

Class I: Custody and Care

October 6, 2017

Introduction

Carol Sanger, "M is For the Many Things..." *Southern California Review of Law and Women Studies* 15 (1992)

A. The Nature of Maternal Care

Hendrik Hartog, Abigail Bailey excerpt from *Man and Wife in America* (2000);

Commonwealth of Pennsylvania v. Cardwell, 515 A2d 311 (1986)

B. Who Qualifies as a Parent?

Wyman v. James, 400 U.S. 309 (1971)

Talbert v. Jenny, 6 Rand. 159 Va. (1828)

Arrington and Wife v. Grissom, 41 Tenn. 522 (1860)

Dandridge v. Williams, 397 U.S. 471 (1970)

Stanley v. Illinois, 405 U.S. 645 (1972)

Rickie Solinger, *Wake Up Little Susie: Single Pregnancy and Race Before Roe v. Wade* (1992)
Chapter 1, 20-40

Moore v. City of East Cleveland, 431 U.S. 494 (1977);

Peggy Davis, "Moore v. East Cleveland: "Constructing the Suburban Family," in *Family Law Stories* (Carol Sanger, ed., 2008)

C. Custody Cases

Palmore v. Sidoti, 466 U.S. 429 (1984)

Mississippi Choctaw Indian Band v. Holyfield, 490 US 30 (1989);

Solangel Maldonado, "The Story of the Holyfield Twins: *Mississippi Band of Choctaw Indians v. Holyfield*" in *Family Law Stories* (Carol Sanger, ed., 2008).

Matter of Brooke S.B. v. Elizabeth A.C.C., 27 N.Y.3d 953 (2016)

http://courts.state.ny.us/Reporter/3dseries/2016/2016_05903.htm

Ian Parker, What Makes a Parent, *The New Yorker*, May 22, 2017

(<http://www.newyorker.com/magazine/2017/05/22/what-makes-a-parent>)

Class II: Sex and Reproduction

October 20, 2017

A. Sexual Mothers

Lauri Umansky, "Breastfeeding in the 1990s: the Karen Carter Case and the Politics of Maternal Sexuality," from *Bad Mothers*

Elridge v. Elridge, 42 SW. 3d 82 (2001)

King v. Smith, 392 US 309 (1968)

B. Constitutional Underpinnings of Procreation

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

Alexandra Stern, "Sterilized in the Name of Public Health Race, Immigration, and Reproductive Control in Modern California," *American Journal of Public Health*, July 2005, Vol 95, No.7

Skinner v. Oklahoma, 316 U.S. 535 (1942)

Griswold v. Connecticut, 381 U.S. 479 (1965); [[mention *Eisenstadt v. Baird*]]

Excerpts from Siegel and Greenhouse (Sherri Finkbine and travel instructions to Japan)

Roe v. Wade, 410 U.S. 113 (1973)

Planned Parenthood v. Casey, 505 U.S. 833 (1992)

Whole Woman's Health v. Hellerstedt, 579 U.S. __ (2016) ed.

Carol Sanger, *About Abortion* (2017) *The Law from Roe Forward*

Kristin Luker, "World Views of the Activists", from *Abortion and the Politics of Motherhood* (1985), 158-191

Brief of Historians as Amici Curiae in support of Petitioners; *Whole Women's Health v. Kirk Cole*, January, 2016

C. Forms of Motherhood

Scapetta v. Spence-Chapin Adoption Services, 269 N.E. 2d 787 (1971)

Calvert v. Johnson, 5 Cal.4th 84 (1993)

Jessica Vasquez, "Chicana Mothering in the Twenty-First Century," in Andrea O'Reilly, ed., *21st Century Motherhood: Experience, Identity, Policy, Agency*, (2010) , 23-39

Class III: Wage Work and the Work of Mothering

November 3, 2017

A. Protecting Mothers Who Work

Alice Kessler-Harris, "The Paradox of Motherhood" from Ulla Wikander, Kessler-Harris and Lewis, *Protecting Women: Labor Legislation in Europe, the United States and Australia, 1880-1920*, 337-357

Bradwell v. Illinois, 83 U.S. 130 (1873), excerpts from decision and dissent

Muller v. Oregon, 208 U.S. 412 (1908)

Phillips v. Martin Marietta Corp., 400 U.S. 542 (1971)

B. Who Should Earn?

Molly Ladd-Taylor, "The Work of Mothering," and "Every Mother has a Right: the Movement for Mothers' Pensions," ch 1 and 5 of *Mother-Work: Women, Child Welfare and the State*, 17-39; 135-166.

Linda Gordon, "State Caretakers," ch 3 and "Don't Wait for Deliverers," ch 5, of *Pitied But Not Entitled*; 111-143 and 337-64

Emilie Stoltzfus, ch 1 "Mothers and Work," 17-44; and ch 5: "Responding to the Increased Employment of Mothers," 197-237 from *Citizen, Mother Worker: Debating Public Responsibility for ChildCare after the Second World War*,

C. Reconciling Work and Family

Cleveland Board of Education v. LaFleur, 414 U.S. 632 (1974)

California Federal Savings and Loan v. Guerra, 479 US 272 (1987)

United Automobile Workers v. Johnson Controls, Inc. 499 U.S. 187 (1991)

Molly Ladd-Taylor, *Raising a Baby the Government Way*, 71-123

John C. Williams, *Re-Shaping the Work Family Debate* (Harvard, 2012) ch. 1