measures, as in the 1908 *Muller v. Oregon* (208 U.S. 412) case allowing for limiting the number of hours women could work, the judges did so by appealing to the notion that women were the weaker sex and had special responsibilities in the home. The justices found support in the "widespread belief that woman's physical structure, and the functions she performs in consequence thereof, justify special legislation restricting or qualifying the conditions under which she should be permitted to toil."

The Supreme Court's antagonism to any limits on the individual's "liberty of contract" ran counter to legislators' gradual rewriting of state and federal law. The U.S. Congress regulated child labor in 1919 and instituted a system of workers' compensation in 1916, while twenty-five states passed workers' compensation laws between 1911 and 1921. State and federal officials also formally began investigating workers' safety, especially after the Triangle Shirtwaist fire in New York City in 1911 created widespread outrage against the factory owners' willful refusal to protect their workers from dangerous conditions. The 1926 Railway Labor Act required railway industry employers to engage in collective bargaining and banned discrimination against unions in the railway industry (this was expanded to airlines in 1936). The 1931 Davis-Bacon Act required construction contracts with the federal government to specify a minimum or "prevailing" wage for workers under that contract. The 1932 Norris-LaGuardia Act for the first time provided protection for workers' rights to organize, banned yellow dog contracts, and outlawed the use of court injunctions in nonviolent labor disputes. By 1932, then, in the face of much judicial resistance, legislators had responded to growing public alarm by initiating a revolution in labor law that would come to fruition when the Supreme Court upheld the 1935 National Labor Relations Act.

World War I and the Hope for Industrial Democracy

World War I provided an unprecedented opening for unions to make gains and for workers who had traditionally been excluded from industrial work to enter the nation's factories. The federal government spurred a national mobilization of the workforce and economic resources, while coordinating industrial planning. Although the government went so far as to take over the railroads, the federal intervention in the economy hardly represented wartime socialism. Instead, the government relied on industry leaders who acted as "dollar-a-year" men, voluntarily aiding in the planning of the wartime economy, and it ensured profits for industry with cost-plus contracts. In essence, the federal government forged a larger role in managing the economy with the primary goal of efficient war-related production. This managed economy also facilitated the private accumulation of capital for employers and benefited masses of workers.

Why was this a boon for unions and workers? In the first place, the wartime economy required labor peace. Therefore, the federal government facilitated the formation and growth of unions. At the same time, the wartime economic boom required many new workers. With the end of European immigration and the draft of white men into the military, women and African Americans found new opportunities. The long-term consequences of the war differed sharply for women and men. Women's industrial experiences proved to be a largely temporary phenomenon. The war did help to provide the necessary impetus to pass the Nineteenth Amendment to the U.S. Constitution, giving women the right to vote. But the war did not lead to major changes in gender roles; gender lines in the workforce reemerged after the war, and the popular image of the liberated "flapper" in the Roaring Twenties remained a decidedly minority experience.