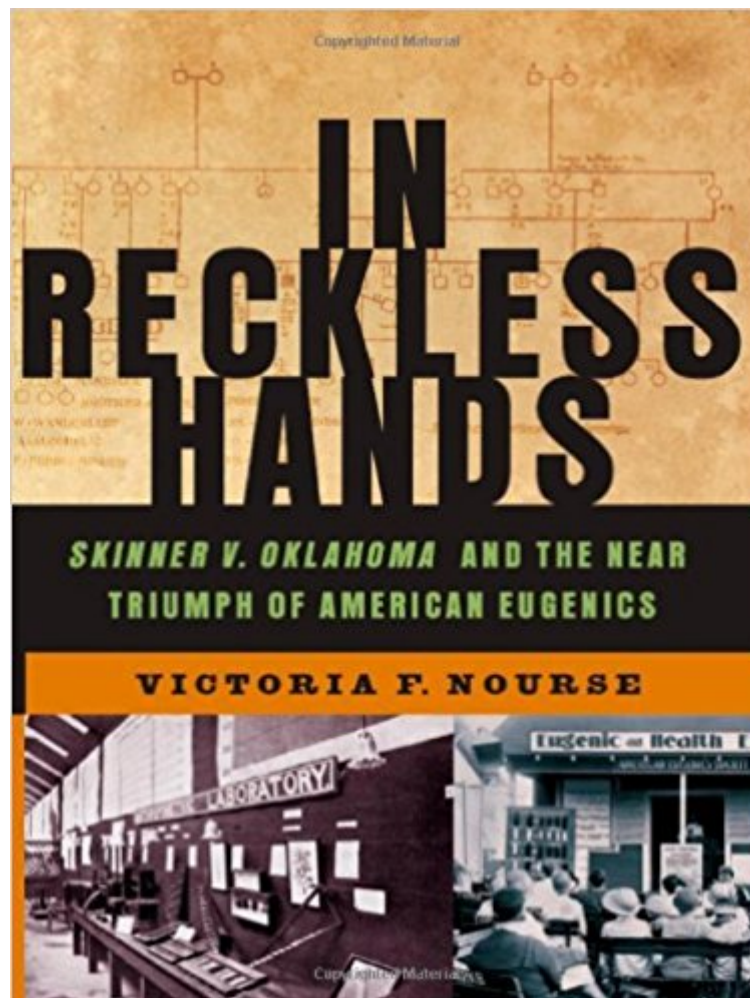




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In Reckless Hands: Skinner V. Oklahoma And The Near-Triumph Of American Eugenics



Synopsis

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.

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Customer Reviews

Starred Review 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 (1936-1942) 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

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.

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.

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.).

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 arouse 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.

Recommend this book and seller. Fast delivery, excellent condition and price. This author, to me, presented the information in an excellent manner. At times it was a little dry but what can you expect when reading about the Supreme Court?! :p This book opened my eyes to many things and hell honestly I had never even heard of eugenics until I had to read this as a class assignment. I recommend this book to everyone, even if you don't have to read it for a class.

I didn't think there were too many bits of Oklahoma history that I hadn't at least heard of . . . until I ran across a blurb about the German atrocities in World War II and except for a Supreme Court case in Oklahoma similar events "could" have taken place in the U.S. I was fascinated and shocked when I read this book to realize how close we were walking a similar path, maybe not for the same reasons but so many were convinced that eugenics, or at least the form of denying "undesirables" to procreate, was the answer to the decline of the world. Although many states had laws or guidelines for unwanted sterilization Oklahoma became the battleground for stopping it when some prisoners at McAlester and some local lawyers took their case all the way to the Supreme Court. I also

discovered that Jack Skinner, the prisoner who was the focus of the lawsuit, even went to the same high school I did (although quite a few years before!) The book is excellent although a little tedious is spots for this reader because of the legalistic terms but it's something that's necessary. A must read for any Oklahoma history student or anyone else that appreciates the social development of this country.

Relevant. Claud Briggs was my relative

Ms Nourse is a well accomplished Georgetown Law Professor. She explains a complex legal subject in such a way that you don't have to be an attorney to understand.

so fast, receive it next day , will buy next time . my family all need it , This is the first "larger product" in our kitchen collection. Thus far (one week), it is sharp, performs well for chopping and slicing, and has excellent balance and weight. Time will tell how it retains its edge and resharpen. professional service.

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