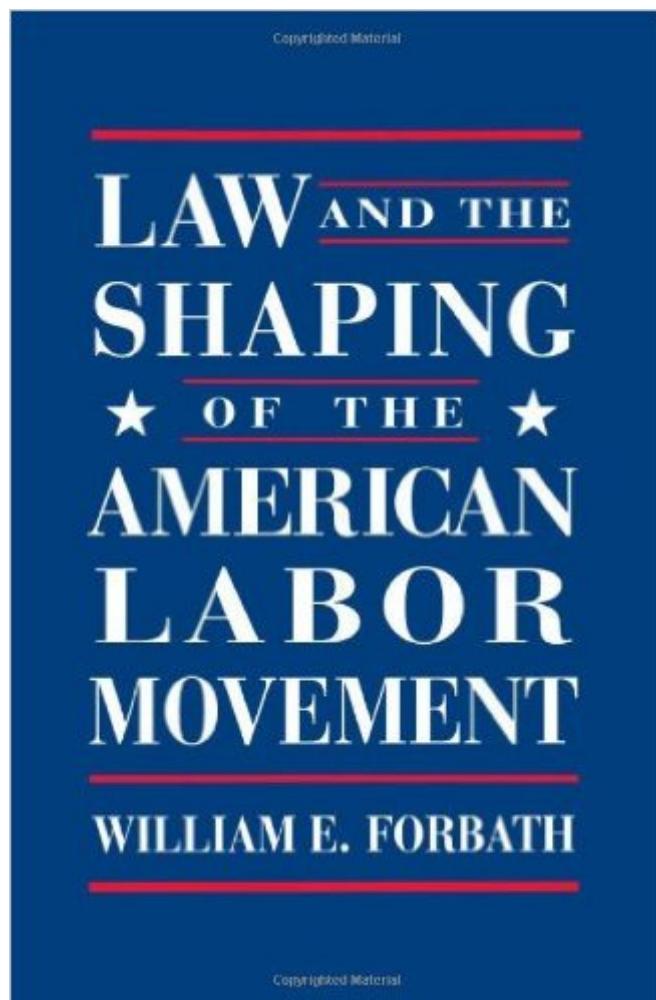


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# Law And The Shaping Of The American Labor Movement



## **Synopsis**

Why did American workers, unlike their European counterparts, fail to forge a class-based movement to pursue broad social reform? Was it simply that they lacked class consciousness and were more interested in personal mobility? In a richly detailed survey of labor law and labor history, William Forbath challenges this notion of American "individualism." In fact, he argues, the nineteenth-century American labor movement was much like Europe's labor movements in its social and political outlook, but in the decades around the turn of the century, the prevailing attitude of American trade unionists changed. Forbath shows that, over time, struggles with the courts and the legal order were crucial to reshaping labor's outlook, driving the labor movement to temper its radical goals.

## **Book Information**

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## **Customer Reviews**

I am being forced to read this for a class on American Legal History. It is insightful and the arguments are compelling. The labor movement in the US was influenced to a great degree by the judiciary during the end of the 19th century. Court action changed the character of the labor movement from one of broad social reform to fragmented trade unionism and "Voluntarism." Voluntarism became predominant in labor's legal pretext, in part, due to:1. "...the courts... principally determined how labor legislation, once passed, would fare."2. Those legal victories for labor (Sherman Anti-Trust Act 1890, etc;) benefitted the institutions that labor was trying to protect itself from.3. The courts repeatedly upheld "freedom of contract" arguments in *In re Jacobs*, *Ritchie v.*

People, etc;4. Judiciary attacked the economic weapons of labor: city-wide boycotts, sympathy strikes, etc;Labor (AFL, Gompers, etc;) eventually asked for independent labor relations i.e., freedom to negotiate contracts without government intervention...I believe that sums it up fairly well, but as a fair warning, this book is academic and painfully boring. If given a choice between hammering my balls flat or rereading this book, I would be forced to make a difficult decision indeed.

On the plus side, the book is easy to get through. On the down side, nothing really sticks. I'd recommend this book for a history buff. The main theoretical points of the reading are often lost in the mass of historical detail, but it's written very well and it's short.

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