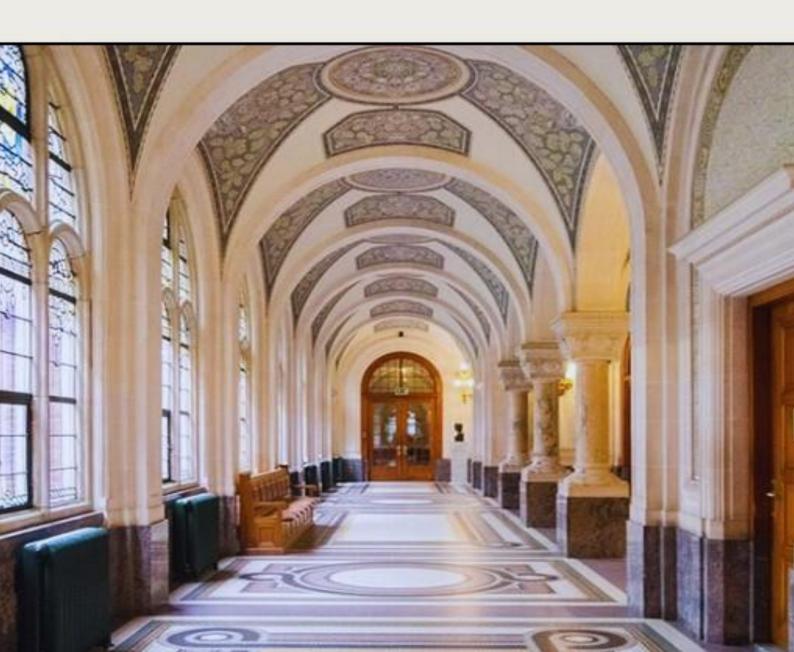
# Journal of International Law and Comity

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# **BOOK REVIEW**

Dagmar Herzog. Unlearning Eugenics: Sexuality, Reproduction and Disability in Post-Nazi Europe. Madison: University of Wisconsin Press, 2020

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## **BOOK REVIEW**

DAGMAR HERZOG. UNLEARNING EUGENICS: SEXUALITY, REPRODUCTION AND DISABILITY IN POST-NAZI EUROPE. MADISON: UNIVERSITY OF WISCONSIN PRESS, 2020. Pp. 176, 329. ₹2,953.00

Reviewed by

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Dagmar Herzog's "Unlearning Eugenics: Sexuality, Reproduction, and Disability in Post-Nazi Europe" is a book that embraces the complexities of the paradoxical journey of reproductive rights and disability rights in Europe. It is an ironically optimistic choice for a title. A first glance at the title intrigues the mind about what it would mean to unlearn eugenics. Dagmar Herzog¹ (hereinafter referred to as 'the author'/'she'/ 'her) does not seem to give a straightforward or simple answer. To date, countries like Germany, Spain, Poland, and Hungary have introduced restrictions on abortion in the name of social justice for the physically and cognitively disabled. However,

Dagmar Herzog is a Distinguished Professor of History at the CUNY Graduate Center, where she teaches the histories of gender and sexuality, Nazism and the Holocaust, and historical methodology and theory. For more details, see https://www.gc.cuny.edu/people/dagmar-herzog (Nov. 29, 2023, 05:15 PM).

anti-abortionists who primarily prioritize demographic increase, national pride, and religious zealotry are the driving force behind the legislation. The author argues that understanding the Nazi's mass murder of persons with disabilities and its impact on Europe's attempts to unlearn eugenics is necessary to comprehend how such legislation was possible. Originally derived from 2016 George L. Mosse lectures delivered at the Hebrew University in Jerusalem, the author builds upon her earlier work on the history of sexuality in Europe.

#### Summary of the book

The author adopts a historiographical approach, analyzing archival and historical sources to delve into eugenics' legacy on sexuality, reproduction, and disability in post-Nazi Europe. Through meticulous examination of discourses from the 1960s and 1970s, the book connects historical contexts with contemporary abortion debates, examining the interplay between reproductive rights and disability rights. It challenges norms, revealing complexities in disability rights activism, religious arguments, and the shifting attitudes towards abortion within the broader framework of sexual liberation and changing social norms.

#### Part-I - Abortion and Disability: Western Europe, 1960s-1970s

This part considers how the shadow of the historical Nazi atrocities against persons with disabilities looms over abortion arguments, particularly in Germany. The author discusses the aftermath of the Holocaust, which witnessed a noticeable shift in the trajectory of sexual liberation that initially granted greater reproductive rights to women in the 1960s and 1970s. During this period, Protestant and Catholic theologians were re-evaluating the doctrine to advocate for

the morality of abortion. Proponents of abortion rights seldom articulated explicit eugenic arguments. The author points out that they displayed a 'disdainful, unempathetic tone' that portrayed disability as a burden on families and societies. The author argues that the 'unreflected insensitivities' ingrained in the pro-choice rhetoric of the 1960s and 1970s have come back to haunt twenty-first-century abortion politics.

Part II- Moral Reasoning in the Wake of Mass Murder: The Singer Affair and Reproductive Rights in Germany, 1980s-1990s

The bioethical debate was further fueled by events like Australian philosopher Peter Singer's controversial lectures in West Germany in 1989, which merged discussions on infanticide and abortion. This book chapter focuses on the controversy surrounding the so-called 'Singer Affair' in Germany in the 1980s and 1990s, which involved a doctor who had performed abortions on fetuses with disability. The author elucidates how it sparked debates around the ethics of abortion and how anti-abortionists appropriated disability rights rhetoric to restrict abortion throughout Europe.

Part III - Time Well Wasted: Sexual, Political, and Psychological Subjecthood in the European Union, 2000s-2010s

This chapter examines the more recent developments in the European Union concerning sexuality, reproductive rights, and disability. The author explores how the EU has attempted to address these issues through legislation and policy, investigating the challenges and limitations of these efforts. The author highlights the remarkable progress in self-determination and inclusive participation that persons with disabilities have experienced thus far. Additionally, the chapter traces the shift from the traditional medical model to the

social model of disability. It discusses the interconnectedness of disability and reproductive rights, emphasizing the significance of recognizing this intersectionality.

#### Evaluation of the contents

This book delves deep into the historical aspects that underlie the ongoing abortion debates across Europe. Focusing primarily on Germany, France, Britain, Italy, and Switzerland, the author examines the frictions within society, mainly fueled by specific antiabortion organizations that seek to curtail women's reproductive autonomy. The author deftly navigates the sensitive terrain of abortion in cases of fetal anomaly, an area fraught with bioethical and political controversy. The book presents substantive debates saturated with references to disability, where proponents and opponents of abortion invoke disability to their advantage, often revealing a complex mix of empathy, disdain, and misguided assumptions about disability and its impact on society.

The so-called 'Singer affair,' a pivotal moment and an intriguing paradox where Peter Singer's provocative proposition that 'active mercy killing' of newborns with disabilities should be allowed, led to unexpected outcomes. The book unveils the intriguing dynamics between the disability rights movement, media attention, and the state of cultural remembrance in the 1980s and 1990s. The author highlights the unexpected outcome where a staunchly anti-abortion conservative became instrumental in passing a law desired by the radical disability rights movement.

The book celebrates the adoption of the Convention on the Rights of Persons with Disabilities in 2006 as a milestone of progress for disability rights and examines the role of international organizations.

The author acknowledges the concerns posed by prenatal diagnostic technologies, revealing an unsettling trend of increased abortion of fetuses with congenital and cognitive disabilities. The author presents the sobering reality to stress that there is still much more to be done in the ongoing journey to 'unlearn eugenics.'

In the final chapter, the author unpacks the relationship between sexual subjecthood and disability and explores how concepts of femininity, motherhood, sexual practices, and pleasure are entangled with the discourse surrounding abortion and disability. This book addresses the challenges and prejudices faced by people with disabilities in terms of sexual expression, relationships, and societal perceptions. By examining the political dimensions of disability in post-Nazi Europe, the book presents the impact of the disability rights movement on policy-making and legislation and how political institutions and actors have responded to the demands and aspirations of disability rights activists.

#### Critical Analysis

The author's research is impeccable, an intellectually rigorous weave of historical, socio-political, and ethical threads, offering a holistic understanding of the abortion debates in post-Nazi Europe. The author skillfully connects the past with the present while bridging the gap between academic scholarship and broader societal discussions, emphasizing the need for comprehensive support structures and state-funded resources.

The author's expertise in multiple fields, evident in nuanced analysis, lends credibility. The examination of the eugenic thinking that permeated European sexual beliefs prior to the Nazi era raises intriguing questions about the broader historical context, which

could have been further explored. The author brings out the specific context of European countries, but a more comparative analysis among them could have been more beneficial. While highlighting Europe's specifics, the book's global resonance emerges from its treatment of reproductive rights, disability rights, and eugenics.

However, the work could benefit from more comparative analysis and inclusion of perspectives from persons with disabilities, activists, and historically marginalized communities in discussing reproductive rights. Despite the shortcomings, the value of the book remains intact. The conclusion traces the evolution of disability politics, noting a transition from pity and charity to justice and desire. Though open-ended, the book raises pertinent questions about current discourse and future abortion laws.

In conclusion, this book is a tour de force that merges history, politics, and social analysis to understand the law of abortion in Europe. Researchers in any of these fields would undoubtedly benefit from the book as it challenges readers to confront the complexities of reproductive rights and disability rights and to recognize the underpinnings that continue to shape contemporary debates. Overall, this book challenges readers to critically reflect on the legacies of eugenics and the complex interplay of factors that shape contemporary debates and policies surrounding disability-selective abortions.

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