

## **Eugenics and special education in the Czech lands during the Interwar Period: The beginning of segregation against disabled and Roma**

**Victoria Schmidt**, *Institute of inclusive education studies, Masaryk university, Brno, Czech Rep.*

This text puts forwards the argument that the development of education for deviant and disabled children and the formation of practices aimed at controlling the Roma population during socialism echo those developed during the interwar period. The introduction engages with the current trend to revise social welfare policies and practices in the light of the history of eugenics. Then, the text turns to the case of Czech lands where the institutionalization of Roma surveillance was outstandingly pervasive in comparison to the rest of Central and Eastern Europe. The first part explores the development of eugenics in the Czech lands and establishes a temporal framework needed for the understanding of the relationship between eugenics and child protection. The second part discusses how eugenic ideas were applied within correctional institutions for minors with delinquent behavior and mental disability. In the third part I examine the reform towards forced legitimization of the *nomad* Roma, paying special attention to the institutionalization of Roma children. In the final part, I discuss the historical implications for the path dependency and segregation of the Roma population in the Czech lands.

### **Introduction**

As in other realms of applied social science, the norms and principles of the so called ‘helping professions’<sup>1</sup> are determined by the history of various theories and policies underpinning them, throughout time and at different social and political levels. In line with the Foucauldian genealogy of scientific knowledge, many contemporary scholars and activists recognise the role of the past as a necessary condition for the comprehensive revision of present practices. Historical analysis challenges the acceptance of norms and values as transcendent and incontestable, which inevitably leads to essentialism and objectification, and to the prevention of participative practices. In many countries, ‘helping professions’ began their institutionalization during the interwar period. During the same period, eugenics played the important role in the emergence of a number of medical and care-related specialisms such as applied child psychology, social assistance, special education and social work. The recent interest in the history of eugenics (Turda 2015) is directly connected to broader attempts to revise the previous idealization of the ‘helping professions’ and the politics of care they helped promote and implement, from charity foundations to programs of public health and social work as well as a range of policies related to education and schooling (Kenny 2002).

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<sup>1</sup> The concept ‘helping profession’ appeared in the middle 1940s and operates as umbrella notions for the different fields which address the problems of a person’s physical, psychological, intellectual, emotional or spiritual well-being.

Scholars highlight three interconnected elements of eugenic theory and practice that are relevant to the current analysis:

- (1) **developmentalism:** a future oriented activist position, coupled with the strong belief in the opportunity to achieve a better future from individual empowerment and responsibility;
- (2) **essentialism:** an alarmist approach to understanding social threats as mostly determined by such factors as race, class and socio-economic inefficiency of some groups whose;
- (3) **professionalism:** the emphasis on special professional knowledge aimed at explaining such factors as decay followed by strategies of survival for the nation.

This three-part framework made eugenics the universal theory which embraced various political movements (from Nazism to socialism and feminism) and laid the course for many social welfare practices. The arguments in favour of enforced sterilization in social-democratic Sweden and the democratic USA demonstrate the equally important role of eugenics as a source for very different ideological platforms either right and liberal or leftist and social-democratic (Spektorowski and Mizrachi 2004). The idea of a productive society led many countries with different ideological grounds as the USA, Sweden, Nazi Germany to legalizing compulsory sterilization. And such violated practices were directly linked with general profile of welfare policy. Contemporary critics of Swedish social policy describe compulsory sterilization as the other side of the welfare state, which practiced assimilative eugenics for the ‘fit’ part of population and selective, negative eugenics for the ‘unfit’ part. Eugenic labelling (e.g. “unfit”, „residuum“, and the „submerged tenth“) demonstrates the overlapping the biological and economic registers of ‘unfitness’.

By mixing biological and social factors, eugenicists introduced various ‘complex’ notions for labelling a wide range of issues. For instance, the ”socially inadequate”, a concept introduced by the American eugenicists in the 1910s, included more than ten categories including deviant behavior and various types of disability; it directly influenced the legislation about enforced sterilization and institutionalization in many states (Seal 2013). The concepts, which were developed by eugenicists, continue to influence the ‘helping professions’, but do they admit to this influence? As revealed by a recent study there is asystematic lack of knowledge about eugenics amongst helping practitioners in five countries, prompting the authors to argue in favour of a more consistent approach to teaching the history of eugenics, especially to those who work or will work with people with disability (Atherton, Steels 2015). The existing rupture between the unrecognised legacy of eugenics and its fragmented understanding amongst health and care practitioners remains an obstacle for sustainable reforms towards a more consistent implementation of patient rights. The disclosure of surviving eugenic concepts could contribute to the formulation of alternatives to the utilitarian view which describe helping activities as embedded into policies designed for the ‘fit’ and against the ‘unfit’.

The key strategy for such disclosure grapples with tendency not to recognise the connection between two camps of eugenicists, those promoting positive or assimilative eugenics, focusing on (un)healthy mode of life, and negative or selective eugenics, with its emphasis on heredity and the control of reproduction. While for the majority eugenics is associated with sterilization and euthanasia, understanding the role of positive eugenics remains on the margins of public debates about eugenics and its outcomes. Those who aim to recognise the role of eugenics in the development of the helping professions consistently highlight the

indissoluble bonds between these two camps – in terms of actors, ideas and practices. Special attention is paid to the eugenicists from different camps and their interaction including international conferences and transnational networks, especially within the grand eugenic triangle: Germany, Great Britain and the USA. Critics also highlight the commonalities of the lines of arguments applied by different camps in debates or in order to justify different practices, e.g. arguments in favour of forced sterilization (negative eugenics) and the placement into special educational institutions (positive eugenics). Very often the practices from different camps were juxtaposed; for instance, the policy around people with mental disabilities included measures substantiated by negative eugenics (sterilization) but which in fact stemmed from positive eugenics (placement into institution, labour therapy). The obvious time-space compression of eugenics' history connects various regions, different public realms, and diverse ideological platforms into the dramatic story of surveillance and repressions against particular groups of individuals categorized to be 'unreliable citizens'.

Angie Kennedy (2008) criticizes the moral conservatism related to sexual and reproductive behaviour of youth, which remains according to her opinion intractable in American social work. In order to recognize the lingering legacy of eugenics, she explores the general acceptance of tough measures against 'immoral' young women proposed by the leaders of social work in the USA during the interwar period and in doing so she discloses the common mission of both eugenics and social work, namely to revitalize the nation. A very common topic is the history of cooperation between the eugenicists and other professionals in the realms of social practices. M. Pernik (1997) provides a very consistent example of such analysis tracing the vicissitudes in the relation between eugenics and public health in the USA. If at the very beginning the eugenicists criticised public health seeing it as 'artificial barrier on the natural selection', later eugenics and public health joined forces to organise the efficient control of socially inadequate groups. Precisely, the history of public health [where? In the USA] demonstrates a very consistent overlapping of positive and negative eugenics reflected in the transformation of the idea of heredity from its genetic view to a comprehensive biosocial concept.

Pilgrim (2008) also recognizes the overlapping of both eugenic camps in the case of psychological tests and psychometry – but precisely German eugenicists were the vehicles of such transformation. Pilgrim recognizes the very close connection between German psychometrists (including those who actively participated in planning and implementing various projects within Nazi Racial Hygiene) and American psychodiagnosticians. Pilgrim mentions not only the close relation between German racial hygiene and American psychometry (to select and separate), but also connects two theoretical points common for both racial hygiene and psychometric tests, namely the adoption of the view that heredity is a "personal and social destiny" and the introduction of criteria for measuring it. Tracing the transformation of psychological tests, Pilgrim sheds light on the transformation of biopsychosocial interactionism into liberal humanism. The very compatible idea about the kinship on ethical grounds between eugenics and contemporary neoliberalism can be indicated in the research carried out by Stehlik (2001), who deconstructs the current *corporate/neo-eugenic* discourse on family policy. She redefines the connection between the practices which are taken for granted as negative (and affiliated with eugenics) and the practices which remain neutral or even positive. Focusing on the institutionalization of disabled children and supporting maternity, Stehlik demonstrates the selective approach to families typical of contemporary social policy, while at the same time acknowledging the continuity with previous periods of welfare policies centered on parenthood. In the very end

of his survey, Pernik (1997) demonstrates how do the public arguments in favour of enforced vaccination fit with the logic of those who tried to persuade of the necessity of enforced sterilization.

The Western scholars not only connect eugenics with contemporary policies, but recognise the origin of eugenic discourse – in order to differentiate it from other approaches to theorising common sense and indicate the unique position of eugenics in the history of social knowledge. Thus, Douglas C. Baynton (2011) prescribes eugenics the key role in the coherent aggravation of the attitudes about people with disability in the second half of 20<sup>th</sup> century. He opposes the concepts of disability introduced into public vocabulary by the eugenicists and stresses the point that eugenics made use of the idea of backwardness in order to redefine approaches of peoples with disability. Terms such as ‘backward’ and ‘atavistic’ were disseminated within the systematic construction of norms and standards by the eugenicists - who achieved high credibility using psychometric methods for separating those individuals who were above average from those average and those were average from those who were ‘abnormal’.

The extended timeline for recognising the role of eugenics provides new options for linking ideas and procedures in order to indicate the ways for a sustainable transformation of the helping professions towards more interactionist approach. Such approach is based upon well-theorised thick description which contrasts the popular neglect of historical contexts or manipulates them in order to indicate ‘credible traditional approaches’. The western scholars quite consistently explore “the quiet presence of the eugenic legacy” (Pernik 1997), but in the post-socialist world where eugenics played a significant role as well, the revision of its impact on social policy and helping professions is still fragmented. In contrast to burgeoning literature on eugenicists and the role of eugenics in nation buildings (Turda 2015), the recognition of the practical implications of eugenics in the post-1945 period requires additional research. It is reasonable to recognise two mutually reinforcing trends, which block the understanding of eugenics in the development of the helping professions during socialism. The first is the attitude to eugenics, very compatible with the tendency in Western scholarship to focus on negative eugenics. Considering that eugenics is in the past, definitely separated from current practices (Lhotka 2009; Nečas 1991), stems from the scholars’ neglect of positive eugenics (Šimúnek 2012). The second trend is specific for many post-socialist countries and reflects the myth about the helping professions opposed to the authoritarian regime because of the persecutions against eugenicists, psychologists, hygienists and social workers. The very visible idealisation of the helping professions and helping professionals resonates with the uncritical attitude towards the interwar period, as *the* period of national independence and national pride. The artificial isolation of socialist period as efficiently responsible for all contemporary issues completes this vicious circle of marginalising the role of eugenics in the development of helping professions. In order to overcome it, this text explores the development of special education in Czechoslovakia during the First Republic (1918-1938). This is a country which experienced intensive institutionalization and professionalization of welfare policies towards the people with disability and Roma, with both groups targeted by eugenic practices, from sterilization to the placement into residential care centres.

In line with the *discursive institutionalism* exploring the development of policies and practices as an interaction between organisational approaches and ideas, this text deconstructs the development of special education in the Czech lands during the interwar period. The main sources for this analysis are (1) the journal *Úchylná mládež* – the main periodical dealing

with special education during the First Republic; (2) lectures and publications by the main Czech eugenicists; (3) public statements of politicians and articles published in popular magazines and daily newspapers (e.g. *Magazin Melantricha*, *Lidové noviny*). The first part provides a *thick description* of the driving forces determining the role of eugenics in welfare policy of the First Czechoslovakian Republic. The second part focuses on the special education and the role of eugenics and eugenicists in establishing institutional frames of the education for the disabled and the deviant. The last part demonstrates the implications of eugenic model of special education for the surveillance of the Roma.

### **1 Eugenics: a measure for building the nation**

In the Czech lands eugenics served ideals of nation building, while simultaneously reflecting the growing importance of the natural, biological and medical sciences in society. While many leaders of national movement (T.G. Masaryk, F. Drtina) glorified the past and indicated the origin of the Czechoslovakian nation in the Hussite wars and the history of resistance to German enslavement, František Čáda, one of the first Czech eugenicists did not accept a simplified version of national development and aimed instead to a systematic transformation of the national values (Cach 2000: 28). Čáda was interested in how public life and social sciences could work together, providing for “secure mechanisms which could influence the spontaneous development of a child from proletarian family who needs more intense stimulation because of the limited external resources (Čáda 1902: 25). He identified the inappropriateness of many branches of psychology to solve this task either because they were too theoretical or they were too close to the field of child development, and thus rather reluctant to adopt new ideas. Eugenics seemed a perfectly fit option in contrast to other theories which focused on driving forces of physical and mental development and measures for its refinement. Čáda’s message - “Discover the ”best self” and improve the world around” – determined the further development of eugenics in the Czech lands.

Like in other CEE countries, in the Czech lands eugenics obtained a wide circulation within the process of building nation, providing a wide range of arguments for legitimising strategies of social policy and public health (Turda and Weindling 2007). Moreover, eugenicists univocally linked the negative consequences of the *WWI* to poverty, devastation, and dislocation of social networks. Eugenicists complained of moral decay and demographic crisis, and suggested that “the essence of war required immediate actions” (Schneider 1925: 86).

At the beginning of the 20<sup>th</sup> century, Czech eugenicists started to criticize the state policy as insufficient for providing the health of the nation. In 1909 the child reformer František Čáda greeted the participants of the first congress of special educators<sup>1</sup> arguing that the increased deviant social behaviour is a direct outcome of the ill-conceived state policy alienating the young generation from religion and morality: “We need to recognise [the need] to unite various issues regarding education into a holistic approach to the child question”

One of the most consistent examples of critique to the Imperial Austrian policy could be found in a paper by Adrian Tůma. He emphasised the crucial role of decentralization in special education in the 1010s because of the systematic lack of financial support: “special education was left to itself” (Tůma, 1920: 7).

During the 1930s eugenics developed within debates on German racial hygiene – the Czech scholars maintained a united front against determining physical and mental health by the belonging to a particular race. In the popular 1934 tract *Rasismus hrozí kultuře* (Rasism utters

threats to culture) Josef Mejsner wrote that Czechoslovak eugenics did not emulate German ideals of racial superiority – race was associated with a particular type of physical constitution than ethnicity (Mejsner 1934: 50). Undoubtedly, the rejection of German-style racial hygiene echoed the common anti-German movement in the Czech lands. The critique of Racial Hygiene focused on rejecting the superiority of German race, as the Czech scholars considered that the direct connection of racial hygiene and the ideology of the National Socialist Party did not help the cause of eugenics (ibid: 10). German racial hygiene was opposed to progressive American and French practices of applying eugenics to society. Placing Czech eugenics in opposition to the “inhuman fascist ideology” became ultimately a hindering factor for those reflecting on the impact of eugenics on social segregation, regardless of the Nazi policies.

Main discussions around the health nation and its factors touched on heredity, external driving forces, and resonated with the development of eugenics in other countries. Already in the late 1910s, two main theoretical camps emerged: selective and assimilative eugenics. Those representing the former, such as Arthur Brožek, Břetislav Foustka, and Josef Mejsner centered on genetic capital and developed the selective eugenics. They worked out a programme of preventive measures aimed to improve the health of the nation. The most consistent performance of this school of thought can be found in the texts by Stanislav RŮŽIČKA, (younger brother of Vladislav Růžička, one of the founders of the Czechoslovak Eugenic Society (*Česká eugenická společnost*)) especially his detailed plan of applying assimilative eugenics (or as he called it, *eubiotics*) to such issues as correctional education and the assimilation of Roma people.

**Selective eugenics** encouraged measures targeting vulnerable groups according to the rule of “survival of the fittest”: to protect one’s self through natural selection is typical of humanity cleaning itself from those who did not have good health and internal resources to fight against bad environmental factors (Brožek 1922: 86). The negative influence of environment was coincided with the congenital defects into the joint predictor of the negative pathway of development: “we cannot forget that only those who are short in the resistance to the negative external influence because of their congenital deformity totally fall” (ibid: 86). The systematic encouragement of working women, the introduction of social benefits, and other forms of social protection were seen by **assimilative eugenicists** as inappropriate to the natural mode of life, which was identified as only one relevant to human need (Růžička 1933).

Czech **selective eugenicists** relied on American and British studies. They shared the direct connection between race and social class typical of the Anglo-Saxon model of eugenics (Stone 2001), and thus highlighted the inheritance of pauperism (Meisner, Štampach). This group of scholars provided detailed arguments in favour of the inheritance of moral qualities, both positive and negative. In connection to this position, the scholars expanded the notion of ‘low-value’ people to include people addicted to alcohol; those in conflict with the law; individuals who were disabled either physically or psychologically; and those, practicing immoral behaviour (Meisner 1939).

The view that sterilization was an act of humanistic treatment for the ‘low-valued’ people was also adopted from the writings of British and American eugenicists (ibid). As he opposed the Nuremberg laws, Meisner indicated instead two alternatives for solving the issue of low-value people “whose reproduction is asocial” in what he described as a ‘humanistic manner’, namely isolation from society (placement into institutions) and sterilization (Meisner 1934: 61-62). Allowing a disabled person to live among intact people without a threat to the national

health, sterilization seemed more preferable, according to Meisner (ibid: 63). Introducing the special permission for marriage became the main achievement of this group of eugenicists, especially in terms of institutionalising eugenics through establishing the network of marital counseling centres.

Concentrating on the preliminary/introductory measures, **assimilative eugenics** highlighted the improvement of the environment and living conditions, as key determinants of the national health. Decreasing infant mortality and increasing the birth rate, together with measures to protect mothers and children were placed the centre of the strategy presented by this group of eugenicists (Kříženecký 1922: 24). These new measures ran against those introduced during the late Imperial period when, according to the Czech scholars, social services focused on the illegitimate children and neglected the needs of mothers and infants (ibid 27-29). Supporters of assimilative eugenics affiliated themselves with the French school of eugenics and puériculture, particularly in the context of explaining and correcting deviant behavior: “The French conception significantly influenced Czech pedagogy because of its wide interdisciplinary explanation of delinquent behavior undervalued neither internal not external factors” (Chlup 1935: 20). The connection with French eugenics is important. Moreover, the Czech scholars extensively referenced the work of French psychiatrists, among them Ernest Dupré and George Heyuer.

Stanislav Růžička (1872-1946), one of the most outspoken Czech eugenicist belonging to this group, introduced the concept of “eubiothics” (*eubiotika or dobrožilství*). It is based on two interrelated assumptions: (1) diseases were the result of inappropriate life style; (2) the improvement of the quality of life was indispensable for the health of nation (Růžička 1933: 8). Eubiothics was described as “eugenics’ younger sister” (ibid). Reducing the number of diseases was accepted as a factor of increasing duration of working age and saving human resources. In line with the general trend, prompting a growing importance for the medical profession in the nation’s public life, tuberculosis, sexually transmitted diseases, and alcoholism were described “vampires”, contributing to degeneration together with the destruction of traditional life due to urbanization (ibid). S.Růžička thus proclaimed the special mission of the Slavic people “who were more disposed toward nature than any other people”.

A healthy life was described the essential condition for the nation’s renewal (Šima 1934). Any deviation from what was described as ‘normal life’ was labelled in turn ‘unnatural’, ‘amoral’, and ‘irresponsible’. The direct relationship between the life style of the population and the health of nation substantiated the vision of disease as public health danger, requiring the special intervention of state and society. The contemporary view on eubiothics remains quite positive despite the radical position of its adherers towards traditional medicine (Vojtko 2011).

In Czechoslovakia, assimilative or positive eugenics was more successful than selective or negative eugenics, and was better equipped to provide the grounds for a new social policy. Assimilative eugenics was the driving force of social policy in Czechoslovakia during the late 1920s and early 1930s. Insisting on the improvement of the environment, assimilative eugenics emphasized the role of reeducation. It became a national motto: “today reeducation is the key slogan: in schools, media, political and civil movements. What is more important, the President (Masaryk – the first President of the Czechoslovakia, V.S) [himself] has declared the importance of reeducation” (Janaček 1929). The ideals of assimilative eugenics also coincided with religious values, and the focus on transforming the life style of the population predisposed scholars to abandon some of their positivist positions, and start to

interpret the factors of heredity partially in relation to vitalism. In his introductory lecture to special educators, Karel Herfort (1925)—soon however to become a supporter of selective eugenics—criticised the Mendelian concept of heredity, describing it as over-mechanistic and insufficient for explaining individual differences. He also argued that these differences were caused not by exceptionally genetic factors but by patterns of social behaviour reproduced from generation to generation. Without completely rejecting the impact of genetics, assimilative eugenicists concentrated on external factors and the willingness of the population to implement a “normal” mode of life.

In the mid-1930s, assimilative eugenics achieved political importance, as were the debates about the draft of a sterilization law (Šimunek 2012). The most influential medical and Legal experts doubted that selective eugenics can provide better social control: “sterilization would not make a better social person; on the contrary, the consequences of sterilization are unpredictable and out of possible control” (Sonka 1938: 101).

To what extent did the focus on external non-inheritable factors contributed to the change of Czech eugenics towards a humanistic stance? Did the practical implications become less selective? When one investigates the special education for children with disability and asocial behaviour the answer is negative.

## **2 Eugenics in action: Care and Control**

Highlighting the impact of future generations for the nation, Czech eugenics played a key role in developing new procedures and criteria of child protection. Legal regulations, institutions, services as well as training and re-training of professionals was directly influenced by eugenics. After the WWI, Czechoslovakia faced the challenge to provide the needs of abandoned children. Many of them begged, were involved into criminal groups, suffered from and spread contagious diseases. The system of detecting neglected and abused children was established as a primary response to this challenge. In 1919, the Prague police established the special department of social protection for underage citizens aimed at primary placing street children; cooperating with mainstream school in order to monitor children from vulnerable families and provide regular attendance of school; protecting children from violence. The departments of care for minors (*okresní péče o mládež*) were re-organised in 1921 in all regions. In 1929, these departments were obliged to cooperate with other professional services in their regions primarily with counselling centres established by the Czechoslovak Eugenic Society.

In 1925, the Society initiated a survey among the mainstream schools in Prague in order to gather data regarding the students who needed consistent monitoring and special encouragement (Schneider 1925). The survey pointed out the insufficiency of measures provided by schools towards encouraging parental control for children at risk. Moreover, the survey voiced the concern that mainstream schools were not equipped for coping with such issues. The survey’s outcomes became one of theoretical arguments in favour of reforming the system of special institutions for children. One of practical implications of the survey was the creation of a list of minors who needed special treatment. 650 minors were placed into the residential care units, and after five years the eugenicists evaluated their progress.

The outcomes of the next survey (published in 1931) combined selective and assimilative eugenics into the coherent range of practices regarding disabled and deviant children. While the majority of adolescents who had been placed into institutions were ‘corrected’ and began a ‘normal’ life: getting a job, marriage, acquiring a particular status in community, those who



were physically and mentally disabled remained incorrigible (ibid). This survey influenced the further development of special education for disabled and Roma children in Czechoslovakia. Three main interconnected assumptions dominated the common approach to educating *deviant* children: a) the close connection between physical/mental disability and deviant behaviour; b) the incapability of parent of delinquent children to provide care and control; and c) the indispensable role of institutions and professionals in the process of re-educating young delinquents.

During the 1920s, the notion of the “morally defective child” (*mravně vadné dítě*) was used by both negative and positive eugenics, particularly with respect to the self-consistent explanation regarding the correction of underage children with deviant behavior and the assimilation of Roma children. On the theoretical level, the options for juxtaposing both domains of eugenics became the focus of debates in the 1930s when one of the most visible experts in patho-pedology Otokar Chlup (1875-1965) wrote a set of articles, connecting the theory of child development with the practice of child protection. He argued the necessity to work with a number of factors, and introduced into theory and practice the focus on social factors: “the most recent studies of delinquency have persuaded the necessity to classify the factors of deviant behavior according to the impact of family, environment, economical circumstances, and refine individual approach to delinquent youth” (Chlup 1935:22). Chlup shared ideas of selective eugenics in theory but he suggested only a limited practical application: “educating children with any type of delinquency should be the opposite of pessimistic fatalism” (ibid:24). In practice, pedagogues combined assimilative and selective eugenics into the system of assessment and intervention.

Practitioners started to apply both domains of eugenics in the mid-1920s. Jan Cenek, the principal of a boarding school for delinquent children in Valticí metaphorically compared a child’s soul with iron covered by wax: “who is able to judge how far does wax penetrate iron, and where does impregnable iron start?” (Cenek 1924: 28). The depth of “wax”, as the transformable part of personality, would become the main criterion for planning intervention, but its measuring required more data regarding family history. Thus, the main request to child protection services was to obtain as much as possible data about the previous generations (ibid).

The educators in residential care institutions started to elaborate various typologies of delinquency underpinning the distinction between inherited and acquired deviance. Classifying children into groups according to this classification prompted practitioners to explain abnormal behavior through eugenics. They placed social surroundings, “the secondary nature of personality” as the core element of intervention (Kedrutek 1930:35) and called teachers “despite the origin of delinquency to indicate the most accessible way to realise habits, then train positive and oppress negative traits” (ibid 37).

According to the new Law of Juvenile Justice (*O trestním soudnictví nad mládeží* No148) introduced in 1931, young offenders were divided into two main categories: 1) those needing educational treatment either in their own or substitute family, or for a short period of time in a special institution, and 2) those who needed to be placed into special institution for a long period in order to treat them *therapeutically*. Young delinquency was described as a disease required systematic medical intervention. In the late 1920s, professionals started to apply the notion of “defective youth” (*úchylná mládež*).

Combining physical, mental and moral defects became the starting point of one of largest survey amongst children placed into correctional institutions conducted by Josef Meisner—a notorious supporter of selective eugenics—in 1938-1939. He matched the outcomes of his survey with two previous ones, and applied a similar methodology but to different samples: normal healthy children from mainstream schools and mentally disabled children from special institutions. Despite the dissatisfaction with the sample of normal children (the sample consisted of children from low middle class families and, according to Meisner, they did not reflect the best performance of the Czechoslovakian people), the author concluded that both delinquent and disabled children demonstrated much worse physical development than ‘normal’ children. Smaller sizes of heads, less weight and height were taken as testimonies of retardation of the child’s physical and psychological development. The assessment of mental development deepened the difference between normal children on the one side and delinquent/disabled on other.

One of the targets of numerous surveys conducted in correctional institutions was to demonstrate the incapability of parents to provide care and moral education for their delinquent children. The dichotomy **care institution versus hopeless family** was constructed in two main directions focusing on immoral behaviour of parents as a double source of the further immorality of children: children inherited bad behavioural patterns from their parents, and parents brought up children not to have respect for morality. Thus, Meisner provided statistical data to show the correlation between the degree of delinquency and the profile of asocial behaviour of parents. He explained the fact that illegal children committed crime more often than minors who were born in legal marriages and that by sexual relationships outside marriage was typical only of immoral people. Despite being short of data regarding the previous generations, Meisner highlighted the decline of the human capital from generation to generation in the families of delinquent children: moral degradation of well-educated fathers, who exchanged normal life for vagrancy and crime; the crime career of siblings as well as the increase of disability in families (Meisner 1939).

Karl Stejskal (1925), for instance, argued in favour of institutionalisation against family care and suggested that the abnormality of child was the result of the incapability of mother to provide sufficient care: “the child in his lack of will is akin to his mother who is incapable to obtain elementary norms of hygiene”(Stejskal 1925: 158). He introduced the concept “spiritually weak child” (*slaboduché dítě*) for describing children with multiple disabilities and bad patterns of behavior instead of using the previously applied “feeble-minded child” (*slabomyslné dítě*). The 1929 survey by J. Jeneček was based upon the exploration of letters written by parents and minors placed in correctional institutions to each other. He demonstrated the shadow side of motherly love and the intention of many mothers to cover for their children as well as be rid of guilt feelings. Jeneček also described as indifferent and selfish those mothers who were very formal in the letters to their children. He concluded that mothers of delinquent children revealed two types of attitudes towards their children: blind love without any resource for moral re-education of the child or total negligence.

In the early 1930s, the task to develop an individual approach was transformed by the choice of the system of special institutions in order to establish the appropriate institutional framework needed to refine practices for deviant children: “age, the degree of deviance, physical abilities, other abilities, planning further education and job defined the choice of institution” (Blibil 1930: 98). This taxonomy of children’ profiles according to relevant institution consisted of eight types, ranging from the neglected to the irredeemable child. Minors with common psychosocial profile should be placed into the same institution because

there was matching between the profile of the child and the strategy of treatment. Expanding residential care units in the 1930s coincided with the reforms in the system of decision-making related to the placement of children. This connection heightened the role of eugenics and of eugenic procedures for assessing the mental state and predicting the development of the child.

Residential care was not among the types of placements considered for disabled children. Additionally, medical experts discussed the economic costs needed to assimilate people with mental and physical disabilities (Kříženský 1917). The main organizational alternative was the system of family settlements in rural areas. Childless couples could be recruited for providing care for disabled and delinquent children, and rural areas were considered to be the most appropriate space for social integration (Tůma 1920: 6). In line with this approach, the placement into residential care setting was a last resort measure appropriate only for children with extremely narrowed range of abilities (ibid). In 1929 František Kříž wrote: “feeble-minded youth is not able to produce anything but it should be able to do something, and our task is to build the system of residential care focused on relevant vocational training while other more complicated types of jobs would be the task of healthy people” (Kříž 1929: 9).

The continuity between residential care for underage and for adult disabled people became a central point of discussions in the 1930s. A principal of one boarding school, for example, expressed his worries about the graduates of his schools, asking: “Could we leave one helpless in the boat without paddles, take back our protecting hand and lay down our control?” (Multrus 1933: 6). The lack of continuity between residential care and the uncontrolled life after the graduation was attributed to the inappropriate choice of vocational training and systematic gaps of competencies among trainers within the system of professional education: “the most frequent reason why young graduates escaped from institution and committed crimes was the unmatched job they chose [...] There are some students who demonstrate enough will to cope with such jobs, but we could not expect good performance from the majority of minors who were under special care” (Čermak 1931: 228). The main measure for solving this problem seemed to be a more refined assessment of abilities and aptitudes, as well as the option to continue placing in residential care those young people who lacked of self-regulation (ibid: 229). Some medical practitioners argued for the compulsory attendance of such institution, especially for the young people with multiple disorders (Multrus 1933). The system of vocational counseling for delinquent and disabled evolved under the direct influence of eugenics: not only were intelligence tests used for assessing abilities and aptitudes but the family background, its social capital and status were also considered (Zikmund 1935: 76).

The history of eugenics in the Czech lands can be explored in connection to the history of state intervention and regulation of health care for children with disabilities and delinquents. Gradually, eugenicists built a system of institutions aimed at providing care and control of defective people “whose ability to live independently was far below the norm” (Schneider 1930). They constructed the concept of delinquency as double-natured, created by both bad inheritance and bad environment. This, in turn, substantiated the extensive development of residential care for “special” children as a main response to the incapability of families to care for them. Eugenics delineated the alleged threat posed by anti-social behavior in the name of legitimising itself, but later the same framework was applied to legitimising the segregation of the Roma people.

### **3 Assimilate not segregate: the policy towards the Roma people**

After WWI and the creation of Czechoslovakia, the migration of the Roma people to urban areas (mostly in cross-border regions and Moravia) increased, mainly because of poverty in rural areas where the Roma people lived before the war. This led to hard measures against the Roma people issued in the late 1920s, but also generated interest from various political groups. The Roma question became a political topic dividing voters during the period of political instability.

The experts' opinion reinforced the general intention and provided additional arguments in favour of tough strategy regarding the monitoring under Roma people. Comparing the number of crimes committed by various ethnic groups commanded the introduction of special instruments for controlling: "Gypsies are professional villains. Despite their small number behind bars, they are more than 66 times than others committed crimes regard to male population. Not surprisingly, that the Gypsy question irritates us and its solution requires the most radical measures" (Jeneček 1927: 230).

At the end of 1926, several members of the Agrarian Party wanted «to solve the Roma issue without delay». The Czechoslovak Parliament, in turn, tasked the Ministry of internal affairs to prepare the draft of the law that would regulate the migration of the Roma people and establish efficient mechanism of monitoring them. The recent Bavarian law *Gesetz zur Bekämpfung von "Zigeunern", Landfahrern und Arbeitsscheuen* (1926) (Engbring-Romang 2001) and the set of French laws introducing rules for Roma people in 1912 were taken as the sample for the planned legal act. In July 1927, after two weeks of debates, the Law No 117 O potulných cikánech a jiných podobných tulácích (*On the fight against Gypsies, vagabonds and those unwilling to work*) was passed in Parliament.

The contemporary scholars consider the law No 117 as the toughest compared to similar legal norms in other European countries (Nečas 1991). It certainly offered the legal framework for the segregation of the Roma people in the Czech lands over time (Lhotka 2009). The Law introduced the compulsory identification for the Roma people based on fingerprinting and completing a special record form contained detailed information about relatives and previous places of temporal and permanent living. All these measures were considered to be preconditions for implementing the regular monitoring of the Roma population. If during the monitoring procedures police would find the absence of legitimate status, the given person would lose some of its civil rights: freedom of association, the right to housing, the right to labour, etc. In the case of the gross violation of the Law, the Roma people could be punished with the confiscation of their property and the revocation of their professional license (the Roma people needed to get a special license for performing three occupations accessible for them: musician, blacksmith, and old-clothes dealer).

Being in consistent opposition to the Agrarian Party, the Communist Party decried the Law for its arbitrariness in the intention to monitor the life of minority:

“We do not accept that one ethnos/ethnic group has put the other under police control, from the moment of birth until death. We know that most oppressed people are innocent and not responsible for the crimes committed by the asocial minority [...] We definitely do not accept that the rest of vagrant people would be considered as filth, and that due to their dark skin they would be stripped of their rights belonging to any person according to our Constitution” (Rudé právo 1927).

Supporters of the law defined assimilation as a process leading to the de-legitimation of vagrancy because of the threat it posed to the ‘normal’ way of life.

In 1928, various ministries and departments worked out additional regulations for to the new Law and handbooks regarding its implementation. The special order *About labour camps and enforced labour* (1928) was issued in order to establish procedures for punishing the Roma people who were found as residing illegally in the country. In contrast to the French laws which did not mention explicitly the Roma people, the Czechoslovakian law mentioned them. However, in practice the law applied to any person who was identified as vagrant. This practice coincided with growing racialization of Czech eugenics, and the term “*cikán*” (Gypsy) started to become a synonym for “vagrant”, “thief”, “criminal” (Nečas 1991).

The paragraph 12 of the Law No 117 regulated the termination of parental rights of the Roma people who did not have a legal status, and allowed for further placement of their children under care. Children under 14 of the parents without legal status should be removed from family, and parents’ rights would be annulled, without any options for them to appeal against this decision. Institutions enjoyed the legal status of the guardian, and the child should stay there until becoming an adult. The law also established the mission of residential care: prepare the child for an independent life and inculcate into him/her moral values and social norms. The state took upon itself the costs of child care.

The reports of nurses from residential care units are the main testimony regarding the application of these norms in practice. Such reports highlight the precarious state of the children at the moment of accepting them into the institution, as well as their rapid progress of assimilation and acceptance of new social norms (Holub 1933). The evaluation of the child development at the moment of arrival in the institution was connected to the inability of their parents to provide sufficient care, and also in some cases to the backwardness of children. After several months, the child showed progress in physical and mental development. Practitioners used photos of children before and after arrival, as an additional argument that residential care demonstrated the pedagogues’ vision of normality (see Figures 1 and 2). During their first photo, after having just arrived in the institution, the children were described as unkempt, dressed in dirty clothes, attached to their dogs, and avoiding people. After several months in the institution, children were seen in photos with their hair cut, and they looked as “normal as the European children”. Many pedagogues derived the notion of Roma family from popular stories, and did not engage in direct communication with parents; the practitioners provided the public image of Roma as people involved in domestic violence, promiscuity, involvement of children in crime activity (ibid).

Placement into institutions remained the only one possible option for the Roma children: family foster caregivers rejected to accept the Roma child because of fear of revenge from the parents. Simultaneously, the managers of residential units tried to avoid the acceptance of Roma children, as they feared that the Roma children could negatively influence other children (Zelenka 1933). As a result, the Roma children were placed very rarely in institutions, while adolescents were placed in institutions for adults. The question of further placement of Roma children prompted the eugenicists to argue for the creation of special institutions or institutional subdivisions especially for the Roma children (Meisner 1939).

The debates around the law during its consideration in Parliament, the final version of the law, and the practice of its application bear testimony that the main argument for dealing with the Roma people was to focus on their environment, defined as absolutely inappropriate to the

way of life relevant to the task of saving the healthy nation. Nomadism, moreover, was viewed as the last argument in favour of imposing a restrictive strategy: “The obstacle between society and the Gypsies was aggravated by the vagrancy and their asocial behavior”, - wrote František Štampach (1895-1976), a key supporter of ideas of social control for the Roma people.

Štampach conducted several surveys among the Roma people, including anthropological research in rural areas in the late 1920s. Describing in detail the way of life of nomad and settled Roma people, František Štampach indicated for the natural inclination of the Roma people towards nomadism, as they had practiced it for many centuries. In addition to the anthropological analysis of the Roma life, Štampach focused on specific distinctions between the Roma and the non-Roma way of life (Štampach 1933). Main features of Roma ‘abnormality’ were attributed to the earlier age at which they started their sexual life; their totally different type of dressing and their daily schedule (ibid: 43). These descriptions were presented alongside those of ‘Negros’. Štampach included a pamphlet by the English eugenicist R.R. Rentoul who argued for the sterilization of Afro-Americans (Done 2001: 399). While the description did not comprise direct negative statements, all of arguments and comments were built into the whole picture of Roma backwardness. For instance, in terms of their physical appearance the Roma people, according to Štampach, were “compatible with the lowest caste in India” (ibid: 15). Accepting the natural inclination of the Roma people towards nomadism did not lessen Štampach’s critical attitude; on the contrary, he believed that nomadism was a contributing factor against assimilation.

Štampach mentioned the imitating nature of Gypsy culture and indicated a great deal of influences from Hungarian and Slovakian music and traditions (ibid: 38). Simultaneously, he highlighted the extreme flexibility of the Roma people regarding their religious identity and the readiness to adopt the religion of the majority among whom they lived without any further deepening “into religious practices” (ibid). Štampach’s research encouraged the conclusion that the Roma people would not be able to practice culture and religion as a source of moral norms and prescriptions to a normal behavior.

Finally, Štampach validated the priority of the Western way of life in contrast to nomadism, seen as specific to primitive societies. The Roma people who continued to practice such way of life were described as unproductive and even more, as dangerous for the developing Czech democracy: “Roma people could vote not for a suitable party or they could ask for social benefits limited for non-Roma citizens” (ibid: 47). According Štampach, the Roma people practiced a radical concept of freedom based upon the defiance of law and authorities (ibid: 48). Later, Meisner went to even greater extremes and identified nomadic way of life as a consequence of abnormal mental development while the experience of nomadism was considered to be an inevitable factor in aggravating inherited abnormality (Meisner 1939).

The dispersal of the Roma people among non-Roma population was considered to be the key strategy of their assimilation: “separated from each other, Gypsies are not thieves, liars or cheats, but in groups they conform precisely to this profile of behaviour” (ibid: 48). According to Štampach, as soon as a Gypsy child was placed into a normal environment assimilation could be expected: “a well socialized, domiciled Gypsy would find easy options to integrate into the non-Roma community” (ibid: 49). It is indicative that Štampach discovered the close connection between the level of poverty among Roma families and their difficulty to assimilate, and concluded that property qualification must be taken into account during the planning of treatment (ibid).

In line with the general significance of marriage for eugenics, Štampach paid special attention to positive and negative outcomes from intermarriages between Roma and non-Roma. Despite accepting that in some cases such marriages resulted in gifted children, the author concluded with disappointment that miscegenation operates more as a threat to the social capital than a factor of assimilation: the majority of children from mixed families preferred marriages to Roma partners and to rejoin the Roma community (ibid: 51).

During the interwar period diverse actors (politicians, academic communities, practitioners, and the general public) used a number of discourses centred on the “Roma question”: the particular life style of the Roma people was described as an important problem, and in connection to it strict social control was recommended. Playing out common prejudices about the Roma, eugenics played a significant role in creating an abusive discourse against them and substantiating the necessity of systematic control of their families and children.

#### 4 Conclusions

Contrary to the fact that they had focused on external conditions as core factors determining the health of the nation, the Czech eugenicists promoted radical policies of segregating Roma and disabled people. Working out the rigid notion of normal timing of daily routine and prescribing it the status of indispensable condition of a healthy life, assimilative eugenics viewed any deviation from the norm as a threat to the nation, and thus argued in favour of medical and social intervention .

The new turn of eugenics was determined by practices regarding the delinquent and disabled children. While on the theoretical level the debates about selective and assimilative eugenics polarised the eugenicists, helping practitioners (teachers, social workers and so on) combined both versions into a composite interpretation of delinquency and disability. In the late 1930s, the previously two separate eugenic views, that is the assimilation of the Roma people and the special education for delinquent children, were brought together into a new approach towards treating the Roma children. The professionalization determined the formation of special education – under the direct influence of eugenics.

The outstanding role of the helping professionals remains a hotly debated topic in the Czech Republic, particularly with respect to special education. A very recent example is the divided opinions in the European Court of Human Rights regarding the placement of Roma children into special schools (European Court 2007). While the majority of judges defined this practice as segregation against the Roma, four argued the opposite due to the ambiguous role of education proclaimed by those who initiated the case. Judge Jungwiert formulated the key question — to educate or not to educate Roma in special schools — as the issue of understanding special education as either the practice of segregation or as a possible educational trajectory towards equality. Judge Šikuta, on the other hand, highlighted the need to understand the historical background in order to formulate an appropriate and balanced view on the issue: “This situation, however, has developed over hundreds of years and [has] been influenced by various historical, political, economic, cultural and other factors...The Roma issue should be seen from that perspective, as a living and continuously evolving issue.” Such perspective should be based on a rigorous retrospective analysis, and the proper discussion of the interwar period is one of the initial steps towards solving this task.

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Figure 1 Roma children during their first day in residential care



Figure 2 Roma children after six months after placing into the setting



**The source: Holub, O. (1933)**

**Author's Address:**

Victoria Schmidt  
Institute for research of inclusive education  
Masaryk University  
Brno, Czech Republic  
00420773939664  
320753@mail.muni.cz

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<sup>i</sup> Between 1909-1913 three Czech congresses of special education were organised by Čada in order to establish the national agenda of education for children “with mental retardation and delinquent behaviour”. All three (the first, in Prague, 1909; the second, in Brno, 1911; and the last in Ostrava, 1913) had attracted the public attention and connected the aim of special education with the building of the nation