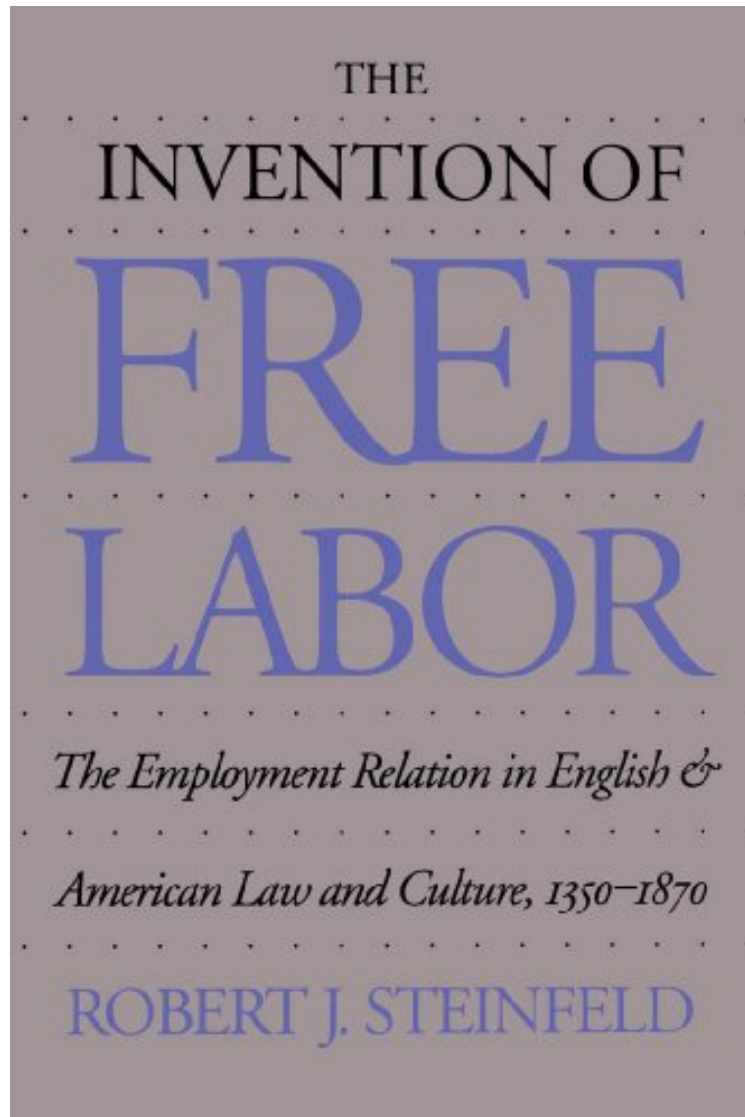


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The Invention of Free Labor: The Employment Relation in English and American Law and Culture, 1350-1870 (Studies in Legal History)

Robert J. Steinfeld

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Robert J. Steinfeld : The Invention of Free Labor: The Employment Relation in English and American Law and Culture, 1350-1870 (Studies in Legal History) before purchasing it in order to gauge whether or not it would be worth my time, and all praised The Invention of Free Labor: The Employment Relation in English and American Law and Culture, 1350-1870 (Studies in Legal History):

1 of 1 people found the following review helpful. The Past is a Foreign Country By not me One thing that good historical writing can do is to reveal the contingent and conditioned nature of social arrangements that may seem as "natural" to us as breathing air. By that standard, "The Invention of Free Labor" is very good history indeed. It reminds us how blurry was the line between work and slavery only 250 years ago, when workers could contract themselves into a state of "voluntary servitude," and bosses were allowed to use beatings and threats of imprisonment to compel "servants" to fulfill their contractual obligations. The emergence of "free labor" in the early 1800s was a genuine social revolution, yet one we now take for granted. The story of its emergence is well-told in this crisp, clearly-written book. I took off one star only to alert readers to the fact that the focus is on narrow legal history. Readers expecting a genuine social history of unfree labor in England and America will be disappointed. 8 of 8 people found the following review helpful. Changed my entire view of employment law By A Customer Steinfeld's book challenges the usual view of the history of American employment law. The usual nutsell account goes: For centuries there was laissez faire; now we at least partly protect worker's rights. Steinfeld stresses that the at-will rule is a nineteenth century invention and a radical one at that. He examines the period before the at-will rule to show that the background of modern employment doctrine is the quasi-feudal master-servant relationship, reflected in institutions like 18th century indentured servitude. Steinfeld's achievement is to pull together relatively well known facts and show step by step, how 19th century individualism reacted to prior law by creating the otherwise puzzling body of law known as the at-will rule. A must read for any labor scholar.

Examining the emergence of the modern conception of free labor--labor that could not be legally compelled, even though voluntarily agreed upon--Steinfeld explains how English law dominated the early American colonies, making violation of all labor agreements punishable by imprisonment. By the eighteenth century, traditional legal restrictions no longer applied to many kinds of colonial workers, but it was not until the nineteenth century that indentured servitude came to be regarded as similar to slavery.

Both for its own particular ideas, and as an example of what labor law history is beginning to achieve, it is a book to be recommended. ("Labor History") A superbly researched and analyzed work of historical and legal scholarship, tracing the existence and disappearance of varying legal constraints that limited the economic freedom of laborers. With his analysis of legal statutes, court cases, and writings of contemporaries in England and America, Steinfeld has provided the detail to reopen a most important issue of political, social, and economic change. This book will be of interest to all studying the nature of the employment relation and its political implications.--Stanley L. Engerman, University of Rochester Essential reading for labor historians, historians of social welfare and of the history of political and economic thought, as well as for legal historians generally. . . . No one else has shown the real changes which occurred in people's lives when they began to think of themselves as 'employees' rather than 'servants.'--Hendrik Hartog, University of Wisconsin Law School A thorough and persuasive analysis of the evolution of the legal status of workers, which effectively blends legal with social history and illuminates the lively controversies of our own time concerning the rights of individual employees.--David Montgomery, Yale University As at once a work of synthetic legal history and a thought-provoking series of arguments about the nature of legal change, it is a book that deserves to be read carefully by all early-modern social and legal historians.--American Journal of Legal History [The book] is thoughtful and quietly stimulating. . . . Both for its own particular ideas, and as an example of what labor law history is beginning to achieve, it is a book to be recommended.--Labor History