HIS 949

Nikki Milano

*Muller vs. Oregon*

The *Muller vs. Oregon* of 1908, court case upheld the state restrictions that Oregon put on the working hours of women, which consequently protected their health. In 1908, Curt Muller was convicted of violating the labor law in Oregon. He allowed a female to work more than 10 hours in one day, and was later fined $10. The main issue of this case was, is a state law setting a maximum workday for women constitutional, and should Muller be fined for allowing a woman to work more than 10 hours in one working day?[[1]](#footnote-1) However, Curt Muller argued that the Oregon law, which prohibited women to work more than 10 hours a day, was unconstitutional.[[2]](#footnote-2) Muller argues this because he thought that it violated the 14th Amendment of the United States Constitution. This amendment stated, “All persons born or naturalized in the United States…forbids states from denying any person life, liberty or property, without due process of law” or to “deny any person within its jurisdiction the equal protection of laws.” [[3]](#footnote-3) Muller said that the pervious Oregon working hour restrictions for women was in violation of the 14th Amendment because it denied females the right to contract, and equal protection under the law. However, Louis Brandeis defended Oregon by stating that there was a direct link between working long hours and a woman’s health and that it was valid for Oregon to use that power to protect the women of their state. In the end, the state of Oregon won by an unanimous decision, in a 9-0 vote.[[4]](#footnote-4) All in all, this case was important because it allowed the court to approve state reforms. It was an important precedent to many other court cases in American history such as, Brown v. Board of Education, in 1954. [[5]](#footnote-5)

1. . Student Central: Key Supreme Court Cases, “Muller v. Oregon”, American Bar Association, Last modified 2012,

   <http://www.americanbar.org/groups/public_education/initiatives_awards/students_in_action/muller.html> [↑](#footnote-ref-1)
2. . eNotes, “Muller v. Oregon”, eNotes, Last modified 2012, <http://www.enotes.com/muller-v-oregon-reference/muller-v-oregon> [↑](#footnote-ref-2)
3. . Web Guides, “Primary Documents in American History”, The Library of Congress, last modified August 24, 2012, <http://www.loc.gov/rr/program/bib/ourdocs/14thamendment.html> [↑](#footnote-ref-3)
4. . Student Central: Key Supreme Court Cases [↑](#footnote-ref-4)
5. . Student Central: Key Supreme Court Cases [↑](#footnote-ref-5)