

European Union, and Germany” into account, Baker could have gauged the effects of early legislation even better. Zippel’s study shows that as opposed to the European Union and Germany, where no regulatory-legal base for defining sexual harassment existed, activists in the United States could early on capitalize on Title VII, on some high-profile cases, and on the ensuing publicity around the issue. Moreover, Zippel argues that legal frameworks and policies shape intervention strategies, but the way in which politics and laws operate depends on specific cultural and institutional traditions. Thus, the role of the amicus briefs, which Baker clearly identifies as a focal point for activist alliances in the United States, did not exist in Zippel’s European cases, and this lack of advocacy synergy translated into a much more laggard legal and bureaucratic response to sexual harassment there, most notably in Germany.

If one wants to get a sense of the pervasiveness of sexual harassment and of how mobilization develops within a specific political opportunity structure, this is the book to read. At times with a bit too much attention to miniscule details at the expense of the overarching argumentative line, Baker’s study ends with some thoughtful questions about where to take this issue in the future. In particular, she points to the downside of legal and bureaucratic codification of sexual harassment as employment discrimination. Sexual objectification of women in broader cultural terms has increased. At the same time, sexual harassment has become a de-gendered concept that is often dissociated from a feminist analysis of power, privilege, and oppression. How the women’s movement is engaging with these new challenges and whether the past sexual harassment frame will suffice to address discriminations outside of the workplace remain research questions for the future.

#### Reference

Zippel, Kathrin (2006) *The Politics of Sexual Harassment: A Comparative Study of the United States, the European Union, and Germany*. New York: Cambridge Univ. Press.

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*Three Generations, No Imbeciles: Eugenics, the Supreme Court, and Buck v. Bell*. By Paul A. Lombardo. Baltimore: Johns Hopkins University Press, 2008. Pp. xiv+365. \$29.95 cloth.

Reviewed by Courtney P. Smith, University of Oregon

In *Three Generations, No Imbeciles*, law professor and historian Lombardo provides readers with a strikingly detailed account of the development, climax, and continuation of eugenics movements and policies in the United States. Though the central focus of the

book is the landmark Supreme Court case *Buck v. Bell* (1927), Lombardo dedicates much effort to narrating the foundational moments and key characters in the evolution of eugenics ideology and practice in the United States, pre-*Buck v. Bell*, as well as working through the elements of eugenics policies that remain in our current political system.

Lombardo weaves together the complex narrative of the strategies of eugenics supporters and the legal history that accompanies eugenics movements. In several chapters at the climax of the book, Lombardo exposes the troubling background of the *Buck v. Bell* case. Unpacking the legal fraud of *Buck v. Bell* and locating this case within the historical narrative he has carefully developed is the well-achieved aim of *Three Generations, No Imbeciles*.

Lombardo's text closely follows the numerous interconnected individuals who participated in the case of Carrie Buck. Carrie Buck was a young woman institutionalized at the Virginia Colony for Epileptics and Feebleminded and who served as the perfect test case for establishing the constitutionality of sterilization laws. Pre-*Buck v. Bell*, one of sterilization's strongest proponents, Alfred Priddy, the director of the Virginia Colony and the doctor seeking to sterilize Carrie Buck, had been served a legal blow in a previous attempt to obtain judicial justification for involuntarily sterilizing the "unfit." Lombardo explains that despite this loss in what is called the Mallory case, Priddy remained determined to ground his ideology of negative eugenics in legal doctrine. The situation of the "promiscuous and feeble-minded" Carrie Buck, her also institutionalized and "feeble-minded" mother Emma Buck, and Carrie Buck's "not quite normal" (p. 117) infant daughter Vivian, constituted the "three generations of imbeciles" that provided the ideal case for rooting the constitutionality of eugenics.

However, as Lombardo articulates, Carrie Buck was not promiscuous but rather had been raped, which resulted in her pregnancy. She was not the "high-grade moron" she was categorized as, nor was her mother. Lombardo discusses the arbitrary and fraudulent "examinations" given to all three Bucks, which in effect created their "conditions" and thus resulted in the institutionalization of Carrie and Emma Buck and the ultimate sterilization of Carrie Buck.

Numerous political actors played a role in promulgating eugenics and in influencing the *Buck* decision. For example, the institution of marriage was used as a tool of eugenicists (p. 44), economic arguments concerning the "importance of the public welfare as weighed against individual rights" (p. 153) were put forth, and "friends of the eugenics movement" like former President and Chief Justice of the Supreme Court William Howard Taft (p. 89) are identified by Lombardo as characters in this story. Further, Lombardo places much emphasis upon the crucial role of

Carrie Buck's lawyer, Irving Whitehead. Whitehead himself was an ardent supporter of eugenics and was a founding member of the Virginia Colony in which Carrie and Emma Buck were held. Believing that the involuntary sterilization laws must be upheld, Whitehead intentionally did not challenge the arguments of the state, did not call his own witnesses, and left out essential facts concerning Carrie Buck's life and experiences.

Lombardo does an excellent job of meticulously laying out the sham nature of *Buck v. Bell*, and by the end of the text, the reader is left with no doubt that the case, which has never been overturned, was mired in deceit. However, what is missing from this often dizzyingly detailed account is deeper analysis into the elements of the case and the broader eugenics context in which it occurred. For instance, individuals and groups working to sterilize Carrie Buck and other "undesirables" focused at certain times on the sexualities of these individuals and other times on their reproductive capacities. Unpacking when sexuality was the threat to society and when the continuation of inferior genes was the focus would help untangle the paranoia over the bodies of individuals like Carrie Buck.

Similarly, there is an underlying gender component waiting for deconstruction. Lombardo discusses the pre-*Buck v. Bell* reactions of male prisoners facing forced sterilizations, emblematic in their rallying cries to "keep their manhood" (p. 222). Aside from this relatively brief summary of the prisoners' actions, there is no comparative analysis concerning the forced sterilizations of females and males. Why was there no public outcry about the sanctity of "womanhood" in the same manner? Other analytical questions remain, such as the role of racial identity in the eugenics movement. The historical facts that Lombardo presents are fascinating nuggets of racial politics, class inequality, and fear of the female body. Further analysis of these elements, however, could more clearly deconstruct the role of *Buck v. Bell* within these realms of power.

#### Case Cited

*Buck v. Bell*, 274 U.S. 200 (1927).

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*Black Robes, White Coats: The Puzzle of Judicial Policymaking and Scientific Evidence*. By Rebecca C. Harris. New Brunswick, NJ: Rutgers University Press, 2008. Pp. 208. \$65.00 cloth; \$24.95 paper.

Reviewed by Melissa Hamilton, University of Toledo

The admissibility of expert testimony involving novel scientific evidence has been a contentious issue in criminal law in recent