normative abilities were judged negatively and the carriers of such non-normative abilities experienced disabling treatment. The term *eugenics* was coined by Sir Francis Galton in 1883 to refer to “the investigation under which men of a high type are produced” [1]. Under Galton’s vision of eugenics, there are two ways that eugenics can be achieved: through increasing the frequency of so-called ‘desirable’ genes (known as *positive eugenics*), or decreasing the frequency of so-called ‘undesirable’ genes (known as *negative eugenics*). Eugenics is one dynamic that influences the judgment of people’s abilities and the disabling consequences.” Source: http://www.crdc.org/docs/Gregor_Wolbring/NZconference_Analysis%20of%20Eugenic%20Argumentsb all.pdf

The concept of eugenics grew out of an adaptation of Charles Darwin’s theory of evolution to human society. Herbert Spencer, often named as the founder of what came to be called Social Darwinism, in the late 1800’s coined the term “natural selection,” based on Darwin’s theory of the survival of the fittest.

Consequences: Forced sexual sterilization of so-called “undesirables” was the consequence of the eugenics movement.

From perspective of Social Darwinism, Francis Galton and others adduced that it would be appropriate to help the human race along by making sure that certain people (those with intellectual disabilities or mental illnesses) did not re-produce, on the generally false assumption that their undesirable traits were passed on genetically to their offspring. (This has long since been shown to be scientifically incorrect, quite apart from the enormous ethical questions it raises.) But from this position came the birth of the eugenics movement and **its natural outgrowth: forced sterilization of so-called undesirables**, and eventually, in the Nazi era, their murder. (In Western Europe and North America, those with intellectual disabilities and those with mental illnesses were lumped together and regarded as sick and thus needing removal from society and permanent “hospitalization” in what came to be called asylums and later, institutions, and eventually, by seemingly innocuous terms such as “centres”). Hitler and the Nazis added racial difference and homosexuality to this group, believing that white heterosexual Aryan people were superior to all others, and in the end, that others should be eradicated.

From the Eugenics Archives – a Social Sciences and Research Council of Canada (SSHRC)-funded research collective:

“Facts about eugenics in Western Canada:

- The vast majority of eugenic sterilizations in Canada were performed in Alberta
- British Columbia was the only other province in Canada to pass involuntary sterilization legislation that

was explicitly eugenic

- In most other North American jurisdictions eugenics waned following the Second World War, Alberta's eugenic sterilization program continued until the repeal of the Sexual Sterilization Act of Alberta in 1972
- It was against the Province of Alberta that Leilani Muir won a landmark legal case in 1996 for wrongful sterilization and confinement
- The typical grounds for eugenic sterilization were that a person's undesirable physical or mental conditions were heritable, and that those persons would not make suitable parents
- Central amongst those targeted by such eugenic practices were people with a variety of disabilities, especially (but not only) developmental disabilities.
- Many other marginalized groups – single mothers, First Nations and Métis people, eastern Europeans, and poor people - were disproportionately represented amongst those subjected to eugenic ideas and practices, such as sterilization.”

From The *Living Archives on Eugenics in Western Canada* CURA research project underway at the University of Alberta. (It is a “Community-University Research Alliance (CURA), funded by the Social Science and Humanities Research Council of Canada (SSHRC). The ideas and practices aimed at improving “human breeding” known as eugenics were influential across North America in the first half of the 20th-century.” –quoted from the project’s Facebook page)

Thirty people—academics and sterilization survivors including Leilani O’Malley—are involved in this federally funded 5-year research project. Project members work with communities to develop accessible resources to shed light on the history of eugenics in Canada. The *Living Archives* project is made possible by the What Sorts Network, an international organization of researchers and community members who facilitate projects addressing aspects of the question “What Sorts of People Should There Be?” The network aims to stimulate debate and inform social policy at the interface of the humanities, biomedical technologies, and the social sciences, in ways that will create more inclusive communities.

Source: <http://eugenicsarchive.ca/>

When did eugenics begin to take hold in Canada? First half of the 20th century.

“As the province in which the vast majority of eugenic sterilizations in Canada were performed, Alberta occupies a particular place in this history. British Columbia was the only other province in Canada to pass involuntary sterilization legislation that was explicitly eugenic, and whereas in most other North American jurisdictions eugenics waned following the Second World War, Alberta’s eugenic sterilization program continued until the repeal of the Sexual Sterilization Act of Alberta in 1972.” Source: <http://eugenicsarchive.ca/docs/laoverview2011.pdf>

Key issues or persuasive arguments that allowed the eugenics movement to take hold in Canada:

“The idea that eugenics could prevent suffering, save money, eradicate disease and help us to achieve the so-called ‘perfect’ human appeared in the early sterilization articles and continued through to today...”

“The arguments supporting eugenic goals of sterilization and genetic selection paint a clear picture—those who fall into the ‘unfit’ group are suffering, too expensive and ought to be ‘fixed’ or prevented. This message is obviously problematic. Such an assumption devalues the lives of people with disabilities and endangers them as many of the articles on the history of sterilization and on the use of genetic



selection show. The continuous presence of the assertion that eugenics should be used to improve humans exemplifies the feeling held by some that we ought to continue to improve our genetic material and that deficiencies currently exist that should not be tolerated.” Source:

http://www.crdc.org/docs/Gregor_Wolbring/NZconference_Analysis%20of%20Eugenic%20Argumentsb all.pdf

Forced sexual sterilization – What was the cause or rationale for it? Was it connected to WWII in some way? The rationale was ‘like breeds like’ – so-called ‘feeble-minded’ people would give birth to more feeble-minded babies – which was undesirable. So the government set out to sterilize targeted groups of people, so they could not reproduce. Alberta and BC had Sexual Sterilization Acts, which gave provincial governments powers to perform therapeutic sterilizations

“Both the Alberta (1928) and British Columbia (1933) legislatures passed a Sexual Sterilization Act. These acts were largely based on a 1921 mental hygiene survey of Alberta conducted by a University of Toronto psychiatry professor Clarence Hincks. Hincks identified as a social hardship and a threat to society both the mentally ill and the mentally defective, causally linking these individuals’ mental abnormality to immorality. Both provincial acts enabled a Eugenics Board to compel sterilization, if the individual was incompetent, those with mental illness or disability. Review of cases was largely superficial with a decision pre-ordained as witnessed by a 99% sterilization approval rate by these boards. Furthermore, decisions of these boards were preferentially rendered against females (60%) and Aboriginals (6%) out of proportion to their membership in the population.”
(Source: Tommy Douglas PDF – page 37. This PDF is readily accessible online.)

The Alberta Law Collection has a copy of the Sexual Sterilization Act (2 pages) accessible online:
<http://www.ourfutureourpast.ca/law/page.aspx?id=2906151>

Information on the BC Sexual Sterilization Act:

“The Sexual Sterilization Act, which was in effect in British Columbia from 1933 to 1979, gave the B.C. Eugenics Board the right to make decisions to sterilize people living in government-run institutions without their consent and without their knowledge of what was happening. This treatment was approved as a means of controlling behaviour and ensuring the disability was not passed on to future generations. The Act was repealed in 1979, but the practice continued in the community for a number of years until the Supreme Court of Canada made a decision in *E. (Mrs.) vs. Eve* (1986).”

Source: <http://www.inclusionbc.org/about-us/social-policy-positions/sterilization>

“- The vast majority of eugenic sterilizations in Canada were performed in Alberta. British Columbia was the only other province in Canada to pass involuntary sterilization legislation that was explicitly eugenic “

Source: <http://eugenicsarchive.ca/>

“Although eugenic sterilization was never instituted in Ontario, the issue saw considerable debate concurrent with the enactment of sterilization laws in Alberta and British Columbia. The formation of the Eugenics Society of Canada (ESC) in 1930 sought to organize supporters of eugenics into a coherent group in order to make their lobbying of the government more effective. Founded in Ontario, the ESC



boasted a large number of physicians in its ranks, including Clarence Hincks, one of the most devoted proponents of the Alberta Sexual Sterilization Act. Other notable members included the Lieutenant-Governor of Ontario, Dr. H. A. Bruce, and eminent psychiatrist Clarence B. Farrar, who had been head of the Toronto Psychiatric Hospital since 1925. As social traits like criminality and promiscuity began to edge off the list of heritable traits, the ESC found itself adapting its strategy to that of birth control, while maintaining a focus on economic benefit. It garnered considerable support, but was never able to table eugenic sterilization effectively in the political arena. The ESC met its end shortly after a public relations blunder in 1938, when a representative implied the ESC and the Nazi party sought to achieve similar goals through similar means. It is not surprising then, that when World War II broke out in 1939, the ESC lost nearly all of its support.”

Source: <http://reducetheburden.org/compulsory-sterilization/>

When was the Alberta policy implemented? How did it become law? If debated, what were some main Pro and Con arguments? During what time period was it in effect?

“Both the Alberta (1928) and British Columbia (1933) legislatures passed a Sexual Sterilization Act. These acts were largely based on a 1921 mental hygiene survey of Alberta conducted by a University of Toronto psychiatry professor Clarence Hincks. Hincks identified as a social hardship and a threat to society both the mentally ill and the mentally defective, causally linking these individuals’ mental abnormality to immorality. Both provincial acts enabled a Eugenics Board to compel sterilization, if the individual was incompetent, those with mental illness or disability. Review of cases was largely superficial with a decision pre-ordained as witnessed by a 99% sterilization approval rate by these boards. Furthermore, decisions of these boards were preferentially rendered against females (60%) and Aboriginals (6%) out of proportion to their membership in the population.”

(Source: Tommy Douglas PDF – page 37, attached).

CBC article with stats: <http://www.cbc.ca/news/canada/edmonton/alberta-s-sex-sterilizations-re-examined-1.871749>

“**In 1928, Alberta introduced the Sexual Sterilization Act**, placing Alberta within a growing number of North American jurisdictions, beginning with Indiana (1907) and California (1909), and later including British Columbia (1933). The surgical sterilization of —mental defectives! during this period served an ambitious political agenda, one that promoted a healthy citizenry while minimizing state expenditures. In Alberta, this policy remained in effect until 1972; in British Columbia, until 1973.”

Source: <http://eugenicsarchive.ca/docs/laoverview2011.pdf>

Did the eugenics movement target all people with disabilities (also with mental illnesses?) or just to those with Intellectual Disabilities?

“The typical grounds for eugenic sterilization were that a person’s undesirable physical or mental conditions were heritable, and that those persons would not make suitable parents. Central amongst those targeted by such eugenic practices were people with a variety of disabilities, especially (but not only) developmental disabilities. Yet many other marginalized groups—single mothers, First Nations and Métis people, eastern Europeans, and poor people—were also disproportionately represented amongst those subject to eugenic practices, such as sterilization. Precisely why is not known. **An understanding of why, and of how eugenics operated as it did in Western Canada, is relevant to all Canadians who**



embrace human diversity and strive to build inclusive communities.”

Source: <http://eugenicsarchive.ca/docs/laoverview2011.pdf>

“Between 1928 and 1972, close to 3,000 people were sterilized based on IQ and socio- economic status through Alberta’s Eugenics Program. Peter Lougheed’s government, appalled by what previous administrations had overseen, repealed the *Sexual Sterilization Act* in 1972. The Eugenics Board was dismantled shortly after. In the late 1990s, 700 to 800 sterilization victims drew global attention by filing cases against the Alberta Government following Leilani Muir’s historic 1996 lawsuit.” From:

<http://leilanimuir.ca/projects/biography>

How did Sexual Sterilization impact the lives of people with disabilities?

Below is a link to a blog by Linda Muir, who successfully won her case against the Alberta government for wrongful sterilization. She outlines how her life was impacted by being (A) Locked up in an institution (Provincial Training School for Mental Defectives (PTS) in Red Deer, Alberta) at the age of 10, and (B) Her forced sterilization (she was told she was getting her appendix removed at the time).

-Her website: <http://leilanimuir.ca/about-leilani>

-Excerpt from her biography. This would be useful reading for students, a first person account of what these BIG policies did to INDIVIDUAL lives: <http://leilanimuir.ca/projects/biography>

- CBC Current show on Linda Muir: <http://www.cbc.ca/thecurrent/episode/2011/11/14/leilani-muir-successfully-sues-alberta-govt-for-wrongful-sterilization/>

Who were key figures in Canada? What was the rationale of those who supported sexual sterilization?

Dr. Helen MacMurchy (1862-1953): Appointed Ontario's first Inspector of the Feeble-minded in 1906, she called for medical inspection of schools, early detection of mental problems, special training for the mentally challenged, and increased institutionalization.

Source: http://www.pc.gc.ca/APPS/CP-NR/release_e.asp?bgid=108&andor1=bg

“But there’s a glaring omission in Parks Canada’s material recounting MacMurchy’s career and accomplishments. There’s nary a peep about her role as a popularizer of eugenics, a type of scientific racism that flourished between 1865 and 1945. Eugenics was embraced by Protestant Anglo-Saxon Canadians, alarmed by the waves of immigrants from central and eastern Europe then flooding into their country. Allegedly based on science, eugenics held that unfit parents passed their inferior traits to their offspring, weakening the gene pool. Eugenics arguments were ultimately used to justify the involuntary sterilization of thousands of Canadian disabled women, single mothers, immigrants, First Nations people and the poor. In Nazi Germany, eugenics paved the path to death camps for Jews and other “undesirable” groups. In this country, Helen MacMurchy was in the forefront of this movement. “I think it’s fair to say she was the most prominent promoter of eugenics in Canada,” says Stephen Azzi, an associate professor at Carleton University. The Canadian Encyclopedia concurs. MacMurchy, who was born in 1862 and died in 1953, “did more than anyone to persuade Canadians of the need for eugenics,” it says. MacMurchy wielded great influence. She deployed it to persuade the National Council of Women to endorse eugenics, and used her position in the Department of Health as a pulpit to spread her views ... MacMurchy and other founders of the committee believed that eastern European immigrants were prone to feeble-mindedness. “They also insisted that institutionalization of the feeble-minded was ineffective and that a preventive approach — sterilization — was required,” says a 2004 article in the Journal of Historical



Sociology written by three University of Alberta professors ... From 1906 to 1919, MacMurchy served as Ontario's special Inspector for the Feeble-minded. According to Dodd, she focused particularly on unwed mothers. "In her view, these feeble-minded women were sexually deviant, victims of male sexuality, whose illegitimate children in turn victimized society with their inferior genetic makeup," Dodd writes. "MacMurchy warned of the dire consequences of allowing the alarmingly high rate of reproduction among this degenerate group to continue." Many single mothers were subsequently institutionalized and had their children taken away from them ... Though she played a key role in spreading eugenics, MacMurchy was hardly alone. Canada's "Famous Five" — **the early feminists Nellie McClung, Emily Murphy, Irene Parlby, Henrietta Muir Edwards and Louise McKinney** — **were also fervent eugenicists, as was J.S. Woodworth**, the first leader of the Co-operative Commonwealth Federation (CCF), forerunner of today's New Democratic Party. All, like MacMurchy, have been recognized as persons of national historic interest ... Azzi doesn't really quarrel with that. "I'm not saying that she doesn't deserve recognition for her contributions, which were significant and often very positive," he says. "But at the same time," he adds, "we have to recognize that she held some views that we would consider repulsive today."

Source: <http://www.ottawacitizen.com/health/dark+side+honouring+Helen+MacMurchy/7346152/story.html> (includes photo of MacMurchy)

"Alberta was the first province to introduce the Sexual Sterilization Act in 1928, a law largely supported by figures such as Emily Murphy and Nellie McClung, prominent first-wave feminists, (Mansell, 1998, p.4) who in 1927, along with three other women: Henrietta Muir Edwards, Louise McKinney, and Irene Parlby, won the Person Case as the Famous Five allowing for women to be recognized as legal persons, and able to sit in the Senate (Dodd, 2009, p.41). This placed Alberta among a number of other North American jurisdictions, including Indiana (1907), California (1909), and eventually British Columbia (1933) (Wilson, 2010, p.3). A number of other states implemented eugenic practices through the segregation of individuals, without the official Sterilization Act witnessed in the previously listed provinces (Grekul et al, 2004; Selden, 2000; Wilson, 2010). Western Canada is further made unique in Canada, for other major provinces such as Ontario were afraid to follow in Alberta's footsteps and openly embrace eugenic sterilization laws fearing the wrath of Roman Catholic voters (Fitzgerald, 2010, p.301). However, in Alberta alone, some 4739 residents were recommended for sterilization (Grekul et al, 2004, p. 358)."

Source: <http://cjds.uwaterloo.ca/index.php/cjds/article/view/25/18>

Charles Kirk Clarke: "One of eugenics' earliest advocates in Canada was the psychiatrist Charles Kirk Clarke, who took the lead in connecting "feeble-mindedness" to immigration, deprecating the peoples of central and eastern Europe as "defectives." But the person who did more than anyone to persuade Canadians of the need for eugenics was Helen MacMurchy, who in 1915 became Ontario's "inspector of the feeble-minded." She guided the National Council of Women to endorse sterilization as a means of preventing mothers from "filling the cradles with degenerate babies."

Source: <http://www.thecanadianencyclopedia.com/featured/eugenics-keeping-canada-sane>

Tommy Douglas initially supported eugenics though he later changed his position on it. Often his early position is forgotten. He is surely an example of how even very good and respected people can be mistaken and of how important it is to think critically and to continually review our attitudes and positions:

National Post article on Tommy Douglas and Eugenics: “Michael Shevell: Tommy Douglas, the young eugenicist” <http://fullcomment.nationalpost.com/2012/03/24/michael-shevell-tommy-douglas-the-young-eugenicist/>

“A final paradox concerns our collective national amnesia regarding Douglas’s initial endorsement of eugenics. When we choose to recall his life and many contributions, this chapter of eugenic endorsements is either omitted or only briefly and tangentially mentioned. It is likely that we have transferred onto Douglas the man, those values we attach to his most tangible and enduring achievement, Medicare. As previously stated, these values include compassion, tolerance, fairness and a pervasive commitment to equality. Similarly, we have attached these values to ourselves and incorporated these values into the matrix that is the Canadian identity. It would be self-defeating of this identity to somehow taint its origins or fountainhead with the lapsed judgements and enactments of eugenics that are by definition directed at the vulnerable, weak and incapacitated amongst us.”

“It is chastening for us to consider in our own time that efforts to solve the social problems facing us may compel possible solutions that at their root may be dangerous compromises with more fundamental and treasured humanistic values. The challenge, as always, will be standing fast to these values despite the temptations of false prophets.”

These same paragraphs appear in the longer version of this article in the Canadian Journal on Neurological Sciences, January 2012 issue: **“A Canadian Paradox: Tommy Douglas and Eugenics,”** by *Michael Shevell* in the Canadian Journal of Neurological Sciences (Can. J. Neurol. Sci.) 2012; 39: 35-39. (this article is behind a paywall.)
(This journal is published in French as LE JOURNAL CANADIEN DES SCIENCES NEUROLOGIQUES)

(Students who read the entire article may want to clarify the reference in this article to a “Mendelian understanding of genetics.” Here is a relevant but not authoritarian statement that throws light on the incomplete understanding of Mendel’s work of pea plants and how it might apply to human reproduction: “A Mendelian trait is one that is controlled by a single locus in an inheritance pattern. In such cases, a mutation in a single gene can cause a disease that is inherited according to Mendel's laws. Examples include sickle-cell anemia and Tay-Sash disease. A disease controlled by a single gene contrasts with a multi-factorial disease, such as arthritis, which is affected by several loci (and the environment) as well as those diseases inherited in non-Mendelian fashion.”)¹

- B. Further reflection in the National Post in March 2012: “Canadians airbrush the truth about Tommy Douglas’s enthusiasm for eugenics: MD” by Top Blackwell:
<http://news.nationalpost.com/2012/03/14/tommy-douglas/>

From the above article: “Tommy Douglas briefly held endorsement of a eugenic framework to both understand the overwhelming challenge of poverty in Depression-era Canada and formulate lasting biological solutions is at first glance paradoxical. However, though both mistaken and retrospectively regretful, this endorsement can be seen to stem logically from the overarching themes and principles of social commitment and engagement that fashioned his life of public service. Douglas famously urged Canadians to “dream no little dreams” in their efforts to fashion a modern nation. It is chastening for us to consider in our own time that efforts to solve the social problems facing us may compel possible solutions that at their root may be dangerous compromises with more fundamental and treasured humanistic values.”

Questions for students—re Cause and Consequences

1. In light of the above article about Tommy Douglas, in what ways do you think that we as Canadians today suffer from a “collective amnesia” about other social issues that should concern us?
2. In the following short clip on bullying, Canadian humanitarian Jean Vanier lists the five groups that Hitler targeted for eradication. <http://www.youtube.com/watch?v=3YPLrbQZkDg>
 - a. Who are the five groups Vanier lists?
 - b. How was Hitler’s ideology of racial purification applied in the case of each of these groups?
 - c. How is creating community the antithesis of bullying?
 - d. How do you create community in your classroom? In your school? In your neighbourhood?
3. Jean Vanier and other wisdom figures comment that the challenge for us as human beings is to live consciously in the gap between our reality and the ideal and to work gradually toward the ideal. In what ways does the national identity that Canadians like to embrace call you to work for change?
4. How does the legacy of the eugenics movement manifest today? e.g: Eugenics seemed to die in popularity with the end of World War II and the defeat of the Nazis, but then perhaps has morphed into a modern eugenics movement. Give 1-2 egs of how eugenics takes shape today and how it is rationalized today? What has changed and what is the same? (You might want also to look into the views of the radical secular ethicist Peter Singer in the USA. How would you respond to him?)

The end of the sexual sterilization policies: “Those still alive who felt the direct effects of eugenic laws and social policy are now mostly in their 60s and 70s. Such individuals have much to teach us all. Their experience will allow a more inclusive collective memory of the largely unmarked history of eugenics in Western Canada to be constructed. An understanding of the past here is of special relevance for ongoing discussions at the interface of reproductive choice, disability, human variation, and technology. Thus integral to the project is a communal space for the exploration of the relationships between the history documented and current policies and practices. Whether contemporary practices, such as recommended screening for Trisomy 21 (Down Syndrome) or selective abortion of —defective fetuses constitute new forms of eugenics—*newgenics*, as it is sometimes put—remain topics of debate.”

Source: <http://eugenicsarchive.ca/docs/laoverview2011.pdf>

See CBC story on Alberta’s apology for forced sterilization:

<http://www.cbc.ca/news/canada/alberta-apologizes-for-forced-sterilization-1.169579>

Did the Alberta government apologize at some point?

The Act was repealed by Peter Lougheed, Premier at the time, when concerned citizens came to him. The repeal was in 1972. The politician who was also integral to the repeal, David King commented on the Act 35 years later, saying of Lougheed:

“He was appalled by the vision of the future that the legislation represented.

He was appalled by the moral and scientific claims the law was built on.

He was appalled that the law was still on the books as a representation of public policy



(public principles and values) in Alberta in the late '60s. He was appalled at the political insensitivity of the government that was unresponsive when the issue was taken to it.

As soon as I was drawn into the issue I was appalled. I am proud to have been the sponsor of the repeal legislation.”

(Source: <http://whatsorts.net/files/DKspeechEugenics.pdf>)

Legal info related to the repeal: In 1995 Linda Muir sued the Alberta government (see info above) – the Court ruled in favour of Muir and she was awarded \$740,780 and more for legal costs. This opened the door for other cases of individuals seeking reparation.

Apology: Alberta Premier Ralph Klein, 1999: “To go along with the apology, the government is offering about \$82 million to one group of 246 victims: roughly \$325,000 each. Six hundred others settled last year.” <http://www.cbc.ca/news/canada/alberta-apologizes-for-forced-sterilization-1.169579>

Did the practice continue after it was no longer official policy? Who brought an end to it and how?

It was officially brought to an end in AB in 1972 and BC in 1979. But the practice continued for a number of years after, until a Supreme Court of Canada decision in 1986-- SUPREME COURT DECISION ON FORCED STERILIZATION:

Eve. Vs. Eve is the landmark case where Mrs .Eve wanted to therapeutically sterilize her daughter who has a developmental disability. The Supreme Court of Canada ruled in favour of Eve the daughter, and rejected that the *parens patriae* powers of the court be allowed to give consent on behalf of the individual deemed incompetent, to therapeutic surgical procedures. Case summary (easy to read – 2 pages) here:

<http://www.youth.westcoastleaf.org/pdfs/EvEve-Case%20Summary.pdf>

“The Eve decision provides the common law basis for this policy. The decision stated:

"Sterilization should never be authorized for non-therapeutic purposes under the *parens patriae** jurisdiction. In the absence of the affected person's consent, it can never be safely determined that it is for the benefit of that person. The grave intrusion on a person's rights and the ensuing physical damage outweigh the highly questionable advantages that can result from it. The court, therefore, lacks jurisdiction in such a case."

"The importance of maintaining the physical integrity of a human being ranks high in our scale of values, particularly as it affects the privilege of giving life. I cannot agree that a court can deprive a woman of that privilege for purely social or other non-therapeutic purposes without her consent. The fact that others may suffer inconvenience or hardship from failure to do so cannot be taken into account. The Crown's *parens patriae* jurisdiction exists for the benefit of those who cannot help themselves, not to relieve those who may have the burden of caring for them."

The Supreme Court of Canada clearly stated that non-therapeutic sterilization without consent of the individual does not provide a benefit to the individual and that any inconvenience suffered by a third party is not sufficient justification for a decision to sterilize an adult with a developmental disability.” Source: <http://www.inclusionbc.org/about-us/social-policy-positions/sterilization>

“Since the Supreme Court of Canada decision in 1986, physicians have been less willing to perform the procedure at the insistence of a third party. However, this has not completely stopped the practice of

