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Book Review

Dana Dawson

Man has often toyed with the idea that he could play God, be it through medical/scientific advancements or even through legal customs. While many of these advancements are beneficial to societies at large, there have been some sinister outcomes like the pseudo-science of eugenics. The discovery of DNA and the specifics of the uniqueness of one's genetic make-up (including the chemical process within cells), and the true structure and chemical composition of DNA would not be discovered until the 1950s. It would not be until the 1970s and 1980s that scientists could unlock more of the mysteries contained within the double helix, the twisted-ladder structure of deoxyribonucleic acid (DNA). Prior to unlocking the medical mystery of DNA and genetics, the Eugenics movement had humble beginnings in the late 1800s and it took root in the United States in the early 1900s. Eugenics, initially developed by Francis Galton in 1883, is the improvement of the human population by controlled breeding in order to increase the occurrence of desirable heritable characteristics. By the 1920s the United States was enthralled by this newly developed scientific theory that explained genetics, and "America's leading citizens led the charge to save humanity" (p. 2). Eugenicists existed outside the scientific community. For example, Alexander Graham Bell, former President Theodore Roosevelt, and John D. Rockefeller Jr. embraced the movement. Furthermore, over three hundred universities and colleges including Harvard, Cornell, Princeton, and Berkley circulated the pseudo-science as part of the curriculums.

During this timeframe, America was changing. In addition to urbanization and industrialization, immigration was at a record high. Immigrants brought "new" religious practices and multiple ethnicities flooded the cities. As such, America's traditional background began to alter. All of this change increased the anxiety amongst the established groups of Americans and eugenicists seized the opportunity to make claims that immigrants brought "inordinately high levels of physical and mental heredity defects that were degrading America's gene pool" (p. 5). Eugenicists presented Congress with purported "scientific evidence" of

“inferior genetics” and pressed congressional members to pass laws in order to prevent immigrants from “contaminating” the American population. Members of Congress were swayed by the given presentations and congressional acts followed. Some states tried to create laws that prohibited marriages; others tried segregation methods but desisted due to expense. Finally, eugenicists found their solution in sterilization.

In 1907, Indiana was the first state to pass legislation that allowed forced sterilization on people judged to have hereditary defects. Within a decade, twelve other states followed suit. These laws called for sterilization of anyone having

defective traits, such as epilepsy, criminality, alcoholism, or ‘dependency’— another word for poverty. Their greatest target was the ‘feeble-minded,’ a loose designation that included people who were mentally challenged, women considered to be excessively interested in sex, and various categories of individuals who offended the middle-class sensibilities of judges and social workers (p. 6).

The case of Carrie Bell is one of misfortune. She was sent to Virginia’s Colony for Epileptics and Feeble-Minded as a woman that gave birth to a child out of wedlock, and one subject to be sterilized under Virginia’s new sterilization law. *Buck v. Bell* was less about contraceptives or contraceptive measures and more about whether or not to sterilize an individual in order to prevent future “undesirable citizens,” meaning those that disrupted the social order or seen as having a lesser intelligence. As Cohen states,

Four of the nation’s most respected professions were involved in Carrie Buck’s case—medicine, academia, law, and judiciary—in the form of four powerful men. They were the kind of influential individuals who were in a position to put a check on the popular mania over eugenics, and to protect the people who were wrongly being branded a threat. In each case, however, these men sided forcefully with the eugenic cause, and used their power and prestige to see that Carrie was sterilized (p. 7).

Cohen conveys the harsh circumstances that surrounded Carrie Buck into a moving historical account of how a young woman went from being a dutiful foster daughter to being a resident committed to the Virginia Colony for Epileptics and Feeble-Minded on the grounds of feeble-mindedness, promiscuity, and

incurable behavior. Carrie, at the tender age of seventeen, gave birth to her daughter out of wedlock. This factor, in addition to poor education, and a family background that included a few feeble-minded members (including her mother) were all marks against Carrie's character. Carrie also failed the designated eugenics test given by the staff at the Colony. For these reasons, authorities deemed her feeble-minded.

Individuals of influence perceived eugenics to be a method for preserving and improving the dominant (and preferred) groups within the established population. Carrie Buck arrived at the Colony at a time when scientists and politicians were seeking to create an air-tight legal avenue to pursue their eugenic aspirations in controlling certain groups deemed to be the lesser half of the population. They aspired to create a statute permitting compulsory sterilization of "undesirable citizens."

Cohen exposes the cruelty and the deception utilized by those that pushed the sterilization law into effect. While his main focus is with the eventual and disturbing *Buck v. Bell* outcome, he does discuss some of the motives of the individuals and the turmoil during the Progressive Era. Cohen states that "the driving force behind the eugenics movement of the 1920s was, [as] historians suggest, the collective fears of the Anglo-Saxon upper and middle classes about the changing America" (p. 4). The change in population brought forth a fear that allowed eugenicists to thrive. Educated men in power were enthralled with the science of eugenics and saw it as a way to protect the sanctity of the United States.

Cohen sectioned the chapters of the book into mini-biographies for all the main characters. They include Carrie Buck and the men that promoted the idea of eugenic sterilization. A foster family raised Carrie Buck and pushed to have her committed to the Virginia Colony for Epileptics and Feeble-Minded. Dr. Albert Priddy, the Colony's superintendent, presented Carrie Buck as the specimen to use in order to pass the sterilization law in Virginia. Furthermore, he was the key lobbyist of the sterilization legislation, and a significant witness for the defense in support of sterilization during her trial. Another key individual to assist in passing the law was Harry Laughlin.

Established by the Carnegie Institution of Washington's Station for Experimental Evolution, Laughlin was head of the Eugenics Record Office. The Eugenics Record Office's mission was to accumulate substantial information on the ancestry of the American population, to produce propaganda that assisted the eugenics movement, and to encourage the idea of race betterment. Laughlin gave expert testimony on how eugenics was applicable to Carrie. Furthermore, he was a proponent of the Immigration Act of 1924 and a key supporter of sterilization,

having written a 502-page exposition on the topic. The defender of the sterilization law was Aubrey Strode.

Aubrey Strode is the lawyer that both drafted the sterilization law and presented the case against Carrie Buck all the way to the Supreme Court. Though Strode did not necessarily believe in the ideology of eugenics, he was willing to represent eugenicists in this case. Strode was one of Virginia's most notable lawyers. He was a graduate of the University of Virginia's college and law school, and a former state senator. Strode, being a shrewd litigator, built his case for sterilization utilizing a compelling theory, auspicious evidence for eugenic sterilization and strong witnesses.

And finally, Oliver Wendell Holmes Jr., considered to be one of the greatest legal minds in America, wrote the ruling on behalf of the Supreme Court in regards to Carrie Buck's case. Holmes was a Harvard educated elitist and a proponent of the eugenics movement. Years before the Buck case, Holmes was vocal about establishing a plan for reforming society. In his summary of the case, Holmes displayed what Cohen considered a "lack of interest" for the facts. Holmes's majority opinion included the infamous phrase "Three generations of imbeciles are enough" (p. 270). Holmes is referring to both Carrie's mother and infant daughter in the ruling.

Cohen's review of this horrifying legal decision is intense. It explores an almost secretive, shady past of American history and one that would have influence on Nazi Germany. Cohen reports that Laughlin frequently corresponded with Nazi scientists and even assisted in writing reports for the American government on the benefits of reducing the immigration quotas on those of Jewish descent. Furthermore, Cohen states that during the Nuremberg Trials, Nazi leaders, such as Otto Hofmann, "the head of the SS Race and Settlement Office, one of the Nazis charged with mass sterilization, defended himself in part by referring to the American states that had adopted eugenic sterilization laws—and the *Buck v. Bell* decision" (p. 303).

The book does have some drawbacks. One of the biggest issues is Cohen's tendency to repeat facts or statements, sometimes just pages apart. Other times it seems as if he is giving a brief overview of someone he has already addressed in a previous chapter. Another issue is the biographies have a tendency to drag just a little. This is not to say the information is not pertinent, only that it is less interesting than the case.

Cohen does a convincing job in conveying the unethical and prejudiced account of the Buck case. The biographical details supplied about each of the men in this case allows the reader to understand the narrow-minded focus of all of those

who were swept up in the eugenics craze. Cohen allows the reader to empathize not only with Carrie and her family, but also the sixty to seventy thousand individuals who were sterilized between 1907 and 1983. *Buck v. Bell* still stands as a valid law and has remained unchallenged to this date. Cohen leaves the reader knowing that forced sterilization was still applied as a punishment as recently as 2015.