

Fall 2019

HIST 585-8: Special Topics in History:

Topic: Law & Work: Hist. Perspective

Instructor	Day(s)	Time(s)	Maximum Enrollment
Dinner	TU	4:00 – 6:00 pm	4

Semester Description:

This seminar will examine law and work in the United States from a historical perspective. The purpose of the seminar will be to gain a historical understanding of how and why common law, statutory law, and constitutional law evolved to regulate the workplace, the relationship between employers and employees, and worker organizing. We will study forms of labor subject to the law as well as labor that takes place beyond the reach of the law. This will enable us to examine how law has alternatively enhanced and diminished workers' power. The course will engage students in historical methodologies with particular attention to historical causation, contingency, and the relationship between law and society.

We will cover five major topics. We will begin in the early nineteenth century with the common law of master-servant relations and analyze how common law principles continue to shape the legal relationship between employer and employees. Next, we will examine how workers and their advocates responded to the risks employees faced following the advent of industrial capitalism, examining social insurance and its alternatives. Proceeding from the late-nineteenth century through the New Deal period, we will analyze the emergence of law regulating the collective bargaining process and the legal evolution of unions. Fourth, we will study the relationship between immigration and the labor system across the twentieth century. Last, we will examine gender and labor: paid and unpaid.

Required Textbooks, Articles, and Resources:

TBA

Grading:

This is a reading- and writing-intensive class. Students will be responsible for weekly readings, weekly critical response papers, one oral presentation on supplemental readings, and a research paper that satisfies the law school's writing requirement. Those students who have already met the writing requirement will be able to instead complete a shorter and less research-intensive paper, if they so choose.