

# Sex and the Supreme Court



Anthony Comstock

# The Battle Over Contraception

**1873: Anthony Comstock**, an influential member of the Young Men's Christian Association (YMCA) founded the New York Society for the Suppression of Vice. He convinced Congress to pass the **Comstock Act** that banned the distribution of obscene materials through the mail. The act's definition of "obscene" included all information regarding contraception.

**1879:** Connecticut passed legislation outlawing all contraception devices and information.

**1916: Margaret Sanger**, a nurse in New York City, founded Planned Parenthood.

**1921:** Katherine Hepburn, the mother of the actress, and others founded a Connecticut chapter of Planned Parenthood

**1935:** Connecticut chapter opens birth control clinic

**1939:** Connecticut clinic is closed by police and closure is eventually upheld by Connecticut Supreme Court.

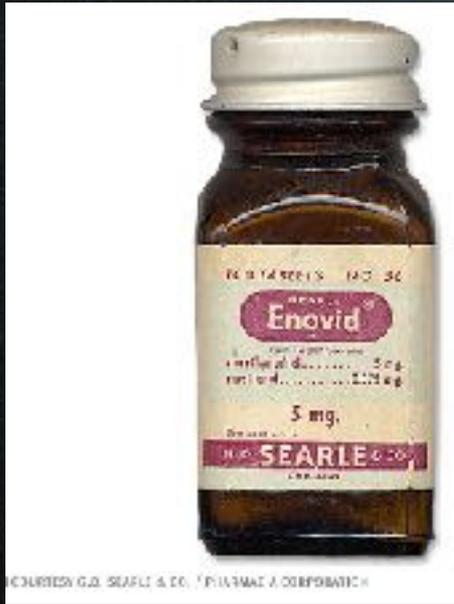


Margaret Sanger

**1951:** Encouraged by Margaret Sanger, women's rights advocate **Katherine McCormick** who began private funding of hormonal contraception research.

**1960:** FDA approves Enovid for use as a contraceptive. By 1970 12 million American women were using "the pill."

**1961:** The Supreme Court upholds Connecticut's law in *Poe v. Ullman*.



**1961:** Estelle Griswold opens a birth control clinic in Connecticut.

**1965:** In *Griswold v. Connecticut* the Supreme Court overthrows Connecticut's law on the basis of a constitutional right of privacy derived from 1st, 3rd, 4th, 9th, and 14th Amendments making contraceptive information available to married individuals.

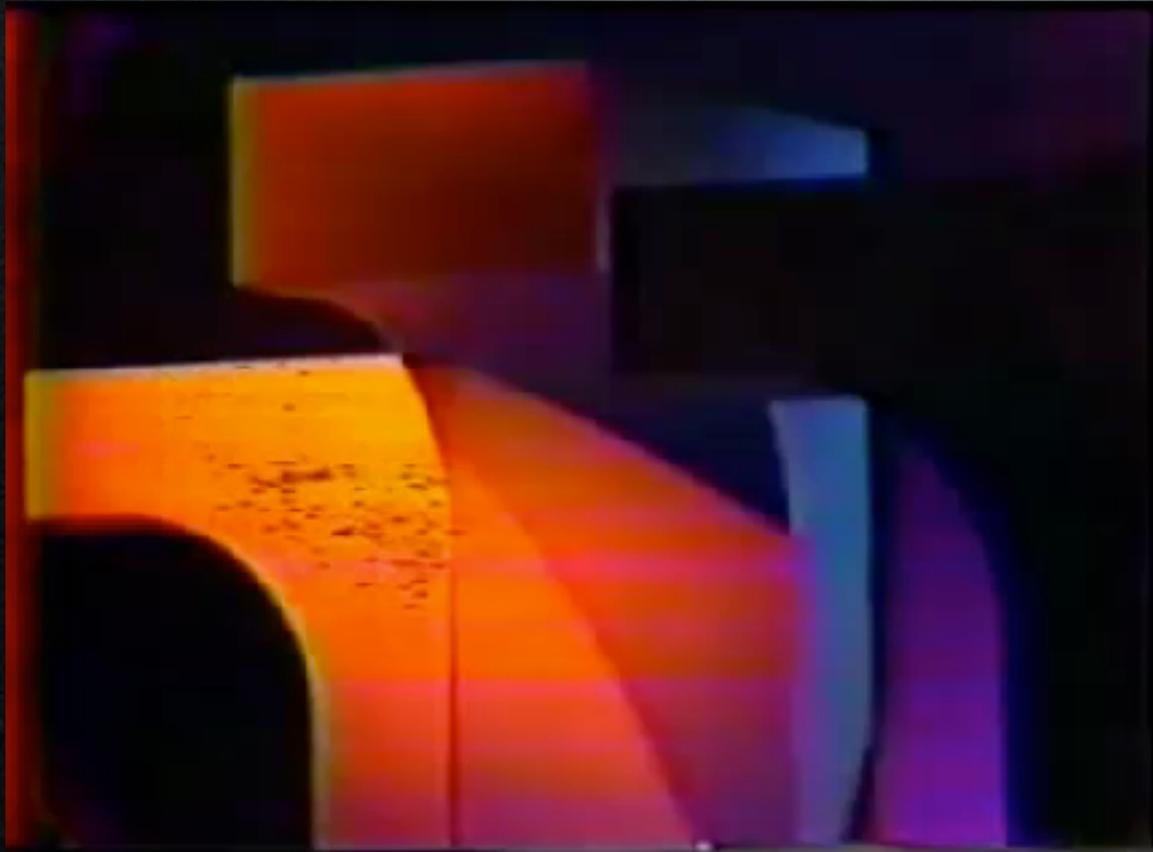


Estelle Griswold

1967: In Loving v. Virginia the Supreme Court overturned state laws banning interracial marriage.



Mildred and Richard Loving



Janis Ian's song "Society's Child" was a number one hit in many cities in 1967.



Norma McCorvey  
(2003)

**1969:** Norma McCorvey, who was “Jane Roe” of Roe v. Wade was “raped” in Georgia and returns to Texas where she could not receive a legal abortion. She later revealed that she was not raped and eventually became a pro-life spokesperson.

**1972:** In Eisenstadt v. Baird Supreme court extended right to birth control to unmarried individuals.

**1973:** Sarah Weddington, a 26-year-old lawyer arguing her first case, becomes the youngest person to win a Supreme Court case. Roe v. Wade overturned state and federal laws outlawing or restricting abortion on the basis of a constitutional right to privacy.

**1973:** The board of the American Psychiatric Association voted unanimously to remove homosexuality from its list of psychiatric disorders.

**1986:** Bowers v. Hardwick ruled that the right to privacy did not protect homosexuals from state anti-sodomy laws.

**1989:** Webster v Reproductive Health Services upheld Missouri ban on use of public employees and facilities for performing abortions

**1991:** Rust v. Sullivan upheld a federal regulation barring abortion counseling in clinics that receive federal funding.

**1992:** Panned Parenthood v Casey upheld Pennsylvania's requirements for waiting period and parent notification.

**1996:** Defense of Marriage Act created federal definition of marriage.

**2003:** Lawrence v. Texas overturned Bowers v. Hardwick outlawing state anti-sodomy laws.

**2004:** Goodrich v. Department of Public Health Massachusetts Supreme Court ruled that denial of equal marriage rights to gay couples was unconstitutional.

**2008:** Lockyer v. City and County of San Francisco California Supreme Court ruled that people have a fundamental right to marry and that gender restrictions violate the state Constitution.



**2008:** Kerrigan and Mock v. Connecticut Department of Public Health: Connecticut Supreme Court declared gay marriage ban unconstitutional.

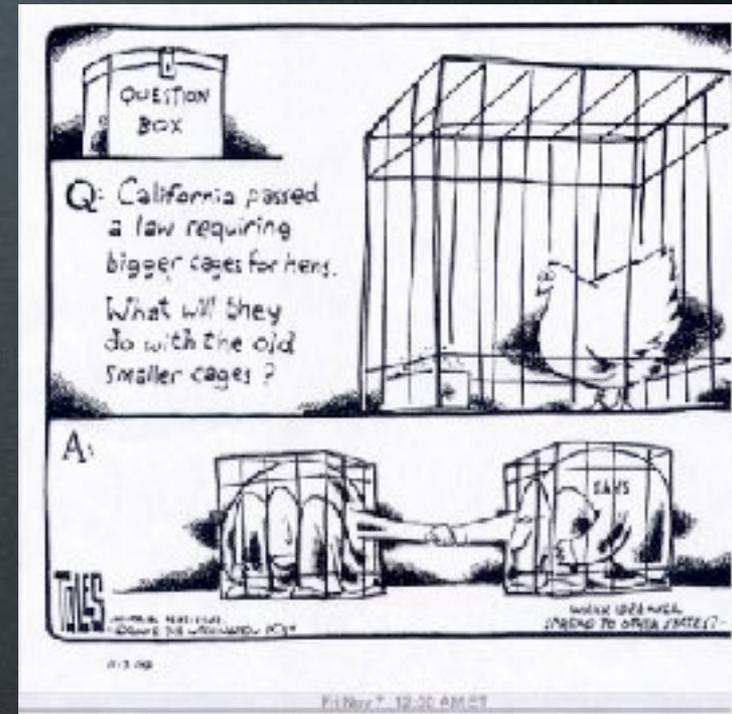
**2008:** California Proposition 8 negates Lockyer v City and County of San Francisco

**2009:** California passed law recognizing same-sex marriages performed in other states as of January 2011.

**2009:** Iowa Supreme Court ruled that there was no important government interest in denying citizens marriage licenses based on their sexual orientation.

**2009:** Vermont legislature approves same-sex marriage over veto of governor.

**2009:** Maine legislature passed same-sex marriage legislation but it was narrowly rejected by voters in November.



**2009:** New Hampshire legislature approved same-sex marriages that began in 2010.

**2009:** New York and Washington, D.C. recognize same-sex marriages performed elsewhere.

**2010:** Federal appeals judge in California rules Proposition 8 as unconstitutional

**2011:** New York became sixth state to allow gay marriage.

**2012:** 9th Circuit upholds ruling that Prop 8 is unconstitutional

**2012:** Washington legalizes same sex marriage





In 2015, the Supreme Court overruled the 1971 *Baker v Nelson* decision in *Obergefell v Hodges*, ruling that marriage was a fundamental right guaranteed to same-sex couples.