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Four Principles of Oppression: 160 Years of Eugenic Bigotry in U.S. Supreme Court Decisions, Supporting Involuntary Slavery, Sterilization and Commitment

Don Baker PhD

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Revised Forward (Oct 2016) This book, citing a broad range of journalism, medical, legal, sociological and historical documents, and case law, traces an arc of bigotry in U.S. Supreme Court decisions, using similar language and reasoning, extending from slavery to eugenic sterilization to the death penalty to the treatment of prisoners to mental health. It demonstrates the High Court's often callous disregard for human life and liberty, in rendering prejudiced and flawed decisions with disastrous consequences to innocent and harmless people, which it then never bothers to review. It claims "stare decisis" for such decisions with pope-like infallibility. For example, the 1927 Buck v. Bell eugenic sterilization decision, never overturned, forms the basis in both case law and procedure for modern mental health law and courts. In the case of the Virginia's Eugenical Sterilization Act, the Court accepted a defense attorney chosen from and by the prosecution, who apparently never called a witness or uttered an objection, the entire weight of "expert witnesses" on the side of the State, damning testimony by at least one "expert witness" who never examined Ms. Buck, and hearsay as proof. The Chief Justice, Oliver Wendell Holmes, justified the decision with the famous comment, "three generations of imbeciles is enough." Hitler liked the Virginia Sterilization Act so much, he passed one just like it, almost verbatim, and used it to start the Holocaust. In the nearly 50 years following this decision, up into the 1970s, U.S. States sterilized over 60,000 U.S. citizens, mostly poor and colored, often without their knowledge or consent. As one white delivery doctor put it in about 1972, before sterilizing a Sri Lankan immigrant over her objections, "There are too many colored babies already." The entire Buck v. Bell case may have fallen apart, if any Justice anywhere along the line had asked the simple question, "So, how well did she do in school?" Not only was Ms. Carrie Buck, whose illegitimate pregnancy followed rape by a member of her foster family, listed as a "good student", her daughter, the third of three alleged "generations of imbeciles", made the honor roll. Ms. Buck's sister was also sterilized without her knowledge or consent, merely for sharing the same blood. The High Court never asked that question, never mind the impacts of its decision. In the 1942 Skinner v. Oklahoma case, repeated the "three generations of imbeciles" argument, without ever having asked or discovered the school grades of two of those generations. As a consequence of its later mental health decisions, sometimes based upon deeply flawed and prejudiced "expert witnesses", as in Barefoot v. Estelle, 1983, it granted psychiatric hospitals a legal indulgence to seduce and drag innocent and harmless people in, literally off the street, to drain their medical insurance with false involuntary commitments. This book traces that language and reasoning all the way back to the 1856 Dred Scott slavery decision, which stated that "the negro might justly and lawfully be reduced to slavery for his benefit". In other words, for either his own good or the good of his master, as others have been sterilized or committed to mental hospitals. So long as profiling remains acceptable for involuntary mental traumas and conditions, it will also be applied to gender and race. So long as this language and reasoning holds sway in the highest court in the land, so long as legal precedent and procedure can be based upon junk science, so long as civil liberties may be stripped from the harmless and innocent for the "good of society" --- THEN BIGOTRY CAN NEVER DIE – Don Baker, October 3, 2016 Review by A.J. Moore (Aug 2016): http://www.midwestbookreview.com/rbw/aug_16.htm#moore

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