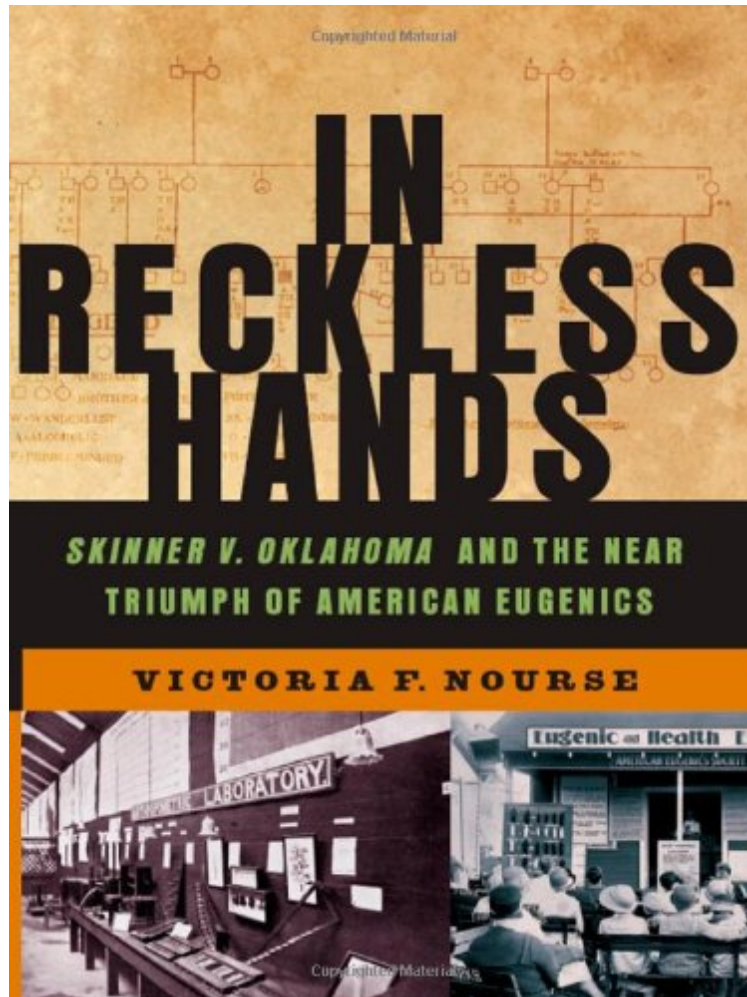


(Ebook free) In Reckless Hands: Skinner v. Oklahoma and the Near-Triumph of American Eugenics

# In Reckless Hands: Skinner v. Oklahoma and the Near-Triumph of American Eugenics

Victoria F. Nourse

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**Victoria F. Nourse : In Reckless Hands: Skinner v. Oklahoma and the Near-Triumph of American Eugenics** before purchasing it in order to gage whether or not it would be worth my time, and all praised In Reckless Hands: Skinner v. Oklahoma and the Near-Triumph of American Eugenics:

12 of 12 people found the following review helpful. A Fine Supreme Court Case History By Ronald H. Clark This book is a history of the Supreme Court case of Skinner v. Oklahoma (1942), in which the Court threw out the state's law authorizing mandatory sterilization of "habitual criminals." The author does a solid job outlining the history of the Oklahoma statute, the legal proceedings before the case reached the Court, and the legal strategies employed by the state and Skinner. Along the way the reader learns quite a lot about the eugenics movement in this country in the early to mid 20th century, and how this concept had made its appearance in other countries, such as Nazi Germany for

example. The author, a law professor at the University of Wisconsin and Emory, also discusses Holmes' famous decision in the earlier case of *Buck v. Bell* (1927) involving the mandatory sterilization of mentally defective individuals. The author is very good in explaining concepts to the general reader, one mark of an effective case history. What is quite striking, in addition, is the author's extensive attention to contemporary press material, law review articles, and other secondary sources. As she explains in her "Acknowledgements and Method," she practices "dirty history," i.e., devoting much time (and substantial effort) to examining local archives in conjunction with her more traditional legal analysis. The combination of the two approaches proves quite effective. All of this is spelled out in 29 pages of extensive notes which help to make the picture complete. The result is an outstanding example of how case histories ought to be written. 1 of 1 people found the following review helpful. Engaging Use of One Case To Examine Big Issues By Bronx Book Guy This is a good example of using a certain case as a window into a bigger issue === it involves a case arising in the 1930s dealing with the sterilization of certain repeat offenders. The book provides a colorful look at Depression Era Oklahoma along with examining the larger social and legal issues involved. The author's usual writings are largely specialized legal articles. This allows the general public to get a flavor of the issues ... issues that retain importance to this day (science, treatment of criminals, courts protecting rights etc.). 6 of 6 people found the following review helpful. Clear and thoughtful By Worddancer Redux I picked this up hoping for a clearer understanding of why *SKINNER* did not overturn *BUCK v. BELL*. My interest is in the eugenics movement in the U.S., and--more specifically--in what cautionary tales we should learn from our own dark history that might deter us from over-zealous embrace of genetic technologies to cure social ills. Nourse certainly provided me with an explanation of why *SKINNER* did not overturn *BUCK v. BELL*, and she also provided valuable insights into the larger social factors that held eugenics in place--the Depression and fear of crime, as well as the more familiar anti-immigrant fervor that arose with industrialization--and began to weaken its hold (no, it was not JUST horror at the Nazi experience). The book is of potential interest and value to people with a wide variety of interests and competences. For a book that delves as far as it does into technical judicial interpretation, it is quite accessible. I am contemplating using it for a Science and Values course, and look forward to seeing how students respond to it. Meanwhile, I am sending it as a holiday present to several friends, and recommend that course of action.

The disturbing, forgotten history of America's experiment with eugenics. In the 1920s and 1930s, thousands of men and women were sterilized at asylums and prisons across America. Believing that criminality and mental illness were inherited, state legislatures passed laws calling for the sterilization of habitual criminals and the feeble-minded. But in 1936, inmates at Oklahoma's McAlester prison refused to cooperate; a man named Jack Skinner was the first to come to trial. A colorful and heroic cast of characters from the inmates themselves to their devoted, self-taught lawyer would fight the case all the way to the U.S. Supreme Court. Only after Americans learned the extent of another large-scale eugenics project in Nazi Germany would the inmates triumph. Combining engrossing narrative with sharp legal analysis, Victoria F. Nourse explains the consequences of this landmark decision, still vital today and reveals the stories of these forgotten men and women who fought for human dignity and the basic right to have a family.

From Booklist \*Starred\* Nourse blows the dust off one of the most momentous forgotten decisions in Supreme Court history, whose import for society is easily appreciated but whose rationale must be not just dusted off but salvaged and restored. Under the influence of the eugenics movement's promises of an improved humanity, Oklahoma, like many other states, passed laws in the 1920s and 1930s authorizing the sexual sterilization of people of low intelligence, mental patients, and criminals. The first Oklahoma convict targeted for compulsory vasectomy, Jack Skinner became the plaintiff in a case that would effectually overturn legal sterilization in the U.S. From filing to Supreme Court decision took six years (1936-42) and, as Nourse demonstrates, involved state politics, classic underdog advocacy, riots and breakouts by frightened convicts, and FDR's attempt to pack the high court, but not any rights talk, even of the human right to reproduce. Back then, community interests and duly enacted laws generally trumped appeals to personal rights. *Skinner v. Oklahoma* was decided by arguments about the evenhandedness of Oklahoma's convict-sterilization law. The justices concluded that the statute was discriminatory, not inhumane. Americans would do well to recall Skinner's egalitarianism, Nourse says, as the persuasiveness of rights talk wanes. Completely engrossing, this may be the legal-history book of the year. --Ray Olson About the Author Victoria F. Nourse received her JD degree from the University of California, Berkeley. Currently the Burrus-Bascom Professor of Criminal and Constitutional Law at the University of Wisconsin, she lives in Shorewood, Wisconsin.