

Genetics, Law, and Bodily Autonomy: The Interdisciplinary Legacy of Buck v. Bell

Eugenics is a pseudoscientific theory that proposes human populations can be 'improved' through genetics and principles of heredity. Termed by Francis Galton in 1883, it refers to the selection of desired heritable characteristics to shape future generations. By the early 1920s, discussions emerged around sterilisation—a surgical procedure preventing conception by removing anatomical pathways for gametes—as a means to control the reproductive stock of a nation. Harry Laughlin, the leading advocate of this campaign, classified these individuals as the feeble-minded, the insane, the criminalistic, the epileptic, the inebriate, the diseased—including those with tuberculosis, leprosy, and syphilis—the blind, the deaf, the deformed, the dependent, chronic recipients of charity, paupers, and 'ne'er-do-wells.' Laughlin's law was adopted in more than half of the American states, with an emphasis on California, Michigan, and Virginia, where the infamous Buck v. Bell case was decided.

Buck v. Bell

Carrie Buck was a Virginia-born woman and the plaintiff in one of the most widely discussed cases of eugenics and sterilisation. At the age of 3, Buck's mother was sent to the State Colony for Epileptics and Feeble-minded for being 'feeble-minded' and 'sexually promiscuous.' Thereafter, Buck lived with foster parents, John and Alice Dobbs, before being sent to the same institution after being raped by the Dobbs' nephew. Upon giving birth in 1924, Buck was the first person to be sterilised under the new law—the Eugenical Sterilisation Act—which allowed forced sterilisation of those in state institutions classified as 'inferiors' under Laughlin's framework.

Legally, the case reached the U.S. Supreme Court after lower Virginia courts upheld the sterilisation order. The Supreme Court ruled that 'nothing in the U.S. Constitution' prevented Virginia from sterilising Buck. Surprisingly, eight justices were involved in ordering the sterilisation of this young, poor, white woman. As if this were not enough, Justice Oliver Wendell Holmes, one of the most important jurists at the time, remarked, 'Three generations of imbeciles are enough.' Paying no heed to the fact that Buck was raped and forced to give birth at a young age, the Court decided to proceed with her sterilisation.

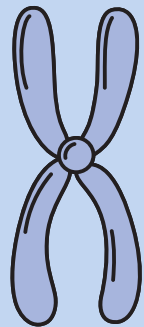
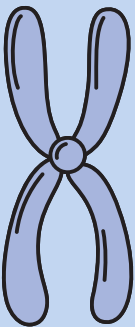
The Evolution of Reproductive Rights

Decades later, the legal landscape surrounding reproductive rights shifted dramatically with *Roe v. Wade*. The legal justification for *Buck v. Bell* rested on the idea that the state had an interest in controlling reproduction to promote the 'public good.' This rationale bears striking similarities to arguments later presented in *Roe v. Wade*, albeit in the opposite direction—where *Buck* reinforced state control over reproduction, *Roe* affirmed personal autonomy.

Roe v. Wade recognised a woman's constitutional right to privacy, including the right to choose an abortion. The ruling challenged government overreach in reproductive decisions, marking a shift from state-imposed sterilisation policies to individual choice in reproductive matters. Yet, both cases highlight the recurring tension between state power and personal bodily autonomy.

The Lingering Effects and the Ongoing Debate

Though *Buck v. Bell* has never been explicitly overturned, the principles it endorsed have been widely condemned. However, its legacy persists in discussions about reproductive justice, particularly concerning marginalised communities. The debate over bodily autonomy continues today, especially following *Dobbs v. Jackson Women's Health Organization*, a recent landmark decision that reshaped the trajectory of reproductive rights by overturning *Roe v. Wade* and once again placing reproductive rights under state control. By examining *Buck v. Bell* and its genetic underpinnings, we see how pseudoscience can be weaponised to justify oppression. The evolution of reproductive rights, from forced sterilisation to the right to abortion, underscores the ongoing struggle to maintain autonomy over one's body. Understanding these historical connections is crucial in ensuring that history does not repeat itself.



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