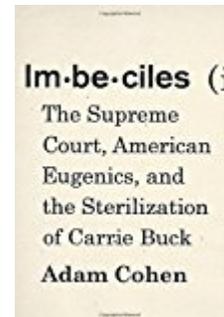




Adam Cohen. *Imbeciles: The Supreme Court, American Eugenics, and the Sterilization of Carrie Buck.* New York: Penguin Press, 2016. 416 pp. \$28.00, cloth, ISBN 978-1-59420-418-0.



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In March 2017, Steve King, congressman from Iowa, tweeted about not being able to “restore our civilization with somebody else’s babies.” King was responding to the Dutch politician Geert Wilders, whose outspoken opposition to Muslim immigration has greatly elevated the Far Right’s political success in Europe in recent years. King’s social media comments were roundly criticized by both fellow politicians and the public for their “white supremacist advocacy.”[1] For historians with expertise on eugenics and immigration in the early twentieth century, they also sounded ominously familiar. In our increasingly ideologically conservative political climate, old ideas about heredity and eugenics seem new—and politically expedient—again.

Former *New York Times* editor, writer, and Harvard law school graduate Adam Cohen’s book on the infamous *Buck v. Bell* Supreme Court case has thus arrived at a timely moment. His narrative centers on our long, national preoccupation with “fears about the unfit.” As he explains it in his introduction, “The driving force behind the

eugenics movement of the 1920s was ... the collective fears of the Anglo-Saxon upper and middle classes about a changing America” (p. 4).

These “collective fears” of the early twentieth century would, as Cohen explains, coalesce most grimly in the figure of Carrie Buck, a young woman from Charlottesville, Virginia. Carrie’s rape and resulting pregnancy would result, beginning in 1924, in long-term institutionalization and a sterilization surgery whose legality would be successfully tested all the way up to the Supreme Court of the United States. Cohen frames his analysis of the history of the case through ten narrative chapters that each tackle a major player in the story. These figures include Albert Priddy (physician and superintendent of the Virginia Colony for the Epileptics and Feeble-Minded), Harry Laughlin (described by Cohen as “the nation’s most influential eugenicist” and director of the Eugenics Record Office at Cold Spring Harbor in New York [p. 104]), Aubrey Strode (a state senator and the progressive lawyer representing the state’s sterilization law), Oliver Wendell Holmes

(chief justice of the Supreme Court), and, of course, Carrie herself.

Cohen opens the book with a short history of Carrie's early life. She was born to Emma and Frank Buck in 1906. Carrie's father abandoned the family at some point and Emma eventually bore two more children by other men. The family's existence was a difficult one "on the margins" of society (p. 20). As a toddler, Carrie was sent to live with John and Alice Dobbs, doing housework for the couple and attending grade school. When Carrie was fourteen, her mother was institutionalized for prostitution, declared "feeble-minded," and deposited by court order at the Colony for the Epileptics and Feeble-Minded near Lynchburg. Not long after, Carrie, age seventeen, was to experience the same.

Raped by Alice Dobbs's nephew, Clarence Garland, Carrie's resulting pregnancy with her daughter Vivian was the impetus for her foster parents to seek institutionalization. They petitioned for Charlottesville's Juvenile and Domestic Relations Court to consider the case before a commission of two physicians and a judge. In short order, Carrie was declared "feebleminded and epileptic," and transferred by a social worker to the state colony. Cohen notes the high rates of institutionalizations in the 1920s for young women like Carrie who were considered "oversexed and excessively fertile," creating a "nightmare vision" for eugenicists fearing race degeneration and plagues of feeblemindedness (p. 92).

Cohen goes on to describe in succeeding chapters the events that led to the Supreme Court case and Carrie's sterilization. His side commentary helps to contextualize the chronology by explaining the background history of institutions like the Lynchburg Colony, the rise of eugenic science and its popularity in the Progressive Era, the resulting "family studies" that attempted to trace the hereditary nature of crime and dysfunction, and the enthusiastic legalization in most states of eugenic sterilization surgery. The campaign for a steriliza-

tion law in Virginia, as Cohen notes, was led by Priddy. Together with Strode, he pushed through a bill in 1916 that allowed for superintendents of state hospitals for the feebleminded to proceed with "such moral, medical, and surgical treatment" that they deemed "proper" (p. 80). Priddy began "openly performing sterilizations" at the Lynchburg Colony under this new law, but there were patients who sued him for violating their constitutional rights (p. 81).

To avoid this problem, Cohen describes how Strode and Priddy sought to pass an even more specific sterilization law governing mental institution inmates. Their proposed statute borrowed from Laughlin's "Model Sterilization Law" (one he had drafted to assist states wishing to pass eugenic-based statutes that would be harder to challenge in the courts). Strode's careful legal research and drafting was successful, and, in March 1924, the Virginia state legislature enacted the Eugenic Sterilization Act. Priddy then "set his sights on Carrie" as an "ideal" patient to test its constitutionality (p. 91). Cohen writes that Carrie's initial hearing contained "critical falsehoods" about Carrie's mental capacity and the introduction of evidence that tried to prove her daughter, Vivian (still an infant), was also mentally defective. Her court-appointed guardian then filed an appeal specifically to create a test case for the courts on the sterilization statute. As Cohen notes, the men guiding these legal proceedings were colluding at every step of the way.

This collusion included the expert testimony of Laughlin, whose vocal opposition to immigration from countries like Greece, Italy, and Poland on eugenic grounds had spurred Congress to pass the Immigration Act of 1924 on the basis of, as one senator proclaimed, "purifying and keeping pure the blood of America" (p. 133). Despite the protests of fellow scientists who noted the major problems with Laughlin's intelligence experiments and data, his promotion of sterilization on a mass scale resonated with anti-immigrant senti-

ment and fears of race suicide. Strode asked Laughlin to be an expert witness in Carrie's case, and he eagerly agreed to testify in writing, never bothering to meet her. Like the initial hearing, Laughlin's written testimony, Cohen argues, was "an odd and misleading analysis" that falsified Carrie's intelligence, school, and department records to bolster her diagnosis of feeble-mindedness (p. 151).

The reader learns that, after a short trial, the Amherst County Circuit Court affirmed the state sterilization statute with little debate, but Strode and Carrie's lawyer, Irving Whitehead, wanted to take the case further, testing it all the way through the Supreme Court.[2] Accordingly, Whitehead appealed to the Virginia Supreme Court, which also affirmed the decision in 1925. Strode and Whitehead then prepared to resolve the sterilization question once and for all, at the highest level. Cohen describes how their careful legal preparation, coupled with Judge Holmes's "strong opinions" on eugenics, would seal Carrie's fate (p. 240).

Despite some reservations, eight of the nine Supreme Court justices upheld the decision of the lower courts, with only Pierce Butler, a Catholic, dissenting. Holmes issued his famous opinion, declaring "Three generations of imbeciles are enough" (p. 270). On October 19, 1927, Carrie underwent a legal salpingectomy, an operation on her fallopian tubes that would render her unable to have any more children. Virginia, like other states, would also sterilize thousands more men and women for the next five decades, including Carrie's half-sister Doris. Carrie remembered later, "Oh yeah, I was angry. They done me wrong. They done us all wrong" (p. 298).

Cohen's detailed narrative history of the *Buck* case offers a close examination of the conversations and ideas that led Strode, Priddy, Whitehead, and the other arbiters of Carrie's fate to pursue her legal sterilization so relentlessly. He asserts that the *Buck* case has new relevance in our

new "Century of Biology," where, given the recent advances in biomedical technologies, new questions will arise at the "intersection of genetics and law" (p. 12). The narrative also places the case in the larger story of the Supreme Court's failures to enact justice at crucial moments in the nation's history, rightly noting in both his introduction and conclusion that Nazi Germany's justification for its extensive sterilization and euthanasia programs relied on the *Buck* case.

Given its relatively straightforward account, *Imbeciles* will have some utility in the undergraduate classroom, or for those generally wanting to become more acquainted with the facts of the case. But while Cohen explains each person's background in detail, and briefly guides the lay reader through the larger influences of the period, those looking for a more in-depth analysis should read Paul Lombardo's *Three Generations, No Imbeciles: Eugenics, the Supreme Court, and Buck v. Bell* (2008). Indeed, Lombardo's influence echoes throughout *Imbeciles*, as it was his research that revealed the deliberate rigging of Carrie's case and originally brought the Court's decision to public prominence at the end of the last decade. While Cohen's book does not reveal anything particularly new for historians of the Progressive Era, or those with training in legal or medical history, his retelling of the case is nonetheless an important amplification for the greater public on the dangers of eugenic thinking in a post-election America.

Notes

[1]. Matthew Haag, "Steve King Says Civilization Can't Be Restored With 'Somebody Else's Babies,'" *New York Times*, March 12, 2017.

[2]. The case was renamed *Buck v. Bell* after the death of Priddy and his replacement by physician John Bell as Lynchburg Colony's director.

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