

# Social Security Act (1935)

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On August 14, 1935, the Social Security Act established a system of old-age benefits for workers, benefits for victims of industrial accidents, unemployment insurance, aid for dependent mothers and children, the blind, and the physically handicapped.

Before the 1930s, support for the elderly was a matter of local, state and family rather than a Federal concern (except for veterans' pensions). However, the widespread suffering caused by the Great Depression brought support for numerous proposals for a national old-age insurance system. On January 17, 1935, President Franklin D. Roosevelt sent a message to Congress asking for "social security" legislation. The same day, Senator Robert Wagner of New York and Representative David Lewis of Maryland introduced bills reflecting the administration's views. The resulting Senate and House bills encountered opposition from those who considered it a governmental invasion of the private sphere and from those who sought exemption from payroll taxes

# Social Security Law In Context

**Brian Bercusson**



## **Social Security Law In Context:**

*Social Security Law in Context* Neville S. Harris, 2000 The social security system of Great Britain has reached a crossroads following the election of a Labour Government promising a New Age of welfare and seemingly prepared to think the unthinkable on welfare reform at a time when public expenditure on welfare benefits has reached nearly 100 billion per annum In 1985 the Conservative s Green Paper on social security reform announced that the benefits system had lost its way Attempts were made to curb benefits expenditure and reduce welfare dependency for example through better targeting of needs the reinforcement of personal and family responsibility and tighter administrative controls The ten years from 1988 to 1998 saw the introduction of many new benefit schemes including income support family credit the social fund disability living allowance incapacity benefit and jobseeker s allowance as well as the increasing influence of European Law Yet the system achieves too little according to the new Government s Green Paper on welfare reform which promises a new contract between the citizen and the Government based on responsibilities and rights The precise form these responsibilities and rights will take remains unknown although we already have schemes like the New Deal and proposals for stakeholder pensions Meanwhile social security law continues to impact upon the lives of millions of citizens After ten years of major legislative change and with the prospect of a new direction this is a time to take stock and to analyse the social and legal impact of the past decade s legislation case law and policy as well as considering possible reforms The book s approach is to organise this task thematically particularly with regard to the social context to social security through discrete chapters on for example gender and the family disability housing old age and unemployment It is also opportune to examine the theoretical framework of state welfare and social security particularly in the context of social rights The book aims to provide an authoritative contextual and critical account of how British social security law has evolved how it operates its substance and its social effects

**The European Union and Social Security Law** Jaan Paju, 2017-08-24 The aim of this book is to examine how EU law relates to and impacts on the national social security systems of the Member States It asks three key questions Firstly it looks at how the internal market and its developments have eroded Member States sovereignty over their social security systems despite the fact that the EU has limited competence in the field It then explores secondly how the Union Citizenship and thirdly the Charter of Fundamental Rights has affected the coordination of these regimes

*Social Security Law in Small Jurisdictions* Danny Pieters, 2021-08-18 The book examines whether small jurisdictions states are confronted with specific issues providing social security and how to deal with these issues How is social security law impacted by the smallness of the jurisdiction First the author examines the key concepts small jurisdiction and social security as he understands them in the present research He then pays some attention to the relation between social security and social security law and subsequently makes an excursion to explore the notion of legal transplants In the second part the author first examines the main features characterizing small states according to the general literature on small states

focusing on features which may be relevant to social security He also includes an overview of the limited literature dealing with the specific social security issues small jurisdictions have to deal with In other words the second part provides the reader with the status quaestionis In the third part the author takes a look at the social security systems of 20 selected small jurisdictions He does so according to a uniform scheme in order to facilitate their comparison These 20 case studies allow him in a next part to test the correctness of the statements made in Part 2 In the fourth part he compares the social security systems of the 20 small jurisdictions He draws conclusions as to the main question but also to test the validity of the current literature on the topic as described in Part 2 Special attention goes to the use of legal transplants for the definition of the personal scope of social security arrangements In the concluding part of the book the author formulates some suggestions for the benefit of the social security systems of the small jurisdictions based on his research

**Law in a Complex State**

Neville Harris, 2014-07-18 Approximately half of the total UK population are in receipt of one or more welfare benefits giving rise to the largest single area of government expenditure The law and structures of social security are highly complex made more so by constant adjustments as government pursues its often conflicting economic political and social policy objectives This complexity is highly problematic It contributes to errors in decision making and to increased administrative costs and is seen as disempowering for citizens thereby weakening enjoyment of a key social right Current and previous administrations have committed to simplifying the benefits system It is a specific objective of the Welfare Reform Act 2012 which provides for the introduction of Universal Credit in place of diverse benefits However it is unclear whether the reformed system will be either less complex legally or more accessible for citizens This book seeks to explain how and why complexity in the modern welfare system has grown to identify the different ways in which legal and associated administrative arrangements are classifiable as complex to discuss the effects of complexity on the system's administration and its wider implications for rights and the citizen state relationship and to consider the role that law can play in the simplification of schemes of welfare While primarily focused on the UK welfare system it also provides analysis of relevant policies and experience in various other states

**The Oxford Handbook of Empirical Legal Research**

Peter Cane, Herbert Kritzer, 2012-05-17 The

empirical study of law legal systems and legal institutions is widely viewed as one of the most exciting and important intellectual developments in the modern history of legal research Motivated by a conviction that legal phenomena can and should be understood not only in normative terms but also as social practices of political economic and ethical significance empirical legal researchers have used quantitative and qualitative methods to illuminate many aspects of law's meaning operation and impact In the 43 chapters of The Oxford Handbook of Empirical Legal Research leading scholars provide accessible and original discussions of the history aims and methods of empirical research about law as well as its achievements and potential The Handbook has three parts The first deals with the development and institutional context of empirical legal research The second and largest part consists of critical accounts of empirical research on many aspects of

the legal world on criminal law civil law public law regulatory law and international law on lawyers judicial institutions legal procedures and evidence and on legal pluralism and the public understanding of law The third part introduces readers to the methods of empirical research and its place in the law school curriculum *Research Handbook on European Social Security Law* Frans Pennings, Gijsbert Vonk, 2023-11-03 This comprehensive second edition Research Handbook discusses a wide range of timely questions and dilemmas ensuing from the present state of European social security law Presenting a kaleidoscopic concept of social security a new generation of leading experts identifies future lines of inquiry that are likely to dominate the discourse in the coming years A Modern Guide to Citizen's Basic Income Malcolm Torry, 2020-06-26 Debate on the desirability feasibility and implementation of a Citizen's Basic Income an unconditional nonwithdrawable and regular income for every individual is increasingly widespread among academics policymakers and the general public There are now numerous introductory books on the subject and others on particular aspects of it This book provides something new It studies the Citizen's Basic Income proposal from a variety of different disciplinary perspectives the economics of Citizen's Basic Income the sociology of Citizen's Basic Income the politics of Citizen's Basic Income and so on Each chapter discusses the academic discipline and relevant aspects of the debate and asks how the discipline enhances our understanding and how the Citizen's Basic Income debate might contribute to the academic discipline **The future of Nordic labour law: Facing the challenges of changing labour relations** Jenum Hotvedt, Marianne, Videbæk Munkholm, Natalie, Aradóttir Pind, Dagný, Westregård, Annamaria, 2020-10-09 Available online <https://pub.norden.org/temanord2020/534> Is labour law in the Nordic countries prepared to meet future challenges or is there a need for adjustments and renewal These questions form the backdrop for the analysis in this report The Nordic systems of labour law are built on a binary divide between employees and the self-employed As a main rule employees are protected by labour law while self-employed are not and the employer is responsible for complying with the legal framework If future labour relations make it harder to assess whether a worker is an employee or self-employed and to decide who is the employer this might undermine the efficiency of labour law regulations The report analyzes the adaptability of the legal framework and points at strengths and weaknesses Furthermore the study discusses how the identified challenges can be addressed by suggesting avenues for legal development and reform The report is the concluding analysis of Pillar VI in the project Future of Work Opportunities and Challenges for the Nordic Models NFoW funded by the Nordic Council of Ministers *European Welfare State Constitutions After the Financial Crisis* Ulrich Becker, Anastasia Poulou, 2020 This book examines the specific reforms in social protection that took place during the European financial crisis while embedding them in a broader human rights and constitutional law framework of nine European countries Analytical and comprehensive this is a helpful tool for all legal professionals that deal with crisis-related reforms The Welfare State and Constitutionalism in the Nordic Countries Martin Scheinin, 2001 **Psychosocial Risks in Labour and Social Security Law** Loïc Lerouge, 2017-08-24 This book studies a range of legal systems and compares

them on their ability to deal with psychosocial risks at work The book looks at prevention of psychosocial risks from a labor law perspective and at compensation and reparation from a social security law perspective It pays special attention to the topic of bullying in the work place which is currently the subject of most legal summons This book presents the views on the subject from leading national and international experts and provides an in depth coverage of legal systems used in Southern and Northern European countries as well as Canada and Japan to deal with this topic The topic of psychosocial risks at work has received much attention recently both from the general public the press and those working in the legal arena It is difficult for lawyers to deal with the issue of psychosocial risks at work due to the multifactorial and subjective features involved

**Labour Law in Norway** Henning Jakhell, Kristine Fremstad Moen, Mårten Brandsnes Faret, 2019-12-13 Derived from the renowned multi volume International Encyclopaedia of Laws this monograph on Norway not only describes and analyses the legal aspects of labour relations but also examines labour relations practices and developing trends It provides a survey of the subject that is both usefully brief and sufficiently detailed to answer most questions likely to arise in any pertinent legal setting Both individual and collective labour relations are covered in ample detail with attention to such underlying and pervasive factors as employment contracts suspension of the contracts dismissal laws and covenant of non competition as well as international private law The author describes all important details of the law governing hours and wages benefits intellectual property implications trade union activity employers associations workers participation collective bargaining industrial disputes and much more Building on a clear overview of labour law and labour relations the book offers practical guidance on which sound preliminary decisions may be based It will find a ready readership among lawyers representing parties with interests in Norway and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations

*The Legal Construction of Personal Work Relations* Mark Robert Freedland, Nicola Kountouris, 2011-12-15 This book explores the conceptual framework of European employment law focusing on understanding the law s construction of employment relationships The book draws on extensive comparative research of the legal architecture of employment relations in national legal systems and EU law to analyse the traditional model of the contract of employment and the difficulties of using the traditional model to frame modern working relationships The authors then present a new model of the foundations of employment relationships based on the concept of a personal work nexus and explore the potential of their model to shape the future development of employment law Throughout the book the authors analyse the interaction of domestic and EU employment law and discuss the possibility of future legal harmonisation in the area They conclude by exploring the potential for a common framework for European employment law in the context of broader debates surrounding the harmonisation of European private law

Czech Law in Historical Contexts Jan Kuklík, 2015 The legal system of the present day Czech Republic would not be understood properly without sufficient knowledge of its historical roots and evolution This book deals with the development of Czech law from its

initial origins as a form of Slavic law to its current position reflecting the influence of the legal systems of neighbouring countries and that of Roman law The reader can see how a legal system originally based on custom developed into written and codified law Czech law was fully dependent upon developments within the Luxemburg Jagiellonian and primarily Habsburg monarchies although some features remained autonomous The 20th century is particularly important in the development of the Czech state and law of today namely due to the establishment of an independent Czechoslovakia in 1918 and its split in 1992 giving rise to the independent identities of the Czech Republic and the Slovak Republic It was a century encompassing periods of democratic as well as totalitarian regimes political ideological economic and social changes stemming from such transformations were projected into and reflected in the system of Czechoslovak and Czech law It can therefore serve as a case study for researchers interested in the transition of democratic legal systems into totalitarian regimes and vice versa

*European Labour Law* Brian Bercusson, 2009-07-09 *European Labour Law* explores how individual European national legal systems in symbiosis with the European Union produce a transnational labour law system that is distinct and genuinely European in character Professor Brian Bercusson describes the evolution of this system its national transnational and global contexts and its institutional and substantive structures The collective industrial relations dimension of employment is examined and the labour law of the EU as manifested in for example European works councils is analysed Important subjects which have traditionally received little attention in some European labour law systems are covered for example the fragmentation of the workforce into atypical forms of employment Attention is also given to the enforcement of European labour law through administrative or judicial mechanisms and the European social dialogue at intersectoral and sectoral levels This new edition has been extensively updated as the EU's influence on this area of social policy continues to grow

The EU Charter of Fundamental Rights Steve Peers, Tamara Hervey, Jeff Kenner, Angela Ward, 2014-12-01 The Charter of Fundamental Rights of the European Union enshrines the key political social and economic rights of EU citizens and residents in EU law In its present form it was approved in 2000 by the European Parliament the Council of Ministers and the European Commission However its legal status remained uncertain until the entry into force of the Treaty of Lisbon in December 2009 The Charter obliges the EU to act and legislate consistently with the Charter and enables the EU's courts to strike down EU legislation which contravenes it The Charter applies to EU Member States when they are implementing EU law but does not extend the competences of the EU beyond the competences given to it in the treaties This Commentary on the Charter the first in English written by experts from several EU Member States provides an authoritative but succinct statement of how the Charter impacts upon EU domestic and international law Following the conventional article by article approach each commentator offers an expert view of how each article is either already being interpreted in the courts or is likely to be interpreted Each commentary is referenced to the case law and is augmented with extensive references to further reading Six cross cutting introductory chapters explain the Charter's institutional anchorage its relationship to the

Fundamental Rights Agency its interaction with other parts of international human rights law the enforcement mechanisms extraterritorial scope and the all important Explanations

**Modern Studies in Property Law - Volume 4** Elizabeth Cooke, 2007-05-21 This book is a collection of papers given at the sixth biennial conference at the University of Reading held in March 2006 and is the fourth in the series Modern Studies in Property Law The Reading conference has become well known as a unique opportunity for property lawyers to meet and confer both formally and informally This volume is a refereed and revised selection of the papers given there It covers a broad range of topics of immediate importance not only in domestic law but also on a worldwide scale

Invitation to Law & Society Kitty Calavita, 2016-04-11 Research and real life examples that lucidly connect some of the divisive social issues confronting us today to that thing we call the law Law and Politics Book Review Law and society is a rapidly growing field that turns the conventional view of law as mythical abstraction on its head Kitty Calavita brilliantly brings to life the ways in which law is found not only in statutes and courtrooms but in our institutions and interactions while inviting readers into conversations that introduce the field s dominant themes and most lively disagreements Deftly interweaving scholarship with familiar examples Calavita shows how scholars in the discipline are collectively engaged in a subversive expos of law s public mythology While surveying prominent issues and distinctive approaches to both law as it is written and actual legal practices as well as the law s potential as a tool for social change this volume provides a view of law that is more real but just as compelling as its mythic counterpart With this second edition of Invitation to Law and Society Calavita brings up to date what is arguably the leading introduction to this exciting evolving field of inquiry and adds a new chapter on the growing law and cultural studies movement Entertaining and conversational Law and Social Inquiry

**National Commission on Social Security Reform Recommendations** United States. Congress. Senate. Committee on Finance. Subcommittee on Social Security and Income Maintenance Programs, 1983

**Proceedings of the Unima International Conference on Social Sciences and Humanities (UNICSSH 2022)** Recky Harold Elby Sendouw, Theodorus Pangalila, Sjamsi Pasandaran, Vivi P. Rantung, 2023-01-24 This is an open access book The Unima International Conference on Social Sciences and Humanity UNICSSH 2022 was conducted on October 11th 13th 2022 at The Grand Kawanua International City Manado North Sulawesi Indonesia In 2022 Universitas Negeri Manado will host the Indonesian National Education Convention KONASPI X Konaspi is a routine activity of the PPTKN which is held once every four years The fourth industrial revolution 4.0 is marked by technological advances and supported by artificial intelligence that creates opportunities and challenges for the education system University and vocational school graduates are facing a world transformed by technology which in turn is transforming the workplace from task based to human centered characteristics Certain skills such as critical thinking emotional intelligence problem solving cognitive flexibility and knowledge production are required To answer this demand the education system must put revolutionary innovation on its agenda Scholars researchers and practitioners are invited to share ideas research results and



best practices about education science and technology now and in the future at an international conference held by Universitas Negeri Manado as part of the Indonesian National Education Convention KONASPI As part of KONASPI X activities Universitas Negeri Manado is holding the 2022 International Conference on Education Social Science and Humanities ICESSHum The topics in this international conference are Education Law Politics and Social Sciences Economics Public Administration and Humanities Through these themes it is expected to involve many professionals who have indirect roles in related fields To enrich this event the committee invites all national and international participants including academics researchers professionals and other relevant stakeholders to send research papers or review papers to be presented at the conference

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