

# The Continuing Legacy of Buck v. Bell

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On Feb. 18, the Virginia Festival of the Book and Encyclopedia Virginia came together to host a webinar focused on one of the most controversial aspects of Virginia's history — the forced sterilization of almost 8,000 people under a eugenics program that lasted until 1979. The panelists of this event were journalist Adam Cohen and author and historian Elizabeth Catte, both of whom have written books on the history of eugenics in Virginia.

When the livestream started, Catte appeared first. She immediately established a welcoming atmosphere, sitting clad in a yellow sweater and wide-rimmed glasses in her cozy-looking home. "I think that today, we would have more of an entry level discussion to these topics, because they can be intimidating, [and] very heavy," she said.

After Catte finished introducing herself, Cohen spoke. He is a stocky man with a salt and pepper beard and thick-rimmed glasses. His room was comparatively more spartan, with just a chair and two lamps, but his committed interest in this subject was clearly evident. As the two authors explained, the decision that would lead to decades of involuntary sterilizations all started with a woman named Carrie Buck.

In 1924, Carrie Buck was only 17 when she was sexually assaulted by the nephew of her adoptive mother. Later that year, Buck became pregnant, and her adoptive parents had her committed to the Virginia State Colony for Epileptics and Feeble-Minded because the circumstances of her pregnancy could have tarnished the reputation of the family.

"Carrie gets there just at the wrong time," explained Cohen, "just when Virginia has passed a sterilization law, just when the head of the colony is looking for a test case. And because Carrie's mother is already there, and she already has a child who they're able to say is mentally feeble... they're able to say 'oh look, she's part of a family pattern,' so they set her up and she becomes the test case."

Buck's selection as a test case had little to do with testing the medical procedure itself and more to do with testing its legality. The state of Virginia had recently enacted a eugenics law, and

Albert Sidney Priddy, the superintendent of the Virginia State Colony for Epileptics and Feeble-Minded, was eager to see if the law would endure the scrutiny of a court case. However, Buck v. Bell was far from an impartial case. The lawyer assigned to defend Buck, Irving Whitehead, was a supporter of the eugenics movement and a member of the board of the Virginia State Colony. The consensus among historians today is that Whitehead deliberately did the absolute minimum to defend Buck, in some instances even working against her to sabotage her case. "A lot of legal scholars are pretty comfortable today calling Buck v. Bell a sham trial," said Catte.

Her diagnosis of "feeble-mindedness" was also a sham. Buck was not only intelligent, but a gifted writer, as evidenced by the letters she wrote while interned in the colony. "This was a way to medicalize a lot of pre-existing beliefs about people who were poor, non-white, disabled, and people who were immigrants," said Catte.

But ultimately, Buck lost the case, and she was sterilized. Priddy did not live to see the outcome of Buck v. Bell, but his successor, John Bell, continued Priddy's work with the added assurance that the law was on their side. From 1927 to 1979, 7,325 men and women were involuntarily sterilized, although some researchers approximate that the total number of victims may stretch as high as 8,300. But outside of Virginia, the incorporation of eugenics policies into law had far reaching consequences.

In Europe, a particular group of political extremists were influenced by American eugenics policies: the Nazis. When asked to what extent American eugenics law had influenced the Nazis, Catte said, "This is sort of like the simplified version of the chronology of eugenics, that American eugenics exists as a social movement in the 1910s, 20s and 30s, and then Nazi science comes along and pushes that knowledge into an even darker abyss."

Eugenics also influenced America's immigration policies. According to Cohen, "[He] wasn't aware how much eugenics influenced American immigration law [such as] the Immigration Act of 1924, which cut off most immigration from Eastern Europe and all immigration from Asia and other places."

"Now the thing is," Cohen said, "a decade



after this, Anne Frank’s father wrote a series of letters begging to get visas to bring his family to America. And they were turned down because of this 1924 law. So, of course, he ends up not being able to save his family, and Anne Frank dies in a concentration camp. [That] was when I realized that Anne Frank died in a concentration camp not only because the Nazis thought Jews were genetically inferior, [but] because the U.S. Congress did also. That was why they passed the law that prevented immigration from that part of the world. So the connections between America and the Nazis in that era were so much stronger than we realized.”

While the practice of eugenics is no longer as mainstream as it once was in America, the government has been slow to offer reparations to surviving victims. “My own take,” Catte said, “which I’ll mention briefly, is that possibly the supreme court is waiting for most of the victims of eugenic sterilization to die so that their status as victims is not elevated in states that have not, like Virginia, decided to pursue financial compensation for victims.”

As for Carrie Buck, while her sterilization prevented her from having another child, she went on to live a long life outside of the colony, marrying twice and working in an apple orchard with her second husband.

“One little detail that was for me so poignant,” Cohen said, “is they say that when she finally ends up in a retirement home, she’s very popular and well liked, and people thought of her as someone who was very intelligent. She would get very excited in the morning when the daily newspaper came, and she loved doing the crossword puzzle... I just thought, here’s this woman who, she’s not mentally defective, she seems to greet the day with a smile and attempt[s] to move forward despite what the state has done to her. And I think all in all, she persevered in a way that she should never have been made to persevere.”

If you are interested in learning more about this subject, you can view a recording of the livestream at the Virginia Festival of the Book’s website or purchase *Pure America: Eugenics and the Making of Modern Virginia* by Elizabeth Catte and *Imbeciles: The Supreme Court, American Eugenics, and the Sterilization of Carrie Buck* by Adam Cohen on Amazon or at other digital and physical retailers.

This event was hosted by the 2021 Virginia Festival of the Book, a 13 day long event centered around the celebration of literature. The festival will be held virtually from March 13 to March 26. You can find out more information at the Virginia Festival of the Book website (VAbook.org).