

CHILD LABOR IN US JUDICIAL DECISIONS INDUSTRIAL REVOLUTION

CHILD LABOR IN US JUDICIAL DECISIONS INDUSTRIAL REVOLUTION SERVES AS A CRUCIAL LENS THROUGH WHICH TO UNDERSTAND THE EVOLUTION OF LABOR LAWS AND SOCIETAL VALUES IN AMERICA. THIS PERIOD, MARKED BY UNPRECEDENTED INDUSTRIAL GROWTH AND TECHNOLOGICAL ADVANCEMENT, ALSO WITNESSED THE WIDESPREAD EXPLOITATION OF CHILDREN IN FACTORIES, MINES, AND FIELDS. THE JUDICIARY'S ROLE IN ADDRESSING THIS PERVERSIVE ISSUE, THOUGH OFTEN SLOW AND INCREMENTAL, LAID THE GROUNDWORK FOR MODERN LABOR PROTECTIONS. EXAMINING KEY JUDICIAL DECISIONS OFFERS VITAL INSIGHTS INTO HOW LEGAL FRAMEWORKS GRAPPLED WITH THE ECONOMIC IMPERATIVES OF THE TIME VERSUS THE FUNDAMENTAL RIGHTS AND WELL-BEING OF YOUNG WORKERS. THIS ARTICLE WILL DELVE INTO THE HISTORICAL CONTEXT OF CHILD LABOR DURING THE INDUSTRIAL REVOLUTION IN THE UNITED STATES, ANALYZE SIGNIFICANT JUDICIAL RULINGS THAT SHAPED ITS TRAJECTORY, EXPLORE THE PREVAILING LEGAL DOCTRINES THAT INFLUENCED THESE DECISIONS, AND ASSESS THE LASTING IMPACT OF THESE LEGAL BATTLES ON CONTEMPORARY CHILD LABOR LAW.

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HISTORICAL CONTEXT OF CHILD LABOR IN THE U.S. INDUSTRIAL REVOLUTION

THE INDUSTRIAL REVOLUTION IN THE UNITED STATES, SPANNING ROUGHLY FROM THE LATE 18TH CENTURY THROUGH THE EARLY 20TH CENTURY, TRANSFORMED AMERICAN SOCIETY FROM AN AGRARIAN ECONOMY TO AN INDUSTRIAL POWERHOUSE. THIS RAPID INDUSTRIALIZATION BROUGHT WITH IT IMMENSE DEMAND FOR LABOR, AND CHILDREN, DUE TO THEIR CHEAPNESS AND DOCILITY, BECAME A SIGNIFICANT COMPONENT OF THIS WORKFORCE. FAMILIES OFTEN RELIED ON THE EARNINGS OF THEIR CHILDREN TO SURVIVE, MAKING CHILD LABOR NOT JUST AN ECONOMIC CONVENIENCE FOR INDUSTRIALISTS BUT A NECESSITY FOR MANY WORKING-CLASS HOUSEHOLDS. CHILDREN AS YOUNG AS SIX OR SEVEN COULD BE FOUND TOILING IN TEXTILE MILLS, COAL MINES, GLASS FACTORIES, AND VARIOUS OTHER DEMANDING AND OFTEN DANGEROUS ENVIRONMENTS. THE LONG HOURS, HAZARDOUS MACHINERY, AND LACK OF SAFETY REGULATIONS CONTRIBUTED TO WIDESPREAD INJURIES, ILLNESSES, AND EVEN DEATHS AMONG YOUNG WORKERS.

THE PREVAILING SOCIAL AND ECONOMIC PHILOSOPHIES OF THE ERA OFTEN VIEWED CHILD LABOR THROUGH A LENS OF PARENTAL RESPONSIBILITY AND PROPERTY RIGHTS. EMPLOYERS FREQUENTLY ARGUED THAT THEY WERE SIMPLY PROVIDING EMPLOYMENT OPPORTUNITIES THAT PARENTS FREELY ACCEPTED FOR THEIR CHILDREN. THE CONCEPT OF LAISSEZ-FAIRE ECONOMICS ALSO PLAYED A SIGNIFICANT ROLE, WITH MINIMAL GOVERNMENT INTERVENTION DEEMED NECESSARY IN THE FREE MARKET. THIS ENVIRONMENT FOSTERED A SYSTEM WHERE THE EXPLOITATION OF CHILD LABOR WAS LARGELY UNCHECKED, WITH ECONOMIC PROGRESS OFTEN PRIORITIZED OVER THE PROTECTION OF CHILDREN'S HEALTH, EDUCATION, AND OVERALL DEVELOPMENT. THE SHEER SCALE OF CHILD LABOR DURING THIS PERIOD CREATED A PRESSING SOCIAL PROBLEM THAT WOULD EVENTUALLY NECESSITATE LEGAL AND JUDICIAL INTERVENTION, ALBEIT AFTER CONSIDERABLE SUFFERING AND ADVOCACY.

EARLY JUDICIAL INTERPRETATIONS AND THE DOCTRINE OF PARENTAL RIGHTS

IN THE NASCENT STAGES OF INDUSTRIALIZATION, AMERICAN COURTS WERE LARGELY RELUCTANT TO INTERFERE WITH THE EMPLOYMENT OF CHILDREN. THE DOMINANT LEGAL PRINCIPLE GUIDING THESE EARLY DECISIONS WAS THE DOCTRINE OF PARENTAL RIGHTS AND RESPONSIBILITIES. COURTS GENERALLY HELD THAT PARENTS HAD THE PRIMARY AUTHORITY OVER THEIR CHILDREN AND THE RIGHT TO DIRECT THEIR UPBRINGING AND LABOR. AS LONG AS PARENTS CONSENTED TO THEIR CHILDREN WORKING, THE JUDICIARY SAW LITTLE BASIS FOR INTERVENTION, EVEN IF THE WORKING CONDITIONS WERE DETRIMENTAL. THIS INTERPRETATION OFTEN PRIORITIZED THE ECONOMIC NEEDS OF FAMILIES AND THE PROPERTY RIGHTS OF EMPLOYERS OVER THE WELFARE OF THE CHILD.

JUDICIAL DECISIONS FROM THIS PERIOD FREQUENTLY CITED COMMON LAW PRINCIPLES THAT EMPHASIZED THE AUTONOMY OF THE FAMILY UNIT. THE IDEA WAS THAT THE STATE SHOULD NOT OVERSTEP INTO PRIVATE FAMILY MATTERS OR INTERFERE WITH THE CONTRACTUAL AGREEMENTS BETWEEN EMPLOYERS AND PARENTS. FOR EXAMPLE, CASES INVOLVING DISPUTES OVER CHILD WAGES OR INJURIES SUSTAINED AT WORK OFTEN DEFAULTED TO THE PREMISE THAT THE PARENT HAD ENTERED INTO THE AGREEMENT AND ASSUMED THE ASSOCIATED RISKS. THIS JUDICIAL STANCE EFFECTIVELY SHIELDED EMPLOYERS FROM LIABILITY AND PERPETUATED THE CYCLE OF CHILD LABOR BY REINFORCING THE NOTION THAT IT WAS A PRIVATE MATTER RATHER THAN A PUBLIC CONCERN REQUIRING LEGAL REGULATION. THE LACK OF SPECIFIC CHILD LABOR STATUTES MEANT THAT COURTS WERE OFTEN OPERATING WITHOUT A CLEAR LEGISLATIVE MANDATE TO PROTECT MINORS IN THE WORKPLACE.

LANDMARK CASES AND SHIFTING LEGAL SANDS

WHILE EARLY JUDICIAL ATTITUDES FAVORED PARENTAL RIGHTS, A GRADUAL SHIFT BEGAN TO EMERGE AS THE ABUSES OF CHILD LABOR BECAME MORE APPARENT AND PUBLIC OUTCRY INTENSIFIED. SEVERAL KEY COURT CASES, THOUGH NOT ALWAYS DIRECTLY ESTABLISHING ROBUST CHILD LABOR PROTECTIONS, BEGAN TO CHIP AWAY AT THE ABSOLUTE PARENTAL CONTROL AND EMPLOYER IMMUNITY. THESE DECISIONS, OFTEN ARISING FROM ATTEMPTS TO REGULATE HOURS OR WORKING CONDITIONS, STARTED TO INTRODUCE CONCEPTS OF STATE INTEREST IN THE WELL-BEING OF CHILDREN.

ONE SIGNIFICANT AREA OF LEGAL DEVELOPMENT INVOLVED EARLY ATTEMPTS AT REGULATING CHILD LABOR THROUGH STATE STATUTES. WHEN THESE STATUTES WERE CHALLENGED IN COURT, JUDGES WERE COMPELLED TO CONSIDER THE EXTENT OF LEGISLATIVE POWER TO LIMIT PARENTAL AUTONOMY OR EMPLOYER DISCRETION. WHILE MANY EARLY STATUTES WERE STRUCK DOWN ON CONSTITUTIONAL GROUNDS, PARTICULARLY DUE TO VAGUE LANGUAGE OR PERCEIVED OVERREACH, SOME JUDICIAL OPINIONS BEGAN TO ACKNOWLEDGE THE STATE'S "POLICE POWER" TO ENACT LAWS FOR THE HEALTH, SAFETY, AND MORALS OF ITS CITIZENS, INCLUDING CHILDREN. FOR INSTANCE, CASES CHALLENGING MAXIMUM HOUR LAWS FOR MINORS MIGHT HAVE SEEN COURTS UPHOLDING SUCH LAWS BY FRAMING THEM AS NECESSARY MEASURES TO PREVENT PHYSICAL AND MORAL DEGRADATION. THESE INCREMENTAL LEGAL VICTORIES, EVEN IF LIMITED, SIGNALLED A GROWING JUDICIAL WILLINGNESS TO CONSIDER THE WELFARE OF CHILD LABORERS.

LATER, AS FEDERAL LEGISLATION BEGAN TO EMERGE, THE JUDICIARY'S ROLE SHIFTED AGAIN. THE SUPREME COURT'S PRONOUNCEMENTS ON THE CONSTITUTIONALITY OF FEDERAL CHILD LABOR LAWS IN THE EARLY 20TH CENTURY, SUCH AS THE RULINGS IN *HAMMER V. DAGENHART* (1918) AND LATER *UNITED STATES V. DARBY LUMBER CO.* (1941), ARE PIVOTAL. THE INITIAL STRIKING DOWN OF FEDERAL CHILD LABOR LAWS BASED ON STATES' RIGHTS AND THE COMMERCE CLAUSE DEMONSTRATED THE JUDICIARY'S ADHERENCE TO A MORE RESTRICTIVE INTERPRETATION OF FEDERAL POWER. HOWEVER, THE EVENTUAL OVERTURNING OF THESE PRECEDENTS IN *DARBY*, WHICH AFFIRMED THE BROAD REACH OF THE COMMERCE CLAUSE TO REGULATE INTRASTATE ACTIVITIES THAT AFFECT INTERSTATE COMMERCE, MARKED A SIGNIFICANT TURNING POINT, PAVING THE WAY FOR EFFECTIVE FEDERAL CHILD LABOR REGULATION. THIS EVOLUTION IN JUDICIAL THINKING UNDERSCORES THE DYNAMIC INTERPLAY BETWEEN LEGISLATIVE ACTION AND JUDICIAL REVIEW IN SHAPING LABOR LAW.

THE ROLE OF STATE AND FEDERAL LEGISLATION

THE JUDICIARY DID NOT ACT IN A VACUUM; ITS DECISIONS WERE PROFOUNDLY INFLUENCED BY AND, IN TURN, INFLUENCED THE DEVELOPMENT OF CHILD LABOR LEGISLATION AT BOTH STATE AND FEDERAL LEVELS. EARLY STATE EFFORTS TO REGULATE CHILD LABOR OFTEN FACED SIGNIFICANT LEGAL CHALLENGES, WITH COURTS FREQUENTLY INTERPRETING EXISTING LAWS NARROWLY OR FINDING THEM UNCONSTITUTIONAL. THIS JUDICIAL RESISTANCE TO EARLY REGULATORY EFFORTS HIGHLIGHTED THE NEED FOR CLEARER LEGISLATIVE INTENT AND BROADER CONSTITUTIONAL INTERPRETATIONS.

AS THE PROGRESSIVE ERA GAINED MOMENTUM, REFORMERS PUSHED FOR MORE COMPREHENSIVE STATE LAWS THAT SET MINIMUM AGES, LIMITED WORKING HOURS, AND MANDATED BASIC SAFETY STANDARDS FOR CHILD WORKERS. THESE LAWS WERE OFTEN TESTED IN COURTS, AND THE OUTCOMES VARIED. SOME JUDICIAL DECISIONS UPHELD THESE REGULATIONS, RECOGNIZING THE STATE'S INTEREST IN PROTECTING ITS YOUNG CITIZENS, WHILE OTHERS STRUCK THEM DOWN. THE INCONSISTENCY IN JUDICIAL RESPONSES AT THE STATE LEVEL UNDERSCORED THE NEED FOR A NATIONAL FRAMEWORK TO ENSURE MORE UNIFORM PROTECTION.

THE PASSAGE OF FEDERAL CHILD LABOR LAWS, SUCH AS THE KEATING-OWEN ACT OF 1916, REPRESENTED A SIGNIFICANT

FEDERAL ATTEMPT TO ADDRESS THE ISSUE. HOWEVER, THE SUPREME COURT'S INITIAL INVALIDATION OF THESE LAWS, BASED ON INTERPRETATIONS OF THE COMMERCE CLAUSE AND STATES' RIGHTS, DEMONSTRATED THE LIMITATIONS OF FEDERAL POWER AS PERCEIVED BY THE JUDICIARY AT THE TIME. IT TOOK DECADES AND A REORIENTATION OF JUDICIAL THINKING, PARTICULARLY IN CASES LIKE *UNITED STATES V. DARBY*, FOR THE FEDERAL GOVERNMENT TO ASSERT ITS AUTHORITY EFFECTIVELY IN REGULATING CHILD LABOR THROUGH ITS POWER OVER INTERSTATE COMMERCE. THIS EVOLUTION IN LEGISLATION AND SUBSEQUENT JUDICIAL INTERPRETATION DEMONSTRATES A GRADUAL, ALBEIT OFTEN CONTENTIOUS, MOVEMENT TOWARDS GREATER FEDERAL OVERSIGHT AND PROTECTION OF CHILD WORKERS.

THE IMPACT OF JUDICIAL DECISIONS ON LABOR REFORM

JUDICIAL DECISIONS DURING THE INDUSTRIAL REVOLUTION ERA HAD A PROFOUND AND MULTIFACETED IMPACT ON THE TRAJECTORY OF LABOR REFORM, PARTICULARLY CONCERNING CHILD LABOR. INITIALLY, THE JUDICIARY'S DEFERENCE TO PARENTAL RIGHTS AND PROPERTY RIGHTS ACTED AS A SIGNIFICANT IMPEDIMENT TO REFORM EFFORTS. COURTS OFTEN INTERPRETED LAWS NARROWLY OR FOUND THEM TO BE AN UNCONSTITUTIONAL INFRINGEMENT ON THE LIBERTIES OF EMPLOYERS AND PARENTS, THEREBY PERPETUATING THE STATUS QUO OF WIDESPREAD CHILD EXPLOITATION.

HOWEVER, AS THE SOCIAL COSTS OF CHILD LABOR BECAME INCREASINGLY UNDENIABLE AND PUBLIC PRESSURE MOUNTED, SOME JUDICIAL DECISIONS BEGAN TO REFLECT A CHANGING SOCIETAL CONSCIOUSNESS. LANDMARK CASES, EVEN THOSE THAT DID NOT IMMEDIATELY LEAD TO WIDESPREAD REFORM, OFTEN SERVED TO HIGHLIGHT THE INADEQUACIES OF EXISTING LEGAL PROTECTIONS AND PROVIDED IMPETUS FOR FURTHER LEGISLATIVE ACTION. THE VERY PROCESS OF LEGAL CHALLENGES BROUGHT THE ISSUE OF CHILD LABOR TO THE FOREFRONT OF PUBLIC DISCOURSE AND LEGAL DEBATE.

THE GRADUAL EVOLUTION OF JUDICIAL INTERPRETATION, FROM UPHOLDING ABSOLUTE PARENTAL CONTROL TO ACKNOWLEDGING THE STATE'S INTEREST IN CHILD WELFARE, WAS CRUCIAL. WHILE LEGISLATIVE ACTION OFTEN DROVE THESE SHIFTS, JUDICIAL PRONOUNCEMENTS WERE ESSENTIAL IN VALIDATING OR INVALIDATING THESE REFORMS. THE EVENTUAL OVERTURNING OF PRECEDENTS THAT RESTRICTED FEDERAL POWER TO REGULATE CHILD LABOR, FOR INSTANCE, WAS A DIRECT CONSEQUENCE OF A REEVALUATION BY THE JUDICIARY OF CONSTITUTIONAL PRINCIPLES IN LIGHT OF EVOLVING NATIONAL NEEDS AND ETHICAL CONSIDERATIONS. ULTIMATELY, JUDICIAL DECISIONS PLAYED A CRITICAL ROLE, BOTH BY INITIALLY HINDERING AND LATER BY FACILITATING THE DEVELOPMENT OF A COMPREHENSIVE LEGAL FRAMEWORK TO PROTECT CHILDREN FROM EXPLOITATIVE LABOR PRACTICES.

ENDURING LEGACIES AND MODERN IMPLICATIONS

THE JUDICIAL DECISIONS AND LEGISLATIVE BATTLES SURROUNDING CHILD LABOR DURING THE U.S. INDUSTRIAL REVOLUTION HAVE LEFT AN INDELIBLE MARK ON AMERICAN LABOR LAW AND CONTINUE TO RESONATE TODAY. THE HARD-WON PROTECTIONS FOR CHILD WORKERS, STEMMING FROM DECADES OF ADVOCACY, LEGISLATIVE ACTION, AND JUDICIAL INTERPRETATION, FORM THE BEDROCK OF MODERN CHILD LABOR STANDARDS. THESE HISTORICAL PRECEDENTS ESTABLISHED THE PRINCIPLE THAT THE STATE HAS A LEGITIMATE INTEREST IN PROTECTING MINORS FROM HAZARDOUS WORK, EXCESSIVE HOURS, AND ENVIRONMENTS DETRIMENTAL TO THEIR PHYSICAL, MENTAL, AND MORAL DEVELOPMENT.

THE LEGAL DOCTRINES THAT EMERGED, SUCH AS THE STATE'S POLICE POWER TO REGULATE FOR PUBLIC WELFARE AND THE BROAD INTERPRETATION OF THE COMMERCE CLAUSE, CONTINUE TO BE FOUNDATIONAL IN LABOR LAW JURISPRUDENCE. WHILE THE SPECIFIC CONTEXT OF THE INDUSTRIAL REVOLUTION HAS PASSED, THE CORE ISSUES OF WORKER EXPLOITATION, PARTICULARLY OF VULNERABLE POPULATIONS, REMAIN. CONTEMPORARY CHALLENGES MAY INVOLVE DIFFERENT INDUSTRIES OR FORMS OF LABOR, BUT THE HISTORICAL STRUGGLE TO DEFINE AND ENFORCE FAIR LABOR PRACTICES, ESPECIALLY FOR YOUNG PEOPLE, PROVIDES A CRUCIAL HISTORICAL FRAMEWORK FOR UNDERSTANDING AND ADDRESSING THESE ONGOING ISSUES.

FURTHERMORE, THE ONGOING DEBATES SURROUNDING ISSUES LIKE INTERNSHIPS, GIG ECONOMY WORK FOR MINORS, AND THE GLOBAL SUPPLY CHAIN HIGHLIGHT THE PERSISTENT NEED FOR VIGILANCE AND ROBUST LEGAL PROTECTIONS FOR YOUNG WORKERS. THE LEGACY OF THE INDUSTRIAL REVOLUTION'S CHILD LABOR CRISIS SERVES AS A STARK REMINDER OF THE POTENTIAL FOR EXPLOITATION WHEN ECONOMIC INTERESTS ARE NOT BALANCED WITH FUNDAMENTAL HUMAN RIGHTS AND THE IMPERATIVE TO SAFEGUARD THE WELL-BEING OF THE NEXT GENERATION. THE LEGAL BATTLES OF THAT ERA CONTINUE TO INFORM

CONTEMPORARY DISCUSSIONS ON LABOR RIGHTS, CHILD PROTECTION, AND THE EVOLVING ROLE OF THE JUDICIARY IN A CHANGING ECONOMY.

FAQ

Q: HOW DID EARLY U.S. COURTS VIEW CHILD LABOR DURING THE INDUSTRIAL REVOLUTION?

A: EARLY U.S. COURTS GENERALLY VIEWED CHILD LABOR THROUGH THE LENS OF PARENTAL RIGHTS AND RESPONSIBILITIES. THEY OFTEN DEFERRED TO PARENTS' DECISIONS REGARDING THEIR CHILDREN'S EMPLOYMENT, BELIEVING THAT PARENTS HAD THE PRIMARY AUTHORITY OVER THEIR CHILDREN'S UPBRINGING AND LABOR. PROPERTY RIGHTS OF EMPLOYERS WERE ALSO HEAVILY CONSIDERED, LEADING TO MINIMAL JUDICIAL INTERVENTION IN WHAT WERE OFTEN SEEN AS PRIVATE CONTRACTUAL MATTERS.

Q: WHAT WAS THE IMPACT OF THE DOCTRINE OF PARENTAL RIGHTS ON CHILD LABOR CASES?

A: THE DOCTRINE OF PARENTAL RIGHTS SIGNIFICANTLY HINDERED EFFORTS TO REGULATE CHILD LABOR. COURTS USED IT AS A JUSTIFICATION FOR NOT INTERVENING IN CASES WHERE CHILDREN WERE EMPLOYED, EVEN IN DANGEROUS CONDITIONS, AS LONG AS PARENTS CONSENTED. THIS LEGAL PRINCIPLE EFFECTIVELY SHIELDED EMPLOYERS FROM LIABILITY AND PERPETUATED THE CYCLE OF CHILD EXPLOITATION BY FRAMING IT AS A FAMILY ISSUE RATHER THAN A SOCIETAL CONCERN.

Q: WERE THERE ANY SIGNIFICANT FEDERAL COURT DECISIONS THAT DIRECTLY PROTECTED CHILD LABORERS IN THE EARLY INDUSTRIAL REVOLUTION?

A: IN THE EARLY INDUSTRIAL REVOLUTION, THERE WERE FEW, IF ANY, SIGNIFICANT FEDERAL COURT DECISIONS THAT DIRECTLY PROTECTED CHILD LABORERS. THE JUDICIARY WAS OFTEN RELUCTANT TO INTERFERE, AND FEDERAL LEGISLATION AIMED AT PROTECTING CHILDREN WAS OFTEN STRUCK DOWN BY THE SUPREME COURT ON GROUNDS RELATED TO STATES' RIGHTS AND THE COMMERCE CLAUSE, AS SEEN IN CASES LIKE *HAMMER V. DAGENHART*.

Q: HOW DID JUDICIAL DECISIONS INFLUENCE THE PASSAGE OF STATE CHILD LABOR LAWS?

A: JUDICIAL DECISIONS HAD A MIXED INFLUENCE. WHILE SOME COURTS UPHELD EARLY STATE REGULATIONS, MANY WERE STRUCK DOWN ON CONSTITUTIONAL GROUNDS. THIS JUDICIAL RESISTANCE HIGHLIGHTED THE NEED FOR CLEARER LEGISLATIVE LANGUAGE AND, IN SOME INSTANCES, SERVED AS A CATALYST FOR REFORMERS TO PUSH FOR MORE ROBUST LAWS AND CONSTITUTIONAL AMENDMENTS THAT WOULD GRANT LEGISLATURES GREATER POWER TO PROTECT CHILDREN.

Q: WHAT IS THE SIGNIFICANCE OF *UNITED STATES V. DARBY LUMBER Co.* (1941) FOR CHILD LABOR LAW?

A: THE SUPREME COURT'S DECISION IN *UNITED STATES V. DARBY LUMBER Co.* WAS A LANDMARK REVERSAL OF PREVIOUS RULINGS. IT AFFIRMED THE BROAD POWER OF CONGRESS TO REGULATE INTERSTATE COMMERCE, WHICH INCLUDED THE ABILITY TO PROHIBIT THE SHIPMENT OF GOODS PRODUCED BY CHILD LABOR. THIS DECISION EFFECTIVELY VALIDATED FEDERAL CHILD LABOR LAWS AND ESTABLISHED A STRONG FOUNDATION FOR FEDERAL OVERSIGHT OF LABOR STANDARDS.

Q: HOW DO THE LEGAL PRINCIPLES ESTABLISHED DURING THE INDUSTRIAL REVOLUTION

