

RETURN OF THE JUKES: EUGENIC MYTHOLOGIES AND INTERNET EVANGELISM

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INTRODUCTION

This is an article about eugenics, the field defined first in 1873,¹ and widely understood early in the 20th century as the “science of good birth.”² From roughly 1900 until the end of World War II, the word “eugenics” was used in the United States to signal advocacy for a policy program and a set of laws that would foster health among individual families and provide a purgative for problems faced by society. The eugenics movement also gave rise to a language that was employed to talk about heredity, responsibility, and guilt. Those who embraced the “eugenic ideal”³ commonly invoked biblical imagery in support of their conviction that physical, mental, and moral deficiencies were based in heredity and were passed down predictably within families from generation to generation, as if they were the result of some ancient curse.

In the same book where he coined the term eugenics, Francis Galton described a study of an American family that “belong to a type of humanity that is exceedingly ill suited to play a respectable part in our modern civilization, though it is well suited to flourish under half-savage conditions.” Galton described “the infamous Jukes family,” a clan that had been the subject of a governmental report he reviewed in 1876.⁴ The Jukes’s story and the

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¹ FRANCIS GALTON, *INQUIRIES INTO HUMAN FACULTY AND ITS DEVELOPMENT* 24 n.11 (1883).

² MORTON A. ALDRICH ET AL., *EUGENICS: TWELVE UNIVERSITY LECTURES* 108 (1914) (the quotation comes from the lecture by Harvey Jordan in the Aldrich volume, entitled: *EUGENICS: ITS DATA, SCOPE AND PROMISE, AS SEEN BY THE ANATOMIST*).

³ *Pedigree Records*, 3 *EUGENICAL NEWS* 29 (1918).

⁴ GALTON, *supra* note 1. Galton describes the Jukes as people whose “descendants went to the bad.” *Id.* at 44.

mythology that grew around it were part of the contemporary backdrop as Galton launched his new science of heredity.⁵

A resurgence in evangelical Christianity was also a growing part of the landscape in which Galton's ideas took root in the first decades of the 20th century in the United States, a period sometimes known as the Third Great Awakening.⁶ In their public embrace of a brand of religiosity that relied on the Bible as a literal roadmap to the good life, some evangelists identified specific scriptural passages that resonated with stories of generational degradation like the Jukes family saga. The verse most often recited to link eugenics with the Bible was taken from the Book of Exodus, in the account of Moses delivering the Ten Commandments to the Israelites. The very first commandment Moses announces warns his people of the prohibition on the worship of other gods. "For I, the Lord thy God, am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me" (Exod. 20:5).⁷ This biblical curse was invoked constantly by those who embraced eugenic thinking in a formula that linked heredity to social, moral, and mental failings and added the implication that bad heredity had been earned by the iniquity of past generations.

The idea of tainted families cursed with hereditary defects informed the growth of eugenics in the United States, both as a popular belief system and as a basis for public policy. The legal avalanche of "eugenic marriage" laws and sexual sterilization laws adopted by so many states in the first third of the 20th century cascaded down a slope paved with fears of problem families, seemingly infected with bad heredity that explained their social failure over many generations. Those who endorsed this feature of eugenic thought relied regularly on imagery that portrayed heredity as the determining factor to explain both moral evil and social dependency. The stories told of these families were legendary; the use of a religious metaphor that emphasized a kind of eugenic original sin was also common. Both the stories and the figurative language employed in them to condemn the poor, the diseased, and the socially outcast were used in support of eugenic legislation.

⁵ Galton repeated his comments on the Jukes in several publications. *E.g.*, Francis Galton, *Address by Francis Galton, F.R.S.*, 16 *NATURE* 344 (1877); Francis Galton, *Criminals and the Insane*, 1 *CONSERVATIVE* 3 (1898). By the turn of the 20th Century the Jukes study was cited regularly in encyclopedias and general reference works. *See* XI *NEW INTERNATIONAL ENCYCL.*, THE JUKES 323 (Daniel Coit Gilman et al. eds., 1905) (describing the Jukes' name as "a pseudonym used to protect certain worthy members of a family in New York State, whose history displays unique conditions of crime, disease, and pauperism.").

⁶ *See generally* GEORGE M. MARSDEN, *FUNDAMENTALISM AND AMERICAN CULTURE: THE SHAPING OF TWENTIETH-CENTURY EVANGELICALISM, 1870–1925* (1980).

⁷ STEPHEN JAY GOULD, *THE FLAMINGO'S SMILE* 306–18 (1985). The late paleontologist and historian of science Stephen Jay Gould focused on that feature of the American history of eugenics more than 25 years ago in one of his most well-read commentaries about eugenics. Gould reminded readers of the "terror" invoked by the "patent unfairness" of a curse that threatened to condemn innocent future generations to suffer for the evils perpetrated by their guilty ancestors.

Because the first and most important of these stories involved the Jukes family, I review its origins in a 19th-century governmental study and then survey various books that were written to explain how such families embodied the germ of social failure. Those books provided fodder for much inspirational speaking and writing, and I explore how sermons on “problem families” made use of the Jukes story almost a hundred years ago. I also note how the mythology of the Jukes and similar clans provided an argument that was critical to the sterilization of Carrie Buck, the first official victim of United States Supreme Court-sanctioned eugenic sterilization. My goal is to clarify one part of the cultural context that contributed to eugenic policymaking and had an impact on success of eugenic policies in legislatures and courts.

Finally, I show how the eugenic mythology of hereditarily defective families is still with us and is commonly used in religious literature and teaching. It continues to resurface regularly today when the old eugenic stories are recycled, as they were a century ago, in books and sermons suggesting that anti-social behavior is the result of a divine curse, buried both in the soul and in the genes.

I. THE ORIGINAL JUKES STORY

Dr. Elisha Harris was an expert in public health, who in the 19th century became widely known as a “philanthropic physician” of many interests. His investigations led to reforms in tenement conditions in New York, establishment of a system of public vaccination, and the growth of the new field of vital statistics. Harris was a founding member of the American Public Health Association and eventually its president. He belonged to the New York Prison Association, dedicating his time to the “care and reform of discharged convicts.”⁸

In 1871, during his term as secretary of the Prison Association, Dr. Harris launched an investigation of the “relationships of pauperism and vice to crime and disorder.”⁹ He focused on the records of jails and poorhouses in one county in the Hudson River Valley and found some surnames that appeared repeatedly. The names “seemed to be connected,” motivating him to investigate family genealogies further. Harris’s attention settled on a woman he called “Margaret.” He included the details of her history in an official report:

In the latter part of the eighteenth century the poor authorities of a river county in this State through a laudable desire to save a couple of dollars in out-door relief,

⁸ *The Death of Doctor Harris*, N.Y. TIMES, Feb. 1, 1884.

⁹ *Executive Documents, House of Representatives, 1874–1875* (Washington, GPO 1875), *Report of the Department of the Interior, Bureau of Education* (Nov. 1874) cxix–cxx. 2d Sess., 43d Cong.

refused to shelter a woman who was about to be confined. This woman, now known as Margaret the mother of criminals, was compelled to give birth to her children upon the highway, and from those children this race descended.¹⁰

Harris used the plight of the pregnant woman Margaret, rejected as she sought government assistance in the face of impending childbirth, as an illustration of how “a race of criminals, paupers and harlots” originated.¹¹ He argued that abandoned women like Margaret should be rescued from their corrupting environments, not only for their sake but to prevent the degradation of their descendants. His message, born of personal experience in the realm of public health and sanitation science, sounded the theme of prevention. Enlightened public policy should save the likes of Margaret and her progeny from lives of poverty and crime, he argued, and thereby also save the resources of future generations of more productive citizens.

Harris’s first reports attracted the attention of the press. Following a talk to the State Charities Aid Association, the *New York Times* editorialized that the Harris study was unusual, because “it is extremely difficult to trace the descent of a criminal family . . . [because] the retributive laws of Providence usually carry the effects of crime only ‘to the third or fourth generation,’ and then the race comes to an end through physical and moral degeneration, the final members being commonly idiots, imbeciles, lunatics.”¹² But the clan that Harris traced was unusually hardy, and it survived intact, still identifiable through 900 individuals spanning six generations.

The *Times* seconded Harris’s call, arguing that all the evil that followed Margaret, the “neglected little child,” could have been prevented.

When we think of the multitude of wretched beings she has left upon the earth; of the suffering, degradation, ignorance, and crime that one child has thus transmitted; of the evil she has caused to thousands of innocent families, and the loss to the community, we can all feebly appreciate the importance to the public of the care and education of a single pauper child.¹³

Awaiting a fuller report to the state legislature, the *Times* editors provided a second essay on Margaret, “the poor neglected waif.”¹⁴ The “Bible prediction of visiting the sins of the fathers on ‘the third and fourth generation’ is true in science,” noted the *Times*, “for seldom does a depraved line last beyond the third generation. Crime destroys or weakens.” But “intermarriage with

¹⁰ *Documents of the N.Y. Assemb.*, 103d Sess., vol. vii, 1880, Rep. No. 96, at 83.

¹¹ *Id.*

¹² *A Mother of Criminals*, N.Y. TIMES, Dec. 19, 1874.

¹³ *Id.*

¹⁴ *The Cost of “A Mother of Criminals,”* N.Y. TIMES, Jan. 18, 1875.

more vigorous ruffians and country air” had allowed Margaret’s descendants to survive beyond the usual lifespan of the degenerate.¹⁵

“The child could, for a few dollars’ expense, have been placed in some honest farmer’s family, provided with schooling,” and might have become “a mother of honest men and virtuous women.” For want of this small measure of public kindness, “a judicious expense of ten dollars,” Margaret instead became known as “Mother of Criminals” and the source of untold public expense in crime and social discord.¹⁶

Moving on to other work, Harris delegated his investigation of Margaret’s line to his junior colleague in the Prison Association, Richard L. Dugdale. Dugdale described himself as a “merchant and manufacturer” whose goal in working was to “amass sufficient fortune to purchase the privilege of independent subsequent inquiry.” In other words, his business career was the vehicle that would buy him time to study “social phenomena” he found compelling.¹⁷ Dugdale’s avocation as social scientist led him to leadership positions in organizations like the New York Association for the Advancement of Science and the Arts, the New York Social Science Society, the New York Sociology Club, the Society for the Prevention of Street Accidents, the Civil-Service Reform Association, the American Social Science Association, and the American Public Health Association. Social reform was Dugdale’s passion and these “clubs and associations were nearly all directly related to the amelioration of the condition of men.” The legacy he left was to urge “a sounder and steadier mercy toward those to whom it is doubtful whether their wickedness is due to their misery or their misery is due to their wickedness.”¹⁸ Dugdale’s writing reflected his concentration on both heredity and environment as avenues of reform in an era before ideas of “particulate heredity” that followed the research of Mendel, Weismann, and others had taken hold.¹⁹

In 1877, Dugdale published a book describing the clan living in the rural backwaters of New York state that Harris had studied. Dugdale created a pseudonym to mask the family names of his subjects, referring to them collectively as the “Jukes.”²⁰ Dugdale’s interest in the group was piqued when, taking up Harris’s original research, he visited a county jail where he found

¹⁵ *Id.* The editorial quoted from a treatise by French psychiatrist Benedict Morel on “degeneration,” the theory that the damage to an individual from disease and environmental toxins could be passed on to successive generations. According to Morel, degeneracy was usually self-limiting, because families who became degenerate would often die out after several generations as the final members were afflicted with mental disorders. See ELOF AXEL CARLSON, *THE UNFIT: A HISTORY OF A BAD IDEA* 40–41 (2001).

¹⁶ *The Cost of “A Mother of Criminals,” supra* note 14.

¹⁷ EDWARD MORSE SHEPARD, *THE WORK OF A SOCIAL TEACHER, BEING A MEMORIAL OF RICHARD L. DUGDALE* 4 (1884).

¹⁸ *Id.* at 5.

¹⁹ See PETER J. BOWLER, *THE MENDELIAN REVOLUTION: THE EMERGENCE OF HEREDITARIAN CONCEPTS IN MODERN SCIENCE AND SOCIETY* 64 (1989) (discussion of particulate heredity).

²⁰ RICHARD L. DUGDALE, *THE JUKES: A STUDY OF CRIME, PAUPERISM, DISEASE AND HEREDITY* (1877).

six people with four different surnames, who were nevertheless related “in some degree” by blood. The group included thieves, a rapist, and two brothers “who pushed a child over a high cliff and nearly killed him.”²¹ Intrigued by the “long lineage” of this family, Dugdale continued his study of the people with a name so notorious that “it had come to be used generally as a term of reproach” among members of the “reputable community” in that locale.²²

The mother of the clan, whom Dugdale renamed “Ada Jukes,” had already been introduced to professional audiences and to the public in earlier publications. She was the same “Margaret, the Mother of Criminals”²³ whose story Harris had told. Dugdale eventually studied more than 700 people with 42 different surnames, related by blood or marriage to Margaret and her descendants. He estimated that this group was a subset of some 1200 kin.²⁴ Most of them were dependent on charity, lived in a “poorhouse” or received “outdoor relief” (welfare), were regularly in trouble with the law or were inmates of the state prison system. Dugdale estimated their cost to society over seven generations at more than \$1,300,000,²⁵ “all of which a dollar or two could have averted if applied at the right time,” according to Harris.²⁶

Harris introduced Dugdale’s book with praise for its author:

Rarely has such a patient and philosophical inquirer as Mr. Dugdale penetrated the social hauses of the dangerous classes, and in their own abodes so photographed them as vagabonds, as offenders, as the out-door poor of a country, as felons and miscreants,—that their unvarnished picture is recognized by all who ever saw these “Jukes” or any of their kind. It is a duty for me to bear testimony to the scrupulous and exhaustive methods of investigation adopted by Mr. Dugdale in his researches into the physical and social condition of this great group, which, as well in ancestry as hereditary out-come, presents a complete physiological and moral record of the degeneracy which fills prisons and almshouses and mocks the almoner of out-door and way-side relief.²⁷

Harris’s emphasis on looking at the “social hauses” in which problem families lived highlighted the context that fed the Jukes’s failures, pointing to “degeneracy” as a result of poor conditions rather than a result solely determined by a genetic legacy.

²¹ *Id.* at 7.

²² *Id.* at 8.

²³ *Medical Notes*, 42 BOSTON MED. & SURGICAL J. 112 (1875); *Hereditary Crime*, 32 SCIENTIFIC AM. 18 (1875); *The Generation of the Wicked*, 32 SCIENTIFIC AM. 128 (1875); *The Inheritance of Crime*, N.Y. TIMES, Mar. 8, 1875.

²⁴ DUGDALE, *supra* note 20, at 15.

²⁵ *Id.* 68–70.

²⁶ *Documents of the N.Y. Assemb.*, 103d Sess., vol. vii, 1880, Report No. 96, at 83.

²⁷ Elisha Harris, *Forward to R.L. DUGDALE, THE JUKES: A STUDY OF CRIME, PAUPERISM, DISEASE AND HEREDITY* vi (1877) (an “almoner” was a person charged with distributing charitable contributions or welfare payments).

The first responses to Dugdale's *Jukes* echoed his reformist posture, emphasizing how Margaret—now Ada Jukes—might have been rescued from her squalid surroundings, saving her children from a wretched posterity. But Dugdale died prematurely, at age 42. And his carefully qualified study, emphasizing both the heredity and the environment of the Jukes, quickly became distorted as the story morphed from a technical treatise to a social legend. Only six years after its publication, Dugdale's obituary in the *New York Times* summarized *The Jukes* as his most important work. Dugdale's conclusions were endorsed "by the best informed scientists" who agreed that "the whole question of crime and pauperism rests strictly upon a physiological basis."²⁸

Often ignoring the original conclusions of Elisha Harris and Dugdale's more nuanced presentation,²⁹ those who repeated the *Jukes* story usually portrayed it as a genetic morality tale that explained the origins of social problems.³⁰ Accounts of problem families like the Jukes provided evidence for scientists, policy makers, and the public that the moral and mental defects of individuals were based in genetic predispositions they had inherited from their parents. Those people were a fountain of social failure, submerging their communities in crime, disease, and moral pollution. They multiplied the burden for productive citizens whose taxes supported institutions and public services.³¹

The combination of religious imagery with the new insights of eugenics became a staple of popular culture. Stories of a "hereditary taint in the family" reappeared in fictional romances to explain the "inexorable law of nature that

²⁸ Obituary, *Richard L. Dugdale*, N.Y. TIMES, July 24, 1883. Another *Times* article two weeks later was somewhat more nuanced, saying "Mr. Dugdale believed crime was hereditary, but that its influence could be overcome in descendants if they were surrounded by the right environments." *Richard Dugdale's Funeral*, N.Y. TIMES, July 27, 1883.

²⁹ Elof Carlson has clarified how Dugdale's emphasis on the environment was largely forgotten by 20th-century readers who repeated the Jukes legend. See Elof Axel Carlson, *R.L. Dugdale and the Jukes Family: A Historical Injustice Corrected*, 30 *BIO SCIENCE* 535 (1980); CARLSON, *supra* note 15, at 168–72.

³⁰ See *Psychological Literature*, 3 *AM. J. PSYCH.* 261 (1890) (describing *The Jukes* as "a study of a large family of hundreds of criminals that could be traced to a common ancestor who was a harlot"); E.D. Cope & J.S. Kingsley, *Editors' Table*, 23 *AM. NATURALIST* 151 (1889) (discussing Indiana's Tribe of Ishmael as "but a repetition of the Jukes family [that] . . . brings again to prominence a problem with which society has to deal. What shall be done to check the growth of these and similar parasites? They are sunk to a depth where no church can reach them; the so-called charity which gives to beggars and which patronizes the halt and maimed but encourages them in their present life"); Alice Bodington, *Insanity in Royal Families: A Study in Heredity*, 29 *AM. NATURALIST* 118 (1895) ("almost impossible to overestimate the importance of the study of the Jukes family as an example of inherited degeneration and vice amongst the dregs of society").

³¹ *The Jukes* was often paired with psychologist Henry Goddard's 1912 book that focused on the ancestors of Deborah Kallikak, a girl from the Training School for Backward and Feebleminded Children at Vineland, New Jersey. HENRY HERBERT GODDARD, *THE KALLIKAK FAMILY: A STUDY IN THE HEREDITY OF FEEBLE-MINDEDNESS* (1912). Numerous other eugenic family studies were eventually published. See, e.g., *WHITE TRASH: THE EUGENIC FAMILY STUDIES, 1877–1919* (Nicole Hahn Rafter ed., 1988).

the sins of the fathers should be visited on the helpless children they have borne.”³² The theme also surfaced in moving pictures.³³ The effect of sexually transmitted disease as a moral failing and eugenic curse was commonly enlisted in efforts to reform laws on prostitution and abolish brothels in cities during this period. Philanthropists and physicians joined the clergy, judges, and politicians in urging “eugenic marriage laws” that would require testing for “venereal diseases” as a condition of marriage.³⁴

Temperance supporters and prohibition advocates also referenced the story of the “lazy drunkard” Max Jukes in their campaigns on “the liquor question.” “The deeds of the fathers are the debts of the sons,” they asserted. “Vote dry.”³⁵ Max Jukes became a favorite whipping boy of the Temperance movement. Some medical writers linked both liquor and lust as concerns that could be addressed by eugenics.³⁶ In a short time the Jukes family came to symbolize the idea of inherited intergenerational family defects—an accepted feature of early 20th-century discourse.

II. JONATHAN EDWARDS—THE ANTI-JUKE

A generation after Dugdale, Albert E. Winship published a book that contrasted the Jukes family with the family of New England Puritan revivalist Jonathan Edwards.³⁷ Edwards was “the theological genius” of the 18th-century religious “great awakening” in the United States and became the country’s “single most important evangelical.”³⁸ He was also the author of one of the most famous sermons in American history, “Sinners in the Hands of an Angry

³² Roslyn Grey, *The Curse of Heredity*, 6 LUDGATE 228 (1898); see also ANGELIQUE RICHARDSON, LOVE AND EUGENICS IN THE LATE NINETEENTH CENTURY: RATIONAL REPRODUCTION AND THE NEW WOMAN 91 (2003).

³³ A film entitled *The Heritage* “touches rather closely to the subject of eugenics. . . . The girl and her mother see a crippled child on the streets. The mother explains that it is a case of ‘sins of the fathers.’ Later the girl learns that her lover has lived a fast life during his early career, and for this reason refuses to accept him.” 18 MOVING PICTURE WORLD: FILM EXHIBITORS’ INDEX GUIDE 265 (Oct. 18, 1913) (listing and describing the film *The Heritage*).

³⁴ VICE COMMISSION OF CHICAGO, THE SOCIAL EVIL IN CHICAGO: A STUDY OF EXISTING CONDITIONS WITH RECOMMENDATIONS 291 (1911) (listing “a study of eugenics” as one factor that would inform “the medical aspect of control” of venereal diseases). Eventually every state had some kind of “eugenic marriage law,” including those that restricted marriage based on STD status. See M.A. Thesis, Mary Laack Oliver, *Eugenic Marriage Laws of the Forty-Eight States* (Univ. of Wisconsin 1937).

³⁵ *A Family History* (advertisement), BOURBON NEWS, Sept. 4, 1914 (newspaper based in Paris, Kentucky).

³⁶ Maximilian P.E. Grozmann, *Sane Eugenics*, 20 MED. REV. OF REVIEWS 638, 644–45 (1914) (stating, “I am fully alive to the evils of intemperance and sexual vice. I am as ready as anyone to protect the unborn generations from the transmission of taint. I am well aware of the fact that the sins of the fathers are visited upon the children even unto the third and fourth generation. Of course, therefore, the study of eugenics is a most important science”).

³⁷ ALBERT E. WINSHIP, *JUKES-EDWARDS: A STUDY IN EDUCATION AND HEREDITY* (1900).

³⁸ DOUGLAS A. SWEENEY, *THE AMERICAN EVANGELICAL STORY: A HISTORY OF THE MOVEMENT* 44 (2005).

God,” and was later named President of the College of New Jersey (Princeton University).³⁹

Winship, an ordained Congregationalist minister and an expert on Bible Study and Sunday School Teaching,⁴⁰ described the Jukes as “the vicious, pauper, criminal class who are to fill the dens of vice, the poorhouses, and the prisons; who are to be burglars, highwaymen, and murderers.”⁴¹ Winship picked the descendants of Jonathan Edwards as a family to contrast with the Jukes, a demonstration that among men, as among breeding animals, the power of heredity prevailed. With a metaphor straight from the farm, Winship declared “that a mighty intellectual and moral force does plough the channel of its thought and character through many Generations.”⁴² He went on to catalog the ills of the Jukes and the triumphs of the descendants of Edwards.

In 150 years the Jukes never did mingle first-class blood with their own, and the Edwards family has not in 150 years degenerated through marriage. . . . The Jukes were notorious law breakers, while the Edwards family has furnished practically no lawbreakers, and a great array of more than 100 lawyers, thirty judges, and the most eminent law professor probably in the country. . . . Of the Jukes, 440 were more or less viciously diseased. The Edwards family was healthy and long lived. . . . The Jukes neglected all religious privileges, defied and antagonized the church and all that it stands for, while the Edwards family has more than a 100 clergymen, missionaries, and theological professors. . . . Whatever the Jukes stand for, the Edwards family does not. Whatever weakness the Jukes represent finds its antidote in the Edwards family, which has cost the country nothing in pauperism, in crime, in hospital or asylum service.⁴³

Winship’s comments on the Jukes and their supposed antipathy toward the church were completely speculative; Dugdale said almost nothing about their religious habits. Other writers followed the Winship lead and the Jukes story appeared regularly in school textbooks⁴⁴ and professional literature.

³⁹ JONATHAN EDWARDS, “SINNERS IN THE HANDS OF AN ANGRY GOD”: A CASEBOOK xii (Wilson H. Kinnach et al. eds., 2010).

⁴⁰ Among his publications was ALBERT E. WINSHIP, *METHODS AND PRINCIPLES IN BIBLE STUDY AND SUNDAY SCHOOL TEACHING* (1885). Winship was also the long time editor of the *Journal of Education*.

⁴¹ WINSHIP, *supra* note 37, at 8.

⁴² *Id.* at 53.

⁴³ *Id.* at 53–60.

⁴⁴ Perhaps the most popular textbook of the early 20th century was GEORGE WILLIAM HUNTER, *A CIVIC BIOLOGY* (1914). It contained a long section on heredity, *id.* at 261–65, and included the Jukes/Edwards pedigrees over the caption “blood tells” and descriptions of society’s “true parasites” who “take from society, but they give nothing in return.” *Id.* at 263. The book was the focal point for the controversy about teaching evolution and the famous John Scopes Tennessee “Monkey Trial.” See EDWARD J. LARSON, *SUMMER FOR THE GODS: THE SCOPES TRIAL AND AMERICA’S CONTINUING DEBATE OVER SCIENCE AND RELIGION* (1997). For a survey of how stories like the Jukes appeared in school texts throughout the 20th century, see STEVEN SELDEN, *INHERITING SHAME: THE STORY OF EUGENICS AND RACISM IN AMERICA* 63–83 (1999).

Charles Davenport was the founder of the Eugenics Record Office and the most prominent proponent of eugenics in America. He enumerated the “300,000 insane and feeble-minded . . . 160,000 blind or deaf, the 2,000,000 that are annually cared for by our hospitals and Homes . . . 80,000 prisoners and . . . 100,000 paupers in almshouses and out” who constitute “a fearful drag on our civilization.” His solution was not to “vote more taxes or be satisfied with the great gifts and bequests that philanthropists have made” but to follow science in crafting remedies to eliminate the sources of such “defective and degenerate protoplasm.”⁴⁵

Davenport later included the Edwards story in his popular textbook *Heredity in Relation to Eugenics* as evidence of the benefits of positive hereditary matches and the danger of mingling with the carriers of “defective germplasm.”⁴⁶ The Edwards family was seen as a paragon of righteous heredity, the counterpoint to the tainted, evil Jukes clan. Other prominent writers identified with the eugenic cause followed the same pattern as Davenport in their discussions of the Jukes and Edwards families. Albert Wiggam provided what may have been the most dramatic linkage between eugenics and religion. Wiggam reinterpreted the *Old Testament* “sins of the fathers” language to focus on “the unpardonable sin of assortative mating with the sinful,” and proposed an updated set of commandments, saying:

Eugenics is a method ordained of God for securing better parents for our children, in order that they may be born more richly endowed, mentally, morally, and physically for the human struggle. . . . Eugenics means a new religion, a new moral code, a new social and political Bible. . . . If Jesus had been among us, he would have been president of the First Eugenics Congress.⁴⁷

III. THE JUKES REDUX: ARTHUR ESTABROOK

The story of the Jukes was brought up to date for a 20th-century audience with the publication of Arthur Estabrook’s *The Jukes in 1915*.⁴⁸ Estabrook learned how to do eugenical studies at the Eugenics Record Office, where he

⁴⁵ Charles Davenport focused early attention on the tendency of criminals and the poor to raise the taxes of the rest of society. See Charles B. Davenport, *Eugenics: The Science of Human Improvement by Better Breeding* 31 (1910), available at <http://www.dnalc.org/view/11620-Eugenics-The-Science-of-Human-Improvement-by-Better-Breeding-by-Charles-B-Davenport-1-.html> (a lecture delivered to the American Academy of Medicine, at Yale University, Nov. 12, 1909).

⁴⁶ CHARLES B. DAVENPORT, HEREDITY IN RELATION TO EUGENICS 268 (1913). Davenport also used the Jukes as an example of “the inheritance of laziness.” See Charles B. Davenport, *Influence of Heredity on Human Society*, 34 ANNALS AM. ACADEMY POL. & SOC. SCI. 16, 18 (1909).

⁴⁷ DAVENPORT, HEREDITY, *supra* note 46, at 233–34, 226–27 (Jukes family and Edwards lineage); e.g., LOTHROP STODDARD, THE REVOLT AGAINST CIVILIZATION 95, 96, 247, 260–61 (1922) (Jukes family and Edwards family); PAUL POPENOE & ROSWELL HILL JOHNSON, APPLIED EUGENICS 161–62 (1923) (Jukes family); Albert Wiggam, *The New Decalogue of Science*, 103 CENTURY MAG. 643, 647 (1922).

⁴⁸ ARTHUR H. ESTABROOK, THE JUKES IN 1915 (1916).

completed an earlier family survey with his mentor Charles Davenport as co-author.⁴⁹ *The Jukes in 1915* examined Dugdale's subject four decades later, and in considerably more detail, tracing some branches of the clan who had dispersed to other states. In his *Preface* to Estabrook's book, Davenport noted that the latter day Jukes "still show the same feeble-mindedness, indolence, licentiousness, and dishonesty, even when not handicapped by the associations of their bad family name, and despite the fact of being surrounded by better social conditions."⁵⁰ By then thoroughly convinced that the Jukes were victims of a poisonous heredity, he emphasized the "great mistake" made by "social agencies" who attempt to improve a family's conditions while ignoring family background. The value of a detailed re-examination of the Jukes, he said, was that it "demonstrates again the importance of the factor of heredity."⁵¹ Other professionals concurred. Psychologist Arnold Gesell produced a "eugenic survey" of a 33 year span of a "Village of a Thousand Souls" that was said to show "in a striking way how the sins of the fathers" led to alcoholism, epilepsy, and feeble-mindedness.⁵² Appeals to the eugenic logic embedded in the Jukes/Edwards stories appeared in respected medical and scientific publications such as the *American Journal of Public Health*. Mazyck Revenal, who edited that publication for 16 years, used the stories to urge more attention to preventive medicine. Referring to the popular histories of the contrasting families, Revenal noted how "feeble-minded individuals" like the Jukes "manifest a propensity for begetting numerous offspring, without responsibility for the present or regard for the future."⁵³

Within a decade, the American Eugenics Society (AES) had incorporated Estabrook's conclusions to explain the value of eugenic sterilization. Consciously adopting religious imagery, the AES published a *Eugenics Catechism*, where this question appeared:

Q. Why sterilize?

A. To rid the race of those likely to transmit the dysgenic tendencies to which they are subject. To decrease the need for charity of a certain form. To reduce taxes. To help alleviate misery and suffering. To do what Nature would do under natural conditions, but more humanely.

The *Catechism* focused on the millions of dollars that would have been saved if only \$150 had been spent to sterilize "the original Jukes pair."⁵⁴

⁴⁹ ARTHUR H. ESTABROOK & CHARLES B. DAVENPORT, *THE NAM FAMILY: A STUDY IN CACOGENICS* (1912).

⁵⁰ ESTABROOK, *supra* note 48, at iii.

⁵¹ *Id.* at iv.

⁵² RICHARD MORSE, FEAR GOD IN YOUR OWN VILLAGE 78 (1918) (describing Gesell, *A Village of a Thousand Souls*, AM. MAG. (Oct. 1913)).

⁵³ Mazyck P. Ravenel, *Evolution and Preventive Medicine*, 14 AM. J. PUB. HEALTH 1016, 1016 (1924).

⁵⁴ *A Eugenics Catechism*, American Eugenics Society (1926), available at <http://www.uvm.edu/~eugenics/primarydocs/oraesec000026.xml>. By the time of the AES Catechism, the identification of

IV. THE JUKES IN INSPIRATIONAL AND RELIGIOUS TEXTS

Eugenics organizations were not alone in using the Jukes story to instruct the faithful about the wages of sin and the threat of generational curses. Elliot Rowland Downing's *The Third and Fourth Generation: An Introduction to Heredity*⁵⁵ was a book whose title echoed the biblical phrase "visiting the sins of the fathers upon the children into the third and fourth generation."⁵⁶ Downing's text was designed to be used for edification and education, filling in the gaps between a child's visits to Sunday school. The "curriculum of religious education," he said, "may well include a wide range of social studies," and this book was developed as part of a series to address those topics. It represented

an attempt to consider frankly and seriously the scientific facts regarding the problem commonly called "eugenics." The religious understanding of this highly interesting subject is at once apparent when one thinks of the perfecting of human society as the goal of the divine plan.⁵⁷

Downing's book included the pedigree of Charles Darwin and his half cousin Francis Galton, the man who coined the term eugenics. It provided details of the life of Erasmus Darwin, grandfather of both Charles Darwin and Francis Galton,⁵⁸ but made no mention of grandpa Darwin's two illegitimate children or of the alcoholism of his first wife,⁵⁹ decidedly dysgenic traits according to contemporary criteria. Downing also repeated the contrasting stories of Jonathan Edwards and Max Jukes.⁶⁰ He discussed familial intermarriage ("inbreeding"), finding it no real problem in successful families like

eugenics with the biblical curse had also become common among medical writers. See Sarah M. Hobson, *Pragmatic Eugenics*, 35 *CLINIQUE* 323 (1914) ("The fundamental thought in eugenics has been current in human life since the days of the wise saying: 'The fathers have eaten sour grapes and the children's teeth are set on edge,' or that other, 'The sins of the fathers are visited upon the children unto the third and fourth generation.' The Hebrew regulations of *Deuteronomy*, the prophecies of Isaiah, Plato's *Republic* and More's *Utopia* are examples in literature of the ideals which, linked with the modern study of biology, have brought eugenics to its present status").

⁵⁵ See ELLIOT ROWLAND DOWNING, *THE THIRD AND FOURTH GENERATION: AN INTRODUCTION TO HEREDITY* (1918) (published in the University of Chicago Publications in Religious Education series).

⁵⁶ The intergenerational curse, so often cited by eugenicists to bolster their hereditarian arguments, occurs at least four times in the *Old Testament*: *Exodus* 20:5, *Deuteronomy* 5:9, *Exodus* 34:7, and *Numbers* 14:18. Galton's biographer Karl Pearson notes that the Mosaic Code and the injunction about "sins of the fathers" seemed more about a call to monotheism than a comment on eugenics, but that in "modern days . . . we have adopted them as appropriate to heredity in disease." 3a KARL PEARSON, *LIFE OF FRANCIS GALTON* 223–24 (1930).

⁵⁷ DOWNING, *supra* note 55, at viii.

⁵⁸ *Id.* at 10.

⁵⁹ Desmond King-Hele, *Erasmus Darwin's Life at Litchfield: Fresh Evidence*, 49 *NOTES & RECORDS ROYAL SOC'Y OF LONDON* 231, 236, 240 (July 1995).

⁶⁰ See DOWNING, *supra* note 55, at 13–18.

Darwin or Johan Sebastian Bach because “[i]f superior stock is used, inbreeding merely prevents its dilution. If poor stock is used, the inferior qualities continually reappear in the offspring.”⁶¹

By the middle of the first decade of the 20th century, the story of the Jukes family had not only found a place in Sunday school instruction; many preachers also recited it from their pulpits. Reverend Thomas Boyer quoted a convicted criminal “awaiting to be hung for a heinous crime.” His testimony was clear as he gave witness “straight from the scaffold.” “I was a thief from my birth. I am bad from heredity.” Reverend Boyer reminded his flock of the legacy of Margaret the Mother of Criminals, fountainhead of the Jukes clan, whose descendants “received public charity . . . were punished for crime . . . were offenders against virtue and were diseased.”⁶² Others were so confident of the message of problematic heredity and eugenics and the power of the Jukes story that they lectured lawmakers on their duties to children lest they too turn out like Max Jukes rather than Jonathan Edwards.⁶³ The message was clear to these religious leaders: the Jukes story was all too true, and to many it proved the power of the eugenic curse. Children are “born of the same plasm from which their parents were before them born. The type is older than the father and mother. Generations come and go, the type lives on.” The “hideous record of the classic Juke family” was the prime example of the generational curse.⁶⁴

The Jukes/Edwards story was highlighted in newspaper advertisements exhorting readers to “Go to Church Tomorrow,”⁶⁵ and one leader in the prohibition movement made the link between Biblical law and eugenic precept palpable: “The law of Moses is the law of Eugenics—that the sins of the father shall be visited upon the children unto the third and fourth generation.”⁶⁶

Even Billy Sunday, the most famous evangelist of the era sometimes designated as America’s Third Great Awakening, embraced the Jukes story. Sunday is usually described as an opponent of eugenics, because in some

⁶¹ *Id.* at 16. Christine Rosen’s analysis of eugenics and religion in the United States notes that stories like the Jukes appeared regularly in the sermons sponsored by the American Eugenics Society in the 1920s. See CHRISTINE ROSEN, *PREACHING EUGENICS: RELIGIOUS LEADERS AND THE AMERICAN EUGENICS MOVEMENT* 120–25 (2004). Rosen concentrates on describing the “liberal Protestant” ministers who endorsed some version of eugenics but there is no discussion of the appearance of the Jukes legend in evangelical services years earlier. *Id.* at 121–37. Dennis Durst clarifies evangelical connections to eugenics. See Dennis L. Durst, *Evangelical Engagements with Eugenics, 1900–1940*, 18 *ETHICS & MED.* 45 (2002), available at http://ethicsandmedicine.com/archive/18/summer02_commentary3.php.

⁶² *He Preached on Childhood*, OAKLAND TRIB., June 8, 1903.

⁶³ *Dr. Lee Talks to the Legislature*, ATLANTA CONST., June 27, 1910.

⁶⁴ Rev. Phillips E. Osgood, *Our Responsibility to the Unborn Generations*, AM. PERIODICALS, Sept. 29, 1927; see also, e.g., Editor, *Early Religious Training*, 29 *METHODIST REV.* 953, 953–55 (1913) (“The Classic Illustration of the result of good birth and careful religious training, as compared with the lack of both, is the record of Max Jukes and the Edwards families.”).

⁶⁵ L. Morgan Chambers, *The Self-Made Man: Temple Talks No. 12*, WASH. TIMES, July 11, 1914.

⁶⁶ EDITH SMITH DAVIS, *A COMPENDIUM OF TEMPERANCE TRUTH* 116 (1916).

sermons he criticized it along with evolution as “scientific junk” that had no power to calm grieving souls⁶⁷ or dismissed “culture and eugenics” as dead-end paths in the progress of humanity.⁶⁸ But his position was inconsistent. In other sermons he was happy to go along with the “doctrine of eugenics” and “any and all movements for the good and uplift of humanity” as long as they did not ignore the tenets of his faith.⁶⁹

The eugenic mythology that surrounded the Jukes story was powerful—sinners predestined to perdition by a family history of bad blood that gave rise to bad behavior. Sunday appreciated the power of the Jukes myth and relied on it often. “When Chickens Come Home to Roost,” a sermon described by a contemporary writer as the “biggest drawing-card on the athletic evangelist’s repertoire,”⁷⁰ was a famous and powerful “men only” homily,⁷¹ in which Sunday repeated the Jukes parable and railed against sexual license:

the evangelist this afternoon and tonight, addressing audiences of men, attacked the vices and the immorality of the present generation of men, which he said would be inherited by the next generation and the next, and the next.⁷²

Sunday sounded themes common to eugenic propaganda, including “a plea for generations yet unborn,” according to news reports.⁷³ Sunday quoted Dugdale’s study, mentioning both the Jukes and Edwards families in his exposition of the influence of heredity, and used other illustrations on this topic and on that of prenatal influence, showing his listeners “a considerable range of reading on the subject.”⁷⁴

It was a favorite feature of Sunday’s preaching to condemn the power of “one God-forsaken, vicious, corrupt man and woman to breed and propagate and damn the world by their offspring.”⁷⁵ His message, “well known to students of eugenics,” was that children have a right to be born cleanly into the world,

⁶⁷ Billy Sunday, *Spiritual Food for a Hungry World*, <http://hopefaithprayer.com/books/billysundaysermons.pdf> (last visited Mar. 13, 2012) (“After you have gotten through with your science, philosophy, psychology, eugenics, social service, sociology, evolution, protoplasm, and fortuitous concurrence of atoms, if she isn’t bug-house, I will take the Bible and read God’s promise, and pray.”).

⁶⁸ *Maternity Out of Fashion Says Billy*, SYRACUSE HERALD, Dec. 8, 1915, at 25.

⁶⁹ *Historic Fabric of Christ’s Life Nothing Without the Miracles*, SYRACUSE HERALD, Nov. 5, 1915.

⁷⁰ WILLIAM JOHN FIELDING, SANITY IN SEX 151 (1920).

⁷¹ The sermon was for “men only” because it included “a grim expose of the prevalence of venereal disease and its horrible consequences.” WILLIAM GERALD McLOUGHLIN, MODERN REVIVALISM: CHARLES GRANDISON FINNEY TO BILLY GRAHAM 414 (1959).

⁷² *Sunday Despairs of This Bad City*, N.Y. TIMES, Jan. 18, 1915.

⁷³ *Sunday, Atop Pulpit, Wins Men to Trail*, N.Y. TRIB., Apr. 30, 1917. Sunday was accused of having plagiarized parts of this sermon from an earlier evangelist. See *Sunday Attacked by Secretary Who Resigned*, BATAVIA TIMES, June 18, 1915.

⁷⁴ *35,000 Hear Sunday Talk to Men Only*, N.Y. TIMES, Apr. 30, 1917; *3606 Hit the Trail as “Devil Frowns,”* N.Y. TIMES, Apr. 23, 1917.

⁷⁵ *35,000 Hear Sunday Talk*, *supra* note 74.

and not be “damned into the world before birth by a predetermined heritage of blight.”⁷⁶

Sunday’s use of contrasting legacies of the Jukes and Edwards families was seconded by none other than William Jennings Bryan, former Secretary of State, three-time Presidential candidate, and scourge of those who supported the teaching of Darwinian evolution. Bryan praised Sunday’s famous sermon “The Chickens Come Home to Roost” as the perfect expression of the biblical injunction that declares the sins of the father as a curse to the son “unto the third and fourth generations.” According to Bryan, “it is a classic in rhetoric and a battering ram in energy.”⁷⁷

Other evangelists echoed the same themes. Like many who retold the Jukes/Edwards parable, the evangelist Milford H. Lyon was somewhat careless with the facts. He traced the Jukes lineage not to New York but to Pennsylvania. Lyon then inflated the figure supposedly due to the Jukes wanton living from \$1,300,000 to \$3,000,000 and summarized their lives: “Friends, it is a good thing to have a good ancestry, and I should impress the present generation that they are fixing the fate for the thousands yet unborn.”⁷⁸

V. EUGENIC STERILIZATION: THE JUKES AND *BUCK V. BELL*

By the end of the 19th century, *The Jukes* story also resonated with lawyers, who used Dugdale’s family study to argue for legal restrictions on marriage, asserting that “criminality, like moral greatness ‘runs in the blood.’”⁷⁹ Heredity was “an inexorable law” that pointed to the need for limiting reproduction in some families. Commentators understood how “[p]athological tendencies are handed down; [including] tuberculosis, cancer, epilepsy, insanity, rickets, etc. and moral proclivities.” The story of the Jukes contained a prime example, which was “repeated and recognized in

⁷⁶ *Sunday Stirs Paterson and Wins 1,105 in a Day*, TRENTON EVENING TIMES, Apr. 19, 1915.

⁷⁷ *Wm. J. Bryan Indorses [sic] Billy Sunday’s Slang*, PORTSMOUTH DAILY TIMES, Dec. 16, 1916. Bryan is generally depicted as hostile to eugenic thinking because of its connection to evolutionary theory. See EDWARD J. LARSON, *SUMMER FOR THE GODS: THE SCOPES TRIAL AND AMERICA’S CONTINUING DEBATE OVER SCIENCE AND RELIGION* 115 (1997) (“Bryan had targeted eugenic thinking as one of the evil consequences of teaching evolution.”). Bryan’s wife’s involvement in a eugenics organization in Washington, D.C., with Mrs. Woodrow Wilson, may further complicate our understanding of his position on eugenics. See *Board to Promote Eugenics*, WASH. POST, June 4, 1913, quoted in PAUL A. LOMBARDO, *THREE GENERATIONS, NO IMBECILES: EUGENICS, THE SUPREME COURT AND BUCK V. BELL* 46 (2008); see also *Progress on Pure Marriage Laws—National Society for the Promotion of Practical Eugenics to Be Formed*, BOSTON EVENING TRANSCRIPT, June 4, 1913.

⁷⁸ *Scores Find Life as Death Claims National Leader: One Hundred Conversions Follow Preaching of Sermon on “Death and the Judgment” by Dr. Lyon*, NEWARK DAILY ADVOCATE, Oct. 31, 1912. For an example of someone other than a preacher who invokes the “as yet unborn,” in the name of eugenics, see Henry Fairfield Osborn, *A Scientist’s England*, 77 FORUM 637 (1927).

⁷⁹ *Transmission of Criminal Traits*, 3 GREEN BAG 215 (1891).

every neighborhood.”⁸⁰ A society of “sound individuals” would stabilize the state; “a clean physical race” could be the first step to reform.⁸¹ Laws regulating marriage to prevent the transmission of “defective” conditions began as early as 1896 and had spread to half the states by 1914.⁸²

A more radical reform involved legalized state surgery. The claim that surgical interventions would rid society of families like the Jukes began even before Dugdale’s study was published. The *Scientific American* prescribed “the knife remedy” as the best method of treating Margaret the Mother of Criminals⁸³ and recommended “the surgeon, not the parson or the turnkey, [as] the proper man to deal with the matter.”⁸⁴

The passage of state laws sanctioning sterilization for convicted criminals and asylum inmates began with a 1907 Indiana law and brought that sentiment to fruition. An analysis of the earliest eugenic sterilization laws recited the settled wisdom “that idiocy, insanity, imbecility and feeble-mindedness are hereditary.”⁸⁵ The Jukes story was invoked to justify the hoped-for result of such laws, that they would prevent the “increase of defective humanity.”⁸⁶

Virginia was a key state in the campaign for state sterilization laws justified by the fears of uncontrolled breeding among degenerate families. The stage was set for eugenic legislation in Virginia by a report that described the dangers of “mental defectives” in that state, enumerating the economic burden they posed and comparing them to the infamous clans of other states.

If antisocial persons, both feeble-minded and normal, are allowed to continue as they are now trending, the debt future generations will have to pay will stagger humanity. We shudder when we think of the Jukes and the Kallikaks and the Tribe of Ishmael, the degeneracy that has resulted and the millions of dollars it has cost the taxpayers of other states; but right here in Virginia we have our own Jukes, and our own Kallikaks, and our own Tribe of Ishmael, and now is the time to act.⁸⁷

In 1924, Virginia enacted a sterilization law that was eventually upheld in the United State Supreme Court decision of *Buck v. Bell*. It included the

⁸⁰ G.D. Cameron, *Shall Marriage Be Restricted?*, 2 W. RES. L.J. 49, 49–50 (1896–97).

⁸¹ *Id.* at 51.

⁸² See generally A CENTURY OF EUGENICS IN AMERICA: FROM THE INDIANA EXPERIMENT TO THE HUMAN GENOME PROJECT (Paul A. Lombardo ed., 2010).

⁸³ *The Generation of the Wicked*, 32 SCI. AM. 128 (1875).

⁸⁴ *The Prevention of Criminal Propagation*, 36 SCI. AM. 32 (1877).

⁸⁵ Chas. E. George, *Sterilization of Criminals, Idiots and Insane*, 75 CENT. L.J. 87, 91 (1912).

⁸⁶ *Id.* at 94–95.

⁸⁷ JOSEPH T. MASTIN, MENTAL DEFECTIVES IN VIRGINIA: A SPECIAL REPORT OF THE STATE BOARD OF CHARITIES AND CORRECTIONS TO THE GENERAL ASSEMBLY OF 1916, ON WEAK MINDEDNESS IN THE STATE OF VIRGINIA; TOGETHER WITH A PLAN FOR THE TRAINING, SEGREGATION, AND PREVENTION OF THE PROCREATION OF THE FEEBLE-MINDED 86 (1915), available at http://digitalarchive.gsu.edu/cgi/viewcontent.cgi?article=1001&context=col_facpub.

most notorious condemnation of a family in Court history. Justice Oliver Wendell Holmes, Jr., provided a succinct legal expression of one way to address inherited problems and intergenerational guilt. As Holmes said: "It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind."

The case highlighted the plight of a young Virginia woman named Carrie Buck who was an inmate, along with her mother, of the Virginia Colony for Epileptic and Feeble-minded. Carrie Buck was unmarried but had a baby. For the supposed lapse in morals that led to the illegitimate birth, Buck was called a "moral degenerate." Her baby, approximately six months old, was called "feeble-minded." The case is uniformly remembered for Holmes's alarming conclusion, describing the Buck family: "Three generations of imbeciles are enough."⁸⁸ Holmes's opinion adopted the logic of eugenic propaganda, circulating for years in popular legends, and made it an explicit feature of a Supreme Court decision.

The eugenic experts who testified at the Buck trial described Carrie Buck's family as a contemporary analog to the Jukes. One of those experts was Arthur Estabrook, the eugenics field worker from the Eugenics Record Office in Cold Spring Harbor, New York. During his three-year study that reexamined the Jukes legacy, Estabrook wrote an article about two families who lived in a shack. One family was human; another consisted of a litter of pigs. The two families competed, according to Estabrook, in the amount of filth they could generate. Estabrook completed the article with a revelation that the human family inhabiting the shack was descended from the original Jukes family.⁸⁹

Estabrook revisited the Jukes in *The Jukes in 1915*, which brought Dugdale's 19th-century story up to date. After lengthy descriptions of latter-day Jukes descendants, Estabrook ended his study with a recommendation that families like the Jukes should be sequestered in institutions and not allowed to multiply. A second recommendation, practicable to Estabrook but thought contrary to "public sentiment," was "sterilization of those whose germ-plasm contains the defects which society wishes to eliminate."⁹⁰

More than a decade later, Estabrook was hired to testify at the Virginia trial that would determine whether Carrie Buck would be sterilized. Estabrook recited his qualifications by detailing the study he had done of "degenerate families" like the Jukes. He had a copy of *The Jukes in 1915* sent to the

⁸⁸ Buck v. Bell, 274 U.S. 200, 207 (1927).

⁸⁹ Arthur H. Estabrook, *A Two Family Apartment*, 30 SURVEY 853 (1913).

⁹⁰ ESTABROOK, *supra* note 48, at 85; see also HARRY H. LAUGHLIN, EXHIBITS BOOK—SECOND INTERNATIONAL EXHIBITION OF EUGENICS 149 fig. 44 (1923) (Estabrook also developed charts that he displayed at the Second International Congress of Eugenics in New York's Museum of Natural History in 1921 showing the Jukes pedigree).

attorney arguing in favor of sterilization so it could be displayed in court as evidence of his expertise. His assessment focused on how Carrie Buck's family was equivalent, in its propensity to crime, poverty, and feeble-mindedness, to the original Jukes.⁹¹ Estabrook's testimony was a key piece of evidence used to support the court's conclusion declaring the legal validity of Virginia's sterilization law. His findings about the Buck family eventually echoed in the Oliver Wendell Holmes opinion condemning the Bucks: "Three generations of imbeciles are enough."⁹²

By the time the *Buck* case was decided, judges were accustomed to reciting the iron law of heredity: "like begets like." The contrasting sagas of the Jukes and Edwards families continued to provide ready justification for sterilization laws and promised that "each succeeding generation would be immeasurably better off financially, physically, mentally, socially, and morally."⁹³ Leon Whitney, whose book *The Case for Sterilization*⁹⁴ was on Adolf Hitler's bookshelf, used the Jukes/Edwards model to illustrate "degeneracy in the making" and cited the case of "poor, unfortunate Carrie Buck" as the precedent that all would now follow to avoid more Juke-like families.⁹⁵

In the years following the *Buck* case, accounts of the Jukes family linked with the biblical curse invoked by evangelists continued to appear in the eugenics literature. Sometimes the connection was even portrayed in illustrations, such as one showing a man crippled by syphilis, accompanied by a blind son and a daughter whose leg is supported by a brace. All three maladies were presented as resulting from a degraded life passed down through families from parents to children as part of an hereditary legacy.⁹⁶ This linkage persisted despite widely available evidence that those who used Dugdale's Jukes to argue for hereditary, generational curses had ignored Dugdale's own words.

VI. DEBUNKING JUKES/EDWARDS

There were critiques of Dugdale's argument as soon as it appeared. The Jukes did, after all, represent 42 different families in many cases not connected

⁹¹ LOMBARDO, *supra* note 77, at 4–6.

⁹² *See id.* at 136–48 (Estabrook's testimony, like much of the evidence submitted in the case, was not challenged by Carrie Buck's attorney; neither Buck nor her infant daughter suffered from any "hereditary defect").

⁹³ S.F. Hobbs, *A Law Which Is Not in the Law Books, Yet Fills Them*, 4 ALA. L.J. 241, 242–48 (1929); *see also* C.S. Wheatley, Jr., *Sterilization of Criminals*, 35 L. NOTES 161, 168 (1931).

⁹⁴ LEON F. WHITNEY, *THE CASE FOR STERILIZATION* 105 (1934) (Whitney was the Secretary of the American Eugenics Society).

⁹⁵ *Id.* at 165; *see* STEFAN KUHL, *THE NAZI CONNECTION: EUGENICS, AMERICAN RACISM, AND GERMAN NATIONAL SOCIALISM* 85 (1994) (explaining Leon F. Whitney's contact with Nazis).

⁹⁶ HERMAN H. RUBIN, *EUGENICS AND SEX HARMONY: THE SEXES, THEIR RELATIONS AND PROBLEMS* 31 (1938) (Caption: "The sins of the parents are visited upon the children—syphilitic father and blind son").

by genetic links. To use this loosely related tribe of social outcasts to argue that biology is destiny took a leap of faith not everyone was prepared to make.⁹⁷ Even Henry Goddard, author of another famous eugenic family study, *The Kallikak Family*,⁹⁸ found neither *The Jukes* nor Winship's account of the Edwards family convincing enough to prove the power of heredity.⁹⁹

Perhaps the most well-read expose of the Jukes/Edwards mythology was an article by Clarence Darrow, published in 1925 in the popular magazine *American Mercury*. He accurately identified the stories as one of most commonly used ploys of eugenic authors such as Albert Wiggam, who summed up all insights into heredity with the simple assertion: "blood always tells." According to Darrow, "like every other eugenicist," Wiggam uses the Jukes and Edwards stories to make his larger eugenic points.¹⁰⁰ Of the positive heredity supposedly exemplified by the family of Jonathan Edwards, Darrow concluded: "His fame as a preacher gave him a sort of standing that opened opportunities and places to his kin and descendants that were denied to others of greater abilities. The laws of heredity are infinitely subtle and uncertain. The laws of social heritage are very much easier to understand."¹⁰¹ Darrow dismissed the Jukes story as well, saying that "[i]t is the story of the squalid section of every isolated, sterile, rural community and of every poverty-stricken city district." On balance, he preferred the Jukes.¹⁰²

As time passed, others criticized the family studies. In 1932, Jacob Landman attacked the recycled mythology of generational blessings and curses embedded in the contrasting pedigrees of the Jukes and Edwards families. He noted that even Arthur Estabrook's 1915 revision of the Jukes study conceded that the Jukes who relocated to a better environment became productive citizens.¹⁰³ Landman leveled an even more devastating critique against those who touted the purity of the Edwards clan—the "ideal family of American life." Jonathan Edwards, he notes, was the grandson of Elizabeth Tuttle and an obscure merchant named Richard Edwards. The famous evangelist's grandfather Edwards divorced his grandmother Tuttle "because of her adulteries

⁹⁷ See, e.g., *Nebulae*, 24 *GALAXY* 575, 575 (1877) ("After a careful reading . . . of Mr. Dugdale's book, we cannot agree with him in his main conclusions; nor can we even agree with him in the conclusion which is embodied in the phrase applied to Ada Juke—'the mother of criminals'"); *Criminals and Their Treatment*, 26 *CATHOLIC WORLD* 56, 58 (1877) ("We find ourselves at variance with some of his conclusions.")

⁹⁸ HENRY H. GODDARD, *THE KALLIKAK FAMILY: A STUDY IN THE HEREDITY OF FEEBLE-MINDEDNESS* (1913).

⁹⁹ *Id.* at 52–53 (concerning the Jukes/Edwards comparison: "It is a striking comparison, but unfortunately not as conclusive as we need these days"; concerning the Jukes: "[T]here is nothing that proves the hereditary character of any of the crime, pauperism, or prostitution that was found").

¹⁰⁰ Clarence Darrow, *The Edwardses and the Jukes*, 6 *AM. MERCURY* 147 (1925).

¹⁰¹ *Id.* at 153.

¹⁰² *Id.* at 157.

¹⁰³ J.H. LANDMAN, *HUMAN STERILIZATION: THE HISTORY OF THE SEXUAL STERILIZATION MOVEMENT 187–88* (1932).

and other immoralities.”¹⁰⁴ Tuttle’s sister had “murdered her own son” and her brother killed his own sister. Jonathan Edwards’ father Timothy was a son of “the adultress” Tuttle. Neither Timothy Edwards nor Jonathan’s mother Esther Stoddard was particularly accomplished. Their only noteworthy achievement was being the parents of the famous preacher.¹⁰⁵

Landman calculated that in 9 generations some 90,000 people were descended from Elizabeth Tuttle. Yet only about 500—the most prominent ones—were accounted for in the celebrated Edwards family story. The founding mother of the Edwards clan was not identified by Winship as an ancestor of the celebrated preacher, and though the other 85,500 might have represented every kind of reprobate, they do not appear in the flattering accounts that purported to describe the famous bloodline. By demonstrating that Jonathan Edwards grandmother was hardly more virtuous than Margaret the Mother of Criminals, Landman effectively debunked the Edwards mythology.¹⁰⁶ He was not alone in pointing out the flaws in eugenic family studies that made the Jukes and the Edwards exemplars of heredity.

By the 1930s a consensus had formed among many experts that genealogical studies of problem families like the Jukes, described by one commentator as “the royal families of the feebleminded,” were of very little value. In a book that re-examined the practice of eugenic sterilization, Abraham Meyerson led an American Neurological Society committee that dismissed such work done “under the caption of science” during the early years of the eugenics movement. Meyerson pointed to the “serious and destructive criticism” that had been leveled at investigative techniques used by Dugdale and others, often relying on detailed reports about people already dead for several decades.¹⁰⁷ But by then generations of Americans had learned the Jukes story in school, read it in the press and heard it in church, and the Jukes name had been repeated so often that it became a recognizable and accepted label used to describe “white trash” problem families. In 1946 playwright Maxwell Anderson enlisted the name as a slur to depict drama critics as the “Jukes family of journalism.”¹⁰⁸ By 1960 the name was so common that presidential historian Theodore White used it as shorthand for states with political practices that are “squalid, corrupt and despicable,” embodying characteristics of “the Jukes family of American politics.”¹⁰⁹

¹⁰⁴ *Id.* at 188.

¹⁰⁵ *Id.*

¹⁰⁶ *Id.* at 189. Landman’s analysis is even more startling because his source for details of the Tuttle scandals was a premier eugenic text. See C.B. DAVENPORT, *HEREDITY IN RELATION TO EUGENICS* 226 (1911).

¹⁰⁷ ABRAHAM MEYERSON ET AL., *EUGENICAL STERILIZATION: A REORIENTATION OF THE PROBLEM* 117 (1936).

¹⁰⁸ Tom Prideaux, *First Nights Are Necessary Evils*, *LIFE*, Apr. 8, 1946, at 110.

¹⁰⁹ THEODORE H. WHITE, *THE MAKING OF THE PRESIDENT: 1960*, at 97 (1961) (describing the contrasting politics of Wisconsin, Minnesota and similar states—“decent and worthy of respect,” with those that are “the most squalid, corrupt and despicable,” Indiana, Massachusetts, Texas—White adds West Virginia to that group as a member of “Jukes family of American politics”).

The explosion in scholarly and general interest literature on eugenics that began in the 1960s and continues today has only reinforced earlier dismissals of the Jukes myth. Many books and dozens of articles evaluate the Jukes story, noting how the original focus on the environmental causes of poverty set out by Harris and Dugdale were quickly subjected to a twisted misinterpretation that fit the genetic models favored by early eugenicists.¹¹⁰

The general public has also seen the Jukes story, as it was used to justify eugenic policy and laws, extensively critiqued and debunked.¹¹¹ Yet the Jukes story remains one of the more persistent legends and, perhaps more troubling yet, continues to be used alongside the similarly debunked pedigree of the Edwards family as a foundational myth in self-help manuals, inspirational books, and sermons. Some people still believe that the parables of the Jukes and the Kallikaks should be used to teach biblical lessons. A few examples are listed below, taken from the hundreds that litter cyberspace.

VII. JUKES/EDWARDS RESURGENT

Marilyn Hickey is the founder and President of Marilyn Hickey Ministries, described on its website as “a nonprofit humanitarian organization based in Denver.” She is the author, with her daughter Sarah Bowling, of over 110 books, translated into 27 languages. She also sells some 100 CD and DVD lectures through her daily “worldwide television program” *Today with Marilyn and Sarah*. Televangelist Hickey received

¹¹⁰ See, e.g., MARK H. HALLER, *EUGENICS: HEREDITARIAN ATTITUDES IN AMERICAN THOUGHT* 22 (1963) (“On the whole, hereditarians managed to appropriate the Jukes to their own uses, despite Dugdale’s disclaimers.”); DONALD K. PICKENS, *EUGENICS AND THE PROGRESSIVES* 169 (1968) (“The scholarly nineteenth-century community and the eugenicists of the progressive era still misunderstood Dugdale, despite his environmental orientation”); KENNETH M. LUDMERER, *GENETICS AND AMERICAN SOCIETY: AN HISTORICAL APPRAISAL* 36 n.104 (1972) (Dugdale’s “words of caution were lost on most of his popularizers, however, who tended to misinterpret his investigation as a justification of the hereditarian viewpoint”); CHARLES E. ROSENBERG, *NO OTHER GODS: ON SCIENCE AND AMERICAN SOCIAL THOUGHT* 46 (1976) (“Perhaps the most remarkable aspect of Dugdale’s work is the systematic misuse of his conclusions by succeeding generations.”); ALLAN CHASE, *THE LEGACY OF MALTHUS: THE SOCIAL COSTS OF THE NEW SCIENTIFIC RACISM* 144–45 (1977) (“Dugdale was obviously far from convinced that the unsocial behavior of the Jukes was the product of bad heredity alone”); DANIEL J. KEVLES, *IN THE NAME OF EUGENICS: GENETICS AND THE USES OF HUMAN HEREDITY* 71 (1985) (“The misinterpretation of [Dugdale’s] work simply reflected the mounting hereditarian propensity of the day”); JAMES W. TRENT, *INVENTING THE FEEBLE MIND: A HISTORY OF MENTAL RETARDATION IN THE UNITED STATES* 71 (1994) (“It was not until after [Dugdale’s] death in 1883 that his writings began to find an interested audience, albeit one that misrepresented his message”); Elof Axel Carlson, *The Hoosier Connection: Compulsory Sterilization as Moral Hygiene, in A CENTURY OF EUGENICS IN AMERICA: FROM THE INDIANA EXPERIMENT TO THE HUMAN GENOME ERA* 23 n.4 (Paul A. Lombardo ed., 2010) (“While a careful reading of this book shows Dugdale to be an environmentalist, his interpretations were ignored and the work was used to justify hereditarian notions of degeneracy”).

¹¹¹ Scott Christianson, *Bad Seed or Bad Science?*, N.Y. TIMES, Feb. 08, 2003, <http://www.nytimes.com/2003/02/08/arts/bad-seed-or-bad-science.html?pagewanted=all&src=pm>.

an honorary Doctor of Divinity degree from Oral Roberts University in 1986.¹¹²

A 2000 book by Hickey, *Breaking Generational Curses*,¹¹³ introduces the reader to the idea of “generational curses.” There are, says Hickey, “many traits in our families—illnesses, attitudes, behavioral characteristics—that are passed down from generation to generation.” The scriptural verse that reveals the source of such curses is familiar: “I the Lord thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me.”¹¹⁴ Hickey is quick to add that families who reap “generational blessings” also have a Bible verse for reference.¹¹⁵ Hickey then introduces the reader to details of the Jukes and Edwards, “American families [that] illustrate the power of generational curses.” The reader learns that “Max Jukes was an atheist who married a godless woman,” while “Jonathan Edwards was a contemporary of Max Jukes. He was a committed Christian who gave God first place in his life. He married a godly young lady.” Graphic representations of the barren tree of the Jukes family and the healthy tree of the Edwards family show the results of the curses and blessings the author describes.¹¹⁶ Hickey focuses on the same features of the Jukes/Edwards families that appealed to the eugenicists of the 19th and 20th centuries: the Jukes cost their communities millions, while “not one descendant [of the Edwards] was a liability to the government.”¹¹⁷ Other Hickey books, such as *Blessing the Next Generation: Creating a Lasting Family Legacy with the Help of a Loving God* (2008) also recite the Jukes/Edwards mythologies as a source of spiritual insight.¹¹⁸

Some books describe the Jukes/Edwards story as a recent academic exercise. In his book *Little by Little*, self-described “respected Christian leader and family man” Jack E. Shaw describes the eugenic family stories in these words:

Around forty years ago, Yale University conducted an extensive seven year study on how a person’s actions in life affect the lives of his or her children. This study was focused around the lives of two men: Max Jukes and Jonathan Edwards. Max

¹¹² Press Kit, Marilyn Hickey Ministries, available at <http://www.mhmin.org/uploads/Pg/R4/PgR4eCVfSwO9jrKxfCpepQ/H2010PressKit.pdf>.

¹¹³ See MARILYN HICKEY, *BREAKING GENERATIONAL CURSES: OVERCOMING THE LEGACY OF SIN IN YOUR FAMILY* (2000).

¹¹⁴ *Exodus* 20:5 (King James).

¹¹⁵ HICKEY, *supra* note 113, at 8 (“Know therefore that the Lord thy God, he is God, the faithful God, which keepeth covenant and mercy with them that love him and keep his commandments to a thousand generations.” *Deuteronomy* 7:9 (King James)).

¹¹⁶ *Id.* at 7–8.

¹¹⁷ *Id.* at 11 chrt.8.

¹¹⁸ See MARILYN HICKEY & SARAH BOWLING, *BLESSING THE NEXT GENERATION: CREATING A LASTING FAMILY LEGACY WITH THE HELP OF A LOVING GOD* (2008), which poses the rhetorical question: “Is your family more like the Edwards or the Jukes?” The contrasting examples are described as “the most profound examples” of generational “blessings or curses.” A “generational curse” is defined as “an iniquity that increases in strength from one generation to the next.” Like the earlier Hickey volume (*supra* note 113) this book also makes use of the “sins of the fathers” biblical exhortation. *Id.*

Jukes was an atheist who believed in the abolition of laws and rules. He formed an organization called the Freedom Movement that preached free sex, no laws, no formal education, and no responsibilities. Jonathan Edwards, on the other hand, was known as the “disciplinarian” not because he disciplined his children harshly, but because he was a self-disciplined man.¹¹⁹

John Bevere is an evangelist who has written such books as *The Bait of Satan* (1994). In *Driven by Eternity: Making Your Life Count Today and Forever*, Bevere also reminds his readers that unlike the profligate Jukes, the descendants of the blessed Jonathan Edwards “did not cost the state a single penny.”¹²⁰ This message is repeated, in some cases almost verbatim, by other authors, usually as part of what they describe as their religious ministries.¹²¹ There are dozens of examples, each citing the Jukes/Edwards stories, each noting the costs of lives like the Jukes in contrast to Edwards. They succinctly make the point: “Our decision to be a follower of God is one of the most effective methods of discipleship: example. It is also one of the best solutions for the ills of society. It can do what government and taxes can’t do!”¹²² Other books that rely on these same stories and repeat the same themes fall into the genre of “self-help” or “inspirational” category.¹²³

But books make up only a small percentage of religious works that use the Jukes story to illustrate the wages of sin. The presence of the Jukes on the Internet is far more extensive. There are hundreds of web sites that repeat the Jukes story, more or less intact, often including references to the Jonathan Edwards genealogy, as the basis for religious inspiration and instruction.¹²⁴ One example of material offered for religious teaching and preaching appears on

¹¹⁹ JACK E. SHAW, *LITTLE BY LITTLE: A JOURNEY TO SUCCESS AND SIGNIFICANCE FOR LIFE* (2009); *Welcome, LITTLE BY LITTLE*, <http://www.littlebylittle.org/> (last visited Mar. 13, 2012) (“*Little by Little* is the collected wisdom of Jack Shaw, a respected Christian leader and family man whose practical personal and professional experiences are certainly page-turners. But his self-proclaimed first passion is ‘to introduce you to Jesus Christ, who is responsible for all the meaningful happenings in my life’”).

¹²⁰ JOHN BEVERE, *DRIVEN BY ETERNITY: MAKING YOUR LIFE COUNT TODAY AND FOREVER* 255–56 (2006).

¹²¹ PAUL CHINTAPALLI, *THE GENERATIONAL CURSE: ARE YOU EXEMPTED?* 187–88 (2004); NICK HARRISON & STEVE MILLER, *SURVIVAL GUIDE FOR NEW DADS: TWO-MINUTE DEVOTIONS TO SUCCESSFUL FATHERHOOD* 180 (2003); JOHN YATES & SUSAN ALEXANDER YATES, *RAISING KIDS WITH CHARACTER THAT LASTS* 25 (1992); ALICE SMITH, *DELIVERING THE CAPTIVES: OVERCOMING THE STRONGMAN AND FINDING VICTORY IN CHRIST* (2006); PATSY ANN REED, *YOU NEED ME . . . I NEED YOU: HOLY MATRIMONY—WHAT A PRIVILEGE* (2008); DAVID JEREMIAH, *SLAYING THE GIANTS IN YOUR LIFE* 207 (2001); SKIP HEITZIG, *GODPRINT: MAKING YOUR MARK FOR CHRIST* 69 (2009).

¹²² ROBERT P. HOLLAND, *SOME UNDERSTAND 1 + 6 = 7: FINDING WISDOM AND RECEIVING PROMISES* 40 (2010).

¹²³ See MICHAEL A. JANKE, *TAKE CONTROL: MASTER THE ART OF SELF-CONTROL AND CHANGE YOUR LIFE FOREVER* 17 (2000); TOM MULLINS, *THE CONFIDENCE FACTOR: THE KEY TO DEVELOPING THE WINNING EDGE FOR LIFE* 184 (2006); JENNIFER SCHUCHMANN & CRAIG CHAPIN, *YOUR UNFORGETTABLE LIFE: ONLY YOU CAN CHOOSE THE LEGACY YOU LEAVE* 16–23 (2005).

¹²⁴ A search conducted through Google.com of “Max Jukes,” yields more than 8,000 web pages; a significant number of them are related to religious groups or topics. Notable contemporary religious figures like the late Jerry Falwell have used the Jukes as examples in their sermons. See *Successful Living in the 21st Century: The Power of Family Heritage*, THOMAS ROAD BAPTIST CHURCH (website),

the website of “Christian Marriage Speaker and Coach, Dr. Raymond Force.” Dr. Force offers a “preacher helps web site” designed to provide biblically based material to be used by “pastors and Bible teachers” in need of “sermon helps, sermon illustrations, ideas for preaching and teaching engagements.”¹²⁵

One of Force’s offerings exhorts women who work in the home to look to the example of Sarah Edwards, wife of Jonathan Edwards. Force quotes liberally from “Crisis in Morality,”¹²⁶ a 1950s work that sets out the standard mythology of “Max Jukes, the atheist” and “the great American man of God, Jonathan Edwards.” Force’s message is meant to assuage the frustrations of women who may feel that they “have wasted thousands of dollars on a good quality education,” or have a “degree collecting dust in the attic” because their time is spent as homemakers. Sarah is given credit for the success of the Edwards line, as the “godly girl” who married Jonathan the evangelist, and is contrasted with the “ungodly girl” who mated with Max Jukes.¹²⁷

Other web sites offer sermon outlines that incorporate the Jukes/Edwards stories along with the biblical references to generational curses. The site “Bible Studies Online” proposes a sermon outline for Father’s Day that addresses the question: “Do you think that your relationship to God influences what your children will become?” The recitation of ills that plagued the descendants of Max Jukes—“professional vagrants . . . physically wrecked by lives of debauchery and uncleanness . . . murderers . . . alcoholics . . . thieves . . . prostitutes”—and the contrasting successes of the Edwards family illustrate the obvious answer.

In “Can You Make a Difference with Young People?” Dr. Rickey A. Nation bemoans “the pitiful shape many American youth are in” and offers the Jukes/Edwards parable as a corrective. His writing appears on the website of Abundant Life Christian Counseling Services, “a Christ-Centered Counseling

<http://web.archive.org/web/20030201125320/http://www.trbc.org/sermons/20001119.html> (last visited Apr. 12, 2012). Students at Reverend Fallwell’s Liberty University also endorsed the use of the Jukes/Edwards story in their publications. See Nelson Chapman, *Decisions Mold Lifestyles*, 10 LIBERTY CHAMPION 9 (1992). Additionally, graduate students have referenced the stories in their theses and dissertations. See Thesis, Daryl W. Pitts, *The Development of Family Ministry for the Local Church* (Liberty Baptist Theological Seminary 2000).

¹²⁵ Dr. Raymond Force, *Sermon Illustrations—Marriage, Family and the Home*, <http://sermonillustrationmarriageandfamily.com/> (last visited Mar. 11, 2012).

¹²⁶ *Crisis in Morality* was apparently a series of messages given over the Bible Institute Hour in the 1950s by Al Sanders, self proclaimed “Ambassador for Christ,” member of the National Religious Broadcasters Hall of Fame and founder of the Ambassador Advertising Agency. See Ambassador, Al Sanders, <http://www.ambassadoradvertising.com/about-us/the-team/al-sanders/> (last visited Mar. 11, 2012).

¹²⁷ Dr. Raymond Force, *Jonathan Edwards/Max Jukes Story (Encouragement for Housewives/Stay-at-Home Mothers)*, <http://sermonillustrationmarriageandfamily.com/sermons/family/jonathan-edwards-max-jukes-story-encouragement-for-housewives-stay-at-home-mothers> (last visited Mar. 11, 2012) (“This site is sponsored by Hitting Home and Dr. Raymond Force. Hitting Home is an evangelistic ministry with a desire to reach as many people as possible for the glory of God. We provide this service as a free service to Pastors from all over the globe”).

and Training Ministry,” which declares that the Jukes family “cost the state \$1,200,000. That would be like ten or twenty million dollars now,” while the Edwards family “didn’t cost the U.S. a single dollar.” Concludes Dr. Nation: “The difference in the two families? Christian training or their young and early heart conversion.”¹²⁸

The Jukes/Edwards story is also cited approvingly in “Generational Impact” by Jim Priest, of Oklahoma Marriage Network, which bills itself as a “Christian based” group, whose goals include “Encouraging churches in building an effective marriage ministry and connecting them to training available for their marriage ministry leadership.”¹²⁹

Under the title: “Parenting Affects Future Generations,” the Christian Counseling Associates remind readers how Edwards’ example in the Winship book taught “people to be responsible for their daily action” and how parenthood is a “blessing from God with the opportunity to make an impact on the next five generations.”¹³⁰

Finally, the SermonData website, which claims to provide its users with “1 Million Sermons and Sermon illustrations,” repeats the Jukes/Edwards account under the topical heading: *The Sins of the Fathers* and lists the usual biblical reference. It goes on to clarify that while earlier generations attributed the results of good or bad families to genetics, such an explanation is discounted here because “[t]he fact is we are all inherently flawed with sin, and the wrong choices we make can negatively influence future generations.”¹³¹

CONCLUSION

These books and web sites have several common elements. First, they invoke the Jukes/Edwards mythology much as their evangelistic ancestors did more than 100 years ago. They use these discredited stories to illustrate “intergenerational curses” that descend within families, condemning children to the failings of their parents or portraying families as captives in the grip of

¹²⁸ *Id.*

¹²⁹ *About Us*, MARRIAGE NETWORK OKLAHOMA CITY, http://www.marriagenetworkok.net/engine/emw.exe/*qshome=home&st=203&kw=infset&ifn=26&trec=3&nr=42&lktype=6&pst (last visited Mar. 11, 2012) (“The Marriage Network Oklahoma brings together churches, ministries, and individuals for the purpose of promoting marriage in Oklahoma. The network is non-denominational and Christian-based”); *Generational Impact*, MARRIAGE NETWORK OKLAHOMA CITY, http://www.marriagenetworkok.net/engine/emw.exe/*qshome=home&st=203&rec=1&kw=news&parm=5&trec=3&lktype=6&snum=1 (last visited Mar. 11, 2012).

¹³⁰ *Parenting Affects Future Generations*, PLANO COUNSELING, <http://planocounseling.org/parenting-affects-future-generations/> (last visited Mar. 11, 2012).

¹³¹ See the website at <http://sermondata.com/sermons-helps/sermon-illustrations/the-sins-of-the-fathers.html>

ancestral sin. They often repeat passages from the Bible to press the messages home, again citing the Old Testament story of Moses and the Ten Commandments as their reference, just as evangelists of the 19th and early 20th centuries did. Similarly, they use the Jukes family to demonstrate contempt for those whose financial, moral, legal, or physical failings in life generate social costs or require them to rely on government subsidies or other public support.

The contrasting story of Jonathan Edwards is offered as an example of “intergenerational blessings” showered on families of the elect who have the good fortune to be born into the bloodline of a “godly” man. These families epitomize personal responsibility and supposedly cost their neighbors nothing. In their echoes of the Jukes/Edwards mythologies, the “sins of the fathers” scriptures, and their explicit condemnation of those who lives lead to higher taxes and more expansive social costs, this Internet vanguard of the newest great awakening mirrors with chilling accuracy the message contained in the eugenic texts of the early 20th century and the arguments that were used to make eugenic social policies into law.

I do not I think that most of the people who harken back to “problem family” eugenic family studies would openly advocate today for laws like the now defunct eugenic sterilization laws. Perhaps they can be forgiven for their indolence in not investigating more fully the counterfeit pedigrees of the stories they resurrect. But it is not necessary to mouth the word eugenic to speak in the same voice as old line eugenic stalwarts. The most pervasive sentiments of those who claimed the banner of eugenics were expressed as certitude that their understanding of the workings of hereditary degradation would rid future generations of the costs of disease, disability, crime, and poverty and dramatically lower our taxes. Those who parrot the arguments of generational guilt and hereditary taint may be ignorant of their beginnings in eugenic mythologies formulated over a century ago and how they were used to support political campaigns that included the eugenic sterilization movement. But it is still true that contempt for the poor, the diseased, and the powerless remains a part of our current political landscape.¹³² And those who revive the parable of the Jukes today sound a clear echo of that most toxic strain of eugenic propaganda.

¹³² Shira Schoenberg, *Lawmaker Advocates Eugenics*, CONCORDMONITOR.COM, Mar. 11, 2011, <http://www.concordmonitor.com/article/245163/lawmaker-advocates-eugenics?SESS12b79d2dfef16a127ba7aac5fbd0e33f=google&page=full>. New Hampshire legislator Martin Harty took such a position publicly in 2011, arguing to cut taxes by lowering the costs associated with state mental health expenses. Harty said there were “too many defective people; . . . You know the mentally ill, the retarded, people with physical disabilities and drug addictions—the defective people society would be better off without.”

Like their spiritual ancestor Billy Sunday, they rely on eugenic themes and arguments even as they trumpet their abhorrence of the term eugenics.¹³³ But they need not call themselves “eugenists” for their message to merit the same condemnation as their rhetorical ancestors whose scorn for people who “sap the strength of the state”¹³⁴ led to the worst abuses of the eugenic movement in America.

¹³³ The author has discussed the historically inaccurate polemic use of the term “eugenics” in an earlier publication. See Paul A. Lombardo, *Disability, Eugenics and the Culture Wars*, 2 ST. LOUIS U.J. HEALTH L. & POL'Y 57 (2008).

¹³⁴ *Buck*, 274 U.S. at 207.