

Muller v. Oregon (1908)

Background

 An Oregon law prohibited women from working in factories or laundries more than 10 hours a day. Mr. Muller was convicted for making a female employee work more than the 10 hour limit.

Constitutional Issue

Does the state of Oregon's law regulating women's work hours violate the "privileges and immunities" clause of the 14th amendment by forbidding the employment of women for more than ten hours a day in laundries and factories?



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Anglo-American Law Collections Mortimer D. Check List of State Bar Association Proceedings ,1970 Schwartz, Dan F. Henke, 1970 Proceedings of the Illinois State Bar Association at Its ... Annual Meeting Illinois State Bar Association, 1916 Monthly Bulletin United States. Department of Agriculture. Library, 1913 Contains the list of accessions to the library formerly 1894 1909 issued quarterly in its series of Bulletins Proceedings of the Illinois State Bar Association Illinois State Bar Association. Meeting, 1916 Proceedings of the Illinois State Bar Association ... Illinois Monthly Bulletin National Agricultural Library (U.S.),1913 State Bar Association.1916 Yearbook - Association of the Bar of the City of New York Association of the Bar of the City of New York,1913 **Democratic Theories and the Constitution** Martin Edelman, 1985-06-30 Although the government of the United States is traditionally viewed as a democracy there is considerable disagreement about what democracy means and implies In a comprehensive study Professor Edelman examines the three democratic paradigms most prevalent in America today natural rights contract and competition Theories based on these paradigms lead to different ideas of democracy each of which yields variant interpretations of the Constitution This close relationship between democratic theories and constitutional interpretations is analyzed in an extensive historical introduction which focuses on some of the major thinkers in American history Edelman's discussion shows that neither the Constitution nor the development of American political thought can serve as an authoritative basis for any one theory of democracy Instead of a particular theory the historical constant was an appeal to reason inherent in our basic charter In his methodological section Edelman argues that we must use reason to clarify the latent values inherent in the differing concepts of democracy and the consequences that flow from them He analyzes judicial ideas in the light of three concepts deemed central to any democratic theory citizenship political participation and political freedom and concludes with a balanced account of contemporary democratic theories the constitutional theories related to them and a critique of both

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