

(H. B. 2085)

(No. 125-2011)

(Approved July 12, 2011)

## AN ACT

To repeal Act No. 136 of May 15, 1937, which authorized the teaching and disclosure of eugenics principles in hospitals, public health units and centers in Puerto Rico.

### STATEMENT OF MOTIVES

Through the approval of Act No. 136 of May 15, 1937, the teaching, disclosure, and counseling of eugenics principles was regulated in hospitals, public health units, prenatal, maternity, childcare centers and other public maternity clinics and hospitals in Puerto Rico.

El Diccionario de la Real Academia Española defines eugenics as the “*aplicación de las leyes biológicas de la herencia al perfeccionamiento de la especie humana.*” [The study of hereditary improvement of the human race by controlled selective breeding].

The term eugenics was first used in 1883 by Francis Galton, a British scientist who described it as the study of the agencies under social control that may improve or impair the racial qualities of future generations, either physically or mentally. A more recent definition of eugenics would be the science that studies all influences that improve the inborn quality of the human race, particularly through the control of hereditary factors. Kenneth L. Garver, M.D., Ph.D. The Human Genome Project and Eugenics Concerns, American Journal of Human Genetics, 54:148-158 (1994).

As a predominant social theory in many areas in the 19<sup>th</sup> and the 20<sup>th</sup> centuries, eugenics was broadly assimilated in western thought. This theory proposed the selection of the most exceptional persons to reproduce, thus achieving a more just society free from social ills.

Classic eugenics, to the extent it was applied, was characterized by limiting individual reproductive rights to achieve genetic health in future generations, promoting involuntary euthanasia and genetic discrimination.

In the decades after World War II, the eugenic principles were subject to great criticism and rejection by the international scientific community due to the genocide practices of the Nazi regime in Germany, and decades later for the compulsory sterilization programs imposed by governments in different countries around the world.

Due to the practices it proposes and its historic relation with scientific racism, ethics principles, coercive discrimination, and violation of civil rights, the scientific community does not accept eugenics. Therefore, the repeal thereof by the Government of Puerto Rico is warranted.

***BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:***

Section 1.- Act No. 136 of May 15. 1937 is hereby repealed.

Section 2.- This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 125-2011 (H. B. 2085)** of the **5<sup>th</sup> Session of the 16<sup>th</sup> Legislature** of Puerto Rico:

**AN ACT** to repeal Act No. 136 of May 15, 1937, which authorized the teaching and disclosure of eugenics principles in hospitals, public health units and centers in Puerto Rico.

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on this 28<sup>th</sup> day of February, 2014.

Juan Luis Martínez Martínez  
Acting Director