



Reading and Writing Law and Legal History: Privacy and Reproductive Rights

Lesson Plans (50 minute class periods)

Lesson 2: Close Reading and Analysis of Legal History Article (1 class)

20 minutes: In-class discussion of Vullo article addressing questions from response paper. Focus discussion on content and then form of the article. What did the students learn about Margaret Sanger? Anthony Comstock? The New York law and “little Comstock” law? The meaning of “obscenity”? Sanger’s trial? Public/press response? Planned Parenthood origins and purpose? Legal arguments and court holdings during trial and appeals? Aftermath and legacy?

Have students analyze the form of the article. What form did Vullo choose to present Sanger’s trial and what information did she include in her article? Why? Was Vullo’s narrative effective and clear? Accessible to non-legal readers? Were there parts that needed more clarification? More information?

20 minutes: Clarification, Supplementation, Place in Historical Context

Clarify and define any legal terms or concepts with students (drawing on reference materials). Highlight the Sanger trial and appeals as part of New York law and court system and distinguish from Federal law and court system (applying to all states - baseline). States can provide more protection than federal law, but not less. New York paves the way for federal law changes and future Supreme Court rulings on fundamental rights and liberties.

Supplement information in article with more on Margaret Sanger, on Birth Control Movement, on others who spoke on birth control like anarchist Emma Goldman, on Eugenics Movement.

Place in historical context, existing course material, link with previous course work and material. Discuss Progressive Era reform and inequality and poverty, intersections ideas of race and “whiteness,” labor movement and union organizing, increased immigration and new restrictions based on nationality, race, ethnicity, literacy, Great Migration, racial segregation, lynching and violence, suffrage movement, feminism, equality/protection, radicalism, bohemian New York.

10 minutes: Introduce Court decision reading and Case Brief

Focus on privacy and reproductive rights in federal court in aftermath of Sanger trial, mentioned at the end of Vullo’s article. Students will read the Supreme Court’s decision *Griswold v. Connecticut* (1965), striking down a Connecticut state law banning contraception as violating the fundamental right to privacy protected by the US Constitution. Students will analyze the decision by reading the court’s decision and outlining or “briefing” the case (see attached).

Homework Assignment: Students will read a copy of *Griswold v. Connecticut*, 381 U.S. 479 (1965) <https://supreme.justia.com/cases/federal/us/381/479/#tab-opinion-1945663>. On their copy, they will underline or highlight and identify components of decision (i.e., citation, facts, prior history, question presented, holding, analysis, dissent, etc.) described in case brief handout (see attached).



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Students will consult the Legal Term Glossary <https://www.uscourts.gov/glossary> and look up any terms they do not know, which they will identify on their copy of the Court's decision. Students will then bring their underlined, annotated copy of the decision with them to the next class.